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**IDAPA 08
TITLE 02
Chapter 01**

**08.02.01 - SCHOOL ORGANIZATION AND OPERATION
STATE BOARD OF EDUCATION FOR PUBLIC SCHOOLS, K-12**

001. -- 099. (RESERVED).

100. FEDERALLY FUNDED PROGRAMS.

Programs implemented in the State Department of Education and in the public elementary and secondary schools which are partially or completely funded with federal funds which have been accepted by the State Board of Education shall comply with all federal regulations. The State Department of Education shall develop and disseminate guidelines to be used by local school districts and shall monitor programs to assure compliance with federal requirements as required by federal law or regulation. (5-17-93)

101. -- 199. (RESERVED).

200. DEVIATION FROM STANDARD EMPLOYMENT CONTRACT FORM.

The State Superintendent of Public Instruction has approved a standard contract form. Any deviation from this contract form must be approved by the State Superintendent of Public Instruction and reviewed for reapproval once every three (3) years. (Section 33-512, Idaho Code) (5-17-93)

201. -- 299. (RESERVED).

300. EMERGENCY CLOSURE - TEACHER STRIKE OR WITHHOLDING OF SERVICE.

The State Board of Education does not recognize a teacher strike or the withholding of service as sufficient cause to declare an emergency closure as provided in Section 33-1002 of the Idaho Code. The primary concern of the State Board of Education is for the instructional program available to students and for the minimum number of hours of quality instruction to which they are entitled. (5-17-93)

301. -- 399. (RESERVED).

400. PUPIL ACCOUNTING AND REQUIRED INSTRUCTIONAL TIME.

(Section 33-512, Idaho Code; also see IDAPA 08, TITLE 02, Chapter 05, "Instructional Programs and Textbooks.") (5-17-93)

01. Required Instructional Time. Excluding transportation to and from school, lunch periods, passing times, and recess, schools must schedule at least the following instructional times: kindergarten, four hundred fifty (450) hours per year; grades one through three (1-3), eight hundred ten (810) hours per year; grades four through eight (4-8), nine hundred (900) hours per year; and grades nine through twelve (9-12), nine hundred ninety (990) hours per year. (5-17-93)

02. Day in Session When Counting Pupils in Attendance. A school day for grades one through twelve (1-12) may be counted as a "day in session" when the school is open and students are under the guidance and direction of teachers in the teaching process for not less than four (4) hours of instruction per day. Lunch periods, breaks, passing time and recess will not be included in the four (4) hours. For kindergarten, each session will be at least two and one-half (2 1/2) hours per day. (5-17-93)

a. Half-day Session. A half-day in session occurs when the students in grades one through twelve (1-12) are under the guidance and direction of teachers in the teaching process for a minimum of two and one-half (2 1/2) hours of instruction or the teachers are involved in staff development activities for not less than two and one-half (2 1/2) hours. (5-17-93)

b. Days Preceding a Holiday or Vacation. On days that immediately precede a holiday or vacation period, students shall be under the guidance and direction of teachers in the teaching process for not less than four (4) hours of instruction, excluding lunch periods, passing time and recess for the day to be considered a "day in session", or not less than two and one-half (2 1/2) hours of instruction for it to count as a half-day in session. (5-17-93)

c. Teacher Inservice Activities. For grades one through twelve (1-12), not more than twenty-two (22) hours may be utilized for teacher inservice activities. Days for teacher orientation and work prior to the opening of school or following the close of school cannot be considered a part of these twenty-two hours. In the event a school district chooses to utilize full days instead of half-days, the attendance reported for these full days will be the average of the attendance for the other days of that same week. (5-17-93)

03. Day of Attendance - Kindergarten. A day of attendance for a kindergarten pupil is one in which a pupil is physically present for a period of two and one-half (2 1/2) hours under the direction and guidance of a teacher while school is in session. Attendance will be reported in half-day increments. Attendance reports for any day in the school year will reflect only those students physically present. Particularly, enrollment figures are not to be used for the beginning nor closing weeks of school. (5-17-93)

04. Day of Attendance - Grades One Through Twelve (1-12). A day of attendance is one in which a pupil is physically present for the full day under the guidance and direction of a teacher while school is in session, with the exception as stated in "day in session" above. Attendance shall be reported in full or half-days. Attendance reports for any day in the school year will reflect only those students physically present. Particularly, enrollment figures are not to be used for the beginning nor closing weeks of school. (5-17-93)

05. Day of Absence. A day of absence is one in which the student is not physically present when school is in session. The absence shall be reported in full or half-days. (5-17-93)

06. Average Daily Attendance. In a given school year, the average daily attendance for a given school is the aggregate days attendance divided by the number of days school was actually in session. (5-17-93)

401. -- 499. (RESERVED).

500. SPECIAL EDUCATION PROGRAM MODELS.

Following are the descriptions of approved program models for special education programs in Idaho. (5-17-93)

01. Gifted/Talented Model. An in-school or out-of-school program that can include any of the following or a combination of the following service delivery options: resource room program, mentor program, community resources, learning center, and services and resources provided within the regular classroom. (5-17-93)

02. Itinerant Program Model. A model which provides assistance both directly to exceptional students or to regular classroom teachers, parents, administrators and others involved in the educational planning and implementation of special education for exceptional students. (5-17-93)

03. Resource Program Model. A model which is a supplementary program to the regular classroom. The setting may be the regular classroom, a resource classroom, a learning center, or a combination of the three. The regular and special education teachers have the joint responsibility for the educational program of the student in this program model. This model is designed for students with any exceptionality who are enrolled in special education on a part-time basis, but should participate in regular education to the maximum extent possible. (5-17-93)

04. Special Design Model. A model developed by a district to deliver services in a unique manner when other program models are not applicable. Annual State Department of Education approval is required. (5-17-93)

05. Self-Contained Program Model. A model in which an exceptional student spends the majority of the day in special education programs. The special education teacher has the major responsibility for the educational program of the student within this model. Exceptional students enrolled in this program model should participate in a resource program or regular education to the maximum extent possible. (5-17-93)

06. Contract Program Model. A model which may be used when an appropriate educational program is not provided for exceptional students within the local school district. Contractual programs require annual approval from the State Department of Education. Contracts may be between districts or between districts and agencies or, in special circumstances, between districts and private services providers. (5-17-93)

07. Homebound Program Model. A model which is for students who are unable to attend school due to temporary illness, accident, or an unusual disabling condition. A student must be absent from school ten (10) consecutive days or a physician's statement must certify in advance that absence will exceed this period of time.

(5-17-93)

08. Developmental Program Model. A model for children ages three, four and five (3, 4 and 5) who have developmental delays or other disabling conditions. Programming stimulates individual development in these skill areas: receptive or expressive language; cognitive abilities; gross or fine motor functioning; and social, emotional or adaptive functioning. Placement in developmental programs does not preclude supplemental experiences in regular kindergarten, special education resources programs or self-contained programs. For children with speech or language impairments, this model may provide the site for functional language-based interventions.

(5-17-93)

09. Integrated Kindergarten Model. Children who have developmental delays or other disabling conditions may be placed in kindergarten settings. Placement in integrated kindergarten programs does not preclude supplemental experiences in developmental programs, special education resource programs, or self-contained programs.

(5-17-93)

501. -- 599. (RESERVED).

600. SCHOOL ORGANIZATION PATTERNS.

The organizational pattern of the school may reflect a six-year senior high school (a 6-6 program); a four-year senior high school (a 6-2-4 or 8-4 program); a three-year senior high school (a 6-3-3 program); or any other organizational pattern approved by the State Board of Education.

(5-17-93)

01. Elementary Organization Patterns. If the school organization pattern is K-6-3-3, K-6-2-4, K-6-6, K-8-4, K-3-3-3-3, or K-5, 6-8, 9-12, for accreditation and approval purposes, the elementary grades are K-6, K-6, K-6, K-8, and K-6 and K-8 respectively. Grades 4-5-6 and 7-8 may be organized as a middle school. When a school is thus organized, reporting may be exercised on the middle and junior high school form for approval purposes.

(5-17-93)

02. Secondary Organization Patterns. For pupil accounting purposes and for meeting required instructional time, grades seven (7) through twelve (12) will be the same, regardless of the school organization pattern that is utilized.

(5-17-93)

601. -- 999. (RESERVED).