

**IDAPA 08 – STATE BOARD OF EDUCATION**  
**Office of the State Board of Education**  
**08.02.01 – Rules Governing Administration**

**Who does this rule apply to?**

*This rule applies to school districts and charter schools.*

**What is the purpose of this rule?**

*The purpose of this rule is to set out provisions for:*

- Altering School District Boundaries;
- Deviating From Standard Employment Contract Forms;
- Emergency Closures;
- Pupil Accounting and Required Instructional Time;
- Early Graduation;
- Special Education Funding for Districts with Approved Programs;
- Reimbursement to Districts for Substitute Teacher Costs;
- School District Building Account Funding Requests;
- Setting Out-of-state (Nonresident) Student Tuition;
- General Education Development Tests/Idaho High School Equivalency Certificate;
- Continuous Improvement Planning and Training;
- Literacy Growth Targets; and
- Establishing the Statewide Average Class Size

**What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Education and School Lands:

- [Article IX, Section 2 of the Idaho Constitution](#) – Board of Education

State Board of Education:

- [Section 33-101, Idaho Code](#) – Creation of Board
- [Section 33-105, Idaho Code](#) – Rules – Executive Department
- [Section 33-107, Idaho Code](#) – General Powers and Duties of the State Board

Scholarships:

- [Section 33-308, Idaho Code](#) – Excision and Annexation of Territory

School Districts:

- [Section 33-310B, Idaho Code](#) – Feasibility Study and Plan for Consolidation
- [Section 33-320, Idaho Code](#) – Continuous Improvement Plans and Training

District Trustees:

- [Section 33-512, Idaho Code](#) – Governance of Schools
- [Section 33-513, Idaho Code](#) – Professional Personnel

School Funds:

- [Section 33-905, Idaho Code](#) – School District Building Account – Payments to Account – Moneys Appropriated to State Board – Application for Moneys – Payments to Districts – Reports on Applications – Uses of Moneys

IAC Archive 2021

Foundation Program — State Aid — Apportionment:

- [Section 33-1002, Idaho Code](#) – Educational Support Program
- [Section 33-1004D, Idaho Code](#) – Reporting – Idaho Basic Educational Data System
- [Section 33-1027, Idaho Code](#) – Student Enrollment counts and Rulemaking

Teachers:

- [Section 33-1212A, Idaho Code](#) – College and Career Advisors and Student Mentors
- [Section 33-1279, Idaho Code](#) – Released Time for Service on State Committees and Commission

Transfer of Pupils:

- [Section 33-1403, Idaho Code](#) – Transfer of Pupils by Initiative of the Board of Trustees
- [Section 33-1405, Idaho Code](#) – Rates of Tuition – Tuition Certificates

Courses of Instruction:

- [Section 33-1616, Idaho Code](#) – Literacy Interventions

Education Of Exceptional Children:

- [Section 33-2004, Idaho Code](#) – Contracting by Approved Form for Education by Another School Districts

**Who do I contact for more information on this rule?**

Idaho State Board of Education  
8:00 am – 5:00 pm (Mountain Time)  
650 W. State Street  
P.O. Box 83720  
Boise, Idaho 83720-0037  
Phone: (208) 334-2270  
Fax: (208) 334-2632  
Email: [tracie.bent@osbe.idaho.gov](mailto:tracie.bent@osbe.idaho.gov)  
<https://boardofed.idaho.gov/>

# Table of Contents

---

## 08.02.01 – Rules Governing Administration

000. Legal Authority. ....	4
001. Scope. ....	4
002. Written Interpretations. ....	4
003. -- 006. (Reserved) ....	4
007. Waivers. ....	4
008. Definitions. ....	4
009. -- 049. (Reserved) ....	4
050. Altering School District Boundaries. ....	4
051. -- 149. (Reserved) ....	5
150. Deviation From Standard Employment Contract Form. ....	5
151. -- 199. (Reserved) ....	5
200. Emergency Closure - Teacher Strike Or Withholding Of Service. ....	5
201. -- 249. (Reserved) ....	5
250. Pupil Accounting And Required Instructional Time. ....	5
251. -- 299. (Reserved) ....	7
300. Funds Withheld - Late Submission Of Records. ....	7
301. -- 349. (Reserved) ....	7
350. Early Graduation. ....	7
351. -- 399. (Reserved) ....	7
400. Special Education Funding For Districts With Approved Programs. ....	7
401. -- 449. (Reserved) ....	8
450. Reimbursement To Districts For Substitute Teacher Costs. ....	8
451. -- 499. (Reserved) ....	8
500. School District Building Account (Non-Lottery Money). ....	8
501. -- 549. (Reserved) ....	10
550. Out-Of-State Tuition. ....	10
551. -- 599. (Reserved) ....	10
600. Reimbursement To Districts For A Feasibility Study Of High School Or School District Consolidation. ....	10
601. -- 649. (Reserved) ....	11
650. General Education Development Tests/Idaho High School Equivalency Certificate. ....	11
651. -- 800. (Reserved) ....	12
801. Continuous Improvement Planning And Training. ....	12
802. Literacy Growth Targets. ....	14
803. Statewide Average Class Size. ....	14
804. -- 999. (Reserved) ....	15

## 08.02.01 – RULES GOVERNING ADMINISTRATION

### 000. LEGAL AUTHORITY.

All rules in IDAPA 08.02.01, “Rules Governing Administration,” are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-101, 33-105, 33-107, 33-116, 33-117, 33-308, 33-320, 33-310B, 33-512, 33-513, 33-905, 33-1279, 33-1403, 33-1405, 33-2004 and Chapter 10, Title 33, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate. (7-1-21)T

### 001. SCOPE.

Uniform and thorough standards and governance by the State Board of Education for the establishment and maintenance of a general, uniform and thorough system of public education. (7-1-21)T

### 002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written interpretations of the rules of this chapter are available at the Office of the State Board of Education located at 650 W. State St., Room 307, Boise, Idaho 83702. (7-1-21)T

### 003. -- 006. (RESERVED)

### 007. WAIVERS.

The State Board of Education may grant a waiver of any rule not required by state or federal law to any school district upon written request. The Board will not grant waivers of any rule required by state or federal law. State and federal law includes case law (including consent decrees), statutes, constitutions, and federal regulations. (7-1-21)T

### 008. DEFINITIONS.

**01. Course.** A unit of instruction that may be determined based on the amount of instructional time or predetermined level of content and course outcomes. (7-1-21)T

**02. Virtual Course.** A course where instruction is provided in an on-line or virtual format and does not necessarily include face-to-face instruction. (7-1-21)T

### 009. -- 049. (RESERVED)

### 050. ALTERING SCHOOL DISTRICT BOUNDARIES.

The State Board of Education sets forth the following rules to govern the application and hearing procedures for alteration of school boundaries pursuant to Section 33-308, Idaho Code. A written application from the person or persons requesting alteration of school district boundaries, including the reasons for making the request, will be submitted to the State Board of Education. The application shall also contain that information as required by Section 33-308, Idaho Code: (7-1-21)T

**01. Written Statement of Support.** A written statement supporting or opposing the proposed alteration will be prepared by each board of trustees no later than ten (10) days following its first regular meeting held following receipt of the written application prepared by the person or persons requesting the alteration. Such request and supporting materials shall be forwarded to the Superintendent of Public Instruction. (7-1-21)T

**02. Review of Request.** The Superintendent of Public Instruction shall appoint a hearing officer in accordance with State Board of Education Governing Policies and Procedures to review the proposed alteration of boundaries. (7-1-21)T

**03. Criteria for Review of Request.** The hearing officer shall review the proposed alteration of boundaries taking into account the following criteria: (7-1-21)T

**a.** Will the alteration as proposed leave a school district with a bonded debt in excess of the limit proscribed by law; (7-1-21)T

**b.** Is the proposed alteration in the best interests of the children residing in the area described in the petition. In determining the best interests of the children the hearing officer shall consider all relevant factors which may include: (7-1-21)T

**i.** The safety and distance of the children from the applicable schools; (7-1-21)T

ii. The views of the interested parties as these views pertain to the interests of the children residing in the petition area; (7-1-21)T

iii. The adjustment of the children to their home and neighborhood environment; and (7-1-21)T

iv. The suitability of the school(s) and school district which is gaining students in terms of capacity and community support. (7-1-21)T

**04. Market Value.** The market value, for tax purposes, of the two (2) districts prior to the requested transfer and of the area proposed to be transferred will be provided. (7-1-21)T

**05. Decision by State Board Education.** The recommendation from the hearing on the matter shall be forwarded to the State Board of Education for decision in accordance with the Board's Governing Policies and Procedures. (7-1-21)T

**06. Additional Information.** The applicant may submit any additional information which is deemed to be appropriate in assisting the State Board of Education to make the decision. (7-1-21)T

**051. -- 149. (RESERVED)**

**150. DEVIATION FROM STANDARD EMPLOYMENT CONTRACT FORM.**

The State Superintendent of Public Instruction has approved a standard employment 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. (7-1-21)T

**151. -- 199. (RESERVED)**

**200. 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. The primary concern of the State Board of Education is for the instructional program available to students. (7-1-21)T

**201. -- 249. (RESERVED)**

**250. PUPIL ACCOUNTING AND REQUIRED INSTRUCTIONAL TIME.**

**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 or equivalent amount of instruction through an online, distance, or blended learning format; grades one through three (1-3), eight hundred ten (810) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; grades four through eight (4-8), nine hundred (900) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; and grades nine through twelve (9-12), nine hundred ninety (990) hours per year or equivalent amount of instruction through an online, distance, or blended learning format. The equivalent amount of instruction shall be based on the amount of time reported for the same course or amount of coursework delivered in an in-person setting. (7-1-21)T

**02. Required Attendance.** All pupils will complete four (4) years of satisfactory attendance in grades nine through twelve (9-12) to graduate from an accredited high school, except those who are approved for early graduation. (7-1-21)T

**03. Day in Session When Counting Pupils in Attendance.** (7-1-21)T

**a.** A school day for grades one through twelve (1-12) may be counted as a "day in session" when the school is in session and students are under the guidance and direction of teachers in the teaching process for not less than four (4) hours or its equivalent 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. (7-1-21)T

**b.** 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 or its equivalent of instruction or the teachers are involved in staff development activities for not less than two and one-half (2 1/2) hours. Students attending less than a half-day in session may have their hours aggregated by week for reporting purposes. (7-1-21)T

**c.** Teacher In-service Activities. For grades one through twelve (1-12), not more than twenty-two (22) hours may be utilized for teacher in-service activities, based on the district approved calendar. 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. (7-1-21)T

**04. Day of Attendance - Kindergarten.** A day of attendance for a kindergarten pupil is one in which a pupil is under the direction and guidance of a teacher while school is in session or under homebound instruction. A homebound student is one who is unable to attend school for at least ten (10) consecutive days due to illness, accident or an unusual disabling condition. Attendance will be reported in half-day increments. Particularly, enrollment figures are not to be used for the beginning nor closing weeks of school. (7-1-21)T

**05. Day of Attendance (ADA) - Grades One Through Twelve (1-12).** A day of attendance is one in which a pupil is under the guidance and direction of a teacher or other authorized school district personnel while school is in session or is a homebound student under the instruction of a teacher employed by the district in which the pupil resides, with the exception as stated in "day in session" above. A homebound student is one who is unable to attend school for at least ten (10) consecutive days due to illness, accident or an unusual disabling condition. Attendance will be reported in full or half-days. (7-1-21)T

**06. Average Daily Attendance.** Average daily attendance will be reported by averaging the full-time equivalent enrollment by week for students receiving instruction. To be considered as a student receiving instruction the student must have regular contact with the applicable instructional or pupil service staff member and be completing assignments as applicable to the grade range and course the student is enrolled in. For funding purposes full-time equivalent enrollment in an alternative summer school program shall be based on the student attending (two hundred twenty-five (225) hours or more or the proportional share of hours up to one (1) average day of attendance. (12-15-21)T

**07. Full-Time Equivalent (FTE) Enrollment Reporting.** (7-1-21)T

**a.** Kindergarten students enrolled in one (1) LEA for a total number of courses that equal six hundred (600) or more minutes per week shall equal zero point five (0.5) FTE. Grade one (1) through grade twelve (12) students enrolled in one (1) LEA for a total number of courses that equal one thousand two hundred (1,200) or more minutes per week shall equal one (1) FTE. (7-1-21)T

**b.** Kindergarten students enrolled in one (1) or more LEAs for a total number of courses at all LEAs that equal less than six hundred (600) minutes per week, the FTE shall be based on the percentage of time each student's courses are of six hundred (600) minutes. Grade one (1) through grade twelve (12) students enrolled in one (1) or more LEAs for a total number of courses at all LEAs that equal less than one thousand two hundred (1,200) minutes per week, the FTE shall be based on the percentage of time each student's courses are of one thousand two hundred (1,200) minutes. (7-1-21)T

**c.** Kindergarten students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal six hundred (600) or more minutes per week and less than or equal to seven hundred fifty (750) minutes per week the FTE shall be fractionalized based on percentage of time for which the student is enrolled. Grade one (1) through grade twelve (12) students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal one thousand two hundred (1,200) or more minutes per week and less than or equal to the respective amounts in the following subsections the FTE shall be fractionalized based on percentage of time for which the student is enrolled: (7-1-21)T

**i.** Kindergarten: seven hundred fifty (750) minutes. (7-1-21)T

- ii. Grade one (1) through grade three (3): one thousand three hundred fifty (1,350) minutes. (7-1-21)T
- iii. Grade four (4) through grade eight (8): one thousand five hundred (1,500) minutes. (7-1-21)T
- iv. Grade nine (9) through grade twelve (12): one thousand six hundred fifty (1,650) minutes. (7-1-21)T
- d.** Students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal more than the following minutes the FTE shall be based on the percentage of time for which the student is enrolled: (7-1-21)T
  - i. Grade one (1) through grade three (3): one thousand three hundred fifty (1,350) minutes. (7-1-21)T
  - ii. Grade four (4) through grade eight (8): one thousand five hundred (1,500) minutes. (7-1-21)T
  - iii. Grade nine (9) through grade twelve (12): one thousand six hundred fifty (1,650) minutes. (7-1-21)T
- e.** Courses in LEAs with block scheduling that results in students attending courses for a period greater than one (1) week in order to encompass all courses the student is enrolled in for the term will use average minutes per week over the applicable time period to determine the courses minutes per week. (7-1-21)T
- f.** Students enrolled in an alternative summer school or alternative night school program of two hundred twenty-five (225) or more hours of instruction may be counted as an additional zero point two five (0.25) FTE. Alternative summer school enrollment will be included in the October 1 reporting period. (7-1-21)T
- g.** Students enrolled in an alternative summer school or night school program of less than two hundred twenty-five (225) hours FTE will be determined based on the proportional share of two hundred twenty-five (225) hours the program consists of. (7-1-21)T
- h.** Students enrolled in more than one (1) LEA in grade seven (7) through grade twelve (12) shall count enrollment at all LEAs for determining eligibility of overload courses identified in Sections 33-4601 and 33-4602, Idaho Code. (7-1-21)T

**251. -- 299. (RESERVED)**

**300. FUNDS WITHHELD - LATE SUBMISSION OF RECORDS.**

All professional staff records and noncertified employee records from each school district will be sent to the State Department of Education by October 15 of each year. If a district is delinquent with the forms, apportionment payment to that district will be withheld until such time as the district has met its obligation. (7-1-21)T

**301. -- 349. (RESERVED)**

**350. EARLY GRADUATION.**

Any high school student who completes the number of credits and exiting standards required by both the state and the school district prior to completing eight (8) semesters of high school work may petition the local superintendent and board of trustees to graduate early. When calculating the aggregate average daily attendance for the educational support program, students graduating from high school prior to the end of the school year will have their ADA for the first semester (second trimester) counted as if they were in attendance during the second semester (third trimester) of the school year. (7-1-21)T

**351. -- 399. (RESERVED)**

**400. SPECIAL EDUCATION FUNDING FOR DISTRICTS WITH APPROVED PROGRAMS.**

**01. Reimbursement for Exceptional Child Support Units.** State reimbursement provided by exceptional child support units is based on the following formula: (7-1-21)T

- a. Preschool students will generate funding based upon the weekly hours and minutes they are enrolled in special education. (7-1-21)T
- b. From the fall elementary enrollment of kindergarten through grade six (K-6), subtract elementary residential facility students and multiply the result by six one-hundredths (.06). Add the elementary residential facility students to the product. (7-1-21)T
- c. From the fall regular secondary enrollment of grades seven through twelve (7-12), subtract secondary residential facility students and multiply the result by fifty-five one-thousandths (.055). Add the secondary residential facility students to the product. (7-1-21)T
- d. Add the juvenile detention facility students to the total. (7-1-21)T
- e. Use the exceptional child divisor to determine the number of exceptional child units. Secondary programs with a smaller divisor may use the smaller divisor for their secondary computation. (7-1-21)T
- f. Elementary and secondary exceptional child support units will be calculated using one hundred percent (100%) Average Daily Attendance (ADA); the ADA will be subtracted from their respective regular elementary and secondary administrative unit for computing the support unit. (7-1-21)T

**02. Contracting for Educational and Related Services.**

- a. A school district which contracts for special education services with another agency may claim reimbursement up to a maximum amount of state funding, as annually determined by the State Department of Education, less the district's certified annual tuition rate. When any agency contracts for the education of exceptional children, all such children will be enrolled in the district of their residence and the agency will certify to the home school district the daily record of attendance of such student. (7-1-21)T
- b. For special education contracts between local school districts, the district receiving service will pay the district providing service the amount of the providing district's local annual tuition rate as certified under the provision of Idaho Code. The school district providing service will include students served within such contract within the total number of special education students used to calculate exceptional education support units. Charges for additional costs may be negotiated between the districts. (7-1-21)T
- c. The State Department of Education will determine if public and private schools and facilities meet state standards for an approved special education program. Any agency aggrieved by the Department of Education's final decision may appeal that decision to the State Board of Education. (7-1-21)T

**401. -- 449. (RESERVED)**

**450. REIMBURSEMENT TO DISTRICTS FOR SUBSTITUTE TEACHER COSTS.**

The Professional Standards Commission (PSC) is authorized to reimburse the employing district for a classroom teacher member of the PSC for the costs incurred in the employment of a substitute teacher for a member while the member is engaged in PSC business. Such reimbursement may be made for each instance in which a substitute is employed as a replacement for a member beyond six (6) days during a given school year. Reimbursement may be made upon request by the employing district submitted in a manner determined by the PSC. Reimbursement will be based upon the prevailing rate for substitutes in that district. (7-1-21)T

**451. -- 499. (RESERVED)**

**500. SCHOOL DISTRICT BUILDING ACCOUNT (NON-LOTTERY MONEY).**

The board of trustees of any school district may apply to the State Board of Education to receive a payment or payments from the School District Building Account as authorized under Section 33-905(3a), Idaho Code. (7-1-21)T

- 01. Application for Payment.** The application for payments from the School District Building Account will include: (7-1-21)T



- a.** A statement of need; (7-1-21)T
- b.** A statement of the condition and use of all of the district's existing facilities including the dates of construction and any significant remodeling or additions; (7-1-21)T
- c.** A history of the district's classroom student/teacher ratios, how these ratios have been affected by a lack of classroom space, and how these ratios would be improved by the project being requested. This statement should include building by building ratios as well as the overall district student/teacher ratio; (7-1-21)T
- d.** A statement of the district's existing tax levies for school plant facilities and bond interest redemption, along with how these levies relate to the district's levy capacity; (7-1-21)T
- e.** A statement of the district's market value for assessment purposes as such valuation existed on December 31 of the previous year, as well as other factors, if any, that affect the district's ability to finance school construction; (7-1-21)T
- f.** A statement of past efforts to levy for the project for which funding is being requested; (7-1-21)T
- g.** A description of any unique or special circumstances that should be considered in the evaluation of the application; (7-1-21)T
- 02. Application Deadline.** The deadline for submitting applications will be January 30th of each year. (7-1-21)T
- 03. Eligibility.** The State Board of Education will be responsible for determining which school districts receive payments from the School District Building Account. The State Board will: (7-1-21)T
- a.** Review all applications submitted by the established deadline, taking into consideration the criteria of need, wealth, and effort established in Section 33-905, Idaho Code; (7-1-21)T
- b.** Require resubmission of an application only when there have been substantial changes in the district which could alter the status of original determination; (7-1-21)T
- c.** Determine a priority of school districts eligible to receive monies from the School District Building Account. Such priority will be based on a point system. Once established, the priority will be annually reviewed. Unless significant new information has been submitted which impacts the original determination, the priority will not be altered; (7-1-21)T
- d.** Determine a priority within forty-five (45) days of the application submission deadline; and (7-1-21)T
- e.** Award to each successful grantee twenty-five percent (25%) of the costs of the approved project. (7-1-21)T
- 04. Point System for Determining Priority.** The point system for determining the priority of eligible districts is based on the following rating and weighted values: (7-1-21)T
- a.** Need: zero through ten (0-10) points, three and one half (3.5) weighted value for each point awarded; (7-1-21)T
- b.** Effort: zero through ten (0-10) points, two (2.0) weighted value for each point awarded; (7-1-21)T
- c.** Ability: zero through ten (0-10) points, two (2.0) weighted value for each point awarded; (7-1-21)T
- d.** Past efforts (levies attempted but failed): zero through ten (0-10) points, five tenths (.5) weighted value for each point awarded; (7-1-21)T

e. Student/teacher ratio improvement: zero through ten (0-10) points, one (1.0) weighted value for each point awarded; and (7-1-21)T

f. Unique/special circumstances zero through ten (0-10) points: one (1.0) weighted value for each point awarded. (7-1-21)T

**05. Documentation of Revenue Sources.** The school district will, within twelve (12) months of receipt of the approved state portion, submit documentation to the State Board of Education of the approved revenue source or sources that will be used to raise the district's portion. Failure to meet this requirement will result in return of the state grant along with any interest accrued on these monies. (7-1-21)T

**501. -- 549. (RESERVED)**

**550. OUT-OF-STATE TUITION.**

**01. Annual Agreement.** An annual agreement for out-of-state tuition, signed by a local board of trustees and approved by the State Board of Education, may allow students who are residents of an Idaho school district that borders on an adjacent state to attend school in the adjacent state for educational services in kindergarten through grade twelve (K-12). (7-1-21)T

**02. State Support Program Allowance.** An Idaho school district will be eligible to receive from the state educational support program an amount equal to the cost of the out-of-state tuition contract less the amount of local district contribution times the percentage the average daily attendance (ADA) of tuition students is to the total ADA in the school district. (7-1-21)T

**551. -- 599. (RESERVED)**

**600. REIMBURSEMENT TO DISTRICTS FOR A FEASIBILITY STUDY OF HIGH SCHOOL OR SCHOOL DISTRICT CONSOLIDATION.**

**01. Application Procedure.** Applications for reimbursement will be submitted to the State Superintendent of Public Instruction in narrative form with the following supporting documents: (7-1-21)T

a. A copy of the feasibility study; (7-1-21)T

b. A copy of the consolidation plan, when appropriate; (7-1-21)T

c. A summary of school board deliberations or joint sessions that were held by the participating school boards; (7-1-21)T

d. A summary of all public hearings held, if any; and (7-1-21)T

e. An itemized listing of reimbursable costs. (7-1-21)T

**02. Reimbursable and Non-Reimbursable Costs.** Allowable costs for a feasibility study may include contracts for technical services, and the costs of public hearings, telephone bills, supplies, materials, publications, and travel. The costs of the following items will not qualify for reimbursement: (7-1-21)T

a. A salary of any person regularly employed part-time or full-time by the school district; (7-1-21)T

b. Rental of district-owned facilities; (7-1-21)T

c. Costs incurred more than three (3) years prior to the application. (7-1-21)T

**03. Maximum Reimbursement Allowed.** The total costs reimbursed will not exceed ten thousand dollars (\$10,000) for each feasibility study. A school district may receive reimbursement for more than one (1)

feasibility study, but the aggregate total reimbursement for all studies will not exceed ten thousand dollars (\$10,000) during any consecutive three (3) year period. (7-1-21)T

**04. Notification of Approval.** Upon verifying applicant school district's fiscal encumbrance for a feasibility study, the State Department of Education will notify the district and include the reimbursement payment in the district's apportionment payment for the year in which the expenses were incurred. (7-1-21)T

**601. -- 649. (RESERVED)**

**650. GENERAL EDUCATION DEVELOPMENT TESTS/IDAHO HIGH SCHOOL EQUIVALENCY CERTIFICATE.**

The primary objective of the State Board of Education is to have all students complete their formal education and graduate from high school. However, students who drop out of school and believe it is in their best interest to take the (General Education Development) GED. test may do so under the following conditions and, upon successful completion of all GED requirements, may apply for an Idaho High School Equivalency Certificate (HSEC). (7-1-21)T

**01. General Education Development Tests.** General Education Development (GED) tests are given by approved testing centers for a statewide fee set by the Idaho Division of Career Technical Education. Candidates must make the minimum score for passing the GED test as established by the GED Testing service. (7-1-21)T

**02. Age Criteria.** The applicant must satisfy one (1) of the following age criteria: (7-1-21)T

**a.** The applicant must be at least eighteen (18) years of age; (7-1-21)T

**b.** The applicant may be sixteen (16) or seventeen (17) years of age and be one (1) year or more behind in credits earned, expelled, recommended by the school, pregnant, or a parent. In such cases, the applicant is eligible if the applicant's school verifies in writing that the student meets one of the above criteria and this verification is on file at the testing center prior to any testing. The school may give its verification only after the applicant and his or her parent or guardian submit in writing a request for the applicant to take the GED tests and the applicant and the applicant's parent or guardian have met with school officials to review and discuss the request. (In cases where the applicant is not living with a parent or guardian, the parent or guardian's verification is not necessary.); (7-1-21)T

**c.** The applicant may be sixteen (16) or seventeen (17) years of age and be entering college, the military, or an employment training program, enrolled in an Adult Basic Education Program, enrolled in the Job Corps, or incarcerated. In such cases, the applicant is eligible if the institution involved applies in writing for the applicant to take the GED tests and this application is on file at the testing center prior to any testing. (7-1-21)T

**03. Proof of Identity.** Test takers must present proof of identification that shows legal name, date of birth, signature, address and photograph. Valid drivers' licenses, passports, military, and other forms of government-issued identification are acceptable. Two (2) forms of identification may be provided to meet these criteria. (7-1-21)T

**04. Idaho High School Equivalency Certificate.** The State Department of Education will issue an Idaho High School Equivalency Certificate (HSEC) to eligible applicants. To be eligible to receive an HSEC, an applicant must submit the following documents to the Division of Career Technical Education: (7-1-21)T

**a.** An official report of GED test results showing successful completion of all requirements applicable to the version of the GED test taken by the applicant. Test scores are accepted as official only when reported directly by the State's approved vendor for transcripts and records management, the Transcript Service of the Defense Activity for Non-Traditional Education Support (DANTES), or, in special cases, the GED Testing Service. (7-1-21)T

**b.** Individuals who took the exam prior to January 1, 2014, must also furnish documentation that they met the American Government requirement of the State of Idaho. This requirement may be met by resident study in high school or college, correspondence study from an accredited university, DANTES, or by successfully passing the American Government test furnished by the testing center. (7-1-21)T

- c.** A completed form DD295 on all service personnel. This form is not required of veterans and non-veteran adults. (7-1-21)T
- d.** A copy of a discharge if the applicant is a veteran of military service. (7-1-21)T
- e.** Applicants should submit their request using the form furnished by the Division of Career Technical Education, along with the ten dollar (\$10) processing fee and appropriate documentation of above requirements. After the applicant completes this form and pays the ten dollar (\$10) processing fee, the applicant will be awarded an Idaho High School Equivalency Certificate (HSEC). (7-1-21)T

**651. -- 800. (RESERVED)**

**801. CONTINUOUS IMPROVEMENT PLANNING AND TRAINING.**

In accordance with Section 33-320, Idaho Code, every local education agency (LEA) shall develop and maintain a strategic plan that includes a continuous improvement process focused on improving student performance of the LEA. (7-1-21)T

- 01. Definitions.** (7-1-21)T

  - a.** Administrator. As used in this section administrator means the superintendent of the school district or administrator of a charter school. (7-1-21)T
  - b.** Board. Board means the Idaho State Board of Education. (7-1-21)T
  - c.** Executive Director. Executive Director means the Executive Director of the Idaho State Board of Education. (7-1-21)T
  - d.** Local Education Agency Board. As used in this section local education agency or LEA Board means the board of trustees of a school district or board of directors of a charter school. (7-1-21)T
  - e.** Local Education Agency. As used in this section local education agency (LEA) means public school district or charter school.. (7-1-21)T
  - f.** Continuous Improvement Plan. As used in this section, a continuous improvement plan focuses on annual measurable outcomes and the analysis of data to assess and prioritize needs and measure outcomes. (7-1-21)T
- 02. Reimbursement Eligibility.** LEA's may request reimbursement for training conducted pursuant to Section 33-320, Idaho Code. To be eligible for reimbursement the training and trainer must meet the following criteria: (7-1-21)T

  - a.** Training. The training must cover one (1) or more the follow subjects: (7-1-21)T

    - i.** Continuous improvement planning training. Continuous improvement planning training must include, but is not limited to, training on continuous process improvement, use and analysis of data, and methods for setting measurable targets based on student outcomes; (7-1-21)T
    - ii.** School finance; (7-1-21)T
    - iii.** Administrator evaluations, including, but not limited to, specifics on the Idaho state evaluation requirements and framework; (7-1-21)T
    - iv.** Ethics; or (7-1-21)T
    - v.** Governance. (7-1-21)T
  - b.** Documentation of Training. Training records shall be kept by the LEA showing: (7-1-21)T

- i. The length of the training in hours; (7-1-21)T
- ii. The subject(s) covered by the training; (7-1-21)T
- iii. The participants included in the training or validation of attendance of specific participants as applicable; and (7-1-21)T
- iv. The curriculum, agenda, or other documentation detailing the content of the training. (7-1-21)T
- c.** Training Format. A majority of the LEA board and the administrator must collaborate on the continuous improvement plan and engage students, parents, educators and the community, as applicable to the training subject and format. The training facilitator must be physically present or have the ability to interact directly with all training participants. Sufficient time must be provided during the sessions to give the participants an opportunity to discuss issues specific to the LEA. (7-1-21)T
- d.** Trainer Qualifications. The trainer must meet the following qualifications: (7-1-21)T
  - i. May not be a current employee of the LEA; (7-1-21)T
  - ii. Must have two (2) years of documented training experience in the area of training being provided for the LEA; and (7-1-21)T
  - iii. Must provide at least three (3) recommendations from individuals who participated in past training sessions conducted by the trainer. These recommendations must be included with the application to determine the trainer's qualifications. (7-1-21)T
- e.** Qualified Trainers. Trainer qualifications will be determined by the Office of the State Board of Education. The State Board of Education will maintain a list of qualified trainers and the subject areas in which they are qualified. (7-1-21)T
  - i. An individual or company may submit an application for consideration to be placed on the list of qualified trainers or the LEA may submit the application on behalf of the individual or company. (7-1-21)T
  - ii. Applications must be submitted to the Executive Director in a format established by the Executive Director. (7-1-21)T
  - iii. Trainer qualifications must be determined prior to the LEA's request for reimbursement of training costs. (7-1-21)T
- 03. Audit.** If requested, LEA's must provide training documentation or other information to verify eligibility prior to reimbursement. (7-1-21)T
- 04. Annual Literacy Intervention Plan.** Annually each LEA will report on the effectiveness of the LEA's literacy intervention plan. Plans and reports are due by October 1 of each year. Plans shall include at a minimum: (7-1-21)T
  - a.** Projected literacy plan budget for the current school year; (7-1-21)T
  - b.** Metrics chosen by the LEA to determine effectiveness of the literacy plan and annual performance benchmarks; and (7-1-21)T
  - c.** Performance on metrics chosen to show program effectiveness for at a minimum the previous academic year. (7-1-21)T
- 05. College and Career Advising and Mentoring Plans.** Annually each LEA shall submit their college and career advising and mentoring plan to the State Board of Education by October 1. (7-1-21)T

- a. Plans shall include required metrics and at least one (1) or more additional metrics chosen by the LEA to determine effectiveness of the college and career advising and mentoring plan, baseline data and annual benchmarks. (7-1-21)T
- b. Performance on all effectiveness metrics shall be reported annually in the LEA's Continuous Improvement Plan annual report. (7-1-21)T
- c. At a minimum effectiveness metrics must include: (7-1-21)T
  - i. Percent of learning plans reviewed annually by grade level, in grade nine (9) through grade twelve (12); (7-1-21)T
  - ii. Number and percent of students who go on to some form of postsecondary education one (1) and two (2) years after graduation; and (7-1-21)T
  - iii. Number of students graduating high school with a career technical certificate or an associate degree. (7-1-21)T

**802. LITERACY GROWTH TARGETS.**

**01. Statewide Trajectory Growth Targets.** Statewide trajectory annual growth targets are based on aggregated student performance on the spring administration of the statewide reading assessments. Local growth targets are set by the LEA based on the LEA's available resources and student demographics. Statewide trajectory growth targets indicated the statewide goal for year over year increases in the percentage of students reading at grade level. (7-1-21)T

- a. Year one (1) and two (2): (7-1-21)T
  - i. Kindergarten -- one percent (1%). (7-1-21)T
  - ii. Grade one (1) -- one percent (1%). (7-1-21)T
  - iii. Grade two (2) -- one percent (1%). (7-1-21)T
  - iv. Grade three (3) -- one percent (1%). (7-1-21)T
- b. Year three (3), four (4), five (5), and six (6): (7-1-21)T
  - i. Kindergarten -- one point eight percent (1.8%). (7-1-21)T
  - ii. Grade one (1) -- two percent (2%). (7-1-21)T
  - iii. Grade two (2) -- one point six percent (1.6%). (7-1-21)T
  - iv. Grade three (3) -- one point two percent (1.2%). (7-1-21)T

**02. Annual Review.** The State Board of Education will review the statewide student proficiency levels and the statewide trajectory growth targets annually. (7-1-21)T

**803. STATEWIDE AVERAGE CLASS SIZE.**

For the purpose of determining the statewide average class size used in school district staff allowance calculations, school districts shall be grouped as follows: (7-1-21)T

**01. Group 1.** Group 1 shall consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades one (1) through three (3) and twenty-three (23) for grades four (4) through six (6), and a secondary divisor of eighteen point five (18.5.) (7-1-21)T

**02. Group 2.** Group 2 will consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades one (1) through three (3) and twenty-three (23) for grades four (4) through six (6), and a secondary divisor less than eighteen point five (18.5.) (7-1-21)T

**03. Group 3.** Group 3 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of nineteen (19) or twenty (20) for grades one (1) through six (6), and a secondary divisor of less than eighteen point five (18.5.) (7-1-21)T

**04. Group 4.** Group 4 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of less than nineteen (19) for grades one (1) through six (6), and a secondary divisor of less than eighteen point five (18.5.) (7-1-21)T

**804. -- 999. (RESERVED)**

# Subject Index

- A**  
Altering School District Boundaries 4  
Additional Information 5  
Criteria for Review of Request 4  
Decision by State Board of  
Education 5  
Market Value 5  
Review of Request 4  
Written Statement of Support 4
- C**  
Continuous Improvement Planning &  
Training 12  
Annual Literacy Intervention  
Plan 13  
Audit 13  
College and Career Advising and  
Mentoring Plans 13  
Definitions 12  
Reimbursement Eligibility 12
- D**  
Definitions 4  
Course 4  
Virtual Course 4  
Deviation From Standard Employment  
Contract Form 5
- E**  
Early Graduation 7  
Emergency Closure- Teacher Strike Or  
Withholding Of Service 5
- F**  
Funds Withheld- Late Submission Of  
Records 7
- G**  
General Education Development Tests/  
Idaho High School Equivalency  
Certificate 11  
Age Criteria 11  
General Education Development  
Tests 11  
Idaho High School Equivalency  
Certificate 11  
Proof of Identity 11
- L**  
Legal Authority 4  
Literacy Growth Targets 14  
Annual Review 14  
Statewide Trajectory Growth  
Targets 14
- O**  
Out-Of-State Tuition 10  
Annual Agreement 10  
State Support Program
- Allowance 10
- P**  
Pupil Accounting & Required  
Instructional Time 5  
Average Daily Attendance 6  
Day in Session When Counting  
Pupils in Attendance 5  
Day of Attendance (ADA)- Grades  
One Through Twelve 6  
Day of Attendance-  
Kindergarten 6  
Full-Time Equivalent (FTE)  
Enrollment Reporting 6  
Required Attendance 5  
Required Instructional Time 5
- R**  
Reimbursement To Districts For A  
Feasibility Study Of High School Or  
School District Consolidation 10  
Application Procedure 10  
Maximum Reimbursement  
Allowed 10  
Notification of Approval 11  
Reimbursable & Non-  
Reimbursable Costs 10  
Reimbursement To Districts For  
Substitute Teacher Costs 8
- S**  
School District Building Account (Non-  
Lottery Money) 8  
Application Deadline 9  
Application for Payment 8  
Documentation of Revenue  
Sources 10  
Eligibility 9  
Point System for Determining  
Priority 9  
Scope 4  
Special Education Funding For Districts  
With Approved Programs 7  
Contracting for Educational &  
Related Services 8  
Reimbursement for Exceptional  
Child Support Units 7  
Statewide Average Class Size 14  
Group 1 14  
Group 2 15  
Group 3 15  
Group 4 15
- W**  
Waivers 4  
Written Interpretations 4