

IDAPA 08 – STATE BOARD OF AND DEPARTMENT OF EDUCATION

08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. XX-XXXX-XXXX

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 14, 2016.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 33-105 and 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than June 15, 2016.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The State Board of Education approved a revision to the Idaho Academic Achievement Standards, which includes the proficiency level descriptors and the ISAT achievement levels at each performance level for each grade, on April 14, 2016. To clarify the description and avoid confusion, the term “standards” has been changed to “level descriptors.” These new achievement level cut scores for the Idaho Standards Achievement Test (ISAT) are reflected in the incorporated by reference document. The date for the incorporated by reference standards for the ISAT reflects the new approval date.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

A temporary rule is necessary for the 2015-2016 school year to represent the achievement descriptive/cut level scores for the ISAT and to be in compliance with the Elementary and Secondary Education Act. The students began testing in March 2016 and these cut scores were needed to be known in order to score the assessments.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this rule is necessary to comply with the Elementary and Secondary Education Act.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

Because of the number of pages within the document, the republication of the text would be unduly cumbersome and expensive. A complete copy of the incorporated by reference document can be found on our website at sde.idaho.gov/topics/admin-rules/.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance

on technical questions concerning the temporary and proposed rule, contact Dr. Cheryl Finley, Director of Assessment, at (208) 332-6976 or cfinley@sde.idaho.gov. Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 22, 2016. More information can also be found on our website at sde.idaho.gov/topics/admin-rules/.

DATED this 27th Day of April, 2016.

Sherri Ybarra, Superintendent of Public Instruction
650 West State Street, 2nd Floor
Boise, ID 83720-0027
Office: (208) 332-6800 Fax: (208) 334-2228

**IDAPA 08
TITLE 02
CHAPTER 03**

08.02.03 - RULES GOVERNING THOROUGHNESS

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-10)

- a. Driver Education, as revised and adopted on August 21, 2008. (3-29-10)
- b. Health, as revised and adopted on April 17, 2009. (3-29-10)
- c. Humanities Categories: (3-29-10)
 - i. Art, as revised and adopted on April 17, 2009; (3-29-10)
 - ii. Dance, as revised and adopted on April 17, 2009; (3-29-10)
 - iii. Drama, as revised and adopted on April 17, 2009; (3-29-10)
 - iv. Interdisciplinary, as revised and adopted on April 17, 2009; (3-29-10)
 - v. Music, as revised and adopted on April 17, 2009; (3-29-10)
 - vi. World languages, as revised and adopted on April 17, 2009; (3-29-10)
- d. English Language Arts, as revised and adopted on August 11, 2010. (4-7-11)
- e. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-29-10)
- f. Mathematics, as revised and adopted on August 11, 2010. (4-7-11)
- g. Physical Education, as revised and adopted on April 17, 2009. (3-29-10)
- h. Science, as revised and adopted on April 17, 2009. (3-29-10)
- i. Social Studies, as revised and adopted on April 17, 2009. (3-29-10)
- j. Information and Communication Technology, as revised and adopted on April 22, 2010. (4-7-11)

02. The English Language Development (ELD) Standards. The World-Class Instructional Design and Assessment (WIDA) 2012 English Language Development (ELD) Standards as adopted by the State Board of Education on August 16, 2012. Copies of the document can be found on the WIDA website at www.wida.us/standards/eld.aspx. (4-4-13)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable

Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

04. The Idaho English Language Assessment (IELA) Achievement Standards. The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

05. The Idaho Standards Achievement Tests (ISAT) Achievement ~~Standards~~ Level Descriptors. Achievement ~~Standards~~ Level Descriptors as adopted by the State Board of Education on ~~May 30, 2007~~ April 14, 2016. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (~~4-2-08~~)(4-14-16)T
