



**STATE BOARD OF EDUCATION MEETING
November 23, 2020**

**Office of the State Board of Education
Len B. Jordan Building
650 W State Street, 3rd Floor
Boise, Idaho**

A special meeting of the Idaho State Board of Education was held via Zoom teleconference on Monday, November 23, 2020. Board President Debbie Critchfield presided and called the meeting to order at 3:00pm (MST). A roll call of members was taken.

Present

Debbie Critchfield, President
Andy Scoggin, Vice President
Kurt Liebich, Secretary
Dr. Linda Clark

Shawn Keough
Dr. Dave Hill
Sherri Ybarra, State Superintendent

Absent

Emma Atchley

Monday, November 23, 2020, 3:00 p.m. (MST)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS

1. Temporary and Pending Rule – Docket 08-0201-2001 – Average Daily Attendance and Full-Time Equivalent Enrollment Reporting

BOARD ACTION

M/S (Clark/Keough): I move to approve the amended temporary and pending rule Docket 08-0201-2001, establishing enrollment full-time equivalencies reporting, as submitted in Attachment 1. A roll call vote was taken and the motion carried 7-0.

Board Member Clark introduced the item and asked Tracie Bent, Chief Planning and Policy Officer, to provide an overview of the changes that were made to this temporary and pending rule since it first came before the Board during the August 26, 2020 regular Board Meeting. Ms. Bent noted that the changes to the proposed rule since its initial

reading in August are highlighted in yellow within the meeting agenda materials. The amendments are also outlined within the meeting agenda materials, and include the addition of language needed to account for the conversion from FTE enrollment for reporting purposes and using FTE enrollment for calculating average daily attendance. This additional language added to IDAPA 08.02.02.250.06 accounts for the unique way that support units are calculated for summer school programs, as well as minor technical corrections.

Board Secretary Liebich inquired about the process for ensuring that a student is not counted as more than one FTE. Julie Oberle, Chief Financial Officer for Public Schools within the State Department of Education, discussed that the October enrollment measured by Idaho Code 33-127 requires that students who are included in the data must have at least one positive day of attendance within the previous ten school days. She added that 2.5 hours is equivalent to .5 days average daily attendance, and 4 hours is equivalent to a 1 day average daily attendance. Board Secretary Liebich discussed that districts' learning management systems should be able to track whether students are attending school while learning virtual. Ms. Oberle stated that the SDE is relying on attendance being reported for each student, and added that each student must be showing adequate progress and be in contact with their teacher in order to receive credit for attendance. Board Member Clark suggested that it might be beneficial to survey the local education agencies to determine if adequate measures are in place to track virtual attendance.

There were no additional questions or comments from the Board.

2. Pending Rule – Docket 08-0202-2002 – Educator Certification

BOARD ACTION

M/S (Clark/Hill): I move to approve pending rule Docket 08-0202-2002, as submitted in Attachment 1. A roll call vote was taken and the motion carried 7-0. Mrs. Atchley was absent from voting.

Board Member Clark introduced the item and noted that there were no revisions made to the pending rule since it initially came before the Board during the August 26, 2020 regular Board Meeting. She added that no comments were received during the public comment period.

There were no questions or comments from the Board.

3. Pending Rule – Docket 08-0501-2001 – Seed Certification (Chapter Repeal)

BOARD ACTION

M/S (Clark/Scoggin): I move to approve pending rule Docket 08-0501-2001, Rules Governing Seed and Plant Certification, repealing the chapter in its entirety

as provided in Attachment 1. A roll call vote was taken and the motion carried 7-0. Mrs. Atchley was absent from voting.

Board Member Clark introduced the item and noted that there were no revisions made to the pending rule since it initially came before the Board during the August 26, 2020 regular Board Meeting. She added that no comments were received during the public comment period.

There were no questions or comments from the Board.

4. Pending Rule – Docket 47-0101-2001 – Vocational Rehabilitation Services

BOARD ACTION

M/S (Clark/Hill): I move to approve pending rule Docket 47-0101-2001 as submitted in Attachment 1. A roll call vote was taken and the motion carried 7-0. Mrs. Atchley was absent from voting.

Board Member Clark introduced the item and asked Tracie Bent, Chief Planning and Policy Officer, to provide background information. Ms. Bent explained that Idaho Administrative Code, IDAPA 47.01.01, was not extended by the 2019 Legislature and expired on June 30, 2021. The Board approved a temporary rule during its November 26, 2020 Special Board Meeting that reestablished the rules for vocational rehabilitation services provided by the Idaho Division of Vocational Rehabilitation (IDVR). These rules were approved as a temporary rule rather than proposed and pending rules to allow IDVR to go through a two-year revision process with stakeholders to effectively rewrite the chapter. The temporary rule approved by the Board in November expired at the end of the 2020 Legislative Session.

Following the completion of the revision, IDVR submitted a new temporary and proposed rule that the Board approved during the June 2020 Regular Board Meeting. The amendments were posted to IDVR's website for public comment, and IDVR considered and incorporated the majority of the recommendations into the pending document. The comments received during the public comment period and their corresponding responses are included within the meeting agenda materials.

There were no questions or comments from the Board.

There being no further business, a motion to adjourn was entertained.

BOARD ACTION

M/S (Ybarra/Hill): I move to adjourn the meeting at 3:23pm (MST). The motion carried 7-0. Mrs. Atchley was absent from voting.