

**BOARDWORK**  
**APRIL 20, 2022**

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1. Agenda Approval

Changes or additions to the agenda.

**BOARD ACTION**

I move to approve the agenda as posted.

2. Minutes Approval

**BOARD ACTION**

I move to approve the minutes for the February 17, 2022, Regular Board Meeting and the March 3, 2022, Special Board Meeting.

3. Rolling Calendar

**BOARD ACTION**

I move to set April 26-27, 2023, as the date and the University of Idaho as the location for the April 2023 regularly scheduled Board Meeting.

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**STATE BOARD OF EDUCATION MEETING**  
**February 17, 2022**  
**Boise State University**  
**Simplot Ballroom**  
**Student Union Building**  
**Boise ID 83706**

A regular meeting of the Idaho State Board of Education was held at Boise State University February 17, 2022. Board President Kurt Liebich presided and called the meeting to order at 8:00 a.m. (MT).

**Present**

Kurt Liebich, President  
Dr. Dave Hill, Vice-President  
Dr. Linda Clark, Secretary  
Shawn Keough

William G. Gilbert, Jr.  
Cally Roach  
Cindy Siddoway  
Sherri Ybarra, State Superintendent

**Absent**

None

**Thursday, February 17, 2022 – 8:00 a.m. (Mountain Time)**

**BOARDWORK**

1. Agenda Review / Approval – Action Item

**BOARD ACTION**

**M/S (Hill / Clark) I move to amend the agenda for this meeting pursuant to Idaho Code section 74-204 (c) to make Tab 2 of the State Department of Education’s agenda an action item instead of an information item as shown on the agenda. A roll call vote was taken, and the motion carried 8-0.**

**Dr. Hill further clarified; Let the minutes reflect the good faith reason to change this item from how it was listed on the original agenda posting is as follows: Final ESSER data reporting requirements were received from the U.S. Department of Education on February 9<sup>th</sup>. The State Department of Education developed a proposal for working with LEAs to help with reporting and meeting the federal monitoring and state reporting requirements. The Board President was not able to meet until the afternoon of February 16<sup>th</sup> to discuss these reporting**

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requirements and staff needs to assist LEAs in fulfilling these requirements, and the time sensitive nature of Board action. Since time is of the essence, it was determined it was in the best interest of the state for the Board to take action at this meeting.

2. Minutes Review / Approval – Action Item

### BOARD ACTION

**M/S (Hill / Roach) I move to approve the minutes for the December 15, 2021, Regular Board Meeting, the January 6, 2022, Special Board Meeting and the January 13, 2022, Special Board Meeting.** A roll call vote was taken, and the motion carried 8-0.

3. Rolling Calendar – Action Item

### BOARD ACTION

**M/S (Hill / Gilbert) I move to set February 15-16, 2023, as the date and Boise State University as the location for the February 2023 regularly scheduled Board Meeting.** A roll call vote was taken, and the motion carried 8-0.

### CONSENT

#### BAHR

1. Boise State University - Online Program Fee for Certificate in Interventional Radiology and Interventional Cardiology – Action Item
2. Boise State University - Online Program Fee for Certificate in Resort Operations and Hospitality Management – Action Item
3. Boise State University – Multi-Year Lease to T-Mobile for Mobile Communications Antenna – Action Item
4. Idaho State University - Online Program Fee for Master of Science in Clinical Psychopharmacology – Action Item
5. University of Idaho – In-Time Tech Service Contract – Action Item

#### PPGA

6. Indian Education Committee Appointment – Action Item
7. STEM Action Center – STEM School Designation – Action Item
8. Boise State University – Facility Naming – Action Item

#### SDE

9. Emergency Provisional Certificates – Action Item

### BOARD ACTION

**M/S (Hill / Roach) I move to approve the consent agenda.** A roll call vote was taken, and the motion carried 8-0.

### OPEN FORUM

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**Jeremy Graves** spoke on BSU's Community Impact Program which incorporates a deep connection between community, faculty, and students through a combination of off-campus experiences and accessible online education.

**Tim Dunnagan** spoke about BSU's Value-Based Health Care, a 17-week online certificate program for those in healthcare who are interested in making the transition from volume to value-based payment arrangements.

**Ed Vasko** spoke about BSU's Cybersecurity Program offered in certification courses, full undergraduate and graduate degree programs.

**Eluterio Escamilla** talked about BSU's Veteran Services Center which helps members of the military transition to university life.

**Leslie Durham** spoke on BSU's Stein Luminary, an all-digital museum space open for small group reservations and BSU classes.

**Kelly Myers** spoke on BSU's Bronco Gap Year which supports students in defining, planning, and pursuing individual goals and projects; because, every project is unique.

**Nicolas Miller** spoke about BSU's Venture College which offers programs which build skills and instill an entrepreneurial mindset to pursue new ideas and launch ventures.

**HP Marshall** spoke about BSU's Snow Research opportunity. With 70 percent of Boise and Idaho's water supply coming from snow fall the world depends on snowpack and snow melt for everything from hydropower to agriculture production.

### WORK SESSION

#### Planning, Policy and Government Affairs

##### 1. Financial Literacy

Dr. Clark said from time to time, the Board receives requests to consider adding a high school graduation requirement specific to a minimum number of credits required in Financial Literacy. For today's work session representatives from CapEd Credit Union, Idaho Central Credit Union and Junior Achievement will address the Board concerning how they are reaching out to students to help them with their financial literacy.

Tracie Bent, Chief Policy, Planning and Governmental Affairs Officer, Idaho State Board of Education said most Idaho schools have a financial literacy requirement for graduating seniors. Financial literacy has been part of the Idaho content standards since 1997. Students are required to earn a minimum of five credits in social studies; one of those credits must be in economics to graduate from high school. Financial

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literacy is identified as part of the social studies – economics standards and often incorporated into applied mathematics courses as well by school districts and charter schools.

Board President Liebich asked if an assessment was in place to ascertain how many students graduate with some degree of financial literacy. Ms. Bent said there was no assessment in place to show the number of students who have financial literacy, what we can show is how many students are taking courses identified as standalone financial literacy courses. While school districts and charter schools are required to assess students against all of the Idaho content standards we only assess mathematics, English language arts and science at the state level.

Todd Christensen, Chief Marketing Officer for CapEd Credit Union began by mentioning the Rise group (risetvop.org) which has conducted annual surveys with graduating seniors and 78 percent of seniors reported they wished they had been given more training in financial literacy prior to graduation. Mr. Christensen highlighted two programs that CapEd offers. One is called 'It's a Money Thing' which is a series of 40 animated video's which walk students through building a budget, learning loan basics, breakdown of a credit score and its importance, and how to read a credit report.

Lisa Hamilton, Business Development Specialist, CapEd Credit Union, highlighted the 'Mad City Money' program geared toward middle and high school students. Students receive a workbook and are given jobs, income, a family, and credit card debt. They are then paced through simulations in paying their bills and creating a budget. The 1.5-to-2.5-hour simulation is free for students and all materials, volunteers and facilitators are provided by CapEd Credit Union.

Dr. Clark asked how many students have been involved in these programs. Mr. Christensen said for the Mad City Money program typically 10 classes are held a year so around 150 students. On the It's a Money Thing program 200 educators have used this program inside their classroom.

Mrs. Roach asked which areas of Idaho are being served by these programs. Mr. Christensen said the Mad City Money program is mostly here in the Treasure Valley (regions 3 and 4). It's a Money Thing is available to educators across the state. Mrs. Roach asked how these programs were being marketed to the schools. Mr. Christensen said Ms. Hamilton leads a team of brand engagement specialists who go into the education community sharing these programs with them.

Michael Watson, Chief Marketing Officer, Idaho Central Credit Union, spoke about ICCU's partnership with digital financial literacy platform Stukent which is a full-blown semester long simulation for students where they are taught budgeting, paying bills, buying insurance, and more. Currently 183 schools are signed up, 78 percent of Idaho students have access, 112 teachers are currently using the program and in the first two

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weeks of Spring 2022 over 500 students have accessed the program. This program is also available free of charge to any high school in Idaho thanks to the grant from ICCU.

Board President Liebich asked if there was any data on which types of teachers were accessing the program for their students. Mr. Watson said most are economics and math instructors. Board President Liebich asked how we can replicate the great ideas happening across the state, such as Stukent, to benefit students in rural areas of Idaho as well as in major cities. Mr. Watson said it's word of mouth from teachers who are helping to spread the word about how great a program this is for the students.

Dr. Clark asked if the students accessing this program are scattered across the state or are they localized. Mr. Watson said they are seeing people from across the state accessing this program. Mrs. Roach said while ICCU continues to track the data for students who finish this program, it will be interesting to see the impact it has on them down the road. Mr. Watson said ICCU is still planning to track the progress of the students after completion. He also said ICCU will fund this program for 5 years, and they are two years into it, but after that the hope is that the schools who love using it will continue to fund it. He also reported that ninety-four percent of the students who have gone through the MIMIC program can pass a financial literacy test.

Ashley Jackson, Education/Program Manager, Junior Achievement, started by saying that last year Junior Achievement was able to serve almost 10,000 students in Idaho. They reach out to students in K-12. They are also the world's largest business / education partnership, and they are the number one financial literacy program in school districts across the country. Fifty-one percent of Junior Achievement alumni report going into the same field as one of the program volunteers. Junior Achievement in Idaho services students in regions 3-6.

Mrs. Roach said Future Farmers of America (FFA) and 4-H also offer entrepreneurial programs for all ages. For instance, in FFA there is a supervised agricultural experience and to achieve a state degree award you must start your own business. Mrs. Roach asked if one of the higher education institutions could address how they are helping students with their student debt. No answer was readily available, but several schools promised to get information to the Board.

Superintendent Ybarra mentioned a program called PERK to help students be financially literate and she would like to have a discussion at a future point about where and how to highlight the programs and curriculum available for students which are already in place. Many parents do not know where to look for this information so a more streamlined process, or a better communication tool, for where to find a financial literacy program would be helpful for both parents and students.

Ms. Bent said the Board has several ways to impact what is taught in schools. The most common way is through administrative rule where the Board sets:

- Content standards

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- Minimum areas of required instruction by grade level
- High school graduation requirements

Ms. Bent mentioned each of these things to help the Board recognize the tools they have at their disposal.

There were no further comments or questions from the Board.

At this time the Board recessed for 10 minutes, returning at 9:30 a.m. (MT)

## **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**

1. Boise State University Annual Report – Information Item

Dr. Marlene Tromp, President, Boise State University, gave the annual BSU update to the Board.

Highlights of her presentation were the following.

- ❖ Nearly 5,000 students received 6,162 degrees and certificates in 2020-2021.
- ❖ BSU serves more than 33,000 students annually.
- ❖ BSU has seen a fifty-five percent increase in baccalaureate graduates since 2010.
- ❖ BSU confers more than half of all bachelor's degrees from public institutions in Idaho.
- ❖ BSU's laser lab is literally one of kind in the world and the research being done could potentially change quantum computing.
- ❖ BSU will soon have a school of the environment.
- ❖ Five goals for BSU moving forward post-pandemic are.
  - Improve Educational Access and Student Success
  - Innovation for Institutional Impact
  - Advance Research and Create Activity
  - Foster Thriving Community
  - Trailblaze Programs and Partnerships
- ❖ BSU is actively reaching out to new student populations via their Community Impact Program. Records show twenty-six percent of people in Idaho have some college but no degree.
- ❖ BSU has opened Retention and Academic success programs to help first-generation students; facilitate student transition and family connections, created the student success and mentorship coordinator, grants for veterans and students with disabilities.
- ❖ Veteran Student Success
  - BSU serves 1200 veteran students
  - BS has a one-stop support center for veterans, one of only 16 in the nation and the only one in Idaho
  - Offers military tuition assistance
  - Has an Air Force general education mobile initiative in the works

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Board President Liebich said it was encouraging to see how much BSU is aligning resources and leadership to obtain their goals and objectives which also align with the Board's strategic plan. Dr. Clark said she also appreciates how all the universities are aligning with the CCA initiatives. Data from the universities supports the Board's thoughts that these initiatives could be game changers.

There were no further comments or questions from the Board.

### **2. Idaho Division of Career Technical Education – Annual Report – Information Item**

Dr. Clay Long, Administrator, Idaho Division of Career Technical Education (CTE) gave his annual report to the Board.

Highlights from his presentation are.

- ❖ The Division of Career Technical Education provides leadership, administrative and technical assistance, and oversight for career technical education programs in Idaho's public secondary schools and technical colleges. The Division is responsible for approximately \$46.7M in funding for postsecondary programs, \$17.5M for secondary and general programs and an additional \$6.8M toward related programs such as adult education, workforce training centers, and apprenticeship programs in addition to career technical educator training and development.
- ❖ CTE's mission prepares Idaho youth and adults for high-skill, in-demand careers achievable through five program areas: CTE leadership and administration, secondary and general programs, post-secondary programs, educator services and related programs.
- ❖ There are 149 school districts offering CTE programs throughout Idaho, 17 career technical schools and just under 19,000 students being served.
- ❖ Over the past 5 years there has been a twenty-five percent growth in secondary programs and just over 66,000 students enrolled in CTE programs throughout the state in just the last school year.
- ❖ Ninety-four percent of CTE concentrators graduate from high school verses eighty-two percent of all high school graduates in the state.
- ❖ Forty-nine percent of CTE concentrators go on to college verses thirty-eight percent of general student graduates.
- ❖ CTE programs are offered through four technical colleges at community colleges and two technical colleges at four-year colleges.
- ❖ Last year 1744 degrees / certificates were awarded which is a nine percent increase over the previous year.
- ❖ Ninety-one percent of technical college completers found jobs, continued their education, or went into the military.
- ❖ Ninety percent obtained employment related to their CTE training.
- ❖ For the 5,300 students enrolled, 3,000 of which are full-time students, they earned 91,929 credits while enrolled in 297 CTE programs.



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- ❖ There was a fourteen percent growth in students served via the workforce training center; through fire service training; and 2900 students in the adult education programs.

Dr. Long said looking forward CTE has five overarching goals:

1. Enhancing professional development and program recognition opportunities.
2. Streamlining the CTE educator certification process.
3. Facilitating regional relationships, program support, and employer engagement.
4. Establishing a program prioritization model and standards that support state and regional employer needs.
5. Ensuring their services support their customers' needs.

Dr. Long mentioned one of the challenges CTE faces is that while these second-tier programs are approved they are not fully funded. Governor Little has made a recommendation to invest \$10 million dollars into career technical education, and that investment will help in overcoming some of these challenges.

Dr. Hill asked what was the reasoning that some of the school districts did not take advantage of the program of study path. Dr. Long said the districts thought the amount of work involved to be eligible was too much. The second concern many of them expressed was in making the move to programs of study from a cluster program, with the accountability and assessment metrics that they would need to meet.

Dr. Hill asked Dr. Long to explain the difference between a program of study and a cluster program. Dr. Long said, a program of study is a sequential program which starts as a three- or four-year program where everything builds from year-to-year culminating in a capstone course and then a technical skills assessment. A cluster program is an option for districts where they have a grouping of closely related programs that share common compliance requirements.

Dr. Hill asked for more information on the regional feedback mechanisms. Dr. Long said the advisory committee they have created is made up of superintendents with and without CTE programs, in both rural and urban areas and industry and employers.

Mrs. Keough asked two questions. How is the employer outreach conducted, and in what fields are the microcertifications from the over 18,000 SkillStack students? Dr. Long said anyone who employs someone is a stakeholder. CTE reaches out to all of them to get feedback. Every program in the state has an advisory committee and those committees then take that data and make suggestions on what needs to change in CTE offerings. As for the information concerning SkillStack he will have someone in his office run the numbers to give a more specific look at which fields students are earning microcertifications in and communicate that information to the Board.

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Mr. Gilbert asked what the program prioritization looks like for CTE. Dr. Long said just this year CTE looked at the labor data and determined what the anticipated growth was, what was the current demand for certain jobs and where did the data land on the most in-demand jobs in the state.

Superintendent Ybarra asked about the public's perception concerning vocational rehabilitation and CTE, since many parents express dismay that Idaho is not offering these courses, and she must tell them that Idaho is. How do we respond to parents? Dr. Long said many students are taking CTE courses and they just do not know it. Just last year CTE's communication team completed a comprehensive communication audit to look at what are we doing, how are we doing it and how is their message being received. Their next task will be to develop a marketing plan. Superintendent Ybarra asked if CTE and SDE could team up to get the message out through a combined marketing plan. Dr. Long said that joint effort was definitely something that could be explored further.

Dr. Hill asked about the role of the advisor in high school. Is there anything specifically being sent to the advisors concerning CTE. Dr. Long said they are sending communications to career advisors, career counselors or even general counselors with the narrative to show them a path for a student to be on that can help them get to their career goal. Dr. Clark asked if there was any data on how many districts have career advisers in addition to general counselors. Ms. Bent said a couple of years ago the data showed that there were around 200 students per counselor. Dr. Clark expressed that it was beneficial for there to be career counselors in every school, as well as general counselors.

Mrs. Roach said the College of Southern Idaho has a program where they reach into the local high schools and assist the counselors with student career development.

There were no further comments or questions from the Board.

### **3. Idaho Public Charter School Commission – Annual Report – Information Item**

Jenn Thompson, Director, Idaho Public Charter School Commission, gave the commissions annual report. The Idaho Charter School Commission (IPCSC) is composed of seven Governor-appointed commissioners, and they serve as authorizer for 57 operating charter schools and 6 pre-operational schools in Idaho. Currently, only the Commission and local boards of trustees have authorized public charter schools in Idaho. The authorized chartering entity of a charter school is responsible for executing a performance certificate that sets forth the academic and operational performance expectations and measures by which the charter school's performance will be judged and used in consideration of renewal or non-renewal.

Their mission of cultivating exemplary charter schools reminds them that their day-to-day tasks are in service of students and families. They envision a healthy charter

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school which uses Quality, Autonomy, Accountability, Compliance and Advocacy as key terms to help them meet their goal of helping Idaho's charter schools continue to thrive.

Ms. Thompson gave the following updates:

- ❖ Eight percent of Idaho students select charter schools.
- ❖ There are 29,049 students served by charter schools in Idaho.
- ❖ Charter schools are free and open to the public.
- ❖ Proficiency in Math, ELA and IRI are used as metrics to see how the charter schools are meeting the needs of the students.
- ❖ Minimum expectations for charter schools are that they perform as well or better than the average of its peers.
- ❖ In some cases when the student population is markedly dissimilar to the district, a custom comparison group was identified based on schools with similar percentages of student groups, such as economically disadvantages or special education.
- ❖ Each year, IPCSC provides an annual performance report to each school. These individual reports are made available to the public on their website. Schools are encouraged to use this information to form their strategic planning process each year.
- ❖ A school that meets all standards at renewal is guaranteed another five-year term of operations. On the other hand, a school that does not meet the minimum standard on one or more measure (academic, operational, or financial) is not guaranteed a next operating term.
- ❖ IPCSC has implemented four measures to help students who are considered to be at-risk:
  - Math and ELA content mastery. This measure acknowledges that a student enrolled in 8th grade may not perform well on the 8th grade ISAT assessment if his or her skills are at the 6th grade level. However, if that student mastered the content (earned full credit) in the next course in his/her own academic progression, that success should be noted for the student and the school.
  - Progress Toward Graduation. For students who are at-risk of failing to graduate, it is crucial to ensure that they earn enough credits while enrolled at a school to not fall further behind, regardless of whether they are enrolled for the whole school year or only one grading term. The 9-12 progress toward graduation measure considers whether a student successfully completed at least as many credits as expected during the time they attended the charter school.
  - Additional Graduates. At-risk students are a more mobile population and generally enroll in several high schools throughout their high school career, ACGR alone does not sufficiently help us understand whether an alternative school is serving students well. This additional graduation measure allows the IPCSC to consider the percentage of students who were in enrolled as 12th grade students and graduated, regardless of when the student should have graduated. As this measure includes

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students who may be in their 6th or 7th year of high school, this measure provides a clearer “data story” for at-risk students and the schools that serve them.

- ❖ Part of IPCSC’s scope is to look at the financial health of any charter school. If a charter school is going to close it is mostly due to financial issues, but they also look for any underlying issues such as poor stewardship as a root cause.

Mrs. Keough asked for clarification. Is it true this report does not include the school district authorized charters? Ms. Thompson said that was correct. Mrs. Keough asked about the report as presented since not all 57 schools had testing data. Ms. Thompson said not all the charter schools have all the grades. For instance, some only have a high school and therefore will not have an IRI score on the chart.

Mr. Gilbert asked how IPCSC was going to include the growth in a cohort score and what is the process for schools who are under performing relative to comparative charters schools. Ms. Thompson said the charter commission’s framework is regulated by statute. They must evaluate proficiency and growth as they are reported. The commission’s decisions to evaluate a school must be based on this data. Last year a bill passed the legislature that removed IPCSC’s mission specific goals so those cannot be used to evaluate a charter school.

Superintendent Ybarra stated that there are 68 charter schools in Idaho now and some are not on the list because they may be too small or are not part of IPCSCs list. However, they are still charged with following the accountability model as set forth by the State Board of Education. Ms. Thompson said there are around 15 charter schools not part of IPCSC.

Ms. Thomson reiterated that the list only included charter schools authorized by the Commission and was not based on the size of the school.

Board President Liebich asked how many charter schools were in urban verses rural districts. Ms. Thompson said there are very few charter schools in rural areas.

There were no further comments or questions from the Board.

At this time the Board recessed for 10 minutes, returning at 11:20 a.m. (MT).

#### 4. Legislative Update – Action Item

Tracie Bent, Chief Policy, Planning and Governmental Affairs officer reviewed the legislation brought forward for this Legislative session. The following legislation includes not only education related legislation but also bills that impact state agencies or institutions under the Board.

The following legislative bills were mentioned to keep the Board informed.

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- ❖ HB 461 which will expand the Armed Forces scholarship
- ❖ HB 533 which will allow for individuals who have been awarded the master educator premium to continue to receive those premiums
- ❖ HB 645 references community college trustee zones and to make sure the individual lives in the school district
- ❖ HB 649 and 650 concern curriculum development and addresses that no CRT is part of the curriculum
- ❖ HB 654 amends existing law to authorize certain professionals to work as school counselors
- ❖ S 1255 the empowering parents grant is quickly moving through the Legislature and would provide one-time federal funding to establish and administer this program

The following legislative bills were mentioned in case the Board decided to take action.

S 1329 repeals and adds to existing law to establish the Extended Employment Services Program in the Department of Health and Welfare.

### BOARD ACTION

**M/S (Clark / Gilbert) I move to approve the Extended Employment Services legislative proposal as provided in Attachment 2.** A roll call vote was taken. Dr. Linda Clark and William G. Gilbert, Jr., voted aye. Board President Liebich, Dr. David Hill, Shawn Keough, Cally J. Roach, Cindy Siddoway and Superintendent Ybarra voted nay. The motion failed.

Mrs. Keough said her experience with this issue over the years says that moving this program to another department does not repair what is wrong with this bill. The problems remain. There is a portion of the population that is differently abled that will remain underserved. Therefore, she will not be supporting the motion.

There were no further comments or questions from the Board.

### AND

RS 29318 extends the minimum age for a student to enter school. When the age of five years shall be attained before the first day of September of the school year in which the child is to enroll in kindergarten, or the thirty-first day of December for a child the parent or guardian and the local education agency have determined is school ready.

**M/S (Clark / Hill) I move the Board support RS 29318, Amending Section 33-201, Idaho Code, School Age, as provided in Attachment 3.** A roll call was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

## DRAFT

### AND

SB 1290 is the rural and underserved educator incentive program. The program shall provide for the direct repayment of educational loans of eligible educators or the reimbursement of eligible educational expenses such as additional degrees, advanced degrees, career technical certifications, or other educational expenses.

**M/S (Clark / Gilbert) I move the Board support SB 1290, creating a rule teacher incentive program as provided in Attachment 4.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

### AND

SB 1280 is one of two bills before the Legislature dealing with dyslexia screening in public schools.

**M/S ( ) I move the Board support SB 1280, creating statewide dyslexia screener parameters as provided in Attachment 5.** No Board member moved or seconded this motion. Motion failed.

Superintendent Ybarra acknowledged that she also has a dyslexia bill going before the Legislature, but she said she felt there are provisions in this bill before the Board today that are not accurate, and even harmful to teachers, and she will not support this motion. No further clarifications was provided on what in the bill was harmful to teachers.

William G. Gilbert voiced that he felt that the Board should not take any action on this bill. Dr. Clark agreed. She also said that the dyslexia handbook was already being worked on. She further stated that Idaho is one of a few states that still has no dyslexia legislation in place, but this bill could be better.

Dr. Hill asked when will the dyslexia handbook be ready. Dr. Clark said they hope to have it completed by the fall of 2023.

There were no further comments or questions from the Board.

### AND

HB 656 amends existing law to provide for placement on the career ladder of certain staff for those previously certified, even if certified in another state.

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**M/S (Clark / Gilbert) I move the board support HB 656 placing out of state teachers with equivalent experience to instate teachers on the career ladder based on their years of service.** A roll call vote was taken, the motion carried 8-0.

There were no comments or questions from the Board.

**AND**

HB 627 amends existing law to provide for enrollment-based funding and to allow for alternative education programs.

**M/S (Clark / Keough) I move the Board support HB 627 shifting to funding calculations based on enrollment rather than daily attendance.** A roll call vote was taken, the motion carried 8-0.

There were no comments or questions from the Board.

**AND**

S 1315 amends existing law to provide for full-day kindergarten and to revise provisions regarding certain support units and funding distributions.

**M/S (Clark / Gilbert) I move the Board support S 1315 amending the funding formula allowing funding for full-time kindergarten students.** A roll call was taken, the motion carried 8-0. After discussion Dr. Clark used parliamentary procedures to remove the motion with the approval of the second.

Matt Freeman said the Governor's budget recommendation includes funding \$46 million for literacy which has to be used for students in K-3 who score at or below basic on the informal reading inventor (IRI). That's the Governor's budget priority.

Board President Liebich said the Board should be aware that this bill also includes language that says that school districts who are getting funds from this bill cannot also get funding from supplemental levies to fund full-day kindergarten. Ms. Bent confirmed that was correct.

Mrs. Roach asked if the Board was premature in supporting the full-time kindergarten bill. Matthew Reiber, Policy Advisor, Intergovernmental Affairs, Office of the Governor of Idaho, said the Governor has not taken any stance on any of the full-day kindergarten bills but the Governor supports literacy in K-3. Mr. Reiber said the Governor would support the removal of the motion on S 1315.

There were no further comments or questions from the Board.

**AND**

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HB 461 which amends existing law to revise eligibility requirements for Armed Forces and Public Safety Officer Scholarships was moving through the Legislature.

**M/S (Clark / Ybarra) I move that the Board support HB 461.** A roll call vote was taken, the motion carried 8-0.

There were no comments or questions from the Board.

The following bills were previously approved by the Board. This is just an update on where the bills are in the Legislature.

- ❖ S 1247 the Career Technical School bill that added cost funding was moving through the session and was currently in House Education.
  - ❖ HB 505 amends existing law to revise provisions regarding the postsecondary credit scholarship and it was returned to the House Education committee asking for amended language.
  - ❖ HB 506 amends existing law to provide that for purposes of the Armed Forces and Public Safety Officer Scholarships, a member of the armed forces will be considered totally and permanently disabled if the disability determination is made or recognized by the Idaho Division of Veterans Services.
5. STEM Action Center – Updated Summer Learning After School Network Proposal – Action Item

Ms. Bent said at the last Board meeting the Board considered a proposal for the STEM Action Center relating to the summer learning program. Since that time the STEM Action Center has updated their proposal and decided that they can do more with the after-school programs. This new proposal in front of the Board will increase the amount from \$4,402,000 to \$6,800,000.

### BOARD ACTION

**M/S (Clark / Hill) I move to approve the request to update the total amount for the STEM Action Center, Commission for Libraries, and Out-of-School Network collaborative proposal as provided in Attachment 1 for an updated amount not to exceed the \$6,800,000.** A roll call vote was taken, and the motion carried 8-0.

Board President Liebich asked what the allocation methodically for these programs is. Ms. Bent said these programs in this proposal are available in all parts of the state.

There were no further comments or questions from the Board.

6. Board Policy I.P. – Indian Education Committee – First Reading – Action Item



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Dr. Clark said the Indian Education Committee is requesting a change in Board policy to add two at-large members. There is currently no provision in I.P. for that committee to have experts in curriculum members, this motion will change that.

### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the first reading of amendments to Board Policy I.P. Idaho Indian Education Committee, as provided in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

#### 7. Board Policy – Bylaws – First Reading – Action Item

Ms. Bent said this was an administrative change to the Boards bylaws. The proposed amendment to the Board bylaws would update the language used to describe the purpose of the Board's standing committees in alignment with the language in the state open meeting laws.

### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the first reading of Board policy - Bylaws as submitted in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

#### 8. K-20 Education Strategic Plan – Action Item

Ms. Bent said starting with the Board's May 2021 Board Meeting, the Board has been discussing ways to focus the K-20 strategic plan while still meeting all the state strategic planning requirements. To this end, the Board directed staff to add focus areas for the K-12 side of the education continuum and the postsecondary side of the education continuum.

The identified focus areas are:

- K-4 Literacy Intervention
- 5-9 Mathematics
- High school credit recovery and completion
- Postsecondary recruitment and access
- Postsecondary retention
- Postsecondary transfer and completion

Dr. Clark said the essence for the recommended change for the high school is in recognition that the go-on rate is not the sole responsibility of higher ed, there must be a shared responsibility between the high schools and the higher education institutions.

Ms. Bent said changes in the plan are to include those benchmarks for credential completion and additional work is still needed for a definition of a workforce certificate. The other changes are updating benchmarks the Board has previously met.

## DRAFT

### BOARD ACTION

**M/S (Clark / Keough) I move to approve the FY 2023-2028 K-20 Education Strategic plan as provided in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

#### 9. Educator Preparation Program – Effectiveness Report – Action Item

Ms. Bent said the Board identified metrics for the Educator Preparation Program (EPP) for traditional and non-traditional programs. Part of the Title Two reporting is to identify low performing programs. Additionally, a lot of criticism has been received around Idaho's teacher prep programs and how we prepare teachers. More work needs to be done to get the word out about how effective those teachers really are. This makes continuing forward with the EPP Performance Measures in their current form untenable. It is recommended that the Board refer the EPP Performance Measures back to Board staff for revision. Such a revision process will also allow for the consideration of recent literature regarding the measurement of EPP effectiveness—potentially leading to more validated, outcome-based metrics that can better inform policy and improvement decisions. The revised measure will be brought back to the Board at the August Board meeting.

### BOARD ACTION

**M/S (Clark / Gilbert) I move to adopt the educator preparation program performance report as provided in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

### AND

**M/S (Clark / Gilbert) I move to direct Board staff to revise the educator preparation program performance measures as recommended and set the regular August 2022 Board meeting as the deadline to present the new measures for approval.** A roll call vote was taken, and the motion carried 8-0.

Board President Liebich said he supports the idea of the revision of this measure. Dr. Clark said that its important to note that in its current form this measure isn't even being done. And it is incumbent to put the best teachers in the classroom, and that means setting a standard and holding every teacher preparation program to that standard.

There were no further comments or questions from the Board.

#### 10. Temporary Fee Rule – Docket 08-0000-2200F – Action Item

## DRAFT

Ms. Bent said approval of the temporary omnibus fee rule will ensure the current fees stay in place, should the legislature not adopt the pending fee rules that are before them for consideration during the 2022 Legislative Session.

### BOARD ACTION

**M/S (Clark / Siddoway) Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.**

**These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.**

**The expiration of these rules without due consideration and processes would undermine the public health, safety, and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.**

**The Governor has also found that the fees or charges being imposed or increased is/are justified and necessary to avoid immediate danger to the agency/department/board/commission's budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that it balance its budget.**

**Therefore, the Board is approving the temporary rule provided in Attachment 1, to be effective upon sine die of the 2022 session of the Idaho Legislature. This action is conditional and will only become effective if the rules are not otherwise approved or rejected in part by the Legislature. A roll call vote was taken, and the motion carried 8-0.**

Superintendent Ybarra asked for clarification. If the Legislature leaves town and the rules are not enacted, should a piece of legislation get through that gives us new standards, these temporary rules are already enacted, and we don't have come back and revisit this. Ms. Bent said unfortunately this was just the fee portion. For any legislation that is not fee related the Board will have to revisit.

There were no further comments or questions from the Board.

At this time the Board recessed for 30 minutes, returning at 1:09 p.m. (MT)

After the recess Dr. Hill made a substitute motion concerning S 1329 (PPGA TAB 4).

### SUBSTITUTE MOTION 1

**M/S (Hill / Roach) I move to reconsider the motion to approve the Extended Employment Services legislative proposal as provided in Attachment 2. A roll call**

## DRAFT

vote was taken. Board President Liebich, Dr. David Hill, Dr. Linda Clark, William G. Gilbert, Cindy Siddoway, Cally J. Roach and Superintendent Ybarra voted aye. Shawn Keough voted nay. The motion carried 7-0.

Dr. Clark said during the break there were a lot of questions about the initial motion's failure, and this is the time to discuss those questions. Mr. Reiber said the Extended Employment Services (EES) is a piece of legislation that the Board worked on with the Governor's office and the Department of Health and Welfare, who have agreed to take on the challenge that EES presents. Therefore, the motion to reconsider was asked for. The Governor believes that Health and Welfare is the best place for the EES program. They have the staff, the structure, and the leadership to deal with taking on this program and its complexities.

Board President Liebich asked for the State Board's roll in this proposal. Mr. Freeman said this was a legislative idea that came to the Board in June, and in August it did not move forward as proposed legislation because there was not a consensus. In discussions with the Governor's office, it was determined that the best place for EES was in Health and Welfare.

Mrs. Keough said she still will not support the legislation. Her history with this issue is long and complex and she is not convinced this board motion will fix the problems.

Superintendent Ybarra said she did not feel that she had enough information on this issue and therefore she will be abstaining from voting. She had no additional questions.

Mrs. Roach said it was her understanding that the State Board initiated this, was that correct? Dr. Clark said the Governor's office was asked to find a solution, so yes, the Board did ask for input, and this was the recommendation from the Governor's office.

Mrs. Roach said she served on the Governor's transition committee, and she helped to select the new head of Health and Welfare and she feels confident that he can help to resolve the issues surrounding EES.

### **SUBSTITUTE MOTION 2**

**M/S (Clark / Gilbert) I move to approve the Extended Employment Services legislation proposal as provided in Attachment 2.** A roll call vote was taken. Board President Liebich, Dr. David Hill, Dr. Linda Clark, William G. Gilbert, Jr., Cindy Siddoway and Cally J. Roach voted aye. Shawn Keough voted nay. Superintendent Ybarra abstained from voting. The motion carried 6-0.

There were no further comments or questions from the Board.

### **BUSINESS AFFAIRS AND HUMAN RESOURCES**

1. Board Policy V.R. – Second Reading – Action Item

## DRAFT

Dr. Hill said this was the update to the fees and tuition definitions. There was a minor change in an incomplete sentence that has been fixed.

### BOARD ACTION

**M/S (Hill / Roach) I move to approve the second reading of Board policy V.R. to amend the process through which fees are established as set forth in Attachment 1. A roll call vote was taken, and the motion carried 8-0.**

Board President Liebich said this change came about after the last legislative session and based on some concerns from the Legislature. Does this solution appear to resolve these concerns? Mr. Freeman said he believed so since nothing has been received in the State office thus far this session in reference to this issue.

There were no further comments or questions from the Board.

#### 2. Idaho State University – Bengal Pharmacy Contract Authority – Action Item

Dr. Hill said this is a request from Idaho State University to have delegated authority concerning Bengal Pharmacy. The waiver is to allow them to conduct business until such time as the Board can change the policy.

### BOARD ACTION

**M/S (Hill / Clark) I move to approve the request by Idaho State University to delegate authority to the Idaho State University President to authorize 340B, pharmaceutical inventory, and third-party payer contracts for Bengal Pharmacy. A roll call vote was taken, and the motion carried 8-0.**

Mr. Freeman said the transactional amounts in the motion would cross the threshold for Board approval and it would be on a recurring basis and thus the request for the waiver.

There were no further comments or questions from the Board.

#### 3. Idaho State University – Multi-Year Employment Agreement – Head Football Coach – Action Item

Also, from Idaho State University is the multi-year agreement for the Head Football Coach. The Head Coach's salary is \$205,000 with various incentives. This is a standard five-year contract.

### BOARD ACTION

**M/S (Hill / Roach) I move to approve the request by Idaho State University to enter into a five (5) year employment agreement with Charles Ragle, Head Football Coach, commencing on December 13, 2021, and terminating on December 13, 2026, as submitted. A roll call vote was taken, and the motion carried 8-0.**

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Mr. Freeman said the reason this proposal was being brought forward was that the head football coach had already been hired, using a three-year contract with the stipulation that it would be brought back to the Board to make this a five-year contact.

There were no further comments or questions from the Board.

4. University of Idaho – Performance Evaluation of Staff Employees Policy Amendments – Action Item

Brian Foisy, Vice President, Finance and Administration, University of Idaho, said this action is for Board approval pertaining to performance evaluations of employees and classified staff. Any changes to staff evaluations must be approved by the Board. Revisions provide clarity on the University's performance evaluations for staff along with the change of ratings to two areas (meets/exceeds or needs improvement). These changes align with our UI's faculty evaluation ratings.

### BOARD ACTION

**M/S (Hill / Roach) I move to approve the request by the University of Idaho to approve the revisions to Faculty Staff Handbook 3340 Performance Evaluation of State Employees as provided in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

5. University of Idaho – Probation, Promotion, Demotion and Transfer of Classified Employees Policy Amendments – Action Item

Mr. Foisy said the second policy is also a personnel policy which will affect classified staff which needs to be brought before the Board. Revisions provide clarity on the University's probation, promotion, demotion and transfer procedures for classified staff and will assist our affirmative action and equal employment office with reporting requirements.

### BOARD ACTION

**M/S (Hill / Keough) I move to approve the request by the University of Idaho to approve the revisions to Faculty Staff Handbook 3360 Probation, Promotion, Demotion & Transfer of Classified Employees as provided in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

6. University of Idaho – Idaho Center for Plant and Soil Health, Parma – Construction Authorization – Action Item

## DRAFT

Mr. Foisy said this is a request to authorize construction of a new Idaho Center for Plant and Soil Health to be located at the Parma Research and Extension Center (PREC) in Parma, Idaho. The new facility will replace existing aging and inadequate facilities at the Parma Research and Extension Center and will support the on-going needs of faculty in the College of Agricultural and Life Sciences (CALs) and the agricultural industry within the State of Idaho. These existing facilities are currently more than 50 years old and face substantial needs for modernization of infrastructure and equipment which inhibit the potential of research faculty and staff.

Since the initial proposal was approved by the Board in August of 2021, the University has uncovered budget challenges related to water and sewer sanitation issues for a robust science lab facility located on what is essentially a rural site remote from city services. This has increased the cost to \$9.5M.

### BOARD ACTION

**M/S (Hill / Keough) I move to approve the request by the University of Idaho to implement the Bid, Award, and Construction phases of the proposed Idaho Center for Plant and Soil Health Facility, with a projected total cost of \$9,500,000, as described in the materials submitted to the Board. Construction authorization includes the authority to execute all necessary and requisite consulting and vendor contracts to fully implement the planning and design phases of the project.** A roll call vote was taken, and the motion carried 8-0.

Mrs. Roach mentioned that for full disclosure her daughter-in-law serves as a development officer for the University of Idaho and has been heavily engaged in raising the funds for this facility.

There were no further comments or questions from the Board.

### INSTRUCTION, RESEARCH AND STUDENT AFFAIRS

1. Board Policy III.B. Academic Freedom and Responsibility and Policy III.P. Students – Second Reading – Action Item

Dr. TJ Bliss, Chief Academic Officer, Idaho State Board of Education started by saying the proposed amendments will bring Board policy III.B. into alignment with current nationally accepted standards of academic freedom and academic responsibility. The amendments clearly define key terms, delineate the academic freedoms and academic responsibilities of students, faculty, and institutions alike, and outline the general limitations of these freedoms and responsibilities.

Between the first and second readings, one proposed revision has been made to Policy III.B. at the suggestion of Board Member Hill. This revision re-orders the sentences of paragraph 3.b.iii. for the sake of clarity and coherence. No public comment has been received regarding this policy between the readings and no other additional revisions are proposed.

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Of additional note is that the cover page is inaccurate which stated that no public comments were received. There was one comment received from the joint faculty senates from all four Idaho universities. Dr. Bliss read that letter for the Board.

### BOARD ACTION

**M/S (Liebich / Clark) I move to approve the second reading of proposed amendments to Board Policy III.B. Academic Freedom and Responsibility, as submitted in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

### AND

**M/S (Liebich / Clark) I move to approve the second reading of proposed amendments to Board Policy III.P. Students, as submitted in Attachment 2.** A roll call vote was taken, and the motion carried 8-0.

Superintendent Ybarra asked if any comments were received from any students. Dr. Bliss said the opportunity to comment has been open since the first reading, but no students have commented. Superintendent Ybarra said she would appreciate hearing from the student body directly so perhaps someone can reach out to get some student feedback prior to the third reading of the policy. Dr. Bliss said he would reach out to see if any students were interested in providing feedback.

Kenneth Heason, Student Body President, Boise State University, said he was one of the students in the work group who worked on the draft of this policy. He speaks only for himself and not for the student body, but he had no objections to what the work group came up with concerning this policy.

Board President Liebich asked for clarification as to why this was a split motion. Dr. Bliss said there are two polices being revised. Board Policy III.P students, in that policy is one paragraph relating to academic freedom of students and that paragraph has been moved into one policy. There is another technical change that relates to vaccine requirements.

There were no further comments or questions from the Board.

2. Board Policy III.G. Postsecondary Program Review and Approval – Second Reading – Action Item – TJ

Dr. Bliss said this was another reading of III.G. and several corrections were made to the language, so this is being brought back to the Board. Amendments will correct the erroneous conflict and duplicative language in the policy. Amendments will also provide institutions with the necessary procedures for discontinuing certificates and will align roles for program approval for the State Administrator and Executive Director in



## DRAFT

compliance with Idaho code. There were no changes between first and second reading and no public comments were received.

### BOARD ACTION

**M/S (Hill / Roach) I move to approve the second reading of proposed amendments to Board Policy III.G, Postsecondary Program Review and Approval, as submitted in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

#### 3. Semi-Annual Report of Approved Program Requests – Information Item

Dr. Bliss gave a brief update on the semi-annual report. In August 2021, the Board approved major revisions to Board Policy III.G. Postsecondary Program Approval and Discontinuance. Revisions restructured the policy to include three levels of review, based on the nature of requested programmatic changes: full proposal, short proposal, and letter of notification. Additionally, revisions provide flexibility to the Board's executive director to delegate authority to designees for the approval of academic and career technical program changes. In accordance with newly revised Board Policy III.G.3.a.ii and 4.b., prior to implementation, the executive director or designee may approve actions related to academic and career technical programs or units as identified in those subsections.

The report provides an overview of new academic, or career technical programs and certificates approved by the executive director or his designee consistent with recently revised Board Policy III.G. This includes other instructional activity such as modifications to existing programs. Other non-substantial changes that require notification to the Board office are also included in the report.

In this report for the first time there were more discontinuances of programs instead of an increase in program offerings. This can be attributed to the institutions reviewing their programs this past summer in identifying those programs that needed to be modified or discontinued.

Mr. Gilbert asked for the next report to show a net increase in programs and a net decrease in programs by institutions for the period. Dr. Bliss took note of the request.

Mrs. Keough said there didn't appear to be any Board members on the Council and Academic Affairs and Programs (CAAP) committee. Does that council report to and provide a report to IRSA? Dr. Bliss clarified that CAAP is a working group of all of the eight higher education institution provosts who have an important role to play in reviewing all programs that are coming forward, any program with a proposal. There are no Board members on CAAP. But the information they discuss is brought forward to the Board.

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There were no further comments or questions from the Board.

4. Higher Education Research Council (HERC) Annual Report for Fiscal Year 2021– Information Item – Chris Nomura

Dr. Christopher Nomura, Vice President, Research and Economic Development Officer, University of Idaho, gave HERCs annual report.

- ❖ HERCs mission is to strengthen the research capabilities at Idaho’s public, four-year institutions and contribute to the economic development of the state of Idaho.
- ❖ Funding for this program comes from multiple places including the federal government, Idaho Commerce program, I-Corp program and through to angel investors and venture capitalists.
- ❖ HERC has invested just under \$12.5 million in eight major projects in Idaho since 2016. These programs then resulted in:
  - \$52.5 million in external funding being received
  - Four hundred and fifty students involved in research projects
  - Three hundred forty-five jobs created in Idaho
  - Two hundred five peer reviewed scientific articles published
  - Twelve patents awarded or pending
  - Four companies launched in Idaho
- ❖ HERC membership is composed of members from higher education and industry leaders in various fields.
- ❖ HERCs budget allocation is just under \$4 million.
- ❖ Research Infrastructure funding is to support science, engineering, and other research infrastructure. FY21 budget was \$872,100 and it funded research at all four Idaho universities.
- ❖ Undergraduate Research budget was just under \$200,000 and in FY21 supported forty-four student research projects.
- ❖ FY 21 budget also funded a two-day Idaho Conference on Undergraduate Research in July, and 189 students were able to participate.
- ❖ The Idaho Global Entrepreneurial Mission Fund (IGEM) is a competitive grant program used as seed funding for strengthening Idaho’s future by strategically investing in the development of expertise, products, and services which result in state economic growth. It gives 1-3 year grants up to \$700,000 per year and there were four active grants in FY21.

Dr. Hill said HERC funding has been relatively modest in the grand scheme of things, and they have achieved a lot with the funding. The return on this investment in education and research outcomes is important to note.

Dr. Clark asked when the last time funding was increased. Ms. Bent said the last time the funding was increased was in 2018. Funding was increased specifically for the

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IGEM dollars. Dr. Clark since the return on investment is so great perhaps this item should be made a priority for the next budget cycle.

There were no further comments or questions from the Board.

### **5. Postsecondary Student Experience Survey Report – Information Item**

Dr. Bliss reviewed the outcomes from the Student Experience Survey. During the 2021 Idaho legislative session, allegations were made that some students at Idaho's public postsecondary institutions are being treated negatively because of their personal beliefs and viewpoints. To determine if there is merit to these serious allegations, the Office of the State Board of Education conducted a research study in November 2021 that included a survey of the more than 54,000 students at Idaho's eight public institutions.

The survey included questions that asked students if they feel valued, respected, and like they belong at their institutions. It also asked students if they have experienced pressure to affirm or accept beliefs they find offensive, or if they have been shamed or bullied for sharing their personal viewpoints and perspectives. Students who indicated any degree of pressure or shaming/bullying were given an opportunity to identify, generally, from whom they experienced this treatment (faculty, other students, administrators, etc.). Students were also given an opportunity to provide demographic information, including age, gender, ethnicity, class status (freshman, sophomore, etc.), and political ideology. All questions on the survey were optional to allow maximum freedom and discretion in providing responses.

Eight thousand, nine hundred eighty-nine students completed the survey, for a total overall response rate of 16.4%. College of Southern Idaho had the lowest response rate (8.9%) and Idaho State University had the highest response rate (24%). All responses to the survey were completely anonymized to protect student privacy. The Board office did not collect data about which students responded or did not respond, nor can the office connect any specific response to any specific student.

The preliminary results of this survey were presented to the Board on December 15, 2021. The Board directed staff to develop a full report of the results. Staff have created an interactive dashboard, with explanatory language, and full datasets made available to the public. Data have been aggregated or masked to ensure student privacy and confidentiality where cell sizes were smaller than five (5) students. The dashboard can be accessed at <https://dashboard.boardofed.idaho.gov/StudentExperienceSurvey.html>

Dr. Bliss asked the Board for their recommendations for actions based on the data presented.

Mrs. Roach said this tool has been helpful in answering questions about the climate at the universities, and the colleges and universities have shared that they also do their own climate surveys.

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Mr. Gilbert said the Board should not be prescribing action based on the data. He voiced his belief that the data should be sent to the schools so they could address the student concerns, since each campus' demographics are unique to each campus.

Dr. Clark said the Boards response will come over time if the institutions are not improving in areas. They need the opportunity to take the data and to plan for how they are going to address the issues raised.

There were no further comments or questions from the Board.

At this time the Board recessed for 10 minutes returning at 3:00 p.m. (MT)

## **STATE DEPARTMENT OF EDUCATION (SDE)**

### 1. Developments in K-12 Education—Information Item

Superintendent Ybarra gave her K-12 update. She said due to the latest COVID-19 surge there have some short-term school closures. There are currently 11 of the 662 schools in Idaho reporting that they are still in some sort of hybrid mode. These schools self-report.

Some of the creative ways schools are dealing with teacher shortages include.

- ❖ The Lakeland School District is hiring student teachers as long-term subs and then offering them a contract to return. This idea has a lot of support and perhaps will become future legislation.
- ❖ Some schools are using the substitute funds awarded by the Governor to hire full-time subs.
- ❖ Some schools are hiring COVID-19 coordinators to help deal with the issues.
- ❖ No professional development days are being allowed until the pandemic is more under control.

### Legislative Update

- ❖ The Superintendent wanted to voice her support for the dyslexia legislation that is before the Legislature.
- ❖ SCR 115 is the civics legislation co-sponsored by the Superintendent. Idaho's civics standards are currently embedded in the state's social studies standards. Separating and enhancing the standards, will highlight the importance of civic education and what we want students to know and be able to do with that education.
- ❖ SDE will be holding a webinar to discuss HB443 and HB652 on Tuesday, February 22<sup>nd</sup> at 3:30 p.m. to answer questions.
- ❖ The office of performance evaluations reports on school facilities and deferred maintenance issues. HB512 concerns districts that will not be able to place a failed bond measure on the next election ballot for 11 months.

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- ❖ Happy to hear that the Legislature was planning to approve the \$1,000 teacher bonus and also an increase in salary for the classified staff.
- ❖ Budget setting for public schools is set for March 7, 2022.
- ❖ The post-legislative tour is tentatively planned for April 11, 13, 14, 19, and 20, 2022. This is where the Superintendent visits with school districts and explains how new legislation might affect them.

### ESSA Consolidated State Plan Amendment update

- ❖ Just a reminder that the Board will need to vote on the amendment. One of the other changes coming is the way we identify schools that need support using some methodology revisions and then terminology of how they exit that status.

Board President Liebich said he was concerned about what happened recently in the Nampa school district and the loss of their superintendent. Superintendent Ybarra said the election in May will be the real indicator of what the citizens of Idaho want as far as the direction for education. The recent survey from Rise shows that the public wants more emphasis on career technical education and less on college prep and many fully believe that CRT is being taught in schools and they want more parental involvement. The pandemic made parents feel that they want to reengage with their student's education.

There were no further comments or questions from the Board.

### 2. Federal Coronavirus Relief K-12 Funding Update – Action Item

The scope and workload concerning the ESSER funds has changed. On January 4, 2022, the U.S. Department of Education changed the requirements for reporting, and they further expect SDE to use a data management tool that does not interface with the current tool being used. In addition, the monitoring of these funds is massive. There is a lot of in-person review that must be done in every district to physically see the data and to provide them with the technical help they will need. The first reporting requirement is due in March of this year. SDE is now asking for additional funding to be able to pay the personnel to get this data submitted.

### BOARD ACTION

**M/S (Ybarra / Clark) I move to authorize the State Department of Education to expend an amount not to exceed \$2,200,660 for ARPA ESSER administrative costs including ESSER program coordination, monitoring and reporting; and to revise the Board's January 6, 2022, allocation to reduce the allocation for ISEE enhancements by \$1,600,000. A roll call vote was taken, and the motion carried 8-0.**

Matt Freeman, Executive Director, Idaho State Board of Education, made a clarifying statement. When Board member Hill made a motion earlier today to revise the agenda

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this was the agenda item he was referencing. This agenda item went from an information item to an action item and the Board needs to vote on it.

There were no further comments or questions from the Board.

3. IDAPA 08.02.03.105 – Graduation Requirements – Partial Waiver – College Entrance Exam – Action Item

The college entrance exam requirement was waived by the Board due to the pandemic for the graduating class of 2020. The exam was administered in the fall of 2020 and this Board waived that requirement for the class of 2021 based on safety concerns. The Board's administrative rule to change the requirement permanently is expected to be approved by the Legislature during this session but schools and parents are under the impression that students must take the exam. Based on the Legislature not having addressed this rule change thus far in the session this has precipitated the board action being presented today.

### BOARD ACTION

**M/S (Ybarra / Hill) I move to waive IDAPA 08.02.03.105.03 college entrance examination for students graduating during the 2021-2022 school year, including summer 2022 term.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

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

**M/S (Hill / Gilbert): I move to adjourn the meeting at 3:37 p.m. (MT).** A roll call vote was taken, and the motion carried 8-0.

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**STATE BOARD OF EDUCATION  
SPECIAL BOARD MEETING  
March 3, 2022  
Idaho State Board of Education  
OSBE Conference Room  
650 West State Street, Suite 307  
Boise, ID 83720**

A special meeting of the Idaho State Board of Education was held via Zoom teleconference March 3, 2022, with the call originating from the Office of the State Board of Education in Boise. Board President Kurt Liebich called the meeting to order at 11:00 a.m. (MT).

**Present**

Kurt Liebich, President  
Dr. David Hill, Vice-President  
Dr. Linda Clark, Secretary  
William G. Gilbert, Jr.

Cally J. Roach  
Cindy Siddoway  
Superintendent Ybarra

**Absent**

Shawn Keough

**Thursday, March 3, 2022, 11:00 a.m. (Mountain Time)**

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**

1. Legislative Update – Action Item

Board President Liebich opened by saying that this meeting was called to discuss issues that will be coming before the Legislature.

**HB 684**

Jenifer Marcus, Deputy Attorney General, Idaho State Board of Education, spoke on HB 684. HB 684 adds to existing law to provide for the protection of free speech in higher education. She said this bill codifies some Supreme Court decisions involving the First Amendment and Freedom of Speech. The two new significant pieces in this legislation will require institutions to report annually to the Legislature and the Governor their policies on this topic and any complaints received. They will also be required to have

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training materials in place during orientation concerning the institution's policies around the First Amendment.

Board President Liebich asked if any of the institutions had any concerns regarding HB 684. Richard Stover, Boise State University General Council said review of this legislation raised concerns regarding the provisions critical to protecting institutions - namely designation of outdoor hearing spaces for public forums, and waiver of immunity from lawsuits.

Board President Liebich asked Mr. Stover what the language staying in the legislation means to the institutions. Mr. Stover said the institutions may have to put the rights of non-students on par with or above enrolled students. It will also limit institutions from managing their open areas of campus, designating the entire outdoor area as open to Freedom of Speech demonstrations. The waiver of the 11<sup>th</sup> amendment immunity could lead to lawsuits in federal as well as state court.

Cally Roach asked if there were any concerns relating to the reporting requirement. Rich Stover said there was no constitutional prohibition to making schools submit reports to the Legislature.

Cindy Siddoway asked for clarification on the statement made that this legislation is currently running through other states. Rich Stover said legislation of this type is running in 20 other states, but all in various forms.

Board President Liebich asked if there was any conflict between current legislation and this new bill. Ms. Marcus said she wasn't aware of any conflicts.

### **HB 716 and HCR 039**

Tracie Bent, Chief Planning and Policy Officer, Idaho State Board of Education, explained that HB 716 adds to existing law to provide for the adoption of initial certification and content standards prepared by 2020-2021 work groups. The area of concern is this bill would codify the content standards for English Language Arts, Mathematics and Science and codify the Initial Standards for Professional School Personnel (Educator Certification Standards). While it is the Legislature's prerogative to move forward with this legislation, the unknown impact to properly getting assessment data, staying in compliance with federal requirements, and what those costs would be to do so are unknown. The impact to the school districts has not been assessed nor has the cost of having to change curriculum at the local level to align with this new requirement. Tracking student learning loss may also be hampered if the standards are no longer aligned to the current Idaho Standards Achievement Test (ISAT). If the content standards are no longer aligned to the ISAT, Idaho would have to move to a new assessment that was aligned to the new standards. The cost of movement is unknown at this time. The content standards did not move forward during this year's rulemaking cycle due to a lack of fiscal impact. Idaho law requires all proposed and pending rules to include a true and accurate fiscal impact. This bill also adds an



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unknown version of the certification standards to Idaho code. These standards were returned by the Board at the August Board meeting for additional work prior to updating the incorporated by reference version of the standards in the proposed and pending rule. The requested amendments were not brought back in time to include in the proposed rule. The original version provided to the Board would have negative impacts on the Board's ability to evaluate non-public programs for continued approval as an approved educator preparation program.

### BOARD ACTION

**M/S (Clark / Gilbert) I move to oppose HCR 039 and HB 716 because it is uncertain the extent to which the new standards align with existing assessments and if they do not align the cost to develop new aligned assessments in related professional development is unknown.** No vote was taken. Dr. Clark used parliamentary procedures to remove the motion with the approval of the second.

### Substitute Motion 1

**M/S (Ybarra / ) I move the State Board of Education endorse the bills leading to the elimination of the common core standards in Idaho.**  
No second was recorded. Motion failed.

### Substitute Motion 2

**M/S (Liebich / ) I move to support HB716 and HCR039 provided that the Legislature appropriate funding for a new assessment aligned to the new standards with the recognition that the new assessment could cost up to \$44 million per the initial estimates of the State Department of Education.** No second was recorded. Motion failed.

### Substitute Motion 3

**M/S (Ybarra / Siddoway) I move that the State Board of Education endorse these two bills which eliminate the common core standards in Idaho subject to the Legislature's commitment for adequate funding for a new test, committee work, and professional development to the districts.** A roll call vote was taken. Superintendent Ybarra and Cindy Siddoway voted aye. Board President Liebich, Dr. David Hill, Dr. Linda Clark, William G. Gilbert, Jr., and Cally Roach abstained from voting. Shawn Keough was absent from voting. The motion failed.

Board President Liebich said the current standards have been in place since 2014 for English, Math and Science. Superintendent Ybarra said she believed that these standards have been in place since 2011. Ms. Bent said the original standards did go into effect in 2011 and were called the common core standards, but had been updated during the 2014-2015 rulemaking timeframe and were reviewed and went out for public comment again in 2020. Board President Liebich wondered what will happen if the Board adopts these changes, what impact will that have on the assessment data.

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Superintendent Ybarra said the current standards have been in place for many years and parents are not happy with the current curriculum and they are the ones driving these changes. The end to common core is high on the list of parental demands. Superintendent Ybarra also offered to send to the other Board members the slide show she presented to the Legislature showing the potential fiscal impact which could be as high as \$44 million dollars over a three-year period to work on this legislation, and the legislators' comment was they did not care about the costs.

Dr. Clark said she endorses the new standards and the process by which they were developed. The concerns she has surround the potential changes to the assessment data. The last time the assessment data was tweaked, growth data was never able to be assessed. There is also no precedent for the Board to move forward without knowing the fiscal impact associated with making these changes. Superintendent Ybarra said a fiscal impact was provided in the legislation as written and not moving this bill forward goes against what the people of Idaho want. Dr. Clark said it's not the price of the test but the process. And the fiscal impact piece was not part of the legislation when it was first introduced which is not the Board's process. Board President Liebich confirmed that no fiscal impact statement was ever received by the Board office when the legislation was introduced. The fiscal impact statement of the bill only includes the fiscal impact of a review of the proposed standards and does not include the fiscal impact a changing to a new assessment.

Board President Liebich further stated that Idaho cannot end up as a state adopting new standards without commitment by the Legislature to support us in aligning assessments with our standards which could put at jeopardy of meeting the federal requirements.

Mrs. Roach asked for clarification; has the Legislature appropriated any funds for this work? Superintendent Ybarra said the Legislature did not care about the costs, and no appropriation was earmarked for making these changes. The current test being used will not be thrown out until another test is in place, or the current test tweaked to make it work.

Dr. Clark asked for clarification; is the upwards of \$44 million price tag mentioned only for changing the test and does not include costs to school districts and charter schools for their curriculum committees and the professional development that will be required? Rick Kennedy, Chief Procurement Office, Idaho State Department of Education, said that was correct with another \$10 million being needed for teachers to work on the curriculum changes and for professional development.

Mrs. Roach asked for Matt Freeman's perspective. Mr. Freeman, Executive Director, Idaho State Board of Education, said adopting this legislation now means the new standards will be effective immediately and that will mean working with the US Department of Education to get a waiver for the new assessments. Superintendent Ybarra said no waiver would be needed based on talks with the U.S. Department of Education and superintendents in other states.

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Dr. David Hill asked why was the Board voting on anything today, and what was the point? Mr. Gilbert echoed the sentiment and wondered what the point would be in voting on anything. For clarification, Dr. Hill said the objection is not to the work behind the new standards, which is exemplary, but to the process and mostly to an ill-defined price tag. Where the Board finds itself is that we support the content of the standards but would like clarity on the costs and would like a commitment on the funding of it. Board President Liebich agreed that was his view on this legislation as well. Dr. Hill said then how does the Board get there?

Superintendent Ybarra said the alignment study the State Department of Education is prepared to do will give that answer but that would happen after the Board votes to support this legislation and it goes to the Senate. Clear answers to Dr. Hill's questions would not happen until the alignment study is completed.

Board President Liebich asked if intent language could be added to the legislation to mention the Legislature's intent to fund these changes. Mr. Freeman said if both pieces of legislation pass, the Legislature is committing to provide funding for reviewing the alignment. Those costs are \$125,000-\$375,000, which is the cost of the review.

Dr. Hill said the word 'eliminate' in the substitute motion does not endorse the new standards but removes the old. Superintendent Ybarra said the standards in place are the common core standards and the public is not happy with those.

Dr. Clark expressed her concerns that acting on these legislative bills, which did not follow the Board's regular process, such as detailing the fiscal impact and the source of that funding, was problematic. She is also concerned that changing the process, and not having clear commitment for funding from the Legislature to make these changes, all while dealing with unfinished learning is not ideal. Mrs. Siddoway said she agreed with that sentiment which is why she seconded the motion to begin this discussion. She was also wondering if additional language could be added to the substitute motion to address the Board's process.

Dr. Clark again stated that at no time when the legislation was brought forward was there a fiscal impact statement attached. It is also why the Division of Financial Management did not take any action to approve the standards moving forward as a proposed rule last fall because there was no fiscal impact statement. Superintendent Ybarra insisted that was an untrue statement and that the fiscal impact statement was there. Board President Liebich said the first time the number of \$44 million was presented was at today's meeting. There was no fiscal impact statement presented when the bill was first introduced.

Matthew Reiber, Policy Advisor, Intergovernmental Affairs, Office of the Governor, said when the rule request was submitted, the Governor's office decided not to move forward with the content standard changes. He said that was attributed to the fact that no fiscal

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impact statement was part of the legislation. Idaho law requires all proposed and pending rules include a fiscal impact, without the fiscal impact there was no choice but to reject the rule moving forward.

Board President Liebich said based on no motion being approved, the Board will take no action on HB716 and HCR039.

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

**M/S (Roach / Hill) I move to adjourn the meeting at 12:06 p.m. (MT).** A roll call vote was taken, and the motion carried 7-0. Shawn Keough was absent from voting.