



**Special Board Meeting
November 21, 2024
Idaho State Board of Education
OSBE Conference Room
650 West State Street,
Suite 307
Boise, ID 83720**

Thursday, November 21, 2024 – 1:00 pm (Mountain Time)

A special meeting of the Idaho State Board of Education was held at the Office of the State Board of Education on November 21, 2024. President Linda Clark called the meeting to order at 1:00 pm (MT).

Present

Dr. Linda Clark, President
William G. Gilbert, Jr., Vice-President (virtual)
Superintendent Debbie Critchfield, Secretary
Shawn Keough (virtual)
Kurt Liebich
Cally Roach
Cindy Siddoway (virtual)
David Turnbull

Absent

None

After calling the meeting to order, President Linda Clark introduced new board member, David Turnbull, and mentioned that he will serve on both the IRSA and BAHF committees. President Clark thanked Cindy Siddoway for agreeing to chair the Comprehensive Math Plan Development Committee. Additionally, she thanked Shawn Keough for agreeing to be the chair of the Audit, Risk, and Compliance Committee, as well as the Board's representative to the Idaho Regional Optical Network (IRON).

EXECUTIVE SESSION – (Closed to the Public)

Action Item to go into Executive Session – No action taken in Executive Session

1. Convene into Executive Session

BOARD ACTION

M/S (Liebich / Roach) I move that the Board, pursuant to Idaho Code § 74-206(1)(f), convene into Executive Session “to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.” A roll call vote was taken and the motion carried 8 - 0. The Board convened into Executive Session at 1:05 pm MT. The Board reconvened at 1:40 pm MT.

Upon return from Executive Session, Board President Dr. Linda Clark stated that “the Board concluded its discussion and took no action on the matter discussed.”

CONSENT

1. Pending Rule – Docket No. 08-0111-2401, Registration of Postsecondary Educational Institutions and Proprietary Schools – Action item

BOARD ACTION

M/S (Liebich / Roach) I move to approve pending rule – Docket 08-0111-2401, as submitted in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

2. Pending Rule – Docket No. 08-0113-2401, Rules Governing The Opportunity Scholarship Program – Action item

BOARD ACTION

M/S (Liebich / Roach) I move to approve pending rule – Docket 08-0113-2401, as submitted in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

3. Pending Rule – Docket No. 08-0201-2401, Rules Governing Administration – Action item

BOARD ACTION

M/S (Liebich / Roach) I move to approve pending rule – Docket 08-0201-2401, as submitted in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

4. Pending Rule – Docket No. 08-0202-2401, Rules Governing Uniformity – Action item

BOARD ACTION

M/S (Liebich / Roach) I move to approve pending rule – Docket 08-0202-2401, as submitted in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

5. Pending Rule – Docket No. 08-0401-2401, Rules of The Idaho Digital Learning Academy – Action item

BOARD ACTION

M/S (Liebich / Roach) I move to approve pending rule – Docket Number 08-0401-2401, as submitted in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

6. Pending Rule – Docket No. 47-0101-2401, Rules Governing Vocational Rehabilitation Services – Action item

BOARD ACTION

M/S (Liebich / Roach) I move to approve the pending rule Docket 47-0101-2401, as provided in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

BUSINESS AFFAIRS AND HUMAN RESOURCES

1. University of Idaho - Request for Capital Project and Development Agreement Approval; On-Campus Housing Improvements, University of Idaho (UI), Moscow, Idaho – Action item

President Green summarized the request for the interim financing and turned the presentation over to Brian Foisy, Vice President, Finance and Administration. Brian Foisy outlined Phase I of the project and the timeline associated with Phase II, including the requirement to return to the State Board of Education for approval. Brian Foisy added commentary on the justification for the project. Richard Rieth outlined the relevant cost projections and comparisons associated with the project. He also provided the results of a student housing market survey conducted by RJA to demonstrate the average student's willingness to pay for improved campus housing. J Wheatley provided detail on the Development Agreement and the responsibilities of the master developer, Gilbane, related to the project. Heather Casperson summarized the plan of finance for the project. Brian Foisy concluded the presentation by summarizing the key milestones remaining for the project.

BOARD ACTION

M/S (Gilbert / Liebich) I move to approve the request by the University of Idaho to execute the proposed On-Campus Housing Improvements Project, including the project budget for a cost not to exceed \$162.82 million (collectively, “the Project”). Approval of the debt financing will be sought at a subsequent Board meeting. In support of the Project, I move to approve the attached Development Agreement in substantial conformance with its current terms for execution between the University of Idaho and Gilbane. Approval includes authority for the Vice President of Finance and Administration to approve all necessary and requisite consulting and vendor contracts over the length of the Project. Approval also includes the ability to execute contracts for all utility extension, expansion, and repair necessary to deliver the Project. A voice vote was taken and the motion carried 8 – 0.

IDAHO DEPARTMENT OF EDUCATION

1. Idaho Special Education Manual Repeal and Replace – Action item

Superintendent Critchfield summarized the oversight that occurred in the version of the Special Education Manual that was approved at the August Board Meeting.

BOARD ACTION

M/S (Critchfield / Roach) I move to repeal the Special Education manual approved on August 21, 2024, and to approve the Special Education Manual as presented in Attachment 3. A voice vote was taken and the motion carried 8 – 0.

POLICY, PLANNING AND GOVERNMENTAL AFFAIRS

1. Pending Rule – Docket No. 08-0203-2401, Rules Governing Thoroughness – Action Item

Jenn Thompson summarized the negotiated rulemaking timeline and described why the special board meeting is needed to approve the pending rules presented during the meeting.

Superintendent Critchfield commented on the inclusion of digital literacy as a new graduation requirement, and that communications standards should be distributed throughout most classes, rather than singled out in one speech course. She reiterated that Idaho is a local control state, and school districts can determine the best way to meet these requirements. Superintendent Critchfield also commented on the Senior Project, and the need for this requirement to be a culminating project that prepares our graduating seniors for the future. Her proposal is a new Future Readiness project that would demonstrate a student's application of college and career competencies, and exploration of post-high school options through work-based, service-based, research-based, or portfolio-based experiences. The Superintendent then concluded with a brief summary of the pathways that will be presented to students.

Kurt Liebich commented that we may have the opportunity to match assessments to the different pathways that will become available to students.

BOARD ACTION

M/S (Liebich / Roach) I move to approve pending rule – Docket 08-0203-2401, as submitted in Attachment 2. A voice vote was taken and the motion carried 8 – 0.

INSTRUCTION, RESEARCH AND STUDENT AFFAIRS

1. Review of Draft Board Resolutions on Diversity, Equity, and Inclusion; Governance; and Freedom of Expression in Higher Education – Information Item

Executive Director Joshua Whitworth stated that no board action would be required for this agenda item, and that the desired outcome of the discussion was board awareness and time for institutions to review the resolutions and provide feedback. Joshua Whitworth summarized the draft resolutions covering the domains of DEI, governance, and freedom of expression.

Board Member Roach thanked Joshua Whitworth for his work on the resolutions and reiterated that most of the content in these resolutions are already in current policy.

Board Member Liebich emphasized the importance to lead on this issue for the State. He expressed his concerns about the DEI policy and the impact on some of our vulnerable demographic groups.

BOARD ACTION

M/S (Roach / Keough) I move to adjourn the meeting at 3:05 pm (Mountain Time).

A voice vote was taken and the motion carried 8 – 0.