

**WORK SESSION
JUNE 17-18, 2025**

TAB	DESCRIPTION	ACTION
1	IDE – K-12 FEDERAL WAIVER STRATEGY	Information Item
2	INTERIM PROCESS RELATED TO ACADEMIC PROGRAMS (IDAHO CODE § 67-5909D)	Information Item

**WORK SESSION
JUNE 17-18, 2025**

IDAHO DEPARTMENT OF EDUCATION

SUBJECT

Exploring Federal Flexibility of Statewide Assessments and Accountability Measures

REFERENCE

August 2016	SBOE approved proposed rule setting the new accountability framework.
November 2016	SBOE approved pending rule creating the new statewide accountability system.
August 2017	SBOE approved Idaho's ESEA Consolidated State Plan for submission to the U.S. Department of Education.
February 2019	SBOE approved amendments to the ESEA Consolidated State Plan.
March 2020	SBOE waived the requirement for the spring 2020 ISAT administration and approved the waiver to be submitted to the U.S. Department of Education requesting flexibility in the ESEA accountability provisions.
April 2020	SBOE approved waiver for ESEA accountability requirements and ISAT/alternate assessment (IDAA) administration.
January 2021	SBOE approved accountability addendum for modifying post-2020–2021 school year calculations.
June 2021	SBOE approved proposed rule Docket 08-0203-2101 and federal accountability waiver.
February 2024	SBOE approved proposed amendments to the ESEA Consolidated State Plan, including adjustments to graduation rates and the progress indicator.
June 2024	SBOE approved technical corrections to the ESEA Consolidated State Plan.

APPLICABLE STATUTE, RULE OR POLICY

Elementary and Secondary Education Act of 1965
Every Student Succeeds Act Section 1111(a)(3), (b)(1), (2)
Idaho State Board of Education Governing Policies & Procedures, Section V.B.8.
Idaho Code §33-110
Idaho Administrative code, IDAPA 08.02.03.111, 112, 114

WORK SESSION
JUNE 17-18, 2025

BACKGROUND/DISCUSSION

The State Board of Education is responsible for approving the Idaho Consolidated Plan, which explains the academic measures used for measuring schools. The requirements are included in the federal Every Student Succeeds Act (ESSA), which is part of the Elementary and Secondary Education of 1965. The Consolidated Plan includes sections on the “challenging state academic standards,” accountability measures and academic assessments used by local education agencies and the state.

All the measures are used for determining overall academic performance for the state and individual local education agencies. Idaho’s measures are outlined in IDAPA and the Idaho Consolidated Plan. The consolidated plan has been amended five times since it was originally submitted in 2017. The changes have included adding the five-year cohort graduation calculation, adjusting measures related to English Learners, outlining the types of support for schools in improvement, requesting a pause in testing, and requesting additional years for school identification due to COVID.

The U.S. Secretary of Education has stated a willingness to consider waivers for state consolidated plans, including accountability measures and academic assessments. Such waivers would allow the State Board of Education more control over accountability measures and the assessments and data used to meet those requirements. At this time, Idaho Department of Education staff is reviewing the requirements outlined in ESSA and potential areas for waivers. The areas of consideration include assessment flexibility, changes to the school identification process, and funding flexibility.

Below are two overviews of potential ESSA flexibilities provided to the Department from outside resources.

Overview 1:

- There are many ESSA flexibilities that State chiefs can take advantage of under the current law, including:
 - Transferability of Funds
 - Title I Reservation of Direct Student Services
 - School Improvement Funds Competition
 - Public School Choice
 - Consolidated Local Education Agency Application
 - Consolidation of State Administrative Funds
 - Equitable Per Pupil Funding Pilot
 - Title II School Leader Reservation: Title II Reservation for Alternative Teacher Preparation
- If a State wanted to pursue these approaches, it would have to amend its ESSA State plan that U.S. Department of Education has approved.
- Interesting note: All of these provisions can also be waived!

WORK SESSION
JUNE 17-18, 2025

Overview 2:

ESEA Provisions That <u>Can</u> Be Waived	ESEA Provisions That <u>Cannot</u> Be Waived
<ul style="list-style-type: none"> • Assessments: Requirements to administer statewide annual math and reading assessments • Accountability: Requirements to develop and use an accountability system to identify schools for improvement • Interventions: Requirements to intervene in low-performing schools • Transparency and reporting: Requirements to annually publish report cards with various data points • Any individual requirements referenced in this document (requirements under Direct Student Services, Equitable Per-Pupil Funding, IADA, etc.) 	<ul style="list-style-type: none"> • Fiscal requirements, including: Allocations of federal funds to states and school districts (e.g., Titles I, II, III, and IV formulas); Maintenance of effort (MOE); Comparability of services; Supplement, not supplant • Civil rights requirements under: Title VI of the Civil Rights Act of 1964; Title IX; Title II of the Americans with Disabilities Act; Individuals with Disabilities Education Act (IDEA) • Other one-off requirements including: <ul style="list-style-type: none"> ○ Equitable participation of private school students ○ Parental participation and involvement requirements; ○ Requirements for the CSP ○ Prohibitions on federal control of curriculum and instruction; ○ Prohibitions on using federal funds for religious worship or instruction
<ul style="list-style-type: none"> • <u>Requirements to Apply for a Waiver</u> <ul style="list-style-type: none"> ○ Per ESEA, a state seeking a waiver must submit an application to the Secretary for approval (after public comment) that includes the following: <ul style="list-style-type: none"> ▪ Identify the statutory or regulatory requirements to be waived. ▪ Describe how the waiver will improve student academic achievement. ▪ Describe the methods to be used to regularly monitor and evaluate the effectiveness of the plan. 	

WORK SESSION
JUNE 17-18, 2025

- Describe how schools will continue to serve subgroups of students.
- If requirements for assessments or report cards are waived, describe how the state or district will maintain or improve reporting to the public and parents on student achievement and school performance.

Regarding waivers specific areas that the Idaho Department of Education will explore include the following:

- Explore Ed Flex Application
- Explore Waivers for Duplicative Reporting and Accountability
- Explore flexibility within current Title programs
- General state assessment options:
 - Third grade assessment
 - Role of IRI
 - Frequency of assessments:
 - LEA testing versus statewide summative
 - Eleventh grade assessments aligned to pathways:
 - Allow flexibility based on student career pathways

IMPACT

Exploring the various options will allow staff to determine the potential impacts of any waivers, both positive and negative.

ATTACHMENTS

None.

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Item is informational only, no staff comments.

BOARD ACTION

This item is informational only.