



## STATE BOARD OF EDUCATION MEETING

December 21, 2022

East Wing 42

Idaho State Capitol

700 W Jefferson Street

Boise, ID 83702

A regular meeting of the Idaho State Board of Education was held in East Wing 42 of the Idaho State Capitol. Board President Kurt Liebich called the meeting to order at 9:00 a.m. (MT).

### **Present**

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

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

### **Absent**

None

### **Wednesday, December 21, 2022 – 9:00 a.m. (Mountain Time)**

Board President Liebich opened the meeting by making a statement concerning the current events at North Idaho College.

*The Office of the State Board of Education has received numerous questions and comments about recent board of trustee's meetings at North Idaho College (NIC). By statute, Idaho community colleges are governed by locally elected boards of trustees, not the State Board of Education. Although the State Board of Education has statutory authority to approve academic and career-technical education programs offered at NIC, it does not have authority over general governance of the College. Many comments sent to the State Board of Education have expressed concerns about NIC's accreditation. State Board of Education Governing Policy III.M requires all public postsecondary institutions in Idaho to be accredited by the Northwest Commission on Colleges and Universities (NWCCU), a federally recognized accrediting body that accredits most public and private postsecondary institutions in the northwest region of the United States, including all Idaho public colleges and universities. All accreditation determinations at all public postsecondary institutions in Idaho, including NIC, are made independently by NWCCU without input, influence, or oversight by the State Board of Education.*



*The State Board of Education recognizes concerns expressed by the community and will continue to closely monitor developments regarding NIC's governance and accreditation, and any potential impacts to students, faculty and staff at the College. But the Idaho State Board of Education is not the governing body of the Community Colleges. Each college has their own locally elected Board of Trustees and it is that local Board's responsibility to govern the institution in alignment with guidelines from accreditation agencies.*

#### **BOARDWORK**

1. Agenda Review / Approval – Action Item

#### **BOARD ACTION**

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

2. Minutes Review / Approval – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the minutes for the October 19-20, 2022 Regular Board meeting and the November 14, 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 (Clark / Keough) I move to set December 13, 2023 as the date for the December 2023 regularly scheduled Board Meeting to occur via videoconference originating in Boise.** A roll call vote was taken, and the motion carried 8-0.

#### **AND**

**M/S (Clark / Keough) I move to amend the dates for May 2023 Board Retreat to May 11, 2023.** A roll call vote was taken, and the motion carried 8-0.

Matt Freeman, Executive Director, Idaho State Board of Education, explained the change in the May 2023 Board Retreat. With so many Commencements for the eight higher education institutions happening in May it was determined that the Board Retreat would be one day only. That day would be used to perform the evaluations of the University Presidents and there would be no professional development for the Board this year.

#### **CONSENT**



#### **BAHR**

1. Boise State University - Four (4) Online Program Fees – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the request by Boise State University to charge an online program fee of \$350 per credit for an undergraduate certificate in Applied Computing and \$395 per credit for undergraduate certificates in Systems and Network, Computed Tomography, Diagnostic Medical Sonography, and Magnetic Resonance Imaging. A roll call vote was taken, and the motion carried 8-0.**

2. Boise State University – Ada County Highway District Permanent Easement - Joyce Avenue – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the request by Boise State University to enter into a permanent easement agreement with the Ada County Highway District for the Boise Avenue area property identified by the attachments. A roll call vote was taken, and the motion carried 8-0.**

3. University of Idaho – Leave Policies and Employee Leave Benefits for University Positions Policy Amendments – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the request by the University of Idaho to execute the revisions to Administrative Procedures Manual APM55.09 Employee Leave Benefits as noted in the documents attached to this agenda item. A roll call vote was taken, and the motion carried 8-0.**

4. University of Idaho – License Agreement for Sprint/T-Mobile Communication Equipment on “I” Tank – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the request by the University of Idaho for authority to grant a five-year license to Sprint in substantial conformance to the form submitted to the Board in Attachment 1 and to authorize the University’s Operations Officer for Finance and Administration to execute the amendment and related documents. A roll call vote was taken, and the motion carried 8-0.**

5. University of Idaho – South Campus Chiller Plant Replacement and Improvements – Action Item



#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the request by the University of Idaho for the proposed replacement and improvement of two south campus chillers and associated electrical and metering systems for \$3,868,994. A roll call vote was taken, and the motion carried 8-0.**

6. University of Idaho – Kibbie Dome Building Electrical Service Replacement – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to approve the request by the University of Idaho for the replacement and relocation of the north and south power transformers, decommissioning and removal of the north lighting transformer, and relocation of the south concourse transformer which was previously installed on an emergency basis, replacement of the associated electric switchgear, and addition of metering systems for \$3,222,093. A roll call vote was taken, and the motion carried 8-0.**

7. FY 2022 Financial Statement Audits - Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to accept from the Audit Committee the FY2022 financial audit reports for Boise State University, Idaho State University, University of Idaho, and Lewis-Clark State College, as submitted by CliftonLarsonAllen LLP in Attachment 1. A roll call vote was taken, and the motion carried 8-0.**

#### **IRSA**

8. General Education Matriculation Committee Appointments – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to appoint Dr. Ann Abbott, representing the open education community, and Ryan Faulkner, representing the digital learning community, to the General Education Matriculation Committee, effective immediately. A roll call vote was taken, and the motion carried 8-0.**

9. Graduate Medical Education Committee Appointments – Action Item

#### **BOARD ACTION**



**M/S (Clark / Hill) I move to reappoint Dr. Clay Prince to serve on the Graduate Medical Education Committee effective immediately and expiring June 30, 2027. A roll call vote was taken, and the motion carried 8-0.**

10. Math Common Course Index Update – Action Item

**BOARD ACTION**

**M/S (Clark / Hill) I move to approve proposed updates to the Common Course Index as submitted in Attachment 1. A roll call vote was taken, and the motion carried 8-0.**

**PPGA**

11. State Rehabilitation Council Appointments – Action Item

**BOARD ACTION**

**M/S (Clark / Hill) I move appoint Mark Reinhardt as a representative of the Former Applicant or Recipient of VR services for a three-year term, effective immediately through December 21, 2025. A roll call vote was taken, and the motion carried 8-0.**

**AND**

**M/S (Clark / Hill) I move to appoint Diana Colgrove as a representative of Business, Industry and Labor for a three-year term, effective immediately through December 21, 2025. A roll call vote was taken, and the motion carried 8-0.**

**AND**

**M/S (Clark / Hill) I move to appoint Nancy Grant as a representative the Client Assistant Program for a three-year term, effective immediately through December 21, 2025. A roll call vote was taken, and the motion carried 8-0.**

**SDE**

12. Emergency Provisional Certificates – Action Item

**BOARD ACTIONS**

**M/S (Clark / Hill) I move to approve the request by State Department of Education for one-year emergency provisional certificates in the School Psychologist endorsement area at the specified school districts as provided herein for the 2022-2023 school year for the following individuals: Sherrie Burdick, Kerilyn Hinman,**



**Sally Hall, Courtney Coleman, Allison Hulett.** A roll call vote was taken, and the motion carried 8-0.

13. Professional Standards Commission – Praxis Assessments and Qualifying Scores Recommendations – Action Item

#### **BOARD ACTION**

**M/S (Clark / Hill) I move to accept the recommendation of the Professional Standards Commission to approve the proposed Praxis II assessments and Idaho cut scores as provided in Attachment 1.** A roll call vote was taken, and the motion carried 8-0.

#### **BOARD ACTION**

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

#### **OPEN FORUM**

**Theresa Boyer**

*My husband and I adopted a baby boy from foster care who had been seriously abused from birth until he was 3 months old. He is now a sweet, attached, 12-year-old boy. My son did pretty well in school until second grade when the work became a little harder and he was expected to sit quietly and focus on his schoolwork. He would become disruptive, then get in trouble, which caused him to become defiant and things would spiral. He started to have melt downs and would cause room clears. I had him evaluated for an IEP and FBA with a BIP, and we moved him to a school that had a PBI program. He started at the new school on the first day of February in 3<sup>rd</sup> grade. I carefully explained his trauma history and his need to feel safe in order to be able to think, to the PBI teacher. She gave me a paper to sign asking whether or not I allowed them to use the seclusion room on him. I marked NO and signed it, and explained how putting him in there would re-traumatize him very badly. If he could feel safe, he might have a chance to be successful in school. I made that very clear.*

*Two weeks later, on Valentine's Day, he was made to stay in from recess to finish a worksheet. He melted down and ended up laying on the ground tearing up his Valentines. He is a non-violent, "Freeze" kid and has never been a threat to himself or anyone else. He was then dragged to the padded room by the school psychologist and shut in. My son told me what happened and I received 2 reports following the incident, neither of which mentioned anything about the padded room. From that day on, he slept all day, every day in the PBI room. He also started sleeping on the floor next to my bed every night. He slept there for a year and a half – until I told him that he*





would never go back to that school. He slept in his own bed that night. My son is not even a statistic because his seclusion was never reported.

*Seclusion rooms are not the answer. They do not calm children. I believe they are generally used punitively, or because someone does not know what else to do. When the only tool you have is a hammer, suddenly everything looks like a nail. The focus should be on preventing the crisis in the first place by solving problems and teaching lagging skills. Behaviorism is a problem. My son was labeled "Attention Seeking" after a whole battery of tests. There was nothing scientific about that label, and I did not see any relation to the test results. There are more than 4 functions of behavior. In my son's case, he has neurological, fear-based reactions that are involuntary, not trained behaviors. If the diagnosis is wrong, the treatment is wrong. In my son's case, incorrectly trying to fix things with Behaviorism led to damage, and frankly abuse. The same goes for PBIS programs. Rewards and punishments work best for the kids who do not need them. Not all kids have a good grasp on cause and effect. Please look into the work of Dr. Ross Greene, Dr. Mona Delahooke, and Dr. Lori Desautels. I have also included in my materials, a great explanation of the problems with Behaviorism, written by an autistic lady who grew up subjected to ABA therapy.*

*Thank you for your time and attention.*

**Tricia Ellinger**

*Good morning, Idaho State Board of Education Board members:*

*I am Tricia Ellinger, Idahoans for Safe Schools, thank you for your work to improve outcomes in Idaho education for all students and future learners.*

*Since 2017 two of my children have been victims of inappropriate, excessive use of restraints and seclusion in the Emmett School District. My sweet five-year-old son with autism was restrained and secluded over 100 times for noncompliance and emotional upset, one instance lasting 3 hours. His first-grade year was similar. My son was restrained face down on the floor by 5 school staff, simply because he refused to comply with academic tasks. He stated to me, "I thought I was going to die because I could not breathe." Because of this traumatic event my child regressed.*

*My daughter had similar experiences with restraints and seclusion beginning in first grade. In 2<sup>nd</sup> grade, of 2019, there was an incident with restraints and seclusion which resulted in a 10-day acute inpatient stay for her at a psychiatric hospital. My children's story was included in this Idaho Stateman article.*

*Seclusion and restraints being used for off task, noncompliance, vocalizations, and emotional upset is a violation of basic human rights. Seclusion and restraints are NOT an allowable form of discipline in Idaho schools, yet it happens every single day. Seclusion and restraints in hospitals and psychiatric treatment facilities are strictly limited and closely monitored.*

*We are told that each school district is independently governed by local school boards and if we want to create change, we must start there. We are encouraged to speak to teachers, special*

STATE BOARD OF EDUCATION

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*education case managers, building administrators and district superintendents. We are further instructed to exercise our rights with individual education plans and behavior intervention plans if appropriate. If that fails, we are encouraged to request facilitated IEP meetings, request mediation, file state complaints and or file a due process hearing. As a parent I have done all those things for three children for 5 years, spending thousands of dollars on educational advocates and thousands of hours advocating for my children, with insignificant impact. It is a BASIC HUMAN RIGHT to attend school in a safe, secure environment free from abuse and intimidation.*

*My children will never be the same, had they not been routinely restrained and secluded in school. We must stop the perpetuation of the school-to-prison pipeline. Safety, connection, and validation is the clear pathway to learning.*

*Please support and facilitate, a legislative ban on the use of seclusion, a ban on corporal punishment and a reduction in use of restraints, by mandating district administration, teachers, and support staff to participate in research-based trauma sensitive, brain based relational supports for all students and ensure Idaho's higher education institutions create mandated coursework that supports all students in their classrooms.*

*Please join me in these efforts to create change that could save lives, reduce trauma, and promote positive academic outcomes for all children and youth in Idaho.*

*With great respect and gratitude.*

### **Charmaine Thaner**

*Good morning, I'm Charmaine Thaner from the Idahoans for Safe Schools. Restraint, Seclusion, and Corporal Punishment are not special education issues; they are education issues.*

*I remember hearing a second-grade teacher describe how she restrained a student in her class. She talked about the shame and guilt she felt and still feels today. The teacher described looking at her second grader and seeing his eyes filled with terror staring back at her throughout the time he was restrained.*

*You may have experienced something similar when you've taken your child to the doctor, and the doctor announces they need bloodwork done. Your child's eyes immediately dart to you with this frightful look as if they say, "No, help me! Don't let them do this to me!"*

*Now take that level of fear of a child having a blood draw and times that by 1,000 to understand the trauma induced when two adults restrain a child at school. Years later, the teacher learned that there were alternatives to restraint and seclusion. She learned how wrong it was.*





*You might be wondering who this teacher is. You might already know that teacher is me. That was me. I've lived it. I know this. I know what it feels like. And I regret every single minute of it to this day.*

*We have research on the damages done by restraint, seclusion, and corporal punishment, and we also have alternatives we can help staff learn to use. I do have some excellent news to share with you that was just announced on Dec. 14th. The Crisis Prevention Institute (CPI), whose training is used by 38% of the school districts in Idaho, recently announced its partnership with Alliance Against Seclusion and Restraint (AASR). One of their major goals is to develop further trauma-informed, neuroscience-aligned training programs to support educators in proactively preventing crises.*

*These new training programs will be available to public schools.*

*Let me wrap up. Science confirms what we know in our hearts. Restraint, seclusion, and corporal punishment traumatize students, staff, and witnesses.*

*As Maya Angelou reminded us, "Do the best you can until you know better. Then, when you know better, do better." Our teachers have been doing the best they can with what they know. We now know better. It's past time to do better.*

*As an educator, a parent, and a special education advocate, I urge our State Board of Education and state legislators to ban the use of Seclusion, Corporal Punishment and prevent the use of Restraints in Idaho's public schools. It is past time for this legislation that will protect our children from these harmful practices.*

## **WORK SESSION**

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

#### **A. K-20 Education Strategic Plan and Performance Measure Discussion**

Tracie Bent, Chief Planning, Policy and Governmental Affairs officer, Idaho State Board of Education, led the Work Session. She began by reading the Vision statement for the Board, "A student-centered education system that creates opportunities for all Idahoans to improve their quality of life", and their Mission statement, "To drive improvement of the K-20 education system for the citizens of Idaho, focusing on quality, results, and accountability."

Due to these broad responsibilities, the Board serves multiple roles. The Board sits as a policy-making body for all public education in Idaho, providing general oversight and governance for public K-20 education, and has a direct governance role as the Board of Regents for the University of Idaho and the board of trustees for the other public four-



year college and universities. The K-20 Education strategic plan must encompass and serve all of these aspects of Idaho's public education system.

The Board's strategic plan is a forward-looking roadmap used to guide future actions, define the vision and mission of Idaho's K-20 educational system, guide growth and development, and to establish priorities for resource distribution. The performance measure review is a backward look at progress made during the previous four years toward reaching the Board's strategic plan goals and objectives.

Based on any discussion during the Work Session, staff will bring back final edits to the K-20 Education Strategic Plan for the Board's consideration at the February 2023 Board meeting. Once the Board has approved the updated strategic plan, the agencies, institutions and special/health programs will update their strategic plans for the Board's consideration in April 2023.

The December strategic planning work session is intended to provide an opportunity for the Board to discuss its strategic priorities and identify any amendments the Board would like to make to the K-20 Education Strategic Plan as well as provide direction on performance measure reporting and strategic planning for the agencies and institutions under the Board's governance and oversight.

**Referencing Work Session, Attachment 1, Tab A, Page 1**, the Board was asked to review the benchmarks for certificates / degrees that have been in place for one year for the various higher education institutions. For FY 2022 the institutions awarded 2485 certificates / degrees with a target of 4437. The question posed was did the Board want to adjust the benchmark for Certificates of at least one academic year.

Board President Liebich said based on the data presented it would make sense to reset targets. These numbers are also reflective of perhaps lower enrollment numbers. Dr. Clark said there is another reality as well. The institutions have begun to develop a much greater focus on students getting certificates as part of their degree. There are also more resources available for students through our partnership with the Workforce Development Council which focuses on certificates, so she would be reluctant to adjust the target goals.

Based on the data presented, and the discussion, the Board office will work with the institutions and adjust the benchmark figures and bring that data back to the February 2023 Board meeting.

**Referencing Work Session, Attachment 2, Tab A, Page 2**, Ms. Bent led a discussion on the Focus Areas for the Board's Strategic Plan and asked if they had any changes they wanted to make.



For Elementary and Secondary Education, the focus areas are;

- Literacy Proficiency and Growth – kindergarten through grade 4
- Mathematics Proficiency and Growth – grades 5 through 9
- High School Credit Recovery, Completion, and Transition (Workforce or Postsecondary)

For Postsecondary Education, the focus areas are;

- Recruitment and Access
- Retention
- Transfer and Completion

Board President Liebich was concerned with changing strategic benchmarks annually. The Board members present agreed with that statement and no changes were recommended.

**Referencing Work Session, Attachment 3, Tab A, Page 1**, Ms. Bent also asked if these performance measures were still acceptable to the Board. For the percent of postsecondary first-time freshmen who graduated from an Idaho high school in the previous year requiring remedial education in math and/or language arts from two-year institutions the benchmark was less than 55 percent. That benchmark has consistently been met since the 14-15 graduating class.

Board President Liebich reminded everyone that the purpose of a target is to provide continuous improvement. If the target isn't creating that, it is time to reset it.

For four-year institutions the benchmark is less than 20 percent and for math that benchmark is at 20.3 percent so while not below the 20 percent, the data shows it is trending in the right direction. For English the benchmark is at 13.9 percent so well below the target of 20 percent. Ms. Bent asked the Board if they would consider splitting the Math and English benchmark so that there are different targets for each.

Dr. Clark said she was very comfortable in splitting that target between Math and English. Board President Liebich said these numbers show what a positive impact the system can have when the agencies work together to help students. Ms. Bent was directed to split the benchmark for Math and English.

**Referencing Work Session, Attachment 3, Tab A, Page 3**, Ms. Bent brought up the Percentage of Idaho high school graduates meeting college placement/entrance exam college readiness benchmarks. With this benchmark, and with the change in graduation requirements these numbers will change. Normally there are better benchmarks scores



seen in the ACT verses the SAT. The current benchmark for both the ACT and the SAT is 60 percent. For 2022 graduates the ACT was at 39 percent (this percentage equates to the number of students who are proficient in English, Math, Reading and Science).

Dr. Hill questioned the need to track these benchmarks now that the ACT is no longer a graduation requirement. Mr. Gilbert agreed saying that the Board office can continue to track this benchmark but it is no longer relevant to keep this as part of the Strategic Plan.

**Referencing Work Session, Attachment 4, Tab 2, Page 2 - 3** and talking about the percent of full-time first-time freshman graduating within 150% of time or less (2yr and 4yr) the benchmark is 50 percent. Currently we are still above that benchmark.

Board President Liebich said to adjust the benchmark. Dr. Hill said having the same benchmark for 2- and 4-year institutions has never made any sense to him and he wanted to talk about changing that.

**Referencing Work Session, Attachment 4, Tab A, Page 3**, percent of new degree-seeking freshmen completing a gateway math course within two years. Benchmark is at 64 percent. Ms. Bent said this benchmark has not been adjusted in a number of years.

Mr. Gilbert, Jr. said the benchmarks need to show continuous improvement, so if these benchmarks need to be modified now is the time.

**Referencing Work Session, Attachment 3, Tab A, Page 4**, median number of credits earned at completion of Associate's or Baccalaureate degree program. The benchmark is 69 but the percent achieved is at 90 percent. No changes were requested.

**Referencing Work Session, Attachment 3, Tab A Page 5**, annual number of state-funded scholarships awarded and total dollar amount. The various scholarships are Armed Forces and Public Safety Officer Scholarship, Opportunity Scholarship, Opportunity Scholarship for Adult Learners, Postsecondary Credit Scholarship. There were approximately 3,000 new scholarships granted in 2022. The number actually awarded for 6,302 totals \$20,373,737.

Mr. Freeman said the scholarship data is required to be presented but we cannot do anything to influence these numbers since it is influenced by appropriations. Ms. Bent will talk with the Governor's office and the Division of Financial Management in removing this data from the Strategic Plan. She will bring that decision back to the Board at a future meeting.



Board President Liebich was concerned about the percentage of postsecondary students who graduate with student loan debt. That currently sits at 38 percent which is lower than previous reporting periods. Board President Liebich asked what the median balance of debt was for each student. Ms. Bent said she would bring that data back to a future meeting.

**Referencing Work Session, Attachment 3, Tab A, Page 5**, percent cost of attendance (to the student) In-State First Time, Full Time Degree Seeking Undergraduate living on campus.

Mr. Gilbert felt that this measure was not something that was needed in the Strategic Plan. Ms. Bent said this specific measure was not required, it was a holdover from a previous time. Mrs. Roach said if this wasn't required then perhaps we can have it removed from the plan. Ms. Bent said she would review the Strategic Plan and identify which measures align with recruitment and access, retention, and transfer and completion for the post-secondary side. If one of the Board's focus is retention and there are no measures around retention we are not focusing on it. Her review should help to show which of the items listed are held over from a previous time and they can be eliminated. She will bring the data back to the Board once her review is complete.

**Referencing Work Session, Attachment 3, Tab A, Page 6**, for both Objective A: Workforce Alignment - Prepare students to efficiently and effectively enter and succeed in the workforce and Objective B: Medical Education - Deliver relevant education that meets the health care needs of Idaho and the region.

Mr. Freeman said once again this data is not something that the Board can influence or oversee since it is governed by appropriations. Ms. Bent was tasked with seeing if this section of the Strategic Plan could also be removed from the Board's Strategic Plan. She will report back to the Board.

**Referencing Work Session, Attachment 4, Page 1-3**, was the Systemwide Postsecondary Performance Measures. Ms. Bent asked if there was a preferred way to review this data. Mr. Gilbert asked for a chart showing trendlines instead of a list of data.

There were no further comments or questions from the Board.

At this time the Board took a break returning at 10:42 a.m. (Mountain Time).

## **STATE DEPARTMENT OF EDUCATION**

### **1. K-12 Developments**



Superintendent Ybarra started by saying that 99.98 percent of ESSER I funds have been expended. For ESSER II, as of December 14th, 87 percent of funds have been expended. For ESSER III only 24 percent of funds have been expended due to school districts trying to use the funds that expire first before accessing other funding sources.

The Superintendent also announced the newest Idaho Milken Educator Award winner, Anna Attebury of White Pine Charter School. Ms. Attebury's first grade students are immersed in Science, Engineering, Technology and Math (STEM), where they learn about human anatomy by building models of the different body systems—respiratory, circulatory, muscular, etc.—in layers on life-sized, people-shaped cutouts. As the leader of the after-school STEM club at White Pine Elementary, Ms. Attebury explores coding, works with drones, uses 3D printers and completes Engineering Design Challenges.

Ms. Attebury coordinates the school's Core Knowledge curriculum, leads professional development and organizes Core Knowledge Night to showcase themed grade levels and classrooms, performances, training opportunities, and student projects and displays. She pivoted to make this important event virtual earlier in the pandemic, allowing families to participate in the school community from their homes. Ms. Attebury leads White Pine Elementary's Positive Behavioral Interventions and Supports (PBIS) team, is a member of the director of schools' leadership team, works with students with learning disabilities and mentors' new teachers. Ms. Attebury is a graduate of Brigham Young University-Idaho. She earned a bachelor's in English in 2004 and a bachelor's in political science in 2012.

Superintendent Ybarra held another meeting of her Student Advisory Committee on December 5, 2022. One of the topics that the students asked the Superintendent to bring forward to the Board was how appreciative they were for having access to the Advanced Opportunities money. Many of them have used all of the money allotted to them and several of them will graduate high school with their associate's degree.

There were no comments or questions from the Board.

## 2. Idaho Reading Indicator (IRI) – Fall Results

Ayaka Nukui, Interim Director, Assessment and Accountability, State Department of Education, gave the IRI update. She shared the following information with the Board.

- The IRI was administered from August 1 - September 30, 2022 and 90,000 students participated, which was a slight decrease compared to previous years.
- Overall students in K-3 performed better than in previous years.





- Data shows that compared to 2019, there were more level 1, or at grade level students, and more level 3 or below grade level this year.
- Both grades 2 and 3 students were heavily impacted by the pandemic lock down. Current 2<sup>nd</sup> graders were in kindergarten in fall 2020. Current 3<sup>rd</sup> graders were in 1<sup>st</sup> grade in fall 2020.
- Students in grades 2 and 3 who were heavily impacted by the pandemic in early years may need additional support.

Mr. Gilbert asked when the cohort analysis would be available. The Board asked for cohort data to be presented to the Board as soon as possible. Ms. Nukui said she would work on collecting that data. Dr. Clark reminded the Board members that cohort data was provided and discussed during the October 2022 Work Session.

There were no further comments or questions from the Board.

### 3. NAEP Results

Ayaka Nukui led the Board through a report of the NAEP Reading and Math results. NAEP stands for National Assessment of Educational Progress.

Ms. Nukui shared the following information with the Board.

- For grade 4 reading, seven states did better than Idaho, 38 did similar and 5 states had lower results. The average skill score was 215.
- This year's average scale score was significantly lower compared to those of the last decade for both Idaho and the nation.
- Any difference over 10 points was deemed to be interesting. Specifically, compared to 2011, students with disabilities average scale score went down by 17 points. On the other hand, there was a 15-point increase for English language learners.
- For 8<sup>th</sup> grade reading, 2 states did better than Idaho, and 18 states did similar and 30 states had lower results. The average skill score was 264.
- Idaho has always performed better than the national average in this assessment. Again, this year's average scale score was significantly lower compared to those of the last decade for both Idaho and the nation.
- For fourth grade math, seven states did better than Idaho, and 28 states did similar with 15 states having lower results. The average skill score was 236.
- This year's average scale score was significantly lower compared to those of the last decade for both Idaho and the nation.



- Female students in fourth grade average scale score went down by 9 points; there was no significant change for male students.
- For 8<sup>th</sup> grade math, no other state did better than Idaho, 11 states did similar to Idaho. Only Utah and Massachusetts ranked above Idaho in terms of the average scale score. Utah got 282, Massachusetts got 284.
- Eighth graders did better than the national average for 8<sup>th</sup> grade math. The decrease in the average scale score in Idaho was not as bad as the national average. Idaho's scores were similar to 2015 and 2017.
- The subgroup scores were stable compared to other states, except for English Learners.

Board President Liebich asked how many students were tested for Reading and Math. Ms. Nukui shared that for grade 4, 1600 students took the Reading assessment and 1700 took the Math assessment. For grade 8, 1800 students took the Reading assessment and 1800 students took the Math assessment.

There were no further comments or questions from the Board.

#### 4. Assessment Review Committee Recommendations

Superintendent Ybarra shared the recommendation of the Assessment Review Committee to remove one (1) Grade 4 ELA/L item.

This Committee was composed of thirty (30) individuals from each of the six (6) educational regions in the state, representing parents of students, teachers, administrators, and school board members in Idaho's public education system. The committee is required to have two parents, one public school or charter school teacher, one school district or public charter school administrator, and one member from the board of trustees or charter school board of directors for each of the six education regions. The committee reviews the computer adaptive test questions on the summative Idaho Standards Achievement Test (ISAT) developed by the Smarter Balanced Consortium, in English Language Arts (ELA)/Literacy and Math, the computer adaptive test questions on the summative ISAT developed by Idaho's assessment vendor, Cambium Assessment, Inc., in Science, and the computer adaptive test questions on the summative Idaho Alternate Assessment (IDAA) developed by Cambium Assessment, Inc., in English Language Arts (ELA)/Literacy, Math, and Science.

The committee is authorized to make recommendations to the Board and the State Department of Education to revise or eliminate summative computer adaptive test questions from the assessment forms. The Board shall make the final determination regarding the adoption or rejection of the committee's recommendations.



## **BOARD ACTION**

**M/S (Ybarra / Clark) I move to approve the recommendation of the Assessment Review Committee to remove one (1) Grade 4 ELA/Literacy item from the 2023 item pool of the Idaho Standards Achievement Test. A roll call vote was taken, and the motion carried 8-0.**

There were no comments or questions from the Board.

## **INSTRUCTION, RESEARCH AND STUDENT AFFAIRS (35 min)**

### **1. Board Policy III.N. – Statewide General Education – First Reading**

Dr. Heidi Estrem, Associate Academic Affairs Officer, Idaho State Board of Education, gave the Board a rundown on this action item.

At this year's General Education Summit, the Oral Communication discipline group recommended amendments to the Oral Communication requirement of the general education framework that will increase the minimum number of credits required from two (2) to three (3). The two-credit minimum for Oral Communication was originally established because, initially one institution was not able to offer a 3-credit class in this area. However, in practice, only 3-credit options existed at most institutions and all institutions now offer a 3- credit option. However, this lower threshold has the potential to create challenges for transfer students in particular. The GEM Committee met on October 7, 2022 to review and discuss the proposed amendment. In order to facilitate the proposed change to Oral Communication, credits will need to decrease in another area. After much discussion, the committee determined to amend the minimum number of credits required for institutionally-designated from six (6) to five (5).

Other amendments include removing the diagram from policy as it is no longer necessary and does not provide any explanatory value.

## **BOARD ACTION**

**M/S (Roach / Hill) I move to approve the first reading of proposed amendments to Board Policy III.N., Statewide General Education, 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.

### **2. Board Policy III.E. – Certificates and Degrees – Second Reading**



Dr. TJ Bliss, Chief Academic Affairs Officer, Idaho State Board of Education, said there were no changes between first and second reading. In recap, these proposed amendments will provide institutions with guidance for the development of microcredentials and specialized certificates and will assist with distinguishing the differences between the technical certificates. Proposed amendments will require institutions offering technical certificates to reevaluate existing offerings to ensure those align with the new definition. Finally, proposed amendments will allow institutions to confer honorary degrees on employees of the Board who are not OSBE staff.

### **BOARD ACTION**

**M/S (Roach / Hill) I move to approve the second reading of proposed amendments to Board Policy III.E. Certificates and Degrees 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. Board Policy III.Z. – Planning and Delivery of Postsecondary Programs and Courses – Second Reading**

Dr. Bliss said there were no changes between first and second reading. In recap, the purpose of Board Policy III.Z, “is to ensure Idaho’s public postsecondary institutions meet the educational and workforce needs of the state through academic planning, alignment of programs and courses, and collaboration and coordination.” The purpose is to also meet the statutory requirement to “as far as practicable prevent wasteful duplication of effort” by the institutions.

In spring 2022, the University of Idaho submitted a proposal to the Board requesting approval to offer several associate degrees. In addition, in 2021, several community colleges included bachelor’s degrees on their three-year plans. Board members proposed as set of criteria to evaluate these types of requests and asked Board staff to work with the institutions to develop policy language to codify these criteria.

### **BOARD ACTION**

**M/S (Roach / Hill) I move to approve the second reading of proposed amendments to Board Policy III. Z. Planning and Delivery of Postsecondary Education Programs and Courses 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.

#### **4. Open Educational Resources (OER) Report**



Dr. Bliss shared the following with the Board.

- The Purpose of Open Educational Resources (OER) is to support quality education that is equitable, inclusive, open and participatory as well as enhance academic freedom and professional autonomy of teachers by widening the scope of materials available for teaching and learning. *UNESCO Recommendation on OER, 2019*
- A meta-analysis examining learning performance of 100,012 students (22 studies) found equivalent learning between open and commercial textbooks.
- An examination of withdrawal rates of 78,593 students (11 studies) found that courses with open textbooks had withdrawal rates that were 29% lower than courses with commercial textbooks.
- The \$50,000 funding for this program came from HB 267, Section 5, from the 2019 Legislature.
- Board Policy III. U. requires Institutions to have a plan to implement this program. Some of these institution plans are;
  - Resources and support for faculty to ensure accessibility of materials
  - Institutional policies and strategies to minimizing material costs and promote OER
  - Professional Development for faculty re: OER
  - Course marking processes for some courses
  - Strategies for using OER in common-indexed courses (gen-ed)
  - Course marking process for all courses
  - Strategies for using OER in other courses (beyond gen-ed)
  - Institutional policies that encourage faculty to be intentional in material selection
  - Inclusion of access and affordability efforts in Tenure & Promotion
- Faculty from various Idaho institutions were asked to respond if their course materials were less than \$30. There were 335 courses where the course materials were \$30 or less. That number affects 10,000 students.

Board President Liebich asked if the Board could do more to show support for this program. Dr. Bliss said perhaps thinking about how this program can be used in K-12 would be the next step for the Board. And further legislative actions might be needed.

Dr. Clark said the cost of books for many districts is very prohibitive which is why so many of the books are so old. This program would therefore be a wonderful thing to promote for the schools. Dr. Clark said the Board will also want to relook at the Board policy concerning the list of approved books schools can use in a classroom.



There were no further comments or questions from the Board.

## **BUSINESS AFFAIRS AND HUMAN RESOURCES**

### **1. Board Policy V.H. and V.Y. – Internal Audit – Second Reading**

Gideon Tolman, Chief Financial Officer, Idaho State Board of Education, said there were no changes between first and second reading. The changes requested have been vetted through the Audit Committee. A Chief Audit Executive is currently on staff at OSBE, and he works with audit employees at the four-year institutions. The institution audit staff continue to work on their campuses under the management of the Chief Audit Executive, and they will become OSBE employees pending approval of the FY 2024 budget request.

Staff will continue to work with the Audit Committee and institution staff to clarify and refine OSBE's risk management plan and how it relates to the work of the committee. A Systemwide Risk Manager is projected to be on staff at OSBE by the beginning of next year.

## **BOARD ACTION**

**M/S (Gilbert / Hill) I move to approve the second reading of Board Policy V.H. and to repeal Board Policy V.Y. as presented in Attachments 1 and 2.** A roll call vote was taken, and the motion carried 8-0.

There were no comments or questions from the Board.

### **2.FY 2022 Financial Ratios and 3. FY 2022 Net Position Reports**

Dr. David Hill spoke to these combined agenda items.

- These financial ratios and analyses are provided for the Board to review the financial health and year-to-year trends at the institutions. The ratios reflect a financial snapshot as of fiscal year end. The Audit Committee reviews key financial performance factors on a quarterly basis.
- Net position balances provide a tool to gauge the amount and types of assets held by an institution. An analysis of unrestricted expendable assets provides insights into some of the "reserves" which might be available in order for an institution to meet emergency needs.
- The net position reports for the four institutions are broken out by the following categories: Invested in capital assets, net of related debt; Restricted, expendable; Restricted, nonexpendable; Unrestricted.
- The volatility of state funding as well as fluctuations in enrollment and tuition revenue necessitates that institutions maintain fund balances sufficient to stabilize





their operating budgets. As such, Board Policy V.B. sets a minimum target reserve of 5%, as measured by “Unrestricted Available” funds divided by annual operating expenses.

- Idaho State University and Lewis-Clark State College met the Board’s 5% reserve target in FY22, while Boise State University was only 0.18% short of the reserve target.
- University of Idaho has reported a negative \$30.1 million for its “Unrestricted – Available” net position, which results in a negative ratio of 7.0% unrestricted available net position to FY22 operating expenses, a decline of \$9.7 million over FY21, after removing the Strategic Initiatives Fund (SIF) from these figures. The decline was due in part to \$7 million of unrealized losses from fair value adjustments to university investments. After adjusting for these unrealized losses and removing the impact of the SIF from the consolidated financial statements, the University reported positive results from operations of \$35.7 million and available net position would have declined less than \$3 million over FY21. FY22 unrestricted net position was also impacted by the reclassification of \$11.8 million of net OPEB asset and net pension asset at June 30, 2022. This reclassification resulted in a reduction in unrestricted net position despite the positive operating results.

There were no comments or questions from the Board.

At this time the Board took a 30-minute break returning at 12:35 p.m. (Mountain Time)

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

### **1. Idaho Technology Council – Digital Literacy Presentation**

Jay Larsen, CEO, Idaho Technology Council; Cory Vaughn, Operations and Technology Director, Delta Dental; Jet Hansen, Principal Solution Architect, Intuit and Sherawn Reberry, Communications and Program Manager, Idaho Workforce Development Council led a discussion on Idaho Digital Literacy. They shared the following with the Board.

- The **Mission** of the Idaho Technology Council is that Idaho will be the leader in preparing students with the computer literacy needed to succeed in today’s knowledge-based economy.
- Their **Purpose and Strategy**: Idaho Codes will increase career and post High School opportunities for students by providing computing education throughout their K-12 experience.
- **Why**: Each spring/summer, High Schools across Idaho graduate 1000s of students who are prepared for a world that increasingly does not exist. Forty



percent of today's kindergartners will work in new job types that don't even exist today. Many of these job types will be technology/knowledge based. Most, if not all, jobs will require some foundational understanding of computer science/information systems.

- The presenters said it was clear society was headed towards the 4th Industrial Revolution which is a fusion of physical, digital and biological technology.
- Sixty-seven percent of all new STEM jobs are in computing.
- Eleven percent of STEM bachelor's degrees are in Computer Science (CS).
- Twenty-seven states in the U.S. have adopted a policy to give all high school students access to CS courses.
- Only three states have a high school requirement for Computer Science; Arkansas, Nevada and South Carolina.
- There are currently 631,148 open Computer Science jobs nationwide with only 90,942 CS college graduates who went into the workforce last year.
- There are currently 5,793 open computing jobs in Idaho and only thirty-eight percent of Idaho high schools teach a Computer Science class.
- There were only five hundred seventy-seven CS graduates across Idaho Institutions of Higher Education.
- Every 21st century child should have a chance to learn about algorithms, how to make an app, or how the internet works.
- A CS foundation prepares students for their future by teaching them grit, teamwork, visual, algorithmic, and computational thinking.
- Since 2012 Idaho has been able to implement standards for teachers, for students, integrate professional development for teachers and require computer science course offerings in high school, making Idaho 2nd in the nation to meet nine code.org policy recommendations.
- Digital Literacy has three main focus areas; a Digital Literacy K-12 Plan; a teacher professional development plan and an Idaho Digital Literacy Dashboard.
- Their main goal would be for there to be a CS requirement for all Idaho high school graduates.
- The Digital/Computational Literacy Teacher PD Plan calls for Regional Digital/Computer Literacy Specialists and CS Endorsement Professional Development for teaching computer science in grades 6-12.

Dr. Hill asked to define Computer Science; did that mean coding? Mr. Larsen said digital literacy is the study of coding, materials, robotics and analytics. Computer science is multi-faceted.



Tracie Bent shared that included in the proposed rule for this year, for implementation in FY 2025, was a CS requirement for high school graduation. The feedback received from the districts consistently said it was a great idea, but they did not have the capacity, be that either in scheduling or in having qualified teachers in requiring computer science for graduation, so it did not move forward in the pending rule that the Board considered at the November Special Board meeting. This does not preclude this topic from being brought forward again at a later time.

Dr. Clark added that the lack of teachers was a big issue. Districts would need to find qualified teachers to teach CS if it was made a high school requirement. The Board always has a concern about adding a high school graduation requirement because the local school boards feel that when the Board adds something, they lose something. Dr. Clark used the example of the financial literacy requirement that was recently added to the graduation requirement. The Board combined that requirement into another class instead of making it a stand-alone additional requirement. There is still much work to be done on this issue and there may be other ways to get Idaho students the CS courses they need, without making another requirement.

Mr. Larsen mentioned the way Arkansas handled this issue. They structured the requirement in such a way that students could take a Math class, a Computer Science course or an elective course as part of their High School graduation requirement. The option was theirs and it did not add an additional requirement, but gave them the option of which course to take. Mr. Larsen said he would like to explore options with the members of the Board.

Board President Liebich said the Board sets the minimum graduation requirements. This does not preclude school districts from offering computer science courses if they have the trained teachers to offer these courses to students.

Mr. Gilbert asked Mr. Larsen if he planned to go to the Legislature this year to ask for the funding to get the teacher development plan started. Mr. Larsen said yes, that was his plan to ask for \$2 million dollars to begin this program.

There were no further comments or questions from the Board.

## 2. Educator Preparation Programs – Performance Report



Ms. Bent said there were no changes in these measure from what the Board adopted last year. Since the adoption of the EPP Performance Measures used in this report, Idaho Code § 33-1207A has been amended in a way that directly impacts program reviews. Specifically, reviews of nonpublic EPPs are now limited in scope to only focusing on the knowledge (or equivalent) standards set forth in the initial standards for teacher certification. This has created a scenario where reviews of public and nonpublic programs are no longer uniform—and where some programs will lack data relevant to the EPP Performance Measures as currently written.

Board staff have received considerable pushback from some of the approved educator preparation programs on necessity of establishing performance measures and reporting out on the performance of individual programs beyond the 7-year accreditation cycle, particularly since not all programs have the same accreditation requirements. Staff has explained the annual requirement in the Title II reporting and the importance of being able to measure and report out on the effectiveness of Idaho's individual programs, especially as more new and nontraditional approaches are used for certifying Idaho teachers. Being able to compare the effectiveness of different programs will help the Board in evaluating new programs and making policy decisions on retaining or limiting programs that are less effective. Additionally, the annual Title II report requires all approved educator preparation program be identified annually as being effective, at-risk, or low performing. Board staff have been working with the education preparation programs for over 18 months and the programs have consistently asked that only their accreditation status be used. In pulling together the data for the report this year it was clear that the current measures were not adequate. Additionally, when trying to get the survey data that was included originally at the request of the institutions, a number of the institutions were not comfortable providing the results.

Dr. Clark added the pushback comes from the belief that if they are accredited that was enough, but the Board believes that is not enough and there needs to be a closer tie on the performance measure.

## **BOARD ACTION**

**M/S (Clark / Roach) 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 / Roach) I move to direct Board staff to revise the educator preparation program performance measures and bring back recommendations for new measures no later than the April 2023 Regular Board meeting. A roll call vote was taken, and the motion carried 8-0.**

There were no comments or questions from the Board.

3. Board Policy – IV.B. – Educator Certification – Endorsement Requirements – Second Reading

Dr. Clark said there were no changes between first and second reading.

#### **BOARD ACTION**

**M/S (Clark / Roach) I move to approve the second reading of Board Policy IV.B., Instructional Staff Certificate Endorsements, 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.

4. Dyslexia Handbook

Dr. Clark was a member of the Dyslexia Handbook Committee and she reminded the Board Section 33-1811, Idaho Code, was enacted by the 2022 Idaho Legislature. At the time it was enacted the Board had approved the Idaho Comprehensive Literacy Plan, however, drafting of the Dyslexia Handbook had not started.

Pursuant to Section 33-1811, Idaho Code, the Idaho Comprehensive Literacy Plan and the “state dyslexia handbook” are the required reference documents for guidance on addressing the needs of students with dyslexia. Applicable professional development and LEA interventions (including curricular materials) must be aligned to the plan. Further, this section of Code outlines requirements for screening and administering diagnostic measures to students. The Idaho Dyslexia Handbook presented by the Work Group addresses all of these areas of content and is a research-based guide for educators.

The Work Group’s recommendation is to place the Handbook on a five-year review and update cycle.

#### **BOARD ACTION**



**M/S (Clark / Keough) I move to approve the Idaho Dyslexia Handbook as submitted in Attachment 1 and include it in the review and update cycle with the Comprehensive Literacy Plan.** A roll call vote was taken, and the motion carried 8-0.

Mr. Freeman asked how this handbook was going to be sent to Idaho's educators. Dr. Clark said that direction will come from the State Department of Education.

There were no further comments or questions from the Board.

5. College of Southern Idaho – Taxing District Expansion

Ms. Bent shared that approval of the resolution as provided in Attachment 3 will allow for an election to be called in Elmore County for creation of a community college district pursuant to the requirements of Sections 33-2105 and 34-106, Idaho Code.

Section 33-2104A, Idaho Code, provides that “a proposal to redefine the boundaries of trustee zones of a community college district shall be initiated by its board of trustees at the first meeting following ... the electors’ approval of the addition of territory pursuant to Section 33-2105, Idaho Code. The board of trustees shall submit the proposal to the state board of education within one hundred twenty (120) days following the ... election.”

The petitioners and CSI Board of Trustees satisfied the requirements for the addition of territory to a community college district set forth in Section 33- 2105, Idaho Code. Should the voters approve the addition of Elmore County to the CSI District the college district will overlap with the service area for College of Western Idaho established in Section 33-2201, Idaho Code. The Board will need to then amend the area boundaries established in Section 33-2201, Idaho Code.

After the petition was submitted there was feedback, received after the Board agenda materials were completed, where the petitioner no longer supported the measure. Two other comments were also received; one in favor of this petition and one against.

**BOARD ACTION**

**M/S (Clark / Hill) I move to approve the Resolution set forth in Attachment 3 recommending the addition of territory made up of the boundaries of Elmore County to the current territory of the College of Southern Idaho community college district.** A roll call vote was taken, and the motion carried 7-0. Superintendent Ybarra abstained from voting.





Superintendent Ybarra made a statement that she is a resident of Elmore County and most likely will have to abstain from voting on this item. She also asked if this petition could raise taxes in Elmore County. Ms. Bent said that was the potential.

Board President Liebich asked what the threshold was for this measure to pass in an election. Mr. Freeman said it was a simple majority.

Mr. Freeman said by statute there are six areas, like the states six educational regions and Elmore County is the only county that is split between two areas with respect to community colleges. They are serviced by both College of Western Idaho (CWI) and CSI. If the Board approves this petition then the next step is to notify the Elmore County Commissioner who will call for an election. If the people of Elmore County approve this petition, by a simple majority to join the CSI taxing district then the Board will need to come back and reset those areas and clarify that CSI has all of area 4. If the voters of Elmore County approve this petition, then the current levy rate that CSI has in Jerome and Twin Falls counties will apply to Elmore County as well.

Mrs. Roach said the governance structure of College of Southern Idaho (CSI) would most likely change if this petition is approved by the electorate. Mr. Freeman clarified that the CSI Board of Trustee members would then come from three districts and not two if this petition were to pass by the electorate, but they would still only have five members on their Board of Trustees.

There were no further comments or questions from the Board.

## **INFORMATIONAL**

These items are provided to the Board as information items only. No discussion was held.

## **BAHR**

1. Retirement Plan Committee – Optional Retirement Plan RFP

## **SDE**

2. Mastery Education Update
3. English Language Learners Proficiency Report
4. Professional Standards Commission – Annual Report

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



**M/S (Gilbert / Hill) I move to adjourn the meeting at 1:38 p.m. (Mountain Time). A roll call vote was taken, and the motion carried 8-0.**