



The Independent School District of Boise City

8169 W. Victory Road
Boise, Idaho, U.S.A. 83709

(208) 854-4000
Fax (208) 854-4008

June 10, 2021

Representative Giddings,

We received your public records request on May 26, 2021 as indicated in your email. The attorney for Boise Schools has reviewed your request.

You requested the following:

-All Learning for Justice (formerly known as Teaching Tolerance) materials, books, curriculum, or assignments used in K-12 classrooms or for teacher trainings in the Boise school district during the Fall 2020-Spring 2021 school year.

-All AVID (Advancement Via Individual Determination) resources, books, materials, curriculum, and assignments used in K-12 classrooms or for teacher trainings in the Boise school district during the Fall 2020-Spring 2021 school year.

-All EL Education materials, curriculum, books, or assignments used in K-12 classrooms or for teacher trainings in the Boise school district during the Fall 2020-Spring 2021 school year.

-All materials, books, curriculum, or assignments drawing from Nicole Hannah Jones 1619 project or the 1776 project used in K-12 classrooms or for teacher trainings in the Boise school district during the Fall 2020-Spring 2021 school year.

District Response:

In accordance with Idaho Code §§ 74-102, you may examine materials, books, curriculum, resources and education materials as explained below at the Boise School District Services Center, 8169 W. Victory Road, Boise, Idaho 83709, during regular business hours, Monday

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through Friday, 8 a.m. to 4:30 p.m. **Please indicate what day and time you plan to examine these records so we can plan accordingly.**

Learning for Justice is not part of the adopted curriculum in the Boise School District. The District Administration has not directed any District personnel to use Learning for Justice materials. However, pursuant to [District Policy 2181](#), District teachers are granted freedom to investigate or discuss controversial social, economic and political issues and problems. If you wish the District to question staff to determine if any teacher has used Learning for Justice materials to supplement the adopted curriculum, this would require contact with 1509 teachers, who are not presently on contract. Each teacher's time would have to be compensated at their hourly rate, which averages \$43.60/hour. We estimate that each teacher would spend 15 minutes reviewing the request for Learning for Justice, Nicole Hannah Jones 1619 project, or the 1776 project, and responding to such. Further time may be required if any teachers do utilize the materials. ($1509 \times .25 \times 43.60 = \$16,448.10$).

[AVID](#) is a part of the adopted elective curriculum of the Boise School District. As an elective, it is a voluntary program to prepare students for college and career success, and no student is required to study any AVID materials. Parent consent is required for participation in AVID. Specific to your request, AVID education materials are trade secrets. Idaho Code 74-107(1) states that trade secrets may not be disclosed under the public records laws, as long as there is an effort to "maintain its secrecy." AVID has both a clause in their contract with the District barring disclosure and informed us that their education materials are proprietary in this instance.

The Boise School District has EL-specific curriculum taught at five elementary schools, one junior high, and three high schools. For the EL specific curriculum, 5935 pages of records are available for your review as explained above.

The District also has EL students who participate in the general education curriculum in 48 out of 50 of our schools. On the latter, if you wish to review all general education materials used for EL students in general education classes, we estimate that it will take approximately 2 hours of staff time to gather the general education curriculum of the Boise School District for those classes (2 hours per teacher with an EL student in their class). This estimate is based on all elementary teachers having EL students (757), and 75% of junior high and high school teachers ($.75 \times 752 = 634$) ($(757 + 634) \times 87.20 = \$121,296.20$).

Neither the Nicole Hannah Jones 1619 Project nor the 1776 project are part of the adopted curriculum in the Boise School District. The District Administration has not directed any District personnel to use Nicole Hannah Jones materials or 1776 Project materials. However, pursuant to [District Policy 2181](#), District teachers are granted freedom to investigate or discuss controversial social, economic and political issues and problems. If you wish the District to question staff to determine if any teacher has used 1619 or 1776 Project materials

to supplement the adopted curriculum, the District estimates that this would require contact with 1509 teachers, who are not presently on contract. Pursuant to Idaho Code 74-102, each teacher's time must be compensated at their hourly rate, which averages \$43.60/hour. We estimate that each teacher would spend 15 minutes reviewing the request for Learning for Justice, Nicole Hannah Jones 1619 project, or 1776 project materials, and responding to such. ($1509 \times .25 \times 43.60 = \$16,448.10$)

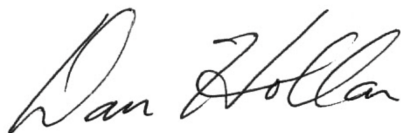
The District does not require payment for the records being provided presently, nor the time which was taken to gather such (~4 hours). However, for those records that are being made available for your review presently, if you wish the District to digitize the 5935 pages, the books are bound and would have to be scanned one page at a time. Please be aware that this will require roughly 40 hours of time, billed at \$20.67 per hour (\$826.80).

For the remaining requests, the Idaho Public Records Act allows for copy costs (beyond 100 copies) and the cost of time spent on the request that are beyond two hours to be charged to the individual making the request. Idaho Code 74-102 provides that the amount billed must be at the lowest rate for a qualified staff person. The District requires advance payment of fees itemized above. Please note that the estimate for the Jones, 1776 and Learning for Justice materials are a single cost estimate for all three. Any portion of an advance payment in excess of the actual costs of labor and copying incurred by the agency in responding to the request shall be returned. Should the time required exceed estimates, further payment will be required.

Please note, per Idaho Public Records Act Idaho Code §§ 74-101 through 74-126 you may narrow the parameters of your records request to reduce potential cost.

You have the right to appeal any denial of disclosure of public records to the District Court of the county where the records are located. You have 180 days from the date of the mailing of the denial notice to file your appeal with the District Court.

Sincerely,

A handwritten signature in black ink that reads "Dan Hollar". The signature is written in a cursive, flowing style.

Dan Hollar
Public Affairs Administrator
Boise School District
(208) 854-4064