

**OFFICIAL MINUTES**

**MEETING OF THE STATE BOARD OF EDUCATION**

**BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO**

**TRUSTEES OF IDAHO STATE UNIVERSITY**

**TRUSTEES OF LEWIS-CLARK STATE COLLEGE**

**TRUSTEES OF BOISE STATE UNIVERSITY**

**STATE BOARD FOR VOCATIONAL EDUCATION**

**TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND**

March 18-19, 1999

Boise State University - SUB

Boise, Idaho

Call To Order

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 8:00 a.m., on March 18, 1999, and on March 19, 1999 with Dr. Thomas E. Dillon, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Thomas E. Dillon, President

Harold W. Davis, Vice President

Jerry Hess, Secretary

Tom Boyd

Curtis H. Eaton

Marilyn Howard, State Superintendent of Public Instruction

Members Absent

All exhibits, appendices and items referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

Table of Contents

Compensated days . . . . . 1  
Non-compensated days . . . . . 2  
Persons meeting with the State Board of Education . . . . . 3

**BOARDWORK**

Agenda Approval . . . . . 5  
Minutes Approval . . . . . 5  
Rolling Calendar . . . . . 5  
The American Association of Community Colleges . . . . . 5

**PERSONNEL/STUDENT AFFAIRS COMMITTEE**

Minutes of the January Meeting . . . . . 6  
Routine Institution/Agency Agenda Items . . . . . 6  
Non-Routine Institution/Agency Agenda Items . . . . . 6  
    Eastern Idaho Technical College . . . . . 6  
    Lewis-Clark State College . . . . . 6  
    Other Non-routine Items . . . . . 7  
Forum . . . . . 8

**ACADEMIC AFFAIRS/PROGRAM COMMITTEE**

Minutes of the January, 1999 Meeting . . . . . 10  
Minutes of the December 9, 1998 CAAP Meeting . . . . . 10  
Minutes of the HERC Meetings . . . . . 10  
HERC Funding Recommendations . . . . . 10  
First Reading: Prior Learning Policy . . . . . 10  
First Reading: Articulation and Associate Degree Policy . . . . . 10  
First Reading: Developmental Education Policy . . . . . 11  
New Program: New Horizons Computer Learning Center . . . . . 11  
New Program: UI Center for Secure and Dependable Software . . . . . 12  
Program Review/Approval Process . . . . . 12  
Articulation Progress Report . . . . . 12

**FINANCE COMMITTEE**

Minutes of the January, 1999 Meeting . . . . . 13  
Routine Institution/Agency Agenda Items . . . . . 13  
Non-Routine Institution/Agency Agenda Items . . . . . 13  
    Boise State University . . . . . 13

|  |    |
|--|----|
| FY2001 Budget Request Process .....  | 14 |
| Use of DPW Contingency Funds .....   | 14 |
| Revised Intercollegiate Athletic Report .....  | 14 |
| Final Reading: Waiver of Nonresident Tuition-Disadvantaged or Deserving Students ..... | 14 |
| Final Reading: Allocation of the Lump Sum Appropriation Methodology-EWA .....          | 16 |
| Final Reading: Gifts and Institutional Foundations .....                               | 16 |
| FY2000 JFAC Action .....   | 16 |
| FY2001 Budget Request Discussion .....   | 16 |

### **LEGISLATIVE AFFAIRS COMMITTEE**

|  |    |
|--|----|
| Minutes of the January, 1999 Meeting .....         | 19 |
| Videoconference Date .....                         | 19 |
| Final Reading: Legislative Affairs Committee ..... | 19 |
| Report on OSBE Staff Legislative Activity .....    | 19 |
| Legislative Update .....                           | 20 |

### **70 PERCENT COMMITTEE**

|  |    |
|--|----|
| Minutes of the November, 1998 Meeting .....                    | 22 |
| Policy and Rule Change .....                                   | 22 |
| Hispanic Education TF & Indian Education Committee .....       | 22 |
| Cooperative Service .....                                      | 23 |
| Reports and Presentations .....                                | 23 |
| Academic Core for AAS Degree .....                             | 23 |
| Unprepared/Underprepared Adults .....                          | 23 |
| Juvenile Corrections/Justice & Prison Education Programs ..... | 23 |
| Scholarship Update .....                                       | 23 |

### **OTHER**

|   |    |
|---|----|
| Open Forum .....  | 24 |
| School to Work Third Party Evaluation Annual Report .....                     | 24 |
| University of Idaho .....   | 24 |
| Technology Officer Position Update .....                                      | 25 |
| Legislative Affairs Committee Authority to Endorse Bills During Session ..... | 25 |
| Eastern Idaho Education Update .....  | 25 |
| What Matters Most .....   | 26 |
| Exiting Standards Committee Report .....                                      | 26 |
| Executive Session .....   | 27 |
| Idaho Public Television .....   | 27 |
| Mr. Jim Fox Appointment at ISU .....  | 27 |

Good of the Order ..... 28

**STATE DEPARTMENT OF EDUCATION**

Consent Agenda ..... 29

Requests for Remote and Necessary Districts ..... 29

Letters of Authorization ..... 29

Elementary and Secondary School Accreditation Report ..... 29

Accreditation Standards for Idaho Schools ..... 30

Cambridge SD and Council SD Boundary Change Request ..... 32

Transportation ..... 32

Special Education ..... 33

    Improving Results Initiative ..... 33

    Special Education Rules ..... 33

ADJOURNMENT ..... 34

CERTIFICATION ..... 34

iii.

Compensated days spent on Board business by members of the State Board of Education/Board of Regents of the University of Idaho for the month of March, 1999.

|   |                    |                                 |                    |
|---|--------------------|---------------------------------|--------------------|
| <b>Thomas Dillon</b><br>03/15,17,18,19,22 | <b>Days</b><br>4.0 | <b>Curtis H. Eaton</b><br>03/17 | <b>Days</b><br>1.0 |
| <b>Jerry Hess</b><br>03/05,17,18,19,31    | <b>Days</b><br>3.5 | <b>Tom Boyd</b><br>03/17,18,19  | <b>Days</b><br>2.5 |
| <b>Harold W. Davis</b><br>03/17           | <b>Days</b><br>1.0 |                                 |                    |



Non-compensated days spent on Board business by members of the State Board of Education/Board of Regents of the University of Idaho for the month of March, 1999.

|                        |             |                       |             |
|------------------------|-------------|-----------------------|-------------|
| <b>Curtis H. Eaton</b> | <b>Days</b> | <b>Marilyn Howard</b> | <b>Days</b> |
| 03/18,19               | 2.0         | 03/17,18,19           | 3.0         |
| <b>Harold W. Davis</b> | <b>Days</b> |                       |             |
| 03/18,19               | 1.0         |                       |             |

Persons meeting with the State Board of Education/Board of Regents of the University of Idaho:

Office of the State Board of Education

Gregory G. Fitch, Executive Director  
Robin A. Dodson, Chief Academic Officer  
Kevin Satterlee, Chief Legal Officer  
Keith Hasselquist, Chief Fiscal Officer  
Jerry Engstrom, Management Information Officer  
Mike Killworth, Policy and Planning Officer  
Lydia Guerra, State Exiting Standards Coordinator  
Laurie Boston, Public Information Officer

State Department of Education

Robert West, Chief Deputy Superintendent  
Jerry Pelton, Deputy Superintendent  
Don Roberts, Chief Legal Officer  
Allison Westfall, Public Information Officer

Idaho Public Television

Peter Morrill, General Manager

Idaho School for the Deaf and the Blind

Ron Darcy, Superintendent

Division of Vocational Education

Mike Rush, Administrator  
Kirk Dennis, Chief Fiscal Officer

Division of Vocational Rehabilitation

Floyd Young, Administrator  
Richard Sloneker, Chief Fiscal Officer

Boise State University

Charles Ruch, President  
Daryl Jones, Provost  
Harry Neel, Financial Vice President & Bursar  
Brent Winiger, Budget Officer



Eastern Idaho Technical College

Miles LaRowe, President  
Luke Robbins, Dean of Instruction  
Robert Smart, Finance Officer

Idaho State University

Richard L. Bowen, President  
Jonathan Lawson, Academic Vice President  
Robert W. Pearce, Financial Vice President

Lewis-Clark State College

James W. Hottois, President  
Rita Rice Morris, Provost/Vice President for Academic Affairs  
Dean A. Froehlich, Financial Vice President

University of Idaho

Robert A. Hoover, President  
Brian L. Pitcher, Provost, Academic Affairs  
Jerry Wallace, Financial Vice President

College of Southern Idaho

Gerald Meyerhoeffer, President,  
Gerald Beck, Vice President of Instruction  
J. Mike Mason, Dean of Finance

North Idaho College

Michael Burke, President  
Jerry Gee, Dean of Instruction  
Rolly Jurgens, Dean of Administration

Others

F. Willard Robinson  
William Heins  
Bob Compton  
Allen Marsh  
Connie Cady

Larry Andrews

**BOARDWORK**

1. Agenda Approval

**It was moved by Mr. Davis, seconded by Mr. Hess and carried** to approve the agenda for the March 18-19, 1999 meeting. (Motion #1)

2. Minutes Approval

**It was moved by Mr. Davis, seconded by Mr. Hess and carried** to approve the minutes of the January and February, 1999 meetings. (Motion #2)

3. Rolling Calendar

**It was moved by Mr. Hess and carried** to approve March 16-17, 2000 as the meeting dates and Boise State University as the location of the March, 2000 regularly scheduled Board meeting. (Motion #3)

**It was moved by Mr. Eaton, seconded by Dr. Howard and carried** to add a meeting in February, 2000. (Motion #4)

Dr. Howard will determine if there will be a February meeting and, if so, will bring the date to the Board in April. Mr. Davis suggested Dr. Howard consult with the OSBE staff prior to making the determination.

4. The American Association of Community Colleges

The 79<sup>th</sup> Annual Convention will be held in Nashville, TN, April 7-10, 1999.

Boardwork materials on file as Exhibit #1 with the Office of the State Board of Education.

**PERSONNEL/STUDENT AFFAIRS COMMITTEE**

1. Minutes of the January Meeting

The minutes were approved in committee.

2. Routine Institution/Agency Agenda Items

**It was moved by Dr. Howard, seconded by Mr. Boyd and carried** to approve the Personnel/Student Affairs Routine agenda items for the Office of the State Board of Education, Idaho Educational Public Broadcasting System, the Idaho School for the Deaf and the Blind, the Idaho Division of Vocational Rehabilitation, Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #24)

3. Non-Routine Institution/Agency Agenda Items

*Eastern Idaho Technical College*

Item 2.1 EITC Advisory Council

**It was moved by Dr. Howard, seconded by Mr. Boyd and carried** to approve the appointments of Terry Butikofer, Michael Clark, John Hanson, Edith Stanger and Ralph Steele to the EITC Advisory Council. (Motion #25)

*Lewis-Clark State College*

Dr. Howard advised these were multi-year contracts which should have been brought to the Board for approval in June, 1998, but were inadvertently omitted.

**It was moved by Dr. Howard, seconded by Mr. Davis and carried** to approve the multi-year contract, with addendum, for Edward Cheff, Baseball Coach, effective July 1, 1998. (Motion #26)

**It was moved by Dr. Howard, seconded by Mr. Boyd and carried** to approve the multi-year contract, with addendum, for Michael Divibiss, Women's Basketball Coach, effective July 1, 1998. (Motion #27)

**It was moved by Dr. Howard, seconded by Mr. Davis and carried** to approve the multi-

year contract, with addendum, for George Pfeifer, Men's Basketball Coach , effective July 1, 1998. (Motion #28)

**It was moved by Dr. Howard, seconded by Mr. Davis and carried** to approve the multi-year contract, with addendum, for Gary Picone, Athletic Director, effective July 1, 1998. (Motion #29)

*Other Non-routine Items*

Dr. Howard advised that the UI item listed for Dr. Larry Branen was discussed by the committee. Dr. Dillon said the concern with Dr. Branen's change was not due to the amount of salary, but its late submission to the Board. He said he appreciated Dr. Hoover taking responsibility for the error.

Dr. Dillon said they did not want to approve the request without some comment regarding the need to adhere to Board policy.

Mr. Eaton felt that while policy needed to be followed other items such as the LCSC athletic contracts were not brought forth in a timely manner and no statements were being made regarding their actions. He felt the point was made and the statement did not need to be included in the permanent record. Dr. Dillon said the intent was not to single out Dr. Hoover, but to reaffirm policy.

Mr. Boyd recalled that other items such as bus route change requests have come to the Board past the deadline and been approved without additional comments. He said he agreed with Mr. Eaton and felt that everyone in the room now understands they should be more careful.

**It was moved by Dr. Howard and seconded** to approve the Personnel/Student Affairs Non-routine agenda items for Boise State University and the University of Idaho with the statement: "The committee believes the Board should approve the appointment of Dr. Branen as proposed by the UI as an exception to the Board's interim position policy, and that such approval is retroactive to November 8, 1998; provided, however, that in approving this appointment, the Board recognizes that this situation results from a failure of the University of Idaho and Dr. Hoover to properly follow the Board's personnel policies; and provided further that it is only due to extraordinary circumstances and to the fact that the employee involved should not be penalized for the consequences of this mistake that the Board grants this approval. By the motion, the Board makes it clear that in the future failures to follow its policies will not be tolerated." **The motion was amended by Mr. Eaton and Mr. Boyd** to approve the items as listed without comment. **The amended motion did not carry.** (Motion #30)

Mr. Eaton said he would vote in favor of the original motion, but hoped it didn't mean that the

Board will not accept exceptions because there are exceptions and the Board needs to be cognizant of the fact that everyone make mistakes.

**It was moved by Dr. Howard and seconded by Mr. Davis** to approve the Personnel/Student Affairs Committee Non-routine agenda items with the following statement: “The Board approves the interim appointment of Larry Branen as proposed by the University of Idaho as an exception to the Board’s interim position policy and that such approval is retroactive to November 8, 1998; provided, however, that in approving this appointment, the Board recognizes that this situation results from extraordinary circumstances and the fact that the employee involved should not be penalized for the consequences of this mistake.” **The motion was amended** to include all Non-routine items. **The amended motion carried.** (Motion #31)

4. Forum

*Presidents*

Student Fee Increases - Dr. Dillon said he had been asked by Dr. Ruch if there would be any changes in the Board’s policy regarding fee increases. He said he replied that to his knowledge there was no movement to change it.

Idaho Virtual University - The presidents are discussing the feasibility of establishing an Idaho Virtual University and they will advise the Board when they have final recommendations.

Mr. Eaton asked how an Idaho Virtual University idea tied in with the WGU and where are we now with the WGU. Dr. Fitch responded that the state’s representative to WGU is working with the status quo at this time, and that there is coordination with the Governor’s office regarding federal legislation, grants, etc. The center is located in Idaho Falls and there are courses on the network at this time. Due to changes in the concept of the WGU, the presidents are re-evaluating Idaho’s position and the possibility of an Idaho Virtual University.

*Agency Heads*

Mr. Young advised that the IDVR is proposing a bill allowing alternative hiring for clients of the IDVR. He will present the bill to the Board in June.

Dr. Dillon said Mr. Darcy had reported the ISDB has been recognized for its reading program.

*Faculty Presidents*

No items brought forth.

*Student Body Presidents*

Dr. Dillon said there was discussion with student body presidents and students regarding the establishment of a standing student body committee. He felt it was a good discussion which enabled all participants to understand the others' point of view. He said the students are concerned that by the time the student representatives gain an understanding of the processes, their terms are complete, which results in a problem of continuity.

Dr. Dillon said the students asked for help getting their organizations together to get items of interest to the Board. He suggested the Board consider giving assistance to the student presidents to help them develop a plan so they understand their access to the Board and can recommend a reporting sequence. He also suggested that the Board ask the Presidents' Council, utilizing the Vice Presidents for Student Affairs, to work to establish an organization to ensure continuity, and to bring through the student representatives a report on how it would work.

Dr. Dillon said he and Dr. Howard are recommending to the Board that the Presidents' Council, utilizing Vice Presidents for Student Affairs, to meet with their student leaders, address the problem and bring recommendations to the Board.

Mr. Davis asked the Presidents' Council to advised to what extent student leaders are utilized in deciding issues that affect students.

Dr. Howard said the committee appreciated the participation of the students and their interest in creating a voice. She did not feel their suggestion for a standing committee matched current committee structure, which are more global in addressing issues. However, she felt it was important that students be able to bring forth ideas.

Personnel/Student Affairs Committee agenda on file as Exhibit #6 with the Office of the State Board of Education.

**ACADEMIC AFFAIRS/PROGRAM COMMITTEE**

1. Minutes of the January, 1999 Meeting

Approved in committee.

2. Minutes of the December 9, 1998 CAAP Meeting

Approved in committee.

3. Minutes of the HERC Meetings

Approved in committee.

4. HERC Funding Recommendations

A change was made by the committee to the third paragraph of the Evaluation Summary. It will read: "The Center for Ecological Research and Education forwarded a unique proposal to address critical environmental and water issues relating to Idaho."

**It was moved by Mr. Davis, seconded by Mr. Boyd and carried** to approve HERC's recommendation to fund the Center for Ecological Research and Education as so indicated. (Motion #18)

5. First Reading: Prior Learning Policy

The policy is to provide a more simplified approach that allows the institutions to develop their own prior learning policies within the constraints of Board policy and the policies of the Northwest Association of Schools and Colleges.

**GOVERNING POLICIES AND PROCEDURES**

SECTION: III POSTSECONDARY AFFAIRS

SUBSECTION: K Prior Learning

**It was moved by Mr. Davis, seconded by Mr. Boyd and carried** to approve the revisions to the Prior Learning Policy for First Reading as exhibited. (Motion #19)

6. First Reading: Articulation and Associate Degree Policy



Included in the concept of seamless education is the mobility and transferability of students and credits between postsecondary applied technical and academic programs. Significant time and effort has been spent to realize many of the Board's goals and the effort continues with the revisions to the Policy which adds the Associate of Applied Science degree requirements to the existing policy and the CORE components.

Mr. Davis said this was a significant step and thanked everyone who worked to bring the policy forward. Dr. Dillon asked Mr. Davis to get together with Ms. Laurie Boston to publicize the changes. Mr. Eaton suggested that when the media is notified, the Governor and the legislative leadership also be included.

GOVERNING POLICIES AND PROCEDURES

SECTION: III POSTSECONDARY AFFAIRS

SUBSECTION: V Articulation and Associate Degree Policy

**It was moved by Mr. Davis, seconded by Dr. Howard and carried** to approve the revisions to the Articulation and Associate Degree Policy for First Reading as exhibited. (Motion #20)

7. First Reading: Developmental Education Policy

The change will clarify the distinction between remedial education (for recent high school graduates) and developmental education (for those who have not been involved in postsecondary education for some time).

Mr. Hess asked for the following change:

3. Philosophy.  
Change in first sentence "a core function" to "within the purvue"

GOVERNING POLICIES AND PROCEDURES

SECTION: III POSTSECONDARY AFFAIRS

SUBSECTION: S Developmental Education

**It was moved by Mr. Davis, seconded by Mr. Boyd and carried** to approve the revisions to the Developmental Education policy for First Reading. (Motion #21)

8. New Program: New Horizons Computer Learning Center

New Horizons Computer Learning Center, Inc. asked the SBOE to consider the acceptance of

its course offerings for credit by the public postsecondary institutions. CAAP and respective faculty have evaluated New Horizon's course material for acceptance by the SBOE. The CAAP made the following recommendations:

- The Idaho public postsecondary institutions will accept the 47 courses approved by the American Council on Education for one semester elective credit each.
- Requests for the award of credit for teacher certification should be submitted to the Professional Standards Commission through Dr. Mike Stefanic, SDOE.
- Courses to be evaluated for continued education units will be reviewed on a case-by-case basis at the individual institutions.

**It was moved by Mr. Davis, seconded by Mr. Boyd and carried** to approve the Council on Academic Affairs and Programs recommendations concerning the acceptance for credit of New Horizons Computer Learning Center, Inc.'s 47 courses. (Motion #22)

9. New Program: UI Center for Secure and Dependable Software

The UI requested authorization to establish a Center for Secure and Dependable Software. The Center's efforts are focused on the development of secure and dependable systems which have national and international significance.

Dr. Dodson asked the Board for clarification on what types of programs/changes it would like to see, what it wants to delegate to the staff and how it defines program and college. He said Mr. Davis instructed the CAAP to come back to the committee in April or June with clarification language for the policy and recommendations.

**It was moved by Mr. Davis, seconded by Mr. Boyd and carried** to approve the establishment of a Center for Secure and Dependable Software at the University of Idaho. (Motion #23)

10. Program Review/Approval Process

See discussion under 70 Percent Committee Report - #2B.

11. Articulation Progress Report

Mr. Davis advised the process is continuing and that at the April meeting there will be an announcement by the University of Idaho, Idaho State University and Eastern Idaho Technical College

regarding another phase of their articulation/cooperation relationships.

Academic Affairs/Program Affairs Committee agenda on file as Exhibit #5 with the Office of the State Board of Education.

**FINANCE COMMITTEE**

1. Minutes of the January, 1999 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

University of Idaho's Item 4.10.2 - Campus Pipeline. Mr. Eaton read the following excerpt from the agenda: "The University also agrees to allow sponsors and commerce partners of SCT to place sponsorship information on, and transact electronic commerce through, the Campus Pipeline Software. The University maintains the right, under certain circumstances, to disallow certain sponsors." He said the committee discussed the wording and asked that the minutes reflect the fact that they were approving this limited issue and that the committee is asking for assistance in developing a policy on on-campus advertising. Mr. Eaton said currently there is advertising and commercial enterprises at the student union buildings and now the issue of advertising and commercial productions through the Internet and other campus areas needs to be addressed. He felt there should be a comprehensive review and a policy developed that would allow for commercial enterprise on campus, but not so that the commercial enterprise becomes the campus. He said they would come back at an unspecified later date with recommendations for the development of a policy.

**It was moved by Mr. Hess, seconded by Dr. Howard and carried** to approve the Finance Committee Routine agenda items for the Idaho School for the Deaf and the Blind, Boise State University, Lewis-Clark State College and the University of Idaho. (Motion #11)

3. Non-Routine Institution/Agency Agenda Items

*Boise State University*

**Item 3.1 - BSU Foundation Gift of Property**

Boise State University requested approval to accept from the Boise State University Foundation ten residential lots located south of University Drive within the expansion area identified by the institution's Master Plan. The properties include: 1216 Beacon, 1014 Euclid, 1113-1119 Denver, 1010 Lincoln, 1101 Lincoln, 1123 Lincoln and 1117 Manitou.

**It was moved by Mr. Hess, seconded by Mr. Eaton and carried** to approve the request from Boise State University to accept from the Boise State University Foundation ten residential lots located south of University Drive within the expansion area identified by the institution's Master Plan.

(Motion #12)

4. FY2001 Budget Request Process

See Other, Item #4.

5. Use of DPW Contingency Funds

During the January 1999 Finance Committee meeting, development of a policy on the use of funds in the contingency account and a recommended desirable balance was discussed.

**It was moved by Mr. Hess, seconded and carried** to approve the concept of a Financial Procedural Paper to detail the use of the Board's contingency account in DPW as outlined in the exhibit with the following language change: (Motion #13)

1. Requests must be over \$30,000.
2. Delete \$600,000 and add 5 percent of the amount appropriated for repairs.
3. A quarterly report will be given to the Board on the use of the contingency funds.

6. Revised Intercollegiate Athletic Report

A report detailing the FY98 actual revenue and expenditures and FY99 estimated revenue and expenditures was submitted at the November Board meeting. The institutions were asked to update their FY99 athletic budgets for the January meeting. A schedule detailing the "Other Income" for FY97, FY98 and FY99 was the focal point of the discussion during the January committee meeting. To ensure reporting consistency, the institutions were asked to refine that schedule and bring it back for consideration at the March meeting. The format brought to the committee at this meeting was not exactly what the committee wanted, so the institutions were asked to develop a more succinct policy and bring it back to the committee in April.

Mr. Hess said they may also bring back policy recommendations that define the amount of other funding sources for athletic programs. He said there seems to be some ambiguity regarding where the funds come from which balance the athletic budgets. Mr. Hasselquist will meet with the Fiscal Officers and come up with a recommendation in April.

7. Final Reading: Waiver of Nonresident Tuition-Disadvantaged or Deserving Students

GOVERNING POLICIES AND PROCEDURES  
SECTION:           V       FINANCIAL WAVERS

SUBSECTION:       U       Fee Waivers

Mr. Hess said his recollection was of a concern regarding deficiencies in the information technology disciplines being brought to the Board. The Board had a discussion centering around how to resolve the deficiencies which led it to ask the presidents for recommendations to recruit students into the information technology disciplines. (He recalled that Mr. Davis had indicated a similar problem in the engineering disciplines.) He said the presidents' recommendations were to allow fee waivers and to recruit students to fill those needs (up to 3 percent). It was then called to the Board's attention that they were recruiting students in all disciplines where there was excess capacity. The committee discovered that the recruiters are in the field actively recruiting students in many disciplines and that to restrict current recruiting efforts to just one or two disciplines would create problems.

Mr. Hess was concerned that if there was just a fee waiver, it would result in out-of-state students being given tuition reductions while fees for in-state students are being increased. Additionally, he wanted to look at other issues relating to fees.

There was discussion regarding the timing of the final report. Mr. Boyd suggested the policy review be done prior to the final report as recruitment would have begun and they would be recruiting into the other disciplines. Mr. Hess felt a September report would give the Board time to look at the policy. Mr. Eaton felt the Board should ask the institutions not to start recruiting in the fall until the issue is resolved.

Mr. Eaton said the committee wanted to approve the recruitment that is being done under the proposed 3 percent policy, but did not want to approve the policy until it could be looked at more carefully. He said the committee was not prepared to adopt a policy that says 3 percent of FTE for all of the disciplines that may have capacity. He recapped the motion (Motion #14) as having the following items: approve the recruiting that is being done, have the reporting in June and September, and analysis of what is meant by programs that may have capacity.

Dr. Dillon asked Mr. Hess if the motion would freeze or limit anything until a new policy was written. Mr. Hess said it would.

Dr. Hoover suggested the institutions could still recruit but not recruit at the 3 percent limit until the policy has been approved. Mr. Hess said that was the intent.

Mr. Davis asked the committee, as it looks at capacity times a percentage, to arrive at some number that the end product would give information on "where are we now" and "can we afford the difference." He felt the Board should look at a simple definition with adjustments in the percentages, as necessary.

Mr. Hess said the inception of the discussion was the dire need in Idaho for information technology discipline students. He felt the discussion should not be limited to existing capacity and felt it should include increasing capacity for information technology. He felt the intent was to increase, if necessary, the capacity for those disciplines. He said his recollection was that the Board asked the institution presidents for recommendations on how to solve the problem and that one of those recommendations was fee waivers.

Mr. Boyd asked if other Board members felt the waiver applied only to technology students. Mr. Hess and Dr. Dillon said that was their recollection. Mr. Eaton said it was not his recollection. Mr. Boyd was concerned that the institutions went into other disciplines when the intent of the Board was to limit the fee waivers to technology students. Mr. Eaton said that initially it was for technology students with engineering included in the discussion. The Presidents' Council was asked to address it and brought back a definition which included the other disciplines. Mr. Eaton felt the Board's directions to the institutions had not been clear, but that it should ask them to stop recruiting with the 3 percent waiver until the policy is reviewed, and that the motion reflected it.

**It was moved by Mr. Hess and seconded by Mr. Eaton** that the Board allow the recruiting process to continue as is, that a report be brought back to the Board in June on the number of students recruited and into what disciplines. **Mr. Hess amended the motion** to include a review of the fee waiver policy and whether it should be restricted for subsequent years, and to include the initial report in June and a final report in September. **The amended motion carried.** (Motion #14)

8. Final Reading: Allocation of the Lump Sum Appropriation Methodology-EWA

**It was moved by Mr. Hess, seconded by Mr. Davis and carried** to approve for Final Reading a change in Board policy changing the weights for credit hours generated in CIP Code 11 as presented in the exhibit. (Motion #15)

9. Final Reading: Gifts and Institutional Foundations

Dr. Dillon said the change was to make clear that when a president finds out about a land transaction, it will be reported to the Board either in Open Session or in Executive Session.

**It was moved by Mr. Hess, seconded by Mr. Eaton and carried** to approve for Final Reading a change in Board policy requiring institutional presidents to report to the Board potential land acquisition plans of the institution foundation. (Motion #16)

10. FY2000 JFAC Action

A report on the Y2K problem will come to the Board in April.

11. FY2001 Budget Request Discussion

Mr. Hess said the intent was to hold a discussion with the presidents to define enhancements and statewide initiatives so everyone understands and is in agreement.

Mr. Hasselquist said the institution requests would be reviewed in June, the MCO components would be put together in July and the full request will be presented to the Board in August. The agency request timeline is similar, but runs a month behind. The timeline for public schools is to be determined.

Mr. Hess asked the presidents for input on systemwide salary adjustments; then specific institutional enhancement requests. Dr. Bowen said the Presidents' Council agreed that it would suggest to the Board MCO + 4 percent for enhancements.

Dr. Dillon felt the workload adjustment needed to be included in the request. Dr. Bowen suggested redefining it and putting it into the MCO. There was agreement that while placing it there would make the MCO larger, that is the category where it belongs.

Mr. Hess felt a potential problem would be in fee waivers, i.e. if a large number of students with fee waivers come into the system and raise the workload, it could create a budget problem.

Mr. Boyd felt it is the institutions responsibility to ask the JFAC for the amounts they need even though they might not get it all. Several Board members agreed.

Dr. Hoover said the institutions are faced with a crisis in that they do not have the operating dollars to deal with the rapidly changing environment and are not competitive in terms of salary for either staff or faculty.

Dr. Hoover asked if there would be a Budget Finance Committee meeting as was held in July, 1998. Dr. Dillon felt the procedure used last year should be used again this year. Dr. Rush felt a June meeting to present the enhancements and an August meeting to present the remainder would be sufficient.

Mr. Davis said he wanted to know if the 4 percent was unanimously approved by the Presidents' Council and the Board. There were comments that it was.

Mr. Eaton asked Dr. Fitch to find out why there is a difference in the perception of what is



given as the required MCO and what the JFAC addresses.

Mr. Eaton felt the Board or its designees should begin immediately to make contact with the JFAC membership regarding higher education needs and what will be presented next January.

Mr. Davis felt all Board members should attend the JFAC hearings for higher education as well as when Dr. Howard makes her presentation. While Board attendance would conflict with a Board meeting, Mr. Davis felt there would be value in their appearing together at the hearings.

**It was moved by Mr. Eaton, seconded by Mr. Boyd and carried** to adopt the guideline of MCO + 4 percent enhancement. (Motion #17)

Mr. Eaton felt the Board should work with the Presidents' Council to come to a common understanding on a systemwide initiative everyone could embrace, i.e. salary equity, incentive funding, etc. President Meyerhoeffer said they would meet the beginning of April and bring recommendations to the Board at its April meeting.

Mr. Hasselquist suggested the Agency Heads be incorporated into the discussion. Dr. Dillon agreed and encouraged them to meet and bring their recommendations to the Board.

Finance Committee agenda on file as Exhibit #4 with the Office of the State Board of Education.

**LEGISLATIVE AFFAIRS COMMITTEE**

1. Minutes of the January, 1999 Meeting

No discussion.

2. Videoconference Date

The dates of either May 20 or May 27 were reserved for the meeting, with an agenda to be drafted in April. Mr. Eaton felt WICHE participants should also be invited.

3. Final Reading: Legislative Affairs Committee

**GOVERNING POLICIES AND PROCEDURES**

SECTION: BYLAWS

SUBSECTION: H Committees of the Board, Legislative Affairs Committee

**It was moved by Mr. Eaton, seconded by Mr. Boyd and carried** to approve the policy change in relation to the Final Reading of the Legislative Affairs Committee. (Motion #36)

4. Report on OSBE Staff Legislative Activity

Dr. Dillon felt authority should be given to the Legislative Affairs Committee and/or the Board staff to endorse legislation on behalf of the State Board of Education. He suggested:

“During the legislative session, the Legislative Committee in conjunction with the State Board of Education can act for the State Board of Education to endorse/not endorse legislation.”

Mr. Eaton felt there needed to be something less than a full Board meeting to react to legislation during the session and felt that, if the Board supported it, a specific statement should be written out on how it is going to work. He suggested Dr. Fitch and one other person work on writing it and bring it to the Legislative Committee to bring to the Board in April.

Mr. Davis said that of the five options listed in the exhibit, Option #2 was his preference:

Option #2: “Authority for representation of the Board’s position on legislative issues in the absence of a full Board meeting, could be delegated to a committee made up of the Board President, the Chair of the Legislative Committee and the Executive Director.”

Dr. Dillon felt the option should be closer defined to say that there will be every attempt to include all three individuals, but all three need not be available for a decision to be made, and that a statement could be added to include the Department in K-12 legislation.

Mr. Hess felt there should be statement to the effect that in the absence of a majority, the remaining individual could provide historical background flavor on an issue. He said he supported Option #2 with some latitude language in it.

Mr. Eaton felt it would help to look at last year's legislation, this year's legislation, actions the Board may have taken and categorize them to form a general policy statement. He felt the Board should begin immediate discussions with the Governor and members of the JFAC.

Mr. Davis recommended that the Legislative Affairs Committee be asked to take as the beginning point of Option #2 the inclusion of the Superintendent of Public Instruction, modify the other suggestions and come back in April with a recommendation.

**It was moved by Mr. Davis** to adopt Option #2 to solve the problem of Board/staff timely response to legislative issues. **The motion was amended** by Mr. Davis to ask the Legislative Affairs Committee to take as the beginning point of Option #2 the inclusion of the Superintendent of Public Instruction, modify the others suggestions, based upon **\*\*unintelligible\*\***, and come back in April with a recommendation. **No Second. No Vote. The amended motion died.** (Motion #37)

5. Legislative Update

Mr. Eaton asked Board members to address any legislation of interest outlined on the legislative update list. He reviewed the following items:

1. School Facilities - As of this morning there is no legislation addressing the issue. Mr. Eaton advised that included in the SDOE budget was \$200,000 for a review by a Governor's committee on facility safety issues. Mr. Eaton said he would ask Dr. Fitch to try to get a Board representative on the committee.
2. SCR114 (Teacher & Administrator Contracts) - Should be brought back next session.
3. HCR21 (PERSI Study) - As it affects Board employees, Mr. Eaton felt the Board should follow and be involved in the legislation.
4. HCR16 (Tobacco Settlement) - No interim committee has been established.
5. Scholarship Committee - The Board supported Senator Lee's efforts and endorsed the legislation. However, it did not pass the House. It may come back next session.

Mr. Eaton asked Dr. Fitch to see that the Board and/or the Department is represented on any legislative interim committee dealing with the use of funds, particularly those relating to education.

Legislative Affairs Committee agenda on file as Exhibit #8 with the Office of the State Board of Education.

**70 PERCENT COMMITTEE**

1. Minutes of the November, 1998 Meeting

Approved in committee.

2. Policy and Rule Change

- A. Dr. Rush said the change clears up some language and changes some membership names to what the members prefer to be called. Additionally, the category “Others” is deleted but that those in that category are welcome to attend the meetings.

**It was moved by Mr. Boyd and carried** to approve the modifications including deleting “others” under item b, adding a reference to “vocational rehabilitation clients” as a targeted population under c, and changing the wording under b to say “Hispanic Education Task Force representative, to the Idaho State Board of Education Governing Policies and Procedures Bylaws Section, Subsection H, Committees of the Board, Item 4, 70 Percent Committee.” (Motion #32)

- B. IDAPA 08.03.03.070.03 Certification Standards for Vocational-Technical Educators Rule Modification.

Dr. Ruch said the rule separates the certification process of secondary and postsecondary instructors.

Mr. Eaton asked for clarification on what items come through the AA/PC and what items come through the 70 Percent Committee. Dr. Rush replied that the Bylaws outline the items that go through the 70 Percent Committee and that this item fits in the list, but that there is some confusion. Mr. Eaton suggested Dr. Rush and Dr. Dodson review it and if there needs to be clarification, come back with a recommendation.

3. Hispanic Education TF and Indian Education Committee Budgetary Recommendations

**It was moved by Mr. Boyd, seconded by Mr. Hess and carried** to approve that the SBOE include for consideration the proposed \$1.2M budget recommendation for Pre-service and In-service Multi-cultural Education in their FY2001 budget request. **The motion was amended by Mr. Hess and seconded by Dr. Howard** to support the financial initiatives to allocate funds through the Finance Committee to support the initiatives of the Hispanics, Native Americans and other minority students, as outlined in the 70 Percent Committee proposal. **The**

**amended motion carried** (Motion #34)

(Mr. Hess said and Mr. Boyd agreed that the amendment to Motion #34 was intended to cover both agenda items, i.e the stated \$1.2M as well as the \$350,000 budget recommendation for the Grow-Your-Own Teacher Program.).

4. Cooperative Service

Approval was requested for the following agreements:

1. Eastern Idaho Vocational Cooperative Service Agency
2. Magic Valley Cooperative School Service Agency
3. Gateway Cooperative School Service Agency

Mr. Boyd advised that Items 1 & 3 were pulled for language modification and would be brought back to the Board in June.

**It was moved by Mr. Boyd, seconded by Mr. Eaton and carried** to approve the Magic Valley Cooperative School Service Agency Agreement. (Motion #35)

5. Reports and Presentations

No discussion.

6. Academic Core for AAS Degree

No discussion.

7. Unprepared/Underprepared Adults

No discussion.

8. Juvenile Corrections/Justice & Prison Education Programs

No discussion.

9. Scholarship Update

No discussion.



70 Percent Committee agenda on file as Exhibit #7 with the Office of the State Board of Education.

**OTHER**

1. Open Forum

The following individuals addressed the Board:

- Dr. F. Willard Robinson - Exiting Standards
- Mr. William Heins - Creation Science
- Dr. Bob Compton - Exiting Standards
- Mr. Allen Marsh - Exiting Standards
- Ms. Connie Cady - Exiting Standards

2. School to Work Third Party Evaluation Annual Report

Ms. Karen Fraley and Drs. Ted Creighton, Gene Davis and Richard Sagness of Idaho State University reviewed the results of their evaluation.

Mr. Hess said he agreed with most of the study but was concerned that there may be too much focus on vocational education, decreasing college preparation through the STW program. Dr. Creighton said that did not appear to be a concern; that what is happening is that the students are being shown how to apply what is learned, but are not being targeted into a specific career.

Dr. Creighton said it was too early to address specific outcomes, but felt a system should be developed for that purpose. Mr. Hess suggested business be included in future surveys. Dr. Creighton said he would look into it.

Exhibit #3

3. University of Idaho

Dr. Dillon advised of the following:

1. The University of Idaho has been recognized as being a leader in computer security.
2. Dr. Hoover, who has served as a member of the Commission for Maintaining United States Nuclear Weapons Expertise, will donate the salary paid to him to the UI scholarship program.

4. Technology Officer Position Update

Ms. Maggie Blackstead updated the Board on the search process.

Mr. Hess felt it was important that the person hired had a forward looking view, could constantly anticipate changes and be able to implement them into the education process.

Mr. Davis asked for the distinction between the Technology Officer position and the Management Information Officer position. Dr. Fitch said he would ask Dr. Engstrom to make a comparison and get the information to the Board.

5. Legislative Affairs Committee Authority to Endorse Bills During Session

Refer to LAC Item #4.

6. Eastern Idaho Education Update

Dr. Fitch reported the newly formed Advisory Committee, with Mr. Keith Hinckley as chair, has met and is in the process of addressing several issues. He advised that a full report would be given to the Board in April.

Mr. Eaton felt Mr. Hinckley was an excellent choice to head the committee and asked what reporting sequence was established. Dr. Fitch reviewed the councils and committees currently in place in Eastern Idaho:

1. EITC Advisory Council - in place by statute, members appointed by Board.
2. Eastern Idaho Advisory Council - works directly with University Place and incorporates INEEL and other business representatives to advise the Board on offerings at University Place and Eastern Idaho Technical College. The Advisory Council augments the partnership of the three institutions and the business community.

Mr. Eaton felt the Council should be charged with a specific responsibility, have it in writing and to report to some entity on a regular basis. Dr. Dillon agreed and felt there should be a reporting process that specifically states how the Board is involved in the process. Mr. Hess felt there should be a vision of where the Council wants to be in ten or more years.

3. The Oversight Council for University Place - made up of Dr. Fitch, Dr. Bowen and Dr.

Hoover.

4. The Oversight Committee - made up of vice presidents and deans. Reports to the Oversight Council.
5. Oversight Council's Presidents' Committee - made up of Dr. Bowen, Dr. LaRowe and Dr. Hoover.

7. What Matters Most

Mr. Hess said the What Matters Most Policy Advisory Group met and established two subcommittees: a Standards Writing Committee and an Assessment of Current Status Committee.

Mr. Eaton asked if the Professional Standards Commission (PSC) were included. Mr. Hess said the chair of the PSC is involved; however, the PSC does not have the authority to approve the Advisory Group's decisions although the Advisory Group intends to submit the standards to the PSC and other professionals for input.

Mr. Eaton asked if it has been determined how performance will be measured against the standards and who will do the measuring. Mr. Hess said that will be a second-tier project to be determined at a later date. Mr. Eaton felt the assessment aspect should be developed as early as possible in order to avoid some of the problems which have been encountered with the exiting standards. He also felt there needed to be some type of reward system, i.e. salary is dependent upon performance and/or job retention being dependent on it. Mr. Hess said the committee will address processes to provide incentives and motivations to inspire the system to voluntarily accept the standards.

Exhibit #9

8. Exiting Standards Committee Report

Ms. Lydia Guerra and Mr. Larry Andrews provided an update and review of the status of the standards. The 9-12 Exiting Standards are complete, with the exception of editing corrections. A final report will be brought to the Board in April for approval.

Dr. Dillon asked Mr. Satterlee to approach the Governor with a request to begin the temporary rule process.

Mr. Davis expressed concerns with the science standard and with the process. He felt there

should be more time for additional input on Draft #4. Ms. Guerra advised there was time, through April, for additional comments and that if the temporary rule is approved, changes can still be made.

Mr. Davis asked that when the standards are brought for approval, approval is requested for each standard separately rather than as an entire package.

Exhibit #10

9. Executive Session

**It was moved by Mr. Boyd and seconded by Mr. Hess** to enter into Executive Session under *Idaho Code, 67-2345(b,c,f)*. **A roll call vote was taken. The motion passed.** (Motion #38)

AYE: Dr. Howard, Mr. Hess, Mr. Boyd, Mr. Eaton, Mr. Davis and Dr. Dillon  
NAY: None  
ABSTAIN: None  
ABSENT: None

Board Counsel advised of the status relating to lands associated with the Board and on a personnel item.

Open Session

**It was moved by Mr. Eaton, seconded by Mr. Davis** to enter into Open Session. **A roll call vote was taken. The motion passed.** (Motion #39)

AYE: Dr. Howard, Mr. Boyd, Mr. Eaton, Mr. Davis and Dr. Dillon  
NAY: None  
ABSTAIN: None  
ABSENT: Mr. Hess (left during session)

10. Idaho Public Television

Mr. Peter Morrill gave a demonstration to the Board on how the IPTV is providing web coverage of the legislative session.

11. Mr. Jim Fox Appointment at ISU

**It was moved by Mr. Eaton, seconded by Mr. Boyd and carried** to remove from the table and bring back for discussion the tabled item having to do with Mr. Fox's employment and salary at Idaho State University. (Motion #40)

Mr. Eaton said the item was originally brought to the Board through the Personnel/Student Affairs Committee and was tabled by the Board.

**It was moved by Mr. Davis, seconded by Mr. Eaton and carried** to approve the contract for Mr. Jim Fox. (Motion #41).

12. Good of the Order

No items.

Exhibit Materials on file with the Office of the State Board of Education.

**STATE DEPARTMENT OF EDUCATION**

A. Consent Agenda

1. Salmon SD #291 requested an administrative staff increase to 5.5 FTEs to meet accreditation standards.
2. Shoshone SD #312 requested an administrative staff increase to 3.0 FTEs to meet accreditation standards.

**It was moved by Dr. Howard and carried** to approve the requests of Salmon SD #291 and Shoshone SD #312 for increases in administrative staff allowances up to 5.5 and 3.0, respectively. (Motion #5)

B. Requests for Remote and Necessary Districts

Mr. Jerry Pelton said the Avery SD qualifies for remoteness designation and the additional funding. It is anticipated they will have ample funds, but are making the request in the event funds are needed.

Mr. Davis asked if other schools might begin submitting requests in order to have the assurance of additional money, should it be needed. Mr. Pelton said that could happen, but specific criteria would need to be met before a request could be approved.

**It was moved by Dr. Howard, seconded by Mr. Davis and carried** to approve the requests from Arbon Elementary SD #383 and Avery SD #394 to operate as remote and necessary under the provisions of 33-1103 3 *Idaho Code*, for the 1999-2000 school year as submitted. (Motion #6) Dr. Dillon asked that the record reflect Mr. Davis's Nay vote.

C. Letters of Authorization

**It was moved by Dr. Howard, seconded by Mr. Eaton and carried** to approve the requests for Letters of Authorization as submitted by the Professional Standards Commission and listed in the agenda material. (Motion #7)

D. Elementary and Secondary School Accreditation Report

Dr. Howard felt the discussion should be in two parts:

1. Did the accreditation committee respond to the accreditation reports in light of current



accreditation standards and were the districts approved under current accreditation standards?

2. Should the accreditation criteria be changed? (Addressed in Section E)

Dr. Dillon felt the standards should be reviewed by the Board. He said he did not feel passing Motion #8 should be interpreted as accepting the standards.

Mr. Eaton asked what the consequences would be if the recommendations were not approved. Mr. Tom Farley responded that it would indicate that the schools had not met accreditation standards and funds would be withheld.

Mr. Farley advised Mr. Eaton that the accreditation approval would effect the 1998-99 school year and that students needed to graduate from an accredited high school in order to enter a public college or university.

Mr. Hess said the present accreditation assessments were done under the current guidelines and felt the Board should approve them, but revisit the accreditation procedures.

**It was moved by Dr. Howard, seconded by Mr. Eaton and carried** to approve the 1998-1999 Elementary and Secondary School Accreditation Report. (Motion #8)

E. Accreditation Standards for Idaho Schools

Mr. Farley reviewed the accreditation process and identified three procedural problems:

1. Use of different accrediting methods, i.e. Idaho Standards and Northwest Standards.
2. Inconsistencies in school facility inspection reports.
3. Lack of Department authority to penalize schools with accreditation violations.

He said the committees involved in the accreditation process would like the Board to give it direction on how to strengthen the accreditation process.

Dr. Bob Fontaine said the committees have discussed the problems and recommended the following ways to strengthen the process:

1. Deviation points should be significantly increased (from between three to nine) for schools with multiple nonconformance deviations, depending upon the type of nonconformance.
2. The standard for Safe Learning Environment (Standard #5) should be amended to require schools to correct rather than to address problems, and the deviation points be increased.

Dr. Dillon felt increasing deviation points would not get the job done; that there needed to be a complete revision with the safety issues brought out for the Board to review. He asked that any procedure revisions include a formula for identifying safety issues.

Mr. Farley asked the Board for the authority to go after facility questions. He said they would bring back to the Board suggestions on how to strengthen the accreditation program in both safety facilities and accreditation. Mr. Davis asked if the report could come in April.

Mr. Eaton said the issue was improvement in all areas and felt the Board should be circumspect about entering into those areas; that during the rewriting of the K-12 rules, there was a belief that the state should not dictate to local districts what they should do.

Mr. Hess felt the review should include a survey on how many teachers are teaching out of their certificated area and some type of criteria that pulls them back into focus.

Mr. Farley said they would come back in April with a report on safety, recommendations on how to deal with gifted and talented, and how to deal with self-studies. He encouraged the Board to review the Northwest Accreditation Standards.

Mr. Hess felt if the districts could raise the bar, without it being mandated, to encourage excellence, it would be beneficial to everyone.

Dr. Howard said Governor Kempthorne has been granted \$200,000 for a facilities study, which she felt would address some of the questions.

Mr. Eaton asked if the schools using the Northwest standards were doing a better job than those using the Idaho standards. Mr. Farley replied that there was no data to make a decision as the state standards have not been in use long enough to make a determination, but that the Northwest standards do hold schools to higher accountability regarding facilities than do the Idaho standards.

Mr. Davis said he was concerned about the lack of private sector representation on the accreditation committees. He asked that the committee makeup be reviewed.

Dr. Dillon suggested a method similar to that used in Kentucky be reviewed. Kentucky used the percentage of students at grade level as a funding measurement.

Dr. Howard felt the direction given was for the SDOE to determine what it is they would like to

have happen and then address the various pieces.

Mr. Eaton asked if the Northwest process gave sanctioning authority to either the SBOE or the SDOE. Mr. Farley said if a school uses the Northwest standards and meets those standards, the state recognizes it. However, if those or any other standards are not met, the state can hold the school accountable by withholding funds, but that no school currently has enough deviation points to be sanctioned.

F. Cambridge SD and Council SD Boundary Change Request

A petition to transfer approximately 49 square miles of land from Cambridge Joint SD #432 to Council SD #13 was submitted to the SDOE. The SDOE appointed a hearing officer and a hearing was held on February 1, 1999. The hearing officer recommended denial of the transfer and the SDOE concurred.

**It was moved by Dr. Howard, seconded by Mr. Eaton and carried** to approve the hearing officer's recommendation to deny the petition to transfer property. (Motion #9)

G. Transportation

Dr. Howard said the SDOE was requesting SBOE support the study of transportation issues relating to:

1. Construction standards
2. Inspection requirements
3. Bus driver training requirements
4. Reimbursement authorities

Mr. Rod McKnight reviewed the four items. He said they wanted to get input from interested groups and return to the Board with recommendations.

Dr. Dillon asked that the issues surrounding computerized bus routing be reviewed. Mr. McKnight said they would include it in the report.

Mr. Eaton asked for a report on seatbelts and fans in busses. Dr. West replied that there is pending legislation regarding fans and that information would be brought to the Board in April.

Mr. Pelton said they would attempt to have the report ready by the April meeting, but that if there were unforeseen problems, it may need to be scheduled for May.

**It was moved by Mr. Boyd, seconded by Mr. Eaton and carried** to authorize the State Department of Education to come back with recommendations for temporary rules on the four items. (Motion #10)

H. Special Education

**Improving Results Initiative**

A State Improvement Grant under the federal Individuals with Disabilities Education Act was received on the SDOE proposal *Improving Results Initiative* in the amount of \$625,000 for five years.

**Special Education Rules**

Some state rules are in conflict with federal rules and in order to receive federal funding for special education students, the state rules will need to be amended to conform to federal requirements. A request for temporary rules will be brought to the Board at a later date.

Mr. Eaton recommended Idaho rules be kept, but made to conform to federal legislation so if federal requirements should be eliminated, the state would still have rules.

Mr. Don Robertson said that on March 3, 1999 the U.S. Supreme Court handed down a decision to services provided to disabled students which will impact how the state deals with these students. The effect of the decision will be that school districts will have to provide the types of care previously provided by insurance, group homes or other sources.

Ms. Noleen Weaver conducted a survey of nine Idaho school districts (including the seven largest) to determine how many students would fall into category of needing special care. The districts, which comprise 42 percent of the state's student enrollment, have a total of 10 students who require continuous nursing services, which, if those figures hold true for the rest of the state, would mean there would be approximately 24 students statewide needing the care. She said the districts were more concerned with the costs of providing services to students requiring daily, rather than continuous nursing services, which could be as many as 143-166 students statewide.

Mr. Davis asked if the ruling pertained to charter schools. Ms. Weaver advised that they are included.

Agenda material on file as Exhibit #2 with the Office of the State Board of Education.

**ADJOURNMENT:** March 18 - 5:00 p.m.  
March 19 - 3:30 p.m.

Date and location of the next scheduled meeting of the State Board of Education:

April 15-16, 1999  
Eastern Idaho Technical College

**CERTIFICATION:**

To the best of my knowledge, the minutes contained herein constitute a complete and accurate record of the proceedings of the meeting. The minutes are not verbatim; tapes are available from the Office of

the State Board of Education.

Recording Secretary: Vicki E. Barker