

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

April 15-16, 1999
Eastern Idaho Technical College
Idaho Falls, 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 April 15, 1999, with Mr. Harold W. Davis, Vice President of the State Board of Education and the Board of Regents of the University of Idaho presiding, and at 8:00 a.m., on April 16, 1999 with Mr. Harold W. Davis, President of the State Board of Education and the Board of Regents of the University of Idaho presiding.

Members Present

Harold W. Davis, Vice President
Jerry Hess, Secretary
Tom Boyd
Curtis H. Eaton
Marilyn Howard, State Superintendent' of Public Instruction
Karen McGee (04/15)

Members Absent

T. E. Dillon, President
Karen McGee (04/16)

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

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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 April, 1999.

Thomas Dillon	Days	Curtis H. Eaton	Days
None reported.		04/14	1.0
Jerry Hess	Days	Tom Boyd	Days
04/02,05,14-16	4.0	04/14-16, 29	3.5
Harold W. Davis	Days	Karen McGee	Days
04/14	1.0	04/15, 27	2.0
James Hammond	Days		
04/16, 27	1.5		

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 April, 1999.

Curtis H. Eaton	Days	Marilyn Howard	Days
04/15,16,29	2.0	04/14-16, 29	3.0
Harold W. Davis	Days		
04/07,15,16	2.0		

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. Hottos, 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

Brent Reinke
Glenda Rohrbach
Jennifer Fisher
Keith Hinckley
Michael Willits
Dennis Rice
Mahmood Sheika
Michael Quinn
Tom Farley

Rod McKnight
Alex Creek
Shawna Vee Wardell
Mrs. Gerald Bush
Don Schanz
Gloria Heilsen
Judy Meyer

BOARDWORK

1. Oath of Office

Mr. Davis administered the Oath of Office to Ms. Karen McGee, Pocatello, whose term will run through March 1, 2004.

2. Agenda Approval

It was moved by Mr. Eaton, seconded and carried to approve the agenda for the April 15-16, 1999 meeting. (Motion #1)

3. Election of Officers

It was moved by Mr. Eaton, seconded by Mr. Hess and carried to elect Mr. Harold W. Davis President of the State Board of Education. (Motion #2)

It was moved by Mr. Boyd, seconded by Mr. Eaton and carried to elect Mr. Jerry Hess Vice President of the State Board of Education. (Motion #3)

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to elect Mr. Tom Boyd Secretary of the State Board of Education. (Motion #4)

4. Rolling Calendar

It was moved by Dr. Howard, seconded by Mr. Hess and carried to approve the following meeting dates/locations: (Motion #5)

1. April 20-21, 2000 at the Idaho Falls Center for Higher Education
2. May 20, 1999 for the videoconference meeting at Idaho Public Television in Boise, Moscow and Pocatello.
3. The location of the November 18-19, 1999 meeting will be at Lewis-Clark State College in Lewiston.

Mr. Davis asked Mr. Eaton to designate a facilitator at each IPTV location for the May 20 videoconference meeting. Mr. Eaton said he would do so and asked that an invitation be extended to some of the WICHE Roundtable participants.

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

PERSONNEL/STUDENT AFFAIRS COMMITTEE

1. Minutes of the March, 1999 Meeting

The minutes were approved in committee with the correction that Mr. Michael Willits, ASISU, was not in support of establishing a standing student body committee.

2. Routine Institution/Agency Agenda Items

It was moved by Dr. Howard and carried to approve the Personnel/Student Affairs Routine agenda items for the Idaho Educational Public Broadcasting System, the Idaho School for the Deaf and the Blind, the Idaho Division of Vocational Rehabilitation, State Division of Vocational Education, Boise State University, Eastern Idaho Technical College Idaho, State University, Lewis-Clark State College and the University of Idaho. (Motion #23)

3. Non-Routine Institution/Agency Agenda Items

It was moved by Dr. Howard and carried to approve the Personnel/Student Affairs Non-routine agenda item for Boise State University. (Motion #24)

4. Scholarship Awards

Dr. Howard said the presidents asked if the timing of the scholarship awards could be adjusted so they are brought to the Board earlier. The timing will be reviewed with staff.

a. State of Idaho Scholarship Program

It was moved by Dr. Howard and carried to approve the awarding of the State of Idaho Scholarships for 1999-2000 to the students as recommended. (Motion #25)

b. Tschudy Family Scholarship

It was moved by Dr. Howard and carried to approve the awarding of the Tschudy Family Scholarship for 1999-2000 to the students as recommended. (Motion #26)

5. Forum

Presidents:

Dr. Ruch reported on topics the Presidents' Council addressed at its last meeting:

1. The Idaho Virtual University - See Other, Technology for discussion.
2. Student Body Committee - The PC feels that students have ample access to the Board as does the public and faculty representatives; and the current committees take a great deal of Board and staff time. The presidents have asked the Senior Vice President for Student Affairs, Hal Godwin of the UI, to convene a meeting of all student affairs vice presidents and the student leadership to address the issue of access, bring recommendations to the PC, who will bring them to the Board.

Mr. Davis advised that the Sabbatical Committee had been incorporated into the P/SAC and asked that a report be brought to the Board.

Agency Heads:

Dr. Mike Rush reported:

- 1) The SDVE name change takes place July 1.
- 2) The SDVE has received \$1.8M of the \$3M J. A. & Kathryn Albertson Foundation grant.

Mr. Pat Young reported:

- 1) The IDVR has assigned a position to the Department of Juvenile Corrections.
- 2) The alternative hiring bill will be brought forth at next year's session.

Faculty Presidents:

No report.

Student Body Presidents:

Mr. Dennis Rice, ASLCSC, said LCSC students recognize that fee increases are necessary to maintain academic standards. He stated that, if approved, the increases would represent approximately a 35 percent increase for LCSC students over the past three years. The students attribute the increases to the lack of state funding for higher education. He asked that rather than having unknown increases each year, specific increase amounts be identified so students can plan and budget for their education.

Mr. Mahmood Sheikh, ASUI, addressed the Board regarding the concerns the UI students have with fee increases.

Personnel/Student Affairs Committee agenda on file as Exhibit #11 with the Office of the State Board of Education.

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the March, 1999 Meeting

Approved in committee.

2. Minutes of February and March, 1999 Meeting

Approved in committee.

3. First Reading: Program Approval and Discontinuance

Dr. Robin Dodson said the policy change would clarify the authority of the Executive Director in the approval of program components or units.

Mr. Eaton asked that all changes approved by the Executive Director be reported to the Board. Mr. Hess agreed and felt the reports should be brought on a monthly basis. Mr. Davis asked that the Final Reading reflect that a report be brought to the Board at the meeting following a change.

It was moved by Mr. Boyd and carried to approve the revision to the Program Approval and Discontinuance policy for First Reading as exhibited in Item #3. (Motion #27)

4. First Reading: Accreditation Policy

Dr. Dodson said the change would indicate that if an accrediting agency is recognized by the U.S. Department of Education, the State Board of Education would also recognize that agency as an accrediting body.

It was moved by Mr. Boyd and carried to approve the revisions to the Accreditation policy for First Reading as exhibited in Item #4. (Motion #28)

5. Final Reading: Prior Learning Policy Change

The policy allows the institutions to develop their own prior learning policies within the constraints of Board policy and the policies of the NWASC.

It was moved by Mr. Boyd and carried to approve the revisions to the Prior Learning policy for Final Reading as exhibited in Item #5. (Motion #29)

6. Final Reading: Articulation and Associate Degree Policy

Dr. Dodson said the committee is working on the second phase of the policy, i.e. the articulation of the Associate and Applied Science degrees between academic and vocational.

It was moved by Mr. Boyd and carried to approve the revisions to the Articulation and Associate Degree Policy for Final Reading as exhibited in Item #6. (Motion #30)

7. New Academic Program

It was moved by Mr. Boyd and carried to approve the establishment of a Master of Science in Landscape Architecture at the University of Idaho. (Motion #31)

8. Hispanic Education Task Force - Indian Education Report

Dr. Dodson said recommendations will be brought to the Board in June.

9. Western Governor's University Enrollments

Dr. Dodson reported that currently there are between 121 and 125 students enrolled.

10. National Certification for Teachers/Master Teacher

Mr. Hess suggested the Board pass a resolution urging districts to provide matching funds to provide incentives for teachers to become nationally certified. Dr. Howard said the SDOE and the J.A. & Kathryn Albertson Foundation have programs in place to pay the fees. Mr. Davis asked Dr. Howard to monitor the process and make recommendations, as needed.

Dr. Robert West gave presentations on What Matters Most.

11. Coordination of Board Committees

Dr. Dodson, Dr. Rush, Mr. Hasselquist and the new committee chairs will bring recommendations to the Board in June on bringing committees together when topics overlap.

Academic Affairs/Program Affairs Committee agenda on file as Exhibit #12 with the Office of the State Board of Education.

FINANCE COMMITTEE

1. Minutes of the March, 1999 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

The LCSC routine items 2.d.1 and 2.d.2, Page 23-24 of agenda, were pulled from the motion.

It was moved by Mr. Hess and carried to approve the Finance Committee Routine agenda items for the Idaho School for the Deaf and the Blind, Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #32)

Lewis-Clark State College

4.10 - FY00 Room & Board Rates - Item 2.d.1

5.51 - Acquisition of Property - Item 2.d.2

It was moved by Mr. Hess and carried to approve Lewis-Clark State College agenda items 4.10 (2.d.1) and 5.51 (2.d.2). Mr. Eaton did not participate in the discussion and abstained from voting. (Motion #33)

3. Non-Routine Institution/Agency Agenda Items

State Division of Vocational Education

4.1 - Allocation of the SDVE Appropriation

It was moved by Mr. Hess and carried to approve the FY00 allocation of appropriated funds for the State Division of Vocational Education programs as recommended by the State Division of Vocational Education. (Motion #34)

Boise State University

4.8.1 (Agenda Item 3.2) - Approval of PeopleSoft Financing Agreement

Pulled from agenda by BSU.

4.8.2 - (Agenda Item 3.3) - Substitution of Debt Service Reserve Surety Bond for Assets

It was moved by Mr. Hess to approve Boise State University's request to substitute a Debt Service Reserve Surety Bond for assets currently held in the Debt Service Reserve Fund for bonds issued by the University in 1996 and 1998, secured by the Student Facilities Fee and the Student Recreation Center Fee. A roll call vote was taken. **The motion carried.** (Motion #35)

AYES: Mr. Eaton, Dr. Howard, Mr. Hess, Mr. Boyd, Mr. Davis

NAYS: None

ABSTAIN: None

ABSENT: Ms. McGee, Dr. Dillon

5.42 (Agenda Item 3.4) - Change Order Approval

It was moved by Mr. Hess and carried to approve Boise State University's request to increase its parking garage project by \$1.15M in order to add one additional deck to the garage, making it a total of four levels, with a total projected cost of \$5,650,000, subject to the results of a formal bid process. (Motion #36)

Idaho State University

5.10.1 (Agenda Item 3.5) - Naming of Speech Communication Laboratory

It was moved by Mr. Hess and carried to approve Idaho State University's request to name a state-of-the-art communication laboratory the "G. Nicholas and Sara Ifft Speech Communication Laboratory." (Motion #37)

University of Idaho

5.1.1 (Agenda Item 3.6) - Kibbie Center East End Renovation Planning

Mr. Hess said the request would not involve additional student fee increases nor would it come out of appropriated funds.

It was moved by Mr. Hess and carried to approve the University of Idaho's request to select and retain architects, engineers and other consultants, paid with donated funds, to prepare planning and design documents for renovation of and addition to the east end of the ASUI Kibbie Activity Center. (Motion #38)

5.8.1 (Agenda Item 3.7) - Naming of College of Law Distance Learning Room

It was moved by Mr. Hess and carried to approve the University of Idaho's request to name the College of Law Distance Learning Room in honor of Dennis E. and Jacqueline R. Wheeler. (Motion #39)

5.10.1 (Agenda Item 3.8) - Acceptance of Land Ownership Transfer at UI Research Park at Post Falls

It was moved by Mr. Hess and carried to approve the University of Idaho's request to accept a transfer of ownership of approximately four acres of land from the University of Idaho Foundation for development of the first facility in the University of Idaho Research Park at Post Falls. (Motion #40)

Idaho State University/University of Idaho

5.10.6 (Agenda Item 3.9) - IF Student Union Building Ground Lease and Access Utility

It was moved by Mr. Hess and carried to approve Idaho State University and the University of Idaho's request to execute a lease with the University of Idaho Foundation, Inc. for undeveloped land at University Place in Idaho Falls for the siting and construction of a student union building. Authorization is given for the Vice Presidents to enter into an agreement with the University of Idaho Foundation covering access to the site, utilities, parking and the use of common areas. (Motion #41)

4. FY2000 College and Universities Allocation

It was moved by Mr. Hess and carried to approve the FY2000 allocation as presented in Item 4.d (Page 55) of the agenda with the understanding that the Governor may want to allocate the enhancements according to his determinations, or he may send it back to the State Board of Education; but it is yet to be determined. (Motion #42)

Dr. Fitch said the presidents suggest a level of funding based on competition. The Governor has tentatively assigned the procedure development to the OSBE via Dr. Morley. The OSBE staff is developing an RFP and a format for the institutions to use to submit their requests. The requests will be evaluated and sent to the Governor's office for an executive review. The Governor will make the determinations and refer them back to the OSBE for allocation.

5. FY2000 Community College Allocation

It was moved by Mr. Hess and carried to approve the FY2000 allocation of community college support to the College of Southern Idaho and North Idaho College, equally as shown in Item 5.b of the agenda. (Motion #43)

6. FY2000 Salary Guidelines

Mr. Davis felt the Board needed to address issues relating to multi-year contracts and salary levels in key areas. He asked the Personnel/Student Affairs Committee and the Finance Committee to look into the issue.

Mr. Hess asked Mr. Hasselquist to provide benchmark data on the turnover rate of institution staff so the Board can develop a course of action. He also felt the committees should be better coordinated so the Board can prioritize funding.

It was moved by Mr. Hess and carried to approve the FY2000 Salary Guidelines as presented in Item 6.b of the agenda. (Motion #44)

7. FY2000 Student Fees and Tuition Rates

Mr. Hess said the committee did not discuss the topic as it felt this was an area for full Board participation.

Mr. Hess said more and more education costs are being paid by the students and, unless the legislature increases funding, it will continue. He was also concerned that non-resident fee increases are at a much lower percentage than the increases for residents.

Dr. Ruch offered comments in support of the presidents' fee recommendations:

1. Board guidelines have been followed.
2. Public input has been solicited.
3. Idaho fees are low compared to other WICHE states.
4. The institutions have worked hard to expand financial aid to students.

Mr. Mike Willits, ASISU, addressed the Board in support of the 10 percent increase at ISU. He said the students feel it is a responsible and necessary increase.

Mr. Dennis Rice, ASLCSC, said LCSC students are concerned that over the past three years, their fee increases have totaled 35 percent. He said the students, while recognizing the need for increases, would like to be assured that when they begin their education, they will know the approximate total costs so they can budget for them.

Mr. Michael Quinn, ASBSU Senate Pro Tem, said the increases are a direct result of increased student needs and decreased state funding. He said the students feel the increases are reasonable because they benefit the students.

Mr. Mahmood Sheikh, ASUI, said many students at the UI were concerned about the increases. He then distributed information on the CPI+2 guideline.

Mr. Davis asked if there was a legal or moral commitment to adhere to the CPI+2 guideline. Mr. Satterlee said the Board was not legally bound to adhere to the CPI+2 guideline and the Board can set fees as it sees fit. Mr. Davis advised the current increases (not to exceed 10 percent) were developed based on need as well as student involvement.

Mr. Boyd said it is generally felt by legislators that higher education has an outlet in that they are able to charge student fees. He felt the Board needed to convince the legislature of the need to increase higher education appropriations.

Mr. Eaton said the aggregate increase across the state amounted to 7 percent, but he was concerned about student debt and planned to prepare a report to take to the legislature so they can take it into account when making higher education appropriations. He asked the Board to ask Dr. Fitch to identify the issues related to student debt and student debt increase and develop a white paper for the Board to review by the next meeting.

Mr. Eaton was concerned about fees for athletics and the consequences of waivers. He said he would follow up on those topics and suggested other Board members with discomfort with line items do the same.

It was moved by Mr. Eaton, seconded by Dr. Howard and carried to approve the fees for FY2000 for Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College and Eastern Idaho Technical College as shown in Item 7c-g of the Finance Committee agenda. Mr. Hess voted Nay. (Motion #45)

8. State of Idaho Scholarship Monetary Value

It was moved by Mr. Hess and carried to approve an award amount of \$2,750 per year for the State of Idaho Scholarship for academic year 1999-2000. (Motion #46)

9. Y2K Status Report

The Finance Committee will keep the topic open until it is satisfied all Board-governed entities are in compliance.

Finance Committee agenda on file as Exhibit # 13 with the Office of the State Board of Education.

LEGISLATIVE AFFAIRS COMMITTEE

1. SBOE/Legislative Videoconference

The date has been set for May 20, 1999.

2. 1999 Legislative Mandates, Follow-up Summary

Mr. Eaton suggested that items identified in the agenda as needing follow-up be addressed by Dr. Howard and Mr. Boyd and a report on what will be done brought to the Board in June. It was determined that a timeline and format would be brought to the Board in May.

3. Final Legislative Update

No discussion.

4. Matrix of Board Action/Fate of Legislation: 1998 & 1999

Mr. Eaton felt the Board should authorize the staff to advise the legislature that while no stand may have been taken by it on a given issue, it has taken a stance in the general area of the topic. He felt this would enable the Board and staff to be proactive rather than reactive. A procedure to do so will be developed and brought to the Board.

5. Other

School Facilities

Mr. Eaton said he will ask the Attorney General for assistance in framing a rule regarding school facilities that the Legislative Committee can review and bring to the Board with recommendations.

Mr. Boyd asked for the status of the lawsuit. Mr. Eaton replied that motions have been refiled to bring back into the suit some of the issues that were either postponed or eliminated earlier. The case is viable and is still on track to go to trial.

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

70 PERCENT COMMITTEE

1. Carl Perkins Act Idaho State Plan

Dr. Mike Rush and Ms. Ann Stephens reviewed the history, purpose and provisions of the Act.

It was moved by Mr. Boyd, seconded by Ms. McGee and carried to approve the Idaho State Plan for Vocational-Technical Education. (Motion #6)

2. Final Reading: ByLaw Revision

Dr. Rush advised that this was a housekeeping item which clarified representation on the committee. He said the committee discussed the roles and relationship between the 70 Percent Committee and the Academic Affairs/Program Committee and felt the changes requested in this Final Reading would not impact that discussion. Mr. Boyd said a subcommittee will be formed to look at the relationship and bring recommendations to the Board.

It was moved by Mr. Boyd and carried to approve the modifications to the Idaho State Board of Education Governing Policies and Procedures Bylaws Section, Subsection H, Committees of Board, Item 4, 70%. (Motion #7)

3. IDAPA 55 Rule

The Board was asked to repeal and replace the existing Administrative Rules of the Division of Vocational Education (many of which are outdated and unnecessary). Mr. Satterlee said that at the time of printing the new rules, a simultaneous repealer of all existing rules would be printed and that the repealer would be effective the same date the new rules are implemented.

It was moved by Mr. Boyd and seconded by Mr. Eaton to approve for the proposed IDAPA 55 Administrative Rules of the Division of Professional-Technical Education as written and promulgate as a temporary and proposed new rule. **Upon advice of counsel, the motion was modified** by Mr. Boyd and Mr. Eaton to read: to approve the repeal of IDAPA 55.01.01, 55.01.02 and 55.01.03 simultaneously with the promulgation as a temporary and proposed Administrative Rule of the same replacement provisions as are contained in the agenda. **The modified motion carried.** (Motion #8)

4. Legislative Update

Dr. Rush said legislation was passed to change the name of the Division of Vocational Education and the name of the State Board for Vocational Education to the Division of

Professional-Technical Education and the Board for Professional-Technical Education, respectively, to be effective July 1, 1999.

5. Minority Report

Dr. Rush said the committee heard a Minority Education report on efforts at NIC to develop a Native American Studies program and that the two initiatives approved at last month's meeting would be further developed and brought to the AA/PC in June.

Mr. Boyd said there is concern that there will not be follow through on the recommendations and suggested that other committees be involved in the process.

6. Cooperative Service Agency

It was moved by Mr. Boyd, seconded by Mr. Hess and carried to approve the following Cooperative Service Agency requests: (Motion #9)

1. Eastern Idaho Vocational Cooperative Service Agency
2. Gateway Cooperative School Service Agency

7. Department of Juvenile Corrections Report

Mr. Brent Reinke and Ms. Glenda Rohrbach reported to the Board on educational programs offered to juveniles in the DJC custody. Mr. Reinke said a report will be brought to the 70 Percent Committee identifying areas of cooperation between the DJC and local school districts.

70 Percent Committee agenda on file as Exhibit #s 2 & 3 with the Office of the State Board of Education.

OTHER

1. Early Learning Center Report

Mr. Michael Willits, ASISU President, gave a report on the uses of student fees, activities and plans of the ISU Early Learning Center.

2. Eastern Idaho Education - Phase II

Presidents Bowen, Hoover and LaRowe and Ms. Jennifer Fisher presented a report and a video on the partnerships formed by the University of Idaho, Idaho State University, Eastern Idaho Technical College and Ricks College to provide educational services in Eastern Idaho.

Mr. Davis asked that Governor Kempthorne and former Governor Batt receive copies of the tape and backup materials.

Mr. Keith Hinckley, chair of the Advisory Council, advised the Board of the Council's mission and responsibilities.

Mr. Hess said he supported and endorsed the efforts of those who have worked to bring the partnerships into being. He asked that a spreadsheet be developed to monitor population growth projections versus actual growth, student enrollment versus actual enrollment and budgets versus the actual so that the capital budgets do not out pace the needs. He was concerned that if the projections do not materialize, there could be waste and asked the Advisory Council to develop a monitoring process. Mr. Hinckley said a subcommittee has been established to address the concerns Mr. Hess expressed.

Mr. Eaton asked if anything additional needed to be done. Dr. Bowen responded that the Land Board needed to approve the land transfers.

Board members commended the individuals who worked to put the partnerships and agreements together.

Mr. Davis asked Dr. Fitch to schedule annual reports from each of the advisory councils as the Board convenes in their area of the state.

After the report, a press conference was held.

Exhibit # 5 (plus a video tape)

3. Executive Session

It was moved by Mr. Hess and seconded by Mr. Boyd to enter into Executive Session per *Idaho Code*, Section 67-2345, (d) to consider records that are exempt by law from public inspection; and (f) to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation. **A roll call vote was taken. The motion carried.** (Motion #10)

AYES: Ms. McGee, Mr. Davis, Dr. Howard, Mr. Hess and Mr. Boyd

NAYS: None

ABSTAIN: None

ABSENT: Mr. Eaton (entered after roll call) and Dr. Dillon

1. Presidents Bowen, Hoover and Ruch advised the Board of pending regional plans by their institutions.
2. The Board was updated by counsel on a personnel issue.
3. The Board was updated by counsel on a litigation issue.

4. Technology

There was discussion regarding technology and distance learning opportunities within the state. Mr. Eaton felt the Board should initiate action on the issues immediately. Dr. Ruch said the Presidents' Council has been looking into the feasibility of establishing an Idaho Virtual University. He said the J.A. & Kathryn Albertson Foundation has expressed a desire to host a summit of all of the major players, both at the state and the community level, to review strategic issues. Additionally, Dr. Ruch will meet with Ms. Pam Ahrens of the ITRMC to review the proposal with her.

Mr. Davis said the Statewide Engineering Education Advisory Council will bring a report on distance learning to the Board this fall.

Mr. Eaton asked Dr. Fitch to monitor the topic and, with Drs. Howard and Ruch, bring a report to the Board in May or June on the topics discussed together with an update on the ICTL.

5. Open Forum

The following individuals appeared before the Board during the Open Forum:

1. Alex Creek - Eastern Idaho Education
2. Shawna Vee Wardell - Exiting Standards
3. Mrs. Gerald Bush - Exiting Standards

4. Don Schanz - Exiting Standards
5. Gloria Heilsen - Exiting Standards
6. Judy Meyer - Exiting Standards

6. Remarks by Incoming President

1. The new Chair of the President's Council will be Dr. Charles Ruch of Boise State University.
2. Kevin Satterlee will be the Board's Parliamentarian with Mike Rush as an alternate.
3. The Board Chair will recognize the Committee Chairs, who will give the reports. There will be no questions, answers, or discussion until the background information is given. The Committee Chair will make the motion (no second required) and discussion will commence.
4. Mr. Davis asked that Karen McGee serve on the Statewide Engineering Education Advisory Council.
5. Committee Assignments:
 - Personnel/Student Affairs - Curtis Eaton, Chair
 - Academic Affairs/Program - Marilyn Howard, Chair
 - Finance - Jerry Hess, Chair
 - Legislative Affairs - Tom Boyd, Chair
 - 70 Percent - Tom Dillon, Chair
 - Exiting Standards - Tom Dillon, Chair

7. Agency Budget Discussion

Mr. Hasselquist said enhancement levels would be capped at 4 percent of general funds except for the Idaho Division of Vocational Rehabilitation where it will be capped at 4 percent of total funds. Additionally, Idaho Public Television will have a large request in the nonstandard adjustment area for replacement items, i.e. digital equipment which will come as a MCO request.

8. Institution Budget Discussion Follow Up

Dr. Ruch said the presidents ranked salary competitiveness as their number one priority. They recommended infrastructure and role and mission initiatives. He asked the Board to consider one or two individually crafted requests that focus on an institution's immediate needs, i.e. equipment replacement.

Mr. Hess said there has been a great deal of discussion regarding salary adjustment and felt some type of proactive action should be taken, i.e. coming back with innovative private matching funds and suggested the presidents do some brainstorming and come back with recommendations.

Dr. Hoover said the presidents have proposed matching proposals for salary equity the past three years, but there is a limited amount that can be raised from the private sector. He felt the bulk of the problem was that several hundred salary levels need to be addressed and that would only happen when it was decided that it is important to keep the current workforce in place. He asked the Board, with the presidents behind it, to go to the legislature and acknowledge that it is important.

9. Groundbreaking

The Board attended a greenhouse groundbreaking ceremony on EITC campus.

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

STATE DEPARTMENT OF EDUCATION

A1. Exiting Standards Presentation by Commissioners

Since May 1998, over one hundred volunteers, composed of parents, grandparents, teachers, principals, school board members, community leaders and education advocates, have worked to develop Exiting Standards for grades 9-12, in five core areas: Math, Science, Social Studies, Language Arts/Communications and Health.

Ms. Lydia Guerra and the Exiting Standards Commissioners gave a presentation and reviewed the history, makeup and charge of the commission.

A2. Request for Approval of Exiting Standards

Dr. Howard said the Exiting Standards are intended to apply to all students graduating from Idaho public high schools. Although they are minimum standards, they will help assure a base quality in the Idaho public school system that is consistent and uniform. They do not automatically replace existing grade and course standards set by the State Board of Education and local school districts. Local school districts are encouraged to adopt standards that exceed the state standards.

Mr. Davis asked that Appendix E be placed in the body of the Health Standards so teachers can read the caution: "Instruction in the area of human sexuality are ultimately governed by *Idaho Code*."

Ms. McGee said she would abstain from voting on the standards as she has not had the opportunity to review and study them.

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Health Standards. Ms. McGee abstained. (Motion #11)

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Math Standards. Ms. McGee abstained. (Motion #12)

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Language Arts/Communications Standards. Ms. McGee abstained. (Motion #13)

It was moved by Dr. Howard, seconded by Mr. Hess and carried to approve the Social Studies Standards. Ms. McGee abstained. (Motion #14)

Mr. Davis expressed concerns regarding the theory of evolution and asked that it be looked at with a more balanced perspective. The commissioners assured him that there will be continued updates to the document and that questions from the public and from the Board will be addressed in a later edition.

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Science Standards. Ms. McGee abstained. (Motion #15)

Mr. Hess asked that a discussion regarding implementation and consequences be placed on an upcoming agenda. He felt the discussion should include assessments, implementation, consequences, budgets, timelines, etc. He was concerned that the project would become stalled and not move forward. Mr. Davis said his understanding was that it would be addressed at the next meeting.

Mr. Davis was concerned that the implementation phase was moving away from the Exiting Standards Commission towards the State Department of Education, and felt the commission should be more involved.

Mr. Eaton suggested the Board ask the commissioners to continue working on the next phase, if they so desire. Mr. Davis agreed.

Mr. Eaton felt that in order to adequately address the assessment issue, the Board needed information on what testing is currently being done and why it is being done. Dr. Howard said she will address the topic during the Superintendent's Report and will recommend a comprehensive report be brought to the Board at its next meeting.

Exhibit #6

A3. State Board Temporary Rules

In order to implement the standards in 1999, the SBOE was asked to adopt Temporary Rules to be followed by Permanent Rules. Mr. Satterlee reviewed the rule making process.

It was moved by Dr. Howard and seconded by Mr. Eaton to approve the Temporary Rule for Health Standards, effective with the 2005 graduating class. **No vote taken.** (Motion #16)

It was moved by Mr. Eaton, seconded by Mr. Boyd and carried to approve the Temporary Rule for Health Standards, effective with the 2004 graduating class. (Motion #17)

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Temporary Rule for Math Standards, effective with the 2004 graduating class. (Motion #18)

It was moved Dr. Howard, seconded by Mr. Boyd and carried to approve the Temporary Rule for Language Arts/Communications Standards, effective with the 2004 graduating class. (Motion #19)

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Temporary Rule for Social Studies Standards, effective with the 2004 graduating class. (Motion #20)

It was moved by Dr. Howard, seconded by Mr. Eaton and carried to approve the Temporary Rule for Science Standards, effective with the 2004 graduating class. (Motion #21)

Exhibit #10

C. Request for Waiver of State Board Rules

In April 1998 the SBOE granted a second, one-year waiver of the IDAPA 08.02.03.200.04.b.i. (Health & Physical Education) for middle school/junior high school students to the Lewiston Independent SD #340 to give the district additional time to assess the impact of the rule on curriculum. The district has again requested an ongoing waiver of the rule. The SDOE recommended a one-year waiver, but not an ongoing waiver.

It was moved by Dr. Howard and carried to approve a one-year waiver of IDAPA 08.02.03.100.04.b.i. for 1 Lewiston Independent School District (340) as submitted. (Motion #47)

C1. Facilities Issues and Accreditation of Schools

Mr. Tom Farley said his office has reviewed the accreditation reports to identify which facilities are nonconforming and have not been addressed.

Dr. West said the SDOE recommends that schools failing to submit Facilities/Safety Inspection reports be assessed 16 deviation points (instead of the current 3 points) and be placed immediately in the "Approved with Warning" category. He said there are 13 schools that would be in jeopardy due to the fact that they had not submitted a report and would, therefore, be automatically assigned 16 points for that failure. The Department also recommended that specific nonconformances be addressed and weighted, depending on severity. Dr. West said it could be done with or without a temporary rule by allowing the Accreditation Committee to assign the points.

Mr. Davis asked Dr. West and the Accreditation Committee to review the items and separate those that need to be brought to the Board from those that do not.

Action will be requested at the May SBOE meeting.

C2. Technology Requirements and Accreditation of Schools

The SDOE recommended the following requirements under Standard II of the State Accreditation report:

- 1) A staff development plan is on file with the SDOE and identifies educational technology competencies as part of the plan for certificated personnel.
- 2) The reporting school is part of a district-wide plan that ensures that at least 90 percent of certificated personnel will meet technology standards for the school by the completion of the school year 2000-2001.

Mr. Farley said the SDOE suggested a statement which would go beyond the SBOE policy of 90 percent of district staff be added:

- 1) A minimum of 90 percent of the certificated building staff has demonstrated a mastery of the required basic technology standards.

Action will be requested at the next SBOE meeting.

C3. Self-study for Accreditation of Schools

When the K-12 rules were rewritten, the requirement for a self-study was left out of the process. Schools which are accredited by the NWASC, predominantly Idaho secondary schools, are required to conduct a self-study and on-site peer review. The SDOE recommended that all state accredited schools be required to complete a self-study every five (5) years, using forms approved by the SBOE. Upon completion of a self-study, schools shall report the self-study findings to the SDOE. The findings will be reported to the Board in the annual accreditation report.

Action will be requested at the next SBOE meeting.

D1. New School Bus Body and Chassis Construction Standards

Mr. Rod McKnight said the the SDOE recommended abolishing the current rules and rewriting them. The SDOE requested a temporary rule for the following:

- 1) Eliminate the need for the SBOE to periodically adopt National Minimum Standards/Guidelines in their entirety.
- 2) Enable the SDOE to adopt, publish and distribute from time to time, as the need arises, minimum standards for the construction of Idaho school buses. The standards shall be incorporated in the latest report of the National Conference on School Transportation.

Mr. Eaton felt that rather than abolishing current rules and rewriting them, the Board should delegate to the Superintendent the authority to make necessary changes. Mr. McKnight said that if the national guidelines are used, several districts will be out of compliance. However, if a temporary rule is granted, those districts can use the buses. Dr. West suggested a temporary rule that would delegate to the Superintendent the authority to make changes as needed.

150. TRANSPORTATION

All new school bus chassis and bodies must meet or exceed Idaho Minimum Standards for School Bus Construction, as developed by the Department of Education, as authorized in Title 33, Chapter 15, *Idaho Code*, Section 33-1511. (7-1-99)

It was moved by Dr. Howard and carried to approve the temporary rule as exhibited above to replace in its entirety the existing rule in IDAPA 08.02.02.150., with an effective date of July 1, 1999. (Motion #48)

Mr. Eaton asked Dr. Howard to follow-up with Mr. Satterlee to ensure the delegation authority is given to the Superintendent rather than the Department.

D2. Removal of Superintendent's Signature

The superintendents are required to sign annual inspections stickers for school buses. The SDOE requested a temporary rule to eliminate that requirement as their signatures are also required on the annual school bus inspection reports.

It was moved by Dr. Howard and carried to approve the temporary rule in the exhibit to change existing rule. (Motion #49)

Mr. Davis suggested that when the term "superintendent is used," the terms "state" or "district" be inserted for clarification.

D3. School Bus Driver Training Hours

There is some confusion on the actual amount of required training for new school bus drivers. The ten hours observation and behind-the-wheel training does not specifically define ten

hours in each category or ten hours divided between the two categories. Also, it is unclear whether the required curriculum training and subsequent testing requirements are also a part of the mandated ten (10) hours of training. The intent of required inservice training for veteran drivers also appears unclear.

The SDOE recommended approval of the Temporary Rule, which will replace in its entirety the existing rule.

It was moved by Dr. Howard, seconded by Mr. Hess and carried to approve the temporary rule to replace in its entirety the existing rule in IDAPA 08.02.02.170. (Motion #5)

Mr. Satterlee recommended and the Board agreed by consensus that the three Temporary Rules be effective July 1, 1999.

E1. School District Use of Nonconforming Vehicles (Vans)

The SDOE recommended that the SBOE informally concur with and/or accept the SDOE's understanding and intent: to support and encourage the use of school busses as the safest form of student transportation, because van construction falls outside of established safety standards.

An action item will be brought forth at a later meeting.

E2. Seat Belts on School Buses

The SDOE recommended that the SBOE informally concur with and/or accept the SDOE's understanding and intent: to support and encourage the use of school buses as the safest form of student transportation, with or without seat belts.

An action item will be brought forth at a later meeting.

F. Superintendent's Report

Dr. Howard updated the Board on:

- A. Legislative activities of the Department.
- B. Reading Issues.
- C. White Pine School District Overpayment.
- D.

Agenda and materials on file as Exhibit #s 6, 7, 8, 9 & 10 with the Office of the State Board of Education.

ADJOURNMENT: April 15, 5:15 p.m.
April 16, 2:30 p.m.

CERTIFICATION:

To the best of my knowledge, the minutes contained herein constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker