

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 PROFESSIONAL TECHNICAL EDUCATION
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND

April 20-21, 2000
Idaho Falls Center for Higher Education
Idaho Falls, Idaho

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 20, 2000, with Mr. Harold W. Davis, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Harold W. Davis, President
Tom Boyd, Vice President
Curtis H. Eaton, Secretary
James C. Hammond
Severina Haws
Marilyn Howard, State Superintendent of Public Instruction
Roderic W. Lewis
Karen A. McGee

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.

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Compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of April, 2000.

<u>James Hammond</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
04/06,13,19,20,21	4.5	04/19	1.0
<u>Severina Haws</u>	<u>Days</u>	<u>Tom Boyd</u>	<u>Days</u>
04/19-21	3.0	04/19-21	3.0
<u>Harold W. Davis</u>	<u>Days</u>	<u>Karen McGee</u>	<u>Days</u>
04/19	1.0	04/02,03,06,18-21,24-26	11.0
<u>Rod Lewis</u>	<u>Days</u>		
04/02,19-21	4.0		

Non-compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of April, 2000.

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
04/20-21	2.0	04/19-21	3.0
<u>Harold W. Davis</u>	<u>Days</u>		
04/02,20,21	2.5		

Among the persons meeting with the State Board of Education/Board of Regents of the University of Idaho were:

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
Mike Killworth, Policy and Planning Officer
Laurie Boston, Public Information Officer
Nancy Szofran, Learning Technology Officer

State Department of Education

Robert West, Chief Deputy Superintendent
Don Robertson, 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 Professional-Technical Education

Mike Rush, Administrator
Kirk Dennis, Chief Fiscal Officer

Idaho 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
Ken Prolo, Financial Vice President

Lewis-Clark State College

James W. Hattois, 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

Idaho State Historical Society

Steve Guerber, Director

Idaho State Library

Charles Bolles, Director

BOARDWORK

1. Agenda Approval

It was moved by Mr. Hammond, seconded by Mr. Boyd and carried (8-0) to accept the agenda for the April 20-21, 2000 meeting with the addition of a discussion regarding IPTV. (Motion #1)

2. Election of Board Officers

It was moved by Mr. Eaton, seconded by Ms. McGee and carried (8-0) to elect Tom Boyd president of the State Board of Education. (Motion #2)

Mr. Boyd recommended the incoming president take over at the next meeting and not the day following the elections. Mr. Davis agreed and said he would conduct both days.

It was moved by Ms. Haws, seconded by Mr. Hammond and carried (8-0) to elect Karen McGee vice president of the State Board of Education. (Motion #3)

It was moved by Ms. McGee and seconded by Dr. Howard to elect Sam Haws secretary of the State Board of Education. Ms. Haws declined due to personal commitments. The motion was withdrawn. (Motion #4)

It was moved by Ms. McGee, seconded by Dr. Howard and carried (8-0) to elect Jim Hammond secretary of the State Board of Education. (Motion #5)

3. Rolling Calendar

It was moved by Mr. Boyd seconded by Ms. McGee and carried (8-0) to approve April 19-20, 2001 as the dates and Eastern Idaho Technical College as the location of the April, 2001 regularly scheduled Board meeting. (Motion #6)

4. Minutes Approval

It was moved by Mr. Hammond, seconded by Mr. Boyd and carried (8-0) to approve the minutes of the January 24-25, 2000 meeting. (Motion #7)

5. Presidents Council Chair

Dr. James Hottois has been elected chair of the Presidents Council for the upcoming year.

6. Commencement/Graduation Ceremonies

Board members were asked to notify the Board secretary of which ceremonies they will attend.

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, 2000 Meeting

The minutes were approved in committee.

- 2. Routine Institution/Agency Agenda Items

It was moved by Mr. Boyd and carried (7-0) 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, Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #14)

- 3. Non-Routine Institution/Agency Agenda Items

It was moved by Mr. Boyd and carried (8-0) to approve the Personnel/Student Affairs Non-Routine agenda items for Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #15)

- 4. Athletic Contract Addendum Idaho State University

It was moved by Mr. Boyd and carried (8-0) approve the contract addendum for John L. Lewis. (Motion #16)

- 5. Athletic Contract University of Idaho

Debbie Buchanan Volleyball Coach

The term of the proposed contract is February 1, 2000-January 31, 2003. The proposed contract provides for supplemental compensation based on academic achievement and behavior of the team. This will be reviewed in terms of grade point average, difficulty of major course of study, honors, and progress toward graduation. Determination of whether the payment is to be made is at the discretion of the president and will be based on academic achievement and behavior of the team, ticket sales, success in the Big West Conference, and other factors the president, in consultation with the athletic director, wishes to consider. The proposed contract also calls for other merit based compensation based on team performance related to post season play and continued employment through July 1 of the following season.

FTE/Term:	1.0/12 months
Proposed Annual Salary:	\$54,017.60
Effective Dates:	February 1, 2000-January 31, 2003
Department/Funding:	Athletic Dept/FY/General Ed Appropriated Funds
Additional Compensation:	Supplemental compensation is as follows: (1) 1/13 of annual salary for winning the conference championship and receiving an NCAA tournament berth, as long as the coach is still employed with UI on the ensuing July 1; (2) 1/13 of annual salary if team is

ranked in the top 25 in a published final poll, as long as the coach is still employed with UI on the ensuing July 1; and (3) 1/13 of annual salary based on academic achievement and behavior of team members and overall development of the volleyball program.

It was moved by Mr. Boyd and carried (8-0) to approve the employment contract for Debbie Buchanan. (Motion #17)

6. Policy Change - First Reading: Executive Officers

It was moved by Mr. Boyd and carried (8-0) to approve the First Reading of the changes to Governing Policies and Procedures, Section I, Subsection E as exhibited with the following change: (Motion #18)

3c - The Agency Head is evaluated by the Executive Director, who makes recommendations to the Board with respect to future contracts and compensation. The Presidents are evaluated by the Board. The performance evaluation is based upon the duties outlined in the policy and mutually agreed upon goals. Final decisions with respect to future contracts are made by the Board.

7. Committee Forum

Dr. Mike Rush advised that chair of the board of SISCO, will be the keynote speaker at this year s Professional-Technical summer conference.

Mr. Peter Morrill reported IPTV has recently received several national awards:

1. Four major awards from the Housman International Film Video Festival.
2. Three major awards from the Telly Awards from the National Programers Association.
3. Bruce Reichert received the Edward R. Murrow Award from the Radio and Television News Directors Association for writing on Idaho: An Aerial Tapestry.

Personnel/Student Affairs Committee agenda on file as Exhibit #7 with the Office of the State Board of Education.

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the March, 2000 Meeting

Approved in committee.

2. Minutes of the March CAAP Meeting

Approved in committee.

3. Minority Education Budget Requests

In December 1998 the SBOE adopted a resolution for preparing teachers in multi-cultural education acknowledging the needs of minority students and gave direction for a plan to ensure Idaho s teachers were prepared to help close the performance gap between minority students and their Anglo counterparts.

Dr. Howard reported that in committee discussion, a great deal of interest was expressed in finding ways to ensure that the principles go forward, i.e. enhanced training for teachers serving LEP students. However, the process needs additional collaboration with people from the institutions so the requests will be brought back in June.

4. New Program - NOI

a. Certificate in Applied Nuclear Energy - ISU

The CAAP determined that the request complies with established criteria and recommended approval without the development of a full proposal.

It was moved by Dr. Howard, seconded by Mr. Eaton and carried (8-0) to approve the request from ISU to offer a certificate in Applied Nuclear Energy. (Motion #23)

b. A.A.S., Automotive Technology - ISU

The CAAP determined that the request complies with established criteria and recommended approval without the development of a full proposal.

It was moved by Dr. Howard, seconded by Mr. Lewis and carried (8-0) to approve the request from ISU to offer an A.A.S. degree in Automotive Technology. (Motion #24)

5. SEEAC Nomination

It was moved by Dr. Howard, seconded by Mr. Lewis and carried (7-0) to appoint Mr. Scott Meikle to the Statewide Engineering Education Advisory Council for a term of April 2000 through September 2000. (Motion #25)

6. Idaho Virtual University Consortium

Ms. Szofran updated the Board on the project's web site development. She also advised that the Northwest Nazarene University has inquired about the possibility of other institutions participating in the Idaho Electronic Campus. It is the recommendation of the Presidents Council and the CAAP that, while the idea has merit, we should take time to work through the issues, policies and procedures with our seven institutions before including private schools.

7. Request for Proposals for Graduate Students

Dr. Robin Dodson advised that each of the three universities has agreed to support a masters level graduate student. The students will be assisting Dr. Billy Shipp in the writing of a statewide strategic plan for science and technology.

The OSBE has drafted a Request for Proposal and circulated it to the CAAP, the Department of Commerce and the Governor's Science and Technology Advisor for comments and finalization.

8. Idaho Association of College Registrars and Admission Officers Meeting

IACRAO members and Board staff are concerned about the current status of the Higher Education in Idaho booklet. Specific issues addressed at that meeting include the need to review the publication, design modification and web site application. Consequently, there is a desire to place the supervision of this publication with the Board's Public Information Officer.

Dr. Dodson said in the 1980s the Academic Affairs Officer and the Public Information Officer worked with the institutions to develop the document. Until approximately three years ago, supervision of the publication was under the Public Information Officer. Since that time no one has been in that position. Dr. Dodson said the IACRAO has asked the Board office to take more of a leadership role with the document, i.e. in having Laurie Boston involved in the publication. Both IACRAO and the Board staff believe there needs to be a review of the document and inclusion of it on the web. Dr. Dodson advised they would be making changes to the document over time and Ms. Boston has agreed and desires to be involved in the publication.

9. Program Review Update

Dr. Dodson said a preliminary report will be brought to the Board in June.

10. Update on A.A.S. Degree

Dr. Dodson said the institutions have reported that they are in various stages of implementing Board policy and that all standards are being met. A document has been drafted and will be signed by the institutions attesting to the fact that they are implementing the standards. The document should be sent to Board members in May.

Academic Affairs/Program Affairs Committee agenda on file as Exhibit #10 with the Office of the State Board of Education.

FINANCE COMMITTEE

1. Minutes of the March, 2000 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (7-0) 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 #26)

3. Non-Routine Institution/Agency Agenda Items

University of Idaho

It was moved by Mr. Eaton and carried (7-0) to approve the request from the University of Idaho pro projects as detailed in the exhibit in Items 3.1.a. (Motion #27)

Division of Professional-Technical Education

It was moved by Mr. Eaton and carried (7-0) to approve Professional-Technical Education s FY01 appropriation allocation request as detailed in the exhibit. (Motion #29)

4. FY01 College and Universities Allocation

It was moved by Mr. Eaton and carried (7-0) to approve the FY01 allocation as presented in the exhibit. (Motion #28)

5. FY01 Community College Allocation

It was moved by Mr. Eaton and carried (7-0) to approve the FY01 allocation of community college support to the College of Southern Idaho and to North Idaho College, equally, as shown in Item 5.b. (Motion #30)

6. Student Fee and Tuition Rates for FY01

Mr. Eaton said the institutions have had hearings and discussion regarding increases and have made their recommendations. In addition, student body presidents requested time before the Board for comments.

Mr. Matthew Bott (BSU) reviewed the hearing and fee setting process on his campus. He said BSU students felt it was a matter of access versus cost and that BSU students supported many of the fees, but were concerned about the increase in matriculation fees. He suggested there be a campaign to educate people to urge legislators to increase higher education funding.

Mr. Nathan Peterson (LCSC) said students are concerned about fee increases and their impact on student debt. He said the students have been focusing on getting additional money allocated to higher education and asked the Board to work with them.

Mr. Brian Cochran (UI) questioned why fees have risen significantly over the past five years and why the increases have not been kept within the guideline established in 1991 (CPO+2%). He expressed concerns regarding fee increases and the future of higher education funding.

Ms. Katie Muhlfeith (ISU) said students were also concerned about the increasing cost of higher education.

Board members encouraged students to support higher education by getting involved in the legislative process. Mr. Eaton asked the students to come up with specifics and keep in touch with the Board so a way could be identified to support the effort. Mr. Boyd suggested the students spread out geographically to ensure contact with legislators from all of the districts. Mr. Hammond felt the strategy of approaching legislators should include ways to provide a larger appropriation and/or ways to increase the amounts available for appropriation.

Mr. Davis agreed that legislative funding needed to be increased, but felt Idaho schools have some of the lowest fees available and, while the fees are low, the legislature will not be inclined to increase funding. Mr. Peterson did not feel Idaho should be compared to other states, but additional fee increases should be looked at in light of Idaho's fee history. He said the students urged the Board to take a stand and say matriculation fees are getting too high.

Mr. Davis asked Mr. Satterlee to provide a history of the CPO+2% issue to all student body presidents.

Mr. Davis asked if it were possible to move the funding for the auditorium at LCSC from student fees to another source. Dr. Hottois said various aspects of the issue have been on the LCSC agenda, off and on, for nearly thirty years. He felt it would be a long time before anything of significant size is funded by the Permanent Building Fund and that students support funding the project with the use of fees.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (6-2) to approve the fees as recommended by the institutions and shown on items 6c-6g of the Finance Committee agenda. (Motion #13)

7. FY02 Revenue Adjustment Request

It was moved by Mr. Eaton and carried (7-0) to increase the FY00 spending authority for BSU, ISU, UI and LCSC, based on available endowment funds as detailed in the exhibit. (Motion #31)

8. FY02 Budget Process

Mr. Eaton requested approval of the requests outlined in Keith Hasselquist s memo of April 13, 2000 with the exception of the following:

ISDB, page 5, #2 - Transition person
BSU, page 11, #4 - Development officer for the colleges
HERC, page 17, #2 - Tobacco funds
WOI, page 26, #2 - 25% Soft funding director
WWAMI, page 27, #2 - Need total cost to add (4) seats
IDEP, page 28, #2 - Need total cost to add (3) seats
Utah Med, page 29 - Total cost
Residency Practice Programs, page 30 - Funding breakdown

Mr. Eaton said the committee agreed to withhold approval of Enhancement Requests over the limit.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (7-0) to approve the budget request items listed as attachments to Keith Hasselquist s memo of April 13, 2000, beginning with an item that is designated summary of FY02 budget request enhancements only, except for the items that have just been discussed. (Motion #32)

9. Acceptance of Intercollegiate Athletic Report

The report was submitted for review and will be discussed during the June Finance Committee meeting.

Finance Committee agenda on file as Exhibit #11 with the Office of the State Board of Education.

LEGISLATIVE AFFAIRS COMMITTEE

Mr. Killworth reviewed legislation relating to education.

1. Scholarships - A bill passed which will give high schools students who achieve a B average a specific sum (to be determined by the Board). However, funding has not been authorized. Senator Robert Lee is looking into different funding strategies to present at the next legislative session. One of the strategies is for the Board to put a request for the funding into its budget.

The OSBE has begun a dialogue with both public and private institutions to develop procedures to administer the scholarship program through the Board office.

A bill for a college savings plan sponsored by Rep Lee Gagner was also approved during this legislative session.

Mr. Eaton said the Finance Committee would look at funding from sources such as the tobacco money.

2. Property Tax Relief (Community Colleges) - Mr. Killworth said there were several plans to shift the burden from the local taxpayers to the state, but none were successful. He felt that additional plans would be brought back next year and asked if the Board wanted to be involved in the process. Mr. Boyd felt it should be placed on the Board's agenda sometime this summer. Mr. Eaton said Rep. Maxine Bell had asked several Board members for assistance. He felt the Board should work with her and offer its assistance. Mr. Boyd agreed.
3. Inmate Education - Mr. Killworth said it did not pass, but there has been dialogue with individuals from the State Department of Corrections (SDOC). He felt the result of the dialogue would be the SDOC working cooperatively with the SBOE.
4. Exiting Standards - addressed elsewhere in the minutes.
5. Hispanic & LEP Education - Mr. Killworth said there is a growing concern and interest in students and their lack of progress. He felt there would be additional legislation to try to reverse the trends.

Mr. Eaton felt the Board should be involved in any legislative effort and asked Mr. Hammond if the 70 Percent Committee will be addressing it. Mr. Hammond said their next meeting is intended to bring those types of issues to the surface.

6. K-12 Legislation - Dr. West reviewed legislation relating to hiring teachers.

7. School Facilities - Two bills were passed dealing with school facilities.
HB678 provides:
 1. For the SDOE to take the lead in forming a committee to determine a uniform, school building safety code.
 2. For annual inspections to be done by the Division of Building Safety (DBS).
 3. Provides that state appropriations can be withheld if eminent health and safety problems are not addressed.
 4. Provides that the DBS review plans for construction or remodeling projects over \$25,000.HB668 provides:
 1. That public school facilities be safe.
 2. Independent inspection is required each year.
 3. Abatement of unsafe conditions is required.
 4. If the district cannot address the conditions, the Board of Trustees shall direct that a plan of abatement be prepared.
 5. The Board of Trustees may declare a financial emergency and impose a reduction in force, freeze salaries and suspend contracts.
 6. The district may apply to the state treasurer for a loan if it cannot meet the abatement costs.
8. Facilities Lawsuit - Mr. Killworth said the judge is pondering legislative action to see if it will mitigate the situation.
9. Video Conference - scheduled for May 3.
10. Task Forces Established by the Legislature:
 - 1) Minimum Wage for Farm Workers
 - 2) Transfer of Personal Information
 - 3) Electric Utility Restructuring
 - 4) Natural Resource Issues
 - 5) Early Childhood Education
 - 6) Tobacco Settlement Funds
 - 7) Health Insurance Premium
 - 8) Idaho Council on Indian Affairs
11. Additional Funding for Education - Mr. Boyd reported he had talked to several legislators about additional funding for education, but they were not receptive.

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

70 PERCENT COMMITTEE

1. Minutes of March, 2000 Meeting

The minutes were approved in committee.

2. Idaho Division of Vocational Rehabilitation

Information given in committee.

3. Minority Recruitment Report

Mr. Hammond said they would like to bring back to the legislature the Grow Your Own Teacher Program and the Success for All Students Program.

4. Minority Education Budget Request

- a. Grow Your Own Teacher Program
- b. Success for All Students: Pre-Service and In-Service Preparation Project

Discussed in Academic Affairs/Program Committee report.

5. Policy Change: First Reading - Repeal IDAPA 55.01.03

IDAPA 55.01.03 was promulgated this past year under the assumption that federal regulations would allow Title I funding to be used as a model. That has not been the case. A semi-final ruling has been received from the USDoEd on Idaho's distribution formula for secondary Perkins funds. They are now allowing Census compatible age designations and not allowing Title I funding to be used as a model. This negates the need and direction for the Chapter 3 rule so it needs to be repealed.

It was moved by Mr. Hammond and carried (7-0) to approve the First Reading of the rule change repealing IDAPA 55.01.03, Perkins Title III Secondary Funding Formula Waiver in its entirety as exhibited in item 2a. (Motion #19)

6. Correction Education Distance Learning Postsecondary Project

Approximately 18 months ago, the State Department of Corrections began studying the feasibility of bringing postsecondary education to inmates via distance learning. After intense research, they are now ready to purchase compressed video equipment and make curricular decisions for the pilot service delivery.

Mr. Hammond said the committee is working to see how it can improve education opportunities for inmates.

7. Policy Change: Final Reading - Professional-Technical Schools

GOVERNING POLICIES AND PROCEDURES

SECTION: VII PROFESSIONAL-TECHNICAL EDUCATION

SUBSECTION: H. Professional-Technical Schools

It was moved by Mr. Hammond and carried (7-0) to approve the changes in the Professional Technical Schools policy of the Governing Policies and Procedures of the Idaho State Board for Professional-Technical Education Section VII, Professional-Technical Education, Subsection H for Final Reading as exhibited in Item 9 (correction Item 7). (Motion #20)

8. Technical College Facilities Study

A report was presented to the committee.

9. Policy Change: First Reading - Addition of Section VII

GOVERNING POLICIES AND PROCEDURES

SECTION: VII PROFESSIONAL-TECHNICAL EDUCATION

The Final Reading which would have added an additional section (VII) to the Governing Policies and Procedures Manual was pulled.

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

OTHER

1. Open Forum

Mr. Darwin Grigg addressed the Board regarding concerns with textbook quality and accuracy.

2. Exiting Standards Update

Ms. Lydia Guerra updated the Board on the process used to write the K-8 standards. It is anticipated they will be brought to the Board in June for approval.

Representative Fred Tilman has assigned House Education Committee members Rep. Shirley Ringo and Rep. Sher Sellman to serve on the exiting standards assessment committee.

It was moved by Ms. McGee, seconded by Mr. Hammond and carried (8-0) to approve the request to change the name of Exiting Standards to Achievement Standards. (Motion #10)

It was decided not to address the issue of the role of the commissioners until Board members assigned to the committee have time to review the structure.

Mr. Eaton asked if the development of Assessments and the K-8 standards were being worked on simultaneously. Mr. Jim McFadden said more emphasis is being placed on the K-8 standards, but they are working to determine how best to integrate everything.

There was discussion regarding funding for test development. Mr. Davis said he had talked to Mr. Larry Andrews and was advised that the Exiting Standards Commissioners would address the issue. It was suggested that one thing that could be done is instead of testing at 100 percent, a smaller sample could be tested which would enable them to stay within the \$500,000. Mr. McFadden felt that tests at the 4th and 8th grade levels could be developed from testing that is currently in place, but that high school tests would have to be developed.

Mr. Davis asked for a report on the testing. Ms. McGee said they hoped to have something ready by the May meeting.

Mr. Davis asked the Exiting Standards Commissioners to look at how science theories are presented to students. Ms. Guerra said she would have the science expert call Mr. Davis.

Exhibit #3

3. Performance Measures

In March the Board reviewed the measures with the understanding that Board members would make suggestions prior to formal consideration. Several Board members did make suggestions which are listed in the exhibit.

Mr. Hammond felt the performance measures should be enhanced. He felt approval should be with the caveat that the Board expects to see them enhanced with more definitive measurements.

Mr. Killworth said refinements could be made, but something needed to be approved today in order to meet the Division of Financial Management's strategic plan deadline of July 1. He then reviewed statute and state rules relating to reporting requirements.

Mr. Lewis felt the Board should either see the agencies/institutions' top 20 internal performance standards or it should spend more time on the 11 and determine what it wants to see from them.

Mr. Hammond suggested, and Mr. Lewis agreed, that the Board ask the staff to develop a policy statement that expresses exactly what information the Board is seeking.

It was moved by Mr. Boyd, seconded by Mr. Hammond and carried (8-0) to approve the list of performance measures for formal adoption, annual reporting and inclusion in the strategic plan as shown in the seven (7) pages with the reference of the inclusion of page 8 (in the exhibit). (Motion #11)

Exhibit #4

4. Eastern Idaho Education Advisory Committee Report

Dr. Fitch and Dr. Hoover presented the committee's annual report and showed a video on eastern Idaho education.

Exhibit #5

5. Idaho's MOST

- a. National Commission on Teaching and America's Future Re-commitment

Mr. Davis asked if re-commitment had any fiscal implications and was assured by Dr. Patty Toney that it did not.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (8-0) to approve the request for the State Board of Education to recommit to the National Commission on Teaching and America's Future. (Motion #12)

- b. Standards Review

Dr. Toney and Mr. Keith Fletcher presented the Standards for the Initial Certification of Professional School Personnel and asked the Board for input. The standards will be brought back for final adoption at a future date.

Exhibit #6

6. Executive Session

It was moved by Mr. Boyd, seconded by Mr. Hammond and carried (8-0) to enter into Executive Session per *Idaho Code 67-2345 (b)(f)*. **A roll call vote was taken:**

AYES: Mr. Eaton, Dr. Howard, Ms. Haws, Mr. Boyd, Ms. McGee, Mr. Lewis, Mr. Hammond, Mr. Davis
NAYS: None
ABSTAIN: None
ABSENT: None

1. An employee annual evaluation was conducted.
2. A personnel issue was deliberated.

No decisions were reached.

7. Executive Session

It was moved by Mr. Boyd, seconded by Mr. Hammond and carried (8-0) to enter into Executive Session per *Idaho Code 67-2345 (b)(f)*. **A roll call vote was taken:**

AYES: Dr. Howard, Ms. Haws, Mr. Boyd, Ms. McGee, Mr. Eaton, Mr. Hammond, Mr. Lewis, Mr. Davis
NAYS: None
ABSTAIN: None
ABSENT: None

1. A personnel issue was deliberated.

No decisions were reached.

8. Idaho Public Television

An April 13, 2000 letter written to Board members by Mr. Eaton was discussed. Mr. Eaton said the letter related to the intent language on Bill 768 (a, b & c) and what he felt were somewhat contradictory instructions from the legislature. He felt the way to assure people that the Board is not supporting, encouraging or promoting an act which would violate criminal law is to reconcile that with the expansion here is what you should broadcast which would assure people that any events or acts appearing on public television are for the purpose of portraying the factual matter contained therein or for the purpose of entertainment, but in no event is it ever the intent of public broadcasting in Idaho nor the State Board that show those events or acts for the purpose of promoting, encouraging or supporting the violation of the criminal law.

He said that, regarding the issue having to do with controversy, it seems that we still have to reconcile the invitation, if not the direction, of the legislature to broadcast in-depth news, documentaries and things of value to the state of Idaho. We have to reconcile that instruction with what could be seen as a restriction as far as controversial is concerned. It would seem that it

can be resolved in the same way by having a public disclaimer to the effect that there are, in fact, controversial issues that appear on public television. He also suggested that in publications, materials and other things that emanates from public broadcasting, there could be a statement that some of the programs contain controversial issues and people are advised to look into the program ahead of time to determine whether or not people in their homes should be allowed to watch them. Another issue is monitoring, i.e. that could be monitored by using media available to catalogue comments and keep track of them. A report to the legislature would be that the Board has changed its policy and is cataloguing responses. Additionally, Mr. Morrill could be asked to report regularly, if the comments are such that they indicate the Board needs to re-evaluate the course of action.

Mr. Davis said the intent language concluded with The State Board of Education shall report to the Joint Finance Appropriations Committee during the 2001 legislative session on the adoption, implementation and effect of these and any related policies. He said he understood why the language came with the bill and said he felt it was time to review programming policy. He felt the review needed to come from Mr. Peter Morrill because he knows the laws, rules and policies. He felt the IPTV staff who are selecting programming need to reconsider their process and bring suggestions to the Board. Mr. Eaton did not feel it was appropriate to ask Mr. Morrill to review the process without giving him clear instructions.

The topic will be placed on the May retreat agenda for further discussion.

Exhibit #9

9. Good of the Order

- 1) Resignation of Pat Young, effective June 30, 2000. Dr. Fitch said they are looking at filling it as an interim appointment from within the IDVR. Mr. Davis asked that a recommendation be brought to the Board in May.

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

STATE DEPARTMENT OF EDUCATION

A. Letters of Authorization

The SDOE recommended approval of the Letters of Authorization approved by the Professional Standards Commission at its March 9-10, 2000 meeting.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (8-0) to approve the requests for Letters of Authorization as submitted by the Professional Standards Commission. (Motion #8)

B. Waiver of SBOE Rules - Lewiston Independent SD

Dr. Robert West reported the district has requested, and been given, the waiver for each of the past three years. The SDOE recommended approval of another one-year waiver of IDAPA 08.02.03.104.02.a for Lewiston Independent School District. The SDOE does not recommend approval of this waiver on an ongoing basis.

It was moved by Dr. Howard, seconded by Ms. McGee and carried (8-0) to approve the request for waiver of State Board Rules by Lewiston Independent School District for one year. (Motion #9)

Mr. Boyd asked why this request comes before the Board every year and if waivers of this type was the best way to address the issues. Dr. West said he did not know if this was the best way, but felt it did meet the intent of the regulation.

Mr. Hammond asked why it was recommended for one year. Dr. West replied the SDOE did not recommend an on-going waiver because there are possibilities for changes in the future that might not be met or taken into account if an on-going waiver were approved.

C. Superintendent s Report

- a. Mr. Davis had concerns regarding the information contained in textbooks as well as the makeup of the selection committee. He felt the selection and committee appointment processes should be addressed and improved. It was agreed that discussion regarding textbook materials would be added to the May retreat agenda.
- b. Mr. Jay Hildebrand and Jerry Brady of Idaho Falls addressed the Board regarding the Our Kids program. Mr. Eaton asked Dr. Howard if the program could be formulated into a recommendation by the Board that school districts participate and support it. Dr. Howard will bring suggestions to the May retreat for discussion.
- c. Dr. Howard updated the Board on:
 - 1) Public Schools Budget.
 - 2) An assessment committee will look Idaho statewide testing. She will ask the committee to look at what is being done and make recommendations on a testing program structure.

- 3) Dr. Bob Haley has been asked to review the accreditation process, addressing both academics and physical issues, and then make recommendations to the Board.
- 4) School violence is being addressed statewide by schools, civic groups, churches and interested individuals to understand and improve the environment in which children live and play.

Mr. Davis asked Ms. Lindy High to provide the Board with a copy of Dr. Howard s remarks.

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

ADJOURNMENT: April 20, 5:15 p.m.
April 21, 11:15 p.m.

CERTIFICATION:

The minutes are not verbatim. However, to the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker