

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

June 15-16, 2000
University of Idaho - Idaho Commons
Moscow, 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 p.m., on June 15, 2000, with Mr. Tom Boyd, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Tom Boyd, President
Karen McGee, Vice President
James C. Hammond, Secretary
Harold W. Davis
Curtis H. Eaton (06/15 ½ day)
Severina Haws
Marilyn Howard, State Superintendent of Public Instruction
Roderic W. Lewis

Members Absent

Curtis H. Eaton (06/15 ½ day and 06/16)

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

Table of Contents

BOARDWORK

1. Agenda Approval Page 1
2. Rolling Calendar Page 1
3. Minutes Approval Page 1

PERSONNEL/STUDENT AFFAIRS COMMITTEE Page 2

1. Minutes of the April, 2000 Meeting Page 2
2. Routine Institution/Agency Agenda Items Page 2
3. Non-Routine Institution/Agency Agenda Items Page 2
4. BSU - Alcohol Request Waiver Page 2
5. UI - Athletic Contract Amendment Page 3
6. Final Reading: Executive Officers Page 3
7. LCSC - Interim President Page 3
8. IDVR - Interim Administrator Page 3

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the April, 2000 Meeting Page 5
2. Other Minutes Page 5
3. Higher Education Research Council FY01 Budget Page 5
4. New Programs: NOIs Page 5
5. Policy Changes Page 6
6. Statewide Engineering Education Advisory Council Page 6
7. Inventory of Minority Education Programs Page 6
8. Idaho Electronic Campus Page 7
9. Program Review Update Page 7
10. Other Page 7

FINANCE COMMITTEE

1. Minutes of the April, 2000 Meeting Page 8
2. Routine Institution/Agency Agenda Items Page 8
3. Non-Routine Institution/Agency Agenda Items Page 8
4. FY01 Allocation of ICTL Funds Page 9
5. FY01 Operating Budgets for C&U Page 9
6. Acceptance of Intercollegiate Athletics FY01 Budget Page 10
7. FY02 Enhancement Request Follow-up Page 10
8. FY02 Major Capital Requests Page 13
9. Other Page 13

70 PERCENT COMMITTEE

1.	Minutes of April Meeting.....	Page 14
2.	First Reading: Rulemaking	Page 14
3.	Committee Initiatives	Page 14

OTHER

1.	Executive Session (May 14, 8:30 p.m. - 10:30 p.m).	Page 16
2.	Executive Session (May 16, 8:00 a.m. - 9:30 a.m).	Page 16
3.	IPTV Legislative Intent Language	Page 17
4.	Legal Education Report	Page 18
5.	UI Software Systems	Page 20
6.	Bylaws Restructure	Page 20
7.	Idaho s MOST	Page 21
8.	Regional Technology Advisory Update	Page 21
9.	Open Forum	Page 21
10.	Good of the Order	Page 21

STATE DEPARTMENT OF EDUCATION

A.	Achievement Standards	Page 22
B.	Gifted and Talented Program	Page 23
C.	Accreditation Update	Page 23
D.	Professional Standards Commission	Page 24
E.	Superintendent s Report	Page 24

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

<u>James Hammond</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
06/14,15,16	3.0	06/14	1.0
<u>Severina Haws</u>	<u>Days</u>	<u>Tom Boyd</u>	<u>Days</u>
06/14,15,16	3.0	06/14,15,16	3.0
<u>Harold W. Davis</u>	<u>Days</u>	<u>Karen McGee</u>	<u>Days</u>
06/14	1.0	06/05,09,12,14,15,16	6.0
<u>Rod Lewis</u>	<u>Days</u>		
06/14,15,16	3.0		

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

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
06/15,16	2.0	06/14,15,16	3.0
<u>Harold W. Davis</u>	<u>Days</u>		
06/15,16	2.0		

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. 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

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 Ms. McGee and carried (8-0) to approve the agenda for the June 15-16, 2000 meeting. (Motion #2)

2. Rolling Calendar

It was moved by Mr. Hammond, seconded by Mr. Davis and carried (8-0) to approve June 21-22, 2001 as the dates and the University of Idaho as the location of the June, 2001 meeting. (Motion #3)

3. Minutes Approval

It was moved by Mr. Hammond, seconded by Dr. Howard and carried (8-0) to approve the March and April, 2000 minutes. (Motion #4)

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

PERSONNEL/STUDENT AFFAIRS COMMITTEE

1. Minutes of the April, 2000 Meeting

The minutes were approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Boyd and carried (6-0) to approve the Personnel/Student Affairs Routine agenda items for the Idaho Division of Vocational Rehabilitation, Idaho Public Television, the State Division of Professional Technical Education, Boise State University, Eastern Idaho Technical College, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #26)

3. Non-Routine Institution/Agency Agenda Items

It was moved by Mr. Boyd and carried (6-0) to approve the non-routine items as listed with the exception of 2.1 on page 92. (Motion #27)

University of Idaho

It was moved by Mr. Davis, seconded by Mr. Boyd and carried (6-0) to approve the appointment of Dr. Hottois as a Senior Lecturer in Political Science at the University of Idaho for a one-year appointment (actually nine months) at a proposed annual salary of \$96,780, with an effective date of July 1, 2000, with the funding coming from--rather than the general education. (Mr. Davis asked for clarification on the process. Dr. Fitch said all funds are under the control of the SBOE until they are appropriated to the institutions. The motion suggests the formula be utilized and application to the \$96,000 salary, but also that the Office of the State Board of Education, with some carryover funds in its system application, will be contributing to the fund.) Mr. Davis said that was his motion. (Motion #28)

Mr. Davis said he agreed with Dr. Fitch and Dr. Hoover's comments in committee that Dr. Hottois has good credentials in political science and that he will well serve the students that attend University of Idaho. He felt approval was a positive step forward.

4. BSU - Alcohol Request Waiver

Boise State University requested a one-time only extension of the alcohol policy passed by the State Board of Education to include the Velma V. Morrison Center. The event will be a private party (by invitation only) on August 5, 2000 to celebrate Velma

Morrison's 80th Birthday. **It was moved by Mr. Boyd, seconded by Ms. McGee and carried (5-1)** to approve Boise State University's request for a one-time alcohol waiver for the Morrison Center. (Motion #29)

5. UI - Athletic Contract Amendment

Mike Bohn, Director of Athletics
Proposed Annual Salary: \$105,006.40
Current Annual Salary: \$100,006.40

It was moved by Mr. Boyd and carried (6-0) to approve the First Amendment to the Employment Contract for Mr. Mike Bohn. (Motion #30)

6. Final Reading: Executive Officers

GOVERNING POLICIES AND PROCEDURES
SECTION: I GENERAL GOVERNING POLICIES AND PROCEDURES
SUBSECTION: E Executive Officers

First Reading was approved at the April meeting.

It was moved by Mr. Boyd and carried (6-0) to approve the Final Reading of the changes to the Governing Policies and Procedures manual, Section I, Subsection E as exhibited. (Motion #31)

7. LCSC - Interim President

Dr. Fitch received authority to work with a campus team to determine names to bring to the Board during its teleconference meeting in early July. Until an interim president is hired, Dr. Rita Morris will serve as Acting President.

Although concerns were expressed in committee, the committee felt the individual who serves as Interim President should be given the opportunity to apply for the permanent position.

8. IDVR - Interim Administrator

It was moved by Mr. Boyd and carried (7-0) to approve the appointment of Barry Thompson as Interim Administrator for the Idaho Division of Vocational Rehabilitation with an annual salary of \$80,000, effective July 1, 2000 through June 30, 2001. (Motion #32)

9. Committee Forum

Mr. Davis advised that Dr. Bowen was elected chair of the Presidents Council.

Mr. Buck Samuels, VP ASUI, asked Mr. Boyd to provide time on the agenda for a committee that is being established by the students.

Dr. Mike Rush said there was a good article in the National Career & Technical Association magazine on Idaho s programs.

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

ACADEMIC AFFAIRS/PROGRAM COMMITTEE

1. Minutes of the April, 2000 Meeting

Approved in committee.

2. Other Minutes

CAAP, April 5, 2000 - approved in committee.

SEEAC, October 7, 1999 - approved in committee.

HERC, January 4 and February 8, 2000 - approved in committee.

3. Higher Education Research Council FY01 Budget

It was moved by Dr. Howard and carried (7-0) to approve the FY01 HERC budget allocations as outlined. (Motion #16)

4. New Programs: NOIs

- a. **It was moved by Dr. Howard and carried (7-0)** to approve the request from BSU to offer an A.A.S. degree in Auto Body. (Motion #17)
- b. **It was moved by Dr. Howard and carried (7-0)** to approve the request from the College of Southern Idaho to offer a Technical Certificate in the Paramedic Program. (Motion #18)
- c. **It was moved by Dr. Howard and carried (7-0)** to approve the request from Eastern Idaho Technical College to offer an A.A.S. degree in Surgical Technology. (Motion #19)
- d. **It was moved by Dr. Howard and carried (7-0)** to approve the request from Eastern Idaho Technical College to offer an A.A.S. degree in Website Development and Maintenance Specialist. (Motion #20)
- e. **It was moved by Dr. Howard and carried (7-0)** to approve the request from Eastern Idaho Technical College to offer an A.A.S. degree in Computer Networking Technology. (Motion #21)
- f. **It was moved by Dr. Howard and carried (7-0)** to approve the request from BSU to establish a Technology Integration Specialist Certificate Program. (Motion #22)
- g. **It was moved by Dr. Howard and carried (7-0)** to approve the request from CSI to offer an A.A. degree in the Certified Education Assistant Program. (Motion #23)

5. Policy Changes

- a. GOVERNING POLICIES AND PROCEDURES
SECTION: III
SUBSECTION: G

It was moved by Dr. Howard and carried (7-0) to approve for First Reading the revision to the Board's Program Review and Approval Policy. (Motion #24)

- b. GOVERNING POLICIES AND PROCEDURES
SECTION: III
SUBSECTION: N

It was moved by Dr. Howard and carried (7-0) to approve for First Reading the revision to the Board's In-state and Out-of-state Institutions policy as exhibited in Item 5b. (Motion #25)

6. Statewide Engineering Education Advisory Council

Mr. Jim Coleman discussed the shortage of engineers and scientists and reviewed the committee's recommendations. The SEEAC supports the five-year, \$5M dedication of funds for lab equipment and software and asked the deans to prepare a needs assessment and a budget for the Board's use in making a determination on those enhancement funds.

The committee believes Idaho has more capacity to educate engineering students than it has students entering the programs. Part of the problem is that students are not prepared in math and science early enough to encourage them to pursue math and science based programs. Idaho needs teachers who are accomplished educators in science and math to motivate and teach the students who have the aptitude. The committee recommended to the SBOE that a new model be developed that recognizes supply and demand so that financial incentives targeting math and science teachers can be provided.

7. Inventory of Minority Education Programs

The committee asked the institutions to provide a list of the programs they have in place for bi-lingual or minority education efforts. Those lists have been provided to the committee. The committee requests: 1) that a place in the budget be saved for an enhancement request for the coordinated effort, and 2) that a task force be established to help move the issues forward.

Dr. Fitch said a place would be held open in September to review the enhancements and he will work with the task force to keep the issues in the forefront.

Dr. Dodson suggested a Board member be appointed to chair the task force and to select membership so the issues can be addressed immediately.

Mr. Lewis felt Ms. Haws would be a good person to lead task force, but asked that it be recognized that the task force is a part of the Academic Affairs/Program Committee. He said part of the task force's effort would be to deal with minority issues consistently via a structure that would provide an on-going and long-term basis for coordination and communication. Putting together that structure would be one of the task force's assignments.

Mr. Boyd appointed Ms. Haws chair of the Minority Education Task Force.

8. Idaho Electronic Campus

Ms. Szofran updated the Board on the project.

1. Data has been gathered from the seven institutions and is being processed.
2. The project's URL is: www.idahoecampus.state.id.us
3. Each institution will designate a contact individual for their campus.
4. Access Idaho will assist in making the site ADA compliant.
5. Channel 7 in Boise will do an interview on the state's efforts in distance learning.
6. A Boot Camp for Technology will be held in September.
7. Access Idaho will do a usability study of the web site.

9. Program Review Update

Dr. Dodson provided the update.

10. Other

Mr. Hammond asked the LCSC staff to continue their strategic plan efforts during the change in leadership.

Office of the State Board of Education.

FINANCE COMMITTEE

1. Minutes of the April, 2000 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Hammond, seconded by Mr. Davis and carried (7-0) to approve the Finance Committee Routine agenda items for Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College, Office of the State Board of Education, the Idaho School for the Deaf and the Blind, the Division of Professional-Technical Education, the Idaho Division of Vocational Rehabilitation, the Idaho Educational Public Broadcasting System, the Idaho State Historical Society and the Idaho State Library. (Motion #5)

BSU Item 2.1 - the proposed US West Wireless Telecomm Facilities was pulled from BSU s routine agenda. BSU will re-negotiate the item and bring it back in September.

3. Non-Routine Institution/Agency Agenda Items

Idaho State University

4.21 - Purchase of a Multipoint Control Unit

It was moved by Mr. Hammond and carried (7-0) to approve the request from Idaho State University to purchase a new multipoint control unit for the university s compressed video network. (Motion #6)

University of Idaho

4.82 - Issuance of Revenue Notes

It was moved by Mr. Hammond and carried (7-0) to approve the request from the University of Idaho to approve issuance by the UI Foundation, Inc. of its Variable Rate Demand Revenue Notes up to \$10,000,000, due July 1, 2005, on behalf of the J.A. Albertson College of Business and Economics Building, recognizing that University of Idaho and/or the State Board is not liable for this debt. (Motion #7)

Mr. Satterlee said there was nothing in the agreement that binds the Board or the University to any of the obligations. It was brought forth is to comply with IRS regulations for tax-exempt entities. He will follow-up his statements in writing to the Finance Committee.

Mr. Satterlee said debt obligations would be carried by the UI Foundation, i.e. if pledged donations do not come in, they would have to take it out of their current net worth. Mr. Hammond said the committee received (and will be put into record) a report on the status of the fund raising which shows they are over funded on the project.

5.10.1 - MK Plaza IV Lease and Sublease Amendments/Extensions through 2002

It was moved by Mr. Hammond and carried (7-0) to approve the request from the University to 1) extend existing leases and 2) lease additional space within the MK Place IV Building for Boise Center programs as detailed in Item 3.3. (Motion #8)

5.10.5 - Lease and Option to Purchase - Hot Spring Ranch, Lemhi

Mr. Hammond said the current owners want to work with the UI to allow it to take over ranch ownership. The UI feels this will be a good expansion of its agricultural program and this will be a program for research on the raising of cows and calves. It is felt this can be a self-sustaining ranch and, if not, the difference can be supported by the agriculture program.

It was moved by Mr. Hammond and carried (7-0) to approve the request from the University of Idaho to 1) acquire real property known as the Hot Springs Ranch in Lemhi County and related personal property and 2) name the real property the Nancy M. Cummings Research, Extension and Education Center as detailed in Item 3.4. (Motion #9)

4. FY01 Allocation of ICTL Funds

It was moved by Mr. Hammond and carried (7-0) to approve the allocation of the ICTL funds for teacher training as recommended by the ICTL and as displayed in Item 4.a. (Motion #10)

5. FY01 Operating Budgets for C&U

It was moved by Mr. Hammond and carried (7-0) to approve the FY01 operating budgets for general education, professional technical education, agricultural research & extension, health programs and special programs as detailed in the agenda.

(Motion #11)

6. Acceptance of Intercollegiate Athletics FY01 Budget

It was moved by Mr. Hammond and carried (6-1) to receive the Intercollegiate Athletics Report as shown in Item 6.a. (Motion #12)

Institutions showing deficits will respond by the October meeting with explanations for the deficits. They will also provide a five-year plan for handling athletic budgets will be handled.

Mr. Davis was concerned about accepting reports with deficits. Dr. Ruch said that at this time they have not identified money needed to close the deficit gap, but they have several activities underway. His intent was to present the budget as it is, but with the understanding they will advise the Board of a five-year plan to address the deficit, if it is not eliminated. They are aware of not being in balance and are also aware that the Board expects them to be in balance. He asked the Board s indulgence while they work their way through the project.

7. FY02 Enhancement Request Follow-up

Mr. Hammond reviewed the following requests.

ADDITIONAL INFORMATION REQUESTED:

Idaho School for the Deaf and the Blind

It was moved by Mr. Hammond and carried (7-0) to approve the enhancement request for the Idaho School for the Deaf and the Blind with the recognition that it will be funded 50 percent for the School for the Deaf and the Blind and 50 percent by IDVR. (Motion #13)

University of Idaho

Collaborative Expansion of Programs

The request is listed under the UI, but is a request from all of the institutions for funds to enhance and enable further collaboration. Therefore, it is a systemwide request rather than a UI request. The institutions will return to the Board with a plan for expending the funds.

Mr. Lewis asked for clarification on what the funds will be used for and who will control and administer them. Dr. Hoover said they would be used for development in the communities, will be administered by the universities responsible for the centers at the centers and will be reported to the Board in the standard format. Dr. Wallace said the money would come to and be held by the SBOE, then each year the local operations committees would develop a request for how the money would be spent and forward it to the Oversight Council for approval. It will never become a part of any institution's budget, but will be held in reserve by the Board to support the collaborative centers. The only way any institution could get any of the money would be to collaborate at one of the sites and go through the formal planning process.

It was moved by Mr. Hammond to approve the enhancement request for a systemwide collaboration. **No vote. The motion was withdrawn.** (Motion #14)

WOI - Canine Center Director Salary

For the past five years, the UI has funded .75 of the FTE and Simplot funded the remaining .25. The UI will ask the legislature to take over funding the .25.

WWAMI - Medical School Seats

Deferred. Ms. McGee will bring it back in September.

Idaho State University

Idaho Dental Program Additional Seats

Deferred. Ms. McGee will bring it back in September.

Office of the State Board of Education

Utah Medical Education

Request to increase the amount of reimbursement.

Family Practice Residency

Mr. Prolo said the request did not include new seats.

REQUESTS OVER 5% ENHANCEMENT REQUEST LIMIT

Office of the State Board of Education

Pulled Human Resource/Student Affairs Officer position.

Systemwide Needs/HERC/Technology Grants

Expanded Research Grant Program - recommended.
Idaho Millennium Income Fund Project - not recommended.

University of Idaho

Forest Utilization

Requested amount reduced to \$27,800.

Geological Survey

Requested amount reduced to \$38,400.

Small Business Development Center

Requested amount reduced to \$21,700.

Idaho Council for Technology in Learning

Approval recommended.

Idaho State Library

Approval recommended.

Idaho State Historical Society

Recommended approval of \$200,000 for salary competitiveness and infrastructure requests. The ISHS will work to get support for the special requests.

OTHER ENHANCEMENT REQUESTS

University of Idaho

Mr. Hammond said the initiatives were not part of the UI s request.

Engineering Equipment - Deferred.
Ag Initiative 2001 - Deferred

Office of the State Board of Education

Idaho s MOST matching grant - recommended.

Scholarships and Grants

Recommended to support in principle in the event money becomes available.

One-Time Special Requests

Deferred to September.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to approve the requests as discussed. (Motion #15)

8. FY02 Major Capital Requests

It was moved by Mr. Hammond and seconded by Dr. Howard to adopt the priorities for capital requests for the FY02 budget. **The motion was tabled.** (Motion #43)

Ms. McGee said she would like feedback from the presidents and asked that it be deferred to August.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried to table Motion #43 until the next meeting. (Motion #44)

Mr. Davis felt soliciting input from the Permanent Building Fund Council would increase the chances of the requests being funded.

Dr. Bowen said ISU has many building needs and asked to put several on the priority list. Mr. Hammond said that would be fine.

9. Other

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0)

to accept the proposed agreement for salary enhancement for Dr. Bowen at ISU.
(Motion #45)

Finance Committee agenda on file as Exhibit #3 with the Office of the State Board of Education.

70 PERCENT COMMITTEE

1. Minutes of the April, 2000 Meeting

Approved in committee.

2. First Reading: Rulemaking

The rule will identify and set forth the criteria and requirements for the establishment and operation of professional-technical schools in Idaho.

It was moved by Mr. Hammond and carried (7-0) to approve the First Reading of the Notice of Proposed Rulemaking IDAPA 55.01.03, Professional-Technical Schools as exhibited in Item 2a. (Motion #33)

3. Committee Initiatives

The committee discussed the establishment of the committee and the initiatives it is proposing. There was concern that the same issues are being dealt with by more than one committee, but they hope the new committee structure would reduce the fragmentation. Mr. Hammond asked that the new structure better represent minorities and those who are underserved by the present structure. Dr. Howard agreed and said that everyone was concerned that all constituent voices are heard.

70 Percent Committee agenda on file as Exhibit #6 with the Office of the State Board of Education.

OTHER

1. Executive Session (May 14, 8:30 p.m. - 10:30 p.m.)

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (6-0) to enter into Executive Session per *Idaho Code 67-2345 (a,b,c,d & f)*. **A roll call vote was taken:**

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

(Motion #1)

1. Discussion on hiring a public employee.
2. Discussion on the performance evaluation of a public employee.

No decisions were reached.
(Minutes taken by Kevin Satterlee)

2. Executive Session (May 16, 8:00 a.m. - 9:30 a.m.)

It was moved by Mr. Hammond, seconded by Dr. Howard and carried (7-0) to enter into Executive Session per *Idaho Code 67-2345 (b,c, & d)*. **A roll call vote was taken:**

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

(Motion #34)

1. Discussion on the performance evaluation of a public employee.
2. Review of personnel records exempt from disclosure.
3. Consideration of negotiations regarding the purchase of real property from a third party.
4. Discussion with legal counsel on matters currently in pending litigation.

No decisions were reached.
(Minutes taken by Kevin Satterlee)

3. IPTV Legislative Intent Language

Mr. Davis distributed copies of the Statement of Principles of Editorial Integrity in Public Broadcasting, adopted by the Board in 1987. He was concerned that the document did not address states' rights, but seemed to be federally mandated, and felt the Board should review the statement.

Proposed changes in the Governing Policies and Procedures manual was distributed. Mr. Hammond asked if the proposed changes in 5.d would require Board members to review programming selections. Mr. Davis said the intent was not to encumber the Board with all of IPTV's program decisions, but those issues that would address matters of law. He felt that the Legislative Intent Language asks the Board to review programs such as It's Elementary, Our House, the Joseph Smith video, etc. Mr. Lewis said he tended to think the Board has the right and responsibility to make decisions with respect to what is shown on government-sponsored television.

Mr. Hammond felt the legislature was asking the Board to accomplish an overwhelming task with an issue that is partly a legal issue and partly a political issue. He was concerned about how the Board will define "controversial" as what is controversial in parts of Idaho, has been a non-issue in other areas.

Mr. Lewis distributed information regarding a proposed process that would negate the Board having to define "controversial," etc. on a day-by-day basis. He proposed the establishment of a Citizens Programming Advisory Committee. The committee would be appointed by the Board to make final decisions with respect to programs that would be aired on IPTV. He felt the current internal review committee should continue to review programs and submit those that have unanimous concurrence to the station for broadcast. However, those programs that do not have a unanimous vote would be sent to a citizens committee for final determination as to whether or not that program should be aired on public television. He felt the committee structure could be determined by 1) membership from each regional classification of the Idaho public school system, 2) a smaller (6-8) member committee rather than a larger one, 3) solicitation of applications from interested parties, 4) membership would be determined by the Board. He felt the process should be such that people are comfortable with it and that they believe decisions are being made in a fair and reasonable manner and would be similar to the process used by libraries in determining what books will be purchased. He felt a citizens group would help take pressure off of the political bodies involved in the debate.

Exhibit #2

4. Legal Education Report

In June 1999 the SBOE charged higher education with evaluating professional education needs in the fields of Law and Legal Education, Engineering and Technology, Health Professions and Teacher Preparation. The UI was assigned to lead the evaluation of Law and Legal Education. Dr. Hoover appointed a panel of legal educators to conduct the review.

Dr. Neil Franklin reviewed the process for the Board and responded to Board members questions. He said that one of the things that became apparent in the review is that graduate legal education in Idaho should be provided for the entire state by the UI College of Law.

Mr. Hammond asked if meeting the need meant that educational opportunities would be provided for people who seek legal training, but are not necessarily focused on practicing law. Dr. Franklin said that was accurate. They plan to focus on two areas: 1) traditional J.D. students and 2) professional development of individuals in other areas. Mr. Hammond said that was an exciting prospect, if it is to occur in areas outside of Moscow.

Dr. Franklin said the committee recommended items that could be addressed:

1. Begin expanding the opportunities for Moscow J.D. students to study in Boise to the full extent permitted by the accrediting bodies. The ABA says there can be one semester away from the law school and with special permission one additional course can be offered. It is felt by the ABA that participation in the law school environment is an important aspect of legal education.
2. Amend the bylaws to permit students to spend an entire semester in Boise working in law offices or judicial chambers.
3. Special permission will be asked of the ABA to offer additional courses for students.
4. Look at how students can take bar courses in Boise beyond one semester (probably spring semester of the third year).
5. Development of a training and support system for faculty to teach via technology, particularly for adjunct faculty.
6. Cooperative programs with other graduate colleges.
7. Certification or advanced degree programs.

Dr. Franklin felt it was crucial to preserve the Moscow base. He said the Moscow program is underfunded and stressed the seriousness of drawing resources away from that program. However, the UI law school is outperforming its resources and, although it is one of the poorest funded law schools in the country (173 out of 183 in expenditures per student), it moved from the third to the second tier among law schools and is in the second quartile in performance.

Mr. Lewis asked how the school is funded. Approximately one-third of costs are covered by student fees, less than six or seven percent from private funds, and the rest from state appropriations. Mr. Lewis asked if there was a separate UI Foundation for the law school. There is not, but the school does participate in the UI Foundation and has an endowment within the Foundation. Mr. Lewis felt the UI Law School has many successful graduates who would be interested in providing funds to the school. It was agreed that private fund-raising is and should be a priority for the college.

Dr. Franklin felt it must be kept in mind that the first priority is to provide a top-quality legal education to the Moscow students. He felt Moscow has a unique academic community with something special to offer the students who desire a residential campus experience combined with high-quality graduate programs.

Dr. Franklin said currently they are offering two concurrent degrees: JD/MS-Environmental Science and JD/MBA (with WSU). They are currently reviewing the possibility of offering other concurrent degrees. Mr. Lewis asked if they have considered a joint JD/MBA with Boise State University as that could help build a stronger legal program. Dr. Franklin felt they could explore concurrent degrees with BSU and other Idaho institutions.

Mr. Steve Wright, ASLCSC President, asked if there were any plans to offer law courses to students who could only attend part time. Dr. Franklin said the sentiment has been that it is a different kind of experience for law students when their primary focus is work with schooling in the evenings or weekends. He said they feel residential life is one of the prime advantages to the Moscow school and that students come from many places to attend. Dr. Hoover said that under current accreditation rules they cannot run an unaccredited night school. Mr. Wright said he was not necessarily suggesting a night program, but something allowing working students to spread the courses out one or two years as is done in other states. Dr. Franklin said the first year must be taken at once under a full load, but after that a student can take fewer credits as long as they graduate within six years.

Mr. Lewis was concerned about the definition of the primary goal, i.e. professional development and externships. He said he hoped it could be worked out that the full third year could be taken in Boise. He felt that by the law school having a

substantial presence in Ada County, the UI could attract better students, better faculty and more funding.

Exhibit #s 7 & 8

5. UI Software Systems

Dr. Hoover updated the Board on the UI and information technology initiatives.

Exhibit #9

6. Bylaws Restructure

Dr. Fitch and Mr. Satterlee reviewed proposed changes to the Governing Policies and Procedures Manual, Bylaws.

Mr. Lewis was concerned about the changes in the composition of the committees and felt it would be helpful to have had a chart showing who attends committees under the current structure and who will do so under the proposed structure. He felt the composition of the committees was changing without a understanding of who is being left out and who is being included. Dr. Fitch will have a comparative chart prepared and sent to Board members.

Mr. Lewis asked for clarification on how the TEGAC ties the represented groups together. He also asked for explanation on the process to select the leadership of the council. Dr. Fitch said the council would be given the flexibility to determine who will take the lead on issues/subcommittees. Mr. Lewis felt the issues associated with the five identified tribes are so significant that it is appropriate that those representatives have a seat at the table at all times.

Dr. Fitch advised the Board that stakeholders such as agency heads, presidents council members, internal staff, the Hispanic Task Force and other groups were notified or involved and endorsed the new policy.

Mr. Lewis said he continued to be concerned about the adoption of the Bylaws without a better review and understanding of the composition of the committees. He said he fully supported the development of the committees, but felt there needed to be additional review. Additionally, he expressed concerns regarding:

1. That in the TEGAC structure there would be critical issues that would be under-represented and some less than critical issues that would be over-represented.
2. Where and why specific groups or individuals are placed within the new structure.
3. The workload for whichever member is appointed to chair the TEGAC.
4. The level of endorsement by the stakeholders.

Mr. Lewis suggested the Board generally approve the concept, but not approve the changes until further review.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (6-1) to adopt the Bylaws changes as presented. (Motion #42)

Exhibit #s11 & 12

7. Idaho s MOST

Rule Change: Official vehicle for the Approval of Existing Teacher Education Programs
IDAPA 08.02.02

It was moved by Mr. Hammond, seconded by Mr. Davis and carried (7-0) to approve the rule for the official vehicle for the approval of existing teacher education programs as recommended by Idaho s MOST Advisory Group and the OSBE staff. (Motion #46)

Dr. Patty Toney updated the Board on the components of Idaho s MOST Initiative and the Teacher Quality Grant.

Exhibit #s13 & 14

8. Regional Technology Advisory Update

Ms. Nancy Szofran and the ICTL Regional Technology Advisors updated the Board on the status of technology in education throughout Idaho.

9. Open Forum

Mr. Chaz Warren addressed the Board regarding IPTV.

10. Good of the Order

- a. A meeting was scheduled for August 16 (and 17, if needed)

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

STATE DEPARTMENT OF EDUCATION

A. Achievement Standards

K-8 Standards Approval

Public hearings were held on May 18, 2000 by videoconferencing around the state. Other forms of public input was received until May 31.

Mr. Davis was uncomfortable voting for the standards because 1) there was input on the need to improve correlation between the standards which was not addressed and 2) the standards are presented in a block rather than individually. He was concerned that the Health Standard did not reference *Idaho Code*. Ms. Lydia Guerra said the reason the reference to *Idaho Code* was not in K-8 was because when all of the standards are finalized, they will be K-12 with the reference included in the final document. Dr. Howard said the commissioners who worked on 9-12 were included in the K-8 standards so there would be continuity.

Mr. Davis felt students needed to be taught to look at the strengths and weaknesses of any theory and that the standards as written did not do that.

It was moved by Mr. McGee, seconded by Mr. Hammond and carried (6-1) to approve the K-8 Performance Standards as submitted. (It was noted that Performance Standards should be changed to Achievement Standards.) (Motion #35)

Humanities Standards

The internal subcommittee has met and a preliminary draft will be written and brought forward at a later date.

It was moved by Ms. McGee and seconded by Mr. Lewis to approve the request for approval of a Humanities Subcommittee as submitted. **No vote taken.** (Motion #36)

Ms. Guerra said she was asking for direction from the SBOE to collaborate with the SDOE to begin writing Humanities Standards. Mr. Davis felt that before Ms. Guerra is given the authority to begin writing the standards, she should be charged with putting parameters around them. Dr. Howard said the Humanities Standards are listed under Thoroughness and includes literature, history, philosophy, architecture, fine arts (music, art, drama and dance), foreign languages and religion. Mr. Davis suggested areas such as music and foreign languages the first year as those areas are the areas of

greatest concern.

Ms. Guerra said the internal committee has been working on the details, but until the subcommittee is formed from individuals around the state, they cannot move forward. She said there is a lot of work to do in the area and that in order to have everything finished in time for the legislative session, the subcommittee needed to begin in July.

It was moved by Mr. Davis and seconded by Ms. McGee that, under the direction of Dr. Howard, as soon as possible there be a submission of the width of humanities, i.e. what are we talking about, what are the disciplines being considered, and since the legislature funded it, we look forward to that report as soon as possible. **The motion failed (2-5).** (Motion #37)

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to direct Lydia Guerra to move forward with the development of the Humanity Standards through the subcommittee. (Motion #38)

Ms. Guerra asked for clarification that she was authorized to start the nominations for the Humanities subcommittee and also to start the meetings so they can work towards coming to the Board in September with a draft of the Humanities standards. Mr. Boyd said that was correct.

B. Gifted and Talented Program

First Reading

It was moved by Dr. Howard, seconded by Ms. McGee and carried (7-0) to approve the request for a proposed rule subject to completion of the Administrative Procedure Act. (Motion #39)

Concerns were expressed that when the criteria is developed to identify gifted and talented students, they do not exclude children with behavioral problems.

C. Accreditation Update

Dr. West said the Idaho School Superintendents Association wrote to the SDOE asking that deviation points relating to specific non-conformance listed in the annual building and safety reports be removed. The SDOE reviewed the request and agreed that points are being given for minor problems. Because there are now statutes addressing school safety, it was felt by the SDOE that minor problems should not be

tioned to accreditation. The SDOE recommends Motion #17, which was passed May 12-13, 1999, be rescinded.

It was moved by Dr. Howard, seconded by Ms. McGee and carried (7-0) approve the rescission of Motion #17 of the May 12-13, 1999 SBOE meeting as submitted. (Motion #40)

D. Professional Standards Commission

Mr. Davis was concerned about the membership of the commission being composed entirely of educators. He urged the commission and the SDOE to work to get non-educators involved in the commission. Dr. Howard said statute identifies the positions that serve on the commission. Mr. Davis said there is a feeling in some of Idaho's colleges and universities that that provision be changed. He suggested the SBOE look at supporting changes.

Mr. Lewis asked Dr. Howard if she felt it was appropriate to add non-educators. Dr. Howard said she did not have any objections. She felt it was beneficial to review the effectiveness of an organization to see what the tasks are and to see how/if a group can be strengthened by increasing its base.

Ms. McGee asked if Dr. West could talk to the commission and let them know that this is something the SBOE would like them to review. Dr. West said they could dialogue with the PSC on how to increase the membership to include non-educators.

Dr. Fitch said Mr. Killworth of the OSBE staff did an analysis in 1997 of the PSC with recommendations for including outside membership. He will see that Board members received copies of the analysis.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (6-1) to approve the request by the Professional Standards Commission for appointments and reappointments as submitted. (Motion #41)

E. Superintendent's Report

Dr. Howard updated the Board on the Public School Budget request and advised of grants received by the SDOE.

Agenda and materials on file as Exhibit #10 with the Office of the State Board of Education.

ADJOURNMENT: June 15, 4:30 p.m.
June 16, 12:00 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