

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

March 22-23, 2001
Boise State University
Boise, 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 March 22, 2001, with Ms. Karen McGee, Acting President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Karen McGee, Acting President
James C. Hammond, Secretary
Curtis H. Eaton
Blake Hall
Marilyn Howard, State Superintendent of Public Instruction
Roderic W. Lewis
Darrell V Manning

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.

**Compensated days for members of the State Board of Education/Board of Regents
of the University of Idaho for the months of February and March, 2001.**

<u>James Hammond</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
02/07-08, 15-16	3.0	02/15	1.0
03/01, 05, 08, 21-23, 28	6.5	03/23	1.0
<u>Darrell Manning</u>	<u>Days</u>	<u>Karen McGee</u>	<u>Days</u>
02/14-15	1.5	02/07-09, 14-16	5.5
03/21-23	2.5	03/04-07, 12/14, 21-23, 27	9.5
<u>Blake Hall</u>	<u>Days</u>	<u>Rod Lewis</u>	<u>Days</u>
02/14-15	2.0	02/07	.5
03/21-23	3.0	03/05, 21-23	3.0
03/21-23	3.0		
<u>Tom Boyd</u>	<u>Days</u>		
02/14-15	2.0		

**Non-compensated days for members of the State Board of Education/Board of
Regents of the University of Idaho for the months of February and March, 2001.**

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
02/14	1.0	02/01, 14-15	2.0
03/14, 21-22	2.5	03/05-06, 21-23	4.0
<u>Blake Hall</u>	<u>Days</u>		
03/06, 12, 13	2.0		

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BOARDWORK

1. Agenda Approval

It was moved by Mr. Hall and seconded by Mr. Hammond to approve the agenda for the March 22-23, 2001 meeting. **The motion was amended** to add the following:

- 1) Good of the Order – UI Law Student Honor Code
- 2) Change in the item order of the SDOE agenda

The amended motion carried (6-0). (Motion #1)

2. Minutes Approval

It was moved by, seconded by Mr. Hammond, seconded by Mr. Manning and carried (6-0) to approve the minutes of the November 2000, January 2001 and February 2001 meetings. (Motion #2)

3. Rolling Calendar

It was moved by Mr. Hammond, seconded by Dr. Howard and carried (6-0) to approve March 21-22, 2002 as the date and Boise State University as the location of the March 2002 regularly scheduled meeting. (Motion #3)

Boardwork materials on file as Exhibit #1 with the Office of the State Board of Education.
BUSINESS AFFAIRS and HUMAN RESOURCES COMMITTEE

Section I

1. Minutes of the January, 2001 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (6-0) to approve the routine agendas for the Idaho School for the Deaf and the Blind, the State Division of Professional-Technical Education, Boise State University, Idaho State University and the University of Idaho. (Motion #19)

3. Non-Routine Institution/Agency Agenda Items

3.1 Boise State University - Software Purchase

Boise State University requested approval to purchase an automated facility maintenance management program for its Facilities Operation and Maintenance Department. Total cost of purchase and installation not to exceed \$190,000. The committee was assured that the software fits with existing software and that it serves its purpose. Mr. Eaton asked for clarification of the summary of the Facilities Maintenance Management Program, #6 which indicates the cost will be less than \$10M. Mr. Harry Neel said the cost would be \$157,000 total over ten years.

It was moved by Mr. Eaton and carried (6-0) to approve. (Motion #20)

8.2 Boise State University - Phase II of Existing Parking Structure

The committee asked BSU to bring information on how the present facility is utilized, how it serves BSU in making projections for the second facility and, to the extent possible, relating it to the projections of traffic and parking needs on the Boise campus given its expansion into Canyon County.

8.2 Idaho State University - SUB Expansion

The committee asked ISU to provide information on how the project fits with the projected needs of similar buildings and what is the strategic expectation for the facility in the future. The committee plans to have discussions on the fees, i.e. when they will start, how they will extend over time and what the consequences are to students.

3.2 Idaho State University - Bonds for Performing Arts Center

Information only. Item will be brought back.

4.8.1 University of Idaho - Athletic Broadcasting Services

Withdrawn. Item may come back in April.

5.8.1 Eastern Idaho Technical College

It was moved by Mr. Eaton and carried (6-0) to approve the request from Professional-Technical Education to officially name the Eastern Idaho Technical College Library in recognition of the scholarship, college and student support given by Richard and Lila Jordan. The new name will be the Richard and Lila Jordan Library. (Motion #23)

4. Promise Scholarship - Category A

It was moved by Mr. Eaton and carried (6-0) to set the Class A Promise Scholarships at \$3,000 each for the 2001-02 academic year. (Motion #21)

5. FY2002 Salary Guidelines

It was moved by Mr. Eaton and carried (6-0) to approve the FY2002 Salary Guidelines as presented in Exhibit 5A. (Motion #22)

6. Finance and Personnel Policy Revisions

Mr. Eaton said the committee asked Mr. Satterlee and Mr. Hasselquist to put together a chart showing:

- 1) Rules that are essential per *Idaho Code*.
- 2) Rules where the Board has discretion and whether they should be retained as policy.

Mr. Eaton asked Mr. Hasselquist to determine if the proposed changes would impact other state agencies such as the Division of Financial Management (DFM). He also felt there

should be a statement in the new policies that says: “We adopt all of the old policies unless specifically repealed under the new policies.”

Mr. Eaton felt a final document would be brought to the Board for approval in June.

7. FY2003 Budget Request Process

Mr. Eaton said the Presidents’ Council (PC) has addressed the issue of funding. He reported they concluded that they needed to hire an advisor/facilitator to look into the issue of funding equity, with the PC bringing a report to the Board.

Dr. Fitch said he has, with the concurrence of the PC, been in contact with a possible consultant and will be checking with others. Additionally, the OSBE is coordinating with legislators who are interested in reviewing the information and working with the Board on the issue. Mr. Eaton said, and others agreed, that he was in favor of communication with the legislature, but did not want the legislature to be a part of the Board’s deliberations and decisions. Ms. McGee directed Dr. Fitch to work with the PC so the issue can be brought to the Board in August.

Mr. Manning said he would ask someone from DFM to come to the April Board meeting and provide a report on economic projections.

8. Development/Fund Raising

Information only. No discussion or decision.

9. JFAC Recommendation Update

Information only. No discussion or decision.

10. Student Fee Changes for Fall 2001

Mr. Eaton asked Board members to identify issues and relate them to Mr. Hasselquist so he can send the information out prior to the meeting.

11. Feasibility Study - Data Repository

Information only. No decision.

Section II

1. Minutes of the January, 2001 Meeting

The minutes were approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (6-0) to approve the Routine Personnel agendas for Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College, the Office of the State Board of Education, the Idaho School for the Deaf and the Blind, the Division of Professional-Technical Education, Eastern Idaho Technical College, the Division of Vocational Rehabilitation and Idaho Public Television. (Motion #24)

3. Non-Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (6-0) to approve the Personnel/Student Affairs Non-routine agenda items for Idaho State University, Lewis-Clark State College and the University of Idaho, except Item 2.89 the Athletic Department Head Coach contract on Page 63 (of the agenda). (Motion #25)

2.89 Idaho State University - Athletic Department Head Coach Contract, Women's Volleyball

Mr. Eaton advised of an omission in the contract relating to academic performance of the athletics. Mr. Satterlee clarified that the omission was not the fault of ISU, but resulted from a paragraph that did not get included in the model. He will work with ISU to correct the problem. The contract will be brought back as quickly as possible for approval.

Mr. Eaton said one of the committee members made the suggestion that the Board add to its model athletic contract a clear definition of "termination of a coach for cause." Mr. Satterlee said the clause relates to all the athletic contracts and he will work with university counsel on the definition.

4. ISDB Superintendent Search Update

Mrs. Pat Nelson will coordinate the search on the ISDB campus. Dr. Fitch reviewed the items brought forth for approval.

It was moved by Mr. Eaton and seconded by Mr. Hammond to approve the time table, the proposed advertisement, and the designation of the proposed screening committee with the understanding that a member of the screening committee would be the Executive Director. **The motion was amended to include** the position description of the Superintendent. **The amended motion carried (6-0).** (Motion #26)

BAHR Committee agenda on file as Exhibit #s 8 & 9 with the Office of the State Board of Education.

INSTRUCTION, RESOURCE and STUDENT AFFAIRS COMMITTEE

1. Minutes of the January, 2001 Meeting

Approved in committee.

2. Minutes of Ad Hoc Committee Meetings

Approved in committee.

3. Definition of Professional Programs and Fees

The CAAP will articulate arguments in favor of both a restrictive and of a more liberal view of the issues.

4. Accelerated Learning Programs

The committee is working towards clarifying the policy. Recommendations will be brought to the Board in April as well as issues dealing with qualifications for adjunct faculty.

5. Math and Science Preparation

Dr. Trudy Anderson provided a report to the committee.

The CAAP is developing a clear definition of math and science goals and recommendations for strategies to accomplish the goals. A timeline will then be developed.

6. Intellectual Property Policy

The policy will be brought to the Board in April for First Reading.

7. EPSCoR Committee Review

Information item. No discussion or decisions.

8. First Reading: Admission Standards Policy

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (7-0) to approve the modifications to the State Board of Education Admissions Standards Policy as set forth in Item 8 for First Reading. (Motion #13)

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

OTHER

1. Idaho's MOST

Proposed Appointments:

- 1) Chair - Teacher Certification TF - Business Representative
- 2) Chair - Teacher Preparation TF - Business Representative
- 3) Representative from Office of the Governor
- 4) Representative from a College of Letters and Science/Liberal Arts
- 5) Vice Chair - Teacher Certification TF - Dean of Instruction
- 6) Dean of College of Education

It was moved by Mr. Hammond, seconded by and carried (5-0) to approve the six new positions on the Idaho's MOST Advisory Group (including Larry Harris). (Motion #12)

Exhibit #5

2. Open Forum

- 1) George Knapp - Baseball at the University of Idaho
- 2) Keith Reese - SDOE interpretation of funding formula
- 3) Glenn Miles - Student fees and student fee hearing at BSU
- 4) Melinda Sonner - Student fees

3. Executive Session

It was moved by Mr. Manning and seconded by Mr. Hall to enter into Executive Session Pursuant to Section 67-2345 1 (a) to consider hiring a public officer, employee, staff member or individual agent, (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent or public school student, (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency, (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 (7-0):** (Motion #14)

AYES: Dr. Howard, Mr. Manning, Mr. Hall, Mr. Eaton, Mr. Hammond, Mr. Lewis, Ms. McGee

NAYS: None

ABSTAIN: None

ABSENT: None

(a) No discussion.

- (b) Considered the evaluation and review of staff.
- (c) No discussion.
- (d) Considered a personnel matter.
- (f) Considered advice/information from legal counsel in anticipation of pending litigation.

(Minutes taken by Greg Fitch.)

4. Action Items Resulting from Executive Session

A. Lewis-Clark State College

It was moved by Mr. Hammond, seconded by Mr. Eaton and carried (6-0) that the following individuals, as referred by the Screening Committee, be invited to continue in the screening process for finalist for the position of president of LCSC. The individuals to be invited to campus are:

- 1) Richard Boyd
- 2) Joseph Kennedy
- 3) Dean Thomas
- 4) Niel Zimmerman

(Motion #16)

B. University of Idaho

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (6-0) to delegate to President Hoover at the University of Idaho the authority to enter into an appointment-related agreement as was discussed during the session. (Motion #17)

C. Boise State University Foundation

It was moved by Mr. Lewis and seconded by Mr. Hammond to approve the contract with the Boise State Foundation, pending legal review. **The motion was amended to read:** it will be subject to final approval by the Board after a review of the contract, presuming Mr. Satterlee will have an opportunity to review it prior to the next meeting. In any event, the approval will be subject to final approval by the Board of the written terms of the contract. **The amended motion carried (6-0).** (Motion #18)

5. HCR029

Representatives Kent Kunz, Steve Hadley and Julie Ellsworth addressed the Board regarding the provisions of the bill and asked the Board to review the issues presented.

Ms. MsGee said the presidents have met on the issue and have asked that a study be done. The Board is involved and agrees that funding mechanisms need to be reviewed.

Exhibit #s 7 & 8

6. Teton Valley Charter School Appeal

The decision by the Teton County School District #401 to deny the petition to form a charter school was brought to the Board for appellate review of actions of the school district and the charter school proponents in the formation process.

Speaking and/or Attending on behalf of the Charter School:

Marjorie Edwards

Lisa Johnson

James Kilcspera

August Grigsby

Scott McGee

Speaking and/or Attending on behalf of the School District:

James Douglass

Arnold Woolstenhulme

Doug Peterson

Gordon Wooley

Kay Martin

It was moved by Mr. Lewis, seconded by Mr. Eaton and carried (6-1) for the Board attorney to develop a Summary of Findings, both of a factual nature and the legal arguments, and present it to the Board for a more careful decision. (Motion #15)

Exhibit #13

7. Idaho State Historical Society

Ms. Julia Michaels gave a presentation entitled Magnificent 7: The Quantum Frontier.

8. Nursing Education

Ms. Sandra Bruce, Executive Officer of St. Al's Hospital, and Mr. Ed Dahlberg, Executive Officer of St. Luke's Hospital, addressed the Board with concerns about the shortage of health care workers. Mr. Eaton will place the topic on the IRSA agenda in April.

Exhibit #10

9. Assessment and Accountability

Ms. McGee and Ms. Lydia Guerra updated the Board on the Best Practices Boot Camp and the public hearings.

Exhibit #s 11 & 12

10. Good of the Order

A. Residency Appeal

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (7-0) to delegate to Dr. Dodson the authority to conduct a residence appeal hearing and issue an appropriate order in the name of the Board. (Motion #30)

B. University of Idaho - College of Law

It was moved by Mr. Hammond, seconded by Mr. Lewis and carried (7-0) to delegate to the president of the University of Idaho the authority to establish, approve and maintain all aspects of a student honor code for the College of Law. (Motion #28)

C. Systemwide Funds

It was moved by Mr. Manning, seconded Mr. Hammond by and carried (6-1) that in addition to the \$75,000 in the base, the Board authorize up to \$75,000 for additional systemwide needs if the expenditures are approved in advance by the Board. (Motion #29)

Mr. Manning clarified that a specific need would have to be identified and brought to the Board before the additional \$75,000 could be expended. Dr. Fitch said one expenditure of the funds would be administration of the Promise Scholarship.

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

STATE DEPARTMENT OF EDUCATION

A. Property Transfer - Vallivue #139 to Middleton #134

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (6-0) to approve the hearing officer's recommendation to deny the petition to transfer property. (Motion #4)

Mr. Hall clarified the motion was to accept the recommendation.

B. Property Transfer - West Bonner #83 to Lakeland #272

The first ballot question on whether the area shall be transferred, which needed a simple majority, passed. The second ballot question on whether the people residing in the area will assume the appropriate proportion of the bonded debt of the school district, which needed a 66 2/3 majority, failed. The failure caused the entire question to fail.

C. Property Transfer - Lake Pend Oreille #84 to Lakeland #272

It was moved by Dr. Howard, seconded by Mr. Hall and carried (6-0) to approve the order to transfer property. (Motion #5)

D. Property Transfer - Shoshone #312 to Deitrich #314

Mr. Hall was concerned about impact of possible federal legislation on the transferring school district and did not concur with the hearing officer's recommendation. Mr. Satterlee did not feel it was a legal issue, but could be a financial issue.

Mr. Hammond said Board approval would remand the issue to the electors in the districts who would make the decision on the transfer. Mr. Hall agreed but felt the Board should make sure that all information is made available to the voters so they are aware that there could be unintended consequences.

Mr. Satterlee suggested the Board order the record to be open for the purpose of directing each of the two affected school districts to address the issue to the Board, by letter, as to financial impact of the potential transfer of the federal land involved. He suggested the SDOE send the letter to the districts and give them a deadline to have it back in front of the Board in April.

It was moved by Mr. Hall, seconded by Mr. Hammond and carried (6-0) to table the hearing officer's recommendation for one month and instruct the State Department of Education to request from the two affected school districts what the potential financial impact on those

school districts would be in the event that pending legislation, sponsored by Senator Larry Craig, could potentially cause this type of ground that is being transferred to be revenue producing and that they report that information back to us prior to our April meeting. (Motion #6)

Ms. McGee summarized Motion #6 – the Board will table the recommendation for one month, pending the State Department of Education sending a letter to the two districts letting them know there may be financial impacts pending legislation by Senator Larry Craig upon this land and that the information should be to the Board by April.

Mr. Hall said the record would remain open for the purposes of receiving the information.

E. Teacher Preparation Program Review

Mr. Mike Stefanic and Dr. Larry Harris reviewed the protocol, the manual of instructions and the transition plan to go from an input-based accreditation system to a performance-based system. Dr. Harris also reviewed the NCATE organization, i.e. its purpose and impact on student learning.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (6-0) to approve the request by the Professional Standards Commission and the State Department of Education for utilizing the documents as submitted for conducting teacher preparation program visits in Idaho. (Motion #7)

F. Elementary and Secondary School Accreditation Reports

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (6-0) to approve the request for Elementary and Secondary School Accreditation Reports as submitted. (Motion #8)

G. Appointments to Idaho State Curricular Materials Selection Committee

It was moved by Dr. Howard and seconded by Mr. Hammond to approve the request for two appointments to the Idaho State Curricular Materials Selection Committee as submitted: Dr. Rickie Miller from Boise State University for five years and Dr. Beverly Bengel from Lewis-Clark State College for six years. **The motion was amended** to change the appointment term for Dr. Bengel to one year. **The amended motion carried (6-0).** (Motion #9)

H. Basic Educational Technology Standards for Continuing Education

Dr. Bob West presented updated totals of certificated personnel. Dr. Howard advised that there are 47 schools with 100 percent compliance.

Mr. Hall asked the SDOE to ensure that local Boards are made aware of their schools' compliance with the requirement. Dr. West said he would do so.

Ms. MsGee asked if there was an assessment tool that would ensure that the technology training is being utilized. Dr. West felt it would happen as the standards curricular and instruction are aligned. Mr. Eaton asked if there were encouragement to ensure that it is happening. Dr. Howard replied that more and more curricular materials are coming via technology and felt that as teachers become more aware of and comfortable with the technology, they are utilizing it more. She said they are now building statewide systems and platforms to gather assessment information and for schools to use for internal needs, i.e. curriculum delivery, alignment of lesson plans with standards and online training.

Mr. Manning asked if there was a statewide plan and who was in charge. Dr. Howard said that since it is tied to district accreditation, the districts needed to provide training and make sure they did not put barriers in the way. The districts provide reports to the ICTL through the SDOE's Bureau of Technology. A summary of the reports is provided by the ICTL to the legislature and the Board.

Mr. Hall felt teachers should be encouraged to communicate with parents via email correspondence.

I. Waiver Requests for Statewide Standardized Testing

It was moved by Dr. Howard, seconded by Mr. Hall and carried (7-0) to approve the continuance of the annual standardized testing requirement waiver requests as submitted by Meridian, American Falls, Blaine County and the Shelley School District. (Motion #10)

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) to approve the annual standardized testing requirement waiver request for the ITBS/TAP in grades 4, 6, 8 and 10 as submitted by the Cascade School District. (Motion #11)

Mr. Eaton felt the state should discontinue use of the ITBS/TAP tests except in grades, 4, 8 and 11. He felt the development of Idaho assessments would provide the required information. Dr. Howard suggested they be kept in place until the new assessment plan is functioning. Ms. McGee thought the August report from the Assessment Committee should address Mr. Eaton's testing concerns.

J. Accreditation Information Presentation

Dr. Carolyn Mauer and Mr. Tom Farley gave a presentation on the K-12 accreditation process.

Mr. Lance Kress of American Falls discussed their web site and how it is utilized by parents to track their child's progress. Mr. Eaton asked to be provided with information on what the district did to encourage parents to use the site.

K. Professional Development Update

Ms. Janet Orndorff reported that the PSC Staff Development Committee has applied for a grant to be used to field test pilot staff development projects.

L. Achievement Standards Committee Update

Ms. Lydia Guerra said the concentration is on finishing the Humanities Standards. The Subcommittee held hearings and prepared Draft III, Humanities 9-12. A copy will be sent to the Board for review and it is hoped they will be ready for Board approval in April. The development of K-8 Humanities Standards has begun.

Ms. Guerra noted that in the exhibit the third columns are shaded to indicate that it is a sample or example only and not part of the APA Rule—there will only be two columns in the Rule itself.

M. Superintendent's Report

Dr. Howard reported:

- 1) Dr. Mary Ann Ranells was recently hired as Deputy Superintendent with the SDOE. She will work with implementing Achievement Standards and will be the SDOE liaison to the Albertson's Initiative for Creating High Performance School and will also be the liaison to the Idaho Association of School Administrators. The position will be partially funded by a grant from the J. A. & Kathryn Albertson Foundation.
- 2) Public School Budget
- 3) Reading Initiative

Agenda and materials on file as Exhibit #s 2, 3 & 4 with the Office of the State Board of Education.

ADJOURNMENT: March 22, 5:00 p.m.
March 23, 12:10 p.m.

CERTIFICATION:

These minutes are not verbatim (however, the motions contained herein are verbatim). To the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker