

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 19-20, 2001
Eastern Idaho Technical College
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 8:05 a.m., on April 19, 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
Blake Hall
Marilyn Howard, State Superintendent of Public Instruction
Roderic W. Lewis
Darrell V Manning

Members Absent:

Curtis Eaton

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 month of April, 2001.

James Hammond	Days	Curtis H. Eaton	Days
04/18-20,23,24,25,26	5.0	None Reported	
Darrell Manning	Days	Karen McGee	Days
04/08,09,18-20	4.0	04/03,09,10,12,26-28	9.0
Blake Hall	Days	Rod Lewis	Days
04/18-20	2.5	04/18-19	2.0

Non-compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of April, 2001.

Marilyn Howard	Days
04/18-20	3.0

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BOARDWORK

1. Agenda Approval

It was moved by Mr. Manning, seconded by Mr. Hall and carried (4-0) to approve the agenda for the April 19-20, 2001 meeting. (Motion #1)

2. Rolling Calendar

It was moved by Mr. Hammond, seconded by Dr. Howard and carried (5-0) to approve April 18-19, 2002 as the date and the Idaho Falls Center for Higher Education as the location of the April 2002 regular scheduled meeting. (Motion #2)

3. Minutes Approval

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (5-0) to approve the minutes of the March 22-23, 2001 meeting as mailed. (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 March, 2001 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Hammond and carried (6-0) to approve the institutional/agency routine agenda items for BSU, ISU, LCSC and ISDB. (Motion #11)

3. Non-Routine Institution/Agency Agenda Items

Boise State University

5.1.1 Construction of Parking Facility

It was moved by Mr. Hammond and carried (6-0) to approve BSU's request to proceed with Phase II of the existing parking structure. (Motion #12)

5.12 Expansion of Student Union Building

Ms. Rea Barrett, Director of the Student Union Building, and Ms. Rachel Wheatley, ASBSU Vice President, reviewed the reasons for requesting the expansion. Ms. Wheatley said students and student organizations support the request. Board members expressed concerns that students do not want fee increases for academic programs, but approve fee increases for this type of project.

It was moved by Mr. Hammond and carried (4-2) to approve the request from BSU to proceed with the expansion of the Student Union Building at an estimated cost of \$23M, with the fees to be used exclusively for the Student Union Building and replacement parking. (Motion #13)

5.1.4 Construction of High-Technology Center

It was moved by Mr. Hammond to approve BSU's request to construct a high-technology center at the Boise State West campus. Construction costs are fully covered by a \$1,990,168 grant from the U.S. Department of Commerce. The motion was tabled by Motion #15. (Motion #14)

Mr. Lewis said he would prefer to look at the grant again and see if it could be developed to use the money in a different way. He was also concerned about ongoing costs such as maintenance for a center that might not be all that beneficial to the community.

Dr. Charles Ruch said not taking the grant would mean the money would go back to the federal government with no guarantee that it would come back to Idaho. He said the grant was awarded because of the infrastructure development the state has put into the facility; therefore, the money cannot be moved to another project. Dr. Ruch will provide the business plan to Board members. Mr. Hall asked Dr. Ruch to also determine if there were approval timetables that must be met.

Dr. Howard and Mr. Lewis asked for information on how long the facility would need to be devoted to the project. Dr. Ruch will provide the information.

It was moved by Mr. Hall, seconded by Mr. Manning and carried (6-0) to table the request for the high-technology center at Canyon County. (Motion #15)

Mr. Manning asked for and received unanimous consent to postpone the topic until after the May meeting.

Mr. Hall said Motion #15 was to address two issues: the grant and the BSU West campus.

University of Idaho

4.8.1 Contract for Athletic Broadcasting Services

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (6-0) approve the request from the University of Idaho to enter into a five-year contract with Radio Palouse. (Motion #16)

Mr. Hammond noted that the agreement can be terminated by the UI without penalty.

4.2.1 Wells Fargo Master Lease Agreement

Mr. Kevin Satterlee advised that the interest amount in the resolution agreement is different than what is shown in the agenda materials.

It was moved by Mr. Hammond and carried (6-0) to approve the University of Idaho's request to enter into a Master Lease Agreement with Wells Fargo Bank, formerly First Security Bank, for future financing of equipment purchases as the need arises and approval of the Resolution. (Motion #17)

4.2.2. Replacement of Administrative Systems Hardware

It was moved by Mr. Hammond, seconded by Mr. Hall and carried (6-0) to approve the request from the University of Idaho to execute an agreement with Sun Microsystems for equipment to replace the University's administrative systems hardware. The cost for equipment and installation is not to exceed \$1.06M. (Motion #18)

5.1.1 Early-Start FY02 Capital Projects

Normally projects are brought to the Board for approval in June. However, the University of Idaho requested early approval of some projects so they can begin early.

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (6-0) to approve the projects from the University of Idaho as listed in Item 3.2.a. (Motion #19)

Mr. Lewis asked if there were supplementary authorizations included in the approval given (by Motion #19) or was it as represented, i.e. just a matter of moving up requests that are otherwise brought forward in June. Mr. Keith Hasselquist said the projects on page 49 were for additional funding only. Mr. Lewis said it wasn't presented that additional funds were being requested and felt if there were supplementary authorizations, there should be additional discussion.

It was moved by Mr. Lewis, seconded by Mr. Manning and carried (6-0) to reconsider the budgetary items that are represented as supplementary authorizations in Item 3.2a. (Motion #21)

Review of Previously Authorized Projects:

Food Innovation Center - Mr. Jerry Wallace said the additional \$420,000 was made up of private funds, which have been raised. Mr. Lewis asked if there was additional fiscal impact. Mr. Wallace said it would a marginal impact such as for electricity to run the equipment.

Student Recreation Center/Facilities Services Complex - the requested \$250,000 will be paid by interest on the construction bond, which will be paid by student

fees. Mr. Lewis felt the money could be applied to reduce the cost of the original authorization. Dr. Robert Hoover said the students voted by 60 percent to approve the increase.

Parking and Transportation Enhancements - the dollar amount will not change. The change will be to redirect funds originally planned for the Kibbie-West parking lot to two other parking improvement projects.

Mr. Lewis asked for, and received, unanimous consent to separate the Student Rec Center from the other items up for approval.

It was moved by Mr. Lewis, seconded by Mr. Manning and carried (6-0) to approve the projects from the University of Idaho as listed in item 3.2.a, understanding that the item with respect to the Student Rec Center has been separated. (Motion #22)

It was moved by Mr. Manning and seconded by Mr. Hammond to approve the Student Recreation Center. The motion failed (3-3). (Motion #23)

Division of Professional-Technical Education

4.0 Budget and Budget Transfers

It was moved by Mr. Hammond, seconded by Mr. Hall and carried (6-0) to approve the request from the Division of Professional-Technical Education for the allocation of the FY02 appropriation as detailed in Item 3.3a. (Motion #20)

Idaho State University

Consideration of Resolution Authorizing Issuance of Tax-Exempt Bonds

A Resolution was brought forth for the issuance of bonds in an amount not to exceed \$22,500,000 to finance the acquisition and construction of the L. E. and Thelma Stephens Performing Arts Center Project and authorizing agreements for the lease, use and acquisition of the project.

Mr. Lewis asked if the construction had been approved previously and if this was the approval for the notes, or if this was approval of the entire project. Mr. Hasselquist said this was the approval for the Foundation to issue the bonds and to enter into a lease between ISU and the ISU Foundation. Mr. Lewis asked if the project itself were previously approved. Several individuals said it was.

It was moved by Mr. Hall and seconded by Mr. Hammond to approve the Resolution authorizing the issuance of the tax-exempt bonds and allowing ISU to enter into the lease with the Foundation, subject to approval by Board legal counsel. A roll call vote was taken:

AYES: Mr. Hall, Mr. Manning, Mr. Hammond, Mr. Lewis, Dr. Howard, Ms. McGee
NAYS: None
ABSTAIN: None
ABSENT: Mr. Eaton

The motion carried. (Motion #24)

4. FY02 College & Universities Allocation

Mr. Hasselquist distributed and reviewed a revised sheet, Item 4.d.

It was moved by Mr. Hammond and carried (6-0) to approve the FY02 allocation as presented in revised Item 4.d. (Motion #25)

5. FY02 Community College Allocation

It was moved by Mr. Hammond and carried (6-0) to approve the FY02 community college allocation. (Motion #26)

6. Approval of Student Fee and Tuition Rates for FY02

Mr. Hasselquist reviewed who approves which fees and the amount of increases. Mr. Hammond invited institution presidents and students to come before the Board to discuss the proposed increases.

The presidents of Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College and Eastern Idaho Technical College reviewed what the fees would be used for and the fee process each used to determine the amount to request. Students spoke both in favor of the increases and against them.

The Board also discussed professional fees for the UI College of Law with Dr. Robert Hoover and Dean John Miller.

It was moved by Mr. Hammond, seconded and carried (6-0) to approve the fee and tuition rates for the year 2002 for BSU, ISU, UI, LCSC and Eastern Idaho Technical College, recognizing that the proposal by the University of Idaho for differentiated fee for their business school is not included in the motion, as recommended in Items 6.c to 6.g. (Motion #27)

It was moved by Mr. Manning that the Board of Education approve 90% of the requested fees that the Board approves, with the exception of Eastern Idaho Technical College. No second. (Motion #28)

Discussion on the professional fees for the UI School of Business and Economics was deferred until after the May Retreat.

7. Approval of FY03 Budget Request Process

The committee concluded it would focus on the MCO and when enhancements are addressed will ask the institutions/agencies to identify areas of importance without listing dollar amounts. The items will be brought to the June meeting for discussion and brought to the August meeting for finalization.

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (6-0) to approve the budget request guidelines. (Motion #29)

8. Assignment of Members to a Task Force

The task force will interact with other agencies on some unique instances that do not have state policies or seek exception to state policies regarding. Ms. McGee will make the task force assignments.

9. Intercollegiate Athletic Report

Mr. Hasselquist reviewed the report. A final report will be brought to the June meeting.

10. Designation of Peer Institutions

Information only - no discussion.

11. Personnel Rules to Policy

It was moved by Mr. Hammond and carried (6-0) to approve for First Reading Section II of the Board's Governing Policies and Procedures manual. (Motion #30)

The item will be added to the May retreat agenda.

12. Finance Rules to Policy

Deferred to the May meeting.

Section II

1. Minutes of the March, 2001 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (6-0) to approve the Routine agendas. (Motion #31)

Education.

INSTRUCTION, RESOURCE and STUDENT AFFAIRS COMMITTEE

1. Minutes of the March, 2001 Meeting

Approved in committee.

2. Minutes of Ad Hoc Committee Meetings

Approved in committee.

3. Statewide Policy Recommendations

Deferred to June.

4. IRSA Standing Committees

The CAAP conducted a review of the various standing committees and made recommendations. Dr. Robin Dodson reviewed the recommendations.

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (6-0) to accept the IRSA's recommendation regarding the standing committees as presented by Dr. Dodson. (Motion #4)

5. Professional Program Definitions

The committee determined it would be best to separate the definition of the matriculation fees from the definition of professional program fees, with the definition of matriculation fees to be addressed at a later date.

The committee also asked the CAAP and staff to prepare arguments for and against differentiated fees and bring them to the August meeting. It is not anticipated that a decision will be made in August, but that it will be the start of a review session.

6. Math and Science Goals

Two visions were presented to the committee; one with an emphasis on enhancing math and science competency and one with an emphasis on enhancing the number of students who select careers in related disciplines. The committee agreed the two statements were complementary and the goal should include both.

It was moved by Mr. Manning and seconded by Mr. Hall to adopt the two vision statements combined into one statement. The motion was withdrawn by unanimous consent. (Motion #5)

Mr. Hammond stated, and Mr. Lewis agreed, that the second statement needed to be reworked and clarified. Mr. Lewis said he would write the motion and bring it back.

Mr. Lewis said the staff was asked to determine who is doing what in the state. That information will be used with the Governor's office to develop recommendations for unifying the groups.

7. Achievement Standards

Ms. Lydia Guerra submitted the Humanities Standards 1.0 for First Reading.

It was moved by Mr. Lewis, seconded by Mr. Hammond and carried (6-0) to approve Version 1.0 of the Humanities Standards as proposed rules. (Motion #6)

8. Assessment and Accountability Report

Ms. McGee provided an update on assessment and accountability.

9. Nursing Education Issues

The committee asked the Health Profession Workforce Committee to bring back a complete status report and a formal plan to resolve the problem. The report is expected in June.

10. Social Worker Issues

The committee became aware of a contract between Eastern Washington University and the Idaho Department of Health and Welfare in the amount of \$929,171 per year to provide specific services. It is felt that the money should stay in Idaho and that Idaho institutions could provide those services.

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (6-0) for the Board to send a letter to the Idaho Department of Health and Welfare to confirm the Board's desire that this contract be directed to Idaho universities and colleges. (Motion #7)

11. Program Changes - Executive Director

Information item - no discussion.

12. Program Approval

- a. A.A.S. - Web Development by LCSC.
- b. A.A.S. - Agri-Business Technology by EITC.
- c. A.A.S. - Technical Certificate by SDPTE at CSI.
- d. A.A.S. - Technical Certificate by Dept of Agriculture at CSI.

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (6-0) to approve the New Program Requests as set forth in Item 12, Page 61. (Motion #8)

13. Accelerated Learning Policy

Dr. Dodson advised that when the CAAP meets next month, it may make some additional changes to the policy.

It was moved by Mr. Lewis and carried (6-0) to approve for First Reading the language changes on the item. (Motion #9)

Mr. Hammond asked if the committee would address the issue of a student attending higher education institutions, but funds for that student remaining at the high schools. Ms. McGee said the topic would be placed on the May Retreat agenda.

14. Intellectual Property Policy

The committee tabled the topic and recommended it be added to the May Retreat agenda.

15. Technology Incentive Grant

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (6-0) to approve the funding of the proposals for the Idaho Technology Incentive Grant program as exhibited in Item 15. (Motion #10)

IRSA agenda on file as Exhibit #s 3 & 4 with the Office of the State Board of Education.
PLANNING, POLICY & GOVERNMENTAL AFFAIRS COMMITTEE

1. Funding Equity Analysis

The Presidents' Council (PC) developed a Request for Proposals (RFP) to review the current allocation system and selected MTG of America to do the analysis. Dr. Mary McKeown-Moak reviewed the project with Board members. The project will identify:

- 1) Where the institutions are, relative to their peers.
- 2) Distribution of expenditures and revenues, relative to peers.
- 3) Dollars per full-time equivalent student and per head count student.
- 4) Weighted credit hours.
- 5) Physical plant expenditures.

A determination will be made on whether equity exists. If it does not, recommendations will be developed and alternatives given with the pros and cons of each. Mr. Hall asked the consultant to bring options on funding equity, even if equity exists, i.e. ways to make it even more equitable.

Mr. Lewis asked that progress reports be provided to the Board. Dr. McKeown-Moak will work with Dr. Fitch to provide updates at appropriate points in the review. Mr. Hall was concerned that there would be differences in the information the report will provide and what the Board thinks it will provide. He asked that the drafts given to the OSBE staff and presidents for input also be sent to the Board for its input.

Mr. Hall asked for explanation of how MGT of America was selected. Dr. Fitch said NCHEMS was approached, but did not have the resources to complete the review in time for the preparation of the FY2003 budget. MGT would be able to meet the timeline. Dr. Fitch said he also talked to individuals in other states that were familiar with MGT and they had positive comments about the company.

2. PPGAC Operation & Future Agenda Planning

To be discussed at the May meeting.

3. Presidents' Council Report

Dr. Richard Bowen reported:

- 1) The PC has discussed the issue of equity funding and are pleased at how the study is proceeding.
- 2) They are in the process of developing budget requests for next year.
- 3) The PC will be meeting with a committee IACI has set up to work with the PC.
- 4) IdaNet Idaho is making significant progress towards creation of a much better communication network in the state.
- 5) The PC will have a retreat on August 1.

Ms. McGee said Mr. Lewis will attend the May 1 IACI meeting.

4. Agency Heads' Report

Dr. Greg Fitch reported:

- 1) He is beginning the evaluations of Agency Heads.
- 2) The ISDB Superintendent Search is on time.

Ms. McGee asked Dr. Fitch to conduct the interviews for the Superintendent position at the Idaho School for the Deaf and the Blind and make a recommendation to the Board.

5. Legislative Report

Ms. Randi McDermott updated the Board on legislative actions.

6. Fee Presentation

Dr. Wayland Winstead gave a presentation on the costs of operating higher education in Idaho and the setting of fees.

PPGA Committee agenda on file as Exhibit #2 with the Office of the State Board of Education.

OTHER

1. Open Forum

Leah Clark-Thomas - Student Fees

2. Science and Technology Council Presentation

Dr. Billy Shipp gave a presentation on the state's science and technology plan.

3. Election of Officers

It was moved by Mr. Lewis, seconded by Mr. Hammond and carried (6-0) to elect Ms. Karen McGee as President of the State Board of Education. (Motion #32)

It was moved by Mr. Hammond, seconded by Mr. Lewis and carried (6-0) to elect Mr. Blake Hall as Vice President of the State Board of Education. (Motion #33)

It was moved by Dr. Howard and carried (6-0) to elect Mr. Jim Hammond as Secretary of the State Board of Education. (Motion #34)

Exhibit #7

4. Executive Session

It was moved by Mr. Hammond and seconded by Mr. Hall to enter into Executive Session per *Idaho Code*, 67-2345, (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, and (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. A roll call vote was taken:

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Eaton, Mr. Lewis

The motion carried. (Motion #35)

The Board met in Executive Session, April 20, 2001 at 7:32 a.m. and returned to Open Session at 8:00 a.m. The topics discussed in Executive Session were to acquire an interest in real property which is not owned by a public agency. No action taken. And, a personnel evaluation with subsequent action taken in public session.

(Minutes of Executive Session taken by Greg Fitch.)

5. Teton Valley Charter School

It was moved by Mr. Hall, seconded by Mr. Hammond and carried (5-0) to instruct the staff to prepare an order denying the appeal for the charter school, in effect upholding the decision of the local school board in this matter. (Motion #36)

6. Good of the Order

1) Supplemental Contract for Dr. Charles Ruch

It was moved by Mr. Hall, seconded by Mr. Hammond and carried (4-1) to authorize the supplementary contract with the BSU Foundation. (Motion #41)

Mr. Manning felt that on matters of CEO compensation the state should properly set their salaries. He felt foundations should be for the benefit of the institutions and not for individuals.

2) Dr. Mike Rush reported:

- A. Corrections education.
- B. Idaho students presenting in US Senate chambers.

3) Mr. Hammond said the ECS has extended an invitation to develop an RFP for an \$80,000 grant. He will provide the information to Dr. Fitch.

4) Ms. McGee asked Board members to get May Retreat topics to the Board secretary.

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

STATE DEPARTMENT OF EDUCATION

A. Proposed School Accreditation Process

Dr. Bob Haley reviewed the changes to the accreditation model made since the October report.

Mr. Manning asked if the Board would create a recommended procedure for disciplining disruptive students. Dr. Robert West said the SDOE has a manual addressing safe and disciplined schools that has been distributed. He said Board rules require that each school district have a district-wide discipline process and plan and that every school building adhere to and replicate that plan in their building.

Mr. Manning asked if the problems in obtaining accurate statistical data on drop outs are being addressed. Dr. Howard said the Department is working on a definition of drop out and will develop a statewide data base to assist in gathering the data.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (5-0) to approve the State Department of Education's request to field test the new accreditation process. (Motion #37)

B. Requests for Letters of Authorization

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (5-0) to approve the requests for one Letter of Authorization as submitted by the Professional Standards Commission and listed on the attachments. (Motion #38)

C. Physical Education Waiver Request - Lewiston SD

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (5-0) approve the request of waiver of State Board rules by Lewiston SD with a requirement that they submit to the State Board an analysis of the effectiveness of this exploratory curriculum. (Motion #39)

Ms. McGee suggested the school district present the analysis to the Board at the June meeting in Moscow. Dr. West will make the arrangements.

D. Property Transfer - Shoshone SD #312 & Dietrich SD #314

In March the Board asked that the school districts review the transfer to ensure there are no fiscal implications relating to federal legislation. Both district superintendents responded that the Secure Rural Schools and Communities Self-determination Act of 1999 will have little or no financial impact on their school districts.

It was moved by Mr. Hall, seconded by Mr. Manning and carried (5-0) to approve the Hearing Officer's recommendation to approve the Petition for Transfer of property. (Motion #40)

E. ICTL Accountability Report

Dr. Cliff Greene presented the Idaho Council on Technology in Learning's annual accountability report.

F. Superintendent's Report

Dr. Howard reported:

- 1) The SDOE's annual post-legislative tour.
- 2) Funding and Budgets.
- 3) May Conference on Civics: Voices of Citizenship.
- 4) A new reading consultant has been hired.
- 5) School to Work.
- 6) Achievement Standards implementation process.

Education.

ADJOURNMENT: April 19, 6:15 p.m.
April 20, 10:15 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