

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

May 16-17, 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 May 16, 2001, with Ms. Karen McGee, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present:

Karen McGee, President
Blake Hall, Vice President
Jim Hammond, Secretary
Paul Agidius
Curtis H. Eaton
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.

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BOARDWORK

1. Agenda Approval

It was moved by Mr. Eaton and seconded by Mr. Manning to approve the agenda as written. The motion was amended to act on the Reappointments on Wednesday instead of Thursday—the amendment was withdrawn by unanimous consent. The motion carried (6-0). (Motion #1)

2. Rolling Calendar

It was moved by Mr. Hall and seconded by Mr. Agidius to approve May 15-16, 2002 as the date and Boise State University as the location of the May 2002 meeting. The motion was amended to change the dates to May 13-14, 2002. The amended motion carried (7-0). (Motion #2)

3. Minutes Approval

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (7-0) to approve the minutes of the April, 2001 meeting. (Motion #3)

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

OTHER

1. Oath of Office

President McGee administered the Oath of Office to Mr. Paul Agidius, whose term will run from May 11, 2001 through March 1, 2006.

2. Executive Session

It was moved by Mr. Hall and seconded by Mr. Eaton to enter into Executive Session per *Idaho Code* 67-2345, 1 (a) to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office and (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. A Roll Call vote was taken:

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Hammond (arrived during the session)

The motion carried (7-0). (Motion #4)

- 1) The Board conducted performance evaluations on: Dr. Miles LaRowe, Dr. Greg Fitch, Dr. Richard Bowen, Dr. Robert Hoover and Dr. Charles Ruch.
- 2) The Board discussed the LCSC presidential candidates.

No decisions were reached.

(Minutes taken by Dr. Greg Fitch)

3. Finance Rules to Policy

First Reading: V. Financial Affairs

Mr. Manning was concerned that the revisions could lead to mission changes being implemented without Board approval.

Mr. Hammond did not want to tie numbers to specific amounts. Mr. Keith Hasselquist suggested that a base amount be set and a statement be included that

would tie increases to the CPI. Mr. Hammond felt that suggestion would work and that it should be done throughout the policy.

It was moved by Mr. Hammond, seconded by Mr. Agidius and carried (7-0) to approve for First Reading the Finance Policy as submitted with the recommended changes. (Motion #5)

Exhibit #2

4. Intellectual Property

First Reading: Intellectual Property Policy (Readoption of current rules. New rules were tabled in April.)

It was moved by Mr. Hall, seconded by Mr. Lewis and carried (7-0) to approve for First Reading the Intellectual Property Policy. (Motion #6)

Ms. Jimmie Sommers advised that a consultant has been contacted to assist in reviewing the policy.

Mr. Kevin Satterlee said a subcommittee has been formed to look at several issues. Ms. McGee asked Mr. Lewis to attend the meetings. Dr. Hoover suggested someone from the Governor's Science and Technology Council also be involved in the discussions. Ms. McGee asked Mr. Kevin Satterlee to contact the Council and extend an invitation.

Exhibit #3

5. BSU High Tech Business Center Bldg

Mr. Hall asked if the other institutions had this type of center. It was acknowledged that they do. Mr. Hall then asked what kind of subsidies, if any, are required. Dr. Robert Hoover said he did not know of any significant subsidy for the UI Center. Mr. Jim Hogge advised that a small amount of private funding may need to be raised for the BSU center.

Mr. Hall was concerned that with the occupancy requirement, the center would keep the businesses as tenants at the subsidized lease rates, which could cause problems with other businesses in the area. He asked the institutions to be sensitive to the issue and adopt policies to ensure those types of problems do not arise.

It was moved by Mr. Hammond, seconded by Mr. Hall and carried (7-0) to approve the grant for the Boise State University High Tech Business Center Building. (Motion #7)

6. Executive Director & Presidents' Reappointments

- a) It was moved by Mr. Lewis and seconded by Mr. Hammond to approve the reappointment of Dr. Richard Bowen as President of Idaho State University effective June 24, 2001 through June 22, 2002 at a state salary of \$155,771.20. The motion was amended by unanimous consensus to approve the reappointment at a state salary of \$155,771.20, effective June 24, 2001. The amended motion carried. (Motion #8)
- b) It was moved by Mr. Hammond, seconded by Mr. Lewis and carried (7-0) to approve the reappointment of Dr. Robert Hoover as President of the University of Idaho at a state salary of \$161,345.60, effective June 24, 2001. (Motion #9)
- c) It was moved by Mr. Hall, seconded by Mr. Hammond and carried (7-0) to reappoint Dr. Miles LaRowe as President of Eastern Idaho Technical College at a state salary of \$101,753.60, effective June 10, 2001. (Motion #10)
- d) It was moved by Mr. Hammond, seconded by Mr. Manning and carried (7-0) to reappoint Dr. Charles Ruch as President of Boise State University at a state salary of \$155,771.20, effective June 24, 2001. (Motion #11)
- e) It was moved by Mr. Manning, seconded by Mr. Hammond and carried (7-0) to reappoint Dr. Greg Fitch as Executive Director of the State Board of Education at a salary of \$117,707.20, effective June 10, 2001. (Motion #12)

Exhibit #4

7. UI Climbing Wall

Mr. Hammond said the topic was brought back for reevaluation because of the student support it has received. Dr. Hoover said the materials selected to cover the wall were selected as a cost-cutting measure, but by using them the University will not be able to host climbing competitions.

It was moved by Mr. Hammond, seconded by Mr. Agidius and carried (5-2) to reconsider the UI Climbing Wall. (Motion #13)

It was moved by Mr. Agidius, seconded by Mr. Manning and carried (5-2) to approve the \$250,000 expenditure for the UI Climbing Wall. (Motion #14)

Mr. Manning suggested students be allowed to determine what fees will be assessed for these types of items, and that the Board only address academic fee increases. Mr. Hall was concerned that it would lead to a minority of students determining fees for the majority. Mr. Manning felt a provision could be placed in policy that a specific number of students, for instance 80 percent, would have to vote.

Mr. Agidius asked if there were statutory authority allowing students to mandate fees for the rest of the students without an action by the Board. Mr. Satterlee said the Board has delegated the establishment of student activity fees to the presidents and that it could further delegate that the method of establishment was by student vote with presidential ratification. However, student fees to support student fee revenue bonds must have Board approval.

Mr. Manning suggested the Presidents Council look at areas of Board policy relating to where matriculation and other fees should be spent. Ms. McGee agreed and Dr. Richard Bowen said they would review it and bring a report to the Board.

8. SBOE Bylaw Changes

Mr. Manning and Mr. Hall gave notice that they would be proposing Bylaw changes. Mr. Manning and Ms. Randi McDermott will review the policy manual and bring back recommendations.

Exhibit #8

9. PPGAC and Other Standing Committees

Ms. McGee said it has been suggested that the Board meet as a committee-of-the-whole rather than breaking out into committees. It was decided to:

- 1) To try the committee-of-the-whole concept at the June meeting.
- 2) Utilize consent agendas.

- 3) Ms. McGee made the following assignments of Board members to facilitate the discussions:
 - a. Blake Hall - Legislation
 - b. Rod Lewis - Academics
 - c. Darrell Manning - Finance
- 4) Provide one hour at each meeting for the Presidents and Agency Heads (in rotation) to update the Board. Mr. Manning has worked out a schedule for agency updates, which he will review with Dr. Fitch.

Exhibit #9

10. BSU Canyon County Campus

In June Dr. Ruch will advise the Board of when he can present a progress report. He asked that Board members provide him with a list of their questions.

11. Charter Schools

Mr. Hammond distributed a letter written by a parent of a child in a charter school who is having problems getting necessary assistance. The SDOE was asked to provide a report to the Board on how charter schools operate, what recourse is available and items that may need to be addressed.

Exhibit #5

12. Accelerated Learning Policy

Mr. Hall expressed concerns with the MOU and asked that it be added to the June agenda. The IRSA Committee will send the MOU to the Board and the provosts for comment.

Exhibit #6

13. Idaho Public Television

Mr. Hall said he has come to believe that IPTV is probably underutilized for educational purposes and that changing from a university-based to a stand-alone system had decimated the mass communication departments at the universities. He also felt that with digitalization, the future holds many opportunities for IPTV and, therefore, the governance structure should be reviewed.

It was moved by Mr. Hall, seconded and carried (7-0) to task the Presidents Council to come back to the Board in September with a proposal in a collaborative effort of the three institutions on how to manage the license and how to enhance communication departments inservice and how to maximize existing facilities to better tie them and us together as a state. (Motion #15)

Mr. Hall said his motion was not intended to deal with the issue of content and he did not think that would necessarily change. What the motion was intended to do was to give the Board some governance options and determine how it can have the highest possible utilization of the resource. He also felt cost was an issue that would need to be examined.

Dr. Hoover asked if IPTV administration would be participating in the review. Mr. Hall said he had not contemplated it, but would leave it up to the Presidents Council. Dr. Fitch said he would coordinate and work with the Council.

14. LCSC Presidential Search

On May 31, the Board will interview the three finalists for the LCSC Presidential position. Ms. Boston was asked to do a press release.

15. Personnel Policies

Mr. Satterlee said the Personnel Statewide Group would meet again and that the policy would be brought back to the Board for final reading in June.

Mr. Hammond asked why the Board needed to approve athletic contracts. Mr. Satterlee said it was mostly political, but that coaches are often given multi-year contracts, which make them the only Board employees that serve for more than one year pursuant to contract. Additionally, some benefits and compensation are also different than that of other employees.

Mr. Manning asked if the proposed policy changes would preclude the Board from placing escape clauses in the contracts. Mr. Satterlee said it would not and that he and the institutions' attorneys are rewriting the policy on "termination for cause" versus "termination for convenience." It is hoped the revisions can be brought to the Board in June.

Mr. Satterlee was asked to rewrite the policy so that multi-year contracts do not need to be brought to the Board. Mr. Satterlee suggested the Board keep the contract format, but delegate the authority to enter into it to the presidents and increase the

reporting requirements. It was agreed by consensus that the policy be written to reflect Mr. Satterlee's suggestions.

Exhibit #7

16. Recognition Award from SBOE

Mr. Hall asked the OSBE staff to have a plaque prepared for the science awards recently given out—he will get the information on names, etc. to Dr. Fitch. He also asked that any Board members in the area where the schools are located attend the ceremonies. Dr. Howard said the SDOE will help keep the Board more aware of these types of events around the state. Additionally, a letter of commendation will be developed to send from the Board to individuals and programs that excel. Dr. Fitch will coordinate with the SDOE and the institutions.

17. Equity Study

Mr. Keith Hasselquist said a draft of Phase I of the study has been received. He said there would be some changes so the draft will not be distributed immediately. The review will now enter Phase II and it is anticipated a final report will be ready by August.

Exhibit #10

18. Idaho School for the Deaf and the Blind

Dr. Howard asked the OSBE staff to bring back a report on the ISDB addressing the following:

- 1) Governance.
- 2) Program Quality.
- 3) Student Access.
- 4) Cost.
- 5) How many districts have students who qualify for service?
- 6) Advantages/disadvantages of a central location.
- 7) Service problems, including the hiring qualified people.
- 8) Signing education access.
- 9) How other states serve multi-handicapped students.

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

ADJOURNMENT: May 16, 6:30 p.m.
May 17, 2:30 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