

**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 21-22, 2001  
Regular Scheduled Meeting  
University of Idaho  
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 a.m., on June 21, 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  
Marilyn Howard, State Superintendent of Public Instruction  
Roderic W. Lewis  
Darrell V Manning

Members Absent:

None

All exhibits 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 June, 2001.

James Hammond 06/04,06-07,20-21	Days 5.0	Darrell Manning 06/02,04,05,11,19-21,27	Days 7.0
Karen McGee 06/04,06-08,18-22	Days 8.0	Blake Hall 06/04,20-22	Days 3.5
Rod Lewis 06/20-22	Days 3.0	Paul Agidius 06/04, 20-22	Days 3.5

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

Marilyn Howard 06/04,20-22	Days 3.5	Curtis Eaton 06/04	Days .5
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## **BOARDWORK**

### 1. Agenda Approval

It was moved by Mr. Manning, seconded by Mr. Hall and carried (6-0) to approved the agenda for the June 21-22 meeting with the addition of a topic relating to the Idaho School for the Deaf and the Blind. (Motion #1)

### 2. Rolling Calendar

It was moved by Mr. Hall, seconded by Mr. Manning and carried (6-0) to approve June 27-28, 2002 as the dates and the University of Idaho as the location of the June 2002 regularly scheduled meeting. (Motion #3)

### 3. Minutes Approval

It was moved by Mr. Manning, seconded by Mr. Hall and carried (6-0) to approve the minutes of the May 16-17, May 31 and June 4 meetings with the following comments/amendments:

May 15-16 Minutes:

- 1) Item 4, Intellectual Property Policy. The new policy was tabled in April. The First Reading in May relates to the re-adoption of the old policy.
- 2) Item 12, Accelerated Learning Policy: Instructions were given to the IRSA Committee to send the MOU to the Board and provosts.

(Motion #4)

**OTHER**1. Executive Session

It was moved by Mr. Lewis and seconded by Mr. Agidius 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; (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 (f) to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probably litigation. A Roll Call vote was taken:

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

The motion passed. (Motion #2)

The Board discussed issues authorized under the provisions of a, b & f. No decisions were reached.

2. ISL Board of Trustees Appointment

It was moved by Mr. Hall, seconded by Dr. Howard and carried (6-0) to appoint Sara Staub to the Idaho State Library Board of Trustees for a term to run from July 1, 2001 through June 30, 2006. (Motion #5)

3. ISDB Student Expulsion

It was moved by Mr. Lewis, seconded by Mr. Manning and carried (5-1) to support the request by the Idaho School for the Deaf and the Blind to support their recommendation for expulsion of the student mentioned in their letter. (Motion #6)

4. UI - Idaho Place Initiative

Dr. Robert Hoover said the Boise Initiative Property Development Committee was created to guide the development of the Foundation's new property in Boise. The committee has led the effort in establishing a financing package for the project which was approved by the UI Foundation Directors on April 20, 2001.

The stated total cost of \$139M includes the Idaho Water Center at approximately \$49M and Idaho Place at approximately \$90M. Approximately 10 percent of the space will retail with the remaining 90 percent dedicated to educational activities including conference rooms, classrooms, offices, etc. It is intended that the UI Foundation will act as the agent for the tenants with lease payments being made directly to the Foundation. Additionally, any tenant desiring to own their part of the building can do so. Except for lease payments coming from state funds, the project is not dependent on state funding.

Mr. Lewis asked for comments on owning versus the leasing of property. It was felt money is better spent on this type of project which allows for growth, ownership potential, long-term permanent facilities, visibility of the project, the benefits from being a catalyst for economic development, etc. than on leasing. Dr. Bowen said ISU would, by the end of summer, be spending over \$250,000 per year in lease payments in Boise and with plans for growth, it is in their best interest to locate in the facility.

Mr. Hall asked if there was anything that would preclude the other institutions from participating in the project. He was advised that there was not, that they are encouraged to, and that they could enter into a partnership on the same basis as ISU.

#### Exhibit #2

##### 5. Open Forum

There were no speakers.

##### 6. August 2-3 Meeting

The Board agreed by consensus to add August 1 as a meeting date.

##### 7. Report by President Hoover

Dr. Robert Hoover presented the University of Idaho's strategic plan.

#### Exhibit #10

##### 8. Workforce Development

Mr. Lynn Cameron, Mr. Jack Hill and Mr. Todd Broadman updated the Board on Workforce Development and School to Work in Latah County.

Exhibit #11

9. Employer Support of the Guard and Reserve - Presentation to the UI

Mr. Lynn Cameron presented the award to Dr. Robert Hoover for the University of Idaho's support of Guard and Reserve employees and students.

Exhibit #12

10. US Dept of Commerce Technology Opportunities Program (TOP) Grant

A presentation was give by Mr. Peter Morrill, Dr. Gens Johnson and Ms. Nancy Szofran.

Permanent Exhibit #s 2, 10, 11 & 12

## **COMMITTEE OF THE WHOLE**

It was moved by Mr. Manning, seconded by Mr. Hall and carried (6-0) to meet as a Committee-of-the-Whole. (Motion #7)

### **Business Affairs and Human Resources**

#### **Human Resources:**

1. Delegated Items

It was moved by Mr. Hall, seconded by Mr. Agidius and carried (6-0) to approve the Consent Agenda items as contained in Tab 1. (Committee Motion #8)

2. Board Items

It was moved by Ms. McGee, seconded by Mr. Hall and carried (6-0) to approve the agenda items. (Committee Motion #9)

Mr. Hall said his understanding of Dr. Robin Dodson's appointment is that it is a return from a leave of absence and not a new appointment. Mr. Ken Prolo said Dr. Dodson has been on an indeterminate leave of absence since June 30, 1989. Mr. Hall asked if there would be a letter of resignation from his current position at the Board office. Dr. Dodson will submit a letter upon Board approval of the ISU appointment.

3. Idaho School for the Deaf and the Blind - Search Update

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to move forward with providing a contract to Dr. Angel Ramos in the amount of \$84,000 as Superintendent of the Idaho School for the Deaf and the Blind, effective August 1, 2001. (Committee Motion #15)

4. Final Reading: Personnel Rules

It was moved by Mr. Lewis and seconded by Mr. Agidius to select alternative No. 1 with \$100,000. The motion failed. (Committee Motion #11)

It was moved by Mr. Lewis, seconded by Mr. Hall and carried (6-0) to amend the policy as presented and return to the previous language set forth on Page 105. (Mr. Manning clarified that the motion was to restore Item C in 105, which would entail

changes to the rest of the document for consistency.) (Committee Motion #12)

It was moved by Mr. Hall, seconded by Mr. Agidius and carried (7-0) to strike the automobile exclusion in it's entirety as listed on Page 130. (Committee Motion #13)

It was moved by Mr. Hall, seconded by Mr. Agidius and carried (6-0) to amend the report with the adoption of the middle option. (Committee Motion #10)

It was moved by Mr. Lewis, seconded by Ms. McGee and carried (7-0) to adopt the Business and Human Resources Committee report for Final Reading of the Policies and Procedures as amended. (Committee Motion #14)

5. Review of Human Resource Benefits

It was moved by Mr. Hall, seconded by Mr. Agidius and carried (7-0) to take Item #5 under advisement for future action. (Committee Motion #16)

6. Other

Human Resource Items were moved to the Board's Consent Agenda for approval.

**Business Affairs:**

1. Delegated Items

It was moved by Mr. Agidius, seconded by Ms. McGee and carried to approve the institutional/agency consent agenda. (Committee Motion #17)

2. Board Items

It was moved by Mr. Hall, seconded by Mr. Hammond and carried to approve Item 2 of the Consent Agenda. (Committee Motion #18)

Note: Items requiring a Roll Call Vote are listed on page 15.

3. FY02 Operating Budgets

It was moved by Mr. Hall, seconded by Mr. Lewis and carried to approve the items under Tab 3 of the Consent Agenda. (Committee Motion #19)

4. Intercollegiate Athletics Operating Budget Report

Mr. Keith Hasselquist said actual revenue and expenditures will be reported to the Board in October, and if there are deficits, plans will be brought forth to address them.

It was moved by Mr. Hammond, seconded by Ms. McGee and carried to accept the Intercollegiate Athletics Report as shown in Item 4.1. (Committee Motion #20)

5. FY03 Enhancement Request

It was moved by Mr. Hammond, seconded by Mr. Lewis and carried to allow the agencies to pursue one enhancement that does not exceed 1 percent of their budget or \$100,000, whichever is higher. (Committee Motion #21)

6. FY03 Major Capital Request

It was moved by Mr. Hall, seconded by Ms. McGee and carried to table Item 6 until August. (Committee Motion #22)

Mr. Lewis asked Mr. Hasselquist to prepare a document that explains how the funding process for buildings works.

7. Final Reading: Finance Rules

It was moved by Mr. Hammond, seconded by Ms. McGee and carried to approve the Final Reading of the Business Affairs Policy as presented in Item 7.1. (Committee Motion #23)

8. ICTL FY03 Allocation

It was moved by Mr. Hall, seconded by Mr. Lewis and carried to approve the allocation. (Committee Motion #24)

9. Other

Business Affairs Items (Except 2.1 and 2.2) were moved to the Board's Consent Agenda for approval.

Permanent Exhibit #s 3 & 6

**Instruction, Research and Student Affairs**

1. Minutes of the April, 2001 Meeting

It was moved by Mr. Hall, seconded by Ms. McGee and carried to approve the minutes of the April meeting. (Committee Motion #25)

2. Idaho's MOST Update

Dr. Patty Toney reported that the J. A. & Kathryn Albertson Foundation has extended grant funding through August 31, 2003 and given approval for the reallocation of funds to develop a marketing and communications plan.

A Policy Forum will be held on October 25 in Boise. Dr. Toney asked the Board to consider co-sponsoring the event with the National Governors' Association and Idaho's MOST.

3. Achievement Standards

A presentation was given by Ms. Lydia Guerra. It is anticipated that the K-12 Humanities Standards will be brought to the Board in August for approval as administrative rules.

4. Assessment and Accountability

Commission members Dr. Tom Bitterwolf and Mr. Tom Luna reviewed a draft of the proposed assessment strategies. The Board discussed various testing methods, needs and requirements.

It was moved by Ms. McGee, seconded by Mr. Agidius and carried (5-2) to waive the applicability of it's rules requiring ITBS for the coming fall. (Committee Motion #26)

Dr. Howard expressed concerns that if testing were eliminated, the state would lose federal funding and felt that some form of testing should be in place before the ITBS is eliminated. Mr. Hall felt that the motion (#26) would not modify existing contracts nor would it change any requirements that the Superintendent or State Department of Education has with regard to testing, but that it would give them the flexibility to decide what to do or not do in the coming year.

It was moved by Mr. Manning, seconded by Mr. Agidius and carried (7-0) to ask

the Executive Director and Superintendent of Public Instruction to review their year-end and FY02 budgets to see if they can provide monetary assistance to the Assessment Commission for a start-up program. (Motion #51)

Dr. Howard clarified that Motion #51 could include the use of staff.

5. Math and Science Vision/Goals

Deferred.

6. Health Professions Workforce Report

Dr. Robin Dodson presented the Workforce's recommendations. The Board agreed by unanimous consent to allow ISU to have dialogue with the University of Utah and the University of Washington regarding medical education, and that they keep the Board fully informed.

7. Social Worker/Department of Health & Welfare Letter

Dr. Greg Fitch said LCSC and BSU are working with the IDHW to participate in the agreement.

8. Memorandum of Understanding (Idaho and Utah)

It was moved by Mr. Hall and seconded by Ms. McGee to amend the Memorandum of Understanding to indicate that it is for the school year 2001-2002 and that the host institution has 30 days (strike the word "working") in which to respond. The motion was amended to say that the secondary schools must make a written application and the host institution must provide a written response. The amendments carried. (Committee Motion #27)

It was moved by Mr. Hall, seconded by Ms. McGee and carried to adopt the Memorandum of Understanding as amended. (Committee Motion #28)

9. New Programs: ISU-Ph.D. in Physical Therapy

It was moved by Mr. Agidius, seconded by Ms. McGee and carried to approve Idaho State University's request. (Committee Motion #29)

10. Collaborative Funding Recommendation

Dr. Robin Dodson presented the recommendations.

It was moved by Mr. Hall, seconded by Mr. Hammond and carried to accept the recommendations and approve the allocation. (Committee Motion #30)

11. Final Reading: Intellectual Property Policy

It was moved by Mr. Hall, seconded by Mr. Manning and carried to approve the Board's Intellectual Property Policy as shown in Exhibit 11 for Final Reading and to move it to the consent calendar. (Committee Motion #31)

12. Final Reading: Accelerated Learning Policy

Dr. Robin said additional information has been received and asked to take the policy back for additional editing and language clarification.

It was moved by Mr. Hall, seconded by Ms. McGee and carried to table the policy. (Committee Motion #32)

It was moved by Mr. Lewis, seconded by Dr. Howard and carried to direct the staff to come back to the Board with the names of individuals for membership on an Accelerated Learning Review Committee as set forth under the membership category on Page 56 for the purpose of undertaking a comprehensive review of the state's dual enrollment program. (Committee Motion #33)

13. Research Center Grant Program - HERC Recommendation FY02

It was moved by Ms. McGee, seconded and carried to approve the funding of the ISU Idaho Accelerator Center as recommended by HERC and the on-side review panel. (Committee Motion #34)

14. IRSA Items were moved to the Board's Consent Agenda for approval.

Permanent Exhibit #s 7,8 & 9

**Planning, Policy and Governmental Affairs**1. Long Range Planning/Strategic Issues

## A. Higher Education Funding Equity

Rep. Kent Kunz and Rep. Julie Ellsworth addressed the Board regarding the report. Rep. Kunz expressed concerns that the report was developed without input from the business sector and the public. Both representatives asked to be placed on a mailing list for future updates and information.

Dr. Mary McKeown-Moak presented MGT's Equity Study, Phases I and II Draft Report and responded to Board member's questions.

The staff and institutions were asked to report back in August with an analysis of the report and their view of the impact of implementing the recommendations.

Senator Joe Stenger, Rep. Frank Bruneel and Rep. Jim Clark addressed the Board and asked to be provided copies of the Report and the institutions' responses. It was also asked that legislative and gubernatorial initiatives be included in the analysis. If the plan is implemented, the legislators cautioned the Board to move slowly.

Mr. Hall said a report will be provided to the Governor's office with a request that the Board be advised of the Governor's response. He also said an Open Forum will be held in August to solicit public input and invited the legislators to attend to provide testimony on the report. Additionally, an opportunity will be provided to the institutions and other government bodies to present testimony.

## B. Strategic Issues/Board Direction

Mr. Hall asked Board members to review the list of topics and advise if some need to be removed or others added.

## C. Proposed Annual Plan Approval and Progress Reporting

Institutions/agencies are to submit an annual plan (with quarterly reports) to the Board.

2. Review/Evaluation of Board Policies and Procedures

A. Board Bylaws

It was moved by Mr. Manning, seconded by Mr. Hammond and carried to approve the Bylaw Change and place it on the Consent calendar. (Committee Motion #35)

B. First Reading: Section I. A-E, Section VI. A

It was moved by Mr. Manning, seconded by Mr. Hammond and carried to approve for First Reading the changes to the Board's Governing Policies and Procedures, Section I, Subsections A-E and Section VI as outlined in the Item 2B and move to the Consent calendar as such. (Committee Motion #36)

C. Section IV. C - Sunset

In 2000, the Board adopted policies in response to HB 768, which was the appropriation bill for Idaho Public Television. Those policies sunset on June 30, 2001. unless incorporated into policy.

Mr. Agidius suggested the Board take out the words "including compliance with the intent of the Idaho legislature as contained in 2000 HP 768, as such is set forth in 2000 Session Laws Chapter 475." Mr. Hall clarified that the effect would be to remove the sunset provision and leave the policy in place.

It was moved by Mr. Agidius, seconded by Mr. Hammond and carried (6-1) to strike the two portions identified. (Committee Motion #45)

It was moved by Mr. Hall, seconded by Mr. Hammond and carried (6-1) to approve 2C as amended. (Committee Motion #46)

3. Governmental Affairs

A. State of Idaho Scholarship Program

It was moved by Ms. McGee, seconded by Mr. Manning and carried to approve as a proposed rule the provisions for IDAPA 08.01.05 as indicated in Item 3.A. (Committee Motion #37)

B. Minority and At-risk Scholarship

It was moved by Mr. Hammond, seconded by Mr. Agidius and carried to approve the provisions for the Minority and At-Risk Scholarship as outlined in Item 3.B. as a proposed rule. (Committee Motion #38)

4. Presidents' Council Report

Dr. Miles LaRowe updated the Board on issues the Presidents' Council is reviewing. Mr. Hall asked Dr. LaRowe to bring items the Council wants the Board to consider at least 30 days in advance so they can be placed on the agenda.

5. Agency Heads' Report

Dr. Greg Fitch is working with Mr. Manning and OSBE staff to design a reporting sequence for agency heads. A draft schedule will be provided to Board members for their comments.

6. Other

PPGAC Items were moved to the Board's Consent Agenda for approval.

7. Rise Report

It was moved by Mr. Manning, seconded by Mr. Hall and carried to Rise Report to the formal Board, adjourn and go back to the other meeting. (Motion #39)

## CONSENT AGENDA MOTION

### 1. Consent Agendas

It was moved by Mr. Manning and seconded by Mr. Hammond to approve the green sheets 1.1-1.10, 3-4 and on the blue sheets 1.1-1.15, including 2-5.1, and acknowledging the tabling of 6.1 and 7.1-8.1. (Motion #40)

Motion #40 was amended by Mr. Hall, seconded by Mr. Hammond and carried to approve all items that have been moved to the consent calendar, excluding ITBS testing. (Motion #41)

**COMMITTEE ITEMS NOT APPROVED ON CONSENT AGENDA**

1. ITBS

It was moved by Mr. Hall, seconded by Mr. Hammond and carried (5-2) to adopt the motion and waiver. (Motion #44)

Mr. Agidius clarified that the waiver was for the upcoming year.

2. Item: 2.1 - BSU Tax Exempt Revenue Bonds (2001)

It was moved by Mr. Manning and seconded by Mr. Hall to approve BSU's request for the issuance Tax Exempt Revenue Bonds. A Roll Call vote was taken:

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

NAYS: None

ABSENT: None

ABSTAIN: None

The motion carried (7-0). (Motion #42)

3. Item: 2.2 - BSU Line of Credit (\$5,000,000)

It was moved by Mr. Manning and seconded by Mr. Hall to approve Boise State University's request for a Line of Credit per the following:

Lender: KeyBank of Idaho/McDonald Investments

Interest: 3.47 Percent

Term: Until 2011

Note: Bank Qualified as Tax Exempt

A Roll Call vote was taken:

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

NAYS: None

ABSENT: None

ABSTAIN: None

The motion carried (7-0). (Motion #43)

**STATE DEPARTMENT OF EDUCATION**A. Lewiston SD, Health & Physical Fitness Waivers

Representatives from the Lewiston School District gave a presentation on the health and physical fitness programs in their schools.

B. Professional Standards Committee Nominations

It was moved by Dr. Howard, seconded by Mr. Hall and carried (7-0) to approve the request by the Professional Standards Commission for reappointments and appointments as submitted. (Motion #47)

C. Technology Competency In-service Proposal

Information item. A full proposal will be brought to the Board in September.

D. Teacher Certification Manual Update

It was moved by Dr. Howard, seconded by Mr. Manning and carried (6-0-1) to approve the request by the State Department of Education for approval of the procedural changes in the certification manual as submitted. (Motion #48)

E. Curricular Materials Committee Nominations

It was moved by Dr. Howard, seconded by Mr. Hall and carried (7-0) to approve the request for two appointments to the Idaho State Curricular Materials Selection Committee as submitted: Carolyn Rounds from Preston, Idaho to complete the remaining two years of a five-year term as a parent representative and Jo Anne Kay from Teton, Idaho to fill the elementary teacher opening for a five-year period. (Motion #49)

F. Arbon SD - Remote & Necessary Application

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) to approve the request by Arbon Elementary School District #383 to be recognized as remote and necessary. (Motion #50)

G. Preliminary Public Schools Budget - FY03

Dr. Howard and Mr. Tim Hill presented a draft of the FY03 Public Schools Budget. The budget will be brought back to the Board in August.

H. Superintendent's Report

Dr. Howard reported on the SDOE's efforts towards implementing Achievements Standards.

ADJOURNMENT: June 21, 9:00 p.m.  
June 22, 12:00 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