



STATE BOARD OF EDUCATION  
TRUSTEES OF BOISE STATE UNIVERSITY  
TRUSTEES OF IDAHO STATE UNIVERSITY  
TRUSTEES OF LEWIS-CLARK STATE COLLEGE  
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO  
STATE BOARD FOR PROFESSIONAL-TECHNICAL EDUCATION  
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND

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**APPROVED MINUTES**  
**STATE BOARD OF EDUCATION MEETING**  
**June 27, 2002**  
**University of Idaho**  
**Moscow, Idaho**

**Members Present:**

Blake Hall, President  
Rod Lewis, Secretary  
Paul Agidius  
Karen McGee

Jim Hammond, Vice President  
Marilyn Howard, State Superintendent  
Darrell Manning  
Laird Stone

The meeting was called to order at 8:10am

**A. Boardwork**

1. Agenda Review / Approval – Board member Hammond requested addition of an Idaho State Library reappointment on the PPGAC agenda.

2. Rolling Calendar

**MS (McGee/Stone):** To approve June 26-27, 2003 as the dates and the University of Idaho as the location of the June 2003 regularly scheduled meeting. *The motion carried unanimously.*

3. Minutes Review / Approval

**MS (Hammond/Lewis):** To approve the minutes of the May 15-16, 2002 meeting, the May 24, 2002 meeting, and the June 11, 2002 meeting as presented; and to approve the minutes of the April 11-12, 2002 meeting, with a correction to the date reference on page five. *The motion carried unanimously.*

**B. Open Forum**

Keith Peterson, Coordinator of Idaho Lewis & Clark Bicentennial gave the Board an update on the Lewis & Clark Bicentennial events.

**C. Assessment & Accountability Update**

Board member McGee reported on the Assessment and Accountability Commission meeting held on June 17, 2002, which began with a press conference to discuss data from the first pilot of the Idaho Standards Achievement Test. She reported that teachers were working on new items for the assessment. She indicated that the items will likely be more challenging when the test is piloted again this Fall. She noted that Mr. Stivers is working with Dr. Howard on a new joint

contract with the testing vendor. Ms. McGee described that the focus of the most recent Commission meeting was accountability. She noted that there will be a statewide public hearing on the newest draft of the accountability plan on July 18, 2002.

Ms. McGee informed the Board that she had attended a conference earlier in the week where Dr. Howard and NWEA offered a workshop on what Idaho is doing with testing. She noted that other states were impressed with how we plan to combine levels testing with standardized testing to meet federal guidelines as well as track student learning. Dr. Howard reported that there is still some concern among administrators on testing with technology, but the State Department is working on this issue. She noted the importance of the State Department working very closely with NWEA, as well as watching the U.S. Department of Education closely, to ensure that the Idaho tests will meet federal requirements.

Board President Hall requested that the new contract be forwarded to members of the Assessment and Accountability Commission and Board members to review. He stated that it would be appropriate for the Board to have a discussion on oversight and implementation of the contract at some point to ensure there is no duplication, and he expressed interest in getting recommendations from the Commission on this issue. Mr. Hall also noted that when the staff holds statewide conferences for the purpose of public input, we ensure that there will be some participation to justify the expense. He also stated that advertisements of hearings should not indicate that items under consideration have been acted on by the Board unless they have.

#### **D. State Department of Education**

##### **1. Revision of Driver's Education Rules**

Beth Weaver, State Department Specialist, summarized the proposed rule changes for the Board.

**MS (Howard/Stone):** To approve the recommendation of the State Department of Education to proceed with the promulgation of proposed driver training rules for public schools and for commercial schools as submitted. *The motion carried unanimously.*

##### **2. Teacher Technology Competency Inservice Requirement**

Dr. West summarized the proposed rule changes for the Board. Board member McGee expressed interest in receiving reports that may show how technology skills are actually being used in the classroom.

A discussion ensued regarding the future of requiring teachers to have technology skills. Several members expressed the belief that, in time, a separate requirement for technology competency will be unnecessary since technology will become an essential tool integral to teaching much the same as paper and pencil.

**MS (Howard/Stone):** To approve the recommendation of the Professional Standards Commission to continue the Technology Competency Inservice Requirement proposal through the administrative procedures act process as a proposed rule. *The motion carried unanimously.*

### 3. Idaho Interim Certificate

Dr. West summarized the proposed rule for the Board.

**MS (Howard/Stone):** To approve the recommendation of the Professional Standards Commission to continue the Idaho Interim Certificate proposal through the administrative procedures act process as a proposed rule. ***The motion carried unanimously.***

### 4. Professional Standards Commission Reappointments and Appointments

**MS (Howard/Stone):** To approve the request for Professional Standards Commission reappointments and appointments as submitted. *New appointments include Richard Miller (School Superintendent, new appointment), Jannette Hill (LCSC, new appointment), Diana Zigars (Special Education Administrator, reappointment), Regina Ainslie (Secondary Teacher, reappointment), Tama Bergstrand (Secondary Teacher, new appointment), and Edith Brooks (School Board Member, new appointment).* ***The motion carried unanimously.***

### 5. Proposal to Rezone School Districts

**MS (Howard/Hammond):** To approve the proposal from the Midvale School District to redefine their trustee zones. ***The motion carried unanimously.***

### 6. Coeur d'Alene Tribal School Accreditation Appeal

Dr. West explained that criteria for judging accreditation are spelled out in standards, much of which requires documentation. In the case of the Coeur d'Alene Tribal School, there were nineteen incidents where documentation was needed and was not there.

**MS (Howard/Stone):** To approve the recommendation to maintain a “not approved” accreditation rating for the Coeur d'Alene Tribal School for the 2001-2002 school year. ***The motion carried unanimously.***

### 7. Administrative Staff Allowance Waiver Request to Meet Accreditation Standards

Dr. Howard explained that this was a new waiver for the Melba school district. The district increased enrollment in one school, which served to actually decrease the staff allowance. Mr. Hill explained further that if a school district has less than 40 support units, it gets an additional unit. If a district goes slightly over 40, it loses that additional ½ time equivalent. He continued that the fiscal impact is roughly 35,000 for salary and benefits.

A discussion ensued on why the funding formula creates this situation. Dr. West explained that the State Department would be studying this occurrence in detail to see if a better solution can be created for the future.

**MS (Howard/Agidius):** To approve the request by the Melba School District #136 for additional administrative staff to meet accreditation standards. ***The motion carried unanimously.***

## 8. 2003-2004 Public Schools Budget Request Proposal

Dr. Howard reported that the Coalition had not yet completed their recommendation, and that they will meet again in August. She noted they will focus on what is needed, with the only enhancements likely being tied to the Idaho Digital Learning Academy and the Achievement Standards Implementation.

## 9. Superintendent's Report

Dr. Howard reported on the Council of Chief State School Officers' (CCSSO) Assessment Conference, and noted that Sally Tiel, State Department Testing Specialist, is currently serving as the co-chair of the CCSSO Information Advisory Committee, and was recently elected to co-chair the Association of State Assessment Directors. Dr. Howard described the things that struck her most from the Conference - the seriousness and complexity of assessments, and the importance of ensuring that our system is fair, reliable, and does not put any child at a disadvantage because of what is tested and how it is tested. She also encouraged the Board to set aside time to discuss the total anticipated costs for our assessment system. Dr. Howard finished by reminding the Board that some districts have ongoing efforts in place that will have them continuing to use the ITBS in the coming year.

## **E. Business Affairs & Human Resources (BAHR) – Darrell Manning** **Section I - Finance**

### 1. Institution / Agency Agendas

In addition to the specific items listed below, each institution presented its new room and board rates, and explained the process they used in establishing the new rates.

#### BOISE STATE UNIVERSITY

##### Refinancing of Stadium Improvement Loan

**MS (Manning/Agidius):** To approve the refinance of the stadium improvement loan between Boise State University and U.S. Bank to lower the interest rate to 4.32%. ***The motion carried unanimously.***

##### Idaho Center Lease Agreement

Dr. Ruch noted that the indoor track had not yet been purchased, and that BSU has only invested \$5,000 toward that purchase. He informed the Board that BSU would house the track in a new facility being built near the Idaho Center.

#### IDAHO STATE UNIVERSITY

##### Student Health Insurance Fee

A discussion ensued regarding the differing student health insurance rates at each institution.

There was **unanimous consent** to request the Presidents' Council report back at the next meeting with a comparative study of insurance plans at the college and universities, including an analysis of costs, coverage, and benefits.

## UNIVERSITY OF IDAHO

### Sale of UI Coeur d'Alene Annex Building

**MS (Manning/McGee):** To approve the University of Idaho's request to sell the real property known as 817 River Avenue, Coeur d'Alene, Idaho, to North Idaho College. *The motion carried unanimously.*

### Naming of Idaho Research Park Building

**MS (Manning/Agidius):** To approve the University of Idaho's request to name the new building at the UIRP in Post Falls in honor of the Jacklin family. *The motion carried unanimously.*

### Employee Health Insurance Program FY 2003

It was reported that the discontinuance of this benefit will only be applied to new staff and not taken from currently employed staff. The justification for discontinuance is increasing longevity of retirees coupled with the increasing cost of insurance.

## 2. Approval of FY 2003 Operating Budgets

Staff presented the FY 2003 operating budgets. Board member Lewis requested that staff provide additional information with operating budget proposals, including the request, the revised/holdback amounts, and the appropriated amount so that the Board can see the full picture of what is occurring. He requested this information be provided well in advance of the August meeting for Board members to review in the event they want to revisit any of the approved budgets. Additionally, the new report is to detail if priorities have changed since the requests were made and approved.

Board member Manning agreed to work with Mr. Lewis in devising the new report, and also on creating a rational proposal on how to present the budget information in the future.

**MS (Manning/Hammond):** To approve the FY2003 operating budgets for the Office of the State Board of Education, The School for the Deaf and the Blind, Professional-Technical Education, Health Programs, Special Programs, Public Broadcasting, Vocational Rehabilitation, the College and Universities, Agricultural Research & Cooperative Extension, and the Capital Budget as detailed in (BAHR) TAB 3. *The motion carried unanimously.*

## 3. Acceptance of FY 2003 Intercollegiate Athletics Operating Budget Report

Staff explained that although the report shows state revenues spent on athletic programs, the Board has limits in place that limit the amount of dollars that can go to athletics from sources outside the athletic programs.

Board President Hall expressed concern with the amount of money spent on athletics, and encouraged a serious look at priorities. Board member McGee agreed and suggested appointing a group to look at the issue. Board member Hammond stated that any analysis in this area should include projections of losses that may occur if athletics were discontinued, as well as the positive impacts of athletics on scholarships, private fundraising, and the economic impact on communities.

Board President Hall appointed Board member Stone to chair a subcommittee to gather information relative to athletics at the four-year institutions. A discussion ensued regarding the over expenditures in the report before the Board.

**MS (Manning/Stone):** To accept the Intercollegiate Athletics Report as presented in Tab 4 (BAHR). *The motion carried unanimously.*

4. First reading: Governing Policies & Procedures, Sections V.Q – Deposits and Miscellaneous Receipts Accounts and V.R. Establishment of Fees

**MS (Manning/Agidius):** To approve for first reading the proposed policy change defining a workforce training credit fee and establishing that fee at \$10.00 as presented in TAB 5 (BAHR). *The motion carried unanimously.*

**BAHR Section II – Human Resources**

1. Institution / Agency Agenda

There was a question regarding the UI College of Law Dean being paid with part UI Foundation dollars. It was explained that it is common practice to offer both a salary and a professorship, and the Foundation stepped forth to pay for the professorship. The UI currently has about 12 professorships, some of which are endowed, some of which are annually funded. They are generally awarded to senior faculty.

**MS (Manning/McGee):** To approve the Institution / Agency Agenda items as presented in TAB 2 for Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, and Idaho Public Television. *The motion carried unanimously.*

2. First Reading: Governing Policies & Procedures, Sections II.B – Appointment Authority and Procedures and II.H – Policies Regarding Coaching Personnel and Athletic Directors

Board member Lewis questioned the need for the policy changes.

**MS (Manning/Hammond):** To approve for first reading changes (identified in (BAHR) TAB 3 to Section II.B and II.H. *The motion carried 7-1 (Lewis dissenting)*

**F. Planning, Policy & Governmental Affairs (PPGA) – Jim Hammond**

1. Idaho Council for Technology in Learning Strategic Plan Approval / Progress Report

Ann Joslin, Chair of the ICTL Higher Education Information Technology Subcommittee presented the Higher Education Information Technology Strategic Plan to the Board.

**MS (Hammond/Manning):** To approve the Strategic Plan from the Higher Education Information Technology Committee of the Idaho Council for Technology in Learning. *The motion carried unanimously.*

## 2. Idaho Educational Public Broadcasting System Progress Report

Peter Morrill gave the report. He noted that the digitalization as currently mandated has been funded in full, and he will not be requesting additional state dollars for its implementation.

## 3. First Reading: Governing Policies & Procedures, Section IV.C - Idaho Educational Public Broadcasting

Board member Hammond noted that viewer advisory statements will continue to run until final reading of the policy change has been completed, which is scheduled to occur at the August meeting.

**MS (Howard/Hammond):** To approve for first reading the changes to Section IV. Organization Specific Policies and Procedures, Subsection C. related to the Idaho Educational Public Broadcasting System. *The motion carried unanimously.*

## 4. First Reading: Governing Policies & Procedures, Section III.P - Students Called to Active Military Duty

Staff noted that work will continue on the language in the policy, which may result in wording changes when it come back to the Board in August for final approval.

**MS (Hammond/Manning):** To approve for first reading the changes to Section III. Postsecondary Affairs, Item P.17 related to Students Called to Active Military Duty. *The motion carried unanimously.*

## 5. Idaho State Library Reappointment

**MS (Hammond/Agidius):** To approve the reappointment of Richard Rognas to the State Library for a term of five years, from July 1, 2002 to June 30, 2007. *The motion carried unanimously.*

## 6. Presidents' Council Report

Dr. Michael Burke, NIC, newly elected chair of the Presidents' Council, reported on the most recent meeting of the Council, which consisted mainly of budgeting issues. He noted that to all, the restoration of MCO funding is of key importance. He proposed collaborating on an initiative to articulate the continuing needs to support higher education in our state. He noted that the Presidents have a retreat planned in August, which will include Board staff, to begin discussions on how to collaborate and move forward with this message.

## 7. Idaho Place / Idaho Water Center Report

Dr. Hoover and Dr. Bowen made introductory statements and introduced others who will be providing information to the Board - Pat McMurray, UI Foundation President; Wayne Meuleman, Executive Director of the Idaho State Building Authority; Carl Dreher, Director of the Idaho Department of Water Resources; and, Bruce Newcomb, Speaker of the Idaho House of Representatives. A question and answer exchange ensued, providing the following clarification of the issues:



- ISU and UI have offered small programs in Boise for many years. Additionally, following encouragement from the Legislature to purchase rather than lease facilities, the institutions began planning this move about seven years ago, at which time the UI Foundation and the Idaho Department of Water Resources showed interest in the effort.
- The building construction is being paid for through revenue bonds. The bonds are non-recourse bonds, which means that if the state were to elect to not renew the lease, the Idaho State Building Authority would take the facilities and try to put them to some other use in order to pay the bondholders.
- Although leasing space in this type of venue is a new venture for the UI, they expressed confidence that they will be able to fill the space.
- The Idaho State Building Authority (ISBA) is carrying the risk on the facilities – if leasing dollars do not come in, the ISBA is responsible, not the institutions. Additionally, the ISBA will wait to see who the base tenants are going to be before they will authorize funding and construction to ensure that lease obligations will be fulfilled.

Board member Hammond noted that this is a larger project than either the Board or the ISBA has undertaken, and encouraged all to concentrate on the goal and vision of what is trying to be accomplished. Although a project with diverse interest such as this creates some risk, it is important to weigh the risk against the potential outcome. The ISBA will be very diligent in moving forward.

Board member Lewis questioned whether there other ways to go about accomplishing the goal without the substantial risks that this venture provides. Mr. Meuleman assured Mr. Lewis that the ISBA will not merely accept the signature of the institutions on the master lease, but will also provide for disclosure of companies and scrutiny of the other lessees.

Mr. Lewis expressed additional concerns about parking and noted the importance of ensuring that the Board is not walking into a situation that puts education dollars at risk for unproductive means. Board President Hall expressed his belief that the Board had already approved the project, and noted that unless these problems are irresolvable and the Board is willing to stop the endeavor now, it is important to continue moving forward under previously provided Board approval. Board member Manning expressed interest in a comprehensive review of Board policy to make certain that this sort of enterprise succeeds.

## **G. Instruction, Research & Student Affairs (IRSA) – Rod Lewis**

### **1. First reading: Governing Policies and Procedures, Sections III.G - Program Discontinuance and III.H – Program Review**

**MS (Lewis /McGee):** To approve the first reading of the Board’s Policy Section III.G., Program Approval and Discontinuance. ***The motion carried unanimously.***

**MS (Lewis /McGee):** To approve the first reading of the Board’s Policy Section III.H., Program Review. ***The motion carried unanimously.***



## 2. New Program Proposals

### Bachelor of Science, Health Science -- ISU

**MS (Lewis/McGee):** To approve Idaho State University's Bachelor of Science, Health Science program. *The motion carried unanimously.*

### Master of Nursing Program Professional Fee—ISU

Dr. Lawson reported that ISU's role in health professions has the institution offering programs across the state with help of considerable federal dollars; however, much of the federal funding will no longer be provided. He noted this would be a brand new fee for graduate nursing, and that it had been included in the Board's BAHHR agenda with other fee increases at the April 2002 meeting.

Board member Lewis noted the Board's current definition related to professional programs and described some of the informal criteria that have been applied in the past to determine whether a program should be considered a "professional" program, including uniqueness, licensing, selectivity, and whether it's a terminal degree program. Board member Hall expressed hesitation in approving a new professional program until a clear definition is established.

A discussion ensued regarding the critical need for masters level nursing degrees, whether nursing should be defined as a professional program, and if it is, whether other institutions with nursing programs will follow with requests for profession program status, and the importance of establishing a policy that clearly defines a professional program, not by listing them out, but by providing criteria or a definition that must be met.

Dr. Lawson reported that CAAP will continue to work on the creation of an expanded, clear definition for professional programs, and it was agreed that graduate nursing would be the designation for this program in an attempt to differentiate ISU's program from other nursing programs in the state.

**MS (Lewis/McGee):** To direct the institutions to prepare for first reading an amendment to Board policy that will list Master of Nursing as a professional program. *The motion carried 5-3, with Hall, Stone and Howard dissenting.*

### Master of Science in Dental Hygiene—ISU

**MS (Lewis/McGee):** To approve Idaho State University's development of a full proposal for a Master of Science in Dental Hygiene program. *The motion carried unanimously.*

## 3. HERC Recommendations

**MS (Lewis/Hammond):** To approve the nominations to the Idaho EPSCoR Committee pending further evaluation by the Board on the composition of the Committee. *Appointments include Major General Darrell V Manning, Boise; Dr. Carole McWilliam, Pocatello; Senator Laird Noh, Kimberly; Mr. Leo Ray, Buhl; Dr. Frederick Templeton, Boise; Dr. Parker G. Woodall, Coeur d'Alene; and John Glerum, Coordinator of the Governor's Science and Technology Advisory Council. The motion carried 7-1, Manning abstained.*

It was noted that this action is not related to the individuals up for appointment; but rather to make sure all are aware that the Board is continuing to review the EPSCoR Committee composition.

**MS (Lewis/Agidius):** To approve the FY2003 Budget Allocations for the Higher Education Research Council. *The motion carried unanimously.*

## **H. Other / New Business**

### Support for Governor's Budget

**MS (Hammond/Manning):** To approve the resolution and letter of editorial to support the Governor's budget contingency plan. *The motion carried unanimously.*

## **I. Executive Session**

**MS (Hammond/Manning):** To enter into executive session pursuant to Idaho Code section 67-2345 (1) (a), (b), (c), and (f). *The roll call vote was unanimous.*

The Board considered hiring a public officer, employee, staff member or individual agent; considered 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; conducted deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; and considered and advised its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

**MS (McGee/Hammond):** To approve the amended supplemental compensation agreement with the ISU Foundation. *The motion carried unanimously.*

**MS (McGee/Hammond):** To approve the UI settlement on personnel issue. *The motion carried unanimously.*

The meeting was adjourned at 4:30pm.