



**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**

STATE BOARD OF EDUCATION MEETING

November 12, 2004

J.R. Williams Building

East Conference Room

Boise, ID

A special meeting of the Idaho State Board of Education was held on November 12, 2004 in Boise, Idaho. Board President Rod Lewis presided. The following members were present in person or by conference phone:

Rod Lewis, President

Milford Terrell, Secretary

Blake Hall

Susan Thilo

Laird Stone, Vice President

Paul Agidius

Karen McGee

Marilyn Howard

The meeting was called to order at 8:40 a.m. on November 12, 2004 by Board President Lewis at the J.R. Williams Building in the East Conference Room, Boise, Idaho and confirmed the attendance.

BOARDWORK

1. Agenda Approval

M/S (McGee/Agidius): To amend the agenda with respect to the charter school rule; removing item six from today's agenda and reconsidering it prior to November 17, 2004.
Motion carried 6-0 (Terrell and Howard absent).

STATE BOARD OF EDUCATION PENDING RULES

1. Approval of Pending Rules and Amendment to Temporary Rules Governing Uniformity – Computer Based Alternative Routes – Docket No. 08-0202-0402

Dr. Howard noted the language on page two of Tab 1, 045.01 where it reads, “. . . the Board MUST approve . . .” indicating it seemed too broad and possibly takes away the Board's

discretion. She suggested it be changed to say, the Board will “. . . review and determine whether it meets the criteria.”

The Board discussed this point and agreed that the wording be changed to read, “All computer-based alternative routes to teacher certification shall be approved by the State Board of Education.”

M/S (McGee/Terrell): To approve the adoption of the Pending and Amendment to Temporary Rule of IDAPA 08.02.02, Rules Governing Uniformity, Section 045, Computer Based Alternative Route to Teacher Certification, including alternative language. A substitute motion was made.

Substitute M/S (Terrell/Agidius): To approve the adoption of the Pending and Amendment to Temporary Rule of IDAPA 08.02.02, Rules Governing Uniformity, Section 045, Computer Based Alternative Route to Teacher Certification as amended in 045.01. Approval of the Program, to read: “All computer-based alternative routes to teacher certification shall be approved by the State Board of Education.”
Motion carried unanimously.

2. Approval of Pending Rules Governing Thoroughness – Failure to Meet AYP – Docket No. 08-0203-0402

Carissa Miller, Office of the State Board, discussed several points that were brought forward by Board members. She clarified the intent of the federal regulations having to do with student eligibility as far as choice and supplemental education services. There was further discussion of the rule regarding corrective action and the exact meaning of the phrase, “maintaining or making progress.” Ms. Miller agreed to check the rule for consistency with federal regulations prior to the next meeting of the Board.

M/S Hall/Terrell: To table this item until the next special meeting (prior to November 17, 2004). *Motion carried unanimously.*

3. Approval of Pending Rules Governing Thoroughness – LEP Standards – Docket No. 08-0203-0403

M/S (Howard/McGee): To approve the Pending Rule, Rules Governing Thoroughness, Sections 670-755, ELP Standards as submitted. *Motion carried unanimously.*

4. Approval of Pending Rules Governing Thoroughness – Annual Yearly Growth – Docket No. 08-0203-0404

There was discussion about the criteria for the academic achievement awards. Carissa Miller, Office of the State Board clarified for the Board that the funding source for the awards are federal funds.

M/S (McGee/Terrell): To approve the Pending Rule, Rules Governing Thoroughness, Section 113, Rewards as submitted. *Motion carried unanimously.*

5. Approval of Pending Rules Governing Thoroughness – Commercial Driving Schools Docket No. 08-0202-0406

Karen Echeverria, Office of the Board, discussed the rule with the Board. She noted that no changes were made in the rule after the August Board meeting.

Dr. Howard referred to page 10 of Tab 5, section 1.8 noting that the sentence seemed incomplete. She suggested the sentence be amended to read, “. . . shall be submitted to the State Department of Education for approval.”

Board member Thilo, along with Board members Hall, Stone and Agidius, discussed item 9.5 (page 17) having to do with the requirement of daylight driving hours. There was agreement that the requirement is not practical or reasonable considering how much daylight there actually is during certain times of the year along with the large number of students taking driver’s training, and the limited number of classes. Dr. Howard said it was an issue of student-safety for student drivers training, but agreed the rule should be consistent. Board member Agidius suggested eliminating the two-hour daylight training requirement.

Board President Lewis pointed out other places in the rule that needed clarification or correction. There was discussion by the Board on section 9.2 having to do with enrollment and the acceptable number of missed hours. Board member Thilo suggested the last sentence of this section read, “. . . enrollment not be allowed to continue if the student misses more than the first three hours of instruction.” Board President Lewis and Board member Terrell agreed.

The discussion returned to section 1.8 and there was agreement that the wording should be “for review and comment.”

M/S (Terrell/Agidius): To approve the Pending Rule, Rules Governing Thoroughness, State Board Rules for Commercial Driving Schools. A substitute motion was made.

Substitute M/S (Lewis/Terrell): To approve the Pending Rule, Rules Governing Thoroughness, State Board Rules for Commercial Driving Schools with the following amendments:

- **Section 1.8 -- change the first sentence to read, “A copy of the course content outline and a scope and sequence for both the in-car and classroom instruction shall be submitted to the Department of Education for review and comment.”**
- **Section 2.1 -- correct the typographical error in the second line, changing ASE to ASA.**
- **Section 9.2 – to read, “A student may miss the first three (3) hours of classroom instruction. However, the hours must be made up before any final tests are administered. Enrollment is not permitted if the student misses any more than the first three (3) hours of instruction.”**
- **Section 9.5.e – this section to be deleted.**

- **Section 9.11** – change to make the language the same as what is on page 30, Tab 5.
- **Section 9.13** – in the first line, change “. . . student or their parent . . . “ to read “. . . student and their parent . . . “
- **Section 11.2.h** -- in second line, the word “shall” to be substituted for the word “may.” *Motion carried unanimously.*

6. Approval of Pending Rules and Amendment to Temporary Rules Governing Charter Schools – Docket No. 08-0204-0401 and 08-0204-

This item was tabled until the next special meeting (prior to November 17, 2004).

7. Approval of Pending Rules Governing Thoroughness – Busing – Docket No. 08-0202-0403

Rod McKnight discussed this rule with the Board. He clarified what was in the statute for the benefit of Board members in regards to this pending rule. He also explained other changes made in the rule.

It was noted, on page 76, second line from the bottom of the page, the word “bidding” is misspelled.

M/S (Howard/McGee): To approve a pending rule (Docket No. 08-202-0403) for publication in the January 5, 2005, Administrative Bulletin. *Motion carried unanimously.*

M/S (Howard/Thilo): To approve a rule by reference, i.e., the Standards for Idaho School Buses and Operations – August 13, 2004, as amended. *Motion carried unanimously.*

8. Approval of Pending Rules Governing Thoroughness – Professional Standards – Docket No. 08-0202-0405

Dr. Howard briefly explained the value of the standards.

M/S (Howard/Lewis): To approve the request by the Professional Standards Commission as submitted and specifically defined in Attachment 1. *Motion carried unanimously.*

M/S (Howard/Thilo): To approve the request by the Professional Standards Committee as submitted and specifically defined in Attachments 1-4. *Motion carried unanimously.*

9. Approval of Pending Rules Governing Thoroughness – Public Driving Schools – Docket No. 08-0202-0407

There was discussion about this rule and it was noted that section 1.4 having to do with late enrollment should be consistent with what was previously discussed. Board President Lewis recommended that the Department of Education review these standards to make them consistent to the amendments in the commercial driving school standards.

M/S (Terrell/Lewis): To table this item with instructions to State Department of Education to review the rule and make it consistent with the commercial driving school standards.

Motion carried unanimously.

10. Approval of Pending Rules Governing Thoroughness – Accreditation – Docket No. 08-0202-0408

Shannon Page discussed the accreditation standards which were passed by the Board in August, 2004.

M/S (Howard/Lewis): To approve proposed changes to IDAPA.08.02.02.140 –

Accreditation. *Motion carried unanimously.*

11. Approval of Pending Rules Governing Thoroughness – Payment for Teacher Preparation – Docket No. 08-0202-0409

M/S (Howard/Agidius): To approve the addition to Idaho State Board of Education Rule 08.02.02.100 as recommended by the Professional Standards Commission. *Motion carried unanimously.*

OTHER / NEW BUSINESS

Board President Lewis noted that three items were deferred and need to be considered prior to November 17, 2004. Board staff will set the date and time. Board members were in agreement that Tuesday, November 16, 2004, after 4:00 p.m., would work for the majority.

M/S (Agidius/Thilo): To adjourn the meeting at 10:23 a.m. *Motion carried unanimously.*