

**CONSENT AGENDA – STATE BOARD OF EDUCATION
DECEMBER 2, 2004**

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CONSENT – INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS
DECEMBER 2, 2004

SUBJECT

Higher Education Research Council (HERC) Appointments

APPLICABLE STATUTE, RULE, OR POLICY

N/A

BACKGROUND

The Higher Education Research Council (HERC) is responsible for implementing and administering the Board's Higher Education Research Council Policy and the grant programs created by it, which are designed to stimulate competitive research at Idaho's institutions. HERC has worked diligently to attract projects that serve to strengthen the research capabilities and contribute to the economic development of the state of Idaho. HERC's annual budget has averaged approximately \$2 million over the past ten years.

The State Board of Education identified four areas of funding to stimulate competitive research at Idaho's institutions of higher education; research infrastructure, specific research grants, research center grants, and matching grants.

DISCUSSION

The Higher Education Research Council (HERC) is comprised of the Presidents of the State College and Universities, four non-institutional representatives and the Governor's Statewide Science & Technology Advisor. Two of the non-institutional representative positions, currently held by Dr. Dennis Stevens and Mr. John Huffman, are up for reappointment. The term of appointment for non-institutional positions is three years.

Mr. Huffman and Dr. Stevens have confirmed their interest in continuing their service on the Higher Education Research Council.

The following are biographical summaries of these individuals:

Mr. John Huffman received his degree in Mechanical Engineering from Oklahoma State University. In 1979, Mr. Huffman went to work as an Research and Development (R&D) engineer for Hewlett Packard (HP) in Boise, Idaho. At HP he worked on a wide range of impact and laser printer products and has 25 patents related to printer design. He received his M.S. in Mechanical Engineering from the University of Idaho in 1986, concentrating on composite material design. John is now an R&D Project Manager and works closely with Japanese companies developing the next generation of HP LaserJet printers for worldwide markets.

Dr. Dennis Stevens is an internationally recognized scholar in infectious diseases and is currently the Chief of Infectious Diseases Section at the Veterans Affairs Medical Center (VAMC) in Boise. Dr. Stevens is heavily involved

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in research on bacterial pathogens and has provided opportunities for many students from Idaho State University (ISU), University of Idaho (UI), Albertson College of Idaho and Boise State University (BSU). Dr. Stevens has also initiated a Doctoral Program in Microbiology administered through the UI, but centered at the VAMC. Dr. Stevens has also mentored many ISU School of Pharmacy students in clinical Infectious Diseases at the Boise VAMC. He strongly believes in cultivating partnerships between institutions and the private sector. Dr. Stevens is an advocate of improving collaboration between researchers throughout the state. Dr. Stevens fully supports the re-instatement of the small individual grants program administered through HERC and sees this as a way that Professors may get a good start as independent researchers who can then become competitive for federally supported grants through the National Institutes of Health (NIH) and National Science Foundation (NSF).

IMPACT

Reappointing Mr. Huffman and Dr. Stevens to the Council will provide continuity to HERC's initiatives currently in progress.

STAFF COMMENTS AND RECOMMENDATIONS

HERC and OSBE Staff recommend the reappointment of Dr. Dennis Stevens and Mr. John Huffman to the Higher Education Research Council.

BOARD ACTION

A motion to reappoint Dr. Dennis Stevens and Mr. John Huffman to the Higher Education Research Council respectively for three-year terms, December 2004 – December 2007.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

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REFERENCE

October 14, 2004 – The Board approved the first reading of this amendment.

SUBJECT

Second Reading – Repeal of Board Policy I.L.2 – Appeals for Charter Schools Establishment

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures Section I.A.4.a-b.

BACKGROUND

In April 2002, the State Board of Education (Board) adopted Policy I.L.2 – Appeals for Charter Schools Establishment (Policy). The policy set out the time frames and requirements for charter school appeals before the Board.

With the passage of SB1444a, new procedures were necessary for appeals before the Board. Consequently, in August 2004, the Board adopted the Rules Governing Charter Schools (Rules). These new rules establish time frames and requirements for charter school appeals before the Board.

DISCUSSION

The new Rules were adopted as temporary rules, and are in effect at this time. Because the new rules clearly set out the time frames and procedures for filing appeals with the Board, the Policy is no longer necessary. Furthermore, the Policy is now in conflict with the rules which necessitates the repeal of this Policy.

IMPACT

If the Board approves the first reading of the amendment to Board Policy I.L.2 – Appeals for Charter Schools Establishment, it will be presented for a second and final reading at the December meeting.

If the Board does not approve the first reading of the amendment to Board Policy I.L.2 – Appeals for Charter Schools Establishment, the policy will remain in effect. It should be noted that the Board rule will take precedent over the Board policy.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the amendment to Board Policy I.L.2 – Appeals for Charter Schools Establishment. This amendment would repeal this section of the Policy.

BOARD ACTION

A motion to approve the second reading of the amendment to Board Policy I.L.2 – Appeals for Charter Schools Establishment:

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Moved by _____ Seconded by _____ Carried Yes _____ No _____

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Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES

SUBSECTION: L. Appeal Procedures

April 2002December 2004

L. Appeal Procedures

The appeal procedures set forth in this section shall apply to all appeals to the Board where such procedures are not otherwise provided for by the Board Governing Policies and Procedures, the Board's rules, or by law.

Unless specifically provided in the Board's Governing Policies and Procedures, the Board's rules, or by law, appeal to the Board is not a matter of right. The Board has discretion as to whether to hear the appeal. In such cases, the appeal to the Board is not necessary to exhaust administrative remedies for the purposes of judicial review, if such review is available.

1. Appeals to the Board

- a. To initiate an appeal to the Board, the appellant shall file a notice of appeal, plus eleven (11) copies, with the Board no later than twenty-one (21) days following the final action that is the subject of the appeal. Such notice of appeal shall include; the name, address, and telephone number of the appellant and a reasonable description of the subject matter of the appeal, and shall have attached thereto the written notice of final action upon which the appeal is based.
- b. All appeals shall be filed at the Office of the State Board of Education (650 W. State St., Third Floor, P.O. Box 83720, Boise, ID 83720-0037).
- c. If the Board has discretion whether to hear the appeal, then within seventy (70) days after receipt of such notice of appeal the Board shall determine whether to hear the appeal. If the Board denies the request for an appeal, then the Board shall notify the appellant accordingly in writing.
- d. If the Board agrees to hear the appeal, or if the appeal is not discretionary, the Board shall provide written notice of the approved appeal to the appellant. Such notice shall set forth whatever procedures and conditions for the appeal the Board deems appropriate. Unless inconsistent with the procedures and conditions set by the Board for a particular case, the Board may conduct such appeals consistent with IDAPA 08.01.01.050.
- e. The decision being appealed shall be in full force and effect during the appeal process, including the request for appeal, and shall not be held in abeyance.

~~2. Appeals for Charter Schools Establishment~~

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- ~~— Appeals for the establishment of a charter school pursuant to Idaho Code Section 33-5207(5)(b) shall be held pursuant to the procedures set forth in the following subsection and not pursuant to IDAPA 08.01.01.050, IDAPA 04.11.01, and Chapter 52, Title 67, Idaho Code.~~
- ~~a. The petitioner/appellant shall file a notice of appeal with the Board as provided in Section I.L.1 above. In addition to the requirements in said section, the notice of appeal shall include the following: the name, address, and telephone number of the local board of trustees that denied the charter school application; and a copy of the official minutes of the meeting of the local board meeting at which the charter school application was denied.~~
- ~~b. The Board shall deliver written notice of the appeal to the petitioner/appellant requesting the appeal and the local board of trustees that denied the petition. Pursuant to Idaho law, such notice shall be in writing and delivered by first class mail to the parties at least five (5) days prior to the hearing that will be set at the Board's next regularly scheduled meeting. Provided, however, if the appeal request is received by the Board at such time that timely notice cannot be given, or that the requirements of the open meetings law prevent the appeal from being heard at the first next regularly scheduled Board meeting, then such appeal shall be heard at the regularly scheduled Board meeting immediately following the first next regularly scheduled Board meeting.~~
- ~~c. The Board shall, at its discretion, conduct the appeal in one of the following methods:~~
 - ~~— (1) Subject to the provisions in sub-topic b, above, the Board shall, at its next regular meeting, hold a hearing for the review of the establishment of the new charter school. Such appeal shall be held in appellate format and shall not constitute a hearing as provided in the Idaho Administrative Procedure Act. The Board shall allow the representatives of the petitioner/appellant and the representatives of the local school board no more than one half hour (30 minutes) each to present their arguments.~~
 - ~~— (2) Appoint a hearing officer to hear the appeal arguments as set forth in paragraph (1) above. The hearing officer shall then submit a complete copy of the record, along with a recommended order, to the Board for review at the Board's next regularly scheduled meeting. If the Board selects a hearing officer, all other provisions of this topic shall apply in full as if no hearing officer had been appointed.~~
- ~~d. Any written material submitted by the petitioner/appellant or by the local school board must be filed with the Board office, plus eleven (11) copies, no later than seven (7) days prior to the meeting at which the public hearing is scheduled.~~
- ~~e. The Board shall only consider material that was presented at prior proceedings regarding the petition to establish the new charter school. The Board shall not~~

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~~accept any evidence, testimony, documents, or other material regarding the petition to establish the new charter school other than the materials submitted in advance as provided above and the testimony presented at the public hearing. The petitioner/appellant must, at their own expense, include a transcript of the hearing officer's hearing as provided for in Idaho Code 33-5207(2). In addition, a copy of the hearing officer's recommendation must be included by the petitioner/appellant. All written materials submitted to the Board prior to the public hearing, excluding the transcripts and copy of the hearing officer's recommendation, are limited to fifty (50) single sided 8 ½ x 11 inch pages, double spaced type, including all attachments and exhibits.~~

~~f. The Board shall only approve the charter for the establishment of a new charter school if it determines one of the two following criteria have been met:~~

~~—(1) If the Board determines that the local board of trustees failed to appropriately consider the charter request; or~~

~~—(2) If the Board determines that the local board of trustees acted in an arbitrary manner in denying the request.~~

~~g. The Board shall review the appeal solely to make one of the two above noted determinations and for no other purpose.~~

~~h. The Board shall issue its determination by a written order within fifty-six (56) days following the appellate hearing. Such order shall conform to the requirements of Chapter 52, Title 67, Idaho Code.~~

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4. Conformance with State and Federal Law

All Board Governing Policies and Procedures and the internal policies and procedures of its institutions, agencies and school will comply with and be in conformance to applicable laws.

5. Adoption, Amendment, or Repeal of Board Policies

- a. Board policies may be adopted by majority vote at any regular or special meeting of the Board. The adoption, amendment, or repeal of a Board policy may be requested by any member of the Board, the executive director, or any chief executive officer. Persons who are Board employees, or students or student groups, must file a written request with the chief executive officer of an institution, agency or school, or his or her designee, to receive Board consideration. An Idaho resident, other than those described above, may file a written request with the executive director for Board consideration of a proposal. Regardless of the source, a statement of the proposed adoption, amendment, or repeal must be presented to the executive director for transmittal to the Board. If the subject matter of the presentation concerns an agency, institution, school, or department of the Board, the executive director will also notify the appropriate chief executive officer of the nature of the request.
- b. Board action on any proposal will not be taken earlier than the next regular or special meeting following Board approval for first reading. During the interim between the first reading and Board action, the chief executive officers will seek to discuss and review the proposal with faculty, staff, or other Board employees and students or student groups, as appropriate. The chief executive officers will transmit summaries of oral statements and written comments on the proposal to the executive director. After thorough consideration, the proposal will be presented by the executive director to the Board for action.

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SUBJECT

Military Dependent Scholarship

APPLICABLE STATUTE, RULE, OR POLICY

NA

BACKGROUND

There is a need to amend Section 33-4302, Idaho Code to more closely align with other statutes governing scholarships such as the Public Safety Officer Dependent Scholarship, and to centralize all reporting with the State Board of Education.

DISCUSSION

Section 33-4302, Idaho Code states that **Any child** of any Idaho citizen who meets the provisions of the statute will not have to pay tuition and fees, and will be provided with books, equipment and supplies (not to exceed \$500.00). The child is not required to be a resident of the State of Idaho. This legislation would change "child" to "dependent". This would be consistent with the language in the Public Safety Officer Dependent Scholarship.

This legislation establishes a time limit within which the benefit could be used. The legislation suggested is the same language that was adopted in Senate Bill No. 1356, the Public Safety Officer Dependent Scholarship. That language is as follows:

...shall not exceed a total of thirty-six (36) months or four (4) nine-month periods; provided further, that such educational benefits shall not extend beyond then (10) years following the date the dependent receives a high school diploma, a high school equivalency diploma, a special diploma or a certificate of high school completion, or beyond the date such dependent turns thirty (30) years old, whichever comes first.

The Public Safety Officer Dependent Scholarship requires the Board to verify the eligibility of recipients but the current POW/MIA Scholarship does not. The programs are very similar. The Board should also be responsible for verification of eligibility with the POW/MIA Scholarship.

This legislation requests that the name of the scholarship be changed from the POW/MIA to the Freedom Scholarship. The scholarship also include dependents of military personnel who died of injuries or wounds sustained in action. This name change reflects this broader scope of eligible dependents and is patterned after the name of the Public Safety Officer Dependent Scholarship.

IMPACT

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If this legislation is passed, the POW/MIA statute will be in alignment with the Public Safety Officer Dependent Scholarship, and the eligibility verification process will be centralized with the Board.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends support of this statutory amendment.

BOARD ACTION

A motion to approve support of the amendments to Section 33 4302, Idaho Code.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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LEGISLATURE OF THE STATE OF IDAHO
Fifty-eighth Legislature **First Regular Session - 2005**

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO.

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-4302, IDAHO CODE, TO MORE CLOSELY ALIGN WITH OTHER STATUTES GOVERNING SCHOLARSHIPS AND TO CENTRALIZE ALL REPORTING WITH THE STATE BOARD OF EDUCATION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-302 Idaho Code, be, and the same is hereby amended to read as follows:

33-4302. Scholarships – (1) State aid. Any child dependent of any Idaho citizen who is a resident of the state of Idaho on or after the effective date of this act and who has been determined by the federal government to be a prisoner of war or missing in action or died of injuries or wounds sustained in action in southeast Asia, including Korea, or who shall become so hereafter, in any area of armed conflict in which the United States is a party, shall be admitted to attend any public institution of higher education or public professional-technical school within the state of Idaho without the necessity of paying tuition and fees therefor; that such student shall be provided with books, equipment and supplies necessary for pursuit of such program of enrollment not to exceed five hundred dollars (\$500) per quarter, semester, intensified semester, or like educational period; that such student shall be furnished on-campus housing and subsistence for each month he is enrolled under this program and actually resides in such on-campus facility; provided, however, that such educational benefits shall not exceed a total of thirty-six (36) months or four (4) nine (9) month periods; provided further, that such educational benefits shall not extend beyond ten (10) years following the date the dependent receives a high school diploma, a high school equivalency diploma, a special diploma or a certificate of high school completion, or beyond the date such dependent turns thirty (30) years old, whichever comes first;

(2) provided further, that such child The dependent shall meet such other educational qualifications as such institution of higher education or professional-technical school has established for other prospective students of this state. Application for eligibility under this section shall be made to the state board of education and board of regents of the University of Idaho. The board shall verify the

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eligibility of the dependent and communicate such eligibility to the dependent and the affected institution or college.

(3) ___ Affected institutions shall in their preparation of future budgets include therein costs resultant from such tuition, fee, book, equipment, supply, housing and subsistence loss for reimbursement thereof from appropriations of state funds.

(4) ___ Applicants for the scholarship program herein prescribed shall provide institutional administrative personnel with documentation of their rights under this act.

STATEMENT OF PURPOSE / FISCAL IMPACT

STATEMENT OF PURPOSE

This legislation will amend Section 33-4302, Idaho Code to bring it up-to-date and more closely aligned with other statutes governing scholarships such as the Public Safety Officer Scholarship found in Section 33-4302A. This legislation will also centralize all scholarship reporting in the Office of the State Board of Education.

FISCAL IMPACT

There are no additional funds anticipated with this action.

CONTACT:

Name: Dana Kelly
Agency: State Board of Education
Number: 332-1574

Statement of Purpose/Fiscal Impact

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SUBJECT

Consistency in Employment Contracts

APPLICABLE STATUTE, RULE, OR POLICY

NA

BACKGROUND

Currently, there are different procedures provided in Idaho Code relating to the employment practices governing the relationship between the State Board of Education and certain college and university presidents, agency heads, and employees. In order to develop consistent employment practices, certain amendments to Idaho Code are being proposed

DISCUSSION

The purpose of this legislation is to provide for a consistent procedure relating to the employment practices governing the relationship between the Board and the college and university presidents, agency heads, and employees of the Board. Currently, Section 33-3106, Idaho Code (relating to Lewis-Clark State College), Section 33-2806, Idaho Code (relating to the University of Idaho), and Section 33-4005, Idaho Code (relating to Boise State University) permit the removal of an employee with or without cause in accordance with the policies and rules of the Board. However, Section 33-2211, Idaho Code (relating to Professional Technical Education), Section 33-3006, Idaho Code (relating to Idaho State University), and Section 33-34-5, Idaho Code (relating to the Idaho School for the Deaf and Blind) appear to only permit the removal of an employee based on cause. This legislation would provide for consistent employment practices at all the colleges and universities and agencies under the Board

IMPACT

If this legislation is passed, all agencies, colleges and universities under the Board will be governed by consistent employment practices.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends support of this statutory amendment.

BOARD ACTION

A motion to support the approval of the amendments to Sections 33-2211, 33-3006, and 33-3405, Idaho Code.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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LEGISLATURE OF THE STATE OF IDAHO
Fifty-eighth Legislature **First Regular Session - 2005**

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO.

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-2211, IDAHO CODE, TO MAKE REMOVAL OF AN EMPLOYEE AT PROFESSIONAL-TECHNICAL EDUCATION BE MADE IN ACCORDANCE WITH STATE BOARD OF EDUCATION POLICY AND RULE; AMENDING SECTION 33-3006, IDAHO CODE, TO MAKE REMOVAL OF AN EMPLOYEE AT IDAHO STATE UNIVERSITY BE MADE IN ACCORDANCE WITH STATE BOARD OF EDUCATION POLICY AND RULE; AND AMENDING SECTION 33-3405, IDAHO CODE, TO MAKE REMOVAL OF AN EMPLOYEE AT THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND BE MADE IN ACCORDANCE WITH STATE BOARD OF EDUCATION POLICY AND RULE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-2211, Idaho Code, be, and the same is hereby amended to read as follows:

33-2211. Powers of the state board for professional-technical education. - The state board for professional-technical education shall have the power:

1. To adopt rules for its own government and the government of the Eastern Idaho Technical College;
2. To employ professional and nonprofessional persons and to prescribe their qualifications;
3. To acquire and hold, and to dispose of, real and personal property, and to construct, repair, remodel and remove buildings;
4. To contract for the acquisition, purchase or repair of buildings, in the manner prescribed for trustees of school districts;
5. To dispose of real and personal property in the manner prescribed for trustees of school districts;
6. To convey and transfer real property of the college upon which no buildings used for instruction are situated, to nonprofit corporations, school districts, community college housing commissions, counties or municipalities, with or without consideration; to rent real or personal property for the use of the college, its students or faculty, for such terms as may be determined by the state board for professional-technical education; and to lease real or personal property of the college not actually in use for

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instructional purposes on such terms as may be determined by the state board for professional-technical education;

7. To acquire, hold, and dispose of, water rights;

8. To accept grants or gifts of money, materials, or property of any kind from any governmental agency, or from any person, firm, or association, on such terms as may be determined by the grantor;

9. To cooperate with any governmental agency, or any person, firm or association in the conduct of any educational program; to accept grants from any source for the conduct of such program, and to conduct such program on, or off, campus;

10. To employ a president of the college and, with his advice, to appoint such assistants, instructors, specialists and other employees as are required for the operation of the college; to fix salaries and prescribe duties; and to remove the president or ~~any other employee for cause~~other employees in accordance with the policies and rules of the state board of education;

11. With the advice of the president, to prescribe the courses and programs of study, the requirements for admission, the time and standards for completion of such courses and programs, and to grant certificates or associate of applied science degrees for those students entitled thereto;

12. To employ architects or engineers in planning the construction, remodeling or repair of any building or property and, whenever no other agency is designated by law so to do, to let contracts for such construction, remodeling or repair and to supervise the work thereof;

13. To have at all times, general supervision and control of all property, real and personal, appertaining to the college, and to insure the same.

SECTION 2. That Section 33-3006, Idaho Code, be, and the same is hereby amended to read as follows:

33-3006. General powers of board of trustees. - The board of trustees of the Idaho State University shall have the following powers:

1. To adopt rules and regulations for its own government and for that of the university.

2. To employ a president of the university and, with his advice, to appoint such assistants, deans, instructors, specialists and other employees as are required for the operation of the university; to fix salaries and prescribe duties; and to remove the president or ~~any other employee for cause~~other employees in accordance with the policies and rules of the state board of education.

3. With the advice of the president, to prescribe the courses and programs of study, the requirements for admission, the time and standard for graduation, and to grant academic degrees to those students entitled thereto.

4. To accept grants or gifts of money, materials or property of any kind from any governmental agency, or from any person, firm or association, on such terms as may be determined by the grantor.

5. To cooperate with any governmental agency, or any person, firm or association in the conduct of any educational program, to accept grants or gifts from

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any source for the conduct of such program; and to conduct such program on or off campus.

6. To employ architects or engineers in planning the construction, remodeling or repair of any building or property and, whenever no other agency is designated by law so to do, to let contracts for such construction, remodeling or repair and to supervise the work thereof.

7. To have at all times, general supervision and control of all property, real and personal, appertaining to the university, and to insure the same.

SECTION 3. That Section 33-3405, Idaho Code, be, and the same is hereby amended to read as follows:

33-3405. General powers of the board. - The board of trustees of the Idaho School for the Deaf and the Blind shall have the following powers:

1. To adopt rules and regulations for its own government and that of the school;
2. To employ a superintendent of the school, and, with his advice, to appoint such assistants, instructors, specialists and other employees as are required for the operation of the school; to fix salaries and prescribe duties; and to remove the superintendent or ~~any other employee for cause~~ other employees in accordance with the policies and rules of the state board of education;

3. With the advice of the superintendent, to prescribe the course of study, the textbooks to be used, and for those pupils who complete the requirements for grade twelve (12), the time and standard of graduation;

4. To have at all times, general supervision and control of all property, real and personal, appertaining to the school, and to insure the same;

5. To employ architects or engineers in planning the construction, remodeling or repair of any building and, whenever no other agency is designated so to do, to let contracts for such construction, remodeling or repair and to supervise the work thereof;

6. To expend moneys appropriated, or otherwise placed to the credit of the school for the maintenance and operation thereof, and to account for the same as prescribed by law;

7. To provide for the conveyance of pupils to and from the school, the expense of such conveyance being a lawful use of the moneys available to the board of trustees.

STATEMENT OF PURPOSE / FISCAL IMPACT

STATEMENT OF PURPOSE

The purpose of this legislation is to make language consistent for all colleges, universities, and executive agencies of the State Board of Education. Currently, Section 33-3106, Idaho Code relating to Lewis-Clark State College, Section 33-2806, Idaho Code relating to the University of Idaho, and Section 33-4005, Idaho Code relating to Boise State University specify that the removal of an employee at a college, university,

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or executive agency, be made in accordance with the policies and rules of the State Board of Education. This legislation would make the language found in Section 33-2211, Idaho Code relating to Professional Technical Education, Section 33-3006, Idaho Code relating to Idaho State University, and Section 33-3405, Idaho Code relating to the Idaho School for the Deaf and the Blind consistent with Section 33-3106, 33-2806, and 33-4005, Idaho Code.

FISCAL IMPACT

This bill has no adverse impact on the general fund or the Division of Professional Technical Education, Idaho State University, or the Idaho School for the Deaf and Blind

CONTACT:

Name: Gary Stivers
Agency: State Board of Education
Number: 332-1565

Statement of Purpose/Fiscal Impact

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SUBJECT

Student Education Incentive Loan Forgiveness Contracts

APPLICABLE STATUTE, RULE, OR POLICY

BACKGROUND

There is a need to amend Section 33-3722, Idaho Code to allow the State Board of Education to draft rules to allow for the redistribution of unused contracts from non-participating institutions. Further the legislation would amend the language to be consistent with the existing language as it applies to the Nursing portion of this same legislation. This would allow more education students the opportunity to be considered for this program.

DISCUSSION

Section 33-3722, Idaho Code sets the number of potential teachers at 16 and potential nurses at (13) new contracts per year. Current statute then directs the number of students at each participating institution. Currently if one state institution is not able to use the contract, or chooses not to participate in the program, the contract goes unused. The proposed change would allow the State Board of Education to promulgate rules as necessary to reassign unused contracts to other participating institutions.

This legislation would also allow more education students to be considered for this scholarship since it would eliminate the requirement to enter into the contract within two years of high school graduation. Many students are not officially accepted into the education program until they reach the junior level, this acceptance may occur after students have been out of high school for longer than two years. This legislation also aligns the eligibility criteria of the teacher portion of this program with the nursing program.

IMPACT

If this legislation is passed, the Student Education Incentive Loan Forgiveness Contract could support the maximum number of loan contracts as set forth by the legislature. The contracts from non-participating or schools that do not fully utilize this scholarship could be redistributed to other institutions. This would assist with the nursing and teacher shortage in Idaho by providing for greater participation in this program.

Furthermore, this legislation would align the teacher portion of the legislation with the nursing portion by deleting inconsistent language. More education students would be eligible for consideration as a result of these amendments.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends support of this statutory amendment.

**CONSENT AGENDA - PLANNING, POLICY & GOVERNMENTAL AFFAIRS
DECEMBER 2, 2004**

BOARD ACTION

A motion to approve support of the amendments to Section 33-3722, Idaho Code.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**CONSENT AGENDA - PLANNING, POLICY & GOVERNMENTAL AFFAIRS
DECEMBER 2, 2004**

**LEGISLATURE OF THE STATE OF IDAHO
Fifty-eighth Legislature First Regular Session - 2005**

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO.

BY EDUCATION COMMITTEE

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-3722, IDAHO CODE TO REMOVE THE PROVISION THAT POTENTIAL TEACHER AND NURSE CANDIDATES BE RECENT GRADUATES FROM A POSTSECONDARY SCHOOL IN IDAHO; TO REMOVE THE PROVISION THAT CANDIDATES BE ACADEMICALLY SITUATED WITHIN THE UPPER FIFTEEN PERCENT (15%) OF HIS GRADUATING CLASS OR HAVE EARNED A CUMULATIVE GRADE POINT AVERAGE OF 3.0 OR HIGHER; AND TO GRANT AUTHORITY TO THE STATE BOARD OF EDUCATION FOR THE REDISTRIBUTION OF UNUSED CONTRACTS FOR POTENTIAL TEACHER AND NURSE SCHOLARSHIPS.

33-3722. Student education incentive loan forgiveness contract. (1) It is hereby declared that it is in the public interest to encourage and assist individuals who wish to pursue a teaching career or professional nursing career within this state to enroll in an Idaho postsecondary institution and to work in Idaho.

(2) Any Idaho student pursuing a teaching career may sign a loan forgiveness contract and promissory note for payment of all full-time undergraduate matriculation, facility and activity fees at any Idaho institution of higher learning who:

~~(a) Has graduated from a secondary school in Idaho within the previous two (2) years; and~~

~~(b) Is academically situated within the upper fifteen percent (15%) of his graduating class based on a ranking of all students in that class according to grade point average or has earned a cumulative grade point average of 3.0 or higher; and~~

~~(c)~~ Will maintain full-time student status and shall maintain a grade point average of 3.0 or better in the first two (2) semesters and for the remaining semesters; and

~~(d)~~ Will pursue a program of study which will qualify the student to receive an Idaho teaching certificate upon completion of his studies; and

~~(e)~~ Will pursue a teaching career within the state of Idaho for a minimum of two (2) years, which time requirement will commence upon obtaining a teaching position.

(3) Any Idaho student pursuing a licensed nursing career may sign a loan forgiveness contract and promissory note for payment of all undergraduate matriculation, facility and activity fees at any Idaho institution of higher learning who:

**CONSENT AGENDA - PLANNING, POLICY & GOVERNMENTAL AFFAIRS
DECEMBER 2, 2004**

- (a) Will maintain full-time student status and shall maintain a grade point average of 3.0 or better in the first two (2) semesters and for the remaining semesters; and
 - (b) Will pursue a program of study which will qualify the student to write the licensure examination approved by the board of nursing for registered nurse upon completion of his studies; and
 - (c) Will pursue a licensed professional nursing career within the state of Idaho for a minimum of two (2) years, which time requirement will commence within one (1) year after professional nursing license is obtained.
- (4) Availability of student education incentive contracts for potential teachers will be limited to sixteen (16) each year, with three (3) to be let by the University of Idaho, three (3) by Boise State University, three (3) by Idaho State University, three (3) by Lewis Clark State College, two (2) by North Idaho College and two (2) by College of Southern Idaho; for potential registered nurses, contracts will be limited to thirteen (13) each year, with three (3) to be let by Boise State University, three (3) by Idaho State University, three (3) by Lewis Clark State College, two (2) by North Idaho College and two (2) by College of Southern Idaho.
- (a) Preference in selecting potential registered nurses will be given to applicants who indicate willingness to practice in rural Idaho.
 - (b) The length of each contract and promissory note shall not exceed a maximum of eight (8) years, and the beginning date and expiration date shall be specified in each contract.
- (5) The State Board of Education may reassign unused contracts to other participating institutions. For purposes of reassignment of unused contracts, Eastern Idaho Technical College may be considered as a participating institution and may be awarded student education incentive contracts for potential registered nurses.
- (56) The student loan office of each institution of higher learning is directed to administer the loan forgiveness program provisions of this section, including the supplying of all necessary forms and the verifying, before each registration and at the expiration of the contract, of each person's compliance with the terms of the contract and collect and account for any necessary repayment of funds. Upon successful completion of the terms of the contract, the promissory note shall be forgiven. The state board of education shall annually determine interest rate for new promissory notes. Loan repayments shall be allocated to support new student incentive loan forgiveness contracts.
- (67) Any violation of the terms of the contract shall obligate the person to repay all fees which the person as a student was allowed to waive, as determined by the affected institution.
- (78) Each affected institution shall in its preparation of future budgets include therein costs resultant from fee loss for reimbursement from appropriations of state funds.

STATEMENT OF PURPOSE / FISCAL IMPACT

STATEMENT OF PURPOSE

**CONSENT AGENDA - PLANNING, POLICY & GOVERNMENTAL AFFAIRS
DECEMBER 2, 2004**

The current statute sets the number of potential teacher (16) and potential nurse (13) scholarships and then directs the number available at each participating institution. Currently, if one of the state institutions is not able to use the contract, or chooses not to participate in the program, the contract goes unused. This legislation provides the Office of the State Board of Education the ability to redistribute the unused contracts and allow Eastern Idaho Technical College to be a participating institution. Further, the current statute requires that potential teachers be recent graduates from a postsecondary school in Idaho within the previous two (2) years. Because they may not be accepted into the teacher program until the junior year, this hinders some students from accepting the contracts. This legislation amends the language to remove or expand this time limit, which would allow more students to be eligible for consideration.

FISCAL IMPACT

There are no additional funds anticipated with this action.

CONTACT:

Name: Dana Kelly
Agency: State Board of Education
Number: 332-1574

Statement of Purpose/Fiscal Impact

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POLICY, PLANNING & GOVERNMENTAL AFFAIRS

December 2, 2004

SUBJECT

Idaho School for the Deaf and the Blind (ISDB) Agency-Wide, Single Unified Payroll Structure for all employees (Classified and Non-Classified).

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-3405, add a new paragraph 8.

BACKGROUND

For the past twelve years, ISDB payroll staff has been conducting a cumbersome process of "holdbacks" every pay period to save money from each employee's wages which were then manually distributed over the summer and school vacation periods to maintain income and benefits for our work force. This fiscal year ISDB began paying all non-classified employees on a 365 day contract which allows the State Controller's Office to pay their annual salary out in equal pay periods year-round. Classified employees cannot currently benefit from this arrangement due to statute controlling their being paid only while actually working. This proposed legislative relief will target specific ISDB practice and permit classified employees to enjoy the same stability as the rest of the agency's work force.

DISCUSSION

This approach eliminates cumbersome agency payroll manipulations and provides better SCO controls for annual salary disbursement. It also treats all agency employees equitably, while respecting the interest of classified employees who wish to retain that status. The agency benefits from greater stability from a uniquely qualified and skilled work force, who often receives extensive professional and on-the-job training at agency expense.

IMPACT

There is no fiscal impact to the agency as salaries and benefit load will remain the same.

STAFF COMMENTS AND RECOMMENDATIONS

The ISDB Superintendent staff has coordinated this approach through Division of Financial Management (DFM), Division of Human Resources (DHR), State Controllers Office (SCO), Office of the State Board of Education (OSBE), and Public Employee Retirement System of Idaho (PERSI) staffs, all of whom are in concurrence. Board staff recommends support of this statutory amendment.

BOARD ACTION

Recognizing the unique skills based requirements and need for stability of the year-round operations of ISDB's agency and school functions, the State Board Of Education supports changes to statute 33-3405, to allow for a single, unified payroll system for all classified and non-classified employees of this agency.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

POLICY, PLANNING & GOVERNMENTAL AFFAIRS

December 2, 2004

LEGISLATURE OF THE STATE OF IDAHO

Fifty-eighth Legislature

First Regular Session - 2005

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO.

BY EDUCATION COMMITTEE

RELATING TO THE IDAHO STATE BOARD OF EDUCATION; AMENDING SECTION 33-3405, IDAHO CODE TO PROVIDE FOR FLEXABILITY IN PAYMENT OF SALARIES, CONTRIBUTING TO A MORE STABLE WORKFORCE FOR THE DELIVERY OF AGENCY SERVICES STATE-WIDE, AND TO CLARIFY THE AT WILL STATUS OF THE NON-CLASSIFIED WORKFORCE.

33-3405. GENERAL POWERS OF BOARD. The board of trustees of the Idaho School for the Deaf and the Blind (ISDB) shall have the following powers:

1. To adopt rules and regulations for its own government and that of the school;

2. To employ a Superintendent and, with his advice, to appoint such assistants, instructors, specialists and other employees as are required for the operation of the school; to fix salaries and prescribe duties; and to remove the superintendent or any other employee for cause; to, at the discretion of the Superintendent, allow all employees eligible for benefits to elect to receive their salary on a year-round basis. Such a payment schedule shall not be considered a guarantee of employment.

3. With the advice of the Superintendent to prescribe the course of study, the textbooks to be used, and for those pupils who complete the requirements for grade twelve (12), the time and standard of graduation;

4. To have at all times, general supervision and control of all property, real and personal, appertaining to the school, and to insure the same;

5. To employ architects or engineers in planning the construction, remodeling or repair of any building and, whenever no other agency is designated so to do, to let contracts for such construction, remodeling or repair and to supervise the work thereof;

6. To expend moneys appropriated, or otherwise placed to the credit of the school for the maintenance and operation thereof, and to account for the same as prescribed by law;

7. To provide for the conveyance of pupils to and from the school, the expense of such conveyance being a lawful use of the moneys available to the board of trustees.

STATEMENT OF PURPOSE / FISCAL IMPACT

STATEMENT OF PURPOSE

Current statute does not allow the agency sufficient authority in payroll methodology and procedural controls to provide for a year-round benefits package and stable income for all its employees. This change is focused equally on its benefit to the employees as it is to creating stability for the agency. Idaho School for the Deaf and the Blind invests significant resources in staff training in order to ensure the quality of hands-on service to its unique and sensitive clientele. Without the stability provided by these statute changes, an adequate, well-trained workforce cannot be reasonably assured and the quality and delivery of agency services to its primary clients is degraded.

FISCAL IMPACT

Idaho School for the Deaf and the Blind will experience no increase over current salary disbursements or benefit load payments to each participating employee as a result of this change to year-round coverage. All projected costs, anticipated state salary increases, and personnel authorizations will be carefully managed to provide the required funding within the agency's established budget limits.

CONTACT:

Name: Harv Lyter / Karen Echeverria
Agency: State Board of Education
Number: 332-1567

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**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY**

SUBJECT

A request by Boise State University for new positions and changes in position.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section II.B.3

BACKGROUND

Items submitted for review and approval according to Board Policy listed above.

DISCUSSION

Boise State University requests approval for:

- Nine (9) new positions—six (6) faculty and three (3) classified positions- (9.0 total FTE) supported by appropriated, local and grant funds
- Increase FTE from .5 to 1.0 for one classified position supported by local funds

IMPACT

Once approved, the positions can be processed on the State Employee Information System.

STAFF COMMENTS AND RECOMMENDATIONS

Workload and enrollment increases are the primary reason for the position increases. Staff has reviewed the positions for compliance with Board policy and recommends approval.

BOARD ACTION

A motion to approve the request by Boise State for nine (9) new positions supported by appropriated, local and grant funds, and to increase FTE from .5 to 1.0 for one (1) position supported by local funds.

Moved by _____ Seconded by _____ Carried Yes____ No____

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY - continued**

NEW POSITIONS

Position Title	Assistant Professor (2 positions)
Type of Position	Faculty
FTE	1.0 FTE
Term of Appointment	9 month
Effective Date	August 1, 2005
Salary Range	\$50,000
Funding Source	Appropriated
Area/Department of Assignment	Geosciences
Duties and Responsibilities	Graduate and undergraduate instruction in Geosciences.
Justification of Position	Existing faculty are investing an increasing proportion of their time conducting research and seeking extramural funding from federal sources in addition to teaching and mentoring students. An increase in the number of faculty are needed to maintain the high quality of our educational programs at both the under- graduate and graduate levels while simultaneously expanding research activities.
Position Title	Assistant Professor
Type of Position	Faculty
FTE	1.0 FTE
Term of Appointment	9 month
Effective Date	January 1, 2005
Salary Range	\$50,000 - \$57,000
Funding Source	Appropriated
Area/Department of Assignment	Nursing
Duties and Responsibilities	Instructing in the Department of Nursing.
Justification of Position	Three years ago the Nursing Department lost two faculty positions due to the state budget cutback. The addition of this faculty position will assist in serving an increasing number of students both in the classroom and the clinical sites.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY - continued**

Position Title	Associate/Full Professor (2 positions)
Type of Position	Faculty
FTE	1.0 FTE
Term of Appointment	9 month
Effective Date	August 1, 2005
Salary Range	\$100,000 - \$120,000
Funding Source	Appropriated
Area/Department of Assignment	Electrical and Computer Engineering
Duties and Responsibilities	Instructing undergraduate and graduate Electrical and Computer Engineering courses.
Justification of Position	The addition of these faculty positions will enhance the research capabilities of our faculty and contribute to the four growing masters programs offered by the department. These positions will respond to industry interests and needs in the areas of nanotechnology, digital signal processing, and integrated circuit design.
Position Title	Research Assistant Professor
Type of Position	Faculty
FTE	1.0 FTE
Term of Appointment	12 month
Effective Date	January 1, 2005
Salary Range	\$60,000
Funding Source	Grant
Area/Department of Assignment	Colleges of Health Sciences and Social Sciences and Public Affairs
Duties and Responsibilities	Director and researcher for the Center for the Study of Aging.
Justification of Position	This position will obtain extramural funding and administer the programs in this newly established center.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY - continued**

Position Title	Customer Service Representative 2
Type of Position	Classified
FTE	1.0 FTE
Term of Appointment	12 month
Effective Date	January 1, 2005
Salary Range	\$21,445
Funding Source	Appropriated
Area/Department of Assignment	Enrollment Services
Duties and Responsibilities	Provide assistance to students, faculty and visitors in the student services area at Boise State West.
Justification of Position	With the opening of the new building at Boise State West, this position is needed to help with the smooth transition for students, faculty and visitors.

Position Title	Radio Network Operations Manager
Type of Position	Classified
FTE	1.0 FTE
Term of Appointment	12 month
Effective Date	January 1, 2005
Salary Range	\$30,410
Funding Source	Local
Area/Department of Assignment	BSU Radio
Duties and Responsibilities	To coordinate scheduling of daily on-air activity including program recordings, promotions, continuity, and underwriting; coordinate daily network operation; perform related work.
Justification of Position	This position was initially established as a limited-service position. Due to a review per state Division of Human Resources rule, this position no longer qualifies for limited service and must be established permanently.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY - continued**

Position Title	Administrative Assistant I
Type of Position	Classified
FTE	1.0 FTE
Term of Appointment	12 month
Effective Date	January 1, 2005
Salary Range	\$28,579
Funding Source	Local 50%; Appropriated 50%
Area/Department of Assignment	College of Health Sciences
Duties and Responsibilities	To perform a wide variety of secretarial support functions; apply detailed program knowledge in developing and/or maintaining program records systems and/or in collecting information, preparing reports and providing liaison between management, other organizational units, and external customers; perform related work.
.Justification of Position	This position was initially established as a limited-service position. Due to a review per state Division of Human Resources rule, this position no longer qualifies for limited service and must be established permanently.
.	

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY - continued**

CHANGE OF POSITION

Position Title	Administrative Assistant I
Type of Position	Classified
FTE	from .5 to 1.0 FTE
Term of Appointment	12 month
Effective Date	January 1, 2005
Salary Range	\$11,897
Funding Source	Local
Area/Department of Assignment	Materials Science and Engineering
Duties and Responsibilities	Clerical responsibilities to support the faculty and chair for the Materials Science and Engineering Department.
Justification for Position	After the creation of the Materials Science and Engineering Department, a half-time assistant position was created. It has been determined with the current administrative workload, this position must be increased to full time.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: II. HUMAN RESOURCES POLICIES AND PROCEDURES

B. Appointment Authority and Procedures

August 2002

B. Appointment Authority and Procedures

1. Nothing herein may be construed to be in limitation of the powers of the Board as defined by Sections 33-3006, 33-3104, 33-2806, and 33-4005, Idaho Code, or as otherwise defined in the Idaho Constitution or Code.

2. **Delegation of Authority**

The Board delegates all authority for personnel management not specifically retained to the executive director and the chief executive officers consistent with the personnel policies and procedures adopted by the Board. In fulfilling this responsibility, the executive director and chief executive officers, or their designees, may exercise their authority consistent with these policies and procedures. Provided, however, that the Board retains the authority for taking final action on any matter so identified anywhere in these policies and procedures.

3. **Specifically Reserved Board Authority**

(Note: This is not an exclusive or exhaustive list and other reservations of Board authority may be found in other areas of these policies and procedures.) Board approval is required for the following:

a. **Position Authorizations**

(1) Any permanent new position, regardless of funding source, requires Board approval. Agenda Item Format: Requests for new position authorizations must include the following information:

- (a) position title;
- (b) type of position;
- (c) FTE
- (d) Term of appointment;
- (e) Effective date;
- (f) approximate salary range;
- (g) funding source;
- (h) area or department of assignment;
- (i) a description of the duties and responsibilities of the position; and

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

(j) a complete justification for the position

(2) Any permanent position being deleted. The affected position should be identified by type, title, salary, area or department of assignment, and funding source.

b. The initial appointment of all employees to any type of position at a salary that is equal to or higher than 75% of the chief executive officer's annual salary.

c. The employment agreement of any head coach or athletic director (at the institutions only) longer than one year, and all amendments thereto.

d. The criteria established by the institutions for initial appointment to faculty rank and for promotion in rank, as well as any additional faculty ranks and criteria as may be established by an institution other than those provided for in these policies (see subsection G.) Any exceptions to the approved criteria also require Board approval.

e. The procedures established for periodic performance review of tenured faculty members. (see subsection G.)

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
IDAHO STATE UNIVERSITY**

SUBJECT

A request by Idaho State University for approval of new positions.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section II.B.3

BACKGROUND

Items submitted for review and approval according Board policy listed above.

DISCUSSION

Idaho State University is requesting approval for:

- one (1) new faculty position (.50 FTE) supported by grant funds
- one (1) new professional staff position (1.0 FTE) supported by state and local funds
- one (1) new Head Coach, Women's Softball position (1.0 FTE) supported by state and local funds.

IMPACT

Once approved, the positions can be processed on the State Employee Information System.

STAFF AND COMMENTS AND RECOMMENDATIONS

Workload and enrollment increases are the primary reason for the position increases. Staff has reviewed the positions for compliance with Board policy and recommends approval.

BOARD ACTION

A motion to approve the request by Idaho State University for a new faculty position supported by grant funds; a new professional staff position and a new Head Coach, Women's Softball position, supported by state and local funds.

Moved by _____ Seconded by _____ Carried Yes_____ No_____

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
IDAHO STATE UNIVERSITY- continued**

**NEW POSITIONS
ACADEMIC**

Position Title	Clinical Assistant Professor
Type of Position	Faculty
FTE	.50
Term of Appointment	12 month
Effective Date	December 6, 2004
Salary Range	\$36,400.00
Funding Source	Grant Funds
Area/Department of Assignment	Pharmacy Practice & Administrative Sciences
Duties and Responsibilities	Perform Drug Utilization Review activities for the Idaho Medicaid Program as subcontracted through the Department of Health and Welfare
Justification of Position	To provide additional faculty support to meet the increased contractual obligations defined under the DUR agreement.

OTHER

Position Title	Direction, Samuel H. Bennion Student Union
Type of Position	Non-Classified
FTE	1.0
Term of Appointment	12 month
Effective Date	December 6, 2004
Salary Range	\$48,000.00
Funding Source	Local Funds
Area/Department of Assignment	Student Union
Duties and Responsibilities	Oversee all union operations at the Samuel H. Bennion Student Union in Idaho Falls; advise Associated Students officers; oversee contracted food service operations; review, create and implement services and programs to meet students' activities and leadership needs.
Justification of Position	To provide leadership and direction to staff of the Samuel H. Bennion Student Union in Idaho Falls and provide support for student services housed in the facility.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
IDAHO STATE UNIVERSITY- continued**

Position Title	Head Coach, Women's Softball
Type of Position	Non-Classified
FTE	1.0
Term of Appointment	12 month
Effective Date	December 6, 2004
Salary Range	\$40,000.00
Funding Source	State Funds
Area/Department of Assignment	Intercollegiate Athletics
Duties and Responsibilities	Duties include coaching, scheduling, recruiting, marketing and promoting a Division I Softball program, including all aspects of beginning a new athletic program.
Justification of Position	To provide coaching staff for the new softball program to be in compliance with the gender equity plan as approved by the NCAA.

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**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO**

SUBJECT

A request by the University of Idaho for approval of new positions and deleted positions.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section II.B.3

BACKGROUND

Items submitted for review and approval according to Board Policy listed above.

DISCUSSION

A request by the University of Idaho for approval of:

- One (1) new faculty position (1.0 FTE) supported by appropriated funds
- One (1) new classified position (1.0 FTE) supported by appropriated funds
- Deletion of forty-three (43) positions supported by appropriated and non-appropriated funds

IMPACT

Once approved the changes can be processed on the State Employee Information System.

STAFF COMMENTS AND RECOMMENDATIONS

Positions are being deleted to clean-up the institution's position list. Staff has reviewed the new positions for compliance with Board policy and recommends approval.

BOARD ACTION

A motion to approve the request by the University of Idaho to add two new positions (2.0 FTE) supported by appropriated funds and to delete forty-three (43) positions supported by appropriated and non-appropriated funds.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

**NEW POSITIONS
OTHER**

Position Title	Assistant Professor (Tenure Track)
Type of Position	Faculty
FTE	1.0
Term of Appointment	9 months
Effective Date	January 1, 2005
Salary Range	\$50,000.00
Funding Source	Appropriated funds
Area/Department of Assignment	Mathematics (60%) and Statistics (40%)
Duties	Joint teaching and research duties
Justification	Increased joint teaching and research duties in bioinformatics

Position Title	Program Advisor
Type of Position	Classified
FTE	1.0
Term of Appointment	12 months
Effective Date	January 1, 2005
Salary Range	\$26,989.42
Funding Source	Appropriated funds
Area/Department of Assignment	Women's Center
Duties	Provide support for Women's Center
Justification	Increased programming and services

**DELETED POSITIONS
ACADEMIC**

Position Title	Academic Faculty (2948)
Type of Position	Associate Engineer
Salary Range	\$10,288.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Engineering

Position Title	Academic Faculty (0183)
Type of Position	Faculty
Salary Range	\$2,227.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

Position Title	Academic Faculty (0162)
Type of Position	Faculty
Salary Range	\$2,641.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (0302)
Type of Position	Faculty
Salary Range	\$2,756.40
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (0174)
Type of Position	Faculty
Salary Range	\$9,103.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (0235)
Type of Position	Faculty
Salary Range	\$9,962.55
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (0298)
Type of Position	Faculty
Salary Range	\$10,362.69
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (0151)
Type of Position	Faculty
Salary Range	\$14,656.50
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

Position Title	Academic Faculty (0222)
Type of Position	Faculty
Salary Range	\$15,505.20
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (0416)
Type of Position	Faculty
Salary Range	\$39,349.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Academic Faculty (2682)
Type of Position	Faculty
Salary Range	\$41,995.20
Funding Source	Appropriated funds
Area/Department of Assignment	College of Education

Position Title	Academic Faculty (2695)
Type of Position	Faculty
Salary Range	\$42,120.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Education

Position Title	Academic Faculty (4558)
Type of Position	Faculty
Salary Range	\$46,010.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Engineering

Position Title	Academic Faculty (3028)
Type of Position	Faculty
Salary Range	\$67,598.40
Funding Source	Appropriated funds
Area/Department of Assignment	College of Engineering

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

Position Title	Academic Faculty (3184)
Type of Position	Faculty
Salary Range	\$70,449.60
Funding Source	Appropriated funds
Area/Department of Assignment	College of Engineering
Position Title	Department Head (3700)
Type of Position	Faculty
Salary Range	\$90,001.60
Funding Source	Appropriated funds
Area/Department of Assignment	College of Natural Resources
Position Title	Fiscal Year Faculty (5260)
Type of Position	Faculty
Salary Range	\$6,333.60
Funding Source	Appropriated funds
Area/Department of Assignment	Library and Technology Services
Position Title	Miscellaneous Groups (0162)
Type of Position	Faculty
Salary Range	\$2,641.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences
Position Title	Miscellaneous Groups (4499)
Type of Position	Faculty
Salary Range	\$4,393.80
Funding Source	Appropriated funds
Area/Department of Assignment	College of Law
Position Title	Miscellaneous Groups (0108)
Type of Position	Faculty
Salary Range	\$11,990.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

Position Title	Miscellaneous Groups (0095)
Type of Position	Faculty
Salary Range	\$16,555.50
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Miscellaneous Groups (0503)
Type of Position	Faculty
Salary Range	\$16,570.15
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Miscellaneous Groups (4899)
Type of Position	Faculty
Salary Range	\$23,026.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences

Position Title	Miscellaneous Groups (5399)
Type of Position	Faculty
Salary Range	\$30,276.43
Funding Source	Appropriated funds
Area/Department of Assignment	Library and Technology Services

Position Title	Miscellaneous Groups (2899)
Type of Position	Faculty
Salary Range	\$42,967.93
Funding Source	Appropriated funds
Area/Department of Assignment	College of Education

Position Title	Miscellaneous Groups (4999)
Type of Position	Faculty
Salary Range	\$85,748.80
Funding Source	Appropriated funds
Area/Department of Assignment	University Research Office

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

Position Title	Miscellaneous Groups (3185)
Type of Position	Faculty
Salary Range	\$87,401.60
Funding Source	Appropriated funds
Area/Department of Assignment	College of Engineering
Position Title	Miscellaneous Groups (2499)
Type of Position	Faculty
Salary Range	\$98,014.92
Funding Source	Appropriated funds
Area/Department of Assignment	College of Business
Position Title	Miscellaneous Groups (5445)
Type of Position	Faculty
Salary Range	\$123,196.00
Funding Source	Appropriated funds
Area/Department of Assignment	Enrollment Management
Position Title	Miscellaneous Groups (0699)
Type of Position	Faculty
Salary Range	\$173,749.00
Funding Source	Appropriated funds
Area/Department of Assignment	College of Letters, Arts and Social Sciences
Position Title	Miscellaneous Groups (3599)
Type of Position	Faculty
Salary Range	\$209,213.63
Funding Source	Appropriated funds
Area/Department of Assignment	College of Engineering
Position Title	Miscellaneous Groups (4799)
Type of Position	Faculty
Salary Range	\$257,622.80
Funding Source	Appropriated funds
Area/Department of Assignment	College of Sciences

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

**DELETED POSITIONS
NON FACULTY EXEMPT**

Position Title	Assistant Director, FMO (7380)
Type of Position	Non-Faculty Exempt
Salary Range	\$64,667.20
Funding Source	Appropriated funds
Area/Department of Assignment	Finance and Administration
Position Title	Miscellaneous Groups (8599)
Type of Position	Non-Faculty Exempt
Salary Range	\$4,759.00
Funding Source	Appropriated funds
Area/Department of Assignment	President's Area
Position Title	Miscellaneous Groups (6599)
Type of Position	Non-Faculty Exempt
Salary Range	\$5,287.43
Funding Source	Appropriated funds
Area/Department of Assignment	Finance and Administration
Position Title	Miscellaneous Groups (5111)
Type of Position	Non-Faculty Exempt
Salary Range	\$33,373.07
Funding Source	Non-Appropriated funds
Area/Department of Assignment	University Research Office
Position Title	Miscellaneous Groups (8178)
Type of Position	Non-Faculty Exempt
Salary Range	\$120,329.40
Funding Source	Appropriated funds
Area/Department of Assignment	Library and Technology Services
Position Title	Miscellaneous Groups (5370)
Type of Position	Non-Faculty Exempt
Salary Range	\$123,073.60
Funding Source	Appropriated funds
Area/Department of Assignment	Office of the Provost

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO - continued**

Position Title	Pharmacist (6257)
Type of Position	Non-Faculty Exempt
Salary Range	\$47,232.00
Funding Source	Appropriated funds
Area/Department of Assignment	Academic and Student Affairs
Position Title	Senior Instructional Designer (5714)
Type of Position	Non-Faculty Exempt
Salary Range	\$38,350.00
Funding Source	Non-Appropriated funds
Area/Department of Assignment	Library and Technology Services

**DELETED POSITIONS
OTHER**

Position Title	Library Assistant 2 (5306)
Type of Position	Classified
Salary Range	\$23,982.40
Funding Source	Appropriated funds
Area/Department of Assignment	Library and Technology Services
Position Title	Miscellaneous Groups (7102)
Type of Position	Classified
Salary Range	\$41,401.00
Funding Source	Appropriated funds
Area/Department of Assignment	Finance and Administration
Position Title	Miscellaneous Groups (6595)
Type of Position	Retirees
Salary Range	\$0
Funding Source	Appropriated funds
Area/Department of Assignment	Business and Accounting Services

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**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
LEWIS-CLARK STATE COLLEGE**

SUBJECT

A request by Lewis-Clark State College for approval of a change in position and deletions of positions.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section II.B.3

BACKGROUND

Items submitted for review and approval according to Board Policy listed above.

DISCUSSION

Lewis-Clark State College is requesting approval for:

- Decrease in FTE for one (1) exempt position (1.0 to 0.92 FTE) supported by appropriated and grant funds
- Deletion of two (2) exempt positions (1.5 total FTE) supported by grant funds – grant cycle ended

IMPACT

Once approved, the positions can be processed on the State Employee Information System.

STAFF COMMENTS AND RECOMMENDATIONS

Staff has reviewed the positions for compliance with Board policy and recommends approval. There is no direct fiscal impact by deleting these positions.

BOARD ACTION

A motion to approve the request by Lewis-Clark State College to decrease the FTE for one (1) exempt position supported by appropriated and grant funds, and to delete two (2) exempt positions.

Moved _____ Seconded _____ Carried Yes _____ No _____

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
LEWIS-CLARK STATE COLLEGE - continued**

**CHANGES IN POSITIONS
OTHER**

Position Title	Coordinator- Family Education Program
Type of Position	Exempt
FTE	Change from 1.0 to 0.92 FTE
Term of Appointment	11 months
Effective Date	7/01/2004
Salary Range	\$32,314
Funding Source	State Appropriated funds
Area/Department of Assignment	Community Programs
Justification of Position	Position restructuring

**DELETED POSITIONS
OTHER**

Position Title	Program Director
Type of Position	Exempt
FTE	0.50
Term of Appointment	12 months
Effective Date	9/30/2004
Salary Range	\$25,500
Funding Source	Grant Funds
Area/Department of Assignment	Community Programs
Justification of Position	Grant cycle ended

Position Title	Program Coordinator
Type of Position	Exempt
FTE	1.0
Term of Appointment	12 months
Effective Date	9/30/2004
Salary Range	\$32,651
Funding Source	Grant Funds
Area/Department of Assignment	Community Programs
Justification of Position	Grant cycle ended

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY**

SUBJECT

Boise State University will update the Board on the Status of the Student Health, Wellness and Counseling Center project.

REFERENCE

January, 2004

Board approved 2004-05 Student Fees

April, 2004

Board approved Boise State University (BSU) to proceed with the Request for Proposal (RFP) for architect selection process pending Board action in June.

June 17, 2004

Board authorized BSU to work with the Division of Public Works (DPW) to select and contract with an architect and proceed with planning and design.

APPLICABLE STATUTE, RULE, OR POLICY

N/A

BACKGROUND

At the June 17, 2004 Board meeting, the Board authorized Boise State University to work with the Division of Public Works (DPW) to select and contract with an architect and proceed with planning and design of the Student Health, Wellness and Counseling Center Project at a cost not to exceed \$932,025. The source of funding for this project is a \$40 student fee that went into effect for fall 2004.

DISCUSSION

A Request for Qualifications for the Architect/Engineer selection was issued on August 6, 2004, with proposals due August 24, 2004. Eight firms responded, and five were short-listed. A Selection Committee consisting of Larry Blake and Christy Jordan, Boise State; Stan Olson, Olson & Associate Architects; and Jan Frew and Elaine Hill, Division of Public Works; conducted interviews with five firms on September 14, 2004. Leatham-Krohn-Van Ocker, Boise, in association with YGH and Estimé, both of Portland, was the highest-ranked Architect/Engineer (A/E) team. The ranking of the A/E teams was approved by the Permanent Building Fund Advisory Council at its October 6, 2004 meeting.

IMPACT

Since the DPW process for selection of architects has just been completed, there is no substantive information to report at this time. The University has just now commenced with project planning and design and expects to report additional information on this project to the Board within the next three months as the architects begin to plan the facility.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY - continued**

STAFF COMMENTS AND RECOMMENDATIONS

The Board requested BSU report the project status six months following the April 2004 meeting. This is that report.

BOARD ACTION

This item is for informational purposes only. Any action will be at the Board's discretion.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
STATE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION**

SUBJECT

Legislative Audits - Report SA50303/IC50303, *Management Report on Financial Procedures* for the Division of Professional-Technical Education for fiscal years 2001, 2002, and 2003.

APPLICABLE STATUTES, RULE OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.H.5.

BACKGROUND

All state agencies under the Board's jurisdiction are required to receive financial statement audits and federal single audits in accordance with federal and state laws and regulations.

DISCUSSION

The Legislative Services Office/Legislative Audit, completed certain financial audit procedures on the Division of Professional-Technical Education financial activities that occurred during the fiscal years ended June 30, 2001, 2002 and 2003. These procedures, together with procedures performed at other State agencies, allowed them to express their opinion on the statewide basic financial statements prepared by the State Controller's Office. Since a major federal program was present, appropriate procedures and required tests were made in order to issue the federally required Single Audit. There were no findings or recommendations included in the audit report.

A copy of the report is on file at the Office of the State Board of Education. Additional copies of the report are available at the Division of Professional-Technical Education.

IMPACT

Auditing procedures by an independent entity help to ensure proper financial and accounting practices in agencies of Idaho state government. The Board can then be more assured of the financial practices of agencies under its oversight.

STAFF COMMENTS AND RECOMMENDATIONS

The state Legislative Services Office audits state agencies on a two- or three-year basis. The Auditor noted no findings or recommendations for the Division of Professional Technical Education.

BOARD ACTION

This item is for informational purposes only. Any action will be at the Board's discretion.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

REFERENCE - APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: H. Audits

April 2002

H. Audits

5. Legislative Audits

All state agencies under the Board's jurisdiction will receive financial statement audits and federal single audits in accordance with federal and state laws and regulations.

The BAHR Committee must be informed immediately of any audit activity being conducted by the legislative auditor. The respective chief executive officer or chief fiscal officer must keep the BAHR Committee informed of the progress of the legislative audit, including presenting a full report on preliminary and final audit findings and recommendations. The legislative auditor will be invited to share his or her preliminary and final report with the BAHR Committee.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
COLLEGE AND UNIVERSITIES OF THE STATE BOARD**

SUBJECT

Idaho Promise Scholarship – Category B

REFERENCE

April 22-23, 2004

State Board of Education approved the amount of the Idaho Promise B Scholarship at \$250 per semester (\$500/annual) for Fiscal Year 2005

APPLICABLE STATUTE, RULE, OR POLICY

IDAPA 08.01.05.102.01, Monetary Value of the Scholarship
Sections 4305, 4307, and 4308, Idaho Code

BACKGROUND

The Idaho Promise Scholarship, Category B is for all Idaho students attending college in-state (public or private) for the first time, and who have a high school grade point average of at least 3.0 or an ACT score of 20 or above. This scholarship is limited to two years and to students younger than 22 years of age. Students must maintain at least a 2.5 GPA while taking an average of 12 credits to remain eligible for the scholarship. State law requires the State Board of Education to annually set the amount of the award based on the legislative appropriation and the number of eligible students.

DISCUSSION

At the April 2004 Board meeting, the amount of the award was set for \$250/semester (\$500/annual). The April Board agenda item included information on legislative action that might result in an increase in this award amount for the Spring 2005 semester. During the 2004 session, the Idaho Legislature enacted legislation (SB1322) that amends Idaho Code 33-4307. The State Board of Education is allowed to increase the annual individual amount up to \$600 per year and the total award up to \$1,200 for two years. If actual scholarship awards are lower than projected, the Board may choose to increase the award for any semester during any fiscal year.

The FY 2005 Legislative appropriation for the Promise Category B scholarship is \$4,400,000. Idaho's colleges and universities estimated the number of eligible freshman in academic year 2004-05 to be approximately 8,686 students. The actual eligible Promise Category B recipients for the Fall 2004 semester were 7,364. The difference between the estimate and Fall actual explains the excess funds available, allowing the Board to increase the Spring award from \$250 to \$315. This will allow for increased support for Idaho students without exceeding the appropriation.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

**INSTITUTION / AGENCY AGENDA
COLLEGE AND UNIVERSITIES OF THE STATE BOARD - continued**

IMPACT

Provides a merit-based scholarship to Idaho high school students in an attempt to motivate students to excel in high school and attend an Idaho college. Estimated students participating in the program for FY 2005 is 7,764. By increasing the spring award, the estimated expenditures will be approximately \$4,286,700. The State appropriation for this program is \$4,400,000, leaving a balance of \$113,300. This is approximately 2.6% less than the appropriation. This is the closest estimate possible while allowing a cushion for unexpected enrollment increases in Spring 2005.

STAFF COMMENTS AND RECOMMENDATIONS

Board fiscal staff has reviewed information provided by the Board's scholarship manager and recommends approval of the request as presented. This change will be for Fiscal Year 2005, Spring semester only. Idaho Code requires the Board set the scholarship amount annually.

BOARD ACTION

A motion to approve the amount of the Idaho Promise Scholarship, Category B, at an amount of \$315 per student (\$565/annually) for spring semester, 2005, for current recipients who maintain eligibility and for qualified first-year entering students under the age of 22 in the Spring 2005.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

REFERENCE - APPLICABLE STATUTE, RULE, OR POLICY

**ADMINISTRATIVE RULES
IDAPA 08.01.05.102.01**

102. MONETARY VALUE OF THE SCHOLARSHIP.

01. Monetary Value. The monetary value of each scholarship shall be set annually by the Board in accordance with Sections 33-4307(3) et seq., Idaho Code. (3-15-02)

02. Duration. The grant covers up to one (1) educational year or equivalent for attendance at an eligible postsecondary educational institution. . (3-15-02)

REFERENCE - APPLICABLE STATUTE, RULE, OR POLICY - continued

IDAHO STATUTES

TITLE 33
EDUCATION
CHAPTER 43
SCHOLARSHIPS

33-4305. PURPOSES. The purpose of this act is:

- (1) To establish a state scholarship program for the most talented Idaho secondary school graduates or the equivalent, consisting of category A students with outstanding academic qualifications and category B students with a cumulative grade point average for grades nine (9) through twelve (12) of 3.0 or better or achieving an ACT score of 20 or better or who become eligible after the student's first semester or who meet any other criteria as may be established by the state board of education and the board of regents of the university of Idaho, who will enroll in undergraduate nonreligious academic and professional-technical programs in eligible postsecondary institutions in the state; and
- (2) To designate the state board of education and the board of regents of the university of Idaho as the administrative agency for the state scholarship program.

33-4307. ELIGIBILITY -- MAXIMUM AMOUNTS -- CONDITIONS.

A grant may be awarded to an eligible student for matriculation at an eligible postsecondary educational institution in the state of Idaho if:

- (1) The individual is accepted for enrollment as a full-time undergraduate or professional-technical student, as follows:
 - (a) In the case of an individual beginning his first year or freshman year of postsecondary education, he has satisfied the requirements for admission and has enrolled in an eligible postsecondary institution.
 - (b) In the case of an individual enrolled in an eligible postsecondary institution following the successful completion of the first term, he continues to meet the requirements of this act and has maintained such high standards of performance as may be required. Provided that high academic standards are maintained in accordance with requirements of this chapter, a student continues to be eligible when transferring from one (1) major program to another.
 - (c) In the case of an individual transferring from one (1) eligible postsecondary institution in Idaho to another eligible postsecondary institution in Idaho, he continues to meet the requirements of this act, is accepted and enrolled at the eligible postsecondary institution to which he is transferring, and has maintained such high standards of performance as may be required.

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

- (2) The grant for category A students is as follows:
 - (a) The grant payment to an individual per educational year for attendance on a full-time basis is not in excess of an amount determined annually by the state board of education or in excess of the total educational costs as certified by an official of the eligible postsecondary institution to be attended by the individual receiving the grant, whichever is less.
 - (b) The total grant payments over a period of six (6) years to an individual may not exceed four (4) annual grants or the total educational costs for four (4) educational years completed as certified by an official of the eligible postsecondary institution or institutions attended by the individual receiving the grant, whichever is less.
 - (c) The individual receiving such a grant signs an affidavit stating that the grant will be used for educational costs only.
 - (d) The grant is awarded on the basis of extraordinary performance in standardized, unweighted competitive examination and high school record.
 - (e) The individual receiving the grant is not precluded from receiving other financial aid, awards, or scholarships, provided the total of the grant and such other financial aids, awards or scholarships does not exceed the total educational costs for attendance at an eligible postsecondary institution as certified by an official of the eligible postsecondary institution to be attended by the individual receiving the grant.
 - (f) Grant payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible postsecondary institution; in no instance may the entire amount of a grant for an educational year, as defined in section 33-4306(10), Idaho Code, be paid to or on behalf of such student in advance.
 - (g) The individual has complied with such rules as may be necessary for the administration of this act.
- (3) The grant for category B students is as follows:
 - (a) The grant payment to an individual per educational year for attendance on a full-time basis is not in excess of an amount determined annually by the state board of education and the board of regents of the university of Idaho and not to exceed one thousand two hundred dollars (\$1,200) per year including the required match.
 - (b) The total grant payments over a period of four (4) years to an individual may not exceed two (2) annual grants.
 - (c) The individual receiving such a grant signs an affidavit stating that the grant will be used for educational costs only.
 - (d) The grant is awarded on the basis of a high school record of a 3.0 grade point average or an ACT composite score of 20 or better and other criteria as may be established by the state board of education and the board of regents of the university of Idaho.
 - (e) The individual receiving the grant is not precluded from receiving

**CONSENT AGENDA - BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 2, 2004**

other financial aid, awards or scholarships except that category A student award recipients are not eligible for category B awards.

(f) Grant payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible postsecondary institution; in no instance may the entire amount of a grant for an educational year, as defined in section 33-4306(8), Idaho Code, be paid to or on behalf of such student in advance. The first grant payments pursuant to this section for category B students shall be made in the fall of 2001 or in the first fall academic term following an appropriation and when moneys are available to implement the category B scholarship program, whichever date is later.

(g) The individual has complied with such rules as may be necessary for the administration of this chapter.

(h) All eligible postsecondary institutions will report annually to the state board of education and the board of regents of the university of Idaho the number of students for each term receiving a grant award and the number of awards that were matched by the institution.

33-4308. MAXIMUM NUMBER OF GRANTS.

- (1) The total number of grants to eligible category A students shall not exceed one hundred (100) per year, nor a cumulative total number of grants of four hundred (400) outstanding at any given time
- (2) The total number of grants to category B students will be determined annually by the state board of education and the board of regents of the university of Idaho based on the number of eligible students, the individual award amount and the availability of funds.