

1. Agenda Approval

Does the Board have any changes or additions to the agenda?

2. Minutes Approval

**BOARD ACTION**

**To approve the minutes from January 24, 2005 and February 3, 2005 as submitted.**

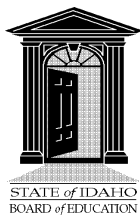
3. Rolling Calendar

**BOARD ACTION**

**To approve March 9-10, 2006 as the dates and Boise State University as the location for the March 2006 regularly scheduled Board meeting.**

**To approve May 19, 2005, as the date and Boise, Idaho as the location for the annual Board Retreat.**

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**REFERENCE: DRAFT MINUTES, JANUARY 24, 2005 BOARD MEETING**

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

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**DRAFT MINUTES  
STATE BOARD OF EDUCATION MEETING  
January 24, 2005  
East Conference Room, J.R. Williams Building  
700 West State Street  
Boise, Idaho**

A regular meeting of the Idaho State Board of Education was held on January 24, 2005 in Boise, Idaho, in the East Conference Room of the J.R. Williams Building. Board President Rod Lewis presided. The following members were present:

Rod Lewis, President  
Milford Terrell, Secretary  
Blake Hall  
Karen McGee

Laird Stone, Vice President  
Paul Agidius  
Marilyn Howard, State Superintendent  
Susan Thilo

**EXECUTIVE SESSION**

**M/S (Terrell/Thilo): To move into executive session pursuant to Idaho Code at 11:00 a.m. in the basement conference room of the LBJ Building in Boise, Idaho.** *A roll call vote taken; motion carried 6-0. (Board member Agidius and Dr. Howard were not present for the roll call vote, but were present for the Executive Session.)*

In executive session, The Board considered hiring a public officer, employee, staff member or individual agent; considered the evaluation, dismissal or disciplining of, or complaints or charges brought against a public officer, employee, staff member of individual agent, or public school student; conducted deliberations concerning labor negotiation or to acquire an interest in real property which is not owned by a public agency; considered records that are exempt from public inspection; considered preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations; and considered and advised its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

The Board convened for regular business at 12:50 p.m. in the East Conference Room of the J.R. Williams Building, Boise, Idaho.

## **BOARDWORK**

### 1. Agenda Approval

**M/S (Terrell/Hall): To approve the agenda as submitted.** *Motion carried unanimously.*

### 2. Minutes Review/Approval

**M/S (Hall/Agidius): To approve the minutes from December 1-2, 2004, and December 22, 2004, as submitted.** *Motion carried unanimously.*

## **OPEN FORUM**

David Morriss, Boise State University, spoke about the impact of statewide tuition. Positives include an ability to better retain professors, easing of bottlenecked courses, and facilitation of on-time graduation. He strongly encouraged the Board to consider how to apply fees/tuition to keep the burden from continually shifting to students. He suggested having representatives from the Governor's Office, the House and Senate, the State Board of Education, and student and university leaders form a committee to consider new ways to financially support to education.

Ryan McBride, Terry Fredrickson and Trevor Jensen, from Idaho State University, spoke about the law suit filed in protest of the fees charged to students for their public education. They discussed the burden placed on students, reviewed the history of fee increases, and urged the Board to bring balance to the system.

Vincent Martinez, from Lewis Clark State College, spoke about the position of LCSC students regarding the lawsuit. He encouraged the Board to take positive steps to assure that education remains an affordable investment.

Autumn Hansen, from University of Idaho, indicated that students at UI are not in favor of the establishment of tuition. She encouraged an increase of support to all institutions by the state and said a balanced effort by all parties involved is essential.

Board members thanked the students and concurred that education is an investment. They noted that Board President Lewis advocated that position during his presentation to the Joint Finance and Appropriation Committee (JFAC) earlier in the day. The Board seeks to keep costs reasonable while assuring quality instructional services are

available. Thus, they will continue to examine what is appropriate and will continue to support greater state funding. The Board recognizes the fee system makes it difficult to have a transparent and efficient system, so it supports a statewide tuition system.

**CONSENT AGENDA**

It was recommended to approve the Board's consent agenda items.

**M/S (Terrell/ Stone): To approve the Board's consent agenda items numbered 1-7. Motion carried unanimously.**

1. HERC Appointment

**By consent, the Board appointed Mr. Karl Tueller to the Higher Education Research Council.**

2. Program Changed Approved by the Executive Director

Information item.

3. Boise State University

**By consent, the Board approved the request by Boise State University for six (6) new positions; salary and FTE changes to three (3) positions.**

4. University of Idaho

**By consent, the Board approved the request by the University of Idaho for two (2) new positions supported by state and non-state funds and to delete seven (7) positions.**

5. Lewis Clark State College

**By consent, the Board approved the request by Lewis Clark State College to change the salary of one (1) position.**

6. Idaho State Historical Society – Appointment to Board of Trustees

**By consent, the Board appointed Mr. Tom Blanchard to the Idaho State Historical Society Board of Trustees for a term beginning January 1, 2005, and ending December 30, 2011.**

7. Statewide Student Health Insurance Plan

Information item.

## INSTRUCTION, RESEARCH AND STUDENT AFFAIRS

At this time, item 6 of the Instruction, Research and Student Affairs agenda was brought forward for the Board's consideration.

### 6. Academic Excellence Recognition

Laird Stone acknowledged the outstanding accomplishments of five Idaho students and presented the following students to the Board: Diana Ye of Timberline High School in Boise, earned a perfect score on the ACT test; Margaret Ellsworth of Timberline High School in Boise, and Tynan Smith and Katherine Boren of Boise High School, earned perfect scores on the SAT exam; Michael Warnick of Eagle High School, ranks number one in his graduating class and is a National Merit finalist.

### 1. University of Idaho – Report on Adult and Organizational Learning Program at Idaho Falls

Linda Morris, University of Idaho, reported on the teach-out of the College of Education doctoral program with emphasis in Adult and Organizational Learning offered at Idaho Falls. She noted there was more growth in the program in Idaho Falls than anticipated. The UI decided to phase out delivery of the program at that location because it couldn't sustain it. She said the program will continue to be offered at two additional locations and clarified that the sale of the land in Idaho Falls by the UI Foundation had no connection to the UI decision to phase out the program in that location.

Board member Hall expressed concern that no Notice of Intent was filed with the Board and observed that students were of the understanding that the program was going to be closed, not phased out. He noted that the program in Idaho Falls is the largest and questioned if it was prudent to close it without empirical data to support such a decision. He indicated that students in Idaho Falls had been told the Board had approved closing the program, which was not true.

**M/S (Hall/ McGee): To reverse the decision by the University of Idaho to close out the ADOL program in Idaho Falls and require UI to file a Notice of Intent prior to proceeding with the close out to allow this Board the opportunity to determine if it is a proper decision to close out this program in that part of the state. *Motion carried unanimously.***

During discussion, Board President Lewis read from Board policy and noted that it indicated a one-year notice be given to the institutions in the area where partnering programs are being offered.

Board member McGee agreed the Board should be made aware of such changes so that it is able to respond appropriately.

Dr. Howard asked for clarification about the intent of the motion. Board member Hall said the intent is to reverse the UI decision and have the UI file a Notice of Intent, and where this is a service being provided off-campus in another institution's service area, the UI would have to work out the delivery of the program in another setting or justify that this program isn't necessary in that part of the state.

Dr. Jeanne Christiansen, of the UI College of Education, responded to questions by the Board and noted that the institution is currently in year one of a three-year phase out. She agreed the financial impact would be in future years, not in the current year.

In response to a question from President Timothy White, Board member Hall said it was expected that students would be admitted in 2005 and that UI would take steps to assure the program could be offered. President White said admitting new students would create a difficult circumstance and also create an expense for both UI and ISU. He suggested suspending the close out until a final decision is made by the Board and then move forward based on that decision. Board member Hall agreed that the motion should intend to suspend the admission of new students until a final decision is made, emphasizing that the UI should not presuppose the outcome of the Board's review.

Senator John Goedde was recognized in the audience.

## 2. Program Approval: Expansion in Advanced General Dentistry

Dr. Barbara Adamcik, Idaho State University, spoke to the Board about the Advanced General Dentistry program noting that it is consistent with the institution's eight-year plan.

**M/S (Stone/McGee): To approve Idaho State University's request to expand their Advanced General Dentistry Program in Boise. *Motion carried 7-0 (Terrell absent)***

## 3. Teacher Mentoring Report

Allison McClintick of the Board staff and Dr. Cliff Green, Executive Director of the Idaho School Boards Association, reported on teacher mentoring in Idaho schools. Ms. McClintick provided background information noting that Representative Barraclough directed the State Board of Education to take appropriate action to prepare a report by the end of 2004. The report was to cover four areas: current legislation; literature addressing teacher mentoring; the research of state and federal best practices; and examples of state and federal best practices.

Ms. McClintick summarized the committee report, explaining it has specific details about

a mentoring model from the University of California in Santa Cruz. She said ideas for implementing mentoring programs were offered for consideration to the legislature.

Dr. Green discussed guidelines from the Department of Education on mentoring support (page 42) and referred to requirements for receiving money that include signing a document precluding anyone participating in the mentoring program from participating in litigation. He noted that four lawsuits are underway and their outcome will be determined by a judge. However, Dr. Green asked the State Board of Education to ascertain if the guidelines are legal.

Ms. McClintick said another area that needs review is governance. She agreed to have the mentoring committee identify concerns and bring them to the Board for their consideration.

**M/S (Stone/McGee): To accept the report on mentoring and approve its presentation by staff to the Legislative Education Committees during the 2005 legislative session.** *Motion carried unanimously.*

By unanimous consent, item 7 of Section II of the Business Affairs and Human Resources Agenda was brought forward at this time.

#### 7. University of Idaho – Single Bond System

Jay Kenton, University of Idaho Financial Vice President, presented this item to the Board and was joined by representatives from Lehman Brothers and Hawley Troxel.

Based on the advice of bond experts and best practices in the industry, the University of Idaho proposes to reform its bond system to industry standards. Mr. Kenton said the total indebtedness UI wants to refund at this time is \$29,000,870. The net present value of savings on the bonds is \$2.3 million and it achieves a 7.8% net present value savings. He reiterated that the exact amount of bonds being written today is \$29,000,870 and that will be decreased by writing \$30,000,740 in actual bonds.

**M/S (Hall/Agidius): To approve a Supplemental Resolution for the Series 2005 Bonds, the title of which is as follows:**

**A SUPPLEMENTAL RESOLUTION authorizing the issuance and sale of \$30,000,740 General Revenue Refunding Bonds, Series 2005A, of the Regents of the University of Idaho; authorizing the execution and delivery of a Bond Purchase Agreement and providing for other matters relating to the authorization, issuance, sale and payment of the Series 2005A Bonds and the creation of a single bond system.**

*A roll call vote was taken; motion carried 6-0 (McGee and Thilo were excused to attend a legislative confirmation hearing).*



At this time, Representative Joe Cannon was recognized.

4. Professional Compensation Plan

This item was carried over to a later time in the agenda.

5. Report from the Office of Performance Evaluations, Idaho State Legislature, on Public School Technology Initiatives

Paul Headlee and staff of the Office of Performance Evaluations reported on the Public School Technology Initiative. He noted that the report was requested by the Legislative Oversight Committee at its March 2004 meeting.

At this time, Representative Steve Smylie was recognized.

Points covered in the report included sources of the K-12 Technology Initiative dollars, updates on how well the Idaho Council on Technology (ICTL) has implemented that Education Technology Initiative as established in Idaho Code, current projected costs of the Idaho Student Information management Systems, and the technology demands of the No Child Left Behind Act and the Idaho Standard of Achievement Test.

**BUSINESS AFFAIRS AND HUMAN RESOURCES**

**Section II – Finance**

1. Boise State University – Sale of Property

Stacy Pearson, Boise State University Vice President of Finance and Administration, presented this item. The intent of BSU is to continue discussion with the Langroise Foundation regarding the sale of the property, formerly given to BSU by the Langroise family to be used as a home for the President. Since then, a decision to sell the property has been made. The Langroise family has been involved in the discussion.

**M/S (Agidius/ Lewis): To approve the agreement, in concept, between Boise State University, the Langroise Foundation and the Boise State University Foundation; and authorizing the development of the formal agreement subject to the review and approval of the Board counsel and the Executive Director; and thereafter authorizing the execution of said agreement and of all documents necessary to carry out the provisions of that agreement. Motion carried 5-0 (Stone, McGee and Thilo excused).**

2. Boise State University – Purchase of Property

Stacy Pearson, BSU, presented a request for approval to move ahead with an appraisal of a property identified in Board materials and to utilize its power of eminent domain if necessary.

**M/S (Agidius/ Lewis): To authorize Boise State University to acquire, within funds available to the institution, real property identified in its master plan; and to execute all documents necessary to acquire the property and to utilize its power of eminent domain if necessary. The Vice President of Finance and Administration of BSU is hereby authorized to execute all documents necessary on behalf of the State of Idaho Board of Education, subject to review by the Board's Executive Director and legal counsel. Motion carried 5-0 (Stone, McGee and Thilo excused).**

### 3. Boise State University – Capitol Village Remodel Project

Stacy Pearson presented this item to the Board.

**M/S (Lewis/Hall): To approve the finish-out remodel of Capitol Village Buildings #1 and #2 at a cost not to exceed \$640,000. Motion carried 5-0 (Stone, McGee and Thilo excused).**

### 4. Boise State University – Indoor Practice Facility Project

Stacy Pearson, BSU, presented a request for approval to select a design consultant to develop the appropriate proposals for an Indoor Practice Facility. BSU is working with the Division of Public Works to select the design consultant and will bring a final request for approval to the Board in April.

In response to a question by the Board, Ms. Pearson noted that previous mention of this project had been made. BSU is using a design/build process, through the Division of Public Works, because it is more expedient.

President Kustra and Gene Bleymaier addressed the Board. Dr. Kustra said BSU's reputation as an outstanding athletic program has increased the number of student athletes considering BSU as their college of choice. BSU lacks an indoor practice facility which puts it at a disadvantage. Gene Bleymaier agreed this is BSU's greatest need right now.

BSU assured the Board that the facility would be a multi-purpose facility used for a number of purposes. Mr. Bleymaier emphasized that in addition to benefiting student athletes, it will also benefit the entire student body and the surrounding community.

Board member Hall and Agidius asked that the plan include ongoing costs as well as

other costs.

**M/S (Lewis/Agidius): To authorize Boise State University to proceed working with the Division of Public Works (DPW) to select a design consultant utilizing DPW's Mid-Range Selection Process for an amount not to exceed \$80,000. This consultant will develop the Request for Qualifications (RFQ) and Request for Proposals (RFP) documents for an Indoor Practice Facility using the design-build project delivery method. Motion carried 6-0 (McGee and Thilo excused).**

5. Boise State University – Bronco Stadium Feasibility Study

Gene Bleymaier, BSU, discussed the feasibility analysis conducted by Conventions Sports and Leisure International regarding a new skybox/press box complex and expansion of the stadium. It is estimated that Bronco Stadium can support 25-35 skyboxes that could seat 16 people each, priced in the \$40,000 per year range. As far as the indoor club seat facility, BSU and the community can support a range of 460 indoor club seats priced at \$2500 annually per seat, up to 950 seats priced at \$1500 annually per seat.

Board member Hall expressed concerns about increased traffic flow, additional demands on parking, zoning issues and community support. Mr. Bleymaier and Dr. Kustra said they were giving careful consideration to all of those factors.

The Board did not object to BSU moving forward to market the concept or initiate fund raising for this project. BSU will return to the Board for approval for any specific project requests.

6. Idaho State University – Land Exchange, Varsity Square

This item was pulled from the agenda.

8. University of Idaho – Property Management Agreement, Water Center

Jay Kenton, UI, discussed this item noting that an interim agreement has been in place between UI and Colliers. The contract allows UI to carry out its responsibilities in providing necessary building operations and maintenance services until such time as the condominium association is formed in the spring of 2005. As a result of delays in the finalization of the condominium declaration and the fact that the agreement is over the \$500,000 threshold, UI is bringing this item to the Board for approval.

**M/S ( Agidius/Lewis): To approve a contract in substantially the same form as the draft contract presented to the Board between the University of Idaho and Colliers International for building management services for the Idaho Water Center, and to authorize the Vice President for Finance and Administration at the**

**University of Idaho to execute the contract. It is the intent of the Board that the Board's Executive Director and legal counsel review the final contract prior to execution of same by the University of Idaho. *Motion carried unanimously.***

9. Lewis Clark State College – New Residence Hall

Ron Smith, Lewis Clark State College Administrative Services, presented a formal needs assessment to the Board regarding additional living space for student residents attending LCSC.

Currently LCSC has two traditional residence halls which house 170 students on campus. Both residence halls are in need of renovation to address serious safety and efficiency issues. LCSC also owns a housing unit within a block of campus that was built in the 1920's. Due to housing demands, 31 additional beds have been provided from off-campus rentals and 37 extra student beds from contracts with a local hotel. The College has a waiting list of 70 students as of the end of August 2004 and expects the waiting list to go to 100 to 150 by August 2005.

LCSC intends to develop and solicit bids through a Request for Proposal process for a private developer interested in forming a partnership with the College to construct a new residence hall that would provide housing for 100-120 students. The new residence hall is anticipated to cost \$3.5 to \$4.0 million.

The financing of lease and operations for the new residence hall would be provided by the student room and board receipts from the residence life program in general.

Board member Thilo asked if this facility would address LCSC's housing need and Mr. Smith indicated it would not, explaining that LCSC is unable to build something larger at this time due to lack of land.

Board member Hall noted that the private enterprise would come out with a profit and the institution would not generate anything according to this arrangement. He pointed out the lease would obligate the institution should the facility not be fully leased and suggested that if there is a need for housing, private enterprise should be encouraged to address it.

Dr. Dene Thomas said the lease-to-own concept could be incorporated into the RFP. She went on to explain that private enterprise has not, to date, come forward to meet the need.

Dr. Thomas asked the Board's permission to bring forward an RFP to the Board for consideration. The Board discussed the issue and determined it needed more information, including a detailed analysis of why one approach is less expensive than another.

**M/S (Terrell/Agidius): To table this item until the March meeting to allow LCSC to respond to the questions asked today. Motion carried unanimously.**

10. Governor's Budget Recommendation

This item was for information only and there was no discussion.

11. Student Fee Policy Review

This item was put aside because of the legislation that is currently under consideration.

**Section I – Human Resources**

1. Idaho State University – Non-Delegated Appointment and New Positions

Ken Prolo, Idaho State University Vice President of Financial Services, reported on the request for the new position of Vice President for Health Sciences. This position is designed to work with all the colleges on campus offering health related programs and, though it will be a high level staff position, it will have no reports. He agreed that the level of Vice President is significant, but explained it is necessary to enable the position to be on the peer with the Academic Vice President as well as to be able to work with the other colleges on campus.

Board President Lewis suggested that the Board purpose to follow up on this position in the future because it is unique in its responsibilities.

**M/S (Hall/Stone): To approve the request by Idaho State University for twenty-three (23) new positions (22.0 FTE). Motion carried unanimously.**

2. Second Reading – Governing Policies and Procedures – Section II.B.3 Appointment Authority and Procedures

**M/S (Agidius/Hall): To approve the second reading of amendments to Board Policy II.B.3., a process by which the institutions will request specific reauthorization from the Board to fill any position that has been vacant and requests a new “set-up” action. As part of this motion, institutions also agree to not include any position in their operating budget if that position has been vacant for more than three (3) years. Motion carried unanimously.**

3. Agency Human Resource Matter

There being no action required on this item, it was removed from the agenda.

At this time, the Board returned to item 4 of the Instruction, Research and Student Affairs agenda.

Board member McGee reported on this item noting that the State Board of Education appointed a subcommittee to look at performance based compensation. The subcommittee is an off-shoot of MOST. The committee is presently looking at several components regarding teacher performance based on student growth, school growth, and value-added assessment to measure student progress.

## **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**

### **1. Presidents' Council Report**

Dr. Robert Kustra, BSU, discussed the position of the Presidents Council regarding tuition. He explained that senior universities and community colleges already charge tuition for certain students and noted that tuition allows institutions to be flexible in adding courses to meet student enrollment needs.

Dr. Kustra suggested that the cost of education in Idaho is reasonable when compared to other states. He said that severe economic pressures, combined with spending issues, impacted what the legislature has been able to do over the past several years. He explained that 45 states charge tuition and have proved that money can be put back into the education system. He is optimistic that Idaho's legislature will do as much for its citizens.

Dr. Timothy White, UI, said he supports campuses needing to make this change. He went on to recommend that there be legal review of the proposed legislation to make sure that it allows for both fees and tuition.

Dr. Dene Thomas, LCSC, agreed with Dr. Kustra. Ken Prolo, ISU, reported that Dr. Bowen supports Dr. Kustra's position as well.

Dr. Howard expressed concern about the gap between what the students perceive and what the leadership reports regarding this issue. She urged the institutions to consider the trust issues that are a barrier on the campuses.

Board President Lewis explained that the discussion taking place on this topic facilitates better understanding by all involved and helps establish greater trust. He went on to point out that whatever the terminology, students are charged money for their education. The concern of the Board is state funding versus student costs and finding a way to stem the trends if at all possible.

### **2. Boise State University Progress Report**

This item is withdrawn until March meeting.

At this time President Timothy White introduced Linda Morris, the new Provost of the University of Idaho.

### 3. Alcohol Permits Approved by College and University Presidents

Board member Hall introduced this item and referred to the report found in the agenda materials noting the various events where alcohol permits were issued. The Presidents commented on several of the events, providing additional information as requested. Board member Hall asked President Kustra and President White to check on the serving of alcohol at certain events where it is not restricted to designated areas.

Board President Lewis referred to a news article about a vendor who was held liable for injuries suffered by a child as a result of alcohol served during an athletic event. He urged the Presidents to be aware of the possibility of similar situations on their own campuses.

Board member Hall emphasized that the responsibility of issuing permits falls solely on the Presidents and recommended the Presidents not use a rubber stamp process, but that they be personally aware of the details.

### 4. Legislation to Amend Idaho Code Section 33-3717 Relating to Tuition at State Institutions

Board member Hall introduced this item and opened the floor to the will of the Board.

Board President Lewis noted that this is a Board proposal and suggested that the language may need some work to clarify points, referring specifically to 4.a, and 4.b. He recommended the Board not take action with reference to the language, but rather approve the intent and then have a special meeting to approve the draft.

Board member Hall recommended approving the concept. Then, once the bill has been drafted into proper format, by special meeting or by consensus, the Board members can give approval.

Board President Lewis referred to Section 2 and suggested that the language be clarified with regard to the ability of UI to charge tuition and fees.

**M/S (Lewis/McGee): To approve the endorsement of the legislation to remove the tuition prohibition from Idaho Code Section 33-3717. *(This motion was later amended.)***

Board President Lewis confirmed that the intent of the motion is to leave UI as is.

**Amended M/S: (Lewis/McGee): To approve the endorsement of the legislation to remove the tuition prohibition from Idaho Code Section 33-3717 subject to such legislation being further revised, and a draft of such legislation being provided to the Board of Education and the Executive Director for further review. *Motion carried 7-1 (Howard dissenting)***

After further pause and consideration, there was a motion to reconsider the action of the Board.

**M/S (Terrell/Agidius): To reconsider the immediate past action of the Board relative to tuition. *Motion carried unanimously.***

Board President Lewis explained that he would like to have the new language brought forward in a special meeting for approval to assure the process is not questioned.

**M/S (Lewis/Terrell): To give a directive to the Executive Director and the Board's attorney to develop new language consistent with the comments made by the Board and call for a special meeting with the date to be determined to obtain the Board's approval of that legislative language. *Motion carried unanimously.***

Board member Hall reiterated that he understands the motion to be that the Board instructs the Executive Director and legal counsel to prepare proposed legislation consistent with discussions by the Board to remove the prohibition of tuition from Idaho Code Section 33-3717 and to have a special meeting to consider that proposed legislation. Board members concurred.

#### 5. Office of Performance Evaluations – Report on Strategic Planning and Performance Measurement

Chris Shoop and A.J. Barnes of the Office of Performance Evaluations reported on strategic planning and performance measurements, and discussed recommendations based on their findings. They noted that legislative staff and legislators find limited use of this information as it currently appears. They went on to explain that a comprehensive planning process would require some changes, but it would allow staff to assure the validity of the information and make it possible for legislators and policy makers to make informed decisions.

The OPE made five recommendations in their report and those recommendations were summarized for the Board. The slide presentation will be forwarded to the Executive Director for Board members.

#### 6. Computer-based Alternative Route Rules



Board member Hall indicated this item has to do with the Board's intent pertaining to the Board's Computer-based Alternative Routes rules.

**M/S (McGee/Agidius): To clarify the intent of IDAPA 08.02.02.045 so that teachers certified in one content area are able to obtain certification in another content area using the computer based alternative route, and to direct Board staff to prepare an amendment to the rule so that the intent is more clearly defined.**

*Motion carried unanimously.*

## **DEPARTMENT OF EDUCATION**

### A. Superintendent's Report

Dr. Howard briefly reported to the Board on the Public School budget request. She explained that a lengthy strategic planning process was undertaken by the Department and resulted in the adoption of a mission, vision, and values statement. A number of staff changes were made based on the Department's mission. And, as a result of the strategic planning, teams were appointed to address and respond proactively to internal and external issues.

Dr. Howard reported that the Department appeared before JFAC earlier in the day to discuss ways to take advantage of the assets put into place by the ISIMS project. Those discussions will continue.

As a point of information, she noted that Dr. Bob West will retire in the spring. Board members expressed their appreciation to Dr. West for his years of service and his dedication to the students and the education system of Idaho.

At this time Dr. Howard introduced the next three items and recommended moving them to a consent agenda unless there were concerns to be brought forward. Board member Hall, in reference to item D (Summary Accreditation Report of Idaho Schools), asked about schools that received approved with warning ratings. Dr. West discussed those ratings with the Board.

**M/S (Howard/McGee): To approve the consent agenda for the Department of Education.** *Motion carried unanimously.*

### B. Request for Letters of Authorization

**By consent, the Board approved the requests for Letters of Authorization as submitted by the Professional Standards Commission.**

### C. Proposal to Rezone Mountain Home School District No. 193

**By consent, the Board approved the proposal from the Mountain Home School District No. 193 to redefine their trustee zones.**

D. Annual Summary Accreditation Report of Idaho Schools

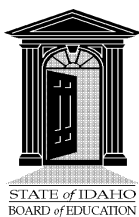
**By consent, the Board approved the 2004-2005 Accreditation Report of Idaho Schools as submitted.**

**OTHER/NEW BUSINESS**

There being no other business, a motion was made to adjourn the meeting.

**M/S (Hall/Thilo): To adjourn the meeting a 7:50 p.m. *Motion carried unanimously.***

**REFERENCE: DRAFT MINUTES FEBRUARY 3, 2005 SPECIAL BOARD MEETING**



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

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**DRAFT MINUTES  
STATE BOARD OF EDUCATION MEETING  
February 3, 2005  
PTE Conference Room  
650 West State Street  
Boise, ID**

A special meeting of the Idaho State Board of Education was held on February 3, 2005 at 2:00 p.m. A roll call was taken to introduce the participants. Board President Lewis presided.

**Members Present:**

Rod Lewis, President  
Milford Terrell, Secretary  
Karen McGee  
Marilyn Howard, State Superintendent

Laird Stone, Vice President (by phone)  
Paul Agidius (by phone)  
Sue Thilo (by phone)

**Absent:** Blake Hall

**1. Legislation to Amend Idaho Code Section 33-3717 Relating to Tuition at State Institutions**

Board President Lewis introduced this item noting it had been discussed in great detail at the previous Board meeting. The action taken by the Board at that meeting was to give a directive to the Executive Director and the Board's attorney to develop new language consistent with the comments made by the Board in their discussion and to call for a special meeting with the intent for the Board to reconsider the new language and move forward with a vote.

Jeff Schrader, legal counsel for the Board, reviewed the proposed legislation. Dr. Howard and Board President Lewis briefly discussed the action at the previous meeting regarding this legislation.

Board member Terrell spoke to the purpose of the legislation. He pointed out that it will allow the Board to set fees, including tuition, at the three institutions (Boise State University, Idaho State University and Lewis Clark State College), and is not intended as a means to raise fees.

Board member Agidius commended Board staff for working to prepare the legislation. Dr. Howard expressed her understanding regarding the financial difficulties faced by the institutions that restricts their ability to move forward. She went on to note that the students who spoke at the January meeting had expressed a lack of trust about the legislation, the future impact it could have on the cost of education, and their doubts about its benefit to them. She said she will vote against this proposed legislation.

Board President Lewis explained that a good deal of time had been spent at the previous meeting discussing the purpose of this proposed legislation with student leaders as well as others. He reiterated that this legislation is intended only to make it possible for the institutions to operate more openly in their use of fees for educational and instructional costs. It also clears up any confusion in terms of semantics. He pointed out that any increases that may take place in the future will not be based on this legislation or the terminology that is used.

**M/S (Terrell/McGee): To approve the endorsement of the legislation to remove the tuition prohibition from Idaho Code Section 33-3717.** *Roll call vote taken; motion carried 6-1 (Howard dissenting).*

**M/S (Terrell/Howard): To adjourn at 2:20 p.m.** *Motion carried unanimously.*