



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

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**APPROVED MINUTES  
STATE BOARD OF EDUCATION  
June 13-14, 2007  
Lake Coeur d'Alene Room  
Edminster Student Union Building  
North Idaho College  
Coeur d'Alene, Idaho**

A regular meeting of the State Board of Education was held June 13-14, 2007 at North Idaho College in Coeur d'Alene, Idaho. Board President Milford Terrell presided. Members present were:

Milford Terrell, President  
Sue Thilo, Secretary  
Rod Lewis  
Richard Westerberg

Paul Agidius, Vice President  
Blake Hall  
Laird Stone  
Tom Luna, State Superintendent

**EXECUTIVE SESSION**

**M/S (Hall/Thilo): To move into Executive Session, pursuant to Idaho Code Section 67-2345(1), on June 13, 2007 at 12:00 p.m. A roll call vote was taken; motion carried unanimously.**

**M/S (Agidius/Stone): To go out of Executive Session at 2:50 p.m. and enter into the Open Session. Motion carried unanimously.**

In executive session, the Board did one or more of the following: (a) considered hiring a public officer, employee, staff member or individual agent; (b) 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; (c) conducted deliberations concerning labor negotiation or to acquire an interest in real property which is not owned by a public agency; (d) considered records that are exempt from public inspection; (e) 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; (f) considered and advised its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

## OPEN SESSION

Board President Milford Terrell called the Open Session portion of the meeting to order at 3:00 p.m.

## BOARDWORK

### 1. Agenda Approval

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

### 2. Minutes Approval

**M/S (Westerberg/Lewis): To approve the minutes from April 18-20, 2007, May 11, 2007, and May 22, 2007, as submitted. Motion carried unanimously.**

Note: Later in the meeting it was brought up that there was an error in the May 10-11, 2007 set of minutes, specifically under item 5 of the Business Affairs and Human Resources agenda (Compensation for Institution Presidents). It was pointed out that in the written motion for Dr. Robert Kustra's salary, the institution name needed to be corrected to read Boise State University, not Idaho State University. **By unanimous consent, the Board agreed to the correction of the May 10-11, 2007, Board minutes relative to that item.**

### 3. Rolling Calendar

**M/S (Thilo/Hall): To approve June 19-20, 2008 as the date, and Idaho Falls, ID as the location for the June 2008 regularly scheduled Board meeting. Motion carried unanimously.**

## OPEN FORUM

Doug Fowler, representing the Harris Family Limited Partnership (HFLP) addressed the Board regarding the land swap between Boise State University and the Boise School District. He noted that HFLP was strongly opposed to the tactics used by the Boise School District to obtain the property in question. He summarized events related to HFLP's original agreement with Boise State University for the purchase of land in the Barber Valley. He asked the Board to investigate the transaction between Boise State University and the Boise School District prior to granting approval of the land swap between those two entities to ensure that there were no questionable points left unaddressed.

## CONSENT AGENDA

**M/S (Agidius/Thilo): To approve the Consent Agenda as submitted. Motion carried unanimously.**

### 1. BAHF – Section I – Boise State University New Positions & Changes to Positions, Deletions of Positions

**By unanimous consent, the Board agreed to approve the request by BSU for twenty-four (24) new positions supported by appropriated and local funds; title, term, salary and FTE changes to five (5) positions; and the deletion of one (1) position.**

2. BAHR – Section I – Idaho State University New Positions & Changes to Positions

**By unanimous consent, the Board agreed to approve the request by Idaho State University for twenty-two (22) new positions (21.4 FTE), to increase the FTE on two (2) positions (2.0 FTE), and decrease the FTE on one (1) position (.50 FTE).**

3. BAHR – Section I – University of Idaho New Positions

**By unanimous consent, the Board agreed to approve the request by the University of Idaho to establish fourteen (14) new positions supported by appropriated and non-appropriated funds and reactivate one (1) deleted PCN supported by non-appropriated funds.**

4. BAHR – Section I – Lewis-Clark State College New Positions & Deletion of Positions

**By unanimous consent, the Board agreed to approve the request by Lewis-Clark State College for eight (8) new positions and seven (7) deleted positions.**

5. FY 2008 Room and Board Rates (Information Item)

- a. Boise State University
- b. Idaho State University
- c. University of Idaho
- d. Lewis-Clark State College

This was an information item only.

6. Second Reading of Amendment to Board Policy – Section III.T.4., Intercollegiate Athletics

**By unanimous consent, the Board agreed to approve for second reading the changes to Idaho State Board of Education Governing Policies and Procedures, Section III.T.4., Intercollegiate Athletics.**

7. IRSA – Quarterly Report – Program Changes Approved by the Executive Director

This was an information item only.

8. IRSA – Annual Federal Funds Distribution

**By unanimous consent, the Board agreed to approve the distribution of the 2007 federal grants by the State Board of Education (the State Education Agency) to the State Department of Education, the local education agencies, and the higher education institutions as described in the charts in the discussion; and to delegate authority to the State Department of Education to administer these funds in accordance with federal law and regulations.**

9. PPGAC – Alcohol Permits Issued by University Presidents

This was an information item only.

**BUSINESS AFFAIRS AND HUMAN RESOURCES – Section I**

1. Boise State University – Head Women’s Basketball Coach

**M/S (Agidius/Stone): To approve the request by Boise State University for Board approval of a multi-year employment contract for Gordon Presnell as Varsity Women’s Basketball Coach, for a five year term beginning April 1, 2007, at a salary of \$134,900, to be paid for by appropriated funds.**

**Substitute Motion/S (Agidius & Thilo): To approve the request by Boise State University for Board approval of a multi-year employment contract for Gordon Presnell as Varsity Women’s Basketball Coach, for a five year term beginning April 1, 2007, at a salary of \$134,900, to be paid for by appropriated funds and institutional funds. Motion carried unanimously.**

It was clarified by Boise State University that the multi-year contract would be paid for by both appropriated and institutional funds. A substitute motion was made as a result of that clarification.

2. This item was pulled from the agenda

3. First Reading of Amendment to Board Policy – Section I.E., Executive Officers

**M/S (Thilo/Agidius): To approve the first reading of the amendment to Board Policy I.E., Executive Officers. Motion carried unanimously.**

Jeff Shinn of the Board office presented this item. He indicated that changes to the amended policy reflected the comments and concerns expressed by the Board at their April meeting. Further clarification was made for the benefit of the Board. It was noted that several changes may still be needed prior to the second reading.

**BUSINESS AFFAIRS AND HUMAN RESOURCES – Section II**

1. Boise State University – Software Licensing and Maintenance Fees

**M/S (Hall/Agidius): To approve a one-time payment of incremental licensing and maintenance fees of \$477,229, and an annual software maintenance fee of \$534,618 for FY 2008, for a total amount of \$1,011,847. The source of funding is appropriated funds. Motion carried 7-1 (Stone voted Nay).**

Stacy Pearson of Boise State University presented this item and discussed the maintenance fees.

2. Boise State University – Land Swap with Boise School District

**M/S (Agidius/Lewis): To approve the exchange of the Barber Valley parcel with the Boise School District in exchange for the East Junior High parcel, and approval of the Land Exchange and Joint Use Agreement with the Boise School District in the form presented to the Board. The Board delegates authority to the BSU Vice President for Finance and Administration to sign the Land Exchange and Joint Use Agreement with the Boise School District on behalf of the Board. *Motion carried unanimously.***

State Superintendent Tom Luna pointed out that this item related to the open forum comments made earlier, and asked what the Board should do in light of those comments. Board member Hall explained that, in reviewing the materials, it appeared that Boise State University had followed the appropriate process, complied with the Board policies, and obtained Board approval in this matter. He indicated that this is an appropriate and reasonable exchange of property, and that the issues raised by HFLP representative are confined to a civil litigation matter over which the Board has no jurisdiction.

3. Boise State University – Agreement with Collegiate Licensing Company (CLC)

**M/S (Hall/Thilo): To approve the contract between Boise State University and the Collegiate Licensing Company, for licensing and marketing of logo merchandise. *Motion carried unanimously.***

4. Idaho State University – Addition to Student Recreation Center

**M/S (Hall/Thilo): To rescind action taken by the Board in April 2005 to authorize the design and construction of an aquatics center at Idaho State University. *Motion carried unanimously.***

**M/S (Hall/Westerberg): To approve the request by Idaho State University to direct the State Division of Public Works to provide preliminary design (through design development), and creation of a project budget, for an addition to the student recreation center located in the Reed Gymnasium complex. This addition will be for an elevated indoor track, multipurpose rooms, weight area and new administrative offices. The amount authorized for this phase is not to exceed \$700,000. Funding will come from student fees already collected. *Motion carried unanimously.***

**M/S (Hall/Thilo): To approve that Idaho State University retain student fees, in the amount of \$1,319,000, previously collected for a Recreation Center expansion, to be used for: (1) an equipment/furnishings fund for the Center expansion, and (2) for future student capital projects. *Motion carried unanimously.***

Idaho State University Student Body President Jennifer Brown and Outgoing President Ryan Sargent came forward to present this item. Ryan Sargent discussed the request and noted that a committee was appointed last year to look at options for students to consider related to the project. In the end it was determined that the final plan would include an elevated track, multipurpose rooms, a weight area, new administrative offices and an open area, but no aquatics addition or locker room upgrades. Mr. Sargent explained that through a referendum, students clearly said that they do not want any fee increases.

There was discussion about where the funds collected to date will go. It was explained that these funds have always been intended for capital projects. President Vailas said that while the

University has oversight of the funds, involving the student body ensures everything remains open and transparent, and encourages positive student leadership.

5. University of Idaho – Purchase of Microscope

**M/S (Agidius/Westerberg): To approve the request by the University of Idaho to purchase a Confocal/Multiphoton Microscope. The equipment will be purchased with grant funds in the amount of \$719,175.40. Motion carried unanimously.**

Lloyd Mues of the University of Idaho presented this item.

On a separate note, it was indicated by Board President Terrell and Jeff Shinn of the Board office that the Financial Vice Presidents have asked that the dollar amount currently set as the threshold for bringing financial requests to the Board be increased. A proposal will be brought forward at a later date.

6. University of Idaho – Energy Services Performance Contract

**M/S (Agidius/Thilo): To approve the request by the University of Idaho to proceed with the energy performance contract concept and to pursue financing; and to finalize the energy audit and subsequent performance contract once the Board has approved the method of financing for the performance contract. Motion carried unanimously.**

Lloyd Mues discussed this item and noted that the University of Idaho desired to continue planning related to their energy conservation efforts.

7. University of Idaho – Health Benefits Program Revision

This was an information item only.

8. University of Idaho—Designation of Matriculation Fees for 1999 Student Recreation Center Bonds

**M/S (Thilo/Hall): To approve the request to designate matriculation fees as an additional pledged source of revenue for the 1999 Student Recreation Center bonds. A roll call vote was taken; motion carried 7-0 (Luna absent).**

Lloyd Mues presented this item and explained that for FY 2007, the student fees collected to support the Student Recreation Center will be approximately \$80,000 less than what is required to meet the pledged revenues to cover the debt service. As a result, the University is asking to broaden the pledged revenue base to permanently include student matriculation fees which will ensure that pledged revenues are always sufficient to cover the 120% ratio on the debt.

9. University of Idaho – Restructure of Relationship with Idaho Research Foundation (IRF)

**M/S (Agidius/Hall): To approve the request by the University of Idaho to restructure its technology transfer enterprise and its relationship with the Idaho Research Foundation, as described in the agenda materials submitted to the Board. This includes authority to extend the University's line-of-credit with the Foundation (with no further draws) for a time sufficient to complete the restructuring, and authority to enter into the Transition**

**Agreement and the Revised Operating Agreement in substantial conformance with the drafts presented to the Board.** *Motion carried unanimously.*

Lloyd Mues presented this item and noted the restructuring plan is essential to the University of Idaho and its outreach operations.

10. University of Idaho – Timber Sale from Experimental Forest

Lloyd Mues presented this information item.

11. Approval of FY 2008 Operating Budgets

**M/S (Hall/Agidius): To approve the FY 2008 operating budgets for the Office of the State Board of Education, Idaho School for the Deaf and Blind, Idaho State Historical Society, Idaho Commission for Libraries, Idaho Public Television, Division for Vocational Rehabilitation, College and Universities, Postsecondary Professional-Technical Education, Agricultural Research/Extension, Health Education and Special Programs, as detailed on pages 9-65 in Tab 11.** *Motion carried unanimously.*

Jeff Shinn presented this item.

12. FY 2009 Budget Request Guidelines

**M/S (Agidius/Thilo): To direct the agencies and institutions of the State Board of Education to prepare Maintenance of Current Operations budget requests for FY 2009 according to the guidelines established in the Budget Development Manual and relevant Board policy. This includes the rate for employee compensation, as indicated by the Division of Financial Management.** *Motion carried unanimously.*

**M/S (Agidius/Thilo): To direct the Business Affairs and Human Resources Committee and staff of the State Board of Education to immediately begin to discuss potential line item budget priority areas with all agencies and institutions of the State Board of Education, including Special and Health Programs, and Community Colleges. Following these discussions, the Committee will bring its recommendation for line item budget priority areas to the August 2007 Board meeting for final determination by the Board. This will result in direction being provided to all entities regarding budget requests which will be submitted to the Executive and Legislative budget agencies by September 1, 2007. Each agency or institutional line items, if any, will be submitted in priority order.** *Motion carried unanimously.*

Jeff Shinn presented this item.

13. NCAA Academic Progress Rate (APR) Report

Specific details of the institution reports were provided to the Board in their agenda materials. During comments, the institutions discussed the various areas of success and noted the areas where there were needs for improvement.

14. FY 2007 Intercollegiate Athletic Reports



- a. BSU
- b. ISU
- c. UI
- d. LCSC

**M/S (Agidius/Lewis): To accept the NCAA APR Reports as submitted.** *Motion carried unanimously.*

15. FY 2008 Student Health Insurance

a. Boise State University

**M/S (Hall/Thilo): To authorize Boise State University to enter into a contract for student health insurance coverage for FY 2007 – FY 2008 in accordance with the terms herein.** *Motion carried 7-1 (Stone voted Nay).*

Boise State University explained that it had issued an RFP for student health services in February 2007 for FY 2007-2008 because the current vendor's contract was to expire at the end of the current fiscal year. After the contract was awarded, a non-responsive bidder appealed the award. As a result, BSU must wait for an opinion by the Attorney General before it can award the final contract.

b. Idaho State University

**M/S (Agidius/Stone): To authorize Idaho State University to continue the contract with Academic Health Plans to provide student health insurance for 2007-2008 at a rate of \$523 per full-time student, per semester.** *Motion carried unanimously.*

c. University of Idaho

**M/S (Thilo/Agidius): To authorize University of Idaho to continue the contract with Mega Life and Health Insurance Company to provide student health insurance for 2007-2008 at a rate of \$649 per full-time student, per semester.** *Motion carried unanimously.*

d. Lewis-Clark State College

**M/S (Agidius/Thilo): To grant approval for Lewis-Clark State College to renew its contract with Renaissance Agencies, Inc., to provide student health insurance for 2007-2008 at a rate of \$1,240 per full-time student, per academic year.** *Motion carried unanimously.*

At this time, Ken Prolo of Idaho State University was congratulated on his upcoming retirement. He was thanked and commended by Dr. Vailas, members of the Board, and his fellow Financial Vice Presidents.

**PLANNING, POLICY & GOVERNMENTAL AFFAIRS**

1. Presidents' Council Report



Dr. Tim White of the University of Idaho reported on behalf of the Presidents' Council. At their last meeting, the Presidents discussed the technology transfer and agreed to study models from around the country. Their retreat is scheduled for August 7. At that time they will discuss legislative priorities, higher education financing, strategic planning, and budget priorities. It was also noted that the Colleges of Education will present their report to the Board during this meeting per the Board's request. The Colleges of Business will report in the fall. In closing, Dr. White introduced Dr. Art Vailas as the next chair of the Presidents' Council.

## 2. North Idaho College Progress Report

President Priscilla Bell, Interim President of North Idaho College, reported to the Board. She introduced Judy Meyer of the North Idaho College Board of Trustees, and Rolly Jergens, the Vice President of Administrative Services. Dr. Bell discussed NIC's current services, programs, and regional growth issues. She pointed out that NIC's current strategic plan has five initiatives: (1) student success; (2) educational programs; (3) leadership and responsiveness to the community; (4) planned growth; and, (5) continuous planning, assessment, and improvement. Dr. Bell discussed the workforce training and distance education efforts of the institution. As for concurrent credits for high school students, Dr. Bell indicated that North Idaho College has had positive discussions regarding that issue with the regional superintendents. Board member Thilo thanked Dr. Bell and complimented her for a very aggressive schedule during the four months of her term.

Judy Meyer indicated that the NIC trustees are available to work with the trustees of the newly formed community college, and to share their experiences and lessons learned. The Board thanked Ms. Meyer.

## 3. Idaho Public Television Progress Report

Peter Morrill reported to the Board. He discussed the status and impact of digital conversion statewide. IPTV has discussed the anticipated problems related to the final shut-off with Idaho's federal congressional delegation. Mr. Morrill indicated that IPTV secured 26 competitive grants towards covering the cost of the digital conversion, thus lessening the fiscal burden on the state.

Mr. Morrill highlighted several new programs and efforts of IPTV. He showed brief clips from the documentary, "State Legislature," and also talked about a new feature, based on the trial of Harry Orchard, aptly named, "Trial." IPTV won four Emmy awards this past year, which is the largest number for any public television organization in the northwest.

## 4. Eastern Idaho Technical College Advisory Council Vacancy

**M/S (Agidius/Stone): To approve the appointment of David E. Fry to the Eastern Idaho Technical College Advisory Council for a term beginning immediately, and ending December 31, 2010. Motion carried unanimously.**

## 5. Reappointment of R. Rognas to the Idaho Board of Library Commissioners

**M/S (Westerberg/Stone): To approve the reappointment of Richard Rognas to the Idaho Board of Library Commissioners for the term beginning July 1, 2007, and ending June 30, 2012. Motion carried unanimously.**

6. Approval of Idaho State University Alcohol Waiver Request for 2007 Home Football Games

**M/S (Thilo/Terrell):** To approve the request by Idaho State University to establish secure areas under the conditions set forth in this request for the purpose of allowing pre-game activities for the 2007 home football season. The conditions are as follows:

1. A secured area surrounded by the fence to control access to and from the area.
2. Three-hour duration, ending at kick-off.
3. No alcohol making or distributing companies may be allowed to sponsor the activities or tents.
4. A color-coded wristband or pass-admission-system that would identify attendees and invited guests.
5. Companies involved in the pre-game location will be sent a letter outlining the pre-game location/State Board of Education alcohol policy. The letter will state that the minimum drinking age in Idaho is twenty-one, and that at no time should they allow any underage drinking and/or serving of alcohol to visibly intoxicated patrons.
6. One entry/exit point will be manned by security personnel.
7. Security personnel located throughout the controlled area will be monitoring the alcohol wristband policy and patron behavior.
8. Security personnel will not allow patrons to exit the area with alcoholic beverages.
9. Tent sponsors will be required to insure and indemnify the State of Idaho, the State Board of Education, and Idaho State University for a minimum of \$2,000,000 and to make sure that the proper permits and licenses are obtained.
10. The area is for sponsors to entertain clients/guests for the fall of 2007 home football games, including the sales and service of alcohol.
11. A review of the 2007 events will be brought back after the conclusion of the season before consideration will be given to any future requests for similar activities on home football game days.

**SUBSTITUTE M/S (Lewis/Luna):** To approve the request by Idaho State University to establish secure areas under the conditions set forth in the request, as stated in the agenda materials, for the purpose of allowing pre-game activities for the 2007 home football season, the conditions being as follows: those listed in the agenda materials as items one through eleven; plus any other items which are also consistent with providing a restricted environment associated with prior approvals for other institutions in like situations; also, an agreement to abide by all terms and conditions of the Board's existing alcohol policy and regulations. *Motion carried 7-1 (Terrell voted Nay).*

Board member Hall noted that this item was similar to what is being done at BSU and UI, and that it appeared to be consistent to waiver approvals granted to those institutions. Board member Lewis made a substitute motion to ensure that the waiver was, indeed, consistent.

7. Proprietary School Legislation

Dr. Mike Rush presented this information item. He discussed problems with Idaho's proprietary school legislation and proposed two radically different approaches to address those problems. One is to eliminate the legislation entirely, and the other is to change the legislation significantly. Dr. Rush noted that there are a number of schools that fall outside of this legislation altogether. He will put together a study committee to look at what needs to be done and to make possible recommendations.

At 6:50 p.m., the Board adjourned for the evening; it reconvened at 8:00 a.m. on June 14, 2007.

#### 8. Institution/Agency Strategic Plans

**M/S (Terrell/Lewis): To approve the 2007 Institution, Agency, and Small Program Strategic Plans as submitted.** *Motion carried unanimously.*

Board member Hall presented this item and asked that the agencies and institutions make sure their plans are available for the Board when they present their progress reports. Board member Westerberg noted that the strategic plans don't have as much linkage to the Board's strategic plan as one might expect. He recommended that work continue on the plans to remedy that situation, particularly in respect to making budget requests to the Legislature.

### **INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**

#### 1. Idaho State Board of Education Report on Commonalities and Differences Among Colleges and Schools Within Idaho's Public Higher Education Institutions

The Deans of the Colleges of Education were invited to present to the Board. Paul Rowland of the University of Idaho, Jann Hill of Lewis-Clark State College, Diane Boothe of Boise State University, and Deborah Hedeem of Idaho State University came forward. Together, they discussed the process followed to identify the specific missions, goals, and responsibilities of each institution. They overviewed the similar and different ways each institution functions to meet the student, regional, and statewide needs. They discussed the types of degrees and the program areas each institution offers. They recognized common challenges for the future which include: educator supply; recruitment of future teachers in high need fields such as math, science, and special education; changing policy landscape; and competition from out-of-state institutions. Lengthy discussion between the institutions and the Board followed.

State Superintendent Luna noted that education is not immune to what is going on with the workforce in general, in that people move in and out of professions in all arenas. He suggested that our education system needs to be able to prepare for, and adapt to that trend.

In discussing the need for more math and science teachers, Dr. Rowland talked about the approaches the UI is taking to attract and certify science teachers. Dr. Hill explained about the various opportunities that LCSC has initiated to bring in more math and science teachers. Dr. Hedeem noted that ISU has put programs into place to provide access to teachers in those fields.

In regards to the incentives the institutions offer related to math and science, Dr. Rowland noted that UI has fairly steady enrollments in math and science. He went on to point out that keeping teachers in Idaho after they complete their degrees is a challenge that the state needs to address.

State Superintendent Luna indicated that there is a perception that the Colleges of Education are not addressing the need to prepare teachers for the 21<sup>st</sup> century. Dr. Hill noted that LCSC's advisory board has added a two-credit math methods class that requires students to work in the local schools with elementary students.

In regards to meeting with the superintendents, Dr. Hedeem noted that ISU meets with their regional superintendents regularly, and that they are looking at ways to bring the principals together. Dr. Boothe indicated that BSU recently conducted an education forum to discuss concerns. Dr. Hill explained that LCSC does meet with the regional superintendents, and because their interns are in the schools, LCSC does get constant feedback. Dr. Rowland pointed out that the UI has faculty representatives meeting with regional superintendents on a monthly basis, and that the institution also sends out an annual survey as part of their annual review cycle.

Board member Hall indicated that some superintendents have reported resistance from the Colleges of Education when it comes to making changes suggested by the superintendents. The institutions asked to know specifically which superintendents and went on to point out that communication is a two-way effort; some issues and complaints are never forwarded to the Colleges. Dr. Hill reported that LCSC's accreditation requires them to collect and address concerns. All the institutions agreed it would be helpful to have a state data base in place so that the institutions can accurately assess the quality of their graduates rather than relying on anecdotal information. In referring to placement rates, Dr. Rowland noted that this is the most difficult data for the institutions to collect because they have no way to really force or control the collection of that data.

State Superintendent Luna emphasized how critical this conversation is to the K-12 system and asked that the Board continue the discussion with the Colleges. Board member Thilo and State Superintendent Luna agreed to meet with the deans of the Colleges prior to reporting back to the Board in August. Board President Terrell asked that the deans of the Colleges also attend the August Board meeting.

At this time the Board recognized Senator John Goedde and former Speaker of the House Bruce Newcomb in the audience.

2. First Reading, Amendment to Idaho State Board of Education Governing Policies and Procedures, Section II.G.6.b.2., Acquisition of Tenure

**M/S (Thilo/Terrell): To approve the first reading of amendments to Idaho State Board of Education Governing Policies and Procedures, Section II.G.6.b.2., Acquisition of Tenure as presented. Motion carried 7-1 (Hall voted Nay).**

Dr. Stuart Tennant presented this item. He noted that it had been discussed in CAAP.

3. First Reading of Proposed Amendment to Idaho State Board of Education Governing Policies and Procedures, Section III.G.5., Approval Procedures

**M/S (Terrell/Agidius): To approve the request by the Idaho Division of Professional-Technical Education to amend State Board Policy Section III.G.5., Instructional Program Approval and Discontinuance, as detailed on Attachment 1 of this request. Motion carried unanimously.**

Dr. Mike Rush of the Division of Professional-Technical Education noted that there were two issues being addressed. First, there was confusion as to which Board staff had responsibility to review PTE programs. This policy change aligns that responsibility with Idaho Code, which identifies the Division of Professional-Technical Education as the Board staff for PTE programs.

Also, according to Idaho Code, the Division of Professional-Technical Education is required to advocate for PTE programs, so at some point the Division needs to have the ability to bring programs to the Board for their consideration. It was noted that while CAAP is an advisory council, the way the policy is currently written, CAAP may veto a PTE program and prevent it from coming before the Board. Dr. Rush emphasized that it is important for the Division to be able to bring PTE programs to the Board if there is an overwhelming and compelling reason to do so, even if CAAP isn't in full agreement. Tony Fernandez of Lewis-Clark State College noted that the policy change means that the Board may receive two different recommendations and thus, be the deciding body.

4. First Reading of Proposed Policy -- Amendment of Board Policy III.N., Private In-State, Out-of-State, Non-Accredited Institutions, and Other Educational Source Offerings

**M/S (Terrell/Agidius): To approve the First Reading of the Proposed Policy Amendment of Board Policy III.N., Private In-State, Out-of-State, Non-Accredited Institutions, and other Educational Source Offerings.** *Motion carried unanimously.*

First Reading of Proposed Policy – Amendment of Board Policy III.M., Accreditation

**M/S (Thilo/Agidius): To approve the First Reading of the Proposed Policy Amendment to Board Policy III.M., Accreditation.** *Motion carried unanimously.*

5. Annual Reports of Postsecondary Programs and Memorandums of Understanding

Board member Lewis thanked the institutions for providing this helpful information.

6. Approval of the Temporary and Proposed Rules Governing the Opportunity Scholarships

**M/S (Terrell/Agidius): To approve the Temporary and Proposed Rules Governing the Opportunity Scholarships Program.** *Motion carried unanimously.*

Board member Stone indicated this was a good start and urged that the Board and other entities continue to encourage more scholarship money to come in.

7. University of Washington School of Medicine Committee on Admissions for the WWAMI (Washington, Wyoming, Alaska, Montana, and Idaho) Program

**M/S (Thilo/Agidius): To approve increasing the Committee to a four-member committee; and, appointments of Dr. David Anderson, Dr. Peter Kozisek, Dr. Jennifer Garwick, and Dr. Mary Barinaga as Idaho members of the Committee.** *Motion carried unanimously.*

The candidates' resumes were provided in the Board materials. In explaining why two more committee members were being added, Board member Thilo noted that the responsibilities and assignments of this committee are time-intensive. By increasing the number of members, there will be better coverage and also representation from other regions. It was noted that committee members need to be willing to take time off from their practices in order to meet the requirements of serving on this committee.

8. Approval of Research Center Grant Program FY 2008 Recipient

**M/S (Thilo/Hall): To approve funding of the Center for Musculoskeletal Research, Molecular, Cellular, and Biomechanical Studies at Boise State University as recommended by HERC and the on-site review panel. Motion carried unanimously.**

9. Approval of Higher Education Research Council (HERC) FY 2008 Budget

**M/S (Terrell/Westerberg): To approve the FY 2008 HERC Budget Allocation as presented. Motion carried unanimously.**

10. Round II – Idaho Technology Grant Program FY 2008 Grant Funding Recommendations

**M/S (Terrell/Stone): To approve funding for projects as exhibited in the amount of \$511,500 and direct Board staff to solicit additional proposals for the remaining funding available. Motion carried unanimously.**

Board President Terrell explained that this is round two of the grant review. In order to distribute the remaining funds, there will be a round three. New proposals will be accepted.

11. Approval of Proposed Rules Governing Thoroughness – Accountability, Assignment of Responsibility for AYP Determination

**M/S (Thilo/Agidius): To approve the Proposed Rules Governing Thoroughness – Assignment of AYP Responsibilities, IDAPA 08.02.03.112 and 113, Accountability and Rewards. Motion carried unanimously.**

12. Decision Regarding 2007-2008 Title IIA Improving Teacher Quality State Activities Fund

**M/S (Thilo/Terrell): To have the Title IIA funds for 2006-2007 be administered by the Office of the State Board of Education as proposed. Motion carried unanimously.**

13. Standards for the Deaf and Hard of Hearing (DHH) and Standards for the Blind and Visually Impaired (BVI)

**M/S (Thilo/Terrell): To approve the Standards for the Deaf and Hard of Hearing as presented. Motion carried unanimously.**

**M/S (Terrell/Hall): To approve the Standards for the Blind and Visually Impaired as presented. Motion carried unanimously.**

Board member Thilo and Board President Terrell presented the standards and discussed the steps taken to put them together.

Approval of Temporary and Proposed Rule 08.02.03.004 – Incorporation by Reference

**M/S (Thilo/Terrell): To approve the temporary and proposed Rule, IDAPA 08.02.03.004 – Incorporation by Reference. Motion carried unanimously.**

At this time, Board member Westerberg was excused from the meeting due to scheduling conflicts.



## STATE DEPARTMENT OF EDUCATION

### 1. Superintendent's Report

State Superintendent Luna requested an adjustment be made to the Department's agenda specifically to remove Tabs C, D, and E from Section 7; to move Section 7 and 8 before Section 6; and, to add Tab J (McCall/Donnelly School District) to Section 6.

**By unanimous consent, the Board agreed to the adjustments in the Department's agenda.**

State Superintendent Luna briefly shared about his recent visit to the Lapwai School District in response to disparaging remarks made by some community members at an earlier Board meeting. He noted that the district is rural, has a large Native American population, and has a high level of poverty. He noted that in 2000, less than 30 percent of the students were proficient in reading; however, today, 90% are proficient. He commended the school for their remarkable story and for the approach that they have taken in believing that because every child can learn, every child does learn. State Superintendent Luna noted that the teachers meet each month with every parent. He applauded the great things that are going on in that district. Board President Terrell agreed that it would be appropriate to send a letter under the Board's signature commending the Lapwai District for their good work.

At this time the Board recognized Senator Jim Hammond who was in the audience.

### 2. Accreditation Final Summary Report

**M/S (Agidius/Stone): To approve the Final 2006-2007 Accreditation Summary Report of Idaho Districts and Schools as submitted.** *Motion carried unanimously.*

### 3. Accreditation Revision Discussion

State Superintendent Luna indicated he plans to bring this item before the Board in August. It is regarding reducing paperwork and eliminating duplication having to do with accreditation. Board members Thilo and Agidius agreed that they looked forward to seeing this happen.

### 4. Idaho Reading Indicator (IRI)

**M/S (Terrell/Thilo): To approve the change in test vendor for the Idaho Reading Indicator.** *Motion carried unanimously.*

### 5. Transportation – Student Less Than One and One Half Miles

**M/S (Agidius/Thilo): To approve the requests by ninety-seven school districts and eight charter schools to transport students less than one and one-half miles.**

Ray Merial of the Department of Education explained the criteria and the process each district used to identify their safety busing needs. The requirement in statute is for districts to set the goals, and for the Department to conduct spot inspections to make sure that those goals are met. It was pointed out that this item pertains to safety issues related to the transportation of students. It was noted that the Department reimburses for buses, but not for crossing guards.



State Superintendent Luna agreed to look at what it would take to be able to reimburse other safety options besides buses. Board member Stone noted that the Board should look at state liability issues related to funding crossing guards before going that route.

At this time the Board moved to Items 7 and 8 of the Department's agenda.

7. Certification Rules – Approval of Temporary and Proposed Rules – IDAPA 08.02.02 – Rules Governing Uniformity

a. Docket Number 08-0202-0701 – Adding Definition to Requirements for Professional Growth

**M/S (Terrell/Agidius): To approve the temporary and proposed rules, Docket Number 08-0202-0701 – Adding Definition to Requirements for Professional Growth. Motion carried unanimously.**

b. Docket Number 08-0202-0702 – Out-of-State Certificate Holders Praxis II Waiver

**M/S (Thilo/Agidius): To approve the temporary and proposed rules, Docket Number 08-0202-0702 – Out-of-State certificate Holders Praxis II Waiver. Motion carried unanimously.**

Board member Thilo thanked the Department for forwarding this. Board member Agidius noted that many highly qualified teachers have been turned away, and this will open the door to lifting an unnecessary restriction.

NOTE: Items c, d, and e were PULLED from the agenda.

f. Docket Number 08-0202-0706 – Extension onto Designation Period for Pupil Personnel Services

**M/S (Hall/Lewis): To approve the temporary and proposed rule, Docket Number 08-0202-0706 – Extension onto Designation Period for Pupil Personnel Services. Motion carried unanimously.**

Board member Hall noted that by removing the barriers, the pool of potential applicants can be increased. It remains up to the local districts as to who they will hire, however.

g. Docket Number 08-0202-0707 – Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships

**M/S (Agidius/Hall): To approve the temporary and proposed rule, Docket Number 08-0202-0707 – Rules Governing Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships. Motion carried unanimously.**

h. Docket Number 08-0202-0708 – Sunset Idaho Technology Competency Assessment

**M/S (Agidius/Terrell): To approve the temporary and proposed rule, Docket Number 08-0202-0708 – Sunset Idaho Technology Competency Assessment. Motion carried 6-1 (Hall voted Nay).**

i. Docket Number 08-0202-0709 – Education Requirements to Begin the Alternative Authorization Qualified Para-Professionals

**M/S (Hall/Lewis): To approve the temporary and proposed rule, Docket Number 08-0202-0709 – Education Requirements to Begin the Alternative Authorization Qualified Para-Professionals. Motion carried unanimously.**

8. Professional Standards Commission Nominations

**M/S (Hall/Agidius): To approve Brad Patzer as a member of the PSC for a term of three years representing secondary classroom teachers.**

**M/S (Thilo/Agidius): To approve Jann Hill as a member of the PSC for a term of three years representing public higher education.**

**M/S (Thilo/Agidius): To approve Dennis Cartwright as a member of the PSC for a term of three years representing private higher education.**

**M/S (Hall/Thilo): To approve Tama Bergstrand as a member of the PSC for a term of three years representing secondary classroom teachers.**

**M/S (Lewis/Stone): To approve Laurie Snyder as a member of the PSC for a term of three years representing school counselors.**

**M/S (Lewis/Agidius): To approve Stephanie Olson as a member of the PSC for a term of three years representing exceptional child educators.**

**M/S (Lewis/Agidius): To approve Carolyn Rapp as a member of the PSC for a term of three years representing secondary principals.**

6. Transportation – Waiver of Student Transportation Funding Cap

There was lengthy discussion between the Board and the Department regarding the waiver requests. Ray Merical of the Department noted that waivers are based on one-time exceptional circumstances or on geographical hardship. Mr. Merical indicated that the Department reviewed the requests for waivers and looked at all the transportation related parameters. As a point of information, it was noted that whenever a district receives a waiver, the Department goes to that district in order to assess what has been done to lessen the costs.

Board President Terrell asked the districts to remember that the Board must adhere to the intent of the legislation. New rules passed by the Legislature will go into effect July 1, 2007, however, the waivers being considered at this meeting are for the previous school year. State Superintendent Luna explained that the districts are only eligible for 85% of what they are requesting; and whatever percentage the Board approves today will be that percentage of the 85%. State Superintendent Luna reaffirmed that the Department had carefully reviewed each waiver request. He recommended that the Board fund all of the waiver requests at 100%.

a. Buhl School District

**M/ (Terrell): To deny the request by the Buhl School District. FAILED for lack of a second.**

**M/S (Terrell/Hall):** To approve the request by Buhl School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%. *FAILED 3-4 (Agidius, Hall, Lewis, and Luna voted Nay).*

**Substitute M/S (Lewis/Hall):** To approve the request by Buhl School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 20%. *FAILED 3-4 (Agidius, Luna, Stone, and Terrell voted Nay).*

**Second M (Luna):** To approve the request by Buhl School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 100%. *FAILED for lack of a second.*

**Third M/S (Terrell/Thilo):** To approve the request by Buhl School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 40%. *FAILED 3-4 (Agidius, Hall, Lewis, and Luna voted Nay).*

**Fourth M/S (Agidius/Lewis):** To approve the request by Buhl School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 25%. *Motion carried 4-3 (Luna, Stone, and Terrell voted Nay).*

A representative from the district came forward for comments.

At this time Representative Nonini was recognized in the audience.

b. Dietrich School District

**M/S (Lewis/Hall):** To deny the request by Dietrich School District for a waiver.  
*WITHDRAWN.*

**M/S (Agidius/Stone):** To approve the request by Dietrich School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%.

**Substitute M/S (Terrell/Thilo):** To approve the request by Dietrich School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 30%. *Motion carried 4-3 (Agidius, Luna, and Stone voted Nay).*

c. Kellogg School District

**M/S (Thilo/Stone):** To approve the request by Kellogg School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%. *Motion carried 5-2 (Lewis and Hall voted Nay).*

A representative from the district came forward for comments.

d. Meadows Valley School District

**M/S (Terrell/Luna): To approve the request by Meadows Valley School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 100%. FAILED 3-4 (Agidius, Hall, Stone, and Thilo voted Nay).**

**Second M/S (Hall/Thilo): To approve the request by Meadows Valley School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%.**

**Motion to Table (Terrell): To table this item until representatives can be present to make a presentation. FAILED for lack of a second.**

**Substitute M/S (Stone/Terrell): To fund Meadows Valley at 100%. Motion carried 5-2 (Agidius and Hall voted Nay).**

**Motion to Reconsider/S (Terrell/Luna): To reconsider the approved motion. Motion carried unanimously.**

**M/S (Terrell/Lewis): To approve the request by the Meadows Valley School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 90%. Motion carried 6-1 (Hall voted Nay).**

During the Board's review of this informational item, there was lengthy discussion about whether or not this was an actionable item. Board member Hall voiced his understanding that the wording of the motion from last year meant that the Board intended to review and reconsider the waiver this year. Board member Lewis noted that districts which were granted five-year waivers last year did not have any indication from the Board, prior to this meeting, that the Board intended to take another vote this year. Thus, the matter was adamantly unfair because representatives who might otherwise have attended the meeting were not present to make a case for themselves this year. During follow-up discussion, it was pointed out again that whatever the intent or understanding of Board members last year in approving the motion, there was a lack of notice to the districts this year that the waivers would be voted on again this year.

The motion to approve the funding at 100% passed. However, based on discussion during the vote on the Moscow School District waiver, concerns about the Meadows Valley motion were brought up again. A motion to reconsider the 100% funding made and approved. That was followed by a motion to fund the district at 90%. That motion was passed.

e. Moscow School District

**M/S (Luna/Terrell): To approve request by Moscow School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 100%. FAILED 0-7 (Lewis changed is vote to Nay).**

**Second Motion (Luna/Terrell): To approve the request by Moscow School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 16%. Motion carried 6-1 (Stone voted Nay).**

During discussion, it was clarified that the motion from last year was for 16%. A substitute motion was made with that in mind. Also, as a result of their discussion during this item, the Board reconsidered the waiver for Meadows Valley.

f. Mountain Home School District

**M/S (Lewis/Stone): To approve the request by Mountain Home School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 35%. Motion carried unanimously.**

A representative from the district came forward for comments.

g. Salmon School District

**M/S (Lewis/Terrell): To approve the request by Salmon School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%. Motion carried unanimously.**

A representative from the district came forward for comments.

h. Valley School District

**M/S (Terrell/Lewis): To approve the request by Valley School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%.**

**Substitute M/S (Hall/Agidius): To approve the request by Valley School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 35%. Motion carried 5-2 (Luna and Terrell voted Nay).**

A representative from the district came forward for comments.

i. Wendell School District

**M/S (Stone/Terrell): To approve the request by Wendell School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 20%. Motion carried unanimously.**

**Substitute M (Luna): To approve the request by Wendell School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 60%. WITHDRAWN.**

A representative from the district came forward for comments.

j. McCall/Donnelly District

**M/S (Terrell/Luna): To approve the request by McCall/Donnelly School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 60%.**

**Substitute M/S (Hall/Thilo): To approve the request by McCall/Donnelly School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 40%.**

**Second Substitute M/S (Lewis/Agidius): To approve the request by McCall/Donnelly School District for a waiver of the 103% transportation funding cap at a percentage rate that will reduce the funding cap penalty for fiscal year 2006 by 50%. *Motion carried 5-2 (Agidius and Hall voted Nay).***

A representative from the district came forward for comments.

## **OTHER BUSINESS**

### College of Western Idaho Trustee Appointments

**By unanimous consent, the Board agreed to allow the Board President to select Board members to review all the applicants who have applied for the job of trustee of the new community college; and, to invite the Board to give the names of other local people to serve on that committee as well. The Board members appointed to that committee are: Tom Luna from Canyon County, Rod Lewis from the Eagle area, and Milford Terrell as the President of the Board.**

Board member Hall clarified that the committee will review the applicants and then will make recommendations to the full Board as to who might be appropriate for further consideration. It was agreed that the committee will bring forward at least ten names to the full Board.

### Board Committee Appointments

Board President Terrell announced the committee assignments for the Board, for the coming year.

- a. Instruction, Research, and Student Affairs: Thilo (as Chair), with Lewis and Luna
- b. Planning, Policy, and Governmental Affairs: Hall (as Chair), with Stone and Agidius
- c. Business Affairs and Human Resources: Stone (as Chair), with Westerberg and Hall
- d. Audit Committee: Lewis (as Chair), with Westerberg and Thilo
- e. Athletics Committee: Agidius, Terrell, and Thilo (no chair was named)
- f. Medical Education Study: Hall (as Chair), with Stone and Lewis
- g. Native American Program: Stone (as Chair), plus individuals from the Native American population to coordinate higher education opportunities for Native Americans.
- h. Council for Academic Affairs and Programs: Thilo and Terrell (It was clarified that any Board member can attend any committee meeting; further, that it would be particularly appropriate for Board member Lewis, as a member of IRSA, to also participate in the CAAP meetings.)

i. Technology Advisory Committee Assessments: Thilo and Terrell

Adjournment

There being no further business, Board President Terrell adjourned the meeting at 1:05 p.m.