

1. Agenda Approval

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

2. Minutes Approval

BOARD ACTION

To approve the minutes from November 2, 2007, December 6, 2007, December 20, 2007, and January 14, 2008, as submitted.

3. Rolling Calendar

BOARD ACTION

To approve February 26-27, 2009 as the dates and Boise State University as the location for the February 2009 regularly scheduled Board meeting.

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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

**DRAFT MINUTES
 STATE BOARD OF EDUCATION
 SPECIAL MEETING
 November 2, 2007
 Office of the State Board
 Len B. Jordan Building
 Boise, Idaho**

A special teleconference meeting of the State Board of Education was held November 2, 2007. It originated from the Office of the State Board of Education in Boise, Idaho. Board President Milford Terrell presided. The following members were present in person or by phone:

Present:

- | | |
|--------------------------------|------------------------------|
| Milford Terrell, President | Paul Agidius, Vice President |
| Sue Thilo, Secretary | Rod Lewis |
| Laird Stone | Richard Westerberg |
| Tom Luna, State Superintendent | Blake Hall |

Board President Milford Terrell called the meeting to order at 1:00 p.m. on November 2, 2007 with a roll call of members and a review of the agenda.

By unanimous consent the Board agreed to take up items number 7, 8, 9, and 10 of the State Board agenda first.

STATE BOARD OF EDUCATION AGENDA

7. Lewis-Clark State College Property acquisition – 10th Avenue

M/S (Agidius/Westerberg): To approve the request by Lewis-Clark State College to purchase the above-described property for approximately \$141,500; and to authorize the Vice President for Administrative Services to execute all documents relating to this transaction. Motion carried unanimously.

8. Lewis-Clark State College Property Acquisition – 7th Street

M/S (Agidius/Westerberg): To approve the request by Lewis-Clark State College to purchase the above-described property for approximately \$248,000; and to authorize the Vice President for Administrative Services to execute all documents relating to this transaction. Motion carried unanimously.

Mr. Luna asked for clarification regarding the sale price. LCSC indicated that they would return to the Board if the terms are changed.

9. FY 2008 College of Western Idaho Budget Transfer

M/S (Terrell/Stone): To authorize the Interim Executive Director of the Office of the State Board of Education (OSBE) to release \$300,000 to the College of Western Idaho in general funds currently appropriated in the general funds budget of OSBE. The FY 2008 operating budget and plan for the College will be reviewed by the Board in December, at which time the Board will determine the amount of additional funds to be released from the balance of the five million dollar appropriation. Motion carried unanimously.

Mr. Terrell indicated that the Legislature requires that the Board receive a business plan from the College of Western Idaho prior to releasing all of the funds to the College. The plan will be presented by CWI to the Board in December.

10. FY 2008 College of Western Idaho Budget Request

M/S (Lewis/Luna): To approve the FY 2009 budget request by College of Western Idaho as presented on page three. Motion carried unanimously.

At this time, the Board continued with the remainder of the Board agenda.

1. Approval of Pending Rules and Amendment to Temporary Rules – Docket No. 08-0113-0701 – Opportunity Scholarship Program

M/S (Terrell/Stone): To approve the Pending Rules and Amendment to Temporary Rules – Docket No. 08-0113-0701 – Opportunity Scholarship Program as submitted. Motion carried unanimously.

2. Approval of Pending Rules – Docket No. 08-0105-0702 – Promise Scholarship Program

M/S (Terrell/Stone): To approve the Pending Rules – Docket No. 08-0105-0702 – Promise Scholarship Program – which will repeal the current rule that is now in place. Motion carried unanimously.

3. Approval of Pending Rules – Docket No. 08-0203-0704 – Rules Governing Thoroughness

M/S (Terrell/Agidius): To approve the Pending Rules – Docket No. 08-0203-0704 – Rules Governing Thoroughness as submitted. Motion carried unanimously.

4. Approval of Pending Rules – Docket No. 08-0203-0701 – Rules Governing Thoroughness, Incorporation by Reference of the PLD's and Cut Scores

M/S (Terrell/Thilo): To approve Pending Rules – Docket No. 08-0203-0701 – Rules Governing Thoroughness, Incorporation by Reference of the PLD’s and Cut Scores as submitted. Motion carried unanimously.

5. Approval of Pending Rules – Docket No. 08-0204-0701—Rules Governing Charter Schools – Sufficiency Reviews

M/S (Terrell/Luna): To approve the Pending Rules – Docket No. 08-0204-0701—Rules Governing Charter Schools – Sufficiency Reviews as submitted. Motion carried unanimously

6. Approval of Grant Application – School Improvement Fund of Elementary and Secondary Education Act

M/S (Terrell/Stone): To approve authority delegation by the State Board of Education (the State Education Agency) to the State Department of Education, to apply for School Improvement Fund grant (CFDA #84.377A) and to administer these funds in accordance with federal law regulations. Motion carried unanimously.

STATE DEPARTMENT OF EDUCATION AGENDA

1. Approval of Temporary and Proposed Rules – Docket No. 08-0202-0709 – Rules Governing Uniformity – Gifted and Talented

M/S (Luna/Stone): To approve the Temporary and Proposed Rules – Docket No. 08-0202-0709 – Rules Governing Uniformity – Gifted and Talented as submitted. Motion carried unanimously.

2. Approval of Temporary and Proposed Rules – Docket No. 08-0202-0710 – Rules Governing Uniformity – Literacy

M/S (Luna/Stone): To approve the Temporary and Proposed Rules – Docket No. 08-0202-0710 – Rules Governing Uniformity – Literacy as submitted. Motion carried unanimously.

3. Approval of Temporary and Proposed Rules – Docket No. 08-0202-0711 – Rules Governing Uniformity – School Nurse and provisional Endorsement School Nurse

M/S (Luna/Stone): To approve the Temporary and Proposed Rules – Docket No. 08-0202-0711 – Rules Governing Uniformity – School Nurse and provisional Endorsement School Nurse as submitted. Motion carried unanimously.

4. Approval of Temporary and Proposed Rules – Docket No. 08-0202-0712 – Rules Governing Uniformity – Library Media Specialist

M/S (Luna/Stone): To approve the Temporary and Proposed Rules – Docket No. 08-0202-0712 – Rules Governing Uniformity – Library Media Specialist as submitted. Motion carried unanimously.

5. Approval of Pending Rule – Docket No. 08-0202-0701 – Rules Governing Uniformity – Adding Definition to Requirements for Professional Growth

M/S (Luna/Stone): To approve the Pending Rule – Docket No. 08-0202-0701 – Rules Governing Uniformity – Adding Definition to Requirements for Professional Growth as submitted. Motion carried unanimously.

6. Approval of Pending Rules – Docket No. 08-0202-0702 – Rules Governing Uniformity – Out-of-State Certificate Holders Praxis II Waiver

M/S (Luna/Stone): To approve the Pending Rules – Docket No. 08-0202-0702 – Rules Governing Uniformity – Out-of-State Certificate Holders Praxis II Waiver as submitted. Motion carried unanimously.

7. Approval of Pending Rule – Docket No. 08-0202-0706 – Rules Governing Uniformity – Education Requirements to Begin the Alternative Authorization Qualified Paraprofessionals

M/S (Luna/Stone): To approve the Pending Rule – Docket No. 08-0202-0706 – Rules Governing Uniformity – Education Requirements to Begin the Alternative Authorization Qualified Paraprofessionals as submitted. Motion carried unanimously.

8. Approval of Pending Rule – Docket No. 08-0202-0708 – Rules Governing Uniformity – Three Year Interim Certificate

M/S (Luna/Stone): To approve the Pending Rule – Docket No. 08-0202-0708 – Rules Governing Uniformity – Three Year Interim Certificate as submitted. Motion carried unanimously.

9. Approval of Pending Rule and Amendment to Temporary Rule – Docket No. 08-0202-0703 – Rules Governing Uniformity – Extension Onto Designation Period of Pupil Personnel Service

M/S (Luna/Stone): To approve the Pending Rule and Amendment to Temporary Rule – Docket No. 08-0202-0703 – Rules Governing Uniformity – Extension Onto Designation Period of Pupil Personnel Services as submitted. Motion carried unanimously.

10. Approval of Pending Rules and Amendment to Temporary Rule – Docket No. 08-0202-0704 – Rules Governing Uniformity – Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships

M/S (Luna/Stone): To approve the Pending Rules and Amendment to Temporary Rule – Docket No. 08-0202-0704 – Rules Governing Uniformity – Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships as submitted. Motion carried unanimously.

11. Approval of Pending Rule and Amendment to Temporary Rule – Docket No. 08-0202-0705 – Rules Governing Uniformity – Sunset Idaho Technology Competency Assessment

M/S (Luna/Stone): To approve the Pending Rule and Amendment to Temporary Rule – Docket No. 08-0202-0705 – Rules Governing Uniformity – Sunset Idaho Technology Competency Assessment as submitted. Motion carried unanimously.

12. Approval of Pending Rule – Docket No. 08-0202-0707 – Rules Governing Uniformity – Accreditation

M/S (Luna/Stone): To approve the Pending Rule – Docket No. 08-0202-0707 – Rules Governing Uniformity – Accreditation. Motion carried unanimously.

13. Update on Math Standards Rules

This item was pulled from the agenda.

OTHER BUSINESS

1. GEAR UP Grant

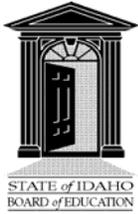
Board President Terrell updated the Board on the status of the GEAR UP grant. He reported that matching funds for year two had been raised. The Board will still need to raise approximately 1.3 million dollars spread over the next five years to complete Idaho's commitment for year one, as well as raising the ongoing commitment required for match each year. Board President Terrell went on to report that the Division of Financial Management had approved the Board's plan, pending Governor Otter's final decision. He thanked the Board staff for the extraordinary amount of work put forth by them on this effort. Board member Thilo echoed Mr. Terrell's comments. Board member Agidius commended Mr. Terrell for the many hours of work he spent on this effort as well. Board member Hall thanked the agencies, businesses, and universities who contributed funds.

At this time, Board President Terrell brought up the subject of still-vacant Chief Financial Officer position in the Office of the State Board.

By unanimous consent, the Board agreed that Interim Executive Director, Mike Rush, should proceed with the search for a person to fill the Chief Financial Officer position in the Board office.

There being no further business, a motion to adjourn was entertained.

M/S (Luna/Agidius): To adjourn the Board meeting at 1:40 p.m. Motion carried unanimously.



**STATE BOARD OF EDUCATION
TRUSTEES OF BOISE STATE UNIVERSITY
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**DRAFT MINUTES
STATE BOARD OF EDUCATION
December 6, 2007
Idaho State University
Rendezvous Complex
Pocatello, Idaho**

A regular meeting of the State Board of Education was held December 6, 2007 at Idaho State University in Pocatello, Idaho. Board President Milford Terrell presided. The following members were present:

Present:

Milford Terrell, President

Paul Agidius, Vice President

Sue Thilo, Secretary

Blake Hall

Rod Lewis

Laird Stone

Richard Westerberg

Tom Luna, State Superintendent

EXECUTIVE SESSION

M/S (Hall/Agidius): To move into Executive Session pursuant to Idaho Code on December 6, 2007 at 9:00 am to discuss the following:

- Pursuant to Idaho Code Section 67-2345(1)(a), to consider hiring a public officer, employee, staff member or individual agent;
- Pursuant to Idaho Code Section 67-2345(1)(b), to consider the evaluation, dismissal or disciplining of, or complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;
- Pursuant to Idaho Code Section 67-2345(1)(c), to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency;
- Pursuant to Idaho Code Section 67-2345(1)(d), to consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code;
- Pursuant to Idaho Code Section 67-2345(e), to consider 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

- **Pursuant to Idaho Code Section 67-2345(1)(f), to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.**

A roll call vote was taken; motion carried 6-0 (Board member Lewis and State Superintendent Luna arrived at 9:15, after the roll call vote).

In executive session, the Board discussed the following: (i) on behalf of the Office of the State Board of Education, discussed hiring a public officer, employee, staff member, or individual agent; (ii) as Trustees of Boise State University, discussed acquiring an interest in real property; considered records exempt from disclosure; (iii) as Trustees of Idaho State University, discussed the evaluation, dismissal, or disciplining of, or complaints or charges brought against a public officer, employee, staff member or individual agent; and (iv) as Regents of the University of Idaho, discussed the evaluation, dismissal, or disciplining of, or complaints or charges brought against a public officer, employee, staff member or individual agent; discussed acquiring an interest in real property; considered records exempt from disclosure; discussed negotiations involving matters of trade or commerce; and communicated with legal counsel to discuss the legal ramifications of and legal options for pending litigation.

M/S (Thilo/Westerberg): To go out of Executive Session at 1:00 pm. Motion carried unanimously.

BOARDWORK

1. Agenda Review and Approval

M/S (Agidius/Terrell): To amend the agenda as noted. Motion carried 5-0 (Lewis, Luna, and Hall absent during vote).

The agenda was amended as follows: moved the Audit Committee Report ahead of the Consent Agenda; added University of Idaho property donation item to the Business Affairs and Human Resources agenda, Section II; and, pulled the Idaho State University Mission Statement item from the Instruction, Research, and Student Affairs agenda.

At this time, Board President Terrell recognized Representative Janet McGeachin of Idaho Falls in the audience.

Board President Terrell introduced Jennifer Brown, the Student Body President from Idaho State University. Ms. Brown thanked the Board for their help and support over the past year, particularly in regards to the GEAR UP program. She also noted that ISU students have been active in a number of community activities. Ms. Brown highlighted student participation in the Idaho METH project, noting that they had raised about \$7,000 for the project. Board President Terrell thanked Ms. Brown.

2. Minutes Review and Approval

M/S (Agidius/Thilo): To approve the minutes from October 11-12, 2007, and November

19, 2007, as submitted. Motion carried 7-0 (Luna absent during the vote).

3. Rolling Calendar

M/S (Thilo/Westerberg): To approve August 21-22, 2008, as the date and Idaho State University in Pocatello, Idaho as the location for the August 2008 regularly scheduled Board meeting; and to approve December 4-5, 2008, as the date and the College of Western Idaho in Nampa, Idaho as the location for the December 2008 regularly scheduled Board meeting. Motion carried 7-0 (Luna absent during the vote).

AUDIT COMMITTEE

1. College and University Audit Presentation – Moss Adams, LLP

Scott Simpson, Pam Cleaver, and Mary Case (representatives from Moss Adams, LLP) were invited to present the audit report. Mr. Simpson reviewed the process undertaken in conducting the audit. He noted that Moss Adams had communicated in detail with the Board's Audit Committee. Pam Cleaver reported on the financial statements and noted that detailed summaries are provided for each institution in the Board's agenda materials. Mary Case reported on the role of the Audit Committee and noted that several suggestions were presented to the Audit Committee related to the universities and colleges. Those suggestions included: having quarterly meetings and discussions about the goals and charter of the Committee; having regular meetings with external and internal auditors to discuss findings and review possible concerns; and, regularly reviewing the performance of the external and internal auditors.

Board member Lewis, Chair of the Audit Committee, briefly reviewed the role of the Audit Committee. He noted that there is a need for it to create a charter. In addition, the Committee agreed that the suggestion about quarterly meetings was a good idea. It also wants a code-of-conduct whistle-blower policy put in place for the institutions. The Committee recommended that the Board have the internal auditors of the institutions report directly to the Audit Committee.

M/S (Thilo/Lewis): To accept from the Audit Committee the FY 2007 financial audit reports from Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, and Eastern Idaho Technical College as presented by Moss Adams, LLP. Motion carried unanimously.

At this time Representative James Ruchti from District 29 was recognized in the audience.

CONSENT AGENDA

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

1. BAHR- Section I – Boise State University – New Positions & Changes to Positions

By unanimous consent, the Board agreed to approve the request by Boise State

University for twenty-four (24) new positions (23.41 FTE); term, salary, FTE change to four (4) positions (4.0 FTE); and, delete two (2) positions.

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 five (5) new positions (5.0 FTE); to increase the FTE on one (1) professional staff position to .80 FTE; and to increase the FTE on three (3) classified positions to 1.0 FTE each.

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

By unanimous consent, the Board agreed to approve the request by University of Idaho to establish five (5) new positions and reactivate three (3) positions, all supported by appropriated, auxiliary, and local funds.

4. BAHR – Section II – Lewis-Clark State College – Request for Fee Waiver Increase – Second Reading – V.T.2.b – Waiver of Nonresident Tuition, Intercollegiate Athletics

By unanimous consent, the Board agreed to approve the second reading of the amendment to board policy V.T.2.b – Waiver of Nonresident Tuition, Intercollegiate Athletics.

5. PPGAC – Alcohol Permits Issued by University Presidents

Information item only.

6. IRSA – Distribution of Advanced Opportunities Training Funds

Information item only.

DEPARTMENT OF EDUCATION AGENDA

5. Update on Colleges of Education

Christina Linder, Director of Certification for the Department of Education, reported to the Board on the teacher preparation programs. It was noted that Superintendent Luna had initiated discussions with the Deans of Education to collaboratively begin assessing the effectiveness of Idaho's teacher preparation programs. Since initiating this review, a number of items were identified for further research and possible redesign. Ms. Linder referred the Board members to attachments provided in the agenda materials as she discussed the findings.

2. I-STARS

M/S (Agidius/Stone): To endorse State Superintendent Luna's I-STARS program. Motion carried unanimously.

State Superintendent Luna reported on the I-STARS initiative and explained how the system

would work. He discussed the factors for determining salary, and noted that the goal is to keep quality teachers in the classroom.

The Board discussed at length their concerns and also offered support for the I-STARS plan. Board member Hall congratulated Mr. Luna for carefully listening to and considering what the different constituencies had to say. Board member Stone and Thilo brought forward concerns that had been expressed to them about the possibility of teachers losing due process rights if they were to give up tenure in exchange for contracts. Mr. Luna emphasized that teachers will retain all the due process rights that they are entitled to under employment law.

Board President Terrell indicated his support of the plan as did Board member Lewis. Mr. Lewis asked how the system would be fine-tuned once the Board endorsed it. Mr. Luna explained that the State Department of Education would review I-STARS each year and take into account any issues or concerns, making adjustments as necessary. Board member Westerberg noted the plan provides local boards, superintendents, and districts with the tools to meet the needs of their districts. Mr. Luna agreed and explained that the plan was endorsed by the Idaho School Boards Association.

At this time Senator Diane Bilyeu was recognized in the audience.

3. State Longitudinal Data System

State Superintendent Luna introduced Mark Russell from the SDE to present the report. Mr. Russell pointed out that Idaho trails almost all other states in collecting and reporting student data. He explained that a successful system needs to have limited scope and focus, and not try to be all things to all people.

Mr. Russell emphasized that the data elements that are identified by the Department of Education and the Board of Education will be delivered. In addition, the data warehouse system being considered would adhere to the Board's strategic plan, use NCES best practices, and promote stakeholder involvement. It will operate at no cost to the districts because the state will build a system that meets up with the existing systems that the districts already have in place and mine those systems for the data for the State Longitudinal Data System.

4. Math Initiative

State Superintendent Luna explained that the Math Initiative Task Force had worked to create a plan to increase math achievement across Idaho. He introduced Cindy Johnstone, Math Coordinator for the Department of Education, and Jonathan Brendefur from Boise State University to provide more detail.

Ms. Johnstone discussed the work and goals of the Task Force. The three areas to be addressed in the math initiative are student achievement, teacher education, and public awareness. Ms. Johnstone discussed in greater detail these three areas and how each would be impacted through the Math Initiative.

Mr. Brendefur demonstrated different approaches for teaching younger, elementary-grade-students to solve algebraic equations. He explained that these other methods result in students having a grasp at an earlier age of the critical math concepts. The end result is that these

students will be better equipped and more successful at math when they reach the higher grade levels.

Mr. Luna thanked the Board for their support this past year. During discussion, Board President Terrell asked Mr. Luna to provide him with a regular update on performance-based assessments.

BUSINESS AFFAIRS AND HUMAN RESOURCES – SECTION I – Human Resources1. University of Idaho – Personnel Matter

M/S (Stone/Agidius): To allow the University of Idaho to proceed with an employee separation agreement and general release as discussed in executive session. Motion carried 6-0 (Luna and Hall absent during vote).

BUSINESS AFFAIRS AND HUMAN RESOURCES – SECTION II – Finance1. College of Western Idaho -- FY 2008 Funding

M/S (Hall/Lewis): To approve the FY 2008 operating budget and plan for the College of Western Idaho, and to direct the Interim Executive Director for the Office of the State Board of Education to release to the College of Western Idaho \$4.4 million in general funds currently appropriated in the general fund budget of the Office of the State Board of Education. Motion carried 7-0 (Luna absent during the vote).

Dennis Griffin from the College of Western Idaho (CWI) reported on the business plan for CWI. He indicated that CWI had been looking at best practices and meeting with representatives from other community colleges to gather information that might be useful in developing and carrying out the CWI business plan. After meeting with regional representatives regarding accreditation, CWI partnered with Boise State University to attain accreditation. The business plan and budget were developed with the best information available. Two vendors have been invited to present recommendations on a computer system. Consultants are needed to develop policy and procedures. Negotiations with BSU to transfer the Seland College and programs have taken place.

2. Medical Education Study Report – Presentation by MGT of America, Inc.

Board President Terrell introduced this item and asked Matt Freeman of the Legislative Services Office for clarification on the use of funds related to Senate Bill 1210. He then introduced Kent Caruthers from MGT of America, Inc. to present the Medical Education Study Report, emphasizing that the Board would not take any action on the report at this time.

Mr. Caruthers discussed the project objectives and briefly explained the process and the parameters for conducting the study. Mr. Caruthers summarized the findings of the study and discussed four alternatives for the Board to consider in the future. A lengthy discussion followed.

Board member Stone raised a question about existing resources. Mr. Caruthers indicated that the report did not specifically list available resources, but that they would include things such as

specialized laboratories, libraries, skilled faculty, and existing programs. Mr. Caruthers provided Board member Hall with clarification about the distributive model, the expanding contract program differences, and the operating costs.

Board member Lewis asked for clarification as to the number of Idaho students who go to medical school, and suggested that it would be helpful if that number included Idaho students going to medical school both in and out-of-state. Board member Agidius indicated it would also be helpful to know how many WWAMI students from other states stay to practice in Idaho.

Board member Lewis encouraged the Board to look closely at the numbers and the costs before making a decision regarding the study. Board member Thilo agreed. She also asked about the rural initiative for loan payback for students. Mr. Caruthers indicated that some experts report that students from rural areas seem to have a better rate of returning home to practice.

Board member Westerberg asked about an economic impact number, and Mr. Caruthers indicated that a specific number wasn't given because there were too many different variables to consider. Board member Lewis noted that information on economic impact was found in the study.

Mr. Caruthers agreed to get information to Board member Hall related to a question he raised about the direct cost of medical instruction. Board member Stone asked Board members to forward additional questions and comments to the Board's Interim Executive Director for follow up and further consideration.

3. Boise State University – Aquatics Complex Project

M/S (Stone/Hall): To approve the request by Boise State University to proceed with the planning and design of the aquatics complex addition onto the Student recreation Center for a cost not to exceed \$800,000. Motion carried unanimously.

Board member Agidius asked that in the future, more detail be provided on these types of requests and also that the reserves be provided to the Board.

4. Boise State University – Turf Replacement Project

M/S (Stone/Westerberg): To approve Boise State University's request to replace the artificial turf in Bronco Stadium for a cost not to exceed \$750,000. Motion carried 7-1 (Hall voted Nay).

Stacy Pearson of Boise State University explained that the current turf product did not last as long as expected and that a warranty will be obtained with the new turf. Board member Hall indicated that a comparative study between artificial and natural turf would have been helpful.

5. Boise State University – Redirect Bond Proceeds

Board member Stone withdrew his unanimous consent request to postpone the item, and by unanimous consent the Board agreed to allow Boise State University to withdraw the request.

By unanimous consent, the Board agreed to postpone this item to a more definite time later in the agenda.

M/S (Stone/Westerberg): To find that the Center for Environmental Science and Economic Development is a project that is necessary for the proper operation of Boise State University and is economically feasible; and to authorize the allocation of \$3,000,000 in bond proceeds from Series 2007A Bonds and related interest earnings originally allocated to the Student Health, Wellness, Counseling, and Nursing Building, to the center for Environmental Science and Economic Development project.

There was lengthy discussion between Boise State University and the Board about the rationale for reallocating the bond proceeds, as well as its possible impact. There were concerns about the wording used in the motion. Ultimately, the Board agreed to allow Boise State University to withdraw this item from the Board agenda.

6. Boise State University – Purchase of Nuclear Magnetic resonance Spectrometer

M/S (Stone/Lewis): To authorize Boise State University to enter into a contract to purchase a NMR spectrometer for an amount not to exceed \$836,000. Motion carried 7-0 (Thilo absent during the vote).

7. Boise State University – Purchase of X-Ray Photoelectron Spectrometer

M/S (Stone/Westerberg): To authorize Boise State University to enter into a contract to purchase an X-Ray Photoelectron Spectrometer for an amount not to exceed \$564,000. Motion carried 7-0 (Thilo absent during the vote).

8. University of Idaho – Kibbie Dome Life Safety Improvements Project

M/S (Stone/Agidius): To approve the request by the University of Idaho to implement the design phase for the life safety improvements in the ASUI Kibbie Activity Center, at a cost not to exceed \$2,000,000. Motion carried unanimously.

9. University of Idaho – Kibbie Dome Non-Life Safety Improvements Project

M/S (Stone/Agidius): To approve the request by the University of Idaho to implement the design phase for non-life safety renovations in the ASUI Kibbie Activity Center, at a cost not to exceed \$4.5 million, and subject to available private funding. Motion carried unanimously.

Lloyd Mues, Vice President for Finance and Administration, explained that this request is for improvements to the Kibbie Dome and not for improvements related to life-safety issues. Chris Murray and Rob Stearns from the University of Idaho discussed the objectives and the timeline of this project.

Mr. Murray explained that a privately funded feasibility study was conducted which demonstrated that the Kibbie Dome has serious needs. Rob Stearns discussed the Dome Plan and provided an overview of the improvements that would be accomplished.

Mr. Murray discussed the two phases of the project. The design phase will begin in December 2008 and the construction phase will begin in August 2009. The total cost of the project will be \$35 million.

Board member Lewis asked if there would be additional costs that might concern the Board. Mr. Mues noted that the UI anticipates the fixed costs will remain the same.

10. University of Idaho – Capital Project Authorization Increase

M/S (Stone/Agidius): To approve the request by the University of Idaho to increase the Capital Project Authorization for the HVAC and Roof Upgrades, the Joe Marshall Potato Research Building, and Aberdeen Research and Extension Center, University of Idaho, Aberdeen, Idaho, from \$400,000 to \$800,000 to allow for the full implementation of the construction phase. Motion carried unanimously.

11. University of Idaho – Acceptance of a Gift of Real Property Near Sandpoint, Idaho

M/S (Stone/Agidius): To accept the gift of the subject eighteen (18) acre parcel and to authorize the University of Idaho Vice President for Finance and Administration to execute the gift agreement and gift deed in substantially the same form as the drafts submitted as part of this request. Motion carried unanimously.

Related to gifts and foundation plans, Board President Terrell reported that the Audit Committee will represent the universities and requested that the universities forward their comments to Board member Lewis who is the Chair of the Audit Committee.

PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS

1. Presidents' Council Report

President Vailas reported that the Presidents' Council had not met in December, but expected to have items to report at the next Board meeting.

2. Idaho State University Progress Report

President Vailas presented the progress report for Idaho State University. He discussed various accomplishments and reported that enrollments were up. This past year: (1) partnerships were fostered and developed between faculty and students that benefited both sides; (2) outreach efforts reached as far as Arizona in an effort to recruit more out-of-state students; (3) ISU continued to be nationally competitive for grant money in a number of fields; and, (4) the University partnered with the community to maintain and improve Holt Arena. Dr. Vailas discussed the ISU Health Professions and Medical Education mission and encouraged the Board to take into account all that ISU is able to offer in terms of establishing a medical school in Idaho.

Board member Lewis thanked Dr. Valais. He went on to reiterate that the Board will go through deliberate discussions and conduct a thorough review of all the facts before making a decision related to a medical school. Along that same line, Board member Hall indicated that an

inventory of all available assets statewide would be helpful to the Board.

By unanimous consent, the Board agreed to move to item 5 of the Planning, Policy, and Governmental Affairs Committee agenda.

5. Boise State University – Building Name

M/S (Thilo/Agidius): To approve Boise State University’s request to name their new building -- scheduled to house student health, wellness, and counseling services, and the Department of Nursing -- the Norco Building: Department of Nursing, University Health Services. Motion carried unanimously.

3. Idaho School for the Deaf and Blind Progress Report

Board member Hall introduced this item noting that it was a progress report and not related to the discussion regarding delivery models. He introduced Mary Dunne of Idaho School for the Deaf and the Blind (ISDB) to present the report.

Ms. Dunne explained that ISDB offers direct and indirect services to children who are blind/visually impaired and/or deaf/hard-of-hearing. Their programs follow the goals of the National Agenda on the Education of Children and Youths with Visual Impairments, Including those with Multiple Disabilities and the guidelines of the National Association of State Directors of Special Education, Inc. The ISDB programs also meet State Board of Education program standards.

Ms. Dunne reported that Idaho students receiving direct education services receive instruction in the language arts for blind/visually impaired and/or deaf/hard-of-hearing classes. In addition, they receive language immersion, project-based learning along with extra curricular activities, and opportunities for leadership and community involvement experiences. Enrichment opportunities include summer camp and a transition-to-secondary seminar which is one of a number of transition programs available. She noted that ISDB takes into account the many agents-of-change when making decisions about programs and offerings.

State Superintendent Luna and Ms. Dunne agreed to have further discussion as to how the Idaho School for the Deaf and the Blind is meeting the No Child Left Behind (NCLB) requirements or the Safe Harbor provision.

4. Idaho Historical Society Board Appointments

M/S (Thilo/Stone): To approve the appointment of Hope Ann Benedict for District 7 and the reappointment of Judy Meyer for District 1 to the Idaho State Historical Society Board for a term starting January 1, 2008 to December 31, 2014. Motion carried unanimously.

Tom Blanchard of the Idaho Historical Society Board of Trustees was available to answer questions regarding the qualifications of the candidates under consideration for appointment.

INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS

1. Discussion of Board Policy III.I. – Roles and Missions

Decker Sanders of the Board office presented this item. He noted that Board policy uses the term “mission” in numerous other places in addition to this policy. Board member Lewis explained that Policy III.Z. was crafted very carefully in terms of the use of the word mission. He urged the Board to act cautiously about changing other sections of Board policy as a result of this one situation.

Board member Agidius noted that this item does not require immediate attention and so it was appropriate to address it at some other time. Board member Hall indicated that the policy is clear to him and that he is comfortable with it as is. State Superintendent Luna concurred.

2. This item was pulled from the agenda**3. New Instructional Unit: The Musculoskeletal Research Institute – Boise State University**

M/S (Thilo/Luna): To approve the establishment of the Musculoskeletal Research Institute at Boise State University as presented. Motion carried unanimously.

Decker Sanders presented this item and noted that the term “institute” is one that BSU’s internal policies use. He explained that the funding amount exceeds the limit established by Board policy for what the Executive Director of the Board can approve. He also indicated that any new programs or degrees brought in under the proposed institute must be supported from resources other than the funds provided under the HERC research proposal, and would be subject to review under Board policy. Board member Agidius explained that CAAP thoroughly vetted this item and was in favor of this request.

4. Higher Education Research Council Appointments

M/S (Terrell/Lewis): To postpone this item to a time certain before the end of the year. Motion carried unanimously. Motion carried 5-3 (Thilo, Stone, Hall voted Nay).

M/S (Thilo/Agidius): To appoint Dennis Stevens and David Tuthill to the Higher Education Research Council respectively for three-year terms, December 2007 – December 2010.

Board member Lewis asked for assurance that these appointments would make it possible for HERC to work objectively and openly. Board member Thilo indicated that she had looked carefully at the candidates and was comfortable with the selection. Interim Executive Director Rush explained that the Board office had solicited nominations, but received only a few. Board President Terrell asked to put this item on hold until further review. It was noted that a timely decision on this item is most important so action needs to be taken before the end of the year.

5. Native-American Higher Education Committee Update

Board member Stone reported that the Committee is working to draft a list of currently available programs and funding sources in order to compile an inventory. When that list is ready the Committee will reconvene.

6. Idaho/Washington Reciprocity Agreement

Substitute M/S (Lewis/Luna): To extend the existing contract for one year in accordance with the existing terms during which time the Board staff will evaluate data and negotiate the provision of additional institutions from the state of Washington to be put into a new contract beginning July 1, 2008. If Board staff is unable to negotiate a one year extension, Board staff will be authorized to go ahead and draw up a three-year contract with existing terms with the same objective of negotiating a new contract with additional Washington institutions starting July 1 of 2008. Motion carried 7-1 (Stone voted nay).

M/S (Hall/Agidius): To approve the renewal of the two-year reciprocity agreement between the State Board of Education and the Washington Higher Education Coordinating Board and direct the Interim Executive Director to sign the agreement on the Board's behalf.

There was lengthy discussion of this item. It was noted that this agreement had been in place for a number of years, but it is time to have it signed for the next two-year term. The Board concluded that the agreement needed to be reviewed, but expressed concerns about changing anything that may impact the students currently enrolled under the current agreement. There was discussion about the timelines for negotiating new terms. It was agreed that time is of the essence in taking some sort of action in this matter as the agreement has expired. The substitute motion was restated for clarity.

7. Federal Academic Competitiveness Grant Program – Idaho's Proposal for a Rigorous High School Program of Study and the National Science and Mathematics Access to Retain Talent (SMART) Grants

M/S (Thilo/Hall): To ratify the proposal submitted to the U.S. Department of Education in 2007 as the rigorous secondary school program of study for Idaho to meet the requirement for the Academic Competitiveness Grant program. Motion carried 6-2 (Lewis and Terrell voted nay).

By unanimous consent, the Board agreed to direct Board staff to come back with the information that has been requested in terms of time spent by staff to administer this grant program.

Decker Sanders presented this item. He noted that these two scholarship programs have brought Idaho millions of dollars, dollars that follow the children. He indicated this request simply maintains what was put into place in 2006. There are no matching funds connected to this.

Board President Terrell asked for specifics as to exactly how much time and resources would be required of the Board office staff to administer this scholarship. Those numbers were not readily available. It was noted that Board staff dedicates time to work on a number of scholarships and so do the financial aid officers at the institutions. After a long discussion it was noted that the Board wanted information provided as to how Board staff administers grants, the percentage of time and resources spent administering grants, and whether or not there is another way to get that job done.

8. First Reading, Deletion of Board Policy III.D. – Official Calendars

Substitute M/S (Hall/Terrell): To change the language of the policy that provides that the institutions would be required to post their master calendars on their website within the time frames previously indicated in Board policy. Motion carried unanimously.

M/S (Thilo/Agidius): To approve the deletion of Board Policy III.D. – Official Calendars.

The rationale behind this request was discussed at length. Board member Agidius indicated that the items being eliminated are picked up by accreditation requirements. Board member Hall pointed out that the Board as the governance Board should be the entity to set the standard for Idaho's universities and colleges, and suggested that it be revised, rather than deleted, to require calendars be posted electronically so that the public has access to the information in a timely manner. State Superintendent Luna reiterated that this policy is a duplication of effort because of the requirements of the NW Commission on Colleges and Universities. Board member Lewis observed that accreditation is a process that reviews policies and procedures. He suggested that the Board should not rely on the accreditation process to set the requirements.

It was noted that the rewritten policy would be brought back for a second reading.

OTHER BUSINESS

Board President Terrell noted that in January the Board would need to review all education related legislation and rules not generated by the Board for support, opposition, or neutral position by the Board. The Board will also review the yearly flow chart of activities.

In addition, he requested that the State Board of Education appoint a committee to monitor the Board's in-house budget. Related to that, Board President Terrell appointed Richard Westerberg, Sue Thilo, and Paul Agidius to serve on that committee.

Board member Lewis, on behalf of the Board, publicly thanked Board President Terrell for the time and effort he has dedicated to addressing and resolving budget issues over the past months.

There being no further business, the Board entertained a motion to adjourn.

M/S (Hall/Lewis): To adjourn at 8:23 p.m. Motion carried unanimously.



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

**DRAFT MINUTES
 STATE BOARD OF EDUCATION MEETING
 650 West State Street
 Len B. Jordan Building
 PTE Conference Room, 3rd Floor
 Boise, Idaho
 December 20, 2007**

A special teleconference meeting of the State Board of Education was held December 20, 2007. It originated from the Office of the PTE Conference room on the 3rd floor of the Len B. Jordan Building, at 650 West State Street, Boise, Idaho. Board President Milford Terrell presided. The following members were present in person or by phone:

Present:

- | | |
|--------------------------------|------------------------------|
| Milford Terrell, President | Paul Agidius, Vice President |
| Sue Thilo, Secretary | Rod Lewis |
| Tom Luna, State Superintendent | Richard Westerberg |

Board President Milford Terrell called the meeting to order at 5:04 p.m. on December 20, 2007 with a roll call of members and a review of the agenda.

STATE BOARD OF EDUCATION AGENDA

SUBJECT

1. Higher Education Research Council Appointments

M/S (Terrell/Agidius): To re-appoint Dennis Stevens and to appoint David Tuthill to the Higher Education Research Council respectively for three-year terms, December 2007-December 2010. Motion carried unanimously.

2. 2nd Amendment to contract with Data Recognition Corporation

M/S (Terrell/Thilo): To direct Board staff to implement the cost reductions outlined in the agenda item including the discontinuation of Grade 9 assessment and to bring these

items back to the Board in the form of a contract amendment at a later date for formal approval. Motion carried 5-1 (Luna voted nay).

State Supt. Luna explained that while he appreciates the financial position the Board is in, he explained that he voted against approving this item because he views 9th grade testing as a critical requirement, and would like the Board and staff to continue looking for ways to reinstate 9th grade testing.

3. Waiver of Ninth Grade ISAT Tests

M/S (Terrell/Stone): To waive the requirement for night grade ISAT testing for spring 2008. Motion carried unanimously.

There being no further business, a motion to adjourn was entertained.

M/S (Luna/Agidius): To adjourn the Board meeting at 5:40 p.m. Motion carried unanimously.



**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**

**DRAFT MINUTES
STATE BOARD OF EDUCATION MEETING
700 West State Street
JR Williams Building
East Conference Room
Boise, Idaho
January 14, 2008**

A regular meeting of the State Board of Education was held January 14, 2008 in the East Conference room of the JR Williams Building, at 700 West State Street, Boise, Idaho. Board President Milford Terrell presided.

Milford Terrell, President

Paul Agidius, Vice President

Sue Thilo, Secretary

Laird Stone

Rod Lewis
Westerberg

Richard

Tom Luna, State Superintendent

Absent: Blake Hall

Board President Terrell called the meeting to order at 1:00 p.m. MT. He recognized Senator John Goedde, Chair of the Senate Education Committee, and Representative Bob Nonini, Chair of the House Education Committee, in the audience. He also recognized Dr. Claudeen Buettner from the College of Southern Idaho and acknowledged her upcoming retirement.

Board member Stone extended thanks to Dr. Buettner as well for her many years of service and her contributions statewide. He also thanked Board President Terrell for representing the Board of Education with his presentation to the Joint Finance and Appropriation Committee at their morning session.

Board President Terrell acknowledged Clete Edmundson from the Governor's Office and thanked him for his attendance.

OPEN SESSION

STATE BOARD OF EDUCATION REGULAR AGENDA

Board Vice President Terrell introduced the agenda.

M/S (Agidius/Thilo): To accept the agenda as presented. Motion carried unanimously.

1. BSU – Delegated Authority Legislation

M/S (Stone/Luna): To approve Boise State University’s request to pursue legislative changes to Idaho Code 67-5710A and 67-5711 as presented. Motion carried unanimously.

Board member Stone presented this item. He suggested that the final draft of the legislation include language related to the Board’s statutory authority. Board member Agidius concurred.

Kevin Satterlee from Boise State University pointed out that the Board already has policies and rules in place to affirm the Board’s statutory authority in that the Board must approve such contracts before a university president or designee may sign them. He assured the Board that BSU will make sure the language in the legislation complies with the Board’s policy.

2. Education Related Legislation

Board member Stone presented this item and noted it was an information item only.

3. HERC One-Time \$75k Grant Program Recommendation

M/S (Thilo/Luna): To approve the finalists of the One-Time \$75k Grant Program at \$75,000 each for a total of \$450,000 as presented. Motion carried unanimously.

4. DRC Contract Amendment

M/S (Stone/Agidius): To approve the draft second amendment to DRC contract as provided starting on page 3 of the agenda materials. Motion carried 5-2 (Luna and Lewis voted nay).

Board member Stone presented this item. Approval of the contract will eliminate 9th grade testing. State Supt. Luna explained that while he appreciates the financial position the Board is in, he intends to vote against approving this item because he views 9th grade testing as a critical requirement.

Board member Lewis expressed concerns about the two-year extension on the contract. He also indicated that a number of concerns had been expressed to him regarding DRC’s performance, as well as about problems with the tests themselves. A lengthy discussion followed about the vendor, the contract, and the quality of the tests.

Margo Healy of the Board office came forward to clarify the issue of extending the contract with DRC related to concerns communicated by the educational community regarding the

effectiveness of the fall tests. She explained the RFP and the NCLB requirements. The Board's attorney, Jeff Schrader pointed out that the contract includes a variety of termination clauses, including a clause which allows the Board to terminate the contract at its convenience, without cause. State Superintendent Luna noted the clause gives the Board flexibility in terms of the contract.

5. ISU – Reed Gymnasium Complex

M/S (Stone/Thilo): To approve the request by Idaho State University to direct the State Division of Public Works to provide specifications and documents for bidding and awarding of the contract for an addition to the student recreation center located in the Reed Gymnasium complex. Motion carried unanimously.

Board member Stone introduced this item. It was noted that the project had been vetted by the ASISU and it is supported by the student body.

6. UI – Idaho Center for Livestock and Environmental Studies (ICLES)

M/S (Stone/Agidius): To approve the University of Idaho Center for Livestock and Environmental Studies (ICLES) for planning pursuant to Board Policy Section V, Subsection K.; to authorize the University of Idaho to spend up to \$750,000 of appropriated funds for planning; and to authorize the President of the Board to send a letter to the Joint Finance and Appropriation Committee of the Idaho Legislature indicating the Board's approval for planning and requesting release of appropriated funds currently held in the Permanent Building Fund for the ICLES. The University shall continue to work with the Board of Land Commissioners and the Idaho Department of Lands to utilize Agriculture College Endowment assets in the build-out of the facility, and shall report to this Board at each Board meeting on the progress of planning, including an accounting of funds expended to date as well as any specifically identified future expenditures. The University shall return to the Board for further approval prior to commencing construction. Motion carried unanimously.

Board member Stone presented this item and clarified that the request pertains to the planning stage of the project and not the construction phase. Kent Nelson of the University of Idaho noted that the dollar amount in the motion should read \$750,000. The maker of the motion and the second agreed to that correction in the motion.

Mr. Nelson explained that the UI brought their request to the Board at this time in order to fit with the timeline of the Joint Finance and Appropriation Committee.

DEPARTMENT OF EDUCATION AGENDA

1. IT Position Funding with ICTL Monies

M/S (Luna/Stone): To approve the use of monies for ICTL for a programmer position in Information Technology. Motion carried unanimously.

State Superintendent Luna presented this item.

2. NCLB Adequate Yearly Progress Sanctions

First Motion/S (Luna/Stone): To approve the Adequate Yearly Progress Accountability Procedures for Idaho Local Education Agencies and Schools.

Substitute M/S (Lewis/Thilo): To approve the Adequate Yearly Accountability Progress Procedures as amended for Idaho Local Education Agencies and Schools.

Board member Lewis clarified that included within the amendments indicated in the motion would be the following language in 3e, under restructuring as set forth in attachment A of the Restructuring Rubric for Idaho Local Education Agencies and Schools: “and include as an amendment to those procedures Attachment A Restructuring Rubric for Idaho Local Education Agencies and Schools.”

Amended Substitute M/S (Lewis/Thilo): To approve the Adequate Yearly Progress Accountability Procedures as amended for Idaho Local Education Agencies and Schools.

Motion carried unanimously.

Board member Lewis clarified that included within the amendments indicated in the motion would be that which is marked in yellow, in the following language; “to be included after 3e as set forth in the Idaho State Department of Education Restructuring Rubric for Idaho Local Education Agencies and Schools.”

Second Motion/S: (Luna/Stone): To approve the restructuring rubric for Idaho Local Education Agencies and Schools. Motion carried unanimously.

State Superintendent Luna introduced Rob Sauer and Nick Smith from the Idaho Department of Education to give background information. Mr. Sauer introduced Marybeth Flachbart and Marcia Beckman to present an overview.

Ms. Flachbart explained that the accountability plan is a requirement. She noted that since 2004, the number of schools not meeting AYP had increased due in large part to the additional accountability requirements of NCLB. She noted that while the 2006 plan allowed schools to get credit for a variety of remediation approaches, more problems are arising now that schools are entering year five of the restructuring effort.

Ms. Beckman discussed the requirements and noted that SDE is in the process of providing more detail regarding restructuring and what the schools must provide. Rob Sauer referred to the Board agenda materials as he explained the restructuring rubric. He reviewed the minimum subgroup indicators and the systemic indicators of the rubric, and clarified which students fall into each subgroup. Mr. Sauer explained how the restructuring rubric would be applied and what the expected outcome would be.

Board member Lewis made a substitute motion to attach the rubric to the AYP manual. However, during discussion SDE staff explained it would be better to reference the rubric rather than attach it to the AYP manual because the rubric is in the testing stage and may need minor adjustments. They pointed out that a number of guidance documents are handled in the same fashion. Board member Lewis amended his substitute motion.

EXECUTIVE SESSION

At this time the Board voted to go into executive session.

M/S (Luna/Stone): To go into executive session pursuant to Idaho Code Section 67-2345(1)(d) and (e) to consider records evidencing attorney-client communications that are exempt from disclosure pursuant to chapter 3, title 9, Idaho Code, and to consider and advise the Board's legal representatives in a matter of probable litigation. A roll call vote was taken; motion carried unanimously.

In executive session, the Board discussed the following: as Regents of the University of Idaho, considered records exempt from disclosure, and communicated with legal counsel to discuss the legal ramifications of and legal options for pending litigation.

M/S (Stone/Westerberg): To go out of Executive Session. Motion carried unanimously.