

**PLANNING, POLICY & GOVERNMENTAL AFFAIRS
FEBRUARY 26-27, 2009**

TAB	DESCRIPTION	ACTION
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2	BOISE STATE UNIVERSITY ANNUAL REPORT	Informational Item
3	IDAHO DIVISION OF VOCATIONAL REHABILITATION ANNUAL REPORT	Informational Item
4	IDAHO COMMISSION FOR LIBRARIES	Motion to Approve
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6	WAIVER – FALL ISAT REQUIREMENT	Motion to Approve
7	BOARD POLICY I.E. EXECUTIVE OFFICER DISCUSSION	Informational Item
8	LEGISLATIVE UPDATE	Informational Item

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SUBJECT

Presidents' Council Report

BACKGROUND/ DISCUSSION

Dr. Jerry Beck, President of the College of Southern Idaho and current Chair of the Presidents' Council will give the bi-monthly report for the Presidents' Council.

ATTACHMENTS

Attachment 1 – Presidents' Council Report

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BOARD ACTION

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

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IDAHO UNIVERSITIES AND COLLEGES PRESIDENTS' COUNCIL

• **Discussion Points of the Tuesday, January 27, 2009 meeting.**

Discussion was held by Presidents and Board members present about the membership of the Presidents' Council and the rotation of chairmanship. It was agreed that someone with direct supervision from the State Board of Education should chair the group at least every other year. It was suggested that we have discussions on this topic along with the following items for clarification.

- A. Mike Rush to locate rotation schedule
- B. Some meetings could/should be held by teleconference
- C. Council should meet with the governor at least three times a year

• **Submission of agenda items for State Board meetings.**

- Dr. Rush asked for everyone's help in getting agenda items by stated deadlines. Currently the board only has 5-7 days to read 1000 – 1500 pages of materials.
- In recent months the agenda has been held up due to institutions not providing all the necessary agenda items timely.

• **Full-time student status being 12 credits**

This topic was broken into two categories.

A. Full-time Status

At the January meeting the Board passed fulltime status for consistency across the board and to be congruent with financial aid policy.

B. Fiscal Impact

Additional information is being requested from each institution as to what the financial impact would be if tuition fees were charged on a per credit basis. This topic will carry over to the next meeting.

• **Discussion of Out of State Recruitment**

A discussion was held as to whether institutions should be looking to out of state recruitment to fill seats in selected areas.

The February 3rd meeting is cancelled.

The next meeting is Tuesday, March 3rd.

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SUBJECT

Boise State University Progress Report

BACKGROUND/DISCUSSION

Periodically, the institutions of higher education in the State of Idaho are requested to provide a progress report to the members of the State Board of Education.

Dr. Robert Kustra, President of Boise State University, will be in attendance at the meeting and will present a summary of the accomplishments and future goals of the college.

BOARD ACTION

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SUBJECT

Idaho State Division of Vocational Rehabilitation Agency Report

BACKGROUND/DISCUSSION

In an effort to allow the agencies under the authority of the State Board of Education an opportunity to present to the State Board of Education on a regular basis, one of the agencies will be making a presentation before the Board at each meeting. This report will be a progress report and an opportunity for the agency to supply an overview of its status and accomplishments.

Dr. Michael Graham, Administrator, will be in attendance at the meeting and will present a summary of the accomplishments and future goals of the Idaho Division of Vocational Rehabilitation (IDVR).

BOARD ACTION

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IDAHO COMMISSION FOR LIBRARIES

SUBJECT

Appointment to the Idaho Board of Library Commissioners

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures; Section IV. H.
1.b.(1). Idaho Code, 33-2502

BACKGROUND/DISCUSSION

The State Board of Education has statutory authority for the appointment and reappointment of members to the Board of Library Commissioners.

Under the Board's appointment procedures, for an open appointment the Board of Commissioners is required to advertise the vacancy in appropriate state, regional or local publications. The Board of Commissioners reviews all applications received and forwards only the most highly qualified applicants, in order of preference to the Board for consideration. In making the final appointment, the Board is required to consider geographic representation, qualifications and willingness to advocate for the development and delivery of library and information services in Idaho.

Richard Rognas was appointed by the board to fill the first congressional district seat on the Commission in 2007 for a term beginning July 1, 2007 and ending June 30, 2012. Mr. Rognas has recently passed away and his seat on the Commission needs to be filled. The Board of Commissioners will be meeting on February 20th, 2009 to review the submitted applications and will be forwarding the most highly qualified application in order of preference to the Board prior to the February 26th Board meeting.

ATTACHMENTS

Attachment 1 – News Release

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The material for the February Board agenda was prepared prior to the Commission for Libraries meeting scheduled for February 20th, 2009. The Commission will provide their recommendations in order of preference, along with applicant's letters of interest for the Boards review prior to the Boards February 26th, 2009 meeting date.

BOARD ACTION

Motion to approve the appointment of _____ to the Idaho Board of Library Commissioners for a term beginning immediately and ending June 30, 2012.

Moved by _____ Seconded by _____ Carried Yes_____ No_____

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IDAHO COMMISSION FOR LIBRARIES

325 West State Street Boise, Idaho 83702 | ph. 208.334.2150 | 800.458.3271 | Fax: 208.334.4016

News Release

January 8, 2009

For immediate release

For information: Ann Joslin, State Librarian
208-334-2150

Applicants sought for Board of Library Commissioners

The Idaho Commission for Libraries is seeking applicants for the Board of Library Commissioners. A resident of Idaho's First Congressional District is being sought to complete a term that runs through June 30, 2012.

The Board of Library Commissioners is the policymaking body for the Idaho Commission for Libraries, a state agency established to assist libraries to build the capacity to better serve their clientele. Commission staff actively work with libraries throughout the state to plan and deliver 21st century library services.

The State Board of Education has designated the Board of Library Commissioners as the screening committee for this appointment. The Commissioners intend to have a recommendation to the State Board of Education for action at its February 2009 meeting.

Service on the Board of Library Commissioners requires that a member be available for meetings approximately eight days each year. The meetings are telephone conference calls or face to face, with the majority of the face to face meetings being held in Boise. Members receive an honorarium, travel, lodging and per diem expenses when conducting Commission business.

Qualifications include residency in Idaho, being 18 years of age or older, and having an interest in library services. Familiarity with the Idaho library community and experience serving

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on a governing board or holding a public office are desirable. Applicants must provide a written statement expressing his or her interest in serving on the Board, evidence of his or her qualifications, and location of primary residence. Consideration will be given to geographical representation, interest, knowledge, experience, and willingness to advocate for the development and delivery of library services in Idaho.

Applications are to be submitted to Ann Joslin, State Librarian, Idaho Commission for Libraries, 325 W. State Street, Boise, ID 83702 by January 30, 2009. Questions may be directed to the State Librarian at the above address or by calling 208-334-2150. More information about the Commission can be found at <http://libraries.idaho.gov>.

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SUBJECT

Waiver of IDAPA 08.02.03 Rules Governing Thoroughness, 111 - Assessment in the Public Schools

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.02.03 - Section 111.07
No Child Left Behind Act of 2001. Section 1111(b)(3)(c)(v)(I)

REFERENCE

June 19, 2008 Board approval to waive the fall ISAT as outlined in IDAPA 08.02.03.111

BACKGROUND/DISCUSSION

The federal requirements under the No Child Left Behind Act of 2001 for statewide standard achievement testing are for testing in grades 3-8 and once in high school. Idaho has chosen to test in grade 10 as the year required for high school.

Idaho Administrative Code, IDAPA 08.02.03.111.07 currently requires testing students in the fall as a part of the overall comprehensive assessment program. The fall Idaho Standards Achievement Test (ISAT) is not a requirement of the No Child Left Behind Act.

IMPACT

Waiving the fall 2009 ISAT for all grades for a second year will allow the continuation of funding other essential parts of the comprehensive assessment.

Waiving the fall 2009 ISAT for a second consecutive year will result in another lost data point for schools and districts as they track student achievement. For 2003-2007, schools and districts were required to administer a fall and spring version of the ISAT and had flexibility to use fall-to-spring data and/or spring-to-spring data to document the academic achievement of students. However, since the use of fall-to-spring data was inconsistent across districts, waiving the fall administration will not have the same impact on all districts. Some schools and districts used fall data for placement and planning for intervention for new students and for those districts, that tool will be lost.

The fall administration and reporting of the ISAT cost the State approximately \$450,000. Savings from waiving the 2008 Fall Interim ISAT were reallocated to develop the Part 2 Extender (adaptive) for all students for the spring 2009 ISAT, including those students who take the accommodated versions, audio online, Braille, paper/pencil and large print. In prior years, students taking the accommodated version took only the federally required Part 1 ISAT NCLB Core. To remain in federal Office of Civil Right compliance, the Part 2 Extender must be available to all students. The Part 2 Extender allows reporting at a finer level

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of detail for students resulting in more informative individual student reports. Additionally, waiving the fall ISAT would free up valuable computer time.

ATTACHMENTS

Attachment 1– IDAPA 08.02.03.111.07 Rules Governing Thoroughness
Assessment in the Public Schools Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The Board will be able to consider the continuation or elimination of fall testing again in 2010.

BOARD ACTION

A motion to waive the fall ISAT requirement for the 2009-2010 school year as established in IDAPA 08.02.03.111.07 and eliminate offering the test for fall 2009.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**IDAPA 08
TITLE 02
CHAPTER 03**

08.02.03 - RULES GOVERNING THOROUGHNESS

111. ASSESSMENT IN THE PUBLIC SCHOOLS.

07. Comprehensive Assessment Program Schedule. (5-3-03)

a. The Idaho Reading Indicator will be administered in accordance with Section 33-1614, Idaho Code. (3-15-02)

b. The Direct Math Assessment and the Direct Writing Assessment will be administered in December in a time period specified by the State Department of Education. (3-15-02)

c. The National Assessment of Educational Progress will be administered in timeframe specified by the U.S. Department of Education. (3-15-02)

d. The Idaho Standards Achievement Tests will be administered twice annually in the Fall and Spring in a time period specified by the State Board of Education. (5-3-03)

e. The Idaho Alternate Assessment will be administered in a time period specified by the State Board of Education. (4-2-08)

f. The Idaho English Language Assessment will be administered in a time period specified by the State Board of Education. (4-2-08)

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SUBJECT

Board Policy I.E. Executive Officers

REFERENCE

October 2007	Board approved second reading of Board Policy I.E. Executive Officers.
December 2008	Board approved the first reading with changes of Board Policy I.E. Executive Officers.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Sections I.E. Executive Officers.

BACKGROUND/DISCUSSION

Board Policy I.E., as approved October 2007, provides that the Board and each chief executive officer shall sign an annual letter of agreement and that the chief executive officers shall not receive supplemental salary compensation from affiliated institutional foundations or other sources except as outlined in said policy.

In an effort to improve and strengthen the Board's efforts in recruiting and retaining highly qualified candidates, a proposed policy revision allowing for multiyear contracts was discussed at the December 2008 Board meeting. As a result of the discussion Board staff have listed a number of issues that should be settled prior to moving forward with further revision to Board Policy I.E.

Issues for Discussion:

1. Multi-year employment contracts for chief executive officers

- a. What are the Board's objectives?
- b. How important is the at-will employment relationship (terminable for any reason, without cause)? How does this impact contracts?
- c. How do Board members want contracts to affect termination?
 - i. Tenure – current Board policy does not permit tenure for institution presidents
 - ii. Compensation – if any, post termination
- d. Does the Board want similar contract provisions for chief executive officers as they have for coaches and other classes of employees?
 - i. Coach Contract – single year (At-will modified)
 1. Termination for Cause/No compensation obligation
 2. Termination for Death/Disability
 - ii. Coach Contract – multi-year – 5 year limit (At-will modified)
 1. Termination for Cause/No compensation obligation

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2. Termination for Convenience by University/Compensation obligation is for term of contract, with some caveats
3. Termination for Convenience by Coach/Liquidated Damages
4. Termination for Death/Disability
- iii. Non-classified employees on employment contract – 1 year limit (At-will modified)
 1. Termination for Cause/No compensation obligation
 2. But, a non-renewal procedure
- iv. Tenured faculty
 1. Must serve on employment contract, policy silent on term limit
 2. Termination for cause
- v. Non-tenured faculty – 1 year limit (At-will modified)
 1. Policy silent on termination
 2. Non-renewal procedure

2. Foundation supplements

- a. Does the Board wish to permit supplements to university presidents?
 - i. Benefits
 - ii. Perquisites
 - iii. Compensation
- b. If so, what procedure must be followed:
 - i. Previous policy required that the president provide notice to the Board president and executive director of a foundation's intention to provide supplements. BAHR is directed to negotiate terms. The terms are to be memorialized in an agreement between the Board, institution president, and foundation, and must include a provision in which the foundation and institution president indemnify the Board against claims arising from the agreement.

IMPACT

Direction regarding the above issues would allow for Board staff to finalize changes to Board Policy I.E.

BOARD ACTION

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SUBJECT

Legislative Update

BACKGROUND/ DISCUSSION

A brief update will be given on legislative action that has taken place since the January 2009 legislative meeting.

BOARD ACTION

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