

1. Agenda Approval

Changes or additions to the agenda

A motion to approve the agenda as posted.

2. Minutes Approval

BOARD ACTION

A motion to approve the minutes from the October 14-15, 2009 Regular Board meeting and the November 9th, 2009 Special Board meeting as submitted.

3. Rolling Calendar

BOARD ACTION

A motion to approve December 15-16, 2010 as the date and the College of Western Idaho as the location for the December 2010 regularly scheduled Board meeting.



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

**DRAFT MINUTES
STATE BOARD OF EDUCATION
October 14-15, 2009
Lewis-Clark State College
Williams Conference Center
Lewiston, Idaho**

A regular meeting of the State Board of Education was held October 14-15, 2009 in Lewiston, Idaho.

Present:

Paul Agidius, President Richard
Westerberg, Vice President
Don Soltman Milford
Terrell
Emma Atchley

Kenneth Edmunds -- Excused absence from the regular meeting just prior to the Presidents' Council Report.

Tom Luna, State Superintendent of Public Instruction (Absent for Executive Session)

Absent:

Rod Lewis

Wednesday, August 19, 2009

EXECUTIVE SESSION

The Board met for Executive Session at 4:00 p.m. on Wednesday, October 14, 2009 at Lewis-Clark State College, Student Union Building, Room 225, in Lewiston, Idaho.

M/S (Westerberg/Terrell): To move into Executive Session pursuant to Idaho Code on Wednesday, October 14, 2009 to consider the following items:

- (Tab 1) Boise State University: A motion to hold an executive session pursuant to Idaho Code Sections 67-2345(1)(d) for the purpose of considering documents that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.**
- (Tab 2) Boise State University: A motion to hold an executive session pursuant to Idaho Code Sections 67-2345(1) (c) for the purpose of deliberations to acquire an**

interest in real property which is not owned by a public agency.

(Tab 3) Lewis-Clark State College: A motion to hold an executive session pursuant to Idaho Code Sections 67-2345(1) (c) and (f) for the purpose of deliberations to acquire an interest in real property which is not owned by a public agency and communicating 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 (Luna and Lewis were absent).

During Executive Session, the Board discussed and considered: (1) as Trustees for Boise State University documents that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code; (2) as Trustees for Boise State College, the possible acquisition of real property not owned by a public agency; (3) as the Trustees for Lewis-Clark State College, the possible acquisition of real property not owned by a public agency as well as a matter of probable litigation.

M/S (Westerberg/Terrell): To go out of executive session at 4:45 p.m. and adjourn for the evening. Motion carried unanimously.

Thursday, October 15, 2009

The Board met for regular business on Thursday, October 15, 2009, in the Williams Conference Center at Lewis-Clark State College in Lewiston, Idaho. Board President Paul Agidius called the meeting to order at 8:45 a.m. and thanked Dr. Dene Thomas and the staff and faculty of Lewis-Clark State College for hosting the meeting. He also noted achievements by the various institutions and announced the inauguration of Dr. Duane Nellis, President of University of Idaho, which will take place on October 16, 2009.

BOARDWORK

1. Agenda Approval

M/S (Westerberg/Terrell): To approve the agenda with the following changes: pull item 8 of the Planning, Policy, and Governmental Affairs Committee; pull item 2 of section two of the Business Affairs and Human Resources Committee; and move item 1 of the Instruction, Research, and Student Affairs Committee to follow the Open Forum in order to accommodate the travel schedule of the presenter. Motion carried unanimously.

2. Minutes Approval

M/S (Westerberg/Soltman): To approve the minutes from the August 19-20, 2009 Board meeting as submitted. Motion carried unanimously.

3. Rolling Calendar

M/S (Westerberg/Atchley): To approve October 13-14, 2010 as the date, and Lewis-Clark State College as the location, for the October 2010 regularly scheduled Board meeting. Motion carried unanimously.

At this time Board President Agidius took a few moments to introduce the newest Board member, Emma Atchley, to the audience. Ms. Atchley made brief comments as the other Board

members and the audience welcomed her.

PRESENTATION

1. Distinguished Schools/Additional Yearly Growth

M/S (Terrell/Luna): To recognize and award the 2009 Distinguished School and the 2009 Additional Yearly Growth recipients as detailed in the agenda materials. Motion carried unanimously.

Board President Agidius introduced this item. He noted that four schools satisfied the requirements of the Distinguished Schools and fifty-three that have earned the Additional Yearly Growth award.

INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS – Item 1

1. University of Idaho – Report on Research and Extension Regional Listening Sessions

Dr. Duane Nellis presented this item and introduced Dr. John Hammel, Dean of the College of Agriculture and Research Sciences, to discuss the progress of programs.

Dr. Hammel noted that the challenge was to match the College's operations with the state's financial situation and still remain healthy and able to move forward in the future. A blue ribbon task force was put together in 2009 to review programs. Representatives from many areas served on the task force. Recommendations included downsizing several sites. The University was encouraged to give additional time to the review of those recommendations and to consider other options. Dr. Hammel reported that public input was invited at hearings and meetings at the local sites. He noted that the research extension centers are important historically and also as a support system for local communities. The stakeholders of each station raised questions about ways to find additional funds in order to keep the stations for the rest of the current fiscal year. That would give time for further review and consideration.

Dr. Hammel indicated that a two-phase process was put into place. Phase one is the attempt to find addition funds and funding sources. If those funds cannot be found by November 1, 2009, the particular station would be closed. If the funds are found, then phase two would go into place, which entails a more in depth review of that specific station including looking at new models. Those things will need to be identified and established by April of 2010, or the College will need to go forward with shutting down that particular station.

Dr. Hammel pointed out that this effort takes into account the whole research and extension program statewide, not just a couple of local sites. The University recognizes that future decisions will impact personnel and the communities so it will move forward in a sensitive way.

Dr. Nellis noted that this item is for informational purposes. Future plans and proposals will be brought back to the Board in December.

PERFORMANCE MEASURES REPORTS

Selena Grace of the Board office introduced this item and briefly summarized the performance measures for each institution and agency for the benefit of the Board. Representatives of the institutions and agencies were invited forward to respond to questions.

1. College of Southern Idaho – Board member Edmunds mentioned that superintendents in the region had concerns about meeting the requirements for math and science. He asked what CSI is doing to help. Dr. Jerry Beck explained that CSI has identified resources to help teachers improve their own math/teaching skills. Also, the Idaho Distance Learning Academy (IDLA) will allow CSI to deliver higher level math courses and dual credit course to rural schools. State Superintendent Luna noted that the state is looking at different models for delivering courses through the IDLA or the Idaho Education Network (IEN). He pointed out superintendents and districts statewide have been given many opportunities to learn about other options, particularly the IEN. The SDE will continue to promote and advertise the message. Board member Westerberg asked about the cost per FTE and Dr. Beck noted he would furnish Mr. Westerberg additional information related to grant funds.

2. College of Western Idaho – Cheryl Wright, Vice President of Finance and Administration, and Rick Aman, Associate Vice President of Instruction were introduced. State Superintendent Luna asked about CWI's plans and efforts related to dual credit offerings. Mr. Aman noted that CWI President Glandon's goal is to be able to offer dual credit courses at the local high schools though it will take time to get everything up and running. Related to distance learning, Mr. Aman noted that CWI has an interest in this as well. He also noted that remedial education is an important emphasis for CWI.

3. North Idaho College – Dr. Priscilla Bell discussed several efforts underway at North Idaho College. Board member Edmunds asked about dual credit. Dr. Bell indicated that in 2009, NIC awarded approximately 6,000 dual credits.

As a side note, Board member Westerberg suggested that it would be helpful to have all of the measurements and benchmarks of all of the institutions in a format where the Board members could compare them side-by-side.

4. Professional-Technical Education – State Director Ann Stephens was introduced. The Board had no questions.

5. Eastern Idaho Technical College – Board member Terrell asked President Burton Waite about the benchmark for workforce training. Mr. Waite noted that EITC plans to go back and look at the various benchmarks. He explained that the benchmarks reflect an average of the peer institutions. Board member Westerberg indicated he appreciated the use of peer institutions in the benchmarks.

7. Boise State University – Dr. Robert Kustra reported that BSU just finished its ten year accreditation review and the final report will be forwarded to the Board. Board member Edmunds asked about the benchmarks for graduation rates. Dr. Kustra indicated that metropolitan colleges usually have lower graduation rates. He noted that BSU is looking at ways to address that, including requiring all students meet with an advisor yearly in order to stay on course for graduation. He agreed with national studies that a graduation rate of 50% is a good target.

8. Idaho State University – Dr. Gary Olson explained that Dr. Art Vailas was unable to attend the Board meeting. Board member Terrell asked why ISU's performance report had so many NA notations in place of data. Dr. Olson indicated that ISU has been challenged by not having a Director of Research. Dr. Barbara Adamcik of ISU explained that the data is pulled from the IPEDs report and it has not been possible to collect the details yet. Dr. Olson noted that once the new system is up and the new Director of Research is on board, the numbers will be more easily accessed. ISU agreed to make sure the numbers are forwarded to the Board as soon as they are available. Board member Edmunds asked about education rates. Dr. Olson indicated that ISU has been working on the graduation rates and agreed that 50% is a good target statewide.

As a side note, Mr. Edmunds suggested that as the Board goes into strategic planning, it needs to look at the geographical implications related to growth. He suggested that the Board identify the direction it wants the institutions to take so that growth by institutions in other areas of the state is not without structure and direction.

Board member Westerberg suggested that the definition of "benchmarks" be the "number of peers". Board President Agidius observed that the Board is just beginning its work and over time the approach will be clarified.

9. University of Idaho – Dr. Duane Nellis came forward to respond to questions, and introduced Dr. Doug Baker, Mr. Lloyd Mues, and Dr. Archie George. Dr. Nellis reported that UI just completed its interim five year review and has made good progress over the past five years. Board member Edmunds asked about dual credit and Dr. Baker noted that the numbers show an increase over the last four years. He noted that UI is working on distance programs and offering higher level math courses online. Dr. Nellis reported that UI is slightly below their peers in graduation rates, which is 60%. Dr. Nellis indicated that UI is looking aggressively at how it may increase enrollment. Board member Westerberg asked about the fee tuition waiver policy in terms of how it compares to other institutions. Dr. Baker explained that a good portion of those fee waivers are offered to graduate students and an effort is made to attract them from all over the nation.

9. Lewis-Clark State College – Dr. Dene Thomas, Tony Fernandez, and Chet Herbst came forward to respond to questions. Dr. Thomas noted that LCSC has a community college function and has worked hard to have an open enrollment policy that allows students to achieve and succeed. LCSC was recognized for embracing distance learning technology in their recent accreditation review. State Superintendent Luna congratulated LCSC on its continued improvement on dual enrollment. He noted that the PACE program has also continued to be successful.

As a side note, Board member Edmunds asked Board staff about tracking dual credits and how they transfer to other institutions, etc., to see how successful the system is statewide.

By unanimous consent the Board, at this time, moved to item three of the Instruction, Research and Student Affairs agenda, and item five of section two of the Business Affairs and Student Resources agenda in order to accommodate flight schedules of the presenters.

INSTRUCTION, RESEARCH AND STUDENT AFFAIRS – Item 33. Second Reading, Proposed Amendments to Board Policy III.W, Higher Education Research

M/S (Edmunds/Soltman): To approve the second reading of Board Policy III.W., Higher Education Research, with the revision of section 3.c.iv (2) (a), striking the last sentence “Board staff will also solicit nomination from the EPSCoR committee.” and adding to section 3.c.iv “The Board may, after review of the candidates nominated by the committee pursuant to the process described herein, consider other candidates for committee membership identified by the Board or its staff”. Motion carried unanimously.

BUSINESS AFFAIRS AND STUDENT RESOURCES – SECTION II – Item 55. University of Idaho – Building Conveyance and Ground Lease - Idaho Public Television

M/S (Edmunds/Terrell): To authorize the University of Idaho and IPTV to complete the transaction, including the conveyance of the building and ground lease, and to authorize the Vice President for Finance and Administration of the University to execute a quitclaim deed and ground lease in substantial conformance to the drafts submitted as part of this request, and any other documents associated with the above authorized transactions. Motion carried unanimously.

At this time, the Board returned to the Performance Measures Updates

10. Department of Education – State Superintendent Luna discussed the results of a study related to charter schools. He will provide copies of that study to the Board. Mr. Luna pointed out that he is a supporter of a choice of options in public education because students have different learning styles and needs. He will work to lower the cap on the number of charter schools because there is a high demand for them. In response to a question, Mr. Luna reported that a review of districts that have gone from five-day to four-day school weeks has shown that student achievement has not gone down. He will provide a copy of that report to the Board.

11. Idaho Public Television – Peter Morrill reported that the number of full time positions at IPTV has gone down as a result of the economic situation in the state. Board member Soltman asked about the breakout of funds that come to IPTV. Mr. Morrill indicated that IPTV gets about 25% of its total funding from general funds. IPTV also receive funds from grants, contributions, and other funding sources.

12. Vocation Rehabilitation – Vocational Rehabilitation had no representatives present. The Board agreed to review their performance report and direct any questions they had to the Board staff at a later date.

CONSENT AGENDA

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

1. BAHR – Section I – Boise State University – Deletions of Positions

By unanimous consent, the Board approved the request by Boise State University to delete four (4) positions (3.38 FTE) supported by appropriated and local funds.

2. BAHR – Section I – University of Idaho – New Positions and Reactivation of Positions

By unanimous consent, the Board approved the request by the University of Idaho for three (3) new positions (3.0 FTE) supported by a reallocation of appropriated funds and to reactivate two (2) positions (2.0 FTE) supported by appropriated funds.

3. BAHR – Section I – Lewis-Clark State College – New Position

By unanimous consent, the Board approved the request by Lewis-Clark State College for one (1) new position (.73 FTE) to be supported by local funds.

4. IRSA – Quarterly Report: Programs and Changes Approved by Executive Director

By unanimous consent, the Board accepted the Quarterly Report on Programs and Changes approved by the Executive Director.

5. PPGAC – Alcohol Permits Issued by University Presidents

By unanimous consent, the Board received the report as submitted.

At this time Board member Edmunds was excused from the remainder of the Board meeting in order to make a flight connection.

PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS1. Presidents' Council Report

Dr. Dene Thomas reported on behalf of the Presidents' Council. She noted that the Presidents' Council had discussed student access and retention including waivers, credits for graduation, capacity, and veterans. The Presidents' Council also discussed higher education budgets in light of Idaho's economic situation. They discussed how the institutions are dealing with the 6% holdback and also had the opportunity to meet with Governor Otter to share concerns with him.

The Presidents' Council discussed institutional autonomy related to higher education's relationship with other state agencies. This discussion focused on issues such as health care and insurance for full- and part-time employees, and the working relationship with the Department of Public Works, Division of Human Resources, and the Division of Purchasing. Dr. Thomas noted that the Governor had suggested to the Presidents' Council that they review the policies related to those topics and bring something before the Board for consideration.

2. Lewis-Clark State College Annual Report

Dr. Dene Thomas presented the annual report for LCSC to the Board. She invited Student Body President Clay Long, Student Body Vice President Andrea Madsen, and Associated Faculty Chair Joni Dickinson Mina to join her. Dr. Thomas reviewed LCSC's three part role and mission which involves integrating academic and professional-technical education with community

programs. She also reported that LCSC's accreditation visit resulted in six commendations. She thanked the LCSC faculty, staff, students, and the Board for making the success of the College possible.

Dr. Thomas briefly discussed outreach efforts, instruction, and programs. She noted that LCSC experienced increased enrollments in the fall of 2009. LCSC continues to make very selective cuts in response to hold backs in order to do the least harm to the students and programs.

Dr. Mina commented on the hard work of the faculty and thanked the administration of LCSC, along with the State Board, for their integrity, support, and an inclusive environment that enables the LCSC faculty to work together in a successful way to the benefit of the students and the community they serve.

3. Higher Education Idaho 2010 Book

Mark Browning of the Board staff briefly summarized this item. He distributed copies of Higher Education in Idaho 2010 to the members of the Board.

4. Institution Pandemic Flu Response

Mark Browning briefly summarized this item.

5. PULLED from the agenda

6. Idaho State Historical Society Legislation

Tracie Bent of the Board staff briefly summarized this item.

7. Comprehensive Literacy Assessment Legislation

M/S (Terrell/Soltman): To approve the proposed changes to section 33-1207A, Idaho Code as submitted and to direct the Executive Director to make any non-substantive changes as necessary as the legislation moves forward through the Governor's legislative process. Motion carried unanimously.

8. PULLED from the agenda

9. President Spouse Employment Legislation

M/S (Terrell/Westerberg): To approve the proposed changes to section 18-1359(8), Idaho Code, to clarify that the employment of the spouse of an institution president is not a violation of section 18-1359, Idaho code and to direct the Executive Director to make any non-substantive changes as necessary as the legislation moves forward through the Governor's legislative process. Motion carried unanimously.

10. Delegation of Board Authority Legislation

M/S (Terrell/Soltman): To approve the proposed changes to section 33-107, Idaho Code, allowing the Board to delegate such powers as the Board finds necessary to its executive officers for them to perform duties prescribed to the Board by the school laws of the state and to direct the Executive Director to make any non-substantive changes as necessary

as the legislation moves forward through the Governor's legislative process. Motion carried unanimously.

11. By-Laws Amendment – First Reading

M/S (Terrell/Luna): To approve the first reading of the proposed amendments to the Idaho State Board of Education, Governing Policies and Procedures, By-Laws as submitted. Motion carried unanimously.

INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS

1. MOVED up on the agenda

2. Annual Report of Academic Programs and Memorandums of Understanding

Dale Bowers of the Board staff briefly summarized this item.

3. MOVED up on the agenda

AUDIT COMMITTEE

1. Extension of Contract with Moss Adams

M/S (Soltman/Terrell): To ratify and approve the contract extension with Moss Adams for three (3) years and to approve the fourth amendment for audit services as submitted. Motion carried unanimously.

2. Lewis-Clark State College – Revision to Foundation Operating Agreement

M/S (Soltman/Atchley): To approve the Operating Agreement between the LCSC Foundation and Lewis-Clark State College; and to recognize the LCSC Foundation as an affiliated foundation to benefit Lewis-Clark State College. Motion carried unanimously.

Board member Terrell asked for clarification on this item. Chet Herbst of LCSC explained the impact of this policy and the role of the Foundation.

BUSINESS AFFAIRS AND HUMAN RESOURCES – Section I

1. Proposed Amendments to Board Policy – Section II.G.2.b. (2) – Faculty Compensation – Second Reading

M/S (Westerberg/Terrell): To approve the second reading of Board Policy II.G. – Faculty as submitted. Motion carried unanimously.

2. PULLED from the agenda

3. Proposed Amendments to Board Policy – I.E. – Executive Officers – Second Reading

M/S (Westerberg/Terrell): To approve the second reading of the amendment to Board Policy I.E.4., Executive Officers, Institutional Presidents Official Duties Related Spousal Expenses. Motion carried unanimously.

State Superintendent Luna clarified that this policy standardizes an ongoing practice.

4. Boise State University – Head Track and Cross Country Coach Contract

M/S (Westerberg/Soltman): To approve the request by Boise State University to enter into a multi-year employment contract with James Hardy, Head Track and Cross Country Coach. Motion carried unanimously.

As a side note, Board member Westerberg suggested that in the near future a review of the basic athletic contract template be undertaken by the Board.

BUSINESS AFFAIRS AND HUMAN RESOURCES – Section II1. FY 2009 Carryover Funds

M/S (Westerberg/Terrell): To approve the requests by Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, ISU Dental Education Program, and the UI WWAMI Medical Education Program, to carry over authorized but unspent non-general funds in the amounts specified in the agenda materials from FY 2009 to FY 2010. Motion carried unanimously.

2. Boise State University – Multi-Media and Marketing Rights Agreement with Learfield Sports Marketing

M/S (Westerberg/Soltman): To approve the request by Boise State University to enter into the proposed multi media and marketing rights agreement as submitted with Learfield Sports Marketing. Motion carried unanimously.

Stacy Pearson of Boise State University presented this item. She introduced Rachel Bickerton, Director of Trademark Licensing and Enforcement at BSU, to discuss the terms of the University's arrangement with Learfield Sports Marketing. Ms. Bickerton reviewed the scope of the marketing agreement and noted it will be fully integrated with the BSU Athletics program. She pointed out that BSU retains consultation and consent rights.

Board member Atchley asked how Learfield staff will be integrated into BSU. Ms. Bickerton indicated they will be housed on campus. Ms. Pearson noted that currently BSU has athletic staff that negotiates sponsorships and donations. This agreement will allow Learfield staff to pursue sponsorships and free up BSU staff to focus on other efforts.

3. University of Idaho – Property Easement – Idaho Power – Cummings Research Center

M/S (Westerberg/Terrell): To approve the grant of an easement to Idaho Power Company in substantial conformance to the form submitted to the Board in Attachment 1, and to authorize the University's Vice President for Finance and Administration to execute the easement and any related transactional documents. Motion carried unanimously.

Board member Westerberg suggested that the Board determine some way to direct these types of routine property easement requests to the consent agenda.

4. University of Idaho – Property Sublease – CH2MHill at Idaho Water Center

M/S (Westerberg/Terrell): To approve the Second Amendment to the Sublease between the University of Idaho and CH2M Hill in substantial conformance to the form submitted to the Board in Attachment 1 and to authorize the University’s Vice President for Finance and Administration to execute the Second Amendment to the Sublease and any related transactional documents. Motion carried unanimously.

Lloyd Mues of University of Idaho briefly reviewed the details of this agreement.

5. MOVED up in the agenda

6. PULLED from the agenda

7. Lewis-Clark State College – Property Gift from LCSC Foundation

M/S (Westerberg/Atchley): To approve the request by Lewis-Clark State College to accept the gift of the Center for Arts and History building and the North Lewiston Training Center facility from the LCSC Foundation, and to authorize the College’s Vice President for Finance and Administration to sign the associated property transfer documents in the name of the State of Idaho on behalf of the State Board of Education in its capacity as the Board of Trustees for the LCSC. Motion carried unanimously.

8. FY 2011 Alterations and Repair Projects Budget Requests

M/S (Westerberg/Soltman): To approve the non-major projects as submitted on pages 3-9. Motion carried unanimously.

9. FY 2010 Promise B Scholarship Approval

M/S (Westerberg/Atchley): To set the spring 2010 Promise B award at \$150.00 for those current recipients who maintain eligibility and for qualified first-year entering students under the age of 22 in academic year 2009-2010. Motion carried unanimously.

M/S (Atchley/Terrell): To delegate to the Executive Director any adjustment to the spring 2010 award for those current recipients who maintain eligibility and for qualified first year entering students under the age of 22 in academic year 2009-2010. Motion carried unanimously.

10. Idaho Student Aid Programs - Overview

Board member Westerberg presented this item.

11. College of Western Idaho – Supplemental Budget Request

M/S (Westerberg/Soltman): To approve the FY 2010 supplemental request for College of Western Idaho in the amount of \$1,047,200. Motion carried 4-2 (Soltman and Terrell voted Nay; Luna, Westerberg, Agidius, Atchley voted Yes).

Board member Terrell expressed concerns about this item and indicated he would vote against the request. Board member Westerberg noted that this item comes up because when the appropriation was made by the Legislature, it was not possible to know how successful CWI would be. He pointed out that this request simply allows CWI to submit a supplemental request to the Legislature; the Legislature can then decide whether or not to approve it. Cheryl Wright of CWI explained the rationale of this request for the benefit of the Board. She noted that it is not the intent of CWI to harm the other two community colleges.

DEPARTMENT OF EDUCATION1. Superintendent's Report

Mr. Luna noted that he would not present a report at this time, due to time constraints. He did ask to reorder the items on the Department's agenda so that the action items could be heard first. The Board agreed to hear items 5-8 ahead of item 2.

5. Pending Rule – Docket 08-0203-904 – Incorporated by Reference – Idaho Alternate Assessment Achievement Standards

M/S (Luna/Soltman): To approve the pending rule Docket 08-0203-0904 Rules Governing Thoroughness- Incorporate by Reference, Idaho Alternate Assessment Achievement Standards. Motion carried unanimously.

6. Appointments to the Idaho State Curricular Materials Selection Committee

M/S (Luna/Atchley): To approve the request by the State Department of Education for Geri Gillespy's appointment to the Idaho State Curricular Materials Selection Committee as submitted for a term beginning June 14, 2010 and ending June 30, 2015. Motion carried unanimously.

7. School District Property Alteration – Boise/Meridian (Avimor)

M/S (Luna/Soltman): To approve the alteration of boundaries from the Boise Independent School District to the Meridian Joint School District, on the finding that the alteration is in the best interests of the school children residing in each of the affected areas of such districts. Motion carried unanimously.

8. School District Property Alteration – Meridian/Boise (Orchard Ranch)

M/S (Luna/Soltman): To approve the alteration of boundaries from the Meridian Joint School District to the Boise Independent School District, on the finding that the alteration is in the best interests of the school children residing in each of the affected areas of such districts. Motion carried unanimously.

2. Presentation of the FY 2011 Public School Budget Request

Mr. Luna briefly discussed this item. He noted that there are two budgets SDE puts before the Legislature; one is for the Department itself and the other is for the Schools. He referred the Board to their agenda materials and noted that he will go into more detail in January.

3. Annual Report – Hardship Elementary School – Cassia County School District #151, Albion Elementary School

Mr. Luna noted that the details related to this item are in the Board materials.

4. Approval to Operate an Elementary School with Less Than Ten (10) Pupils in Average Daily Attendance

Mr. Luna referred the Board to the materials in the packet.

OTHER BUSINESS

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

M/S (Westerberg/Soltman): To adjourn the meeting at 4:00 p.m. Motion carried unanimously.



STATE BOARD OF EDUCATION
TRUSTEES OF BOISE STATE UNIVERSITY
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**DRAFT MINUTES
STATE BOARD OF EDUCATION MEETING
SPECIAL MEETING
November 9, 2009
Stueckle Sky Center, Skyline Room
Boise State University
Boise, Idaho**

9:00 a.m. (MST)

A special meeting of the State Board of Education was held November 9, 2009 in Boise, Idaho at the Stueckle Sky Center Skyline Room at Boise State University. Board President Paul Agidius presided.

Present:

Paul Agidius, President
President
Ken Edmunds, Secretary
Emma Atchley
Rod Lewis

Richard Westerberg, Vice
Don Soltman
Milford Terrell

Absent:

Tom Luna

The meeting was called to order at 9:00 a.m. Board President Agidius introduced the agenda. Mr. Agidius extended the thanks and appreciation of the Board to Boise State University for hosting the meeting.

BOARDWORK

1. Agenda Approval

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

PLANNING, POLICY & GOVERNMENTAL AFFAIRS**1. Strategic Planning****a. Welcome and Overview**

Board member Terrell presented this item. He introduced Sarah Borden to facilitate the strategic planning session.

Ms. Borden reviewed the agenda for the strategic planning session, discussed the ground rules, and summarized how the process would work for this portion of the meeting. She referred the Board to the agenda materials.

Ms. Borden asked for input from the Board and the representatives from the colleges, universities, and agencies in terms of their understanding of the purpose of strategic planning. Board member Edmunds indicated that the state and the education community want strategic direction. The strategic plan will also improve coordination and communication between the Board and the Department of Education. Board member Atchley observed that the strategic plan helps the Board to direct resources. Executive Director Mike Rush explained that the strategic plan will help Board staff know where to focus their attention, time, and resources in terms of staff effort. It also helps Board staff know what actions the Board wants staff to help institutions and agencies implement. The strategic plan lets the institutions and agencies know what the Board expects from them. It also helps them to draft their own strategic plans. Board member Westerberg agreed that the strategic plan should define where the Board wants to go, determine the speed of the march, and the direction to take to get there.

Dr. Kustra of Boise State University explained that a serious strategic planning effort will help the Board to do long-range planning in terms of how the state's universities and colleges are going to provide education across the state. He indicated that in the past, a lot of the planning was done in smaller increments, but a strategic plan that is long-range will look at the bigger picture. In the end, it will also help the Board track the resources statewide and account for how they are spent and hopefully get out of the regionalism approach to planning.

Board member Westerberg raised a question as to how specific the Board's strategic plan will be in terms of speaking to the goal and the role of instruction in the state of Idaho. Ms. Borden clarified that it seemed that what was said was that the Board should look at the macro level not the little details.

Board member Edmunds asked if the Board wanted to do more than to patch, or if it has the resources and political will power to do more than patch. Ms. Borden said that was a critical question. She asked the Board if it was tweaking what it already has, or if it is starting to build something new. Dr. Doug Baker of UI said that it made sense to see how much pruning actually needs to be done versus cutting down the tree altogether. He asked about the challenges the state faces, and how the education system is currently structured to meet those needs. He asked if the state needed to turn the little dial or the big dial to meet those needs. He agreed that what President Kustra said makes a lot of sense in terms of looking at the big picture.

b. Education in Context

Dr. Rush presented the Education in Context piece to the audience. This was followed by input and discussion from the Board and other participants. Dr. Kustra noted that the IPEDS data is not reliable in terms of trying to track what is going on in Idaho. Others agreed that IPEDS fails to track a large number of students.

Dr. Baker pointed out that the U.S. education system suffers the same problem that Idaho does, which is that it depends very much on state funding. What has happened over time is that as the economy struggles, state funds for education have been chipped away in order to take care of other needs. Dr. Baker explained that the opposite is true in other countries. Those countries view education as more valuable and have directed more and more money into education over the years. As a result, their education systems are growing at a phenomenal rate. He suggested that Idaho needs to consider raising revenue another way.

Ms. Borden noted that these are major issues and asked institutions for input as to what they are currently doing to grapple with the cuts. The representatives from the colleges and universities agreed that they have had to limit program offerings, not fill vacant positions, eliminate course offerings, and in some cases combine colleges or divisions. It was explained that some of the institutions do charge professional fees to professional students to help address the financial need. All of the institutions and agencies have had to do more with much less.

Ms. Borden asked the group to think about the intervention needed to turn this around. She encouraged the group to look at doing things differently. Dr. Robin Dodson of ISU suggested that there were influential people who may need to be brought into the discussion at some point down the road, but there was agreement that the Board needed to start the process and have something to take to those other people.

c. Foundational Work

Ms. Borden referred to the agenda materials and discussed the strategic plan hierarchy. She pointed out that the link between the current conditions and the Board's future vision is the strategic plan. Everything needs to point towards the vision. Board member Don Soltman noted that the vision statement needs to be a constant. And, Board President Agidius emphasized that if the effort stops with the vision statement, then the effort is a waste of time. Ms. Borden observed that once the strategic plan is completed, a communication strategy needs to be put into place to get the word to those influential people mentioned earlier.

There was discussion about the vision statement. It was noted that the current vision and mission statements were drafted about a year ago. Ms. Borden emphasized that a strong vision statement needs to convey clearly where the Board wants to go. It doesn't have to be long or wordy, but it does need to inspire the uninformed reader to look at what it represents. She suggested that the newest vision statement didn't offer enough to an uninformed reader. She asked the Board to compare it with the vision statement from 2009-2013.

Board member Atchley noted that an education system has a product at the end and agreed the previous vision statement gives a better picture of what that product should look like. Board President Agidius noted that the current vision statement is where the Board wants to be while the previous one is more about how to get there.

Board member Lewis noted that both vision statements focused on the individual or the system. He raised a point about what exactly the Board wants to accomplish. Is it talking about what it wants to do as a system to help individuals achieve a particular end, or is it talking about the capabilities it wants to provide to individuals? Is it trying to drive economic well-being of the state, or is it trying to help individuals so that they attain an education level that allows them to compete in the global economy? Does the Board want to better the economy or the individual? What is the responsibility of the Board?

Dr. Baker pointed out that all the colleges of the state are accredited through the Northwest Commission and the Commission requests program assessments, not individual assessments.

Ms. Borden referred to the 2009-2013 vision statement and wrote down the concepts it points to for the Board to consider. Those concepts include: access and a seamless system that results in a well-informed citizenry which affects the economy and the quality of life. Board member Lewis added that one of the concepts is that Idaho's students be competitive in a global economy.

Ms. Borden reiterated that the Board needs to remember who the audience is in terms of the vision statement. If the vision statement is too vague, it's hard to communicate what it means. Board member Westerberg emphasized that a simple statement keeps it from getting too unwieldy. Ms. Borden suggested that a tag line could be followed by a longer statement that spells it out a little more clearly.

In referring to the vision statement for 2009-2013, Board member Lewis noted that the term well-informed or well-educated is not clearly defined. He asked how the Board would measure that.

Dr. Sona Andrews of Boise State College asked how Idaho's vision or mission statements distinguish us from other states. She suggested having both the vision and mission statement use the word "Idaho". Ms. Borden reminded the Board again that to inspire people to get involved and to come along, the vision statement needs to appeal to the curiosity. Dr. Baker referred to Washington's vision and mission statements and read portions for the benefit of the Board so they could have an idea of what other states had crafted.

Ms. Borden again asked what the vision is for Idaho's education system. To get the discussion started, she asked the participants to write a statement to share with the group to get ideas from them for the group to consider and to share those statements out loud. She made a list of the common themes which came out of this exercise. They included: competitive, access, seamless, relevance, globally competitive, highly educated workforce, lifelong, innovative, sustainability of the system, creation of knowledge that impacts the quality of life in a region or in the state (the creation of knowledge that creates a new industry

through research or discoveries done by the institutions that moves the state forward), and maximizing potential.

Based on the discussion and the common themes that were identified, Ms. Borden asked the Board for permission to use the 2009-2013 statement as a starting point, then to add in the other key concepts, and also to include a tag line that further defines the vision statement. The Board agreed and urged that the tag line be short and not be a map of how to get there. Board President Agidius reiterated that the tag line needs to be broad and not cater to just one view or interest area.

Ms. Borden discussed values and how a point in the vision can be demonstrated. Dr. Baker referred back to what Washington had put together and noted that it had listed out a series of steps, each one building on the other. He suggested that the Board may want to look at that information. It is available online.

There was more discussion and Ms. Borden listed some other values that might be considered, including: accountability, responsibility, communication, innovation, cooperation, leadership/advocacy, respect, and efficiency. Those values help to further define the mission.

d. Review and Development of Goals and Objectives

The discussion turned to performance measures and goals. Ms. Borden referred to the agenda materials and reviewed existing goals from three different entities.

The first set of goals came out of CAAP. Sona Andrews provided more details as to how CAAP arrived at the goals and objectives it did. She noted that the foundational principles that CAAP identified included the need to: (1) educate more citizens and students; (2) motivate students; (3) increase access to education; (4) increase success rates for emerging citizens; (5) recruit more and better prepare educators; and (6) increase collaboration between all players. Based on these needs, CAAP came up with the four goals.

The next set of goals came from the State Department of Education. Luci Willits of SDE presented them and discussed the steps SDE went through to come up with its mission, vision, and goals. She indicated that the SDE wanted to make sure that the goals were global yet specific. She explained that the action plan that came out of the goals defines and outlines how the goals are met. Accountability is a key point in all the goals and the strategies. She recommended that the Board look at the Department's webpage to see their strategies and performance measures because they clearly define the responsibilities of the Department.

The next set of goals the Board reviewed came from the Education Alliance of Idaho. It was noted that members from the education community served on the EAI committee. Board member Lewis pointed out that EAI has been offering to give input and to engage in a dialog with the Board for several years. He suggested that the Board needs to take the initiative now and make sure to include the EAI in its discussions.

As a side note, an action item for the Board to follow up on is deciding out how to get a partnership going with EAI.

Ms. Borden asked the Board if any of the goals just presented might be ones the Board would like to build on. There was discussion about incorporating the various goals or ideas into the Board's plan. Board member Soltman liked the work that CAAP did. Board member Westerberg concurred and suggested that those goals could be adapted to fit the broader system.

There was a general acceptance of that idea. It will address the common themes identified by the Board: competitive, access, seamless, relevance, globally competitive, highly educated workforce, lifelong, innovative, sustainability of the system, creation of knowledge that impacts the quality of life in a region or in the state (the creation of knowledge that creates a new industry through research or discoveries done by the institutions that moves the state forward), and maximizing potential.

It was agreed that the CAAP goals did not conflict with the SDE or EAI goals. It was agreed to take the four goals and adapt them to the K-20 system. Dr. Baker noted that there is a need to address how the longitudinal data system fits into the SBOE plan. The Board agreed to come back to this item.

The Board agreed that having the performance measures and strategies is essential. Sona Andrews encouraged the Board not to start with the measures, but rather to think about what is important in the bigger sense and then figure out how to measure it. If it turns out to not be measurable, then it needs to go away.

The Board began to work through the goals and objectives that came from CAAP. Ideas were suggested as the goals and objectives were adapted to fit the Board's plan.

Under goal 1 the Board agreed that objective (b) should read "quality instruction and learning".

Dr. Rush noted that the goal that seems to be missing from the CAAP goals is similar to the EAI goal of transparent accountability. Other Board members agreed that would be a good goal and to use the language of EAI.

Board member Lewis suggested that there be a goal to read "highly educated citizenry" or an objective that incorporates that idea which is visible.

It was suggested that Goal 1 could be written to say "provide a well educated citizenry." This will convey the point or concept that the goal is to increase the level of education, not just the quality of education. Also, "higher level of educational attainment" will be added as an objective (e) to Goal 1.

In respect to **Goal 2, it was suggested objective (a) should read: "An environment in which critical thinking at the individual and system level, innovation, and creativity can thrive".**

In respect to **Goal 3, it was suggested that another objective should be "relevant educational programs."**

In respect to **Goal 4**, it needs to be expanded to include all of K-20, not just higher education. It was suggested that this goal might be where there is mention about building a stronger economy. Another objective was added (c) to read “economic development.”

It was agreed to **create Goal 5 (using EAI goal 1) and have it read “Transparent Accountability.”** It was agreed to add the following objectives: (a) Robust metrics and a system to implement them (to evaluate where we are going); (b) integrated statewide data system K-20 and beyond; (c) continuous improvement. It was pointed out that under this goal should be a place to tie funding to outcomes, for example, another objective which would read: and (d) budget process tied to strategic plan outcomes.

e. Next Steps

1. EAI Collaboration – There was discussion about how best to achieve an open and ongoing collaborative effort with EAI. Board President Agidius will meet with the Governor related to this. It was suggested that one of the Board’s existing committees invite EAI to meet with them on a quarterly basis and also to invite other Board members to attend as well. The Board and its staff will follow up on this.

2. Vision, Values Draft Plan – Board staff, with input from Sarah Borden, will complete this task. Tracie Bent will be the contact person at the Board office. There was discussion about timelines for finalizing the strategic plan. It was noted that the Board has to abide by the DFM due dates as do the institutions and agencies. Also, there needs to be a process for reviewing successive drafts. The Board and its staff will follow up on this.

3. Other -- Board member Edmunds suggested that the Board have a timeline for the other things they need to accomplish, such as roles and missions, so that it doesn’t lose sight of those other things. Ms. Borden suggested that the Board needs to let the institutions know what the priorities are. It was suggested that when there is a next meeting, who to invite who wasn’t at today’s meeting.

2. Pending Rule – Docket 47-0101-0901 - Idaho Division of Vocational Rehabilitation Appeals Process

M/S (Terrell/Soltman): To approve the Pending Rule Docket 47.01.01.0901 – Rules of the Idaho Division of Vocational Rehabilitation as submitted. Motion carried unanimously.

3. Pending Rule – Docket 08-0104-0901 – Residency Classification

M/S (Terrell/Soltman): To approve the Pending Rule Governing Residency Classification, Docket 08-0104-0901, as submitted. Motion carried unanimously.

Board staff explained that if an individual leaves the state for educational purposes and then wants to return to Idaho, this would allow them to do that. Before, if they left the state for

educational purposes and then returned, they would no longer consider a resident for tuition purposes.

4. Pending Rule – Docket 08-0114-0901- Rural Physicians Incentive Fund

Board member Edmunds abstained from discussion and voting on this item. Board member Lewis referred to the statement on page 5 of tab 4 – Section 016.01.a, and suggested that it wasn't clear what the intent was. The Board agreed to postpone this item until the end of the day in order to clear up the language in that section.

By unanimous consent this item was postponed until later in the agenda.

5. Amend Temporary/Pending Rule – Docket 08-0111-0901 - Proprietary/ Postsecondary School Registration

M/S (Terrell/Westerberg): To approve the Amended Temporary and Pending Rule – Docket 08.01.11.0901, Registration of Postsecondary Education Institutions and Proprietary Schools, as submitted. Motion carried 6-0 (Agidius absent during the vote)

Board staff reported that there had been public hearings and it was recognized there was a need to revisit the surety bond formula. The changes are reflected in the language of this rule.

DEPARTMENT OF EDUCATION

State Superintendent Luna was unable to be at the meeting due to a death in the family. Luci Willits of the Department took his place and presented the items of the Board's agenda for the benefit of the Board.

1. Pending Rule – Docket 08-0203-0903 - Middle Level Credit Requirements

M/S (Soltman/Terrell): To approve pending rule with changes Docket 08-0203-903, Rules Governing Thoroughness, Middle Level Credit Requirements as submitted. Motion carried unanimously.

2. Pending Rule - Docket 08-0202-0904 - Incorporation By Reference, Idaho Standards for the Initial Certification of Professional School Personnel

M/S (Soltman/Atchley): To approve the pending rule Docket 08-0202-0904, Rules Governing Uniformity, Incorporation by Reference- Online Teacher Endorsement.

3. Temporary and Pending Rule – Docket 08-0202-0905 - Incorporation by Reference, Idaho Operating Procedures for Public Driver Education Programs

M/S (Soltman/Edmunds): To approve the Idaho Operating Procedures for Public Driver Education Programs. Motion carried unanimously.

Nick Smith from the Department indicated that the public comments that were received were primarily geared towards private drivers' education businesses being able to contract with the schools, and the qualifications of those instructors. The rule, as it is now written, allows any private instructor that is licensed through the Bureau of Occupational Licensing to be approved. The only additional requirement is that they must have a background check and fingerprinting.

M/S (Soltman/Westerberg): To approve the temporary and pending rule change to IDAPA 08.02.02.004 and 08.02.02.230, Rules Governing Uniformity Motion carried unanimously.

4. Pending Rule - Docket 08-0202-0906 - Idaho Educator Credential

M/S (Soltman/Westerberg): To approve pending rule Docket 08-0202-906, Rules Governing Uniformity, Idaho Educator Credential as submitted. Motion carried unanimously.

5. Pending Rule - Docket 08-0202-0907 - Consulting Teacher Endorsement

M/S (Soltman/Edmunds): To approve the pending rule Docket 08-0202-907, Rules Governing Uniformity – Consulting Teacher Endorsements. Motion carried unanimously.

6. Pending Rule - Docket 08-0203-0905 - High School Graduation Requirements

M/S (Soltman/Westerberg): To approve pending rule with changes to Docket 08-0203-905 High School Graduation Requirements as submitted. Motion carried unanimously.

It was clarified that mastery of subject is determined by local school districts. The districts wanted that flexibility. Nick Smith of the Department also explained that the mastery piece only applies to high school students. The middle school piece allows students to take the class, but there is a clear separation between the middle school students and the high school requirement.

7. Temporary and Pending Rule – Docket 08-020203-0906- Special Education

M/S (Soltman/Atchley): To approve the temporary and pending rule Docket 08-0203-906, Rules Governing Thoroughness – Special Education. Motion carried unanimously.

8. Pending Rule - Docket 08-0203-0907 - K-12 Idaho Content Standards

M/S (Soltman/Atchley): To approve pending rule Docket 08-02023-907, Rules Governing Thoroughness, K-12 Idaho Content Standards as submitted. Motion carried unanimously.

9. Temporary Rule - IDAPA 08.02.03.003.04 - Incorporation by reference, the Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOS) and Accountability Procedures

M/S (Soltman/Westerberg): To approve the temporary rule for IDAPA 08.02.03.004.03,

Incorporation by Reference -- The Idaho English Language Assessment (IELA) Achievement Standards as submitted. Motion carried unanimously.

10. Temporary Rule - IDAPA 08.02.03.004.04 - Incorporation by Reference- The Idaho English Language Assessment (IELA) Achievement Standards

M/S (Soltman/Westerberg): To approve the temporary rule for IDAPA 08.02.03.004.04, Incorporation by Reference -- The Idaho English Language Assessment (IELA) Achievement Standards as submitted. Motion carried unanimously.

Dr. Carissa Miller of the Department noted that the cut scores are more appropriate now because they identify the student as being more ready to exit the program than previously. It should be an improvement for their educational experience.

11. Temporary Rule - IDAPA 08.02.03.112 - Rules Governing Thoroughness, Accountability

M/S (Soltman/Atchley): To approve the temporary rule for IDAPA 08.02.03.112, Rules Governing Thoroughness, Accountability as submitted. Motion carried unanimously.

Board member Lewis asked about NAPE and how the states rank in terms of their cut scores because Idaho was identified as a state below basic. Dr. Carissa Miller explained that the study was done looking at state standards in terms of the number of proficient students compared to the number of proficient students who took NAPE. Idaho standards are higher than the NAPE standards. The NAPE study does not take that into account because it focuses only on NAPE. Dr. Miller indicated that the study gives a wrong message.

BUSINESS AFFAIRS AND HUMAN RESOURCES

1. Boise State University – Coach Petersen Contract Addendum & Deferred Compensation Plan

M/S (Westerberg/Soltman): To approve the request by Boise State University to amend the Employment Agreement with Chris Petersen, as submitted. Motion carried unanimously.

Board member Westerberg presented this item. Kevin Satterlee discussed the dynamics of the deferred compensation plan for Chris Petersen. He indicated that this addendum allows the University to take advantage of section 457(f), 415(m) or other similar provisions of the IRS Code that meet certain criteria. The plan that BSU is proposing will allow Coach Petersen to defer more funds. This plan does not apply to any other BSU employee nor does it increase the terms of his contract.

M/S (Westerberg/Soltman): To approve and adopt the Boise State University Section 403(b) Base Plan and the Boise State University Section 415(m) Qualified Governmental Excess Benefit Plan, as submitted, subject to the conditions and limitations set forth below: (1) The Plans are adopted subject to IRS approval; and (2) The Board cannot guarantee the tax consequences of the Plans pending IRS action. The Board authorizes its Executive Director to execute on its behalf applications for IRS Private Letter Rulings with respect to the Plans. Motion carried unanimously.

The Board returned to item 4 of the PPGAC agenda.

4. Pending Rule – Docket 08-0114-0901- Rural Physicians Incentive Fund

M/S (Terrell/Atchley): To approve the motion as amended with clarification of the motion related to the language on tab 4, page 5, Section 016.01.a. Motion carried 6-0 (Edmunds abstained from the vote).

The language in Section 016.01.a was changed in order to clarify its intent. It will read: "Priority selection for physicians who were Idaho resident students and were assessed the rural physician incentive fee and paid into the fund, followed by physicians who were Idaho residents prior to completing medical school out of the state and who did not contribute to the fund, followed by physicians from other states who were not Idaho residents."

OTHER BUSINESS

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

M/S (Terrell/Westerberg): To adjourn the meeting at 4:03 p.m.

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