

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 December 10-11, 2009 Regular Board meeting and the January 15, 2009 Special Board meeting as submitted.

3. Rolling Calendar

BOARD ACTION

A motion to set February 16-17, 2011 as the date and Boise State University as the location for the February 2011 regularly scheduled Board meeting and to amend the date and location of December 15-16, 2010 meeting to December 8-9, 2010 at North Idaho College.



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
December 9-10, 2009
Canyon Ridge High School Auditorium
300 N. College Road West
Twin Falls, ID

A regularly scheduled meeting of the State Board of Education was held December 9-10, 2009 in Twin Falls, Idaho.

Present:

Paul Agidius, President
Ken Edmunds, Secretary
Don Soltman
Tom Luna, State Superintendent

Richard Westerberg, Vice President
Emma Atchley
Milford Terrell

Absent:

Rod Lewis
Milford Terrell

The Board met at 4:30 p.m. on Wednesday, December 9, 2009 at the Hampton Inn, Canyon Room, 1658 Fillmore Street, Twin Falls, Idaho.

EXECUTIVE SESSION

M/S (Westerberg/Soltman): To move into Executive Session pursuant to Idaho Code on December 9, 2009 to consider the following: (1) 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 and considering documents that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.

A roll call vote was taken; motion carried 5-0 with Board members Agidius, Westerberg, Edmunds, Soltman, and Atchley voting yes; State Superintendent Luna arrived after the vote to join the meeting; and, Board members Lewis and Terrell were absent.

During Executive Session the Board discussed and considered, as Regents for the University of Idaho, the possible acquisition of real property not owned by a public agency and the consideration of documents that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.

M/S (Soltman/Westerberg): To go out of Executive Session at 5:30 p.m. Motion carried unanimously.

On Thursday, December 10, 2009, the Board convened at 8:30 a.m. for its regular business meeting. The meeting was held at Canyon Ridge High School in Twin Falls, Idaho. Board President Paul Agidius presided. Mr. Agidius thanked Dr. Jerry Beck, President of the College of Southern Idaho, for arranging the meeting. He also thanked Superintendent Wiley Dobbs of the Twin Falls School District and Principal Brady Dickinson of Canyon Ridge High School for hosting the meeting.

Mr. Agidius went on to acknowledge four area schools which were to be honored during the meeting as recipients of the Annual Yearly Growth Award. Superintendent Galen Smyer of Cassia County School District was introduced by Mark Browning of the Board staff. Mr. Smyer invited representatives of Oakley Elementary, Oakley Jr/Sr High School and Raft River Jr/Sr High School to come forward to receive their awards. Mr. Browning then introduced Superintendent Neal Hollingshead of the Dietrich School District. Mr. Hollingshead invited representatives from the district to come forward to receive the award.

BOARDWORK

1. Agenda Approval

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

2. Minutes Review/Approval

M/S (Westerberg/Soltman): To approve the minutes from the October 14-15, 2009 Board meeting as submitted, and to approve the November 9, 2009 Special meeting minutes as submitted. Motion carried unanimously.

3. Rolling Calendar

M/S (Westerberg/Luna): 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. Motion carried unanimously.

By unanimous consent the Board agreed to move the Audit Committee Report to this time in the agenda in order to accommodate travel schedules.

AUDIT COMMITTEE

1. Presentation of FY 2009 Audited Financial Statements by Moss Adams LLP

M/S (Soltman/Westerberg): To accept from the Audit Committee the Fiscal Year 2009 financial audit reports for 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.

Mary Case and Scott Simpson of Moss Adams LLP were introduced to present an overview of the audit review and report. Ms. Case noted that a detailed report was given to the Board members with their agenda materials. She briefly summarized the general process of the financial audit that was conducted by Moss Addams LLP for Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, and Eastern Idaho Technical College.

Scott Simpson discussed the required communications of the financial statement audit that are included in the report to the Board of Education. Mr. Simpson and Ms. Case referred to the handout for the benefit of the Board as they summarized the specifics for each institution. It was noted that Moss Adams LLP had met with the Board's Audit Committee for a debriefing prior to today's meeting. Ms. Case thanked the Board for allowing Moss Adams LLP to have the opportunity to serve the Board and the institutions. She commended the institutions for working with an accelerated reporting schedule and complimented the Board's Audit Committee for its excellent work.

At this time former Board member Laird Stone was recognized in the audience.

CONSENT AGENDA

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

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

By unanimous consent, the Board agreed to approve the request by Boise State University to delete seven (7) positions (6.18 FTE).

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

By unanimous consent, the Board agreed to approve the request by Idaho State University to increase the FTE on seven (7) positions by .79 FTE and change the term on one (1) position to eleven (11) months supported by local and state funds reallocation, and to delete forty-nine (49) positions (46.50 FTE).

3. BAHR – Section I – University of Idaho – Reactivation of Position & Deletion of Positions

By unanimous consent, the Board agreed to approve the request by the University of Idaho to reactivate one (1) position, and delete 38 (thirty-eight) positions (31.33. FTE) supported by appropriated funds.

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

By unanimous consent, the Board agreed to approve the request by Lewis-Clark State College to delete four (4) positions (4.0 FTE) supported by appropriated, grant, and local funding.

5. BAHR – Section I – Eastern Idaho Technical College – Reallocation of Positions

By unanimous consent, the Board agreed to approve the request by Eastern Idaho Technical College to reallocate one (1) position (1.0 FTE) supported by appropriated funds

6. IRSA – South Central Local Operations Committee – Summary Report

This is an information item only.

7. PPGAC – Alcohol Permits Issued by University Presidents

By unanimous consent, the Board agreed to accept the report as submitted.

PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS**1. College of Southern Idaho Annual Report**

Dr. Jerry Beck of the College of Southern Idaho presented the College's annual report to the Board. He introduced Dr. Jeff Fox, Chief Academic Officer and Vice President of CSI.

Dr. Beck summarized the mission of the College and discussed various activities underway including service to diverse populations, providing for the region's economic needs, collaborating with K-12, and partnering with other universities. He noted that in spite of the economic downturn, the College experienced growth in enrollments, the start-up of new programs, the receipt of a number of grants, and the continued commitment of faculty and staff to the students at CSI. Dr. Beck reported that CSI was able to close the FY09 budget in the black and to start the FY10 budget in the black.

Dr. Beck briefly reported on the benchmarks of enrollment, access, cost, dual credit, and economic development. He noted that the cost to attend CSI has continued to remain low compared to the four-year institutions. He indicated that CSI began charging the students per credit several years ago, and students now pay 33% of the cost of the institution. The reason for this is that the College is growing very fast and enrollments are going up.

Dr. Beck reported continued success in business recruitment despite the economic downturn. An example of that success is the opening of the Health Sciences and Human Services Building. This building was made possible in part by the financial assistance from a large number of partners throughout the region. Dr. Beck reported that the support of the CSI Foundation towards scholarships has made it possible for more students to attend College. He noted that the additional funds that Idaho's colleges recently received from the Albertson Foundation will give even more students access to postsecondary education, statewide.

State Superintendent Luna thanked Dr. Beck for CSI's efforts related to the Idaho Education Network. Dr. Beck gave several examples of courses that will be available to the districts via the IEN when it is in place. Mr. Luna asked if the dual credit courses offered through CSI are recognized by other institutions. Dr. Beck indicated that the colleges and institutions within Idaho do recognize and accept those credits.

2. Presidents' Council Report

Dr. Dene Thomas from Lewis-Clark State College reported to the Board on behalf of the Presidents' Council. Dr. Thomas noted that a number of topics were discussed by the Presidents' Council in recent meetings. One item discussed was the statewide longitudinal data system. Each institution provided Board staff with the names of representatives from their campuses who will work together on that effort.

Other items discussed included the proposed revisions and updates to Board policy. The Presidents' Council also discussed higher education's responsibility to the state's economic recovery. Dr. Thomas noted that there will be a luncheon for legislators on February 1, 2010. It will give the presidents an opportunity to share their common concerns and suggestions.

The Presidents' Council discussed the collaboration of services including gaining more independence from state agencies and services. The institutions discussed an opt-in/opt-out option in terms of the level of dependence on those state agencies and services because not all of the institutions are able to sustain or carry out those services on their own. President Robert Kustra of Boise State University noted that this will allow for greater flexibility for the institutions.

In response to a question about cost-savings as a result of collaboration between the colleges and universities, Dr. Thomas explained that there would be resulting efficiencies, but not an immediate cost-savings. Dr. Kustra discussed the pooling of health insurance coverage and noted it may produce some kind of savings because of the type of coverage that could be provided to the pool. He pointed out that it's not just about saving new dollars, but also about recovering dollars.

It was noted there is serious concern about the state's new practice of taking funds away from the institutions related to health insurance. Dr. Jerry Beck indicated that the institutions will now be required to come up with additional funds to meet the health insurance burden which is detrimental to the institutions.

3. ACT- 50th Anniversary Recognition

Mark Browning of Board staff introduced Stacey Elmore of ACT to present to the Board. Ms. Elmore discussed the history of ACT and the efforts that have been undertaken over the years, current outcomes, national and statewide trend, and student achievement results. During her presentation, a request was made by the Board that ACT provide them with the disaggregated data from each district. Ms. Elmore agreed to make sure that happens. State Superintendent Luna noted that the entire class of 2013 is required to take an ACT-type test before they graduate.

4. Board of Education By-Laws – Second Reading

M/S (Soltman/Atchley): To approve the second reading of the proposed amendments to the Idaho Board of Education Governing Policies and Procedures By-Laws as submitted. Motion carried unanimously.

Board member Soltman introduced this item. He noted that between the first and second reading minor changes were made in the language for the purpose of clarification based on recommendations from the Board.

5. P-20 Statewide Longitudinal Data System Grant Proposal

M/S (Soltman/Edmunds): To approve the grant application submitted on December 4, 2009 for the development of a statewide P-20 and workforce longitudinal data system as submitted. Motion carried unanimously.

Board member Soltman introduced this item. Executive Director, Mike Rush, acknowledged the input and the efforts of a number of people statewide in the development of the grant application. He introduced Selena Grace of the Board office to provide additional information. Ms. Grace indicated that there are nine outcomes as part of the grant. The U.S. Department will assess those components and determine which ones it will fund. While there are certain interdependencies, some stand alone.

Board member Edmunds asked if the grant is scalable in such a way that it can be made to work should the U.S. Department award a lesser amount of funds than what has been requested. Ms. Grace explained that the U.S. Department will fund outcomes, not dollar requests. What this means

is if an outcome is not funded, dollars from another outcome cannot be redirected to cover it. It was noted that two of the outcomes related to interstate collaboration which puts Idaho within the guidelines of the grant criteria in terms of the full amount that can be requested.

For the benefit of the Board, State Superintendent Luna briefly updated the Board on the history of this effort over the past few years.

6. State Board of Education – Strategic Planning

Board member Soltman presented this item. He introduced Tracie Bent of the Board office to discuss specifics. Ms. Bent noted that the goals, objectives, and performance measures that are in the Board materials are a result of input and discussion from the November 9, 2009 strategic planning meeting. Ms. Bent asked what the will of the Board was in terms of what it wants to include in its strategic plan.

Board member Westerberg asked about the process and timelines from this point on. He suggested reducing the number of objectives and performance measures. Ms. Bent indicated it would be good to have the work completed by the Board's February meeting. Dr. Rush noted that the institutions and agencies will have to rely on what the Board has already done because they will be doing their strategic plans in the next few months. Technically this plan doesn't have to be approved for state purposes until July 1.

Board member Edmunds indicated that the general concept of where we are going still bothers him. His perception is that there are some good ideas, but there doesn't seem to be a focus. He would like there to be a better connection between the many various items listed in the draft and the end result. Ms. Bent reminded the Board that their planning meeting of November 9 resulted in the document being presented at this meeting. She acknowledged that in order to get to the point where Board member Edmunds wants, the Board needs to continue the discussion among its members.

Board member Westerberg asked how to structure this effort so the process keeps moving forward. Board member Agidius noted that the Board must keep in mind what it is trying to accomplish each time it makes a decision. The document itself won't guarantee something gets done.

Board member Edmunds suggested one of the goals should be the general oversight of education. Ms. Bent acknowledged that is an admirable goal, but the staff at the Board office and at the institutions needs to know specifically where the Board wants to go.

Board member Soltman suggested that the Board needs to have a working session where the members can have that deeper discussion. Board member Westerberg noted that the Board is in a place where it has a framework it can work with. He noted that he didn't have trouble with the goals, but agreed that the objectives needed more work. He suggested that a smaller group could be convened to work on this effort in order to have something for February. Board member Edmunds reminded the Board that group has actually been established. Board member Westerberg suggested that the other Board members can direct comments to that group and to the Board staff so they can rationalize it and make sense of it before the February meeting.

Board member Edmunds observed that the Board is looking at having an interim strategic plan with the idea that it will continue to look at longer-range goals. Board member Westerberg agreed that a lot of good work has already been done and that this plan is a framework to continue building upon. He reminded the group that a strategic plan is always a work in progress.

Dr. Rush pointed out the strategic planning process is an interim process by virtue of the fact that circumstances are always changing. He agreed that the effort of planning is hard work and emphasized that it is not just a technical process. He indicated that the goals of the Education Alliance of Idaho are embedded in the Board's strategic plan.

Dr. Rush also pointed out that this plan addresses the system and so there are thousands of people and millions of dollars required to implement this plan. As to how that relates to the Board, the Board needs an executive document that defines the goals and objectives of the system, but also includes perhaps three or four things that are the Board's special focus for the year.

Board President Agidius noted that the Board's Executive Committee along with Board member Westerberg's involvement can hammer out the details. Board member Atchley agreed that given the size of the education system in Idaho and all the entities involved, this document is not too big. It can be fine-tuned. Mr. Agidius noted that some of the goals are things that the Board will always be striving toward because they are ongoing goals. He agreed it is a good document to start with, and that the Board can pick out things it wants to work on.

Board member Edmunds reminded the Board about the pressing economic situation and the legislative and political constraints that drive timelines. He expressed concern about the Board's ability to respond to issues in a way that brings appropriate or immediate results given those hurdles. Board President Agidius said those issues need to be brought to the attention of the Board's Executive Committee so that they can be addressed.

Board member Soltman indicated that staff needs direction from the Board. Ms. Bent will arrange a meeting with the strategic planning group to further hash this out. She asked that the Board members forward their comments on the performance measures and objectives to her prior to that meeting. Benchmarks also need to be set. The Board agreed with the direction of this process.

At this time, Dr. Rush introduced Scott Grothe to the Board. He is the newest staff member of the Board office and will be working as the Program Manager of Accountability.

INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS

1. Boise State University – New Graduate Program – Full Proposal – Master in Chemistry

M/S (Edmunds/Soltman): To approve the request by Boise State University to offer a Master of Science in Chemistry. Motion carried unanimously.

Board member Edmunds introduced this item and noted it has been reviewed by CAAP. Board member Westerberg asked about allocating resources to this program as opposed to somewhere else given that this degree is offered at two other institutions. Dr. Sona Andrews of BSU noted that the University was able to find a number of efficiencies to allow for a reallocation of faculty member's time from the undergraduate program to the graduate program. Two graduate assistant positions were added and will allow for instruction to both the upper and undergraduate programs. Dr. Andrews noted that the chemistry department has experienced a significant increase in grants over the past few years which speak to the quality of the faculty that will be able to deliver the program. She noted that BSU does have an existing evaluation process that ensures programs that are being offered are of continued value, need, and efficiency. Dr. Andrews introduced Professor Owen McDougal to respond to questions about the program.

Matt Freeman of the Board office came forward to clarify a concern about the funding. Dr. Andrews noted that BSU looks at the revenue funds and the workload adjustment funds and assumes that

those funds will help with this program. If that is not the case, the University will still be able to fund the program.

Board member Westerberg asked the Board staff to provide a matrix in future requests that shows which programs and degrees are offered by the various colleges and universities. The Board members need this kind of information if they are to make informed decisions.

2. University of Idaho – Supplemental Report on Research and Extension Centers

M/S (Edmunds/Westerberg): To approve the request by the University of Idaho for approval of the Collaborative Research Facility Agreement and License in substantial conformance to the draft submitted to the Board in Attachment 1; and to authorize the President or the President's designee to execute the same and any collateral documents necessary to bring the agreement into effect. Motion carried unanimously.

Board member Edmunds presented this item and provided background information. Dr. Duane Nellis of University of Idaho discussed various points and introduced Kent Nelson, UI legal counsel. Mr. Nelson introduced Dean John Hammel to present and overview of the Parma Research and Extension Center, and the collaborative research facility agreement and license goals and details. It was noted that the agreement is between the University and the J.R. Simplot Company and it will provide funding in the amount of \$300,000 for 2010 through 2014 for the Parma Research and Extension Center. The funds will be used to pay the University's labor, materials, and other operating costs directly applicable to management and operation of the land and facilities provided by the University under the agreement. The funds will contribute to costs associated with the University's overall maintenance of the Parma Center.

Dr. Hammel noted that the agreement with Simplot is sufficient to maintain operations at the Parma Center in the Field Crop area. UI is also working with other entities on modular agreements for future external operational support of the Specialty and Seed Crop industry, and the Tree Fruit and Table Grape industry. The overall result is that a full complement of UI research will continue at Parma. Dr. Hammel noted that as the University moves forward, all the funds will be from public and private sources, and non-state funded sources. Any further reductions in the University budget will not have any impact except perhaps when it comes to positions.

Board member Edmunds asked about intellectual property and how that will be handled. He suggested that Board policy would indicate that when Idaho's universities conduct research with industry, the financial earnings need to go to the university. This agreement builds a firewall that says that the research done by Simplot remains Simplot's, unless the University of Idaho is involved in the research. Kent Nelson explained that the language in this agreement is fairly standard language and that it works within Board policy. It is intended to convey to private industry the details necessary for them to understand. Mr. Nelson noted that the agreement is written in such a way that the private party has been advised.

Board Edmunds reported that he has asked Board staff to work with Board counsel to study the Board's policy related to this issue to make sure that it is clear. Dr. Nellis noted that he appreciates the Board's interest in looking at the policy further.

As a result of the action on item two, items three, four, and five were withdrawn from the agenda.

By unanimous consent the Board agreed to withdraw items three, four, and five.

3. Withdrawn

4. Withdrawn5. Withdrawn6. Second Reading, Amendment to Board Policy III.Y. -- Advanced Opportunities, Idaho Standards

M/S (Edmunds/Westerberg): To approve the second reading of the proposed amendments to Board Policy III.Y. -- Advanced Opportunities. Motion carried unanimously.

7. Establish an Assessment Oversight Committee to the Board

M/S (Edmunds/Soltman): To approve establishing a committee to oversee the statewide assessment system.

Substitute M/S (Luna/Atchley): To postpone this item to a date in the future. Motion carried unanimously.

BUSINESS AFFAIRS AND HUMAN RESOURCES**Section I – Human Resources**1. Proposed Amendments to Board Policy – Sections II.B.2; II.F.1-2; II.G.1; II.N. – First Reading

M/S (Westerberg/Edmunds): To approve the first reading of the proposed amendments to Board Policies II.B.2; II.F.1 and 2; II.G.1; and II.N. as submitted. Motion carried unanimously.

Representatives from the institutions were invited to comment on the policy revisions.

Joni Mina, representing the faculty at Lewis-Clark State College, reported that LCSC's faculty wholeheartedly opposes the policy revisions being proposed today. She observed that these revisions give permission to administrators to change contracts without due process and give administrators unfettered, unaccountable power. She suggested that essentially the language found in the financial exigency policy was simply placed into general policy. Ms. Mina pointed out that allowing administrators to change contracts in midstream, separate from financial exigency, will damage Idaho's higher education system by negatively impacting the retention and recruitment of faculty. Ms. Mini urged the Board to not approve these revised policies. She also suggested that if the policies do need to be changed, a collaborative effort and process should be undertaken that includes faculty, staff, and public scrutiny and input.

Alan Frantz, representing the faculty of Idaho State University, reported that ISU's faculty opposes the proposed policies because it renders contracts useless and undermines tenure. Dr. Frantz indicated that the resolution prepared by ISU's faculty states strong opposition to extending financial exigency authority to situations that are outside of financial exigency situations. He noted that ISU's faculty also recommended that there be a clearer definition of the entry point and exit point for when a financial challenge begins and ends. ISU faculty also recommend including language that allows each institution to draft language as to how a financial challenge will be managed.

Owen McDougal, representing the faculty of Boise State University, noted BSU faculty and staff expressed tremendous concern about the policy changes, and even more as to how the policy changes came about. BSU's Faculty Senate has approved the concept of participating in the

process of drafting changes to policy. Professor McDougal spoke about concerns related to the guarantee of salary in respect to tenure. The faculty of BSU requests the Board to seek an opinion from Idaho's Attorney General on the connection between tenure and salary. He noted that the faculty in the state of Idaho would welcome the opportunity to collectively participate in the drafting of policy and the revision of the current policy with faculty concerns being addressed.

John Miller, of the University of Idaho, urged the Board to understand the gravity of the present situation. He observed that the University's faculty is regularly advised of budget situations and they understand the seriousness of this present situation. He urged the Board to address the problem on the revenue side and not just the cost-cutting side. He touched on concerns related to temporary furloughs. Mr. Miller spoke about the language related to base salary reductions, and emphasized the point that permanent salary reductions should not be part of this policy. He discussed the importance, for the sake of recruitment and retention, to be able to offer a salary and guarantee it. Mr. Miller also spoke about the general provision that grants authority to the president to take various forms of action related to personnel, and noted that the president should not be given plenary power to make salary reductions. He pointed out that what is missing in the Board policy is the option for the employee to challenge the president's actions if it is in violation of the employee's rights. Mr. Miller observed, with respect to the provisions to the salary reductions, that those provisions imply that a president may choose to give any particular employee or group of employees a reduced salary in the coming year. He reiterated that permanent base salary reductions have no place in this policy. Mr. Miller pointed to several other places in the policy revisions that were not logical and suggested that they either be removed or clarified.

Board member Westerberg thanked the panelists for their input. He noted that the Board is up against the financial situation. He then invited the legal counsels from the institutions forward to comment. Kent Nelson of the University of Idaho noted that this has been an engaged process. He also noted that all of the institutions have great and hard working faculty. Board member Westerberg reminded the Board that this is a first reading of the policy. If it is approved on first reading there is opportunity to clarify the language and make non-substantive changes.

In terms of drafting issues, Kevin Satterlee of Boise State University agreed with Mr. Miller that some of the policies need to be clarified and adjusted. In terms of the tenure and salary issues, Mr. Satterlee agreed are there legal issues to be address. Mr. Nelson and Mr. Satterlee agreed that the Attorney General's opinion should be sought. They agreed that there is not good case law on this subject and no clear answer as to whether tenure protects year-to-year salary. Mr. Satterlee observed that if a salary is reduced so much that it appears tantamount to dismissal then it is a problem. He noted again that there is no clear authority on this and a ruling from the Attorney General would be advisable.

Section II – Finance

1. Amendment to Board Policy Section I.N.1. – First Reading

M/S (Westerberg/Soltman): To approve the first reading of the Idaho State Board of Education Governing Policies and Procedures, Section I.N.1, as submitted. Motion carried unanimously.

Board member Westerberg introduced this item.

2. FY 2010 Sources and Uses Report

Board member Westerberg introduced this item. He noted it is an information item. He asked the

institutions about federal grants that they receive. Board President Agidius asked the institutions to forward the details to the Board about what they have under the category of "Other" that appears in the list of sources. Board member Westerberg reiterated that he would like to know the amount of money the institutions get in research and development grants.

3. Amendment to Board Policy Section V.W. – First Reading

M/S (Westerberg/Soltman): To approve the first reading of Board Policy V.W. – Litigation, as submitted. Motion carried unanimously.

Board member Westerberg introduced this item and noted that change is intended to streamline the process.

4. University of Idaho – Wallace Residence Center Fire Detection, Alarm, and Suppressions System Improvement

M/S (Westerberg/Edmunds): To approve the University of Idaho's request to proceed with construction of the Wallace Residence center Fire Detection, Alarm and Suppressions System improvements, and to authorize the University to execute all of the necessary contracts to implement the construction phase of the project, for a total project budget not to exceed \$1,540,000. Motion carried unanimously.

Board member Westerberg introduced this item. Lloyd Mues of UI clarified that the source of funds is money that has been accrued specifically for this purpose.

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

M/S (Westerberg/Edmunds): To approve the request by Boise State University to revise the previously approved multi-media and marketing rights agreement with Learfield Sports Marketing as submitted. Motion carried unanimously.

Board member Westerberg introduced this item.

6. Student Tuition and Fees

M/S (Westerberg/Soltman): To waive Board Policy, Section V.R.1., only as it relates to requesting prior Board authorization for student fee increase requests in excess of 10%, for FY 2011. Motion carried unanimously.

Board member Westerberg introduced this item and explained that this action waives, for one year only, the need for institutions to give prior notice to the Board if they plan to request a fee increase greater than 10%. It is a result of the current financial crisis and the uncertainties yet to come. Board President Agidius noted that approval of this motion does not mean that the Board will approve fee increases.

Separate from this motion, Board member Westerberg suggested that there is a need to review this policy. Board President Agidius questioned whether the policy was necessary because it is redundant and micromanages the institutions. There were no objections from other Board members to that point. Board member Westerberg then requested that Board staff to start the process to have this policy removed from Board policy, and to come forward with that action at the next Board meeting.

DEPARTMENT OF EDUCATION1. Superintendent's Update

State Superintendent Luna discussed the Department's efforts to apply for "Race to the Top" grant funds. A handout was provided to the Board as Mr. Luna made his formal presentation. Mr. Luna explained the purpose of the funds and Idaho's vision for using the funds. He described Idaho's process in putting together the grant application. He noted that informational meetings are being held throughout the state through the month of December. Idaho's "Race to the Top" committee will meet after the information meetings have been conducted in order to review input and finalize the application.

MOU's will be made available to districts on December 21, 2009. Interested districts need to submit signed MOU's by January 12, 2010. The final application is due by January 19, 2010 and the first round of awards comes out in April 2010. States not receiving awards can reapply in June 2010.

Mr. Luna reported that Idaho's grant application is based on two major criteria: first, what Idaho has already done, and second, what Idaho still wants to accomplish. Mr. Luna reviewed the selection criteria and Idaho's priorities related to the grant. Those priorities include: improved standards and assessments; more robust data systems; focused and in-depth professional development for teachers and principals; incentives for teachers and principals; enhanced school improvement efforts; college and career readiness starting in the middle grades; and, dual credit opportunities for juniors and seniors.

Mr. Luna reported that the Department has a website for the public to access more information and provide feedback. He indicated that the Department is holding a webinar next week to allow schools across the state to listen to the presentation and ask questions. They can then meet to decide whether or not to sign the MOU. It will take a lot of effort on the local district level to take action on this, but Idaho has to adhere to the strict timelines it has been given.

Mr. Luna indicated that the Board President will need to sign the final grant application. The Board agreed to hold a separate meeting at a later date to address that issue.

2. Idaho Math Initiative Presentation

Cindy Johnstone of the Department presented to the Board on the Idaho Math Initiative, which is in its second year. Ms. Johnstone reported that the focus of the Math Initiative is student achievement, teacher education, and public awareness. The professional development class focuses on student thinking. It is estimated that by the end of year two, over 4,000 educators will have taken that class. Ms. Johnstone noted that regional math specialists have been hired to provide continued support.

Currently the Department looks at the ISAT data to see if the math initiative has made a difference. Other ways to make that determination include classroom observation by the regional specialists, teacher inventories conducted by teachers of their students, and the use of an outside evaluator. In addition, a pre-assessment and post-assessment tool will be used.

Ms. Johnstone discussed student successes using the intervention math tool called Apangea Learning. There have been significant increases in its use and the completion of its activities by students over the last two years. Other efforts funded by the Math Initiative are the Family Math Night kits and the Primary Math Assessment.

In terms of how this will fit with other science and math initiatives, Ms. Johnstone indicated that this methodology can be rolled into the various science, technology, and math initiatives. It is being explored by those groups. Mr. Luna explained that the Apangea program is available to students who excel as well as those who struggle.

On another note, as part of the math initiative, Idaho will have 44 students attending the Space Academy at a NASA facility in California. Mr. Luna indicated that there is a coordinated effort statewide in K-12 to make sure students and parents are aware of the math and science opportunities in Idaho. Many students have taken advantage of those opportunities. Board member Edmunds suggested that the Board come up with a comprehensive approach to communicate the various activities, and to engage the business community even more.

3. Accountability Workbook

M/S (Luna/Edmunds): To adopt the Idaho Consolidated State Application Accountability Workbook as submitted. Motion carried unanimously.

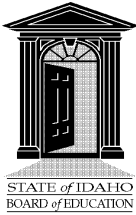
4. Idaho Special Education Manual

M/S (Luna/Edmunds): To adopt the changes to the Idaho Special Education Manual as submitted. Motion carried unanimously.

OTHER BUSINESS

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

M/S (Westerberg/Luna): To adjourn the meeting at 3:12 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
SPECIAL TELECONFERENCE MEETING
January 15, 2010
650 W. State Street
Office of the State Board of Education
Boise, Idaho**

A special teleconference meeting of the State Board of Education was held January 15, 2010. It originated from the Office of the State Board of Education in Boise, Idaho. The meeting was called to order at 11:00 a.m. with a roll-call of members. Board President Paul Agidius presided.

Present:

Paul Agidius, President
Richard Westerberg, Vice President
Ken Edmunds, Secretary
Milford Terrell

Don Soltman
Emma Atchley
Tom Luna, State Superintendent

Absent:

Rod Lewis

BOARDWORK

Federal Race to the Top Grant

M/S (Terrell/Westerberg) To support the submission of Idaho's Race to the Top Grant and to authorize the Board president to sign the application on behalf of the State Board of Education. Roll call vote taken; *motion carried unanimously.*

Mr. Luna reviewed the information he provided in a previous regular Board meeting regarding the Race to the Top Grant. He reviewed where the grant money comes from, how it can be spent, and what areas need to be focused on in order to make our application competitive. SDE received additional information 1/14/2010 from the U.S. Department of Education regarding the signature requirements for the grant.

The application due date is Tuesday, January 19, 2010. There are 60 school districts and 20 charter schools that have signed MOUs to participate. One district's MOU is in question regarding signatures. SDE is pleased with the level of participation.

Idaho's application request is for approximately \$120 million over four years. The state currently receives over \$400 million annually from U.S. Department of Education for K-12 schools in Idaho.

The grant request is approximately a 10% increase over a four year period of time. The focus of this application is standards, assessments, data systems, pay for performance for teachers, and higher level of accountability.

Mr. Edmunds asked what percentage of the student population in Idaho the grant includes. Mr. Luna indicated about 40%. The grant attracted more rural districts than larger, urban districts.

Mr. Edmunds asked about the timing of the approval for the grant application, and whether it is better to wait until June to provide an improved application or to continue and apply now? Mr. Luna answered that he is confident that the grant is of the quality to move forward today. He said it is important to participate in this first round so that, if Idaho is not awarded the grant in the first round, it has the opportunity to apply reviewer feedback and then reapply in June. Mr. Luna indicated there is about a 50-50 chance of receiving the grant.

Mr. Terrell commented that Secretary Duncan and this administration are taking a large stance on education and the opportunity of choice for kids. Mr. Terrell asked if applying for and accepting the grant, would there be strings attached that would overpower their authority? Mr. Luna stated that there is nothing in the requirements of the grant that are in conflict with the SBOE goals for education in Idaho, short term or long term.

Mr. Terrell followed up by stating that this federal administration is interested in pay for performance. Throughout the nation, it has been a political football. It supports where this Board has been headed over the last few years. He asked if Mr. Luna thinks this is going to make it easier to press the issue of pay for performance. Mr. Luna answered that it already has. Pay for performance has become a bipartisan issue. The Idaho Teachers Association helped put the application together, and they support this plan. Those in the past who have opposed pay for performance are now deciding that it is inevitable and that they should be involved. Over \$50 million of the grant will end up going to Idaho teachers.

Mr. Agidius stated that districts have the option to opt out in the first 30-day period, and asked if the application required all the signer's signatures to opt out? Mr. Luna indicated that it does not. He explained the 90-day process involved in response to Mr. Agidius's question. Mr. Agidius followed up by asking what the major reason was that other districts did not participate. Mr. Luna answered that the one district not participating was not able to get all three signatories to sign. That district's biggest concern was pay for performance. Another concern was sustainability. Under this grant, funding for ongoing programs will not be sustainable, including pay for performance.

Mr. Edmunds asked if Idaho would be implementing policy changes, including revisions in high school and college requirements. Mr. Luna stated that there is nothing that requires us to change high school graduation requirements. Over time, we do need to raise our standards for graduation, but it is not a requirement of the grant. Mr. Luna indicated that we are continually looking to raise high school graduation expectations, that could mean a number of things, but it does not require us to change our high school graduation requirements. Before the Race to the Top Grant was being discussed, Idaho agreed to discuss common core standards with 46 other states. Those would be state-developed, and states would choose to participate or not, and they would be internationally benchmarked. Idaho would do this with or without the grant. Mr. Edmunds indicated he was in favor of that.

Dr. Rush stated that we pulled up the minutes on this topic and it was presented as an information item because Mr. Luna stated that the collaborative group of states got together and formulated the standards, but the Board would have to then approve those. Mr. Luna stated that it does not obligate the Board to adopt them.

Mr. Edmunds commented on summative assessments. If Idaho cannot use grant money to do that, how would we go about getting that funding. Mr. Luna confirmed that SDE cannot use Race to the Top funds for summative assessments and is not planning to use state funds for this. There is a separate federal grant that will be used for summative assessments. Carissa Miller was invited to the table to explain those grants.

Mr. Edmunds asked if the SLDS grant and the Race to the Top Grant conflicted in any way. Mr. Luna answered that in order to hit every point necessary in the Race to the Top Grant; SDE had to explain how to deliver on the SLDS currently under construction in Idaho. SDE discussed this with the U.S. Department of Education who assured SDE that including that in the application would not be duplicative.

Mr. Edmunds asked what policy revisions are being implied by approval of the grant. Mr. Luna indicated he did not know of any policy implications, and that discussions had taken place regarding the possibility of some Board action in moving toward common core standards. Mr. Luna further indicated that pay for performance and SLDS would not require policy changes and there is nothing in state law or Board policy requiring approval to implement these changes. Some districts are already doing pay for performance.

Mr. Agidius asked if the Board needs to sign off on any of the districts' plans. Mr. Luna answered that, no, the local boards will need to do that.

Mr. Edmunds asked if it would be detrimental for pilot programs starting and then ending at the end of the grant. Mr. Luna answered that the only one that is detrimental is pay for performance. This will answer the question whether pay for performance is successful or not. This will provide data to answer the question of whether pay for performance makes a difference in student achievement.

Ms. Atchley asked what activities or incentives will come out of the grant that will be available to the districts who did not sign MOUs to participate in the Race to the Top Grant, would there be positive outcomes from the grant that can be adopted statewide? Mr. Luna answered in the affirmative and that there are a lot of things SDE desires to implement whether the grant is awarded or not. He further indicated that formative assessment, Program for International Student Assessment (PISA), funding for 11th grade ACT, SLDS, all these will be statewide and will benefit all districts whether participating in Race to the Top Grant or not. These things will be one-time expenditures and we will benefit from those for many years. ACT funding will not be funded beyond the grant, nor will pay for performance, professional development, etc.

Ms. Atchley indicated that the grant appears as a positive activity. Mr. Luna also added that all participating districts will allow juniors and seniors to take six college credits each year through dual credit.

Mr. Luna thanked the Board for reviewing the application and asking very informed questions. Dr. Rush introduced Roger Brown, Policy Advisor for education in the Governor's office. Dr. Rush also stated that several MOUs have been signed by himself on behalf of the Board. Those will need to be approved by the Board at the February Board meeting.

Mr. Edmunds stated that IBCEE recommendations have not been approved by the Board.

M/S (Terrell/Atchley): To adjourn this special meeting of the Board at 11:51 a.m. Motion carried unanimously.

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