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 September 28, 2010 Special Board meet, the October 13-14, 2010 Regular Board meeting and the November 17, 2010 Special Board meeting as submitted.

3. Rolling Calendar

BOARD ACTION

A motion to set December 7-8, 2011 as the date and the College of Western Idaho as the location for the December 2011 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
September 28, 2010
Special Teleconference Meeting
Boise, ID

A special teleconference meeting of the State Board of Education was held September 28, 2010. It originated from the Board office in Boise Idaho. Board President Richard Westerberg presided and called the meeting to order at 10:05 a.m. A roll call of participants was taken.

Present:

Richard Westerberg, President
Don Soltman, Secretary
Milford Terrell
Rod Lewis
Ken Edmunds, Vice President
Paul Agidius
Tom Luna, State Superintendent
Emma Atchley

A roll call of participants was conducted. Ken Edmunds joined the meeting in progress.

REGULAR BUSINESS

Temporary Rule – IDAPA 08.02.03.004.07, Incorporated by Reference – Idaho Standards Achievement Tests – Alternate (ISAT-ALT) Reading, Language Usage, Mathematics, and Science

M/S (Agidius/Lewis): To approve the Proficiency Level Achievement Scores and Performance Level Descriptors for the Idaho Standards Achievement Tests-Alternate in Reading, Language Usage, Mathematics and Science, as submitted. Motion carried unanimously.

M/S (Agidius/Lewis): to approve the temporary rule IDAPA 08.02.03.004.07, Rules Governing Thoroughness, Incorporation by Reference, the Idaho Alternative Assessment Extended Achievement Standards, as submitted. Motion carried unanimously.

Tom Luna introduced this item. He noted that Carissa Miller from the State Department of Education was available to answer questions and provide more detail.

M/S (Agidius/Edmunds): To adjourn at 10:11 a.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
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DRAFT MINUTES
STATE BOARD OF EDUCATION
October 13-14, 2010
Lewis-Clark State College
Williams Conference Center
Lewiston, Idaho

A regularly scheduled meeting of the State Board of Education was held October 13-14, 2010 at Lewis-Clark State College in Lewiston, Idaho.

Present:

Richard Westerberg, President
Don Soltman, Secretary
Emma Atchley
Rod Lewis
Ken Edmunds, Vice President
Paul Agidius
Milford Terrell
Tom Luna, State Superintendent

Wednesday, October 13, 2010

The Board meeting was called to order at 2:15 p.m. on Wednesday, October 13, 2010. The meeting was held at Lewis-Clark State College in the Williams Conference Center.

BOARDWORK

1. Agenda Review and Approval

By unanimous consent, the agenda was approved as posted.

2. Minutes Review and Approval

M/S (Soltman/Atchley): To approve the minutes from the August 11-12, 2010 Regular Board meeting and the August 17, 2010 Special Board meeting. Motion carried unanimously.

3. Rolling Calendar

M/S (Edmunds/Soltman): To set October 19-20, 2011 as the date and Lewis-Clark State College as the location for the October 2011 regularly scheduled Board meeting. Motion carried unanimously.

PERFORMANCE MEASURE PRESENTATION

Board member Soltman introduced this item. He introduced Selena Grace of the Board office to present the detailed report. She indicated that selected data relevant to the Board's strategic plan was included in her presentation. It was noted that additional information related to the performance measures reports for each institution and agency are included in the Board's agenda materials.

Representatives of all the institutions and agencies came forward to comment and respond to questions. Ms. Grace asked the Board members, and the institution and agency representatives to let her know what additional types of data they think should be included in future reports.

Board President Westerberg raised a question about how the benchmarks were set. Ms. Grace explained that this effort is the first go-around of setting truly attainable benchmarks; identifying relevant and meaningful benchmarks is the goal. They came out of the discussions that were conducted by the Board. Some goals are annual, others are long-range. Board member Edmunds asked the Board to have goals that stretch over a period of time

Mr. Westerberg asked how each of the benchmarks tied to the strategic plans of the agencies and institutions. Executive Director Rush pointed out that the benchmarks the Board is looking at were set in April, 2010. The data being reported at this meeting is from FY 2010; so this data is not specifically tied to the benchmarks set last spring.

Goal I – Objective A:

The Board agreed it would be helpful to aggregate the data being provided it so that Board can use it for accountability and decision making.

Board member Lewis noted that the report demonstrates increases without perspective in terms of what is going on in the environment, for example population growth and other demographics. Dr. Kustra of Boise State University indicated that the performance measures report from BSU does include the demographic perspective.

Board member Edmunds noted that access and affordability seem to be lumped together. Ms. Grace explained it that the institutions serve various populations, so feedback from the Board on this point will help the Board staff to know what to collect and report in the future. State Superintendent Luna reminded everyone that all the high schools and colleges will be connected to the Idaho Education Network (IEN) in the next few years which will make it possible to collect and report the data.

Dr. Vailas of Idaho State University suggested the Board set up a workshop or some other venue to explain exactly what standard it wants the institutions and agencies to follow so they all know exactly what the Board would like to have in terms of data. That would help achieve some level of conformity.

As a side note, Representative John Ruchti was acknowledged in the audience.

Goal I – Objective B:

Board member Soltman noted that the benchmarks apply to secondary education and wondered if they are attainable. Mr. Luna explained that the class of 2013 is required to take

one of three tests during their high school career. He pointed out that Idaho is a bit above the national average. While the goal is high, and not an easy goal to achieve, it is a realistic goal. That goal demonstrates the Department's best efforts to have all students be proficient.

Board member Atchley asked about the rating of instructors based on this metric, particularly the possibility that teachers are teaching to the test. Mr. Luna reported that these are the standards which have been identified as what students need to know; they are comparable to others nationwide. Once the standards are indentified, the curriculum is aligned to the standards. He explained that local schools and districts choose which textbooks they want to use in order to make sure those standards are taught and met.

Board member Edmunds asked about the WWAMI program and how to incentivize more students to come. A WWAMI representative was invited to comment. He noted that each state in the WWAMI program has a different incentive program. He explained that Idaho's incentive program includes loan repayment. The hope is that the fund will grow large enough to be a good recruitment tool to bring physicians back into Idaho. Mr. Edmunds suggested they be more aggressive.

Mr. Edmunds expressed concern about the need for more math and science teachers, and how the Board might solve that problem. Mr. Luna indicated that IEN will help deliver high quality instruction without having to have a teacher move to that location. Another idea is for the Colleges of Education to find ways to attract students already in math and science degree programs into teacher education programs. Mr. Luna indicated that discussions have and begun on this point. Some of the Colleges of Education are already working to find a way offer graduates a quick transition and route to attaining a teaching certificate. It was noted that a career ladder needs to be in place for the hard-to-fill teacher positions and incentives to attract them.

On that same note, Ann Stephens of the Division of Professional-Technical Education explained that the Division is looking at alternative ways to qualify teachers in the technical programs; for example in agriculture, engineering and technology. This allows people to be successful in entering the teaching profession, while at the same time meeting the need.

Ms. Grace indicated that there is nothing specific in the Board's current strategic plan that targets the recruitment of people into teacher education, but that can be added.

Goal I – Objective C:

Board member Lewis asked about the benchmark for weighted cost-per-credit. Ms. Grace clarified that the data provided in this report is from a prior year, before that benchmark was indentified. It will be included in future reports.

Board member Edmunds commented on the number of students attending research institutions and raised the point of effective and efficient delivery of education. He wondered if there is an optimum size for a university in terms of enrollment. Dr. Vailas pointed out that the issue of efficiency and the cost of delivery of education is complicated. Some institutions nationally have a requirement for the number of online courses they must offer; that helps keep the cost down for the student. Other factors impacting efficiency include the lack of resources, lack of classroom space, and the lack of instructors.

Dr. Kustra commented that there have been a number of discussions related to retention data. He pointed to the need to put the strategic plans in perspective in terms of each of the

institutions. The different institutions have different retention rates based on the local economy, location, demographics, etc. He reminded the Board that metropolitan universities are different because they are more likely to have students who commute each day, and purposely attend part-time to obtain their education or their degree. Colleges and universities that are not metropolitan are more apt to have students who live on campus and attend full-time. He reminded the Board of the importance of comparing Idaho's institutions to peer institutions in terms of retention, and not to each other.

Dr. Beck of the College of Southern Idaho explained that CSI was dependent on capacity building and workload adjustment funds. Over the past three years those funds have diminished. As a result, CSI's student fees will ultimately surpass what the College gets through state funding and local tax dollars.

Board President Westerberg pointed out that the objective is to see more graduates. He suggested that the data is already available to back-into the cost-per-credit detail that Mr. Lewis asked about.

Board member Lewis noted that from a big picture standpoint, the Board needs to determine if the overall system in place now meets the needs. The Board must continue to identify where the gaps and needs are, and determine what to do about those. A recent example is how the College of Western Idaho filled a gap; now it is being flooded in terms of enrollment which shows how great the need was and is. Mr. Lewis suggested that the Board look around the country to see how other education entities went about the effort of assessing their existing higher education structures and implementing change. Mr. Westerberg commented on the need to have data, based on best practices, drive those efforts and conclusions.

Mr. Lewis raised a question about the 60% goal. Dr. Rush explained that the 60% goal is part of the Complete College America effort. It includes initiatives that have been suggested nationally. Each initiative requires significant work in order to carry it out. The Board office will need 1.5 FTE to work on this. Dr. Rush is optimistic the Board can make progress on meeting this goal.

Goal I – Objective D:

Board member Edmunds asked about the percentage of high school graduates and the current benchmark being used. Ms. Grace noted that one of the next steps of the Complete College America effort relates to steps states can take to meet the goal. Mr. Edmunds suggested that the transition number is too low. Ms. Grace will follow up on that point.

Goal I – Objective E:

Related to remediation, Mr. Luna indicated that there is a perception that the community colleges are there primarily to provide remediation to students so they can go onto university. He suggested should not be the role of community colleges; it's unacceptable for high schools to graduate students who need remediation in the first place.

Board member Soltman indicated that it is important to identify the schools and districts that are graduating students who need remediation. Mr. Luna noted that the Longitudinal Data System will provide that kind of detail. Mr. Luna pointed out that one of the goals of the common core standard is that schools make the student college-ready. He went on to ask the institutions to look at those common core standards to make sure that they are focused in the right area and that they will achieve their purpose. If those are not the right standards, the Department needs

to know.

Ms. Grace explained that Idaho doesn't have a single threshold for when remediation is required; institutions identify their own. Dr. Rush pointed out that the institutions may even have programmatic thresholds based on the course or program. He also suggested that is not a bad thing because different programs have different requirements. He noted that the SAT and ACT tests don't even measure the same things; and the COMPASS is different from both of them. Mr. Luna explained that when Idaho adopts the common core standards, the assessment tool will be redesigned as part of the effort.

In terms of the benchmarks in the STEM area, they are tied to degrees in the STEM areas, but not to the specific fields. This is a point to follow up on. Ms. Grace noted this is an area that needs more analysis to determine what specific data needs to be collected.

Board member Edmunds indicated that the Board needs to determine how to identify the state workforce needs. In terms of what degrees or certificates are needed, Dr. Rush pointed out that it is difficult to determine what the future needs will be. He explained that the Department of Labor methodology for predicting job growth is restricted. Their study strategy doesn't reflect changes in employment based on developments in research or jobs associated with new occupations. However, for short-term training jobs and occupations, their data is good.

Dr. Rush discussed a study out of Georgetown University which was a very sophisticated analysis of the workforce data. Dr. Nellis of the University of Idaho commented on a report from the National Academy of Sciences built on the Rising Storm study. It suggests that Idaho is falling behind in meeting the need in every area: four-year degrees, technical degrees, certificates, etc.

Goal II – Objective A:

Dr. Kustra pointed to a difficulty between Goal II and Objective A. Critical thinking suggests that it's a goal that should impact every student; yet it's measuring competitive grants and others that only touch a small number of students. He raised a question as to whether there is enough of a relationship between the objective and measurement. If this plan is a work-in-progress he'd suggest going back to make sure this objective has a meaningful performance measure.

Dr. Tony Fernandez of Lewis-Clark State College indicated that LCSC had the same issue with this performance measure. LCSC gives a test every three years that measures students against other students in terms of critical thinking.

Dr. Vailas suggested that one measure should show how competitive the students are versus how competitive the faculty is. One way to measure that is the awards or recognitions earned by students.

Board member Lewis suggested this goes back to quality and asked how the institutions measure that. Research is not an adequate proxy for this. Dr. Nellis agreed that competitive research is only one point; graduation rates, placement rates, acceptance rates at law school or graduate school, and how they compare nationally with other scholars are others. UI has been having further discussion as to what metrics they want to track.

Dr. Vailas added that this is very important and some time should be devoted to this. It is not only important to the institutions, but also in terms of educating the public about this. There needs to be a way to profile success and focus on the quality issues. Dr. Nellis pointed out that

it varies by mission and by institution, and by the curriculum they participate in.

Board President Westerberg noted that there was agreement that this objective needs more refinement. He indicated this would be an interesting topic for the IRSA committee to discuss.

Mr. Edmunds suggested there is a quantity versus quality issue that has not been addressed.

Goal III – Objective A:

Board member Edmunds raised a point about the Longitudinal Data System, suggesting that the Board be aggressive in expanding it beyond the K-12 system.

At the conclusion of the presentation and discussion, Board member Soltman thanked Ms. Grace and other Board staff for the time and effort put into this presentation.

At 5:30 p.m. a motion was entertained to hold an Executive Session.

M/S (Edmunds/Luna): To go into Executive Session at 5:30 p.m. for the purpose of:

(1) Related to Eastern Idaho Technical College -- pursuant to Idaho Code Sections 67-2345(1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member, or individual agent, and pursuant to Idaho Code 67-2345(a) (d) to consider documents that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.

(2) Related to the State Board of Education -- pursuant to Idaho code Section 67-2345(1)(b) to consider the evaluation of a public officer, employee, staff member, or individual agent, and pursuant to Idaho Code Section 67-2345(1)(a) to consider a public officer, employee, staff member or individual agent.

A roll call vote was taken; motion passed unanimously.

During Executive Session, the Board considered the following: (1) related to Eastern Idaho Technical College, a personnel issue and documents exempt from public disclosure; and (2) related to the State Board of Education, a personnel issue.

The Board went out of executive session at 7:00 p.m. and adjourned for the evening.

Thursday, October 14, 2010

The Board reconvened at 8:00 a.m. to take up regular Board business. Board President Westerberg presided. He recognized Representative Liz Chavez from Lewiston who was in the audience. Mr. Westerberg then took an opportunity to comment on various events, initiatives, and accomplishments that have taken place at the institutions and agencies over the past few months.

OPEN FORUM

Chris Ellis, Northwest Career Colleges Federation, addressed the Board. She thanked the Board for the work done over the past few years to bring credibility and accountability to the private and career colleges in Idaho. She noted that there are still several changes that need to be made in Idaho Code to improve the situation. One has to do with exemptions based on how often a class is offered, the second is in section 33-2408 related to contemplated actions, and

the third is found in section 33-2409 regarding penalties. She will work with the Board office on those changes.

Paul Joyce, Vice Chair of the University of Idaho Faculty Senate, addressed the Board. He read a letter written to Dr. Cole, Chair of the ISU Faculty Senate in response to recent reorganization efforts at ISU. The letter spoke about ISU's IGAC and the proposed plan to create four new committees. The letter urged ISU to maintain the critical role of the faculty in that effort.

Dr. Harold Crook, Faculty Chair of Lewis-Clark State College addressed the Board. He talked briefly about governance. He noted that they favor innovation in higher education and finding ways to improve education. He suggested that ISU's IGAC's effort to create four new committees is a mistake. He pointed out that faculty are in charge of curriculum and research. He advocated for stronger faculty governance; strengthening the faculty senate is essential.

Dr. Owen McDougal, Chair of the BSU Faculty Senate addressed the Board. He discussed the cooperative effort between BSU's faculty and administration in the past to accomplish equity and to include the input and views of the faculty. He suggested that the present situation at ISU is the same in that time needs to be spent to address concerns and to involve faculty in the reorganization process. He noted that the primary purpose of higher education is to improve and provide quality education in Idaho. He observed that a good leader must not only have the idea, but also be able to get constituent buy in, and then implement change and endure transition. Without buy-in, change can happen but it leads to chaos and crisis. He encouraged that the Board assign an external mediator to help resolve the situation at ISU.

DISTINGUISHED SCHOOLS & ADDITIONAL YEARLY GROWH AWARDS

The Board took this opportunity to announce the Distinguished School Award and the Additional Yearly Growth awards as follows:

<u>2010 Idaho Distinguish Schools</u>

- Peregrine Elementary School, Meridian Joint School District
- Whittier Elementary School, Boise Independent School District (Principal Derek Gardner was on hand to receive the award in person.)

<u>2010 Idaho Additional Yearly Growth Schools</u>

- Hailey Elementary School, Blaine County Joint School District
- Mountain View Elementary School, Cassia County Joint School District
- Peregrine Elementary School, Meridian Joint School District
- Whittier Elementary School, Boise Independent School District (Principal Derek Gardner was on hand to receive the award in person.)
- Priest River Lamanna High School, West Bonner County School District (Principal Shelly Brooks was on hand to receive the award in person.)
- Horizon Elementary School, Jerome County School District
- Downey Elementary School, Marsh Valley School District
- Jefferson Elementary School, Pocatello/Chubbuck School District
- Winton Elementary School, Coeur d'Alene School District

CONSENT AGENDA

M/S (Terrell/Edmunds): To accept the consent agenda as modified. Motion carried

unanimously.

Board member Lewis asked to move item 7 of the Consent Agenda to the regular IRSA agenda to allow for further discussion.

By unanimous consent, the Board agreed to this action.

1. BAHR – Section I – Boise State University – New Positions

By unanimous consent the Board approved the request by Boise State University for eight (8) new positions (8.0 FTE) supported by appropriated and local funds and to increase the term of four (4) positions (4.0 FTE) supported by appropriated and local funds.

2. BAHR – Section I – Idaho State University – New Positions

By unanimous consent the Board approved the request by Idaho State University for eight (8) new positions (7.5 FTE) and a title change on one (1) faculty position (1.0 FTE) supported by grant, local and appropriated funds.

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

By unanimous consent the Board approved the request by the University of Idaho to establish eight (8) new positions (8.0 FTE) supported by appropriated and non-appropriated funds.

4. BAHR – Section I – Lewis-Clark State College – New Positions and Change to Positions

By unanimous consent the Board approved the request by Lewis-Clark State College to establish two (2) new positions (1.40 FTE) supported by grant funds.

5. BAHR – Section I – Eastern Idaho Technical College – Change to Position

By unanimous consent the Board approved the request by Eastern Idaho Technical College to change one (1) position (1.0 FTE) supported by appropriated funds.

6. BAHR – Section II – FY 2010 Carryover Funds

By unanimous consent the Board approved the requests by Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, Idaho Dental Education Program, UI Agricultural Research and Extension Service, and WWAMI Medical Education Program, to carry over authorized but unspent non-General Funds in the amounts specified in the agenda materials from FY 2010 to FY 2011 and to be used for non-recurring expenditures.

7. MOVED TO the regular IRSA agenda

8. PPGAC – Alcohol Permits Issued by University Presidents

By unanimous consent the Board accepted the report as submitted.

PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS

1. Lewis-Clark State College – Annual Report

Interim President Tony Fernandez presented the LCSC annual report. He was joined by Harold Crook, Chair of Faculty Senate, Jonelle McCoy, Associated Student Body President, and Sandra Koepl, Associated Student Body Vice President.

Dr. Fernandez summarized the role and mission of the College. He noted the primary areas of emphasis at the College include nursing, professional technical education, teacher education, and social work education. He highlighted points of the College's strategic plan and indicated it is an excellent fit with the Board's strategic plan. Dr. Fernandez discussed the planning process noting that input is collected from stakeholders including teachers and students. In addition to this process there are administrative initiatives/guidances that are underway.

Dr. Fernandez reported that the College had a successful accreditation last year. The final report was presented this past spring in Seattle to Dr. Thomas, Dr. Fernandez, and Chet Herbst. It included six commendations. There was one recommendation to continue to develop measureable learning objectives and appropriate assessment measurements consistently across the curriculum, and use the results to improve teaching and learning at the College.

Dr. Fernandez indicated that there is specialized accreditation of some of the College's programs including B.S. Nursing, Teacher Education, Medical Assistant, and Practical Nursing. He also noted that the professional technical programs are meeting workforce needs with a placement rate of 91%. Related to outreach, classrooms have been set up in Coeur d'Alene in coordination with North Idaho College and the University of Idaho.

Dr. Fernandez discussed the efforts of the College in the areas of research, grants, and funding. There is an advancement campaign underway by the LCSC Foundation. He thanked the professional, classified, and teaching staff of the College. He also thanked the students of the LCSC for their dedication to the College, the community, and to education in Idaho.

Board member Terrell thanked Dr. Fernandez for his report.

2. Presidents' Council Report

Burton Waite, President of Eastern Idaho Technical College, reported to the Board on behalf of the Presidents' Council. He noted that the Board agenda included highlights of items covered at the recent Council meetings. He reported that the Council met with the Governor; one clear message from that meeting was that the knowledge that is created out of the higher education institutions of Idaho is a driving force for the economic health of the state. Those efforts need to be supported and emphasized.

Dr. Kustra added that BSU Provost Sona Andrews has accepted another position out-of-state and will be leaving BSU. Dr. Martin Schimpf, Dean of the College of Arts and Sciences, will be the Interim Provost.

3. Idaho Commission on Hispanic Affairs – Three-Year Comprehensive Education Plan

M/S (Edmunds/Atchley): To accept the Three-Year Comprehensive Plan as provided by Idaho Commission on Hispanic Affairs. Motion carried unanimously.

Margie Gonzales appeared to discuss the work being done to address the academic gaps in Idaho. She is the Executive Director of the Idaho Commission of Hispanic Affairs. Ms. Gonzales provided a brief background of the work of the Commission over the years. She introduced Ms. Lisa Salazar to present the report.

Ms. Salazar noted that Hispanic students in Idaho lag behind their counterparts in basic areas. The Hispanic population in Idaho is growing. She reported that a summit was conducted on "Educational Excellence About Hispanic Affairs" which provided educators, community leaders, policy makers, and interested members of the public with a forum for networking and exchanging information about current education issues and needs within the Hispanic community. A follow-up report, "Bridging the Educational Gap for Hispanic Students in Idaho: Three-Year Comprehensive Plan," resulted.

Five areas of focus are identified in the plan: Standards and Accountability, Programmatic Initiatives, Pipeline for Teacher Training, Pipeline for Community Empowerment, and Pipeline for Infrastructure. The plan aligns with the Board's strategic plan goal of a well educated citizenry and the objectives outlined therein. The plan looks at proficiency in elementary and secondary education, high school dropout rates, and go-to-college rates for Idaho's Hispanic populations. The details of the plan have been provided to the Board.

Board member Terrell referred to ISAT data related to 10th grade reading scores and noted the drop in the scores for all students. State Superintendent Luna responded by pointing out that when the Board decided to eliminate the ISAT Fall Test, students no longer had the opportunity to take the test twice and bank their results. Mr. Terrell asked about bringing the test back. Mr. Luna indicated that the partnership that Idaho is working on with other states will completely revamp the testing system over the next two to three years. Spending money on assessments that have been eliminated doesn't make sense. It makes better sense for funding be directed to future efforts.

Ms. Salazar indicated that Board support for the Commission's efforts would be helpful in getting schools to provide the Commission with the information it needs to do its work. Mr. Luna suggested that support must come from the highest level: the Governor's Office and the Legislature. He also noted that with the Longitudinal Data System in place, it will be easier to track how districts are using their dollars for Limited English Proficient students. He suggested that the state can outline the expectations and then address how the districts meet those expectations based on what the districts do to meet them. Ms. Gonzales noted that the data system will help them to know what types of measurable successes are helping to close the gap. Ms. Gonzales reiterated that the Commission is looking for a statement of support or an endorsement of its work; not funding.

Board member Lewis thanked the Commission for its persistent efforts. He asked if the plan addressed the cultural aspect of student learning in terms of helping parents to better understand, endorse, and convey to their children at home the importance of education. Ms. Gonzales indicated that there are a number of programs that were taken statewide to help train parents about their role and responsibilities.

Ms. Salazar noted that the average Hispanic parent has also changed their perspective on education over the years. They feel more empowered about their own options. Through various programs, parents are demonstrating a buy-in for their children to continue their education beyond the 8th grade, even going onto college.

Mr. Lewis encouraged that funds be directed towards the cultural aspect of the issue to continue changing the vision and goals. Mr. Luna noted that it's not necessarily that the culture doesn't value learning; the system needs to put an emphasis on making sure that students see relevance in what they are being taught, particularly for students in middle school and high school where you start to see students dropping out.

Mr. Edmunds reiterated that the Commission is not asking for funding from the state. He asked if the Commission will seek grant funding or partnerships and sponsorships. Ms. Gonzales indicated that they have partnerships and sponsorships in place, but will appreciate more involvement.

4. Legislative Process

Mark Browning of the Board Office presented this item. Board member Terrell expressed concern that only a few members of the Board determine what legislation will go forward. He strongly urged that every Board member be heard in terms of legislation. He recognized that timing can be an issue, but a process needs to be put into place to handle such situations.

Board member Soltman suggested an option would be for staff to conduct the requests through the Board President. Mr. Lewis noted that the Executive Committee and the President have the responsibility to consider items, but he agreed with Mr. Terrell that the whole Board needs to be involved.

Board member Agidius indicated that it was not possible to get a polling of the Board without violating the open meeting law. Mr. Terrell noted that the Board did talk about having workshops by phone, teleconference, or email in order to talk about these things. Even a special meeting would be a good venue, but it requires a 24 notice. Executive Director Rush indicated that another issue is proposals that come from legislators who are not ready to make those ideas public. Those would be problematic situations whereas the mature pieces of legislation would be easy to take to a special meeting.

Mr. Agidius suggested the problem still exists as to how information that is not ready to be made public can be shared without violating the open meeting law. Board counsel advised that personal conversations between Board members run the risk of being considered serial meetings.

Mr. Lewis indicated that the role of the Board President or staff is to be in those meetings with legislators. It was agreed that the Board President or staff could communicate that the Board would consider the idea, while emphasizing that they are not suggesting that there will be full Board support for the idea when it comes to a vote.

Executive Director Rush suggested that rather than entertaining a motion on this item, the Board be more aggressive in having special meetings to discuss possible legislation. Mr. Westerberg pointed out that if the Board can't be nimble and responsive to the Legislature, it becomes ineffective. He also suggested that there be routine special meetings during the legislative session to routinely talk about what comes up during the session. Mr. Lewis agreed that was a good idea. Dr. Rush indicated that the end of each week is the best time in terms of the legislative cycle.

At this time Ann Stephens introduced Dr. Vera McCrink, the new Associate Administrator for the Division of Professional-Technical Education. Dr. McCrink was formerly the Dean of Professional-Technical Education programs at the College of Western Idaho.

5. Legislation 2011

M/S (Soltman/Terrell): To roll all of the proposed changes into one motion and 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.

Tracie Bent of the Board Office pointed out that the language of the legislative items presented here was previously reviewed.

Board member Edmunds clarified that the use of performance based budgeting does not require any legislative decision making, but is a decision made by the Board. He also clarified that in order to move forward on the Longitudinal Data System, higher education money will need to be used. Matt Freeman of the Board Office explained that in order to use any funds out of the higher education budgets, the Board would have to work with JFAC and legislative staff to get the legislative intent language written into the legislation. Dr. Rush indicated that the strategy that could be employed in this case is simply to create some legislative intent language that would allow for the flexibility to come up with the solutions the Board thinks might need to be implemented in 2012 for a Longitudinal Data System. Mr. Freeman explained that by November 1 the Board staff should have a better idea of what amount might be needed. He shared that one concept that is being looked at is to use some of the technology incentive money.

Board member Soltman clarified that legislative intent language would be brought to the Board at the December meeting. Board staff confirmed that point.

6. Board Policy I.E. – First Reading

M/S (Soltman/Agidius): To approve the first reading of proposed amendments to Board Policy Section I.E. Executive Officers with the understanding that the wording would be changed to reflect the view of the Board. Motion carried unanimously.

Board member Soltman presented this item. Board member Lewis referred to the policy and noted that the new language appears to make it possible for executive officers to receive supplemental salary compensation from other sources as long as they inform the Board. He suggested that it is important to define what supplemental salary compensation actually means.

Ms. Bent explained that the purpose of the language is for clarification of the intent. It is intended to make clear what activities are allowed, and that executive officers loyalty is to the Board and their duties as institution presidents.

Board member Lewis indicated he appreciated the attempt to clarify that point. He suggested that this item be deferred to allow for those changes to be made. He agreed that it would be okay to approve this item for first reading with the understanding that the language would be changed to address his concerns.

7. Board Policy I.J. – First Reading

M/S (Agidius/Soltman): To approve the first reading of proposed amendments to Board Policy Section I.J. Use of Institutional Facilities and Services as submitted. Motion carried 5-3 (Luna, Terrell, and Lewis voted Nay).

Board member Soltman presented this item. It was suggested that prior to the second reading language be included to clarify the serving of alcohol in suites.

Board member Lewis noted it was not clear to him that by inserting these requirements into policy how the rest of the restrictions regarding to serving alcohol at other events would apply. Ms. Bent clarified that all the other rules and restrictions would remain in place. This item simply allows for these specific pre-game football events.

Mr. Lewis asked for clarification on a number of points. How does paragraph 5 apply to what is put into paragraph 6? How do paragraphs 8, 9, 10 fit? What is meant by permitted events? In paragraph 10, where it says "sales will be confined to a certain area", what does that mean? Ms. Bent agreed to take another look to make sure that the language covers everything and that it is specified. Mr. Lewis asked if staff had gone through all the other permitted events to see what is applicable. He suggested it be thoroughly reviewed in the rest of the policy to make sure it is as thorough and consistent throughout. Ms. Bent agreed to follow up with that.

Board member Terrell asked what precipitated bringing this to the Board. Mr. Soltman noted that on a regular basis the Board gets requests to waive policy for these events. As a result of discussions by the Board, the Board determined to make a change in the policy. Mr. Terrell indicated that each institution has unique requests and that a single policy that sets forth a standard doesn't allow for the differentials. He would like to see more evidence that this will be helpful and that there are not loopholes.

Mr. Lewis noted this policy looks like it applies to all student athletic events. Ms. Bent indicated that was an oversight on her part; she will correct the first paragraph as it is meant to only apply to football games. Mr. Lewis indicated he will vote against the motion because he would like to see it better crafted. Mr. Terrell indicated he will vote against the motion because he has concerns about the need for the policy.

8. Idaho State University – Faculty Governance

Dr. Phil Cole, Chair of the Faculty Senate, and Michael Ellis, Vice Chair of the Faculty Senate appeared. Dr. Cole read a prepared statement, which was previously provided to the Board members related to ISU's IGAC report. Board President Westerberg pointed out that this is not an action item. The Board is not in a place to either accept or not accept the IGAC report. It is a work-in-progress.

Dr. Vailas responded that various faculty were involved in the effort. He accepted the report from scholars who studied the issues and agreed there are things that need further review in the report. Dr. Vailas pointed out that the real issue in this performance based operation concerns the role of the faculty senate versus the role of the colleges as the institution is restructuring.

AUDIT

1. Presentation of Institution Financial Statements

Board member Lewis introduced this item. All of the institutions were invited to present their FY 2010 Financial Statements and respond to questions. A copy of each presentation was provided to the Board for their information and review.

Stacy Pearson presented the FY 2010 Audit Summary for Boise State University. Board member Edmunds asked for clarification about the cost for a student to attend BSU. Mr. Lewis noted a reduction based on the transfer of the community college function to the College of Western Idaho.

Jim Fletcher presented the FY 2010 Audit Summary for ISU. Mr. Edmunds reiterated his comment related to the cost of education for students at ISU in terms of the demographic. Mr. Fletcher noted that ISU has a plan in place to expand the opportunity for student employment on the ISU campus. He also noted that ISU has run into capacity issues, including student housing.

Lloyd Mues presented the FY 2010 Audit Summary for UI. Board member Terrell thanked Mr. Mues for his report and commented on the useful information he provided, and suggested the same kind of report from each institution would be useful. Along that same line, Matt Freeman noted that all the institutions will provide the Board with a net assets report and a ratios report in December.

Chet Herbst presented the LCSC FY 2010 Audit Summary. He overviewed the College's financial situation. Mr. Lewis thanked Mr. Herbst and his staff for their hard work.

Burton Waite presented the EITC FY 2010 Audit Summary. Board member Edmunds noted a deficit in the operation. Mr. Waite indicated that EITC is very much aware of the situation and is looking at all costs to determine how to address it.

2. Financial Statements

M/S (Luna/Terrell): To accept from the Audit Committee the Fiscal Year 2010 financial audit reports for Boise State University, University of Idaho, Lewis-Clark State College, and Eastern Idaho Technical College, as presented by Moss Adams LLP. Motion carried unanimously.

Board member Lewis presented this item. He pointed out that a significant amount of time is spent in the Audit Committee discussing deficiencies, compliance issues, and internal controls and problems that may be uncovered.

Mary Case, Pam Cleaver, and Tammy Erickson of Moss Adams LLP were introduced. They provided an abbreviated report to the Board related to the financial audits they conducted for Boise State University, Idaho State University, Lewis-Clark State College, Eastern Idaho Technical College, and the University of Idaho. The Board members were provided with an Independent Auditor's Report and Financial Statement for the Year Ended June 30, 2010 for each institution. Those reports included the Management's Discussion and Analysis.

It was pointed out that ISU's final audit report had not yet been completed due to some staff issues and system challenges which delayed the University in getting their financial statements turned in on time. Jim Fletcher explained that an audit of the fiscal office prior to the audit report deadlines pointed to the need to reorganize and reassign staff so there isn't an extreme

dependency on one individual.

Mr. Edmunds noted again the negative trend at EITC in terms of operating net assets.

It was pointed out that FY 2010 is the sixth year that Moss Adams has conducted the audits. Mr. Lewis thanked them for a great job. Mr. Agidius noted that the work of the Audit Committee and the way the process has evolved.

BUSINESS AFFAIRS AND HUMAN RESOURCES
Section I – Human Resources

1. Revised Model Coaches Contracts & Policy – First Reading

M/S (Terrell/Agidius): To approve the first reading of proposed amendments to Board Policy Section II.H. Policies Regarding Coaching Personnel and Athletic Directors, and documents incorporated by reference therein, as presented. Motion carried unanimously.

Board member Terrell introduced this item. Board member Lewis raised a question related to 5.2 and 5.2.2, Tab 1, page 13, as to what happens in the event the coaches' contract is terminated by convenience of the university and the obligation of the university should the coach be employed at a higher salary by another institution. Kent Nelson of UI noted it is not the intent of the universities and colleges to pay a coach who is terminated, and goes on to receive higher compensation in another job.

BUSINESS AFFAIRS AND HUMAN RESOURCES
Section II – Finance

1. FY 2011 Sources and Uses Report

Board member Terrell introduced this item. This is an information item only. Mr. Terrell entertained questions.

Board President Westerberg referred to Tab 1 page 5 for clarification. Matt Freeman noted that the instruction line item itself is for faculty. Mr. Westerberg asked about the costs incident to instruction, overhead, etc. Mr. Freeman indicated that the line for institutional support and instructional support are specific to those costs.

Board member Lewis raised a question about how much revenue is derived from athletics. He emphasized the importance of preventing an institutional creep where more institutional funds than intended go towards athletics.

Mr. Westerberg clarified that his point was that athletic support has increased while instructional support has decreased. Mr. Terrell indicated that the Vice Presidents of Finance are continuing to look at these issues and policy change recommendations will follow as necessary.

2. FY 2011 Supplemental Approval – Proprietary Schools Spending Authority

M/S (Terrell/Atchley): To revise the Office of the State Board of Education FY 2011 supplemental budget request for proprietary schools to increase operating expense spending authority from $3,000 to $20,000. Motion carried unanimously.

3. FY 2012 Budget Request Line Item – Charter School Commission Director

M/S (Terrell/Soltman): To approve the FY 2012 line item budget request for the Office of the State Board of Education for a Charter School Commission Director (1.0 FTE) and $117,400 in General Funds. Motion carried unanimously.

4. FY 2012 Budget Request – WICHE Program Transfer to University of Utah

M/S (Terrell/Soltman): To approve the FY 2012 budget request to transfer $31,600 from the WICHE optometry program to the University of Utah Medical Education Program. Motion carried unanimously.

5. FY 2012 Budget Request Line Item – Technology Officer

M/S (Terrell/Agidius): To approve the FY 2012 line item budget request for the Office of the State Board of Education for a Technology Program Manager (1.0 FTE) and $98,100 in General Funds. Motion carried unanimously.

Board member Edmunds asked for clarification on this item. Matt Freeman pointed out that although it is one piece of the puzzle, it is essential to have a dedicated staff person at the Board office assigned to this responsibility. He noted that the Longitudinal Data System is an unfunded mandate and OSBE needs someone to manage it. He pointed out that in order to get this into the FY 2012 budget request, the motion needs to be considered at this time.

6. Amendment to Board Policy – Section V.M. – Intellectual Property – First Reading

M/S (Terrell/Agidius): To approve the first reading of proposed amendments to Board Policy Section V.M. Intellectual Property as presented. Motion carried unanimously.

Board member Lewis indicated his agreement with the policy in general. He noted that there are issues with the language, but he is agreeable to proceeding at this time as long as he can confer with Board staff to fine tune the wording. Executive Director Rush reported that this subject has been very well vetted along the way. Mr. Freeman noted that the Idaho Innovation Council and the Idaho Technology Council have been involved. He indicated that Board staff will continue to work with Mr. Lewis to fine tune the wording.

7. Amendment to Board Policy – Section V.R. – Differential Fees – First Reading

M/S (Soltman/Agidius): To approve the first reading of proposed amendments to Board Policy Section V.R.3.b.vi, Differential Fees as presented. Motion failed 4-4 (Lewis, Luna, Terrell, and Edmunds voted Nay).

Board member Terrell introduced this item. He noted that this concept has been thoroughly discussed and worked on for nearly two years. The history of this effort goes back even further. He urged the Board to either vote their approval at this meeting or to put the effort to rest. Mr. Terrell asked the institutions to comment.

Stacy Pearson of BSU reported that this effort was discussed in light of the overall fee and tuition policy. She indicated that the institutions are looking for a set of tools they can work with to support the institutions. Ms. Pearson noted that nationwide, the differential fees and

professional fees have come more into play. Self-support fees are another way of doing the same thing. Ms. Pearson reiterated this is a tool that will help the institutions and it sets a high bar.

Jim Fletcher of ISU indicated the University supports the concept of differential fees. He added that ISU stresses the point that where differential fees are implemented, there needs to be an offset elsewhere.

Lloyd Mues of the University of Idaho agreed this is a tool in the box. The institutions would like to have the tools, and understands that there would be procedures and standards that would be imposed.

Chet Herbst of LCSC indicated that the College would not be using differential fees, but supports the right for the institutions to come before to ask for it. He pointed out that the next step takes place when a request for professional fees is brought before the Board.

Board President Westerberg asked if there was any discussion of having a cost-based approach on all segments of tuition and fees. Mr. Fletcher indicated that is the approach taken in many private institutions. Mr. Westerberg asked about a scholarship offset program. It was clarified that would be an institution-by-institution approach.

Board member Lewis noted that this policy of differential fees rolls the Board down a path of increasing student costs over all; this is just an incremental approach to doing that. A cost-based approach may be something to consider.

Mr. Lewis indicated that Board staff did a great job trying to define the criteria. He suggested, from his understanding of the criteria, that it appeared nearly all the programs at the universities could qualify for differential fees. That puts additional burden on the students. Mr. Lewis suggested that this policy would move Idaho from a very transparent system to one that is not. As to the funds collected and where they are located at the institution, there will be problems over time when those funds are moved to other programs or needs. Mr. Agidius indicated that language under D.6 is infers that it could be applied for programs that are not high-cost.

Mr. Westerberg noted that if Idaho is going to fund higher education, it will have to find more funds. He indicated that there are segments of our degrees that are less able to pay the increases. This value component allows students who go into the job market to realize higher salaries.

Mr. Westerberg thanked everyone who worked on this effort.

8. Idaho State University – Land Gift Agreement – Bistline Park

M/S (Terrell/Atchley): To approve the Gift Agreement as presented, which includes acceptance by the Idaho State University Foundation of a 13 acre parcel, a deed restriction on university-owned real property, and the naming of said property the "Beverly Bistline Park at Idaho State University." Motion carried unanimously.

9. University of Idaho – Unified Communications Initiative

This is an information item with details provided to the Board in their agenda materials.

10. University of Idaho – Theophilus Tower Elevator Modernization and Life Safety Improvements

M/S (Terrell/Agidius): To approve the request by the University of Idaho to implement a capital project to improve and upgrade the existing elevators in Theophilus Tower, a residential facility located on the Moscow campus of the University of Idaho, in the amount of $941,000. Approval includes the authority to execute all necessary consulting, construction and vendor contracts to implement the design and construction phases of the project. Motion carried unanimously.

11. University of Idaho – Formation of an Applied Research Entity

M/S (Terrell/ Soltman): To approve the request by the University of Idaho to participate in the formation of the applied research entity to be known as LASR and to enter into the proposed Operating Agreement, Loaned Employee Agreement and Services Agreement in substantial conformance with the documents attached to the Board materials. Motion carried unanimously.

12. Idaho Educational Services for the Deaf and the Blind – Property Sublease – IESDB and Gooding Recreation District

M/S (Terrell/Edmunds): To ratify the Gooding Recreation District's request to sub sublease the swimming pool on the campus of the Idaho School for the Deaf and the Blind to the North Canyon Medical Center, to approve the amended sublease between the Idaho Educational Services for the Deaf and the Blind and the Gooding Recreation District as presented. Also, to authorize the Executive Director of the State Board of Education to review and approve any changes to existing subleases, termination of subleases, or execution of new subleases pursuant to the terms of the lease. Motion carried unanimously.

Bryan Darcy the new Acting Director for the education services for ISDB was introduced. He came forward to provide additional details and background related to this item. He noted that in the past this has been more of a hand-shake agreement. This request is an attempt to formalize that agreement.

INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS

Board member Edmunds was excused for the remainder of the meeting at this time.

1. Idaho State University – Approval of Notice of Intent: Expand Doctor of Pharmacy to Meridian

M/S (Atchley/Agidius): To approve the request by Idaho State University to expand its existing Doctor of Pharmacy program by permitting it to offer the first two years of such program at its Meridian campus. Motion carried unanimously.

2. North Idaho College – Approval of Notice of Intent: New Electronic Medical Records Adoption for Healthcare Practices Postsecondary Certification Program

M/S (Atchley/Soltman): To approve the request by North Idaho College to create a new postsecondary certificate program in Electronic Medical Adoption for Healthcare

Practices. Motion carried unanimously.

Executive Director Rush noted that these professional-technical programs are governed by the Board through the Division of Professional-Technical Education.

3. Research Strategic Plan

Dr. John McIver, Director of Research at the University of Idaho, addressed the Board on behalf of all the research directors from the other institutions. He briefly outlined their collaborative approach to increase research activity among Idaho's public four-year institutions and the public and private sector in order to enhance opportunities for greater external funding.

Board President Westerberg noted there is a fair amount of information provided by the institutions. He asked for clarification to ascertain if those descriptions align with the role and mission of each institution. He urged the institutions to make sure that was the case.

Dr. McIver asked for feedback from the Board as they seek to move forward. Board member Soltman noted this is a great collaborative effort and urged them to continue.

4. University of Utah School of Medicine – Annual Report

Matt Freeman discussed this item for the benefit of the Board. He noted that the contract that the Board has with the University of Utah, School of Medicine requires them to provide an annual report to the Board. Their report gives an overview of the students in the program, the fees that are paid, etc. It is an information item.

Board member Lewis noted that the report was excellent in that it gave a good sense of the programs and what we are looking at. He also pointed out that the numbers indicate there are more U of U graduates practicing in Idaho; a higher number than Idaho sponsored.

5. Idaho State University – Approval of Notice of Intent: Technical Certificate in Energy Systems Renewable Energy

M/S (Atchley/Soltman): To approve the request by Idaho State University to create a Technical Certificate in Energy Systems Renewable Energy. Motion carried unanimously.

Dick Ledington of the Division of Professional-Technical Education discussed this item. He noted it passed through the CAAP review process. Since then, concern has been expressed through CSI that this certificate duplicates a program at CSI without sufficient labor market demand. Dr. Ledington noted that because of the grant funding, this is time sensitive.

Dr. Gary Olson and Dr. Barbara Adamchek of ISU reiterated that this is grant funded. It did go through CAAP successfully with no issues. Dr. Adamchek indicated that ISU was notified that they would get the grant in August and the first cohort has to start in March. This is an online program and an evening program. She noted that this program is a different model than the one at CSI and it is offered in a different way. It is a $1.5 million grant.

Item 7 from Consent Agenda - Quarterly Report: Programs and Changes Approved by the Executive Director

M/S (Atchley/Soltman): To approve the Quarterly Report on Programs and Changes approved by the Executive Director.

Board member Lewis raised a question about this item. He noted that BSU discontinued a series of courses and he wondered why. Stacy Pearson indicated that this is simply a name change; the programs will continue. He also noted that UI had a discontinued program as well.

DEPARTMENT OF EDUCATION

1. Superintendent's Update

Mr. Luna will provide an update at the next Board meeting.

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

This is an information item and a report that comes before the Board on an annual basis.

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

This is an information item and a report that comes before the Board on an annual basis.

4. Idaho Consolidated State Application Accountability Workbook Amendment

M/S (Luna/Soltman): To approve the amendment to the Consolidated State Application Accountability Workbook, section .41, delineating the waiver and extension granted for AYP reporting for the 2009-2010 school year. Motion carried unanimously.

5. Appointments to the Idaho State Curricular Materials Selection Committee

M/S (Luna/Atchley): To approve the appointment of D. Laree Jensen as Parent representative to the Idaho State Curricular Materials Selection Committee for a term of five (5) years effective November 1, 2010 to June 30, 2015. Motion carried unanimously.

M/S (Luna/Soltman): To approve the appointment of Tara L. Drexler as Public Elementary Classroom Teacher representative to the Idaho State Curricular Materials Selection Committee for a term of five (5) years effective November 1, 2010 to June 30, 2015. Motion carried unanimously.

OTHER BUSINESS

M/S (Luna/Lewis): To adjourn the meeting at 3:40 p.m. Motion carried unanimously.

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

DRAFT MEETING MINUTES
STATE BOARD OF EDUCATION
SPECIAL TELECONFERENCE MEETING
November 17, 2010
Office of the State Board of Education
Len B. Jordan Building
650 W State Street, 3rd Floor
Boise, Idaho

A special teleconference meeting of the State Board of Education was held on November 17, 2010 in the Len B. Jordan Building in Boise, Idaho.

Present:

Richard Westerberg, President
Don Soltman, Secretary
Emma Atchley
Milford Terrell (in-person)
Ken Edmunds, Vice President
Paul Agidius
Rod Lewis
Tom Luna, State Superintendent of Public Instruction

The Board meeting was called to order at 11:00 a.m. by Board President Richard Westerberg.

Board President Westerberg asked for unanimous consent to move to the PPGA agenda and return to the Department of Education agenda. There were no objections.

PLANNING, POLICY & GOVERNMENTAL AFFAIRS

1. Pending Rule – Docket 08-0202-1002

M/S (Agidius/Soltman): A motion to approve Pending Rule docket 08-0202-1002 as submitted. Motion passed unanimously.

2. Pending Rule – Docket 08-0203-1002

M/S (Soltman/Agidius): A motion to approve Pending Rule docket 08-0203-1002 – Alternate Graduation Mechanisms as submitted. Motion passed with a vote of 7-1, with Rod Lewis voting nay.

3. Pending Rule – Docket 08-0111-1011

M/S (Soltman/Atchley): A motion to approve Pending Rule docket 08-0111-1011 as submitted. Motion passed unanimously.

M/S (Terrell/Agidius): A motion to adjourn at 11:50 a.m. *Motion passed unanimously.*

DEPARTMENT OF EDUCATION

1. Vallivue School District – Request to Change Trustee Zone Boundaries

M/S (Luna/Agidius): A motion to approve the request by Vallivue School District #139 to redefine the school district trustee zones as submitted. *Motion passed with a vote of 7-1, with Milford Terrell voting nay.*

Rod Lewis asked who presented this proposal and how it was developed.

Tom Luna said it was driven by the Vallivue School District's desire to balance the student population within the school districts. Mr. Luna assured the Board that there is much protection in place against manipulations of the process.

Ken Edmonds asked if a licensed surveyor is a requirement.

Tom Luna said he was unaware whether it was a requirement or not. Districts attempt to avoid a district split between sides of a street.

Milford Terrell clarified that the last question was recently dealt with by the Meridian and Kuna school districts and it does happen. Normally we hear the pros and cons from people having issues with these changes. During a teleconference, it is difficult to solicit public discussion.

Paul Agidius doesn't recall having any previous changes in school district "trustee" zones, only school district attendance boundaries.

Dr. Mike Rush added that the 10 year census was just completed and State law requires all school districts to review the census data. Between the end of March and July, there may be a number of requests for school district boundary changes.

Rod Lewis and Milford Terrell remain concerned that public input is not being solicited during a regular Board session.

Tom Luna said the timeframe is critical because the SDE has 60 days to approve or disapprove this proposal. This proposal did go through a vetting process at the local level.

Richard Westerberg recommended that the Board trust the vetting at a local level.

2. Pending Rule – Docket 08-0202-1003

M/S (Luna/Soltman): A motion to approve the proposed changes to the Operating Procedures for Idaho Public Driver Education Programs as submitted. *Motion passed unanimously.*

Rod Lewis is not clear on why there are two motions.

Tracie Bent said the Board needs to approve the change in the manual and the second motion is to approve the changes to the rule itself.

Tom Luna reported that private driving instruction organizations were involved in the decision making process, they had no objections, and this change does not impede their ability to compete in the marketplace for the services they offer.

M/S (Luna/Terrell): A motion to approve pending rule Docket 08-0202-1003 as submitted. *Motion passed unanimously.*

3. Pending Rule – Docket 08-0202-1004

M/S (Luna/Terrell): A motion to approve pending rule Docket 08-0202-1004 as submitted. *Motion passed unanimously.*

4. Pending Rule – Docket 08-0203-1001

M/S (Luna/Agidius): A motion to approve pending rule Docket 08-0203-1001 as submitted. *Motion passed with of vote of 6-2, with Rod Lewis and Milford Terrell voting nay.*

Rod Lewis said the standards and the rules associated with them were approved in the last meeting, but doesn't recall approving the accountability procedures.

Carissa Miller said these rules were made temporary over a year ago and they are being brought forward for approval as permanent rules.

Rod Lewis asked what concerns were expressed at the time they were presented.

Carissa Miller stated this item is resetting standards to better track students exiting LEP programs so that these students are not exiting too early or too late.

Tom Luna clarified that these items have been previously presented to the Board and discussed at length.

5. Pending Rule – Docket 08-0203-1003

M/S (Luna/Terrell): A motion to approve pending rule Docket 08-0203-1003 as submitted. *Motion passed with a vote of 7-1, with Rod Lewis voting nay.*

Tom Luna reported there were 16 public comments. Concerns expressed were regarding financial burdens and teacher preparedness.

Rod Lewis said there appears to be redundancy.

Luci Willits stated both rules are in the same section and the particular changes you are seeing have to do with the standards on Tab 5, Page 3. It is required to show this even though we are not technically approving that particular section at this time. This is approval of the deletion of the restraint and seclusion rule, as well as approval of the content standards for Math and English.

Tracie Bent said each docket needs to be approved separately, even though the attached documents are identical.

6. Pending Rule – Docket 08-0203-1004

M/S (Luna/Terrell): A motion to amend temporary rule and approve pending rule docket number 08-0203-1004 as submitted. *Motion passed with a vote of 5-3, with Rod Lewis, Don Soltman, and Ken Edmonds voting nay.*

Tom Luna said public comments were mostly in favor of this item. Those comments not in favor had concerns with the future of Science in Idaho. The State Department of Education is moving towards end of course assessments and has developed an item bank to be used on these assessments.

Paul Agidius asked if end of course assessments will be in place by 2017.

Tom Luna said yes, with concern that it is seven years out. There may be an opportunity to move this timeframe closer than 2017.

Milford Terrell indicated there are students that have already taken the Science ISAT and submitted results to universities and colleges. Are those scores still valid?

Tom Luna stated that passing the Science ISAT is not a prerequisite of acceptance to any of the universities or colleges. Therefore, this decision will not affect those students.

Don Soltman asked if the lack of Science assessments jeopardizes grant funding.

Tom Luna reported that there will still be a Science end of course assessment. A Science ISAT will just not be a high school graduation requirement.

M/S: A motion to approve pending rule Docket 08-0203-1004 as submitted.

Tom Luna indicated, and Tracie Bent concurred, that this second motion is not necessary with approval of the first motion.

PLANNING, POLICY & GOVERNMENTAL AFFAIRS

4. Pending Rule – Docket 08-0202-1002

M/S (Agidius/Soltman): A motion to approve Pending Rule docket 08-0202-1002 as submitted. Motion passed unanimously.

5. Pending Rule – Docket 08-0203-1002

M/S (Soltman/Agidius): A motion to approve Pending Rule docket 08-0203-1002 – Alternate Graduation Mechanisms as submitted. Motion passed with a vote of 7-1, with Rod Lewis voting nay.

6. Pending Rule – Docket 08-0111-1011

M/S (Soltman/Atchley): A motion to approve Pending Rule docket 08-0111-1011 as submitted. Motion passed unanimously.

M/S (Terrell/Agidius): A motion to adjourn at 11:50 a.m. *Motion passed unanimously.*