

**CONSENT  
APRIL 19, 2018**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
1	<b>AUDIT – IDAHO STATE UNIVERSITY – INTELLECTUAL PROPERTY FOUNDATION OPERATING AGREEMENT</b>	Motion to Approve
2	<b>BAHR - SECTION I – RETIREMENT PLAN UPDATES</b>	Motion to Approve
3	<b>BAHR SECTION II – BOISE STATE UNIVERSITY – PROPERTY TRANSFER</b>	Motion to Approve
4	<b>IRSA – PROGRAMS AND CHANGES APPROVED BY EXECUTIVE DIRECTOR – QUARTERLY REPORT</b>	Motion to Approve
5	<b>PPGA – ALCOHOL PERMITS REPORT – PRESIDENT APPROVED</b>	Information item
6	<b>PPGA – STATE REHABILITATION COUNCIL APPOINTMENTS</b>	Motion to Approve
7	<b>PPGA – IDAHO INDIAN EDUCATION APPOINTMENTS</b>	Motion to Approve
8	<b>SDE – BOISE STATE UNIVERSITY – EARLY CHILDHOOD EDUCATION ENDORSEMENT</b>	Motion to Approve
9	<b>SDE – EMERGENCY PROVISIONAL CERTIFICATION</b>	Motion to Approve
10	<b>SDE – PROFESSIONAL STANDARDS COMMISSION APPOINTMENTS</b>	Motion to Approve

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**IDAHO STATE UNIVERSITY**

**SUBJECT**

Operating Agreement between Idaho State University (ISU) and the Idaho State University Intellectual Property Foundation

**REFERENCE**

August 2014

Board approval of the Operating Agreement between ISU and the ISU Intellectual Property Foundation.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section V.E.

**ALIGNMENT WITH STRATEGIC PLAN**

This action supports State Board of Education (Board) Strategic Plan Goal 2: Innovation and Economic Development; Objective B: Innovation and Creativity.

**BACKGROUND/DISCUSSION**

Board policy requires that institutions' affiliated foundations be non-profit entities and that they be recognized by the Board. The operating agreements between the institutions and their affiliated foundations must be approved by the Board prior to execution and must be re-submitted to the Board every three (3) years, or as otherwise requested by the Board, for review and re-approval.

Idaho State University (ISU) is submitting the operating agreement with the ISU Intellectual Property Foundation for its three-year review. There are no substantive changes to the agreement since the Board approved the agreement in 2014.

**IMPACT**

Re-approval of the operating agreement meets the requirement for periodic review and approval by the Board, as stated in Board Policy V.E.

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**ATTACHMENTS**

Attachment 1 – Intellectual Property Foundation Operating Agreement	Page 3
Attachment 2 – Signed Articles of Incorporation	Page 25
Attachment 3 – Signed Bylaws	Page 31

**STAFF COMMENTS AND RECOMMENDATIONS**

The original version of the ISU operating agreement with the ISU Intellectual Properties Foundation was approved by the Board in 2014. ISU's administration (including the Vice President for Research and General Counsel) and the ISU Foundation are satisfied with the arrangements in the agreement, which was approved by the Board. Board staff accomplished a line-by-line comparison of the two documents to confirm that the only changes made from the Board-approved 2014 document are minor format corrections and a new effective date, reflecting the three-year review and Board re-approval.

Note: Board Policy V.E. also requires that affiliated foundations have 501(c)(3) status. The ISU Intellectual Property Foundation is not yet in compliance. The Foundation is now working to obtain that status.

The Audit Committee reviewed the attached operating agreement at its March 2018 meeting and has forwarded it to the Board with the recommendation that it be approved. Staff recommends approval.

**BOARD ACTION**

I move to approve the Operating Agreement between Idaho State University and the Idaho State University Intellectual Property Foundation, Incorporated, as presented.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**SUBJECT**

Updates to Retirement Plan Documents: 401(a), 403(b) and 457(b).

**REFERENCE**

December 2005	Board adopted a Deferred Compensation plan for employees under Internal Revenue Code, Section 457
August 2008	Board approved Idaho Tax Deferred 403(b) Plan
August 2013	403(b) Plan and 457(b) Plan restated
August 2014	Optional Retirement Plan (401a) restated
June 2017	Retirement Plan Trust Agreement implemented, replacing prior custodial agreement

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Code §33-107A, -107B, -107C  
Idaho Code §59-513  
Idaho State Board of Education (Board) Governing Policies & Procedures, Sections II.K.

**ALIGNMENT WITH STRATEGIC PLAN**

The Retirement Plan is a non-strategic, Board governance agenda item.

**BACKGROUND/DISCUSSION**

The Board is the Plan Sponsor for defined contribution (DC) retirement plans utilized by non-PERSI employees at public colleges and universities and the Office of the State Board of Education. The DC plans include a 401(a) mandatory Optional Retirement Plan (ORP), which is the main plan receiving employer and employee contributions, and two voluntary plans—403(b) and 457(b)—which are available for employee-only contributions. The proposed updates to these plans reflect the following changes:

Dissolution of Eastern Idaho Technical College (EITC) and establishment of the College of Eastern Idaho (CEI): the Board's current Retirement Plan documents [401(a), 403(b) and 457(b)] contain references to EITC. EITC will be dissolved as a legal entity as of July 1, 2018 with the effective date of legislation approved in the 2018 session. CEI will assume EITC's previous retirement plan responsibilities.

Inclusion of College of Southern Idaho (CSI), College of Western Idaho (CWI), and North Idaho College (NIC) to the 403(b) Plan documents: the plans are being updated to reflect participation by CSI, CWI, and NIC, as formally attested by separate documentation from the three colleges.

Removal of references to specific staff member titles in plan document sections dealing with responsibilities, and replacement with institution names: Retirement Plan documents 401(a), 403(b) and 457(b) all currently contain references to specific individual titles at each Idaho institution. Because position titles

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periodically change, the documents have been revised to make references at the institutional level as opposed to the individual level.

Addition of procedures to cover transfers from ORP to Public Employee Retirement System of Idaho (PERSI) for personnel who move from faculty or professional staff positions to classified positions: Institution employees who are working within ORP eligible positions need a mechanism within the ORP process to transfer to PERSI if they are subsequently hired into a PERSI-eligible role. PERSI allows transfers of this kind to occur; however, there is currently no corresponding language within the ORP Plan document to cover this option. PERSI and the Board's special deputy attorney general for retirement plans (Reinhart Boerner Van Deuren) have jointly developed language allowing these transfers to occur.

With the implementation of the Retirement Plan Trust Agreement replacing the prior custodial agreement, outdated Trust language within the 401(a) Plan document has been removed.

Other technical "clean up" corrections and clarifications: After a comprehensive review of the ORP Plan document by the Board's special deputy attorney general for retirement plans, a number of other technical changes have been made to ensure that the ORP document is compliant with current tax law and accurate.

**IMPACT**

The revisions contained in the attachments will bring the Board's family of retirement plan documents up-to-date, reflecting the new lineup of community colleges in the state, clarifying current procedures, and tightening up sections related to federal tax laws for defined contribution retirement plans.

**ATTACHMENTS**

Attachment 1 – Redline version of 401 (a) Plan reflecting replacement of EITC with CEI	Page 5
Attachment 2 – Redline version of 403 (b) Plan reflecting replacement of EITC with CEI and addition of CSI, CWI and NIC	Page 7
Attachment 3 – Redline version of 457 (b) Plan reflecting replacement of EITC with CEI	Page 9
Attachment 4 – Redline version of 401(a) Plan changing responsibility references to the institutional level	Page 11
Attachment 5 – Redline version of 403(b) Plan changing responsibility references to the institutional level	Page 13
Attachment 6 – Redline version of 457(b) Plan changing responsibility references to the institutional level	Page 15
Attachment 7 – Revised section (4.6) in 401(a) Plan, enabling transfers from ORP to PERSI upon hire into a PERSI-eligible position	Page 17
Attachment 8 – List of other technical changes/corrections to the document, as coordinated with Board's external retirement plan counsel	Page 19

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**STAFF COMMENTS AND RECOMMENDATIONS**

The proposed updates to the 401(a), 403(b) and 457(b) plan documents will ensure the language in all three documents is current and in compliance with federal and state law. Staff recommends approval.

**BOARD ACTION**

I move to approve the modifications to the Board's 401(a), 403(b) and 457(b) Retirement Plans as presented in the attached documents.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**BOISE STATE UNIVERSITY**

**SUBJECT**

Property transfer from Board of Regents to the Idaho State Board of Education

**REFERENCE**

October 2015	Board approved planning and design of Center for Materials Science Research
February 2016	Board approved name Micron Center for Materials Research
August 2017	Board approved construction of Micron Center for Materials Research

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-101, Idaho Code  
Section 33-4002, Idaho Code  
Idaho State Board of Education Governing Policies & Procedures, Sections V.I.2.c and V.I.5.b.iii

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 1: A Well Educated Citizenry, Objective A: Access and Objective C: Higher Level of Educational Attainment, Objective D: Quality Education

**BACKGROUND/DISCUSSION**

In August of 2017, the Idaho State Board of Education (Board) approved Boise State University's (BSU's) request to begin construction of the Micron Center for Materials Research (MCMR). Construction officially began in March 2018 with the abatement and demolition of the former Facilities Operations & Maintenance building. University Drive, Manitou Avenue, Belmont Street, and the vacated portion of Vermont Avenue define the project boundaries (Attachment 1).

BSU is working to consolidate the parcels of land on this lot for permitting purposes as required by the Ada County Highway District and the City of Boise. However, parcel R8048011280, which was deeded to BSU in 1959, is currently held in the name of the Board of Regents of the University of Idaho (UI), rather than the Idaho State Board of Education, thus preventing consolidation. The parcel lies directly under the soon-to-be-constructed MCMR, thus must be consolidated with the other parcels on this block for construction to move forward. The lots cannot be consolidated until all are held in the name of the Idaho State Board of Education.

To move the lot consolidation and MCMR construction forward, BSU's general counsel has drafted a quitclaim deed that, upon execution, will transfer the

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property from the Board of Regents to the Board, allowing for contiguous ownership of the project site. Legal counsel for UI and the Board agree that a quitclaim deed is the best solution to effectuate the lot consolidation so the MCMR project can move forward without delay.

**IMPACT**

Executing the quitclaim deed will enable timely progress of the MCMR project. Delays in execution may hinder permitting with local review agencies and delay the start of construction.

**ATTACHMENTS**

Attachment 1 – Parcel #R8048011280 Legal Description and Location      Page 3  
Attachment 2 – Quitclaim Deed      Page 5

**STAFF COMMENTS AND RECOMMENDATIONS**

Chet to add comments

**BOARD ACTION**

I move to approve the execution of the quitclaim deed as presented in Attachment 2.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**SUBJECT**

Programs and Changes Approved by Executive Director - Quarterly Report

**REFERENCE**

December 2017                      Board received quarterly report.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures, Section III.G.8.a., Postsecondary Program Approval and Discontinuance

**BACKGROUND/DISCUSSION**

In accordance with Board Policy III.G.3.c.i. and 4.b, prior to implementation the Executive Director may approve any new, modification, and/or discontinuation of academic or career technical education programs with a financial impact of less than \$250,000 per fiscal year.

Consistent with Board Policy III.G.8.a., the Board office is providing a quarterly report of program changes from Idaho's public postsecondary institutions that were approved between December 2017 and March 2018 by the Executive Director.

**ATTACHMENTS**

Attachment 1 – List of Programs and Changes Approved by the  
Executive Director

Page 3

**BOARD ACTION**

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

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**SUBJECT**

Institution President Approved Alcohol Permits

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures, I.J.2.b.

**ALIGNMENT WITH STRATEGIC PLAN**

Governance/Oversight required through Board policy to assure a safe environment for students conducive to the institutions mission of educating students.

**BACKGROUND/DISCUSSION**

The chief executive officer of each institution may waive the prohibition against possession or consumption of alcoholic beverages only as permitted by, and in compliance with, Board policy. Immediately upon issuance of an Alcohol Beverage Permit, a complete copy of the application and the permit shall be delivered to the Office of the State Board of Education, and Board staff shall disclose the issuance of the permit to the Board no later than the next Board meeting.

The last update presented to the Board was at the February 15, 2017 Board meeting. Since that meeting, Board staff has received twenty-six (26) permits from Boise State University, six (6) permits from Idaho State University, nineteen (19) permits from the University of Idaho and four (4) permits from Lewis-Clark State College.

Board staff has prepared a brief listing of the permits issued for use. The list is attached for the Board's review.

**ATTACHMENTS**

Attachment 1 - List of Approved Permits by Institution

Page 3

**BOARD ACTION**

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

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**IDAHO DIVISION OF VOCATIONAL REHABILITATION**

**SUBJECT**

Idaho State Rehabilitation Council (Council) Membership

**REFERENCE**

December 2016	Board appointed Robert Atkins to the Council as a representative for business/industry and labor for a term of three years.
April 2017	Board appointed two new members to the Council and re-appointed three current members to the Council.
June 2017	Board appointed Joe Anderson to the Council for three-year term.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section IV.G.  
Federal Regulations 34 CFR §361.

**ALIGNMENT WITH STRATEGIC PLAN**

Governance item; it does not align with the State Board of Education Strategic Plan.

**BACKGROUND/DISCUSSION**

Federal Regulations (34 CFR §361.17), set out the requirements for the State Rehabilitation Council, including the appointment and composition of the Council.

The members of the Council must be appointed by the Governor or, in the case of a State that, under State law, vests authority for the administration to an entity other than the Governor, the chief officer of that entity. Section 33-2303, Idaho code designates the State Board for Career Technical Education as that entity.

Further federal regulations establish that the Council must be composed of at least fifteen (15) members, including:

- i. At least one representative of the Statewide Independent Living Council, who must be the chairperson or other designee of the Statewide Independent Living Council;
- ii. At least one representative of a parent training and information center established pursuant to section 682(a) of the Individuals with Disabilities Education Act;
- iii. At least one representative of the Client Assistance Program established under 34 CFR part 370, who must be the director of or other individual recommended by the Client Assistance Program;
- iv. At least one qualified vocational rehabilitation counselor with knowledge of and experience with vocational rehabilitation programs who serves as an

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- ex officio, nonvoting member of the Council if employed by the designated State agency;
- v. At least one representative of community rehabilitation program service providers;
  - vi. Four representatives of business, industry, and labor;
  - vii. Representatives of disability groups that include a cross section of (A) Individuals with physical, cognitive, sensory, and mental disabilities; and (B) Representatives of individuals with disabilities who have difficulty representing themselves or are unable due to their disabilities to represent themselves;
  - viii. Current or former applicants for, or recipients of, vocational rehabilitation services;
  - ix. In a State in which one or more projects are carried out under section 121 of the Act (American Indian Vocational Rehabilitation Services), at least one representative of the directors of the projects;
  - x. At least one representative of the State educational agency responsible for the public education of students with disabilities who are eligible to receive services under this part and part B of the Individuals with Disabilities Education Act;
  - xi. At least one representative of the State workforce investment board; and
  - xii. The director of the designated State unit as an ex officio, nonvoting member of the Council.

Additionally, Federal Regulation specify that a majority of the council members must be individuals with disabilities who meet the requirements of 34 CFR §361.5(b)(29) and are not employed by the designated State unit. Members are appointed for a term of no more than three (3) years, and each member of the Council, may serve for not more than two consecutive full terms. A member appointed to fill a vacancy occurring prior to the end of the term must be appointed for the remainder of the predecessor's term. A vacancy in membership of the Council must be filled in the same manner as the original appointment, except the appointing authority may delegate the authority to fill that vacancy to the remaining members of the Council after making the original appointment.

The Council currently has three (3) nominations and two (2) expirations for Board consideration: Mike Hauser, whose first term ended February 28, 2018 and serves as a representative of Disability Advocacy Groups, would like to serve a second term. Suzette Whiting who represents a vocational rehabilitation counselor is ending her first term as of June 30, 2018; she would like to continue for a second term. Angela Lindig who represents a parent training and information center will be ending her second term on June 30, 2018. The Council would like to nominate Sarah Tueller to fill the vacancy left by Angela Lindig. Lastly, Lori Gentillon, who represents a community rehabilitation program service provider, is ending her second term on the council as of June 30, 2018. At this time there are no nominations for the community rehabilitation program



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service provider representative.

**IMPACT**

The above (3) appointments, and (2) expirations will bring the Council membership to a total of (15) fifteen with one vacancy on the council for a representative of a community rehabilitation program service provider. Minimum composition for the council is 15 members.

**ATTACHMENTS**

Attachment 1 – Current Council Membership	Page 5
Attachment 2 – Mike Hauser Letter of Interest	Page 6
Attachment 3 – Sarah Tueller Nomination Form	Page 7
Attachment 4 – Suzette Whiting Letter of Interest	Page 8

**BOARD ACTION**

I move to approve the re-appointment of Mike Hauser to the State Rehabilitation Council as a representative for disability advocacy groups for a second term of three years effective immediately, ending February 28, 2021.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to approve the appointment of Sarah Tueller to the State Rehabilitation Council as a representative for a parent information and training center for a term of three years effective July 1, 2018 ending June 30, 2021.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to approve the re-appointment of Suzette Whiting to the State Rehabilitation Council as a representative for a vocational rehabilitation counselor for a second term of three years effective July 1, 2018, ending June 30, 2021.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**SUBJECT**

Idaho Indian Education Committee Appointments

**REFERENCE**

April 14, 2016	The Board approved the appointment of Tomas Puga and reappointments of Selena Grace, Bob Sobotta, and Chris Meyer.
October 20, 2016	The Board approved the appointment of Sharee Anderson, Donna Bollinger, Jessica James-Grant, and Hank McArthur.
June 15, 2017	The Board approved the reappointments of Sharee Anderson and Yolanda Bisbee.
August 10, 2017	The Board approved the appointment of Jason Ostrowski.
October 19, 2017	The Board approved the appointment of Marcus Coby, Tina Strong, and Graydon Stanley.
December 21, 2017	The Board approved the appointment of Gary Aitken.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section I.P.

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 1, A Well Educated Citizenry, Objective A: Access; Goal 4 Effective and Efficient Educational System, Objective D, Advocacy and Communication

**BACKGROUND/DISCUSSION**

The Idaho Indian Education Committee serves as an advisory committee to the State Board of Education (Board) and the State Department of Education (Department) on educational issues and how they impact Idaho's American Indian student population. The committee also serves as a link between Idaho's American Indian tribes.

Pursuant to Board Policy I.P. the Idaho Indian Education Committee consists of 19 members appointed by the Board. Each member serves a term of five years. Appointments to vacant positions during a previous incumbent's term are filled for the remainder of the open term. The membership consists of:

- One representative from each of the eight public postsecondary institutions
- One representative from each of the five tribal chairs or designee
- One representative from each of the five tribal education affiliations (K-12)
- One representative from each of the two Bureau of Indian Education schools
- One representative from the State Board of Education, as an ex-officio member

The Fort Hall Business Council has forwarded Mr. Ladd Edmo's name for consideration as the tribal chair representative on the Indian Education Committee and has forwarded Mr. Hank McArthur's name for reappointment as

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the Bureau of Indian Education School representative on the committee. A Tribal Resolution from the Fort Hall Business Council is provided.

The Shoshone-Paiute Tribe has forwarded Mr. Pete Putra's name for reappointment as the tribal chair designee on the Indian Education Committee. Mr. Putra's term is scheduled to expire on June 30, 2018. A letter of support from the Tribal Chair is provided.

The Nez Perce Tribal Executive Committee has forwarded Mr. Bill Picard's name for reappointment as the tribal chair designee on the Indian Education Committee and has forwarded Ms. Joyce McFarland's name for reappointment as the tribal education department representative on the committee. Both terms are scheduled to expire June 30, 2018. A tribal resolution from the Nez Perce Tribal Executive Committee is provided.

Mr. Jim Anderson is the Vice President for Enrollment Services at Boise State University. He has served on the Indian Education Committee as BSU's representative since 2013. Mr. Anderson's term is scheduled to expire in June 2018 and has expressed interest in continuing his service on the committee.

Mr. Jason Ostrowski is the Dean of Students at the College of Southern Idaho. Mr. Ostrowski will be completing a term vacated by a previous member, which is scheduled to expire June 2018. Mr. Ostrowski has expressed interest in continuing his service on the committee.

**IMPACT**

The proposed appointments replaces the Shoshone-Bannock Tribes tribal chair/designee representative on the Committee and reappoints six existing members.

**ATTACHMENTS**

Attachment 1 – Current Committee Membership	Page 5
Attachment 2 – Fort Hall Business Council Tribal Resolution	Page 7
Attachment 3 – Shoshone-Paiute Tribal Resolution	Page 8
Attachment 4 – Nez Perce Tribal Executive Committee Tribal Resolution	Page 9
Attachment 5 – Boise State University – Nomination Letter	Page 11
Attachment 6 – College of Southern Idaho – Nomination Letter	Page 12

**STAFF COMMENTS AND RECOMMENDATIONS**

Mr. Marcus Coby is no longer on the Fort Hall Business Council. Mr. Ladd Edmo has been identified to replace Mr. Coby and serve as the tribal chair designee. If approved, Mr. Edmo would complete Mr. Coby's term, which runs through June 30, 2022.

Board staff recommends approval.

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**BOARD ACTION**

I move to appoint Mr. Ladd Edmo, to serve as the Tribal Chairperson's designee for the Shoshone-Bannock Tribes, effective immediately and expiring June 30, 2022.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to appoint Mr. Hank McArthur to serve as the Bureau of Indian Education School representative, effective July 1, 2018 and expiring June 30, 2023.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to appoint Mr. Pete Putra, to serve as the Tribal Chairperson's designee for the Shoshone-Paiute Tribes, effective July 1, 2018 and expiring June 30, 2023.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to appoint Mr. Bill Picard to serve as the Tribal Chairperson's designee and Ms. Joyce McFarland, to serve as the tribal education department representative for the Nez Perce Tribe, effective July 1, 2018 and expiring June 30, 2023.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to appoint Mr. Jim Anderson, representing Boise State University, and Mr. Jason Ostrowski, representing the College of Southern Idaho to the Indian Education Committee effective July 1, 2018 and expiring June 30, 2023.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**PROFESSIONAL STANDARDS COMMISSION**

**SUBJECT**

Boise State University; Proposed Blended Early Childhood Education/Early Childhood Special Education Birth through Grade Three (3) Endorsement Program

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-114 and 33-1258, Idaho Code  
Idaho Administrative Code, IDAPA 08.02.02 – Section 100, Official Vehicle for Approving Teacher Education Programs

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 4: Effective and Efficient Educational System, Objective A: Quality Teaching Workforce

**BACKGROUND/DISCUSSION**

The Standards Committee of the Professional Standards Commission (PSC) conducted a New Program Approval Desk Review of the Blended Early Childhood Education/Early Childhood Special Education Birth through Grade Three (3) endorsement program proposed by Boise State University (BSU). Through the comprehensive presentation, the Standards Committee gained a clear understanding that all of the Idaho Blended Early Childhood Education/Early Childhood Special Education Standards would be met and/or surpassed through the proposed program.

During its January 2018 meeting, the PSC voted to recommend Conditional Approval of the proposed Blended Early Childhood Education/Early Childhood Special Education Birth through Grade Three (3) endorsement program offered through BSU. With the conditionally approved status, BSU may admit candidates to the Blended Early Childhood Education/ Early Childhood Special Education Birth through Grade Three (3) endorsement program, and will undergo full approval once there are program completers.

**IMPACT**

In order to maintain status as an Idaho approved program and produce graduates eligible for Idaho educator certification, BSU must have all new programs reviewed for Board approval.

**ATTACHMENTS**

Attachment 1 – BSU Blended Early Childhood Education New Program Proposal

Page 3

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**STAFF COMMENTS AND RECOMMENDATIONS**

Pursuant to Section 33-114, Idaho Code, the review and approval of all teacher preparation programs in the state is vested in the State Board of Education. The program reviews are conducted for the Board through the Professional Standards Commission (Commission). Recommendations are then brought forward to the Board for consideration. The review process is designed to ensure the programs are meeting the Board approved standards for Initial Certification of Professional School Personnel (Certification Standards) for the applicable program areas. Certification Standards are designed to ensure that educators are prepared to teach the state content standards for their applicable subject areas and are up-to-date on best practices in various teaching methodologies.

Current practice is for the Commission to review new programs and make recommendations to the Board regarding program approval. New program reviews are conducted through a "Desk Review" and do not include an on-site review. The Commission review process evaluates whether or not the programs meet or will meet the approved Certification Standards for the applicable certificate and endorsement area. The Commission may recommend to the Board that a program be "Approved," "Not Approved," or "Conditionally Approved." Programs conditionally approved are required to have a subsequent focus visit. The focus visit is scheduled three years following the conditional approval, at which time the Commission forwards a new recommendation to the Board regarding approval status of the program.

Once approved by the Board, candidates completing these programs will be able to apply for a Standard Instructional Certificate with an endorsement in the area of study completed.

**BOARD ACTION**

I move to accept the Professional Standards Commission recommendation to conditionally approve the Blended Early Childhood Education/Early Childhood Special Education Birth through Grade Three (3) endorsement program offered through Boise State University.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_



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**PROFESSIONAL STANDARDS COMMISSION**

**SUBJECT**

Emergency Provisional Certificates

**REFERENCE**

February 2017	Board approved seventeen (17) provisional certificates for the 2016-17 school year.
April 2017	Board approved three (3) provisional certificates for the 2016-17 school year.
June 2017	Board denied one (1) provisional certificate for the 2016-17 school year.
October 2017	Board approved four (4) provisional certificates for the 2017-18 school year.
December 2017	Board approved seventeen (17) provisional certificates for the 2017-18 school year.
February 2018	Board approved seven (7) provisional certificates for the 2017-18 school year.

**APPLICABLE STATUTE, RULE, OR POLICY**

Sections 33-1201 and 33-1203, Idaho Code

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 1: A Well Educated Citizenry, Objective A: Access

**BACKGROUND/DISCUSSION**

Three (3) emergency provisional applications were received by the State Department of Education from the school districts listed below. Emergency provisional applications allow a district/charter to request one-year emergency certification for a candidate who does not hold a current Idaho certificate/credential, but who has the strong content background and some educational pedagogy, to fill an area of need that requires certification/endorsement. While the candidate is under emergency provisional certification, no financial penalties will be assessed to the hiring district.

**Chief Tahgee Elementary Academy #483**

**Applicant Name:** Sowell, Lorinda

**Content & Grade Range:** All Subjects K-8

**Educational Level:** BA, Education 12/2013

**Declared Emergency:** December 19, 2017, Chief Tahgee Elementary Academy Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** This candidate has worked in the district for two years under an alternative authorization. She has been unable to successfully complete the ABCTE testing. The district has opened the position

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for the 2018-19 school year, but wishes to keep her in the position for the remainder of the 2017-2018 school year.

**PSC Review:** The Professional Standards Commission Authorizations Committee met January 26, 2018. The committee recommends Chief Tahgee Elementary Academy's request for Lorinda Sowell without reservation.

**Coeur d'Alene School District #271**

**Applicant Name:** Erickson, Bryce

**Content & Grade Range:** Physical Education K-12

**Educational Level:** BA, Human Performance & Sports 12/2006

**Declared Emergency:** November 7, 2017, Coeur d'Alene School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** This candidate is working in the district for their second year. The first year was on an Alternative Authorization with a plan through Lewis-Clark State College (LCSC). The candidate did not take any coursework in the 2017-18 school year and therefore does not meet renewal requirements. Funding has been withheld for this position. The district has a new plan from LCSC and will work with the candidate to meet renewal requirements for 2018-19 school year.

**PSC Review:** The Professional Standards Commission Authorizations Committee met January 26, 2018. The committee recommends Coeur d'Alene School District's request for Bryce Erickson without reservation.

**Middleton School District #134**

**Applicant Name:** Warner, Jana

**Content & Grade Range:** Social Studies 6-12

**Educational Level:** BA, Multidisciplinary Studies 12/2015

**Declared Emergency:** December 11, 2017, Middleton School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** Middleton School District terminated a teacher. Ms. Warner was employed in the district and was reassigned while the position was posted. The courses began 10/4/17 and will not go into the second semester if a suitable candidate is found.

**PSC Review:** The Professional Standards Commission Authorizations Committee met January 26, 2018. The committee recommends Middleton School District's request for Jana Warner without reservation.

**IMPACT**

If the emergency provisional certificate is not approved, the school district will have no certificated staff to serve in the position and funding could be impacted.

**STAFF COMMENTS AND RECOMMENDATIONS**

Pursuant to Section 33-1201, Idaho Code "every person who is employed to serve in any elementary or secondary school in the capacity of teacher,

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supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under the authority of the State Board of Education....” Section 33-1203, Idaho Code, prohibits the Board from authorizing standard certificates to individuals who have less than four (4) years of accredited college training except in occupational fields or emergency situations. When an emergency is declared, the Board is authorized to grant one-year provisional certificates based on not less than two (2) years of college training. The two year minimum requirement could be interpreted to mean the individual has attended a postsecondary institution without regard to the number of credits taken each year, however, the intent of the two year requirement is that the individual attended full time for two or more years. The Board defines a full time student as a student taking 12 or credits (or equivalent) per semester pursuant to Board policy III.P.7. Full-Time Students.

Section 33-512, Idaho Code, defines substitute teachers as “as any individual who temporarily replaces a certificated classroom educator...” Neither Idaho Code, nor administrative rule, limits the amount of time a substitute teacher may be employed to cover a classroom. In some cases, school districts may use an individual as a long-term substitute prior to requesting provisional certification for the individual.

The Department receives applications from the school districts for requests for provisional certifications, Department staff then work with the school districts to ensure the applications are complete. The Professional Standards Commission then reviews requests for the one-year provisional certificates, and those that are complete and meet the minimum requirements are then brought forward by the Department to the Board for consideration with a recommendation from the Professional Standards Commission.

**BOARD ACTION**

I move to approve a one-year emergency provisional certificate for Lorinda Sowell to teach All Subjects grades kindergarten through eight (8) in the Chief Tahgee Elementary Academy #483 for the 2017-18 school year.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to approve a one-year emergency provisional certificate for Bryce Erickson to serve as Physical Education Teacher grades kindergarten through twelve (12) in the Coeur d’Alene School District #271 for the 2017-18 school year.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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I move to approve a one-year emergency provisional certificate for Jana Warner to teach Social Studies grades six (6) through twelve (12) in the Middleton School District #134 for the 2017-18 school year.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**PROFESSIONAL STANDARDS COMMISSION**

**SUBJECT**

Appointments to the Professional Standards Commission

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-1252, Idaho Code

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 4: Effective and Efficient Educational System; Objective A: Quality Teaching Workforce

**BACKGROUND/DISCUSSION**

Idaho Statute Section 33-1252, Idaho Code, sets forth criteria for membership on the Professional Standards Commission (PSC). The Commission consists of eighteen (18) members including one (1) from the State Department of Education and one (1) from the Division of Career Technical Education. The remaining members shall be representative of the teaching profession of the state of Idaho, and not less than seven (7) members shall be certificated classroom teachers in the public school system and shall include at least one (1) teacher of exceptional children and at least one (1) teacher in pupil personnel services. The Idaho Association of School Superintendents, the Idaho Association of Secondary School Principals, the Idaho Association of Elementary School Principals, the Idaho School Boards Association, the Idaho Association of Special Education Administrators, the education departments of private colleges, and the colleges of letters and sciences of the institutions of higher education may submit nominees for one (1) position each. The community colleges and the education departments of the public institutions of higher education may submit nominees for two (2) positions.

Nominations were sought for the positions from the Idaho Association of Colleges for Teacher Education, the Idaho Education Association, Northwest Professional Educators, the Idaho Indian Education Committee, and the Idaho Association of Secondary School Principals. Resumes for interested individuals are attached.

Career Technical Education:

- Kristi Enger (reappointment)

Elementary School Principal:

- Dr. Elisa Saffle (reappointment), Idaho Association of Elementary School Principals

School Board Member:

- Margaret Chipman, Weiser School District (reappointment), Idaho School Boards Association

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- Karen Echeverria, Idaho School Boards Association
- Quinn Perry, Idaho School Boards Association
- Matthew Broncho, Idaho Indian Education Committee

Private Higher Education:

- Terah Moore, College of Idaho, Idaho Association of the Colleges of Teacher Education
- LoriAnn Sanchez, Northwest Nazarene University, Idaho Association of the Colleges of Teacher Education
- Scott Gardner, BYU Idaho, Idaho Association of the Colleges of Teacher Education

Exceptional Child Teacher:

- Marianne Sletteland, Potlatch School District, Idaho Education Association
- Christine Kaufman, Lewiston School District, Idaho Education Association
- Jason Stucki, American Falls School District, Idaho Education Association
- Melanie Redwater, Blackfoot School District, Idaho Indian Education Committee

Classroom Teacher:

- Topher Wallaert (elementary school teacher), Mountain Home School District (reappointment), Idaho Education Association
- Angela Gillman (elementary school teacher), Idaho Falls School District, Idaho Education Association
- Kristin Burns (elementary school teacher), St. Maries School District, Idaho Education Association
- Paul Collins (elementary school teacher), Moscow Charter School, Northwest Professional Educators
- Vanessa Hylton (elementary school teacher), Moscow Charter School, Northwest Professional Educators
- Kelly Jo Fisk (elementary school teacher), Blackfoot Charter School, Northwest Professional Educators
- Iris Chimburas (elementary school teacher), Lapwai School District, Idaho Indian Education Committee
- Sheila Hewett (elementary school teacher), Lapwai School District, Idaho Indian Education Committee

**STAFF COMMENTS AND RECOMMENDATIONS**

At the June 2016 Board meeting the Board discussed the importance of representation on various state level committees by representatives of Idaho's underserved populations. It was determined at that time that the Department would amend its practices for seeking nominations for positions on the Professional Standards Commission. The new practice would include reaching out not only to the identified stakeholder groups, but to also other education community groups to allow individuals who are not connected to the standard

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chains of communications the opportunity to apply or submit nominations for positions that may be opening up, whether they were due to terms expiring or from member resignations. The nominations provided include four nominations across three positions from the Board's Indian Education Committee in accordance with this change.

Pursuant to Section 33-1252(2), Idaho Code, "Except for the member from the staff of the State Department of Education, and the member from the staff of the Division of Career Technical Education, three (3) nominees for each position on the commission shall be submitted to the State Superintendent of Public Instruction, for the consideration of the State Board of Education. Any state organization of teachers whose membership is open to all certificated teachers in the state may submit nominees for positions to be held by classroom teachers; the Idaho association of school superintendents may submit nominees for one (1) position, the Idaho association of secondary school principals may submit nominees for one (1) position; the Idaho association of elementary school principals may submit nominees for one (1) position; the Idaho school boards association may submit nominees for one (1) position; the Idaho association of special education administrators may submit nominees for one (1) position; the education departments of the private colleges of the state may submit nominees for one (1) position, the community colleges and the education departments of the public institutions of higher education may submit nominees for two (2) positions, and the colleges of letters and sciences of the institutions of higher education may submit nominees for one (1) position." At this time only one nomination is being provided for the Elementary School Position, the nomination is for a reappointment.

Additionally, Section 33-1252, Idaho Code requires not less than seven (7) member be certificated classroom teachers in the public schools system and shall include at least one (1) teacher of exceptional children and at least one (1) teacher in pupil personnel services. While not required, historical practice has been to identify whether a teacher serving on the commission is an elementary or secondary school teacher to assure a balance in the representation on the Commission.

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**BOARD ACTION**

I move to reappoint Kristi Enger as a member of the Professional Standards Commission for a three-year term beginning July 1, 2018, and ending June 30, 2021, representing Career Technical Education.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to reappoint Dr. Elisa Saffle as a member of the Professional Standards Commission for a three-year term beginning July 1, 2018, and ending June 30, 2021, representing Elementary School Principals.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to reappoint Margaret Chipman as a member of the Professional Standards Commission for a three-year term beginning July 1, 2018, and ending June 30, 2021, representing School Board Members.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to appoint Terah Moore as a member of the Professional Standards Commission for a three-year term beginning July 1, 2018, and ending June 30, 2021, representing Private Higher Education.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_



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I move to appoint Marianne Sletteland as a member of the Professional Standards Commission for a three-year term beginning July 1, 2018, and ending June 30, 2019, representing Exceptional Child Education.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to reappoint Topher Wallaert as a member of the Professional Standards Commission for a three-year term effective July 1, 2018, and ending June 30, 2021, representing Public School Classroom Teachers.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to appoint Iris Chimburas as a member of the Professional Standards Commission for a three-year term effective July 1, 2018, and ending June 30, 2021, representing Public School Classroom Teachers.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

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