

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

March 28, 2000
Teleconference
Boise, Idaho

Call To Order

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 2:00 p.m., on March 28, 2000, with Mr. Harold W. Davis, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Harold W. Davis, President
Tom Boyd, Vice President
Curtis H. Eaton, Secretary
James C. Hammond
Severina Haws
Marilyn Howard, State Superintendent of Public Instruction

Members Absent

Roderic W. Lewis
Karen A. McGee

All exhibits, appendices and items referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

State Board of Education

March 28, 2000

Among the persons meeting with the State Board of Education/Board of Regents of the University of Idaho, either by coming into the Board office or via telephone, were:

Gregory G. Fitch
Kevin Satterlee
Keith Hasselquist
Laurie Boston
Nancy Szofran
Randi McDermott
Miles LaRowe
Georgia Yuan
Erin Walton

OTHER

8.1 University of Idaho Personnel Issue

There was discussion regarding a discrepancy with the stated date on the agenda and the day of the week on which that date falls. Mr. Satterlee felt that reasonable notice was given and that the Board should proceed. In the event that a claim is made that reasonable notice was not given, the problem can be corrected by re-noticing the meeting and holding it again.

Mr. Satterlee gave background and procedural information on the issue:

A recommendation has come from University of Idaho (UI) President Robert Hoover to dismiss the UI Head Golf Coach, Don Rasmussen, during the term of his employment. When such a recommendation reaches the Board office, an employee has two choices: 1) to pursue an appeal through the internal processes of the University or 2) to appeal directly to the Board and have the Board conduct a hearing. The employee elected a hearing by the Board. Board rules provide that the hearing can be done in one of three ways: 1) in front of the full Board, 2) the hearing panel of the Board or 3) the Board can choose a hearing officer, who is a licensed attorney in Idaho, not employed by one of the institutions. The Board chose the latter route and selected Ms. Candy Dale as the hearing officer.

Ms. Dale conducted a hearing in Moscow, took three days of testimony and evidence, and provided the Board with a set of Findings of Facts and Recommendations, as provided for in the Board's rule. The Board's role is to review the Recommendations and Findings of Fact and make a choice to 1) either accept and approve the Recommendations, 2) reject the Recommendations 3) amend the Recommendations or 4) remand for additional evidence.

Mr. Satterlee summarized Ms. Dale's Findings of Fact and Recommendations:

- 1) Mr. Rasmussen sold a \$300 UI Gift Shop certificate and failed to deposit the money received with the University.
- 2) He purchased two sets of Calloway golf clubs for \$1,197.49 and has not accounted for those funds or the golf clubs.
- 3) He cashed four \$125 checks payable to the University and cannot account for the money.
- 4) He cashed a \$250 contribution check payable to the University and cannot specifically account for the proceeds.
- 5) He cashed a \$125 check payable to the University and cannot specifically account for the proceeds.
- 6) He retained \$2,360 in cash from golf tournament entry fees for three UI sponsored golf tournaments and did not deposit the fees with the Athletic Department and cannot specifically account for the cash.

- 7) He was paid travel reimbursement payments totaling \$765.01 based on eleven recreated receipts which he attempted to disguise as authentic.
- 8) He sold golf team equipment and apparel totaling \$525 and cannot account for what he did with the cash.
- 9) He used a UI purchase order for \$159 in lunches for a private camp and there is no record of reimbursement to the UI by Mr. Rasmussen.

Mr. Satterlee said the summary by Ms. Dale, based on three pages of Recommendations is as follows:

The Recommendation for dismissal is supported by the evidence presented on appeal, based on a record that demonstrates dishonesty, unprofessionalism and violations of the University's policies and procedures which in the performance of Rasmussen's assigned duties clearly were not in the best interest of the University of Idaho. This standard as presented is the standard by which the Board has that a contract employee can be dismissed within the term of his contract.

Mr. Boyd felt the issue had been thoroughly investigated and showed a case of blatant bad bookkeeping. He felt the Board should support the motion.

Dr. Howard said she reviewed the Recommendations from the hearing officer and supported the findings and the University's position for dismissal.

Mr. Hammond said he found the evidence against Mr. Rasmussen overwhelming. He did not think there was a reason to find any other judgement than the one currently being proposed.

Mr. Satterlee said for the record:

The Board discussed and deliberated the matter during an Executive Session at its last Board meeting, pursuant to the Executive Session laws and the Open Meeting Act, and that the Board reviewed the record at that time.

It was moved by Mr. Hammond and seconded by Ms. Haws that the Board approve and adopt the recommendations of the hearing officer and approve the dismissal of Don Rasmussen from the University of Idaho. (Motion #1) **A roll call vote was taken:**

AYES: Mr. Boyd, Mr. Hammond, Mr. Eaton, Dr. Howard, Ms. Haws, Mr. Davis
NAYS: None
ABSTAIN: None
ABSENT: Mr. Lewis, Ms. McGee

The motion carried. (Motion #1)

The meeting was adjourned at 2:15 p.m.

CERTIFICATION:

The minutes are not verbatim. However, to the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker