

**PLANNING, POLICY & GOVERNMENTAL AFFAIRS  
OCTOBER 11–12, 2007**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
1	<b>PRESIDENTS' COUNCIL REPORT</b>	Information Item
2	<b>LEWIS-CLARK STATE COLLEGE PROGRESS REPORT</b>	Information Item
3	<b>IDAHO STATE HISTORICAL SOCIETY PROGRESS REPORT</b>	Information Item
4	<b>COMMISSION FOR LIBRARIES PROPOSED LEGISLATION</b>	Motion to Approve
5	<b>APPROVAL OF ROADY'S HUMANITARIUM BOWL CORPORATE TENT VILLAGE AND ALCOHOL WAIVER REQUEST FOR 2007</b>	Motion to Approve

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**SUBJECT**

Presidents' Council Report

**REFERENCE**

N/A

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

Monthly report given by the President of the Presidents' Council.

**DISCUSSION**

N/A

**IMPACT**

N/A

**ATTACHMENTS**

N/A

**STAFF COMMENTS AND RECOMMENDATIONS**

State Board staff offers no comments or recommendations.

**BOARD ACTION**

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

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**SUBJECT**

Lewis Clark State College Progress Report

**REFERENCE**

N/A

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

Periodically, the institutions of higher education in the State of Idaho are requested to provide a progress report to the members of the State Board of Education. It has been about one year since the Lewis Clark State College has supplied an overview of its status and accomplishments.

**DISCUSSION**

Dr. Dene Thomas, President of the Lewis Clark State College, will be in attendance at the meeting and will present a summary of the accomplishments and future goals of the university.

**IMPACT**

President Thomas' presentation will provide the State Board members and others with current status information about the Lewis Clark State College.

**ATTACHMENTS**

N/A

**STAFF COMMENTS AND RECOMMENDATIONS**

No staff comments or recommendations are needed at this time.

**BOARD ACTION**

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**SUBJECT**

Idaho State Historical Society Agency Report

**REFERENCE**

N/A

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

In an effort to allow the agencies under the authority of the State Board of Education an opportunity to present to the State Board of Education on a more regular basis, one of the agencies will be making a presentation before the Board at each meeting. This report will be a progress report and an opportunity for the agency to supply an overview of its status and accomplishments.

**DISCUSSION**

Ms. Janet Gallimore, Executive Director and State Historic Preservation Officer, will be in attendance at the meeting and will present a summary of the accomplishments and future goals of ISHS.

**IMPACT**

Ms. Gallimore's presentation will provide the State Board members and others with current status information about ISHS.

**ATTACHMENTS**

N/A

**STAFF COMMENTS AND RECOMMENDATIONS**

No staff comments or recommendations are needed at this time.

**BOARD ACTION**

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**INSTITUTION / AGENCY AGENDA  
IDAHO COMMISSION FOR LIBRARIES**

**SUBJECT**

Draft legislation to replace the 1972 depository system for public documents with a digital repository.

**REFERENCE**

August 2006

Agency presentation to the Board: The Commission for Libraries distributes state public documents through a depository library system established by statute in 1972. This is old technology – distributing print copies of state publications by mail to 18 libraries throughout the state. In the 21<sup>st</sup> century, there are more efficient, seamless ways to make state public information accessible to our citizens. In June [2006] a representative task force made six recommendations that include amending the statute and developing a digital repository of state public documents. Commission staff is working on an implementation plan now, with the potential for legislation and a budget line item request in the future.

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

This is an information item for the Board.

**DISCUSSION**

State agencies spent \$4,297,800 in FY2006 and \$5,347,600 in FY2007 for “printing and binding” services (State Controller’s Office fiscal data). Some portion of these expenditures is for “state publications” intended for use by Idaho citizens.

The return on this investment by state government will be greatly increased by creating a web accessible digital repository of state publications and bringing the 1972 depository system for public documents into the 21<sup>st</sup> century.

The proposed legislation:

- Establishes a digital repository to replace the outdated depository system,
- Provides a definition of “state publication” and other relevant terms,
- Replaces the requirement to submit 20 copies of public documents with more cost-effective requirements for the digital repository, and
- Provides for exemptions from the requirements.

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**IMPACT**

The proposed legislation will expand citizen access to the information in state publications. It will make finding and retrieving information easier and more cost-effective for Idaho citizens and help state entities reach their intended audience in a more cost-effective way.

The estimated fiscal impact for this legislation is \$202,000 to establish the digital repository in the first year, and \$132,000 in ongoing funds to maintain it.

**ATTACHMENTS**

Attachment 1 – Proposed Legislation page 3

Attachment 2 - Statement of Purpose and Fiscal Impact page 7

**STAFF COMMENTS AND RECOMMENDATIONS**

This item is for informational purposes only and staff has no comments or recommendations.

**BOARD ACTION**

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

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**LEGISLATURE OF THE STATE OF IDAHO**

Fifty-ninth Legislature

Second Regular Session – 2008

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO.

BY

AN ACT

RELATING TO THE COMMISSION FOR LIBRARIES, AMENDING SECTION 33-2505, IDAHO CODE, TO ESTABLISH A DIGITAL REPOSITORY FOR STATE PUBLICATIONS; AMENDING CHAPTER 25, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2505A, IDAHO CODE, TO DEFINE RELEVANT TERMS; AMENDING CHAPTER 25, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2505B, IDAHO CODE, TO SET FORTH REQUIREMENTS FOR SUBMISSION OF STATE PUBLICATIONS TO THE DIGITAL REPOSITORY; AND AMENDING CHAPTER 25, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2505C, IDAHO CODE, TO SET FORTH EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-2505, Idaho Code, be, and the same is hereby amended to read as follows:

~~33-2505. STATE LIBRARIAN DEPOSITORY FOR PUBLIC DOCUMENTS DISTRIBUTION. It shall be the duty of the head of every agency, board, bureau, commission or department of the state of Idaho, including all state supported institutions of higher education in Idaho, to deposit with the librarian of the Idaho commission for libraries twenty (20) copies of all documents, reports, surveys, monographs, serial publications, compilations, pamphlets, bulletins, leaflets, circulars, maps, charts or broadsides of a public nature which it produces for public distribution. The deposit of information with the state librarian is intended to allow the information to be used and distributed to academic, regional, public, and special libraries in Idaho, the Library of Congress, and to others within the discretion of the state librarian.~~ DIGITAL REPOSITORY FOR STATE PUBLICATIONS. Recognizing that an informed citizenry is a cornerstone of effective democracy, and in order to provide free and continuous access to state publications, it shall be the duty of the state librarian to establish and maintain a publicly accessible repository of publications prepared by state agencies. The digital repository is intended to collect state publications and make them readily available to all Idaho citizens.

SECTION 2. That Chapter 25, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-2505A, Idaho Code, and to read as follows:

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33-2505A. DEFINITIONS. (1) "Digital repository" means electronic publications stored and accessible to the public on-line in a secure digital environment with redundant backup.

(2) "Format" includes any media used for state publications including, but not limited to, electronic, print, audio, visual, and microform.

(3) "State agency" includes every constitutional and statutory office, officer, department, division, bureau, board, commission, and agency of the state and, where applicable, all subdivisions of each.

(4) "State publication" means any information, regardless of format, published by a state agency and intended for distribution to the public. State publication does not include correspondence, internal confidential publications, office memoranda, university press publications, items detailed by section 9-340A through H, Idaho Code, or other information excluded or exempted by rule or regulation established by the board of library commissioners.

SECTION 3. That Chapter 25, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a **NEW SECTION**, to be known and designated as Section 33-2505B, Idaho Code, and to read as follows:

33-2505B. SUBMISSIONS BY STATE AGENCIES. (1) The head of every state agency shall promptly submit to the commission for libraries copies of published information that are state publications.

(a) For state publications available only in print format, each state agency shall submit two (2) copies of each printed publication to the commission for libraries.

(b) For state publications available only in electronic format, each state agency shall submit one (1) digital copy of each electronic publication to the commission for libraries.

(c) For state publications available in both print and electronic format, each state agency shall submit two (2) print copies and one (1) digital copy of the publication to the commission for libraries.

(d) Of the two print copies of state publications, one (1) copy shall be sent to the Idaho state historical society, and one (1) copy shall be sent to the university of Idaho library for archival purposes.

(2) The commission for libraries shall adopt such rules as are necessary and appropriate to accomplish the purpose of a digital repository for state publications.

SECTION 4. That Chapter 25, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a **NEW SECTION**, to be known and designated as Section 33-2505C, Idaho Code, and to read as follows:

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33-2505C. EXEMPTIONS. (1) In the interest of economy and efficiency, the state librarian may exempt a given state publication or class of publications from the requirements of this section in full or in part.

(2) This chapter shall not apply to nor affect the duties concerning publications distributed by, or officers of:

- (a) The state law library; or
- (b) The statute law committee and the code reviser.

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**STATEMENT OF PURPOSE**

**RS**

State agencies spent \$4,297,800 in FY2006 and \$5,347,600 in FY2007 for “printing and binding” services (State Controller’s Office fiscal data). Some portion of these expenditures are for state publications intended for use by Idaho citizens.

The return on this investment by state government will be greatly increased by creating a web-accessible digital repository of state publications and bringing the 1972 depository system for public documents into the 21<sup>st</sup> century.

The proposed legislation will make public documents published by state government more accessible to the public for whom they are intended. It will make finding and retrieving information easier and more cost-effective for Idaho citizens and help state entities reach their intended audience in a more cost-effective way.

The proposed legislation will expand citizen access to the information in state publications by:

- Establishing a digital repository to replace the outdated depository system,
- Providing a definition of “state publication” and other relevant terms,
- Replacing the requirement to submit 20 copies of public documents with more cost-effective requirements for the digital repository, and
- Providing for exemptions from the requirements.

**I. FISCAL IMPACT**

There are no accurate figures on the annual volume or cost of Idaho state publications. A sample survey estimated that in the spring of 2007 the equivalent of one terabyte of public documents was published with state tax dollars, and projected at least 30% annual growth. State agencies complying with the current depository requirements will undoubtedly experience a decrease in expenditures as a result of the proposed digital repository requirements as well as an increase in the reach of their state publications.

Estimated costs for the Commission for Libraries to implement the digital repository are \$202,000 for the first year, and \$132,000 in ongoing funds to maintain it:

- Capital - \$30,000 (OT) for server, storage, UPS, etc
- Operating - \$50,000 (\$40,000 OT) for content management license
- Personnel - \$122,000 ongoing for 1 FTE Librarian and 2 FTE OS2

**CONTACT**

Name: Ann Joslin, State Librarian  
Agency: Idaho Commission for Libraries  
Phone: (208) 334-2150

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**SUBJECT**

Roady's Humanitarian Bowl requests operation of a corporate tent village, including the serving of alcohol, during the Roady's Humanitarian Bowl game.

**APPLICABLE STATUTE, RULE, OR POLICY**

SBOE Policy I.J – Use of Institutional Facilities and Services With Regard to the Private Sector

**BACKGROUND**

Attached is the report from the Roady's Humanitarian Bowl regarding the corporate tent village activities from the 2006 MPC Computers Bowl game. This report was requested by the Board and is being presented in conjunction with the request to operate a corporate tent village again for the 2007 game.

**DISCUSSION**

As noted in the report, the 2006 corporate tent village was a great success. The corporate tent village has become an important part of the annual Roady's Humanitarian Bowl event. The tent village was a showcase of interactive technology and included 38 tents.

Most importantly, the Boise City Police Department was present and readily available during the entire event and reported no incidents of underage drinking, serving intoxicated persons, unruly behavior or other violations of law or State Board policy. The event has operated safely and effectively for the last three years and has become a significant benefit to the Bowl game, the University, the community and the state.

The request is to allow the Bowl game to conduct the corporate tent village in compliance with existing State Board of Education policies. Additionally, the Roady's Humanitarian Bowl will institute the control measures outlined in the request as follows:

1. A secured area surrounded by a fence to control access to and from the area.
2. Four-hour duration, ending at kick-off.
3. No alcohol making or distributing companies may be allowed to sponsor the activities or tents.
4. A color-coded wrist band or pass admission system that would identify attendees and invited guests.
5. Companies involved in the tent village would be sent a letter outlining the tent village/SBOE alcohol policy. The letter will state the minimum drinking age in Idaho is 21 and that at no time should they allow any underage drinking and/or serving of alcohol to visibly intoxicated patrons.
6. Two entry points manned by security personnel.
7. Security personnel located throughout the controlled area will be monitoring the alcohol wristband policy and patron behavior.

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8. Security personnel will not allow patrons to exit the area with alcoholic beverages.
9. Tent sponsors will be required to insure and indemnify the State of Idaho, the State Board of Education and Roady's Humanitarian Bowl for a minimum of \$3,000,000 and to make sure that the proper permits and licenses are obtained.
10. The area is for sponsors to entertain clients/guests for 2007 Roady's Humanitarian Bowl, including the sales and service of alcohol.
11. It is brought back to the Board after the conclusion of the 2007 game for reconsideration for the 2008 game.
12. Roady's Humanitarian Bowl will abide by all terms and conditions of the Board's existing alcohol policy.
13. Roady's Humanitarian Bowl will file with the Board an annual report of the Corporate Tent Village activities within sixty (60) days of the Bowl Game.

**IMPACT**

Since this event has been a major part of the community, it has made a positive impact on the economics of the community. The Roady's Humanitarian Bowl will earn revenues from the lease of the corporate tents. The University will also earn revenues from the lease of the Stadium.

**ATTACHMENT**

1. Letter form Kevin McDonald, Executive Director,  
Roady's Humanitarian Bowl page 5
2. Report from Kevin McDonald, Executive Director,  
Roady's Humanitarian Bowl Executive Director,  
regarding MPC Computer's Bowl Corporate Tent  
Village event that took place on 12-31-2006. page 7
3. Board Policy I.J – Use of Institutional Facilities and  
Services with Regard to the Private Sector. page 9

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff has reviewed the request and finds it to be in compliance and recommends approval of the request.

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**BOARD ACTION**

A motion to approve the request by Roady's Humanitarian Bowl to establish secure areas under the conditions set forth in this request for the purpose of allowing pre-game activities 2007 Roady's Humanitarian Bowl game, subject to the following terms and conditions:

1. A secured area surrounded by a fence to control access to and from the area.
2. Four-hour duration, ending at kick-off.
3. No alcohol making or distributing companies may be allowed to sponsor the activities or tents.
4. A color-coded wrist band or pass admission system that would identify attendees and invited guests.
5. Companies involved in the tent village would be sent a letter outlining the tent village/SBOE alcohol policy. The letter will state the minimum drinking age in Idaho is 21 and that at no time should they allow any underage drinking and/or serving of alcohol to visibly intoxicated patrons.
6. Two entry points manned by security personnel.
7. Security personnel located throughout the controlled area will be monitoring the alcohol wristband policy and patron behavior.
8. Security personnel will not allow patrons to exit the area with alcoholic beverages.
9. Tent sponsors will be required to insure and indemnify the State of Idaho, the State Board of Education and Roady's Humanitarian Bowl for a minimum of \$3,000,000 and to make sure that the proper permits and licenses are obtained.
10. The area is for sponsors to entertain clients/guests for 2007 Roady's Humanitarian Bowl, including the sales and service of alcohol.
11. It is brought back to the Board after the conclusion of the 2007 game for reconsideration for the 2008 game.
12. Roady's Humanitarian Bowl will abide by all terms and conditions of the Board's existing alcohol policy.
13. Roady's Humanitarian Bowl will file with the Board an annual report of the Corporate Tent Village activities within sixty (60) days of the Bowl Game.

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

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October 1, 2007

To: State Board of Education

Fr: Kevin McDonald, Executive Director  
Roady's Humanitarian Bowl

Re: 2006 Corporate Tent Village Report

The 2006 MPC Computers Bowl Corporate Tent Village took place on December 31<sup>st</sup> 2006. As in past years this event was held on the grass field just north of Bronco Stadium. The 2006 Tent Village consisted of 38 corporate tents including tents for University of Miami, the University of Nevada and MPC Computers, the games title sponsor.

The following controls were in place:

1. Each entrance had two points of entry. One for persons under 21 and the other for persons over 21.
2. Uniformed security personnel were present at each entry point. Two were assigned to the under 21 line and checked for red color coded wristbands that allowed entry to the village. The other four security personnel were assigned to the over 21 entry point. At the over 21 entry point security checked for the red color coded wristband that allowed access to the village and then checked ID's to verify that all persons were 21 before attaching a green wristband that signified they were of legal drinking age. Security was instructed to issue no wristbands without proper identification.
3. Security personnel were instructed to not allow alcoholic beverages of any kind to leave tent village.
4. All companies who purchased a tent in tent village were sent a letter outlining the Corporate Tent Village/State of Idaho alcohol policy. This letter stated that the minimum drinking age in Idaho is 21 and at no time should they allow any underage drinking nor should they serve alcohol to a visibly intoxicated patron.
5. The Boise Policy Department was present in Tent Village during the event monitoring the wristband policy and general behavior.
6. No incidents of underage drinking or unruly behavior were reported or noted.

As in the previous four years, Corporate Tent Village has had no incidents of underage drinking or unruly behavior. As the new Executive Director of the Roady's Humanitarian Bowl, I was not present at last year's Tent Village. I did however interview the past Executive Director and other operations personnel who were present.

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October 1, 2007

Dear State Board of Education Members:

Please accept this letter as a formal request permitting the Roady's Humanitarian Bowl to continue with the Corporate Tent Village event during the Bowl Game at Bronco Stadium. The purpose of Corporate Tent Village is to provide an area for local corporations to entertain clients and guests in a controlled environment. Now entering its fifth year, the Corporate Tent Village has become the main source of community involvement with the game. Even though the bowl staff has changed, we intend to follow the best practices to execute tent village in accordance to rules and regulations set forth by the State Board of Education and the State of Idaho.

As in past years, the Roady's Humanitarian Bowl is planning to construct a tent village which would allow corporations to provide food and beverage (non alcoholic and alcoholic) to their guests during the bowl game. This area will not be open to the general public. To date, the Corporate Tent Village has not had a single incident that violated the Bowl's and the State of Idaho's policy on alcohol or unruly behavior. The Bowl will again provide the following control measures:

1. A secured area surrounded by a fence to control access to and from area.
2. A color coded wrist band admission system that would identify attendees and invited guests.
3. Companies involved in the tent village will be sent a letter outlining the tent drinking age in Idaho is 21 and that at no time should they allow any underage drinking and/or the serving of alcohol to visibly intoxicated patrons.
4. Two entry points manned by security personnel that will verify age of patrons and issue a different colored wristband signifying the patron is over the legal drinking age.
5. Security personnel and Boise Police Department officers located throughout the controlled area to monitor the alcohol wristband policy and patron behavior.
6. Security personnel will not allow patrons to exit the area with alcoholic beverages.
7. The date of the event is scheduled for December 31, 2007.
8. The Bowl will provide a minimum of \$5,000,000 insurance policy that will insure and indemnify the State of Idaho, the State Board of Education and Boise State University.
9. Obtain all necessary permits and licenses required.

Thank you for your consideration. Please feel free to contact me at 208-424-1011 if further details and/or measures need to be identified or implemented.

Sincerely,

Kevin McDonald  
Executive Director

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**J. Use of Institutional Facilities and Services**

**1. Use of Institutional Facilities and Services**

- a. Consistent with education's primary responsibilities of teaching, research, and public service, the institutions, under the governance of the State Board of Education and Board of Regents of the University of Idaho (Board), have and will continue to provide facilities and services for educational purposes. Such services and facilities, when provided, should be related to the mission of the institution and not directly competitive with services and facilities reasonably available from the private sector. The institutions' provision of services and facilities should be educationally related. In addition, the Board recognizes that the institutions have a role in assisting community and economic development in a manner that supports the activities of the private sector. To this end, cooperation with local, state, and federal agencies is encouraged.
- b. Priority and guidelines for use of institutional services and facilities is as follows:
  - (1) Institutionally sponsored programs and projects.
  - (2) Community programs or projects of an educational nature where the services or facilities provided by the institutions are directly related to the teaching, research, or service mission of the institution.
  - (3) Local, state, or federally sponsored programs and projects.
  - (4) The institutions will maintain a list of special events, services and facilities provided in those special events, the sponsor's name, the date of the use, and the approximate number of persons attending. This list will be available for public inspection. Individual institutional policies should be adopted in accordance with this general philosophy and policy statement of the Board. To this end, a coordinated effort between the public and private sector is encouraged.

**2. Possession, Consumption, and Sale of Alcohol Beverages at Institutional Facilities**

- a. Board Administrative Rules IDAPA 08.01.08 provides requirements relative to alcoholic beverages on campus grounds. Said rules generally prohibit the possession or consumption of alcoholic beverages in areas open to and most commonly used by the general public on campus grounds. The rules authorize the Board to waive the prohibition pursuant to Board policies and procedures. 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 this policy. The grant of any such waiver shall be determined by the chief executive officer ("CEO") only in compliance with this Policy and in accordance with the provisions set forth herein, and not as a matter of right to any other person or party, in doing so, the chief executive officer must ensure

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that the decisions to allow possession and consumption of alcoholic beverages are consistent with the proper image and the mission of the institution.

- b. Each institution shall maintain a policy providing for an institutional Alcohol Beverage Permit process. For purposes of this policy, the term "alcoholic beverage" shall include any beverage containing alcoholic liquor as defined in Idaho Code Section 23-105. Waiver of the prohibition against possession or consumption of alcoholic beverages shall be evidenced by issuance of a written Alcohol Beverage Permit issued by the CEO of the institution which may be issued only in response to a completed written application therefore. Staff of the State Board of Education shall prepare and make available to the institutions the form for an Alcohol Beverage Permit and the form for an Application for Alcohol Beverage Permit which is consistent with this 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. An Alcohol Beverage Permit may only be issued to allow the sale or consumption of alcoholic beverages on public use areas of the campus grounds provided that all of the following minimum conditions shall be met. An institution may develop and apply additional, more restrictive, requirements for the issuance of an Alcohol Beverage Permit.
  - (1) An Alcohol Beverage Permit may be granted only for a specifically designated event (hereinafter "Permitted Event"). Each Permitted Event shall be defined by the activity planned, the area or location in which the activity will take place and the period of time during which the activity will take place. The activity planned for the Permitted Event must be consistent with the proper image and mission of the institution. The area or location in which the activity will take place must be defined with particularity, and must encompass a restricted space or area suitable for properly controlling the possession and consumption of alcoholic beverages. The time period for the activity must be a single contiguous time period for a separate defined occurrence (such as a dinner, a conference, a reception, a concert, a sporting competition and the like). An extended series of events or a continuous activity with no pre-determined conclusion shall not be a Permitted Event. The area or location of the Permitted Event, the restricted space or area therein for possession and consumption of alcoholic beverages and the applicable time periods for the Permitted Event must each be set forth in the Alcohol Beverage Permit and in the application therefore.
  - (2) The serving of alcoholic beverages must be part of a planned food and beverage program for the Permitted Event, rather than a program serving alcoholic beverages only. Food must be available at the Permitted Event. Consumption of alcoholic beverages and food cannot be the sole purpose of a Permitted Event.

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- (3) Non-alcoholic beverages must be as readily available as alcoholic beverages at the Permitted Event.
- (4) A Permitted Event must be one requiring paid admission through purchase of a ticket or through payment of a registration fee, or one where admission is by written, personal invitation. Events generally open to participation by the public without admission charges or without written personal invitation shall not be eligible for an alcoholic beverage permit. Only persons who have purchased a ticket or paid a registration fee for attendance at a Permitted Event, or who have received a written invitation to a Permitted Event, and who are of lawful age to consume alcoholic beverages, will be authorized to possess and consume alcoholic beverages at the Permitted Event.
- (5) Permitted Events which are generally open to the public through purchase of a ticket (such as sporting events, concerts or other entertainment events) must set out a confined and defined area where alcoholic beverages may be possessed and consumed. For such events, the defined area where alcoholic beverages may be possessed and consumed shall be clearly marked as such, and shall be separated in a fashion that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area. Only those individuals lawfully attending the Permitted Event who are of lawful age to consume alcoholic beverages may be allowed into the defined area, provided that such individuals may be accompanied by youth for whom they are responsible, but only if such youth are, at all times, under the supervision and control of such individuals. For such events there shall be sufficient space outside of the area where alcoholic beverages may be possessed and consumed to accommodate the participating public who do not wish to be present where alcoholic beverages are being consumed.
- (6) No student athletic events, (including without limitation NCAA, NIT, NAIA and intramural student athletic events) occurring in college or university owned, leased or operated facilities, or anywhere on campus grounds, shall be Permitted Events, nor shall a Permitted Event be allowed in conjunction with any such student athletic event.
- (7) An Alcohol Beverage Permit for a Permitted Event to which attendance is limited to individuals who have received a personal written invitation, or to those who have registered to participate in a particular conference (for example, a reception, a dinner, an exclusive conference) may allow alcoholic beverages to be possessed and consumed throughout the area of the event, provided that the area of the event is fully enclosed, and provided further that the area of the event must be such that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area. Additionally, the area of the Permitted Event must not be open to access by the general public, or to

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access by persons other than those properly participating in the Permitted Event.

- (8) Application for an Alcohol Beverage Permit must be made by the organizers of the event. Such organizers must comply with all applicable laws of the State of Idaho and the local jurisdiction with respect to all aspects of the event, including the possession sale and consumption of alcoholic beverages.
- (9) The Alcohol Beverage Permit, any required local catering permit, and applicable state or local alcoholic beverages permits shall be posted in a conspicuous place at the defined area where alcoholic beverages are authorized to be possessed and consumed.
- (10) The sale, service and consumption of alcoholic beverages at a Permitted Event shall be confined to the specific event, area or activity identified on the Beverage Permit application. Any alcoholic beverages allowed at a Permitted Event shall be supplied through authorized contractors of the organizers (such as caterers hired by the organizers). In no event shall the institution supply or sell alcoholic beverages directly. In no event shall the general public, or any participants in a Permitted Event be allowed to bring alcoholic beverages into a Permitted Event, or leave the defined area where possession and consumption is allowed while in possession of an alcoholic beverage.
- (11) The person/group issued the Beverage Permit and the contractors supplying the alcoholic beverages shall assume full responsibility to ensure that no one under the legal drinking age is supplied with any alcoholic beverage or allowed to consume any alcoholic beverage at the Permitted Event. Further, the person/group must provide proof of insurance coverage, including host liquor liability and liquor legal liability, in amounts and coverage limits sufficient to meet the needs of the institution, but in no case less than \$500,000 minimum coverage per occurrence. Such insurance must list the permitted person/group, the contractor, the institution, the State Board of Education and the State of Idaho as additional insured's, and the proof of insurance must be in the form a formal endorsement to the policy evidencing the coverage and the required additional insured's.
- (12) The Alcohol Beverage Permit shall set forth the time at which sale, service, possession and consumption of alcoholic beverages will be permitted, which times shall be strictly enforced. Service and sale of alcoholic beverages shall stop at a time in advance of the time of closure of the event sufficient to allow an orderly and temperate consumption of the balance of the alcoholic beverages then in possession of the participants of the event prior to closure of the event.

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(13) These guidelines shall apply to both institutional and non-institutional groups using institutional facilities.

- c. Within residential facilities owned, leased or operated by an institution, the CEO may allow the possession or consumption of alcoholic beverages by persons of legal drinking age within the living quarters of persons of legal drinking age. Consumption of alcohol shall not be permitted in the general use areas of any such residence facility. Possession of alcohol within the general use areas of a residential facility may only be done in a facility where consumption has been authorized by the CEO, and such possession shall be only as is incidental to, and reasonably necessary for, transporting the alcohol by the person of legal drinking age to living quarters where consumption is allowed. The term "living quarters" as used herein shall mean, and be limited to, the specific room or rooms of a residential facility which are assigned to students of the institution (either individually or in conjunction with another room mate or room mates) as their individual living space.

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