

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS  
JUNE 23, 2011**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
1	<b>COLLEGE OF SOUTHERN IDAHO ANNUAL REPORT</b>	Information Item
2	<b>PRESIDENT’S COUNCIL REPORT</b>	Information Item
3	<b>IDAHO DIVISION OF VOCATIONAL REHABILITATION PROGRESS REPORT</b>	Information Item
4	<b>PRESIDENTIAL COMPENSATION</b>	Motion to Approve
5	<b>LEGISLATION - 2012</b>	Motion to Approve
6	<b>PROPOSED RULE – IDAPA 08.01.04</b>	Motion to Approve
7	<b>TEMPORARY/PROPOSED RULE - IDAPA 08.01.14</b>	Motion to Approve
8	<b>TEMPORARY/PROPOSED RULE - IDAPA 08.01.09</b>	Motion to Approve
9	<b>TEMPORARY RULE - IDAPA 08.01.11</b>	Motion to Approve
10	<b>BOISE STATE UNIVERSITY – ALCOHOL SERVICE PERMIT – STUECKLE SKY CENTER</b>	Motion to Approve
11	<b>BOISE STATE UNIVERSITY – ALCOHOL SERVICE PERMIT – CAVEN WILLIAMS CENTER</b>	Motion to Approve

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12	<b>IDAHO STATE UNIVERSITY – ALCOHOL SERVICE PERMIT – SPORTS MEDICAL CENTER</b>	Motion to Approve
13	<b>UNIVERSITY OF IDAHO – ALCOHOL SERVICE PERMIT</b>	Motion to Approve
14	<b>UNIVERSITY OF IDAHO – ALCOHOL SERVICE PERMIT – CLUB SEATING</b>	Motion to Approve
15	<b>PRESIDENT APPROVED ALCOHOL PERMITS</b>	Information Item
16	<b>BOARD POLICY – SECOND READING. I.M.</b>	Motion to Approve

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**SUBJECT**

College of Southern Idaho (CSI) Bi-Annual Progress Report

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section I.M.3.

**BACKGROUND/DISCUSSION**

This agenda item fulfills the Board's requirement for the College of Southern Idaho to provide a progress report on the institution's strategic plan, details of implementation, status of goals and objectives and information on other points of interest in accordance with a schedule and format established by the Board's Executive Director.

President Beck will provide a 15-minute overview of CSI's progress in carrying out the College's strategic plan.

**IMPACT**

The College of Southern Idaho's strategic plan drives the College's integrated planning; programming, budgeting, and assessment cycle and is the basis for the institution's annual budget requests and performance measure reports to the State Board of Education, the Division of Financial Management and the Legislative Services Office.

**BOARD ACTION**

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

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**SUBJECT**

Presidents' Council Report

**BACKGROUND/ DISCUSSION**

President Burton Waite, President of Eastern Idaho Technical College and current Chair of the Presidents' Council with give the bi-monthly report for the Presidents' Council and answer questions.

The Idaho Higher Education Presidents' Council last met on May 3 using video conference technology.

- Mike Rush and Selena Grace reviewed the New GearUp grant requirements regarding matching funds and asked the institutions to review their ability to provide match.
- Selena Grace lead a discussion about Mission statements for institutions as they relate to accreditation requirements and the Boards need to have time to review any significant changes in the mission statements. There ensued a discussion about the relationship between the accreditation and strategic planning processes
- The community colleges asked for and received support from the colleges and universities for providing scholarships to the Phi Theta Kappa graduates of the community colleges. This is an effort to keep these top community college students in the state of Idaho.
- The institutions were reminded of the need to submit legislative ideas to the Board Office for consideration at the June Board Meeting.

The next meeting was tentatively scheduled for June 7 by video.

**BOARD ACTION**

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**SUBJECT**

Idaho Division of Vocational Rehabilitation (IDVR)

**BACKGROUND/DISCUSSION**

Trudy Anderson was appointed as the Interim Administrator of IDVR in March of this year. During her appointment the Division has undergone some significant changes. Dr. Anderson will be providing an update to the Board on the progress of those changes as well as other issues associated with the transition.

**BOARD ACTION**

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

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**SUBJECT**

Chief Executive Officers Compensation

**REFERENCE**

June 2009	Board approved annual compensation for its chief executive officers and directed staff to prepare employment agreements containing terms and conditions for further Board consideration.
August 2009	Board approved chief executive officers Employment Agreements
June 2010	Board approved annual compensation for its chief executive officers and directed staff to prepare employment agreements containing terms and conditions for further Board consideration
August 2010	Board approved chief executive officer employment agreements

**BACKGROUND/DISCUSSION**

The Board approved three year contracts for the four year institution presidents at the August 2010 Board meeting. In May of 2011 the Board completed performance evaluations for the chief executive officers of the University of Idaho, Boise State University, Idaho State University, Eastern Idaho Technical College and the Office of the State Board of Education. Following those evaluations the Board directed its staff to bring back proposed contract changes extending each of the contracts and appointment letters for one additional year. Presidential contracts/appointment letters run on the state fiscal calendar for payroll.

**BOARD ACTION**

A motion to approve the annual salary for Dr. Robert Kustra as President of Boise State University for the 2012 fiscal year in the amount of \$336,410 (comprised of \$299,410 in institutional funds, and \$37,000, plus such additional amount required for benefits, in supplemental compensation to be provided by the BSU Foundation), and to amend the current employment agreement with Dr. Kustra extending the current contract for one (1) additional year, as submitted.

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

A motion to approve the annual salary for Dr. Duane Nellis as President of University of Idaho for the 2012 fiscal year in the amount of \$335,000 (comprised of \$298,000 in institutional funds, and \$37,000, plus such additional amount required for benefits in supplemental compensation to be provided by the UI

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Foundation), and to amend the current employment agreement with Dr. Nellis extending the current contract for one (1) additional year, as submitted.

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

A motion to approve the annual salary for Dr. Art Vailas as President of Idaho State University for the 2012 fiscal year, in the amount of \$323,650 (comprised of \$286,650 in institutional funds, and \$37,000, plus such additional amount required for benefits in supplemental compensation to be provided by the ISU Foundation), and amend the current employment agreement with Dr. Vailas extending the current contract for one (1) additional year, as submitted.

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

A motion to approve the annual salary for Mike Rush as Executive Director of the Idaho State Board of Education for the 2012 fiscal year, at an annual salary of \$110,012, and to approve the employment agreement with Dr. Rush as presented for a one (1) year term and containing additional employment terms and conditions, to be brought back for future consideration by the Board.

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

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**SUBJECT**

Legislation for the 2012 Legislative Session

**REFERENCE**

June 2010

The Board approved legislative ideas to be submitted through the Governors Executive Agency Legislation process.

**BACKGROUND/ DISCUSSION**

As an agency of the Governor, the State Board of Education is required to submit electronically all proposed legislation to the Division of Financial Management (DFM) for the Governor's approval. The Board's approval of these Legislative Ideas is the first step in the process. If approved by the Board and the Governor, the actual legislative language will be brought back to the Board at their October Board meeting for final approval.

The institutions and agencies were requested to submit legislative ideas for Board approval at the June Board meeting in March of this year. The Board office received five legislative ideas for Board approval.

The following are descriptive summaries of the nine (9) pieces of legislation being proposed:

**Residency Classification – Military Personnel**

Section 33-3717B, Idaho code outlines the requirements for a public institution of higher education to recognize an individual as a resident for tuition purposes. Proposed changes recognize the Idaho residency status of Idaho residents

Individuals who join the armed forces of the United States and continue to maintain their Idaho residency (and their dependents) during their term of service would be considered residents for tuition paying purposes. Under the current residency statute, these Idahoans would not be eligible for in-state residency status for fee payment purposes. Their dependents are also not eligible to benefit from the parents Idaho resident status for fee payment purposes.

**Fiscal Impact**

The actual numbers of students who have been impacted are minimal and there would be little to no fiscal impact.

**Community College – Out of District Tuition**

Under current statute (Title 33, Chap 21) Idaho students who reside in an area outside of a community college district pay the same as in district students with the provision for their county of residence to make up the difference between in district and out of district tuition to the community college of attendance. The amount of county reimbursement is currently capped at no more than \$500 each semester for a full time student. It is further capped by a lifetime liability of \$3000. The statute proscribes the use of liquor funds for this purpose.

With the continuing decrease in state revenue to fund community colleges, there is additional pressure to maximize other revenue sources. Local property taxpayers should not be subsidizing students from out of their taxing district. In order to spread the burden of increased revenue generation, the out of county tuition reimbursement rates should be raised from the current \$500 a semester/\$3000 lifetime cap.

The community colleges propose a change to statute to provide a more appropriate level of reimbursement.

**Fiscal Impact**

The maximum liability of the county of residence would increase to the new limits.

**Rural Physician Incentive Fund**

Changes to section 33-3724, Idaho code would move the administration of the fund and the appointment of the oversight committee to the Department of Health and Welfare.

**Fiscal Impact**

There would be no new fiscal impact.

**Interstate Compact**

Section 33-4104, Idaho code is the Interstate Compact on qualification of educational personnel and addresses the agreement to recognize the professional preparation and experience of educational personnel among the participating states. A review of the compact is done every five years. The review was done this past year by representatives from the participating states at a recent meeting of the National Association of State Directors of Teacher Education and Certification (NASDTEC) and new language was developed for the compact. The current statute incorporates that actual language of the compact and will need to be updated to reflect the changes implemented by NASDTEC.

**Fiscal Impact**

There will be no additional fiscal impact.

**Health Education – Professional Studies Account**

Amend Idaho Code §33-3721 to remove reference to state appropriations for the health education programs being deposited to the “Professional Studies Account.” This account was created by an act of the Legislature in 1983, but the account was never formally set up in the State’s accounting system, so no state appropriations have been run through the account. Auditors have recommended that either Code be followed or be aligned with current practice. Staff cannot identify any value added by using the account for appropriated funds.

**Fiscal Impact**

There is no fiscal impact to any fund. This amendment would simply codify current practice.

**State Junior College Account**

Amend Idaho Code §33-2139, 2141 to clarify that only liquor funds are deposited to the state junior college account, and that these funds are to be distributed by the liquor division directly to the community colleges on a quarterly basis.

**Fiscal Impact**

There is no fiscal impact to any fund.

**CHARTER SCHOOL GROWTH CAP**

This legislation would amend I.C. 33-5203(2)(a) to remove the growth cap of six new public charter schools per year and one new public charter school per district per year. I.C. 33-5203(2)(e) would also be amended to remove reference to the growth cap.

**Fiscal Impact**

There is no impact to the general fund. Historical charter school growth rates, together with the extensive nature of the charter petitioning process, indicate that removal of the cap will not result in an increased rate of growth in the number of public charter schools. Removal of the cap will, however, place Idaho and Idaho charter schools in a more favorable position for obtaining federal and private grants.

**CHARTER SCHOOL FUNDING**

This legislation would amend I.C. 33-5208(1) to add a provision that if enrollment growth estimated by a public charter school does not actually occur for three consecutive years, advance funding will no longer be made available to that public charter school. The intent of this legislation is to close a loophole permitting charter schools to inaccurately predict unlikely expansion in order to obtain advance funding to bolster cash flow over the summer, essentially using the current fiscal year's funding for the last fiscal year's expenses.

**Fiscal Impact**

There is no impact on the general fund. The amount of funding sent to a public charter school is based on average daily attendance; this legislation will affect the timing, but not the amount, of funds allocated to affected schools.

**CHARTER SCHOOL STATUTE CLEAN-UP**

This legislation will make a number of minor amendments I.C. 33-52 to achieve the following:

- a. Establishment of more practical timelines for public hearings;
- b. Clarification that the full record will be considered by a hearing officer in the event of an appeal regarding denial of a charter petition;
- c. Clarification of the State Department of Education's role in providing technical assistance to petitioners and public charter schools.

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- d. More logical flow of information within the chapter;
- e. Removal of redundant and outdated language; and
- f. Corrections to grammar and verbiage for improved clarity and consistency.

**Fiscal Impact**

There is no impact on the general fund.

**IMPACT**

If the Board approves the Legislative Ideas as submitted, staff will continue to move the legislation through the legislative process and will bring the legislative language and amendments to the Board at the October meeting. Legislative Ideas not approved will not be submitted to DFM.

**STAFF COMMENTS AND RECOMMENDATIONS**

Actual legislative language and amendments will be brought back to the Board by the October Board meeting for final approval.

A legislative Idea similar to the Community College Out-of-District Tuition Idea submitted this year was submitted by the community colleges last year. The Idea was approved by the Board, but latter pulled at the request of the colleges. The proposed changes last year raised the semester limit to one thousand dollars (\$1,000) and the per student lifetime maximum liability to six thousand dollars (\$6,000).

The Rural Physician Incentive Fund Idea would move the management of the program from the Office of the State Board of Education to the Department of Health and Welfare's Office of Rural Health. The Department of Health and Welfare are in favor of the move.

**BOARD ACTION**

I move to approve the nine (9) legislative ideas as submitted and to authorize the Executive Director to submit these and additional proposals through the Governor's legislative process. Additional Legislative Ideas to be approved by the Board's Executive Committee prior to submittal.

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

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**SUBJECT**

Proposed Rule, IDAPA 08-0104 Rules Governing Residency Classification

**APPLICABLE STATUTES, RULE OR POLICY**

Section 33-3717B, Idaho Code

**BACKGROUND / DISCUSSION**

Current rule delegates the responsibility for determination of residency for professional health education programs to specific institutions. While some institutions provide some level of instruction for some of these professional health education programs, others do not.

Staff has identified programs for which one institution could provide evaluation and determination of residency for applicants of multiple programs. This could make the application process more user friendly for the student and increase efficiencies in the determination of residency for these programs.

**IMPACT**

The approval of this proposed rule will allow the rule to move forward to the legislature for review.

**ATTACHMENTS**

Attachment 1 – Pending Rules Governing Residency

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**STAFF COMMENTS AND RECOMMENDATIONS**

Proposed rules have a 21 day comment period prior to becoming Pending rules. Based on received comments and Board direction, changes may be made to Proposed rules prior to entering the Pending stage. All Pending rules will be brought back to the board for approval prior to submittal to the Department of Administration for publication in the Idaho Administrative Rules Bulletin as a Pending Rule. Pending rules become effective at the end of the legislative session in which they are submitted.

Staff recommends approval of the Proposed rule IDAPA 08.01.04 Rules Governing Residency Classification.

**BOARD ACTION**

I move to approve to the Proposed rule IDAPA 08.01.04 Rules Governing Residency Classification as submitted.

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

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**105. RESIDENCY REQUIREMENTS FOR SPECIAL GRADUATE OR PROFESSIONAL PROGRAMS.** As provided in Section 33-3717B, Idaho Code, a residency requirement of at least one (1) calendar year is in effect for certain special graduate and professional programs. Those programs include, but are not limited to, the WAMI Regional Medical Program, the WICHE Professional Student Exchange Program, the Idaho Dental Education Program, the Creighton Dental Education Program, the WOI Regional Veterinary Program, and the University of Utah Medical Program. For purposes of this section, the requirement of "at least one (1) calendar year" means a period of twelve (12) consecutive months of continuous residency consistent with the requirements of Section 33- 3717B, Idaho Code, immediately prior to the date of application. (5-8-09)

~~**01. Delegation of Certification Administration.** The following office or institutions are delegated the responsibility for the evaluation of applicants and determination of residency for the special graduate and professional programs for purposes of certification. (7-1-93)( )~~

~~**a.** The University of Idaho -- WAMI Regional Medical Program, WOI Regional Veterinary Program. (7-1-93)( )~~

~~**b.** Idaho State University -- Idaho Dental Education Program and the University of Utah Medical Program. (6-30-95)( )~~

~~**c.** Office of the State Board of Education -- WICHE Professional Student Exchange Program. (6-30-95)( )~~

**02. Appeal to the State Board of Education.** Applicants for the special graduate and professional programs, upon institutional denial of residency status, may petition the Board for a hearing on the denial. The decision to grant such a hearing is discretionary with the Board and will be granted for errors in determination of residency pursuant to Section 33-3717B, Idaho Code. (5-8-09)

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**SUBJECT**

Temporary and Proposed Rule - IDAPA 08.01.14 – Idaho Rural Physician Incentive Program

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Administrative code, IDAPA 08.01.14  
Sections 33-333723 through 33-3725, Idaho Code

**BACKGROUND/DISCUSSION**

The Idaho Rural Physician Incentive Program was approved by the 2003 Idaho Legislature to encourage primary care physicians to practice in medically underserved areas of Idaho. Sections 33-3723–33-3725, Idaho Code establishes the authority of the Board, through an oversight committee, to administer the program and assess/collect the rural physician incentive fee.

In April 2010, the oversight committee selected four physicians to receive an award under this program. Current administrative code stipulates that qualified medical education debt repayments will be paid directly to the financial organization holding the debt. While processing the first payment to the financial organizations for these physicians, Board staff encountered unforeseen barriers in obtaining the necessary information and paperwork from the financial organizations in order to process the payment through the Statewide Accounting and Reporting System.

By modifying IDAPA 08.01.14 subsection 017.03 (Repayment of Qualified Medical Education Debt) and altering the payment structure so that the loan repayments are processed to an award recipient physician instead of the financial institution, Board staff will be able to process the payment immediately for the two physicians who have not received their award. Amendments will include requiring award recipient physicians to sign an affidavit provided by the Board office affirming the payment will be made to the financial institution.

Additional amendments to IDAPA 08.01.14 clarifies an eligible area in subsection 010 as a medically underserved area of Idaho designated by the U.S. Secretary of Health and Human Services and further defines it as a health professional shortage area in the category of primary care or mental health.

**IMPACT**

The proposed amendments will allow staff administer the program more efficiently for future recipients and process the two loan repayments from the current round of awards that had not yet been processed.

**ATTACHMENTS**

Attachment 1 – Proposed Rule IDAPA 08.01.14

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**STAFF COMMENTS AND RECOMMENDATIONS**

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Staff recommends approval of the Proposed rule IDAPA 08.01.14 Rules Governing Residency Classification.

**BOARD ACTION**

I move to approve the Temporary and Proposed Rule changes to IDAPA 08.01.14 as submitted.

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

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**IDAPA 08**  
**TITLE 01**  
**CHAPTER 14**

**08.01.14 - IDAHO RURAL PHYSICIAN INCENTIVE PROGRAM**

**000. LEGAL AUTHORITY.**

These rules are promulgated pursuant to the authority of the State Board of Education (the Board) under Section 33-105, and Sections 33-3723 through 33-3725, Idaho Code. (3-29-10)

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be known as IDAPA 08.01.14, "Idaho Rural Physician Incentive Program." (3-29-10)

**02. Scope.** These rules constitute the requirements for the Idaho Rural Physician Incentive Program. (3-29-10)

**002. WRITTEN INTERPRETATIONS.**

In accordance with Section 67-5201(19)(b)(iv), Idaho Code any written interpretation of the rules of this chapter are available at the Board office. (3-29-10)

**003. ADMINISTRATIVE APPEAL.**

Unless otherwise provided for in the rules of the Board or in the State Board of Education Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. (3-29-10)

**004. INCORPORATION BY REFERENCE.**

There are no documents to incorporate by reference pursuant to, and in accordance with, Section 67-5229, Idaho Code. (3-29-10)

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

The principal place of business of the Board is in Boise, Idaho. (3-29-10)

**01. Mailing Address.** The mailing address is PO Box 83720, Boise, ID 83720-0037. (3-29-10)

**02. Street Address.** The Board's street address is 650 West State Street, Room 307, Boise, Idaho 83702. (3-29-10)

**03. Office Hours.** The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. (3-29-10)

**006. PUBLIC RECORDS ACT COMPLIANCE.**

This rule has been promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, and is a public record. (3-29-10)

**007. COMMUNICATION WITH STATE OFFICIALS.**

All inquiries concerning the Rural Physician Incentive Program will be directed to the Office of the Board. (3-29-10)

**008. -- 009. (RESERVED).**

**010. DEFINITIONS.**

These definitions are applicable to this chapter only. (3-29-10)

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**01. Community Sponsoring Organization.** A hospital, medical clinic or other medical organization which is located in an eligible area and that employs physicians for purposes of providing primary care medical services to patients. (3-29-10)

**02. Eligible Area.** A medically underserved area of Idaho, further defined to mean an area designated by the U.S. Secretary of Health and Human Services as a ~~health professions shortage area~~ Health Professional Shortage Area in the category of Primary Care or Mental Health. (~~3-29-10~~)( )

**03. Oversight Committee.** The committee constituted pursuant to Section 33-3724, Idaho Code, composed of knowledgeable individuals or organizations to assist in the administration of the rural physician incentive program. (3-29-10)

**04. Primary Care Medicine.** Family medicine, general internal medicine, and general pediatrics, but if there is a demonstrated high level of need in an eligible area, as determined by the oversight committee, may also include obstetrics and gynecology, general psychiatry, general surgery, and emergency medicine. (3-29-10)

**05. Qualified Medical Education Debt.** Debt with a financial aid program or financial institution incurred to meet the educational costs of attending a medical school. (3-29-10)

**06. Rural Physician.** A licensed Idaho physician, MD or DO, who spends a minimum of twenty-eight (28) hours per week, on average, providing primary care medicine services to patients in an eligible area. (3-29-10)

**07. Rural Physician Incentive Fee.** The fee assessed by the State to students preparing to be physicians in the fields of medicine or osteopathic medicine who are supported by the state pursuant to an interstate compact for professional education in those fields, as those fields are defined by the compact. (3-29-10)

**08. Rural Physician Incentive Fund.** The special revenue account in the state treasury created pursuant to Section 33-3724, Idaho Code, relating to the Rural Physician Incentive Program. (3-29-10)

**011. OBJECTIVES OF THE RURAL PHYSICIAN INCENTIVE PROGRAM.**

This program is established as a tool to help recruit and retain rural physicians to serve in eligible areas. The granting of an award under this program requires the support of a community sponsoring organization in an eligible area that has experienced physician recruiting difficulties and that can demonstrate broad support for this program from the medical community and community leaders located in the eligible area. (3-29-10)

**012. ADMINISTRATION.**

The Board, through the advice and recommendations of the oversight committee, is the administrative agent for the Rural Physician Incentive Program. The Board designates its executive director, or his designee, as its administrative officer for this program and delegates to its executive director, or his designee, and to the Office of the State Board of Education, such administrative responsibilities as are necessary to carry out and administer the Rural Physician Incentive Program in accordance with this rule. (3-29-10)

**013. ASSESSMENT OF A RURAL PHYSICIAN INCENTIVE FEE.**

**01. Assessment.** Pursuant to Section 33-3723, Idaho Code, the rural physician incentive fee assessed to, and required to be paid by, all state-supported medical students who are preparing to be physicians in the fields of medicine or osteopathic medicine shall be equal to four percent (4%) of the average annual medical support fee paid by the State on behalf of each such student. (3-29-10)

**02. Annual Collection.** The rural physician incentive fee assessed by the Board shall be collected by the Office of the State Board of Education annually from each state-supported student during each year of undergraduate medical training and shall be deposited into the state treasury as required by Section 33-3723, Idaho Code. (3-29-10)

**03. Deposits.** Income and earnings from the rural physician incentive fund shall be returned to such fund. (3-29-10)

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**014. ELIGIBILITY FOR A RURAL PHYSICIAN INCENTIVE PROGRAM AWARD.**

**01. Eligibility Requirements.** A physician who meets the following requirements is eligible to apply for a Rural Physician Incentive Program award: (3-29-10)

**a.** During the period covered by the award, the physician must be a rural physician providing primary care medicine in an eligible area. A physician may provide patient care services in primary care medicine in more than one (1) eligible area; (3-29-10)

**b.** The physician must be a Doctor of Medicine (M.D.) or Doctor of Osteopathic Medicine (D.O.) and have completed an Accreditation Council of Graduate Medical Education or American Osteopathic Association residency; (3-29-10)

**c.** The physician must be Idaho Medical Board certified/Board eligible, ~~hold~~be eligible for an unrestricted Idaho medical license, and be able to meet the medical staffing requirements of the sponsoring organization when applicable; and (~~3-29-10~~)(\_\_\_\_)

**d.** The physician must be eligible to care for Medicare and Medicaid patients within the scope of the physician's primary care medicine practice. (3-29-10)

**02. Ineligibility.** Notwithstanding Subsection 014.01 of these rules, a physician shall not be entitled to receive an award under this program if the physician is receiving payments for purposes of repaying qualified medical education debt from another state or from a federal debt repayment program. (3-29-10)

**015. APPLICATION PROCESS.**

**01. Applications.** Applications for the Rural Physician Incentive Program must be on a form prescribed by the Office of the State Board of Education and must include a letter of support, along with supporting documentation establishing the criteria in Subsections 021.01 and 021.02 of these rules, from a sponsoring organization. Applications must be received by the Office of the State Board of Education not earlier than October 1st and not later than December 31st for consideration for the award period beginning July 1st of the next succeeding year. (3-29-10)

**02. Announcement of Award.** Announcement of program awards shall be made not later than April 30th each year, with awards to be effective beginning July 1st of that year. Applicants must respond by the date specified in any communication from officials of the Rural Physician Incentive Fund Program. Failure to respond within the time period specified will result in cancellation of the application and forfeiture of the award unless extenuating circumstances can be shown by the applicant. (3-29-10)

**016. SELECTION OF RURAL PHYSICIAN INCENTIVE FUND AWARD RECIPIENTS.**

**01. Selection of Recipients.** The selection of recipients of Rural Physician Incentive Program awards shall be based on ranking and priority of applicants in accordance with the following criteria: (3-29-10)

**a.** Priority selection for physicians who were Idaho-resident students and were assessed the rural physician incentive fee and paid into the fund, followed by physicians who were Idaho-residents prior to completing medical school out of the state and who did not contribute to the fund, followed by physicians from other states who were not Idaho-residents; (3-29-10)

**b.** Demonstrated physician shortage in the eligible area to be benefitted; (3-29-10)

**c.** Demonstrated physician recruiting difficulties in the eligible area to be benefitted; and (3-29-10)

**d.** Support of the medical community and community leaders in the eligible area. (3-29-10)

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**02. Relevant Factors.** In reviewing and weighing these criteria, all relevant factors shall be considered. (3-29-10)

**03. Debt Payments Not Accepted.** If a physician selected for an award of debt payments does not accept the award in the manner provided in these rules, then the award shall be awarded to the next eligible applicant who has not received an award. (3-29-10)

### 017. MONETARY VALUE OF THE AWARD.

**01. Award Amounts.** A physician selected to receive a Rural Physician Incentive Program award shall be entitled to receive qualified medical education debt repayments for a period not to exceed five (5) years in such amount as is determined annually. The award shall not exceed the qualified medical education debt incurred by the recipient, and the maximum amount of educational debt repayments that a rural physician may receive shall be fifty thousand dollars (\$50,000) over such five (5) year period. Payments shall be limited to a maximum of ten thousand dollars (\$10,000) in a single year. (3-29-10)

**02. Establishing Award Amounts.** Award amounts shall be established annually based on recommendations of the oversight committee utilizing such factors as availability of funding, the number of new applicants, and the hours an award recipient will devote to providing primary care services in an eligible area. (3-29-10)

**03. Repayment of Qualified Medical Education Debt.** All qualified medical education debt repayments shall be paid directly to the ~~financial organization~~ award recipient physician who shall direct payment of an equal amount to the financial institution holding such debt. An award recipient physician shall sign an affidavit provided by the Office of the State Board of Education affirming that payment will be made to the financial institution. (~~3-29-10~~) ( )

**04. Incentive Fund.** Pursuant to Section 33-3725, Idaho Code, the total of all awards from the rural physician incentive fund contractually committed in a year shall not exceed the annual amount deposited in the rural physician incentive fund that same year. (3-29-10)

**05. Annual Adjustments.** An award payment to a recipient in a single year is not guaranteed or assured in subsequent years and may be increased or reduced. Annual award payments for new and existing award recipients will be announced no later than April 30th of each year. (3-29-10)

### 018. ANNUAL CONTRACT.

**01. Annual Contract.** An award recipient physician must enter into an annual contract to be eligible for qualified medical education debt repayments. (3-29-10)

**02. Verification of Eligibility.** Prior to entering into a contract covering a new award year, an award recipient must verify that he has met and will continue to meet the award eligibility requirements specified in this rule. Annual verification of continued eligibility must be on a form provided by OSBE and submitted to OSBE no later than December 31st each year. (3-29-10)

**03. Award Recipient Liability.** Pursuant to Section 33-3725, Idaho Code, the contract must provide that the award recipient is liable to the Board for the award payments made on his behalf should the recipient cease to practice in the eligible area during the contract period or fail to perform according to the terms of the contract. (3-29-10)

### 019. FRAUDULENT INFORMATION.

Providing false information on any application or document submitted under this chapter is grounds for declaring the applicant ineligible. Any and all funds determined to have been acquired on the basis of fraudulent information must be returned to the rural physician incentive fund. This Section shall not limit other remedies which may be available for the filing of false or fraudulent applications. (3-29-10)

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**020. APPEAL PROCEDURE.**

**01. Filing an Appeal.** Any Idaho Rural Physician Incentive Program award applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows: (3-29-10)

**a.** The Idaho Rural Physician Incentive Program applicant or recipient must appeal no later than thirty (30) days following notice of the decision. The written statement must include a statement of the reason the applicant or recipient believes the decision should be changed or overturned. (3-29-10)

**b.** The appeal must be submitted to the President of the Board. The Board must acknowledge receipt of the appeal within seven (7) days. The President of the Board may or may not agree to review the appeal, or may appoint a subcommittee of three (3) persons to review the appeal. (3-29-10)

**02. Transmittal to Subcommittee.** If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the President of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. (3-29-10)

**03. Subcommittee Recommendations.** Following the subcommittee's decision, the President of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The applicant or recipient initiating the appeal may, at the discretion of the President of the Board, be permitted to make a presentation to the Board. (3-29-10)

**04. Board Decision.** The decision of the Board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The Board will inform the applicant or recipient in writing of the decision of the Board. (3-29-10)

**021. -- 999. (RESERVED).**

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**SUBJECT**

Temporary and Proposed Rule - IDAPA 08.01.09 – GEAR UP Idaho Scholarship

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Administrative code, IDAPA 08.01.09

**BACKGROUND/DISCUSSION**

The state of Idaho received the GEAR UP Idaho grant in 2006. A major component of this grant is scholarships for those students who have participated in the program. The first cohort of students will become eligible to receive these scholarships. The rule is patterned after the Opportunity Scholarship rule that is already in place and has functioned successfully for a number of years.

The rule outlines the eligibility requirements and applications process. The minimum award is equivalent to the maximum Pell for the year awarded and cannot exceed the cost of attendance.

**IMPACT**

The proposed amendments will allow staff to efficiently administer the program.

**ATTACHMENTS**

Attachment 1 – Temporary/Proposed Rule  
IDAPA 08.01.09

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**STAFF COMMENTS AND RECOMMENDATIONS**

Proposed rules have a 21 day comment period prior to becoming Pending rules. Based on received comments and Board direction, changes may be made to Proposed rules prior to entering the Pending stage. All Pending rules will be brought back to the board for approval prior to submittal to the Department of Administration for publication in the Idaho Administrative Rules Bulletin as a Pending Rule. Pending rules become effective at the end of the legislative session in which they are submitted.

Staff recommends approval of the Temporary/Proposed rule IDAPA 08.01.09 Rules GEAR UP Idaho Scholarship.

**BOARD ACTION**

I move to approve the Temporary and Proposed Rule IDAPA 08.01.09 as submitted.

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

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IDAPA 08  
TITLE 01  
CHAPTER 09

**08.01.09 – RULES GOVERNING THE GEAR UP IDAHO SCHOLARSHIP PROGRAM**

**000. LEGAL AUTHORITY.** These rules are promulgated pursuant to the authority of the State Board of Education (Board) under Section 33-105, Idaho Code.

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be cited as IDAPA 08.01.09, “Rules Governing the GEAR UP Idaho Scholarship Program.”

**02. Scope.** These rules constitute the requirements for the GEAR UP Idaho Scholarship Program.

**002. WRITTEN INTERPRETATIONS.** In accordance with Section 67-5201(19)(b)(iv), Idaho Code, written interpretations, if any, of the rules of this chapter are available at the Board.

**003. ADMINISTRATIVE APPEALS.** Unless otherwise provided for in the rules of the Board or in the Board Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein.

**004. INCORPORATION BY REFERENCE.** There are no documents that have been incorporated by reference into these rules.

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.** The principal place of business of the State Board of Education is in Boise, Idaho.

**01. Mailing Address.** The mailing address is PO Box 83720, Boise, Idaho 83720-0037.

**02. Street Address.** The State Board of Education’s street address is 650 West State Street, Room 307, Boise, Idaho 83702.

**03. Office Hours.** The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays.

**006. PUBLIC RECORDS ACT COMPLIANCE.** These rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code.

**007. -- 09. (RESERVED).**

**010. DEFINITIONS.**

**01. Dependable Strengths Report.** Shall mean a tool available on the Idaho Career Information System that assists students in assessing skills and abilities as they relate to career choices and options. Dependable Strengths is accessed via *My CIS Portfolio*.

**02. Educational costs.** Means student costs for tuition, fees, room and board, or expenses related to reasonable commuting, books and other expenses reasonably related to attendance at a postsecondary educational institution. This cost is determined by the postsecondary institution the student attends.

**03. Eligible institution.** Shall mean:

**a.** A public postsecondary educational institution governed or supervised by the Board, or a board of trustees of a community college established pursuant to the provisions of Chapter 21, Title 33, Idaho Code; or

**b.** Any educational organization located in Idaho which is:

- i. Operated privately;
- ii. Classified as not-for-profit under the Idaho Code;
- iii. Under the control of an independent board and not directly controlled or administered by a public or political subdivision; and
- iv. Accredited by an organization recognized by the Board, as provided in section 33-2402, Idaho code.
- v. Eligible for receipt of federal financial aid funding.

**04. Eligible student.** Shall mean a student who:

**a.** Is an Idaho resident and who has participated in the early intervention component (7<sup>th</sup> through 10<sup>th</sup> grade) of the GEAR UP Idaho program and who has or will graduate from an accredited high school or equivalent in Idaho as determined by the Board in 2012, 2013, or 2014;

**b.** Has enrolled or applied as a full-time student in an eligible institution for a minimum of twenty-four (24) credit hours in an academic year.

**05. Administration.** Shall be the Executive Director of the Idaho State Board of Education or his designee.

**011. -- 099. (RESERVED).**

**100. OBJECTIVES OF THE GEAR UP IDAHO SCHOLARSHIP PROGRAM.** The objectives of the GEAR UP Idaho scholarship program are:

a. To support the continuation of education at the postsecondary level by providing qualified students with a scholarship.

b. To recognize the successful completion of GEAR UP program activities by student participants.

## **101. ELIGIBILITY**

**01. Eligible Student.** An applicant must be an eligible student and less than twenty-two (22) years of age at the time student first receives a scholarship award.

**02. Undergraduate Student.** An eligible student must be enrolled full-time in an undergraduate program at an eligible institution. A student enrolled in an undergraduate program is eligible for consideration for a scholarship award, even if some of the student's courses are at the graduate level.

## **102. – 199. (RESERVED).**

## **200. APPLICATION PROCESS**

### **01. Initial Applications.**

a. An eligible student who has not yet graduated from an accredited high school or its equivalent in the state of Idaho must complete and submit the GEAR UP Idaho Scholarship Application to the Board electronically on or before the date specified in the application, but not later than January 15th. An applicant without electronic capabilities may receive assistance in completing the electronic application from your high school counselor or from State Board of Education scholarship staff. Gear Up Idaho Scholarship Administrator through the United States Postal Service, which must be postmarked not later than January 15th.

b. An applicant must complete and submit the Free Application for Federal Student Aid (FAFSA) on or before February 15<sup>th</sup> of the year student will graduate from secondary school or its equivalent.

c. An applicant must submit with his or her application a copy of the applicant's Dependable Strengths Report or in lieu of submitting the applicant's Dependable Strengths Report an applicant may submit a one-page essay on the topic "My Unique Dependable Strengths."

**02. Announcement of Award.** Announcement of the award of initial scholarships for the 2012 – 2013 academic years will be made no later than May 15, 2012, with awards to be effective at the beginning of that academic year. The announcement of award recipients in future academic years will be made no later than May 1.

**03. Communication with State Officials.** Applicants for initial scholarships must respond by the date specified to any communication from officials of the GEAR UP Idaho Program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved.

**201. – 299. (RESERVED).**

**300. SELECTION OF SCHOLARSHIP RECIPIENTS.** Applications will be reviewed and awards selected based on financial need, hours of participation in the GEAR UP program and academic preparation based on a combination of the ACT score and cumulative HS GPA. Priority will be given to applicants who are eligible to receive Pell grant funding, as determined by the Free Application for Federal Student Aid.

**01. Academic Eligibility**

**a.** Applicants for the GEAR UP Idaho scholarship are selected as recipients, in part, on the basis of their academic performance. The student applicant's high school grade point average (GPA) and ACT composite score are weighed equally to determine an applicant's academic rank.

**b.** The academic ranking constitutes twenty percent (20%) of the selection ranking.

**c.** Grade point average (GPA). An eligible student's unweighted GPA will be used to determine the GPA value.

**d.** ACT Composite Score. Academic applicants must take the ACT exam. The highest composite score from any single test administration taken prior to the application deadline of January 15 will be considered. Applicants will be ranked against other applicants based upon the ACT composite score.

**02. Financial Eligibility**

**a.** Applicants for GEAR UP Idaho scholarship are selected as recipients, in part, on the basis of demonstrated financial need. The primary tool that will be used by the GEAR UP Scholarship Program officials to determine financial need will be the federal Free Application for Federal Student Aid (FAFSA), used by the United States Department of Education to determine eligibility for financial aid and a expected family's contribution (EFC) to a student's postsecondary education. The financial need of an applicant for a GEAR UP scholarship will be based up the validated expected family contribution, as identified by the FAFSA report.

b. The financial need factor, as determined by FAFSA, will constitute sixty percent (60%) of the weighting for the selection of recipients of GEAR UP scholarships.

**c. Participation Eligibility**

i. Applicants for GEAR UP Idaho scholarships are selected in part on the basis of their participation in GEAR UP activities.

ii. The participation factor will constitute twenty percent (20%) of the selection ranking.

iii. Participation is reported in hours. Participation is determined based upon the hours a GEAR UP applicant participated in available GEAR UP activities offered at their school. Applicants will be compared to other applicants from the same school.

**301. – 399. (RESERVED).**

**400. GEAR UP IDAHO SCHOLARSHIP AWARD**

**01. Distribution.** GEAR UP Idaho scholarships will be awarded at each GEAR UP school with distribution based on school population in relation to the over-all state GEAR UP population.

**02. Monetary Value of the Gear Up Idaho Scholarship.**

a. The monetary value of the GEAR UP Idaho scholarship award to a student is set at the maximum amount of the Federal Pell Grant as established by the Federal government for the given year.

b. The total amount of financial aid from all sources shall not exceed the student's total educational costs.

**03. Payment.** Payment of scholarship awards will be made in the name of the recipient and will be sent to a designated official at the eligible institution in which the recipient is enrolled. The official must transmit the payment to the recipient within a reasonable time following receipt of the payment.

**04. Duration.** Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to, or on behalf of, a scholarship recipient. The scholarship covers up to one (1) educational year or equivalent for attendance at an eligible institution. Request for part-time study must have prior authorization by the GEAR UP Idaho administrator, and if granted, scholarship awards will be reduced proportionally.

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**05. Eligibility.** If a student receives a scholarship payment and it is later determined that the student did not meet all of the eligibility requirements, then the student is considered in overpayment status, and must return program funds in accordance with the eligible institution's refund policy.

**401. – 499. (RESERVED).**

**500. CONTINUING ELIGIBILITY** To remain eligible for renewal of a GEAR UP Idaho scholarship, the recipient must comply with all of the provisions of the GEAR UP Idaho Program and these rules, in addition to the following requirements:

**01. Renewal Application.** A scholarship recipient must complete and submit a renewal application in order to be considered for a continuing scholarship for each succeeding year. A completed application for the renewal of an GEAR UP Idaho scholarship must be submitted to the Board electronically by the date established on the application, but not later than January 30. An applicant without electronic capabilities may submit an application on the form established by the GEAR UP Idaho Program administrator through the United States Postal Service, which must be postmarked not later than January 30. In addition, a scholarship recipient must update and submit the FAFSA on or prior to February 15.

**02. Credit Hours.** To remain eligible for renewal of a scholarship award, the scholarship recipient must have completed a minimum of twenty-four (24) credit hours or its equivalent for the academic year in which the student received a scholarship award. A student must be enrolled in full-time study each term unless prior approval is granted to attend part-time. If a student does not receive a minimum of 12 credit hours in a term, they may not receive the second semester award without seeking approval from the scholarship administrator.

**03. Satisfactory Academic Progress.** To remain eligible for renewal of a scholarship, the scholarship recipient must have maintained a minimum grade point average of two point zero (2.0) on a scale of four point zero (4.0) during the time that the recipient received an award, and must be maintaining satisfactory academic progress, consistent within federal financial regulations as implemented at the eligible Idaho postsecondary educational institution at which the scholarship recipient was enrolled.

**04. Transfer Students.** Scholarship recipients who transfer to another eligible institution remain eligible for scholarship renewal.

**05. Maximum Scholarship Award.** The award of a GEAR UP Idaho scholarship shall not exceed the equivalent of eight (8) continuous semesters or the equivalent of four (4) continuous academic years.

**501. – 599. (RESERVED).**

**600. MISCELLANEOUS PROVISIONS**

**01. Interruption of Enrollment.** A scholarship recipient who requests to take leave from and interrupt enrollment at an eligible institution must submit a letter of intent to interrupt continuous enrollment to the GEAR UP Idaho administrator no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance. Requests can only be made only after the completion of one (1) full academic year. Failure to do so may result in forfeiture of any continuing scholarship eligibility. The administrator will review each request for interruption and notify the individual of approval or denial of the request. In addition, the individual must file a statement with the administrator declaring his intent to re-enroll as a full-time undergraduate student at an eligible institution for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the individual intends to re-enroll. If a leave request is granted, the total time that the scholarship will be available to the student shall not exceed the four (4) academic years immediately following the student's graduation from secondary school or its equivalent.

**02. Reassignment of scholarships in case of discontinuance or termination.** If a scholarship recipient enrolled in an eligible institution permanently withdraws or is dismissed prior to completion of his or her four (4) academic year scholarship eligibility term, then the GEAR UP Idaho administrator may award the scholarship to another eligible GEAR UP applicant (an alternate recipient) in the same application year.. If there are no other alternates from that year, then the administrator may award the scholarship to another qualifying GEAR UP applicant. In the event that an award is made to an alternate recipient, then this new student shall assume the vacant scholarship of the Idaho GEAR UP student who has withdrawn or was dismissed. However, such student shall only receive the benefits of this scholarship for the remaining years of eligibility for the GEAR UP scholarship recipient who withdrew or was dismissed prior to completion of the scholarship eligibility term.

**b. Reassignment in case of leave of absence.** If a GEAR UP scholarship recipient enrolled in an eligible institution requests and is granted a leave of absence during his or her four (4) academic year scholarship eligibility term, then the GEAR UP Idaho administrator may award the scholarship to another eligible GEAR UP applicant (an alternate recipient) from the same application year for the duration of the leave period. If there are no other alternates from that year, then the administrator may award the scholarship to another qualifying GEAR UP applicant. In the event that an award is made to an alternate recipient, then this new student shall assume the vacant scholarship of the Idaho GEAR UP student who is on an approved leave. However, such student shall only receive the benefits of this scholarship for the term of the leave.

**601. – 699. (RESERVED).**

**700. RESPONSIBILITIES OF ELIGIBLE IDAHO POSTSECONDARY EDUCATIONAL INSTITUTIONS.**

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**01. Statements of Continuing Eligibility.** An eligible institution participating in this GEAR UP Idaho Scholarship Program must submit statements of continuing student eligibility to the GEAR UP Idaho administrator by the 30th day of each academic term. Such statements must include verification that the scholarship recipient is still enrolled, attending full time, maintaining satisfactory academic progress, and has not exceeded the award eligibility terms.

**02. Other Requirements.** An eligible institution must:

- a.** Be eligible to participate in Federal Title IV financial aid programs, and must provide prompt notification regarding any changes in this status to the State Board of Education;
- b.** Provide data on student enrollment and federal, state, and private financial aid for students to the GEAR UP Idaho administrator, and
- c.** Agree to permit periodic GEAR UP Idaho Scholarship Program audits to verify compliance with these rules.

**701. ADMINISTRATION.**

The GEAR UP Idaho administrator is responsible for:

- a.** Releasing any public information regarding the GEAR UP Idaho Scholarship Program;
- b.** Determination of scholarship recipients;
- c.** Determination of procedures for payment of scholarships to recipients;
- d.** Maintaining fiscal controls and accounting procedures;
- e.** Authorizing release of all forms, affidavits, and certification necessary for the operation of the program.

**703. -- 799. (RESERVED).**

**801. APPEALS.** Any scholarship applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The opportunity scholarship applicant or recipient must appeal no later than thirty (30) days following notice of the decision, and the written statement must include a statement of the reason the scholarship applicant or recipient believes the decision should be changed. The appeal must be submitted to the GEAR UP Idaho administrator, who must acknowledge receipt of the appeal within seven (7) days. The GEAR UP Idaho administrator shall forward the appeal to the he President of the Board. The Board may or may not agree to review the action, or may appoint a subcommittee

of three (3) persons, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in Idaho.

**01. Transmittal to Subcommittee.** If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the President of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The opportunity scholarship applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal.

**02. Subcommittee Recommendations.** Following the subcommittee's decision, the President of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The opportunity scholarship applicant or recipient initiating the appeal may, at the discretion of the President of the Board, be permitted to make a presentation to the Board.

**03. Board Decision.** The decision of the Board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The Board will inform the opportunity scholarship applicant or recipient in writing of the decision of the Board.

**802. -- 999.(RESERVED).**

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**SUBJECT**

Temporary Rule IDAPA 08.01.11 – Registration of Post-Secondary education Institutions and Proprietary Schools

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Administrative code, IDAPA 08.01.11  
Section 33-2400, Idaho Code

**BACKGROUND/DISCUSSION**

The proposed changes to IDAPA 08.01.11 adds language referencing the new enforcement section in section 33-2400, Idaho code and adds a student complaint processes.

Changes to the Federal regulations regarding student federal aid require private postsecondary institutions to be authorized by each state they serve students in and that the authorizing state have a student complaint processes. If the state were to not have a complaint process then the institution could be in jeopardy or their students being eligible for federal student aid.

**IMPACT**

The proposed changes will the rule into alignment with recent state legislative and federal rules.

**ATTACHMENTS**

Attachment 1 – Proposed Rule IDAPA 08.01.11

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**STAFF COMMENTS AND RECOMMENDATIONS**

Temporary rules become effective once approved by the Board unless an alternate effective date is included in the motion. Staff will bring back an additional change for this section of rule as Proposed rule to the August Board meeting. The additional changes did not meet the requirements of a Temporary rule requiring the dual process for approval.

Proposed rules have a 21 day comment period prior to becoming Pending rules. Based on received comments and Board direction, changes may be made to Proposed rules prior to entering the Pending stage. All Pending rules will be brought back to the board for approval prior to submittal to the Department of Administration for publication in the Idaho Administrative Rules Bulletin as a Pending Rule. Pending rules become effective at the end of the legislative session in which they are submitted.

**BOARD ACTION**

I move to approve the Temporary Rule changes to IDAPA 08.01.11 as submitted.

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

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**IDAPA 08.01.11**

**303. -- 9399. (RESERVED).** (06/23/2011)T

**400. ENFORCEMENT** (06/23/2011)T

The Board, acting by and through its Executive Director or his designee, may initiate on its own initiative any investigation relating to a violation of the state laws or rules relating to the requirement that an institution or school register with the Board pursuant to Idaho Code title 33, chapter 24. (06/23/2011)T

**401.--499. (RESERVED).** (06/23/2011)T

**500. COMPLAINTS** (06/23/2011)T

A complaint concerning an institution or school operating in the State of Idaho (maintaining an Idaho presence) that pertains to a matter described herein shall be reviewed and acted upon as appropriate in accordance with the specific procedures described below: (06/23/2011)T

**01. Violations of State Consumer Protection Laws.** A complaint alleging a violation of Idaho consumer protection laws shall be instituted, reviewed, and acted upon in accordance with IDAPA 04.02.01, Idaho Rules of Consumer Protection, Office of the Attorney General. (06/23/2011)T

**02. Violations of State Laws or Rules Related to the Registration of Postsecondary Educational Institutions and Proprietary Schools.** A complaint alleging violations of state laws or rules related to the requirement that an institution or school register with the Board shall be submitted in writing to the Board's Executive Director or his designee for investigation and appropriate enforcement action, including the remedies specified in Idaho Code §33-2408. (06/23/2011)T

**03. Complaints Related to Quality of Education, or Other Matters**(06/23/2011)T

a. A complaint relating to the quality of education provided by an institution or school or accreditation matters, or any other matter related to the operations or practices of an institution or school other than a state consumer protection matter, shall be submitted on a form provided by the Board to the Executive Director or his designee for review and appropriate action. (06/23/2011)T

b. If after initial review the Executive Director determines that the complaint relates to the quality of education or accreditation matters, the Executive Director may refer the matter to the accreditation organization of the institution or school at issue for review and recommendation. If a matter referred to an accreditation organization results in resolution of the complaint to the satisfaction of the complainant, then the matter shall be considered resolved and there shall be no further action on the matter. If the matter is not successfully resolved, then the Executive Director or his designee will review the recommendation of the accreditation organization and follow the procedures for investigations of complaints described in subsection c. of this section.

(06/23/2011)T

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c. If the complaint pertains to any other matter related to the operations or practices of an institution or school, other than a state consumer protection matter, then the Executive Director or his designee will review the complaint to determine whether such complaint falls within the regulatory authority of the Board. If it does not, then Board staff will notify the complainant in writing of such determination, and may offer referral of such matter to an appropriate agency or entity. If after initial review the Executive Director determines that the complaint falls within the regulatory authority of the Board, then Board staff will notify both the complainant and the respondent institution or school of the complaint resolution process to be utilized and applicable timelines. The review and investigation of a complaint shall occur as expeditiously as possible. The parties may be asked to respond in writing to the complaint, to submit to interviews, and to provide additional records, documents, statements, or other collateral information as necessary. Any request by the investigator for additional information related to such complaint must be provided promptly. The Board's investigator will review the materials submitted by all parties and at the conclusion of the investigation prepare a summary of the allegations, the investigator's findings, and a recommendation for disposition to the Executive Director. If the Executive Director determines that the facts indicate a probable violation of law or rule over which the Board has regulatory authority, then the Executive Director shall issue a written decision on the disposition of such complaint. Within thirty (30) days after a decision is issued a party aggrieved by such decision may file with the Executive Director a request for a hearing. The provisions of the Idaho Administrative Procedure Act, chapter 52, title 67, Idaho Code, shall apply to such hearing and to judicial review of such decision.

(06/23/2011)T

d. If the Board office receives a complaint relating to an institution or school that is exempt from registration under Idaho law or these rules, and such institution or school has not elected to voluntarily register, then such institution or school shall be responsible for reimbursing the Board office for the actual costs incurred to process and act on such complaint.

(06/23/2011)T

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**JUNE 23, 2011**

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**BOISE STATE UNIVERSITY**

**SUBJECT**

Request for Alcohol Waiver – Stueckle Sky Center

**REFERENCE**

August 2004	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2004 football season.
March 2005	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2005 football season.
August 2006	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2006 football season.
August 2007	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2007 football season.
August 2008	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2008 football season as well as alcohol service in the Sky Center for home football games and the Humanitarian Bowl.
June 2009	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2009 football season as well as alcohol service in the Sky Center for home football games and the Humanitarian Bowl.
June 2010	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2010 football season as well as alcohol service in the Sky Center for home football games and the Humanitarian Bowl.

**APPLICABLE STATUTE, RULE OR POLICY**

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

**BACKGROUND/DISCUSSION**

Boise State University requests Board approval to provide alcohol service in the Stueckle Sky Center for the 2011 football season and the uDrove Humanitarian Bowl.

Prior to approval of construction of the skybox suites, the Board granted approval for Boise State University to represent that alcohol service would be available in the skyboxes. Based on that approval, the leases with patrons for the suites, club seats and loge seats were all created with the understanding that alcohol service would be available during games in this area of the stadium only. However, such alcohol service is clearly known to be at the sole discretion of the Board.

Board policy states that Idaho institutions may not allow service of alcohol on campus in conjunction with athletic events, except with Board approval. For the past six football seasons, the Board has approved alcohol service under limited circumstances.

Corporate tents/hospitality areas in the secured area north of the stadium have been successful in the past seven seasons. Boise State works with campus security, the Boise City Police and other officials to control and manage the use of alcohol. Even with sold out games and greater attendance, no serious issues or concerns have been reported. The security plan has been in place for the past seven seasons is updated each year and will remain in place for the coming season. Last year was the third year of operation for the Stueckle Sky Center and, as with the first two years of operation, the Board approved service of alcohol during home football games and the Humanitarian Bowl. As with the prior years, no serious issues or concerns were reported.

Boise State University seeks permission to allow alcohol sales to patrons leasing seats in the Stueckle Sky Club on the west side of the stadium for each home Bronco football game and for the Humanitarian Bowl. In this secure area, Boise State will allow patrons to purchase food and beverages (non alcoholic and alcoholic). Boise State University will provide all the control measures and follow all requirements of Board policy regarding alcohol service. Also, the university will conduct these policies under the following conditions, similar to those set by the Board over the last seven years, and consistent with the 2011 amendments to Board policy, for other game day secured areas.

1. The Sky Center is enclosed and totally separate from the general seating areas and alcohol service will only be available to patrons with tickets in the Sky Center.
2. There is no access from the general seating area into the Sky Center. Further, only patrons who hold tickets to seats in the Sky Center will be allowed into the Sky Center during games.
3. The sale of alcohol will begin no sooner than three hours prior to kick off and will end at start of the 4<sup>th</sup> quarter.

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4. Two entry points at the North and South Elevator Towers will be manned by security personnel.
5. Security personnel will be located throughout the Sky Center area on each of the four floors monitoring all alcohol policies and patron behavior.
6. Security personnel will not allow patrons to exit or enter the area with any food or beverages.
7. The Boise State University campus food provider (Aramark) will carry the alcohol license and insurance and will provide TIPS trained personnel to monitor the sale and consumption of all alcohol to those of legal drinking age only.
8. A list of the measures that Boise State intends to take to assure underage drinking does not take place in the Sky Center and defining how the Sky Center is monitored and secured to that end is attached as Attachment 1. This security plan was provided to the Board at the Board's request last year in respect of the 2010 season.

### **IMPACT**

If the Board does not approve the alcohol waiver request, Boise State will not be able to sell alcohol at home football games during the 2011 season.

### **ATTACHMENT**

Attachment 1 – Boise State Security Plan

Page 5

Attachment 2 – Aramark alcohol service policies

Page 8

### **STAFF COMMENTS AND RECOMMENDATIONS**

This request also constitutes Boise State University's requirement to report annually on the previous year's activities.

### **BOARD ACTION**

I move to approve the request by Boise State University to allow alcohol service during the 2011 football season and uDrove Humanitarian Bowl in the Stueckle Sky Center under the conditions outlined in Board policy I.J. subsection 2.c.

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

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**Boise State University**  
**2011 Football Season – Bronco Stadium**  
**Security Plan**  
**Stueckle Sky Center -- Caven Williams Sports Complex**

The following report addresses security for alcohol service at Boise State Football games in the Caven Williams Sports Complex and Stueckle Sky Center. Security plans for each facility are as follows and will be conducted at each home game for the 2011 season. The plan outlines measures taken to ensure that no underage drinking occurs.

**Stueckle Sky Center**

This is an outline of staffing and security in the building on game day.

**Staffing Plan**

The following staffing will be implemented. The staff will be instructed that controlling the prevention of underage drinking of alcohol and/or overindulgence of alcohol is high priority.

- Crowd Management Supervisor — Oversee all patron services staff for the SSC
- Assistant Crowd Management Supervisor -- Assists Crowd Management Supervisor in supervision of patron services staff in the SSC

**North Elevator Lobby**

- Crowd Manager throughout the game. Stationed at entry point. Will check tickets, ensures alcoholic beverages do not enter or leave the facility and assist with patron services duties.
- Crowd Manager during load in and out that will move to the Loge level during the game. Checks tickets, ensures alcoholic beverages do not enter or leave the facility and patron services duties.

**South Elevator Lobby**

- Crowd Manager throughout the game. Stationed at entry point, checks tickets, ensures alcoholic beverages do not enter or leave the facility and assist with patron services duties.
- Crowd Manager during load in and out that will move to the Club level during the game. Checks tickets, ensures alcoholic beverages do not enter or leave the facility and patron services duties.

**Level 3-- Loge Level**

- Crowd Manager at the N. stairs stadium to loge level – Ensures guests in the stadium do not enter the Sky Center and SSC patrons do not enter the stadium. Patron services duties.
- N Elevator lobby Crowd Manager - Monitors Patrons who enter the Loge Level bar, assists in monitoring alcohol sales at the bar.
- Club Room Bar Crowd Manager -- Monitors the alcohol sales at the bar. Patron Services Duties
- South stairs stadium to loge level Crowd Manager. Ensures guests in the stadium do not enter the Sky Center and SSC patrons do not enter the stadium. Patron services duties.
- Crowd Manager to rove throughout the loge level – Patron services duties, monitors alcohol sales in bar and seating area.

**Level 4- Club Level**

- Club Room Crowd Manager - Monitors the alcohol sales at the bar. Patron Services Duties
- South Stairwell Crowd Manager - Monitors movement of SSC patrons between the Suite and club level.

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- Hallway Crowd Manager - Rove throughout the hall way. Patron services duties, monitors alcohol sales at kiosk.
- Club Lounge Crowd Manager - Monitors alcohol sales in bar area and patron services duties
- North Stairwell Crowd Manager -- Monitors movement of SSC patrons between the Suite and club level.
- Club Area Crowd Manager - Monitors back row of club seating area to ensure the isle remains clear. Patron services duties.
- West Stairs Crowd Manager between 4<sup>th</sup> and 5<sup>th</sup> floor-- Monitors movement of SSC patrons between the Suite and club level.
- Crowd Manager to rove between lounge and hallway—Patron services duties and assists in monitoring alcohol sales at bar and kiosk.

**Level 5—Suite Level**

- Club Room Bar Crowd Manager - Monitors the alcohol sales at the bar and Patron Services Duties
- South Hallway Crowd Manager - Patron services duties and rove hall to monitor patrons in the suites.
- North End of Hallway Crowd Manager - Patron services duties and rove hall to monitor patrons in the suites.

**Policies**

- SSC is enclosed and totally separate from the general seating areas and alcohol service will only be available to patrons with tickets in the Sky Center.
- There is no access from the general seating area into SSC. Only patrons who hold tickets to seats in the SSC will be allowed into the Sky Center during games.
- The sale of alcohol will begin no sooner than three hours prior to kick off and will end at the start of the 4th quarter.
- Security personnel will not allow patrons to exit or enter the area with any food or beverages.
- The Boise State University campus food provider (Aramark) will carry the alcohol license and insurance and will provide TIPS trained personnel to monitor the sale and consumption of all alcohol to those of legal drinking age only.
- Boise State will abide by all terms and conditions of the Board's existing alcohol policy.
- The official food sponsor will be required to insure and indemnify the State of Idaho, the State Board of Education, and Boise State University for a minimum of \$2,000,000, and to make sure the proper permits and licenses are obtained.
- No alcohol making or distributing companies may be allowed to sponsor the activities.
- Each suite in the SSC shall have a sign displayed prominently with the following statement:

**Laminated info sheet included in all suites placed on refrigerator.**

Boise State University has received permission from the State Board of Education to serve alcohol in the Stueckle Sky Center. To continue to provide this service, we will need your help and cooperation.

- Please drink responsibly.
- The University will enforce a **zero tolerance policy** on **alcohol abuse** and **underage drinking** that could result in removal from the Sky Center and revocation of game tickets.
- Underage drinking is against the law and is not allowed anywhere in the Stueckle Sky Center.

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- Please keep all items away from open windows. Items dropped or thrown from the suites could seriously injure fans seated below.
- Ticket must be displayed on a lanyard at all times. If you do not have a lanyard, let an usher know so one can be provided.
- Service of alcoholic beverages will cease at the completion of the third quarter.
- Alcoholic beverages are not allowed in the elevators.
- Patrons are not allowed to enter or exit the Stueckle Sky Center with any food or beverage.

**“It is a privilege for us to serve alcohol in the Stueckle Sky Center”**  
**Have a great Game Day, GO BRONCOS!**

**Level 6—Press Level**

- Club Room Bar Crowd Manager - Monitors the alcohol sales at the bar and Patron Services Duties
- South End Hallway Crowd Manager - Patron services duties and rove hall to monitor patron in the suites.
- North End Hallway Crowd Manager - Patron services duties. Rove hall to monitor patron in the suites.

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[Aramark Food Services Information](#) – Attached are the pertinent Aramark policies governing the serving of alcohol



**Alcohol Service Policy**

**THE POLICY**  
**PART A – KEY PRINCIPLES**

This Policy is based upon certain key principles that are intended to provide guidance for ARAMARK managers. These principles apply in each facility at which alcoholic beverages are sold or served. A General Manager may adopt more rigorous procedures, with the approval of his or her Regional Vice President and the Legal Department.

1. *Compliance with Laws; Promoting Responsible Consumption.* It is the policy of ARAMARK to serve alcoholic beverages in a professional manner which conforms to the requirements of the law and which is intended to promote responsible consumption.
2. *Valid Alcoholic Beverage License Required.* Alcoholic beverages may be sold or served only as authorized by a current and valid alcoholic beverage license.
3. *No Service to Minors; Identification Required for Persons Appearing Under the Age of 30.* No alcoholic beverages may be sold or served to any person under the age of twenty-one (21), the legal age for consumption in all of the United States. For each purchase transaction, any customer who appears to be age thirty (30) or under must be required to show valid, government-issued photographic identification, which proves that they are not under the legal age for consumption.
4. *No Service to a Visibly Intoxicated Person.* No alcoholic beverages may be sold or served to any person who is visibly intoxicated.
5. *Each Server Must Have a Current, Active and Valid Training Certification.* No one may sell or serve alcoholic beverages unless they hold a current, active and valid certification in an approved alcoholic beverage service training program from (a) TEAM (Techniques for Effective Alcohol Management) training sponsored by the TEAM Coalition ("*TEAM*"), (b) TIPS (Training for Intervention Procedures) program sponsored by Health Communications, Inc. ("*TIPS*") or (c) for states with mandatory programs (e.g., Texas Alcoholic Beverage Commission), the state mandated program. If a state requires a supplemental training certification, each server must also possess that certification. The requirements under this paragraph are collectively referred to in this Policy as an "*Approved Training Certification*".
6. *Per Transaction Serving Limit.* No more than two (2) alcoholic beverages may be sold or served to any customer per transaction.
7. *Portion Limits.* Beer may not be served in single portions of more than 24 ounces (roving vendors may not serve single portions of more than 16 ounces). Other alcoholic beverages are subject to proportionate serving limits, based on their alcohol content.

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Alcohol Service Policy

8. Hours of Service and Sales Cut-Off Times. The sale or service of alcoholic beverages during hours not authorized by local law is prohibited. This Policy also establishes specific cut-off times for the service of alcoholic beverages (a) by roving vendors and at the general concessions locations, which vary depending on the type of event, and (b) in restaurants, bars and other destination areas, which shall be at a reasonable time as determined in consultation with the client.
9. Consumption by Employees. This Policy sets forth limitations on consumption of alcoholic beverages by employees at any facility served by ARAMARK.
10. Signage. Signage will be displayed at all points of sale notifying customers of key components of this Policy.
11. Disciplinary Action for Violations. Employees violating this Policy will be subject to disciplinary action up to and including termination.

More stringent requirements may be implemented at the local level as circumstances warrant. In no event may these requirements be made less rigorous or less stringent. Records of the execution and management of this Policy will be retained as required by this Policy.



## 5. ALL SERVERS MUST HAVE AN APPROVED TRAINING CERTIFICATION

*Overview:* All service personnel who are selling or serving alcoholic beverages and all management personnel supervising those servers must receive training in a recognized and approved alcohol service training program. No one will be allowed to sell or serve alcohol who does not have a current, active and valid Approved Training Certification. Training may be conducted by an ARAMARK employee who has the appropriate current, active and valid certification to conduct such training.

*Who Must be Trained:* Each person serving alcoholic beverages to customers must possess a current, active and valid Approved Training Certification. The supervisors of these servers must also have a current, active and valid Approved Training Certification. Specifically, each of the following persons should obtain and maintain a current, active and valid Approved Training Certification:

- Operational Managers
- Human Resource Managers (if any)
- Alcohol Compliance Supervisors
- Stand Supervisors for stands selling alcohol
- Bartenders
- Suite Attendants
- Restaurant/Bar/Club Waitstaff
- Banquet Servers and Banquet Captains
- All personnel at beer portables
- All personnel at mixed portables (beer and food)
- At "belly-up" stands serving alcohol, all cashiers, pourers and others who may be called upon to serve alcoholic beverages
- At "speed line" stands serving alcohol, all cashiers and others who may be called upon to serve alcoholic beverages
- In cafeteria-style food outlets selling alcohol, employees pouring and serving beer and all cashiers
- In retail outlets such as grocery or convenience stores, all cashiers
- All non-profit group personnel or temporary agency personnel filling any of these roles.

Documentation of such training must be maintained in the location's files relating to alcohol compliance.

*Temporary Employees:* Where temporary employment agency labor is used, the agency must be required to provide documentary evidence that each of its workers has a current, active and valid Approved Training Certification. Such documentation must be maintained with the location's other files relating to alcohol compliance.

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**Alcohol Service Policy**

*Non-Profit Groups:* Where a non-profit group fills any of the roles listed above, the non-profit organization must provide ARAMARK with copies of the current, active and valid Approved Training Certifications for each person working for the non-profit organization in any of the roles listed above. Such documentation must be maintained with the location's other files relating to alcohol compliance.

*Training Programs:*

*TEAM (Techniques for Effective Alcohol Management) Coalition ("TEAM")*

The TEAM Coalition is an alliance of professional and collegiate sports, entertainment facilities, concessionaires, broadcasters, governmental traffic safety experts and others working together to promote responsible drinking and positive fan behavior at sports and entertainment facilities.

TEAM provides an alcohol management training program for servers and for stadium operators. The training program offers a 2-year certification for servers of alcohol and a certification for other employees of the facility who do not serve alcohol but can serve as additional monitors and observers of guest behavior (ushers, security personnel, ticket takers, etc). For more information, contact Jill Pepper at TEAM (703-647-7431; [jill@teamcoalition.org](mailto:jill@teamcoalition.org)) or go to [www.teamcoalition.org](http://www.teamcoalition.org).

*TIPS (Training for Intervention Procedures)*

The TIPS program is provided by Health Communications, Inc. ("HCI") and offers a comprehensive training program for servers of alcohol. Concession workers are trained in a three-hour program, while wait-staff are certified in a six-hour program. Retail outlet workers who sell alcohol "to go" are certified in a one-hour program. The server certification is good for three (3) years while the trainer's certification must be renewed every year. For more information, contact Trevor Estelle at HCI (800-438-8477, ex. 357) or go to [www.gettips.com](http://www.gettips.com).

*State Supplements*

If a state requires any supplemental training as a matter of law, any server of alcoholic beverages (and others as required by such state's law) must have a current and valid certification from the state authority or agency issuing any such certification. If there are any questions about such requirements, please contact the ARAMARK Legal Department.

*Other State Mandated Programs*

Other training programs mandated by local authorities (such as Texas Alcoholic Beverage Commission training) may be used, with approval of the ARAMARK Legal Department.

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**BOISE STATE UNIVERSITY**

**SUBJECT**

Request for Pre-game Alcohol Waiver – Caven Williams Sports Complex

**REFERENCE**

March 2005	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2005 football season.
August 2006	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2006 football season.
August 2007	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2007 football season.
August 2008	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2008 football season as well as alcohol service in the Sky Center for home football games and the Humanitarian Bowl.
June 2009	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2009 football season as well as alcohol service in the Sky Center for home football games and the Humanitarian Bowl.
June 2010	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2009 football season as well as alcohol service in the Sky Center for home football games and the Humanitarian Bowl. The Board requested that an additional security plan was provided showing measures were taken to ensure underage drinking did not occur.

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**BACKGROUND/DISCUSSION**

Board policy states that Idaho institutions may not allow service of alcohol on campus in conjunction with athletic events without prior Board approval. For the past seven football seasons, the Board has granted approval under limited

circumstances.

Corporate tents in the secured area north of the stadium have been successful in the past seven seasons. Boise State University works with campus security, the Boise City Police and other officials to control and manage the use of alcohol. Even with sold-out games and greater attendance, no serious issues or concerns have been reported. Boise State will have the same or better security plan that has been in place for the past seven seasons for the coming season.

Boise State University seeks permission to set up a secure area inside the Caven Williams Sports Complex prior to each home Bronco football game for the purpose of allowing corporations. In the secure area, corporate sponsors and invited guests may purchase food and beverages (non-alcoholic and alcoholic) from the University's official food service provider.

The proposal is in two parts. For good weather, a secure area will be established on the east patio of the Caven Williams Sports Complex at which alcohol would be served. This reflects what has been approved in prior seasons, most recently for the 2009 season, and as previously approved by the Board. For inclement weather, or as an alternative option, the secure alcohol area will be set up inside the Caven Williams Sports Complex, fenced from the rest of the Corporate Hospitality area, separated by fencing. This reflects what was implemented for the 2010 season as approved by the Board in June 2010.

There have been no serious incidents regarding the pre-game service of alcohol during the 2005 through 2010 seasons. This proposal creates a secure, area where alcohol consumption can be monitored and contained. The area will be a restaurant-type atmosphere for corporate events. These types of functions are beneficial to the University and are sponsor and donor cultivation opportunities. Entry to the corporate hospitality area is by written invitation only.

As with the previous years, Boise State University will provide all the control measures and follow all requirements of Board policy, including the 2011 amendments to Board policy I.J., regarding alcohol service. Also, the university will conduct the pre-game activities under the following conditions:

1. All who enter the Caven Williams Sports Complex must be an invited guest.
2. Event begins three hours prior to kick off and ends at the start of the game.
3. The Caven Williams Sports Complex will be secured to control access to and from the area.
4. There will be one entry point into the Caven Williams Sports Complex manned by security personnel who will check for corporate hospitality invitations of all patrons entering the facility.
5. One ID station will be provided, located inside the facility, where ID's will be checked and special colored wrist bands will be issued to identity attendees over the age of 21.

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6. There will be no more than two entry points into the area where beer and wine is sold manned by security personnel who will check wristbands.
7. Security personnel located throughout the area will be monitoring all alcohol wristband policies and patron behavior.
8. No alcohol making or distributing companies may be allowed to sponsor the event.
9. Security personnel will not allow patrons to exit or enter the secured area with any alcoholic beverages.
10. The Boise State University campus food provider (Aramark) will carry the alcohol license and insurance and will provide TIPS trained personnel to monitor the sale and consumption of all alcohol to those of legal drinking age only.

### **IMPACT**

There have been no serious incidents regarding the pre-game service of alcohol during the 2005 through 2010 seasons. This proposal creates a secure, area where alcohol consumption can be monitored and contained. The area will be a restaurant-type atmosphere for corporate events. These types of functions are beneficial to the University and are sponsor and donor cultivation opportunities. Entry to the corporate hospitality area is by written invitation only.

### **ATTACHMENT**

Attachment 1 – Boise State University Security Plan	Page 5
Attachment 2 – Caven Williams Layout - good weather	Page 7
Attachment 3 – Caven Williams Layout – inclement weather	Page 8

### **STAFF COMMENTS AND RECOMMENDATIONS**

This request also constitutes Boise State University's requirement to report annually on the previous year's activities.

### **BOARD ACTION**

I move to approve the request by Boise State University to allow alcohol service during the 2011 football season in the Caven Williams Sports Complex area under the conditions outlined in Board policy I.J. subsection 2.c.

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

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**Boise State University**  
**2011 Football Season – Bronco Stadium**  
**Security Plan**  
**Caven Williams Sports Complex**

The following report addresses security for alcohol service at Boise State Football games in the Caven Williams Sports Complex. Security plans for the facility are as follows and will be conducted at each home game for the 2011 season. The plan outlines measures taken to ensure that no underage drinking occurs.

**Caven Williams Sports Complex**

There have been no serious incidents regarding the pre-game service of alcohol during the 2005 through 2010 seasons. We will create a secure, indoor, area where alcohol consumption can be monitored and contained. The area will be a restaurant-type atmosphere for corporate events. As with the previous years, Boise State University will provide all the control measures and follow all requirements of Board policy regarding alcohol service. Also, the university will conduct the pre-game activities under the following conditions:

**Caven Williams Game Day Staffing**

- Two Crowd Managers at front entrance checking individual passes to all that enter. This is an invited guest only event and no one will enter facility without proper credentials
- Two Aramark employees (TIPS trained) will check ID's and issue color coded wrist band
- Crowd Manager checking for color coded wrist band stationed at entrance to over 21 area.
- Crowd Manager roaming entire area checking for color coded wrist band and patron behavior
- Two Bronco Sports properties employees roaming throughout facility identifying any problems that may occur. Will notify security personnel when necessary
- Three Bronco Sports Marketing employees roaming throughout facility identifying any problems that may occur. Will notify security personnel when necessary
- One BSU Operations employee roaming throughout facility identifying any problems that may occur. Will notify security personnel when necessary. Also responsible for checking entrances to secure building ensuring that no one is present without proper credentials.

**Policies for Facility**

- All who enter the Caven Williams Sports Complex must be an invited guest.
- Event begins three hours prior to kick off and ends at the start of the game.
- The Caven Williams Sports Complex will be secured to control access to and from the area.
- There will be one entry point into the Caven Williams Sports Complex manned by security personnel who will check for corporate hospitality invitations of all patrons entering the facility.
- One ID station will be provided, located inside the facility, where ID's will be checked and special colored wrist bands will be issued to identity attendees over the age of 21.
- Proper sized fencing separating over 21 area will to be approved by university so that no under-age patrons can enter area
- There will be one entry point into the area where beer and wine is sold manned by security personnel who will check wristbands.
- Security personnel located throughout the area will be monitoring all alcohol wristband policies and patron behavior.
- Security personnel will not allow patrons to exit or enter the secured area with any alcoholic

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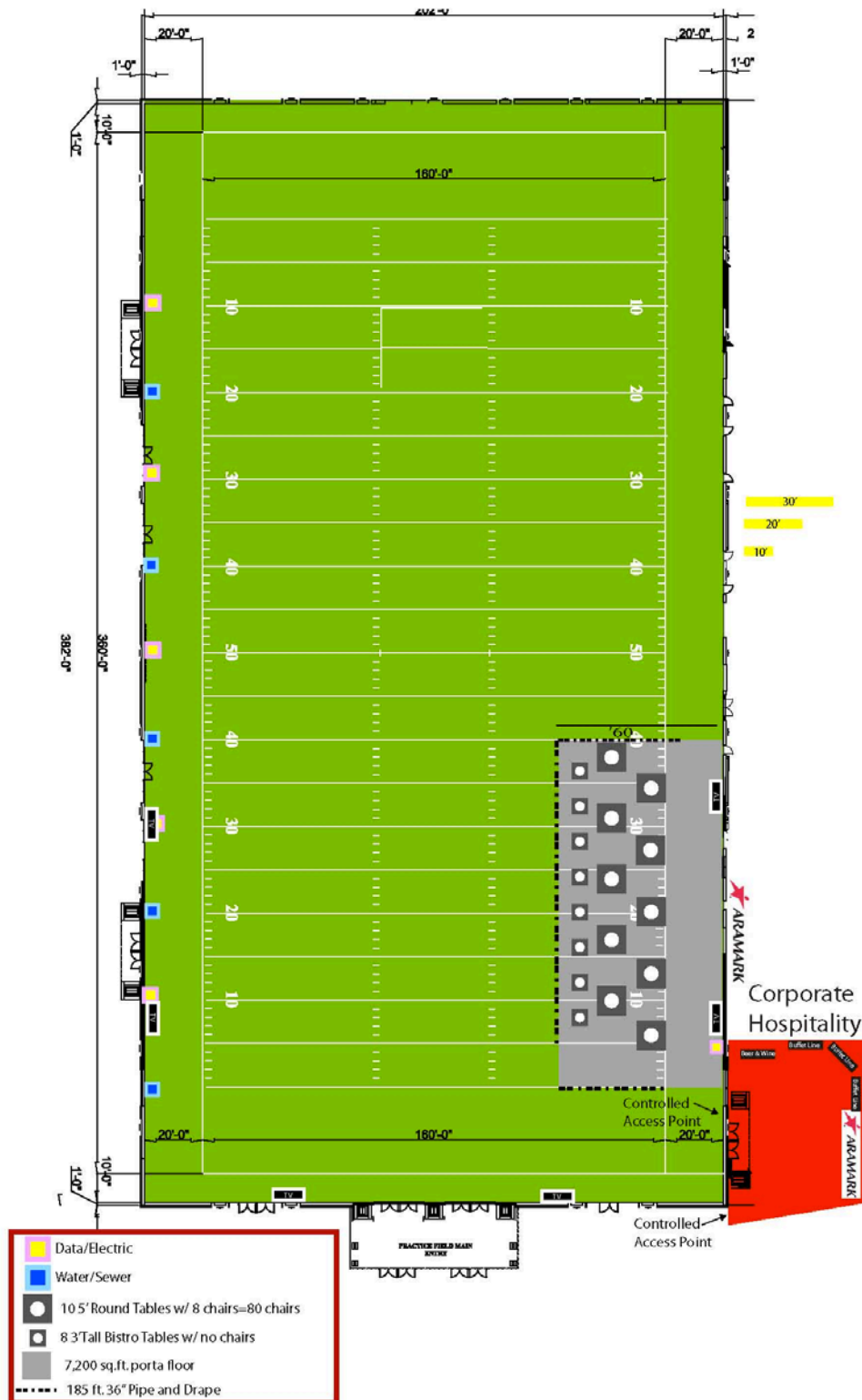
beverages.

- The Boise State University campus food provider (Aramark) will carry the alcohol license and insurance and will provide TIPS trained personnel to monitor the sale and consumption of all alcohol to those of legal drinking age only.
- No alcohol making or distributing companies may be allowed to sponsor the event.
- Companies involved in the corporate hospitality area would be sent a letter outlining the Caven Williams Complex Corporate Hospitality Area/SBOE alcohol policy. The letter will state that 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.
- The area is for sponsors to entertain clients/guests for the fall 2010 home football games.
- Boise State will abide by all terms and conditions of the Board's existing alcohol policy.

Attached is the map of the facilities in the Caven Williams Sports Complex and how it will be configured for the game day events

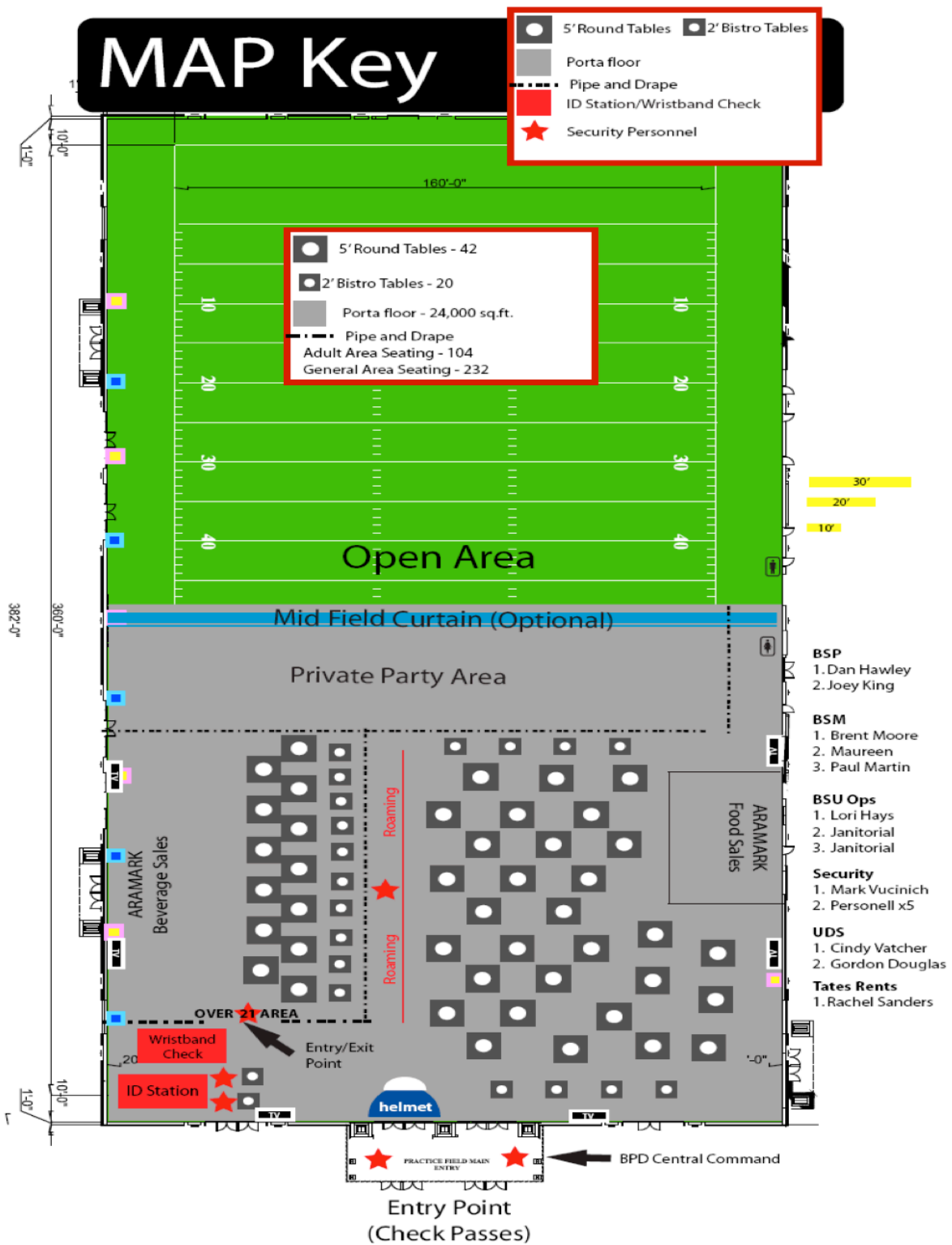
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Cavern Williams Sports Complex  
Patio Option – Clement Weather



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Cavern Williams Sports Complex  
Alternate option/inclement weather



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**IDAHO STATE UNIVERSITY**

**SUBJECT**

Request for Pre-game Alcohol Waiver

**REFERENCE**

June 2007	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2007 football season.
August 2008	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2008 football season.
June 2009	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2009 football season.
June 2010	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2010 football season.

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**BACKGROUND / DISCUSSION**

Board policy does not allow service of alcohol on campus in conjunction with athletic events without prior Board approval. Approval has been granted provided an acceptable and manageable plan has been provided (Boise State and University of Idaho for the 2004 - 2010 football seasons) in the past.

During the 2007, 2008, 2009, and 2010 football seasons, Idaho State University followed models established by the University of Idaho and Boise State University for staging similar events.

In accordance with approval granted by the State Board for the 2010 football season, ISU reports that the program in place appeared to work well and that there were no reports of violations of the policy or Board approved conditions or incidents of underage drinking. Idaho State University is continuing to work with campus public safety, the Pocatello City Police and other officials to provide a controlled area for service of alcohol prior to home football games.

Idaho State University requests Board approval to establish a secure area on the West side of Holt Arena, prior to each home Bengal football game, for the purpose of allowing corporate partners, Bengal Foundation, Football Alumni

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Team members and invited guests the opportunity to gather with clients, friends, and guests for the 2011 home football games. In this secure area, Idaho State University Athletics will allow patrons to purchase food and beverages (non-alcoholic and alcoholic). The alcoholic beverages will be sold and served by a licensed provider and the University's official food service provider. Idaho State University will provide control measures and follow all requirements of Board policy regarding alcohol service. The University will conduct the pre-game activities under the following conditions:

1. A secured area surrounded by a fence to control access to and from the area.
2. Three-hour duration, ending at kick-off.
3. Alcohol making or distributing companies will not be allowed to sponsor the activities or tents.
4. A color-coded wrist band or pass admission system will identify attendees and invited guests. No one under legal drinking age will be admitted.
5. All corporate partners involved in the pre-game location will be sent a letter outlining pre-game location and the SBOE alcohol policy. The letter will state the minimum drinking age in Idaho is 21 and that at no time should they allow underage drinking and/or serving of alcohol to visibly intoxicated persons.
6. One entry/exit point, which will be 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 Idaho State University for a minimum of \$2,000,000 and to make sure that the proper permits and licenses are obtained.
10. The area is for sponsors to entertain clients/guests for the Fall 2011 home football games, including sales and service of alcohol.
11. A review of the 2011 events will be brought back after the conclusion of the season before consideration will be given to any future requests for similar activities on home football game days.

### **IMPACT**

If the Board does not approve the alcohol waiver request, ISU will not be able to include the sale of alcohol on campus at home football games during the 2011 season.

### **ATTACHMENTS**

Attachment 1 – Holt Arena – Full Aerial View

Page 5

Attachment 2 - Detail of Booth and Service Areas

Page 6

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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**STAFF COMMENTS AND RECOMMENDATIONS**

Idaho State University's request is in conformance with Board policy. This request also constitutes Boise State University's requirement to report annually on the previous year's activities.

**BOARD ACTION**

I move to approve the request by Idaho State University to allow alcohol service during the 2011 football season in the Sports Medical Center under the conditions outlined in Board policy I.J. subsection 2.c.

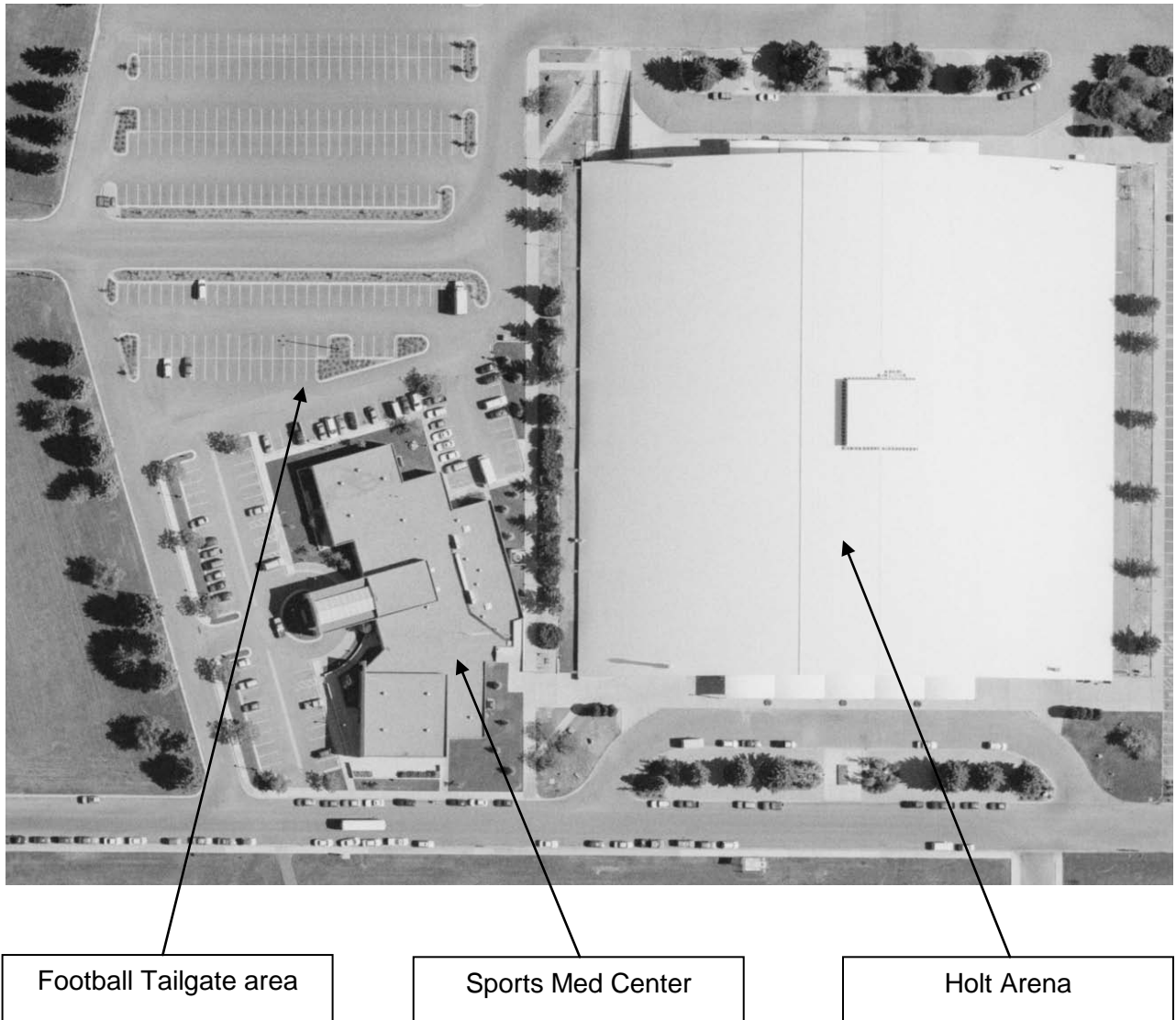
Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
**JUNE 23, 2011**

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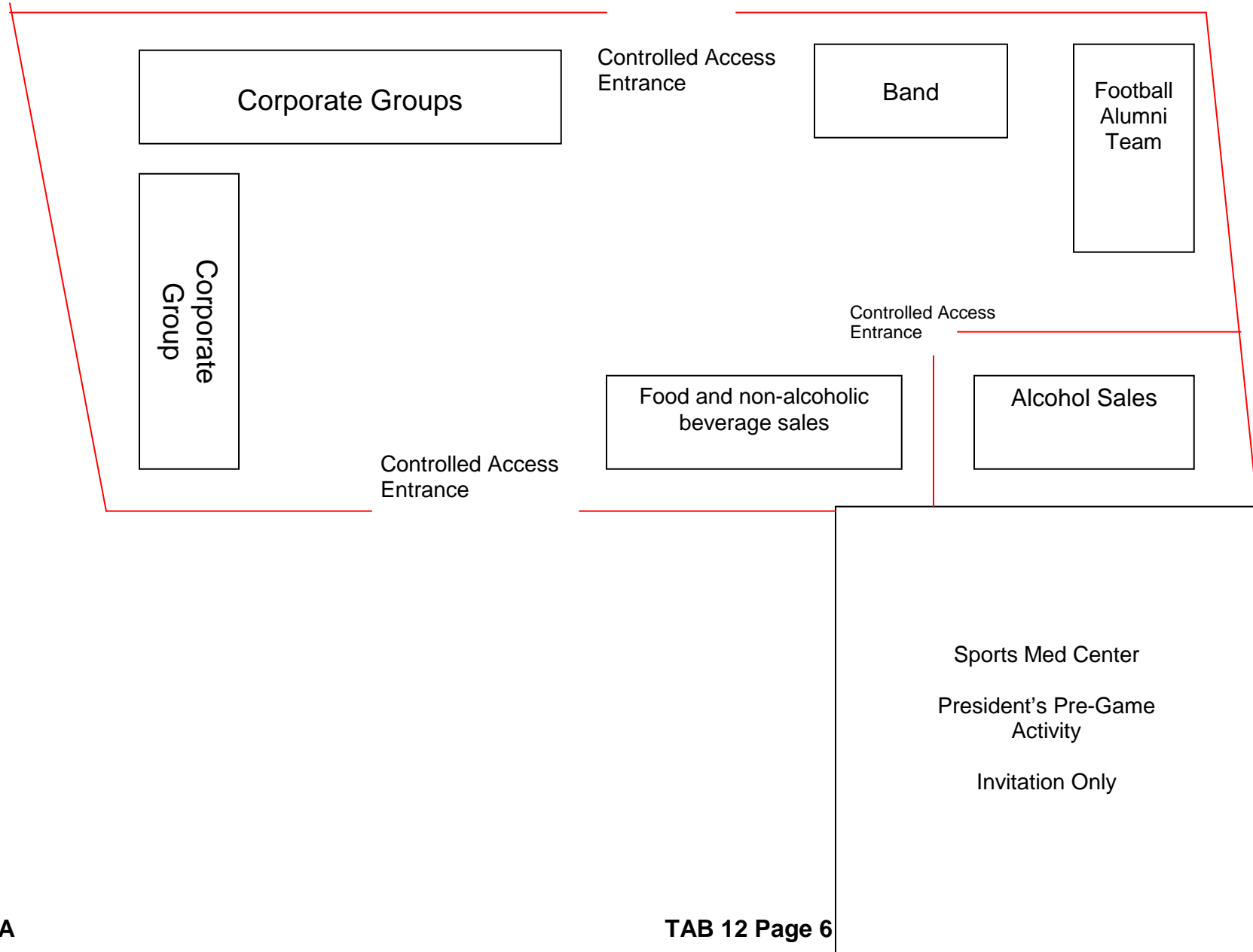
**Aerial View of Holt Arena and Sports Med Center**



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I  
Football Pre-Game Tailgate – West Side/Holt Arena



**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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**UNIVERSITY OF IDAHO**

**SUBJECT**

The University of Idaho requests Board approval to establish secure areas for the purpose of allowing pre-game activities that include the service of alcohol for the 2011 football season.

**REFERENCE**

August 12, 2004	Board approved a request by UI to establish secure areas for pre-game activities that serve alcohol for 2004 football season.
March 10, 2005	Board approved a request by UI to establish secure areas for pre-game activities that serve alcohol for 2005 football season.
March of 2005	President White reported that there had been no serious incidences regarding the pre-game service of alcohol, and further noted that the UI created a restaurant-type atmosphere within the secure areas.
August 2005	Following discussion regarding the presence of supervised minors in the alcohol service areas, the Board amended policy Section I.J. to specifically allow for the persons of lawful age to consume alcohol to be accompanied by youth for whom they are responsible in the secure alcohol service areas, provided the youth remain at all times under the supervision and control of the individual of lawful age.
August 10, 2006	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2006 football season.
Fall 2006	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.
August 9, 2007	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2007 football season.
Fall 2007	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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June 19, 2008	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2008 football season.
Fall 2008	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.
June 18, 2009	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2009 football season respectively.
Fall 2009	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas
June 17, 2010	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2010 football season respectively.
Fall 2010	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas
April 21, 2011	Board approval of revisions to SBOE/Regents Policy I.J. relating to service of alcohol at institution events.

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**BACKGROUND/DISCUSSION**

The current Board policy provides that Idaho institutions may seek approval for the sale or consumption of alcoholic beverages in conjunction with NCAA football games. For the past seven football seasons, the Board granted an exception to prior policy allowing service of alcohol under limited circumstances for pre-game events in secure areas.

The UI seeks permission to continue its prior practice whereby in the secure areas, patrons may purchase food and beverages (non alcoholic and alcoholic) from Sodexho, the university's official food service provider, as part of home football pre-game activities. The university will follow all requirements of Board policy regarding alcohol service, and will conduct the pre-game events under the conditions set out in Board policy I.J.2.

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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With respect to admission of persons under the legal drinking age (and per Board policy I.J.2.iii.(1)) the university seeks approval to allow responsible adults who have been invited to a pre-game event to bring minor children and guests for whom the adults will be responsible. As per Board policy I.J.2. iii.(1) a color-coded wrist band system will serve to identify all authorized attendees and invited guests, with a separate wrist band clearly identifying those of drinking age. Underage children will not be allowed to consume or possess alcoholic beverages. This system has been in place for prior university pre-game events and it has promoted a family atmosphere at these events. There have not been any alcohol incidents arising from the presence of minors at these events.

There have been no serious incidences regarding the pre-game service of alcohol. The UI creates a restaurant-type atmosphere within the secure areas. Feedback on the events has been very positive, and fans appreciated the opportunity to participate in pre-game events. These types of functions are beneficial to the university and are strategic friend-and fund-raising opportunities.

In managing its pre-game functions, the UI seeks to provide a family oriented, safe, fun, and exciting atmosphere that promotes attendance and enhances the game experience.

The secure areas where food and beverage service (including alcoholic beverages) will take place are:

- North Kibbie Field – this area will be available for Corporate Tents to provide an opportunity for corporate sponsors to reward employees and say “thank you” to valued customers by hosting private functions. This area is located on the north lawn adjacent to the ASUI-Kibbie Dome.
- Student Activities Field – This area will be available for Corporate Tents and for the “President’s Circle Pre-Game Function” which is provided for invited guests and allows the university leadership to mix with the guests.
- Menard Law Building first floor foyer – this area will be available for the university’s athletic marketing agent (Learfield) to entertain clients and corporate sponsors of athletic events.

Service of alcohol at the North Kibbie Field and the Student Activities Field areas will be through tents placed in those areas creating a controlled area for monitoring attendance and consumption, with service limited to the tents and no alcohol allowed to leave the tents. Service of alcohol in

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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the Menard Law Building foyer will be limited to the foyer area which will be cordoned off with access limited to the two front doors.

**IMPACT**

Again there have been no serious incidences regarding the pre-game service of alcohol during the 2004 through 2010 seasons where service has been approved. The UI creates a restaurant-type atmosphere within the secure areas. Feedback on the events has been very positive, and fans appreciated the opportunity to participate in pre-game events. These types of functions are beneficial to the university and are strategic friend- and fund-raising opportunities.

**ATTACHMENTS**

Attachment 1 – Maps and Drawings of Service Areas

Page 5

**STAFF COMMENTS AND RECOMMENDATIONS**

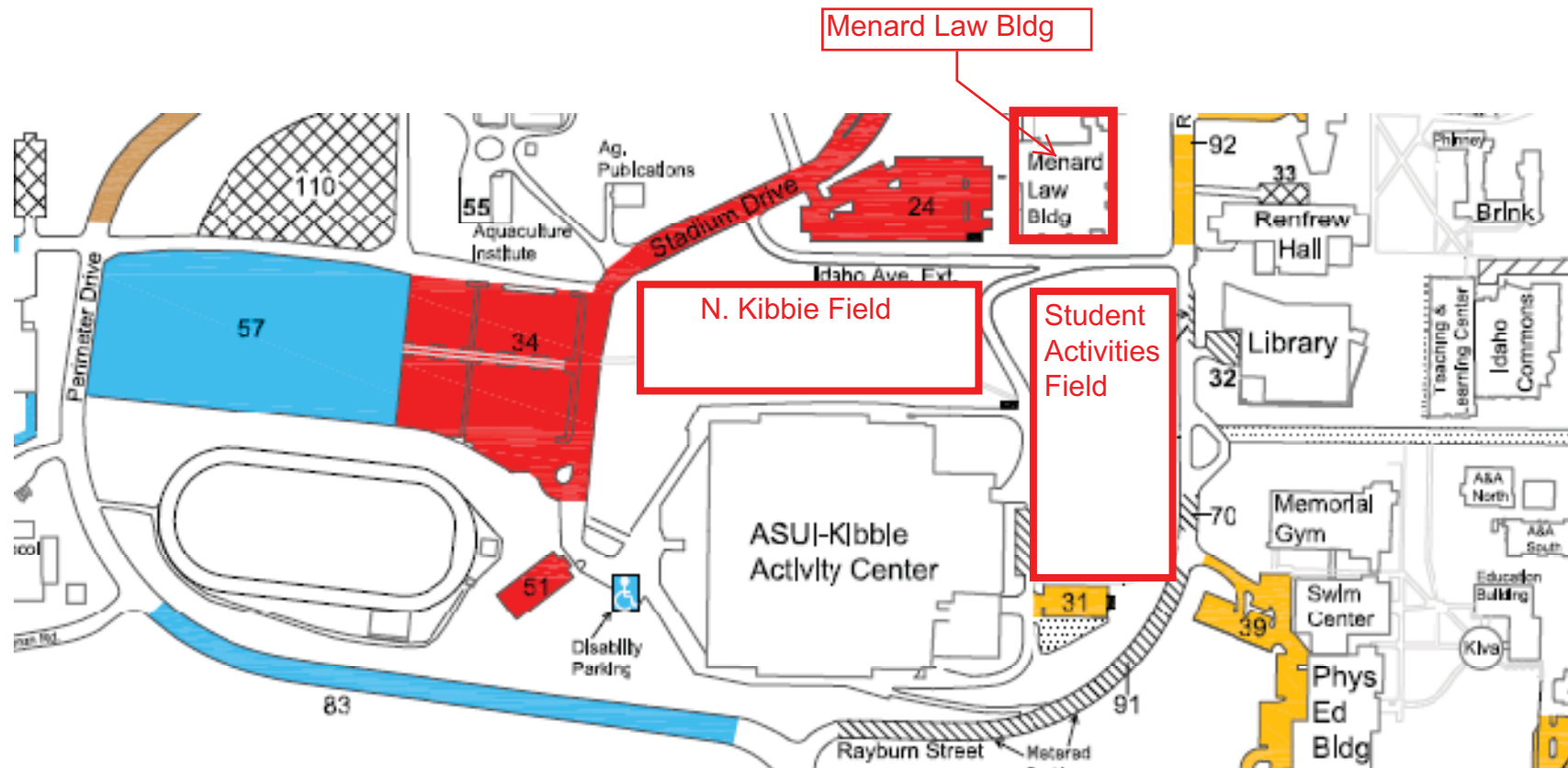
University of Idaho's request is in conformance with Board policy I.J. This request also constitutes the University's requirement to report annually on the previous year's activities.

**BOARD ACTION**

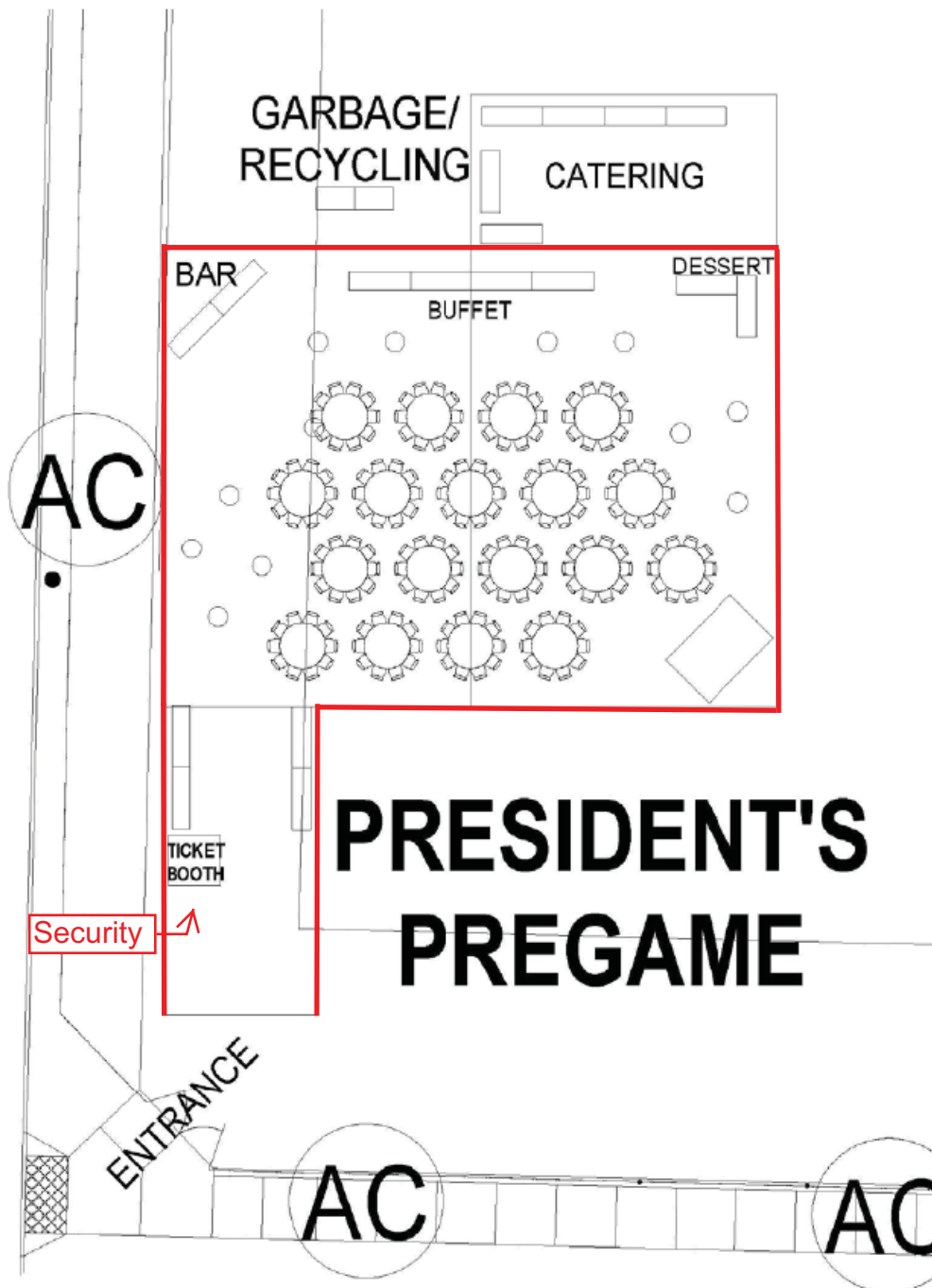
I move to approve the request by the University of Idaho to allow alcohol service during the 2011 football season in the North Kibbie Field, Student Activities Field and Menard Law Building foyer under the conditions outlined in Board policy I.J. subsection 2.c.

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

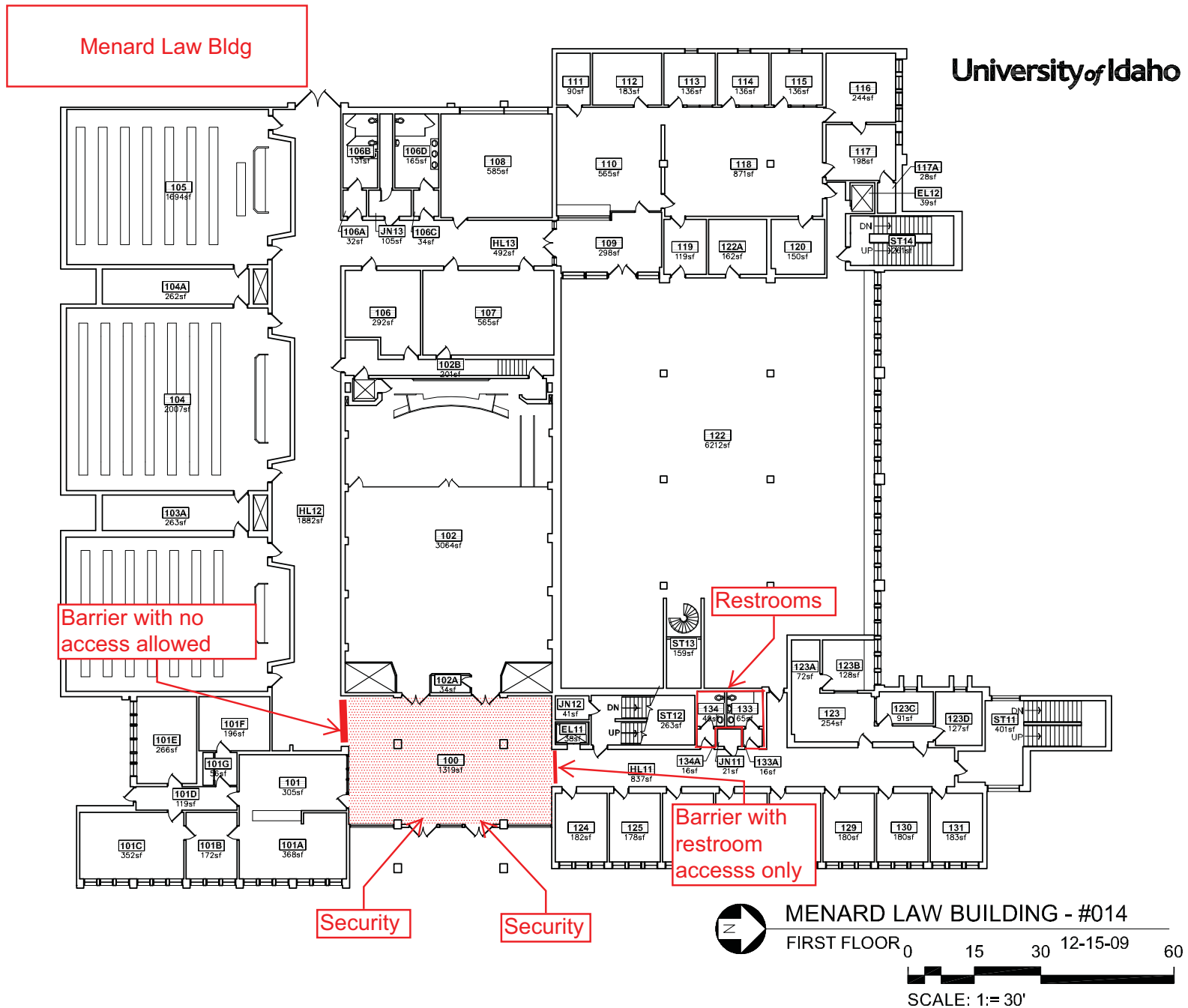
**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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## 2011 Vandal Pre-game Activities Map



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**UNIVERSITY OF IDAHO (UI)**

**SUBJECT**

Request for approval of sale of Alcohol - Litehouse Center/Bud and June Ford Club Room (Center)

**REFERENCE**

August 12, 2004	Board approved a request by UI to establish secure areas for pre-game activities that serve alcohol for 2004 football season.
March 10, 2005	Board approved a request by UI to establish secure areas for pre-game activities that serve alcohol for 2005 football season.
March of 2005	President White reported that there had been no serious incidences regarding the pre-game service of alcohol, and further noted that the UI created a restaurant-type atmosphere within the secure areas.
August 2005	Following discussion regarding the presence of supervised minors in the alcohol service areas, the Board amended policy Section I.J. to specifically allow for the persons of the lawful age to consume alcohol to be accompanied by youth for whom they are responsible in the secure alcohol service areas, provided the youth remain at all times under the supervision and control of the individual of lawful age.
August 10, 2006	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2006 football season.
Fall 2006	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.
August 9, 2007	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2007 football season.
Fall 2007	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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June 19, 2008	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2008 football season.
Fall 2008	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.
June 18, 2009	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2009 football season respectively.
Fall 2009	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.
June 17, 2010	Board approved the request by UI to establish secure areas for pre-game activities that serve alcohol for 2009 football season respectively.
Fall 2010	There have been no serious issues or concerns related to the service of alcohol at pre-game events during these years. A wristband policy is in place to better supervise minors in the alcohol service areas.
April 21, 2011	Board approval of revisions to SBOE/Regents Policy I.J. relating to service of alcohol at institution events and within institution stadium suite areas.

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**BACKGROUND/DISCUSSION**

The current Board policy provides that Idaho institutions may seek approval for the sale or consumption of alcoholic beverages in conjunction with NCAA football games. The university seeks such approval for the newly constructed Litehouse Center/Bud and June Ford Club Room (Center).

The UI seeks permission to allow ticketed and authorized patrons in the Center to purchase food and beverages (non alcoholic and alcoholic) from Sodexo, the university's official food service provider, before and during home football games. The university will follow all requirements of Board policy I.J.2.c regarding alcohol service in conjunction with home football games.

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The Center is an enclosed secured area within the ASUI-Kibbie Activity Center which is separate from general ticketed seating areas and which will only be available to patrons with tickets to the Center.

There will be no access from the general seating area into the Center and only patrons who hold tickets to seats within the Center will be allowed into the Center during games.

All entry points to Center Suites and the Center Clubroom area (identified in the attached drawings) will be staffed with trained security personnel.

In addition, Security Personnel will be located within the Center to monitor activities within the suites and clubroom

The university's food service provider (Sodexo) will provide the alcohol license and will provide TIPS trained personnel to conduct the sale of all alcoholic beverages in conjunction with Sodexo's provision of food and non-alcoholic beverages.

The university and Center Patrons will abide by all terms and conditions of the Board policy and any other conditions place by the Board. Violation of Board policy of additional conditions by Center Patrons will result in action by the university up through removal from the Center and forfeiture of Center game tickets.

**IMPACT**

Service of alcohol within the Center is an extension of the university's pre-game and game-day activities surrounding home football games. Again there have been no serious incidences regarding the pre-game service of alcohol during the 2004 through 2010 seasons where service has been approved. The UI continues to strive for a restaurant-type atmosphere within the secure areas. Feedback on the events has been very positive. These types of functions are beneficial to the university and are strategic friend- and fund-raising opportunities.

**ATTACHMENTS**

Attachment 1 – Maps and Drawings of the Center

Page 5

**STAFF COMMENTS AND RECOMMENDATIONS**

University of Idaho's request is in conformance with Board policy I.J.

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**BOARD ACTION**

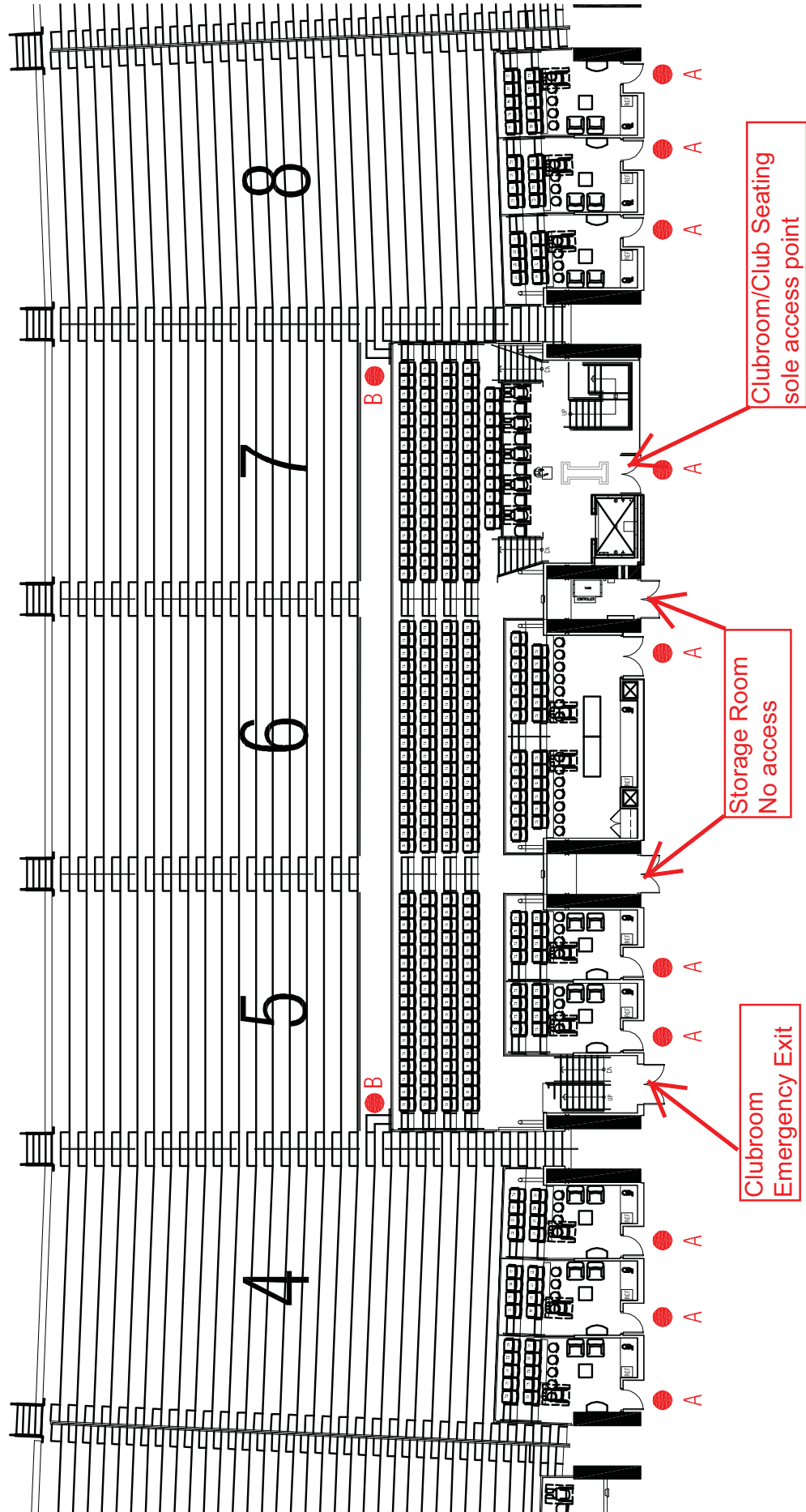
I move to approve the request by the University of Idaho to allow alcohol service during the 2011 football season in the Litehouse Center/Bud and June Ford Club Room located in the ASUI-Kibbie Activity Center under the conditions outlined in Board policy I.J. subsection 2.c.

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



PERSPECTIVE  
CLUB ROOM, CLUB SEATING, LOGE SEATING, AND MINI SUITES  
ASUI KIBBIE ACTIVITY CENTER  
UNIVERSITY OF IDAHO

A = Security Personnel at individual suite access points and clubroom entry  
B = Security Personnel - monitors in loge seating area

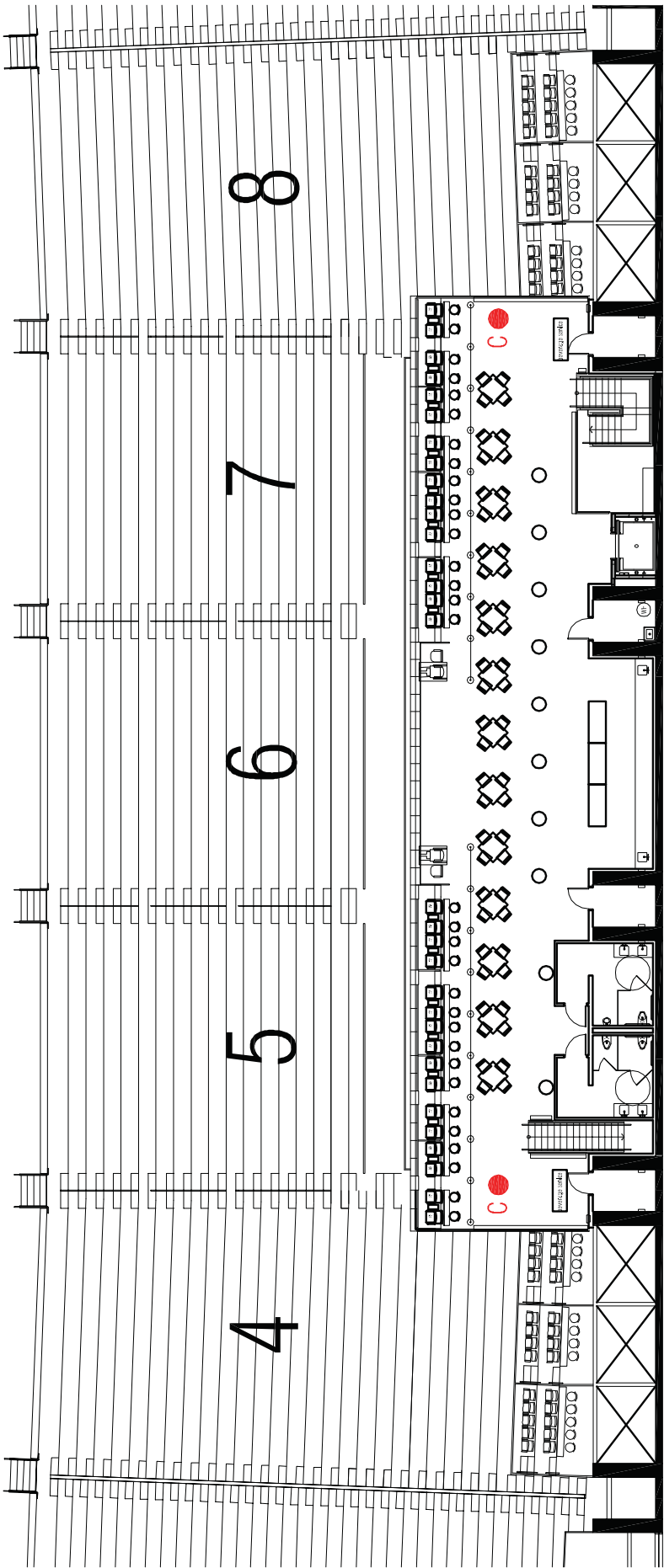


CROWD MANAGEMENT/SECURITY PERSONNEL (TYP. @ EACH RED DOT)

CLUB SEATING, SUITES, AND CONCOURSE LEVEL

## ASUI KIBBIE ACTIVITY CENTER UNIVERSITY OF IDAHO

C = Security Personnel - Clubroom monitors



CROWD MANAGEMENT/SECURITY PERSONNEL (TYP. @ EACH RED DOT)  
CLUB ROOM LEVEL

ASUI KIBBIE ACTIVITY CENTER  
UNIVERSITY OF IDAHO

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**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
**JUNE 23, 2011**

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**SUBJECT**

Alcohol Permits Approved by University Presidents

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**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 April 2011 Board meeting. Since that meeting, Board staff has received thirty-seven (37) permits from Boise State University, nine (9) permits from Idaho State University, forty (40) permits from the University of Idaho and two (2) 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**

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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<b>APPROVED ALCOHOL SERVICE AT BOISE STATE UNIVERSITY April 2011 – February 2012</b>		
<b>EVENT</b>	<b>LOCATION</b>	<b>DATE (S)</b>
Spring Fever 2011 Dinner	Stuckle Sky Center	4/1/11
Amina Figarova Matinee Concert	Stuckle Sky Center	4/8/11
Sleeping Beauty Ballet Reception	Morrison Center	4/9/11
Elton John Concert Events	Taco Bell Arena	4/9/11
Kenny Barron Concert	Stuckle Sky Center	4/9/11
Greek Gathering	SUB	4/12/11
Paramount Club 2011	Stuckle Sky Center	4/13/11
IDT's Spring Performance	SUB	4/15-16/11
Grid Iron Social	Stuckle Sky Center	4/15/11
Carmina Burana Boise Philharmonic	Morrison Center	4/15-16/11
Construction Mgmt Dept 30 <sup>th</sup> Anniversary	SUB	4/16/11
Idaho Assoc of Health Underwriters Events	SUB	4/26-27/11
St. Lukes Presidents Awards Dinner	Stuckle Sky Center	4/27/11
Donor Reception	Stuckle Sky Center	4/27/11
"The Power of Pink" Survivor Celebration	SUB	4/29/11
Reapportionment & Redistricting in the West Conf Dinner	Stuckle Sky Center	4/30/11
Wild 101 Pre-Summer Bash	Taco Bell Arena	4/30/11
Distinguished Professors reception	SUB	5/2/11
Hall of Fame Induction	Stuckle Sky Center	5/5/11
Formal Dinner Practice CUL225	Culinary Arts Bldg	5/7/11
Wicked Broadway Musicals	Morrison Center	5/4-15/11
Fidelity Boise Open House Event	Stuckle Sky Center	5/11/11

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<b>EVENT</b>	<b>LOCATION</b>	<b>DATE (S)</b>
Fisher Document Systems Tech Show	Stuckle Sky Center	5/12/11
St Alphonsus Donor Reception	Morrison Center	5/13/11
Alumni Assoc Annual Mtg members appreciation	SUB	5/20/11
Season Finale – Boise Philharmonic & related events	Morrison Center	5/21/11
Dinner Auction	Stuckle Sky Center	5/21/11
JR Simplot Accounting Conference & Networking	Stuckle Sky Center	5/23/11
Idaho Council on Economics Board Meeting	Stuckle Sky Center	5/25/11
In Service Training Awards Banquet	SUB	5/25/11
Bronco Dairy Booster Dinner & Auction	Stuckle Sky Center	6/3/11
80 <sup>th</sup> Birthday Party	SUB	6/4/11
Family Medicine Residency of Idaho 2011 Grad	SUB	6/25/11
WPS Awards Banquet	Stuckle Sky Center	8/12/11
50 <sup>th</sup> Class Reunion, meet/greet social	Stuckle Sky Center	8/12/11
Friends of Nursing Fundraiser	Stuckle Sky Center	11/3/11
Loaves & Fishes Gala & Roast	Stuckle Sky Center	2/4/12

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<b>APPROVED ALCOHOL SERVICE AT IDAHO STATE UNIVERSITY February 2011 – April 2011</b>		
<b>EVENT</b>	<b>LOCATION</b>	<b>DATE (S)</b>
Richard Stallings Banquet	SUB	4/9/11
INL EES&T All Hands Mtg	SUB	4/19/11
End of the Year Celebration	Alumni House	5/6/11
School of Nursing Pinning Ceremony & DHS Award Reception	Stephen's Performing Arts Center	5/6/11
Retirement Reception	Idaho Museum of Natural History	5/11/11
Idaho's Championship of Comedy	Stephen's Performing Arts Center	6/4 & 6/11/11
ATR User Facility Week	CAES Bldg, Idaho Falls	6/8/11
Class of 1991 Reunion	SUB	7/9/11
2011 WIN Region IV Conference	CAES Bldg, Idaho Falls	7/21/11

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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<b>APPROVED ALCOHOL SERVICE AT  UNIVERSITY OF IDAHO  March 2011 – August 2011</b>		
<b>EVENT</b>	<b>LOCATION</b>	<b>DATE (S)</b>
President's Sustainability Symposium dinner	Nectar-Moscow	3/30/11
Design Thinking & Trans-disc Event – College of Art & Architecture	Dean's Home	3/31/11
Rocky Mtn Elk Foundation Banquet	SUB	4/2/11
State of the College of Engineering	Mobius Kid's Museum	4/7/11
President's Circle Museum	Basque Center/Boise	4/14/11
Univ of Idaho Foundation Reception	Boise Water Center	4/15/11
UI Library Advisory Board Mtg	Library	4/27/11
Entrepreneurship & Innovation Celebration	SUB	4/29/11
College of Science Alumni Reception	Boise Water Center	4/29/11
Delta Gamma 100 <sup>th</sup> Anniversary Celebration	Eastside Marketplace	4/30/11
Commencement Dinner-Boise	Boise Centre on the Grove	5/2/11
Commencement Dinner-Idaho Falls	Willard Performing Arts Center	5/3/11
Physics Faculty/Student/Alumni Awards Banquet	Commons	5/6/11
Faculty & Staff Reception	Executive Residence	5/6/11
EMBA Cohort 3 End of Year Social	UI Harbor Center, CDA	5/7/11
Commencement Dinner – CDA	CDA Resort	5/9/11
Athena Awards	Executive Residence	5/10/11
Operation Education Reception	Executive Residence	5/11/11

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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<b>EVENT</b>	<b>LOCATION</b>	<b>DATE (S)</b>
Men's Golf League	Bogey's	5/12/11 – 8/18/11
Commencement Honorary Degree Dinner	University Best Western	5/12/11
Commencement Dinner-Alumni Hall of Fame	SUB	5/13/11
Washington/No Idaho Seed Association Golf Tourney	UI Golf Course	5/18/11
Dave's Golf Shop Golf Tourney	UI Golf Course	5/19/11
Museum of Flight Alumni Social	Seattle, WA	5/24/11
UI Donor Luncheon	Wilmington, DE	5/24/11
City North American Golf Tourney	UI Golf Course	5/26/11
Friday Night Summer Concert Series	Bogey's/UI Golf Course	5/27/11-10/28/11
Dale's Boats Golf Tourney	UI Golf Course	6/2/11
Welcome to Summer – Pass/Merch Sale	UI Golf Course	6/3/11
Brown & Kiblen Financial Golf Tourney	UI Golf Course	6/4/11
Farm Bureau Insurance Golf Tourney	UI Golf Course	6/9/11
Distinguished Professor Dinner	Executive Residence	6/9/11
Utility Exec Dinner after Grand Coulee Dam Tour	Spokane, WA	6/12/11
Utility Exec Course Golf Scramble	Bogey's	6/13/11
Accounting Alumni & Friends Reception	Legacy Pointe/Boise	6/16/11
Utility Exec Committee Station Tour	Richland, WA	6/17/11
Utility Exec Summit Welcome Reception/Dinner	CDA	6/20/11
Utility Exec Advisory Committee Meeting	CBE Board Room	6/22/11

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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EVENT	LOCATION	DATE (S)
Idaho INBRE 2011 Fellows Dinner Celebration	Dr. Carolyn Bohach Res	6/22/11
Leadership Tour/Reception	Executive Residence	6/30/11

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
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<b>APPROVED ALCOHOL SERVICE AT LEWIS-CLARK STATE COLLEGE June 2011</b>		
<b>EVENT</b>	<b>LOCATION</b>	<b>DATE (S)</b>
Center for Arts & History VIP Event	Center for Arts & History	6/10/11
Reception Dinner for Chinese Remembering Lecture Series	Center for Arts & History	6/23/11

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## **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**

**JUNE 23, 2011**

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### **SUBJECT**

Board Policy I.M. Annual Planning and Reporting – Second Reading

### **REFERENCE**

March 2008	Board approved first reading of Board Policy I.M. I.M.4. and III.M.3. Clarify Boards role in accreditation visits and Board self evaluation
April 2008	Board approved second reading of Board Policy I.M. I.M.4. and III.M.3. Clarify Boards role in accreditation visits and Board self evaluation
August 2008	Board approved first reading of Board Policy I.M. clarifying reporting requirements for strategic plans and performance measures
October 2008	Board approved second reading of Board Policy I.M. clarify reporting requirements for strategic plans and performance measures
April 2011	Board approved first ready of Board Policy I.M.

### **APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section I.A.5.b., and I.M.  
Section 67-1901 through 16-1905, Idaho Code.

### **BACKGROUND/DISCUSSION**

Each year, the institutions are required to submit strategic plans to the Board for review and approval prior to the Board submitting agency, institution and special/health program strategic plans to the Division of Financial Management. These plans must be in compliance with Board policy and section 67-1901 through 16-1905, Idaho Code. Additionally they must be in alignment with the Boards statewide strategic plan. Changes to Board policy I.M. include defining the Board's statewide strategic plan (subsection 1.) and clarification of the mission statement used by the institutions and agencies within their respective strategic plans.

There have been no changes between the first and second ready.

### **IMPACT**

Approval of changes to Board policy I.M. will further clarify the role of the Board's statewide strategic plan and its relationship with the institution and agencies strategic plan.

### **ATTACHMENTS**

Attachment 1 – Board Policy I.M. – First Reading

Page 3

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
**JUNE 23, 2011**

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**STAFF COMMENTS AND RECOMMENDATIONS**

Changes to I.M, III.I, and III.Z will bring all three policies into alignment with each other and clearly define the strategic planning, mission statement, and program delivery roles of the institutions.

**BOARD ACTION**

I move to approve the second reading to Board policy section I.M. as submitted.

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

**Idaho State Board of Education**

**GOVERNING POLICIES AND PROCEDURES**

**SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES**

**SUBSECTION: M. Annual Planning and Reporting**

**June 2011**

This subsection shall apply to Boise State University, Idaho State University, Lewis-Clark State College, University of Idaho, North Idaho College, College of Southern Idaho, College of Western Idaho, Eastern Idaho Technical College, Division of Professional-Technical Education, Division of Vocational Rehabilitation, and Idaho Public Television.

**1. Statewide Strategic Plan**

The Board will approve annually, consistent with its vision and mission a statewide strategic plan. The statewide plan will outline the goals and objectives necessary for the responsible management of the statewide system of K-20 education. The strategic plan will be prepared by Board staff in consultation with the institutions, agencies, and Board committees and reflect fiscal or other constraints and opportunities. Major elements of the plan will take into consideration the environment within which K-12 and postsecondary education in the state operates, including economic constraints; identification of system priorities; and measures to ensure quality, efficient use of state resources, and responsiveness to the citizens of Idaho. The strategic plan will be in compliance with Chapter 19, Title 67, Idaho Code.

**2. Strategic Plans**

a. Each institution and agency will develop and maintain five-year strategic plans.

(1) Institution, and agency strategic plans shall be aligned with the Board's statewide strategic plan and, for institutions, with their accreditation requirements. They are to, be created in accordance with Board guidelines, and must be consistent with Board approved mission statements. Community colleges shall use the mission statements approved by their respective local Board of trustees. Institution mission statements shall be approved in accordance with Board policy subsection III.I.

(2) Plans shall be updated annually and submitted to the Board for approval in accordance with the schedule established by the executive director.

(3) Plans shall be submitted by the Board to the appropriate state administrative entity in order to meet the state's annual planning requirements, in compliance with Chapter 19, Title 67, Idaho Code.

**b. Format**

Plans submitted to the Board annually should be as concise as possible and in accordance with the format established by the executive director.

Plans shall contain:

- (1) A comprehensive mission and vision statement covering the major programs, functions and activities of the institution or agency.
- (2) General goals and objectives for the major programs, functions and activities of the organization, including a description of how they are to be achieved.
  - (a) Institutions (including Professional-Technical Education) should address, at a minimum, instructional issues (including accreditation and student issues), infrastructure issues (including personnel, finance, and facilities), advancement (including foundation activities), and the external environment served by the institution.
  - (b) Agencies shall address, at a minimum, constituent issues and service delivery, infrastructure issues (including personnel, finance, and facilities), and advancement (if applicable).
- (3) Identification of key factors external to the organization that could significantly affect the achievement of the general goals and objectives.
- (4) A brief description of the evaluations or processes to be used in establishing or revising general goals and objectives in the future.

### 3. Performance Measures

Performance measures will be developed in conjunction with the Board's planning process and will be updated annually for Board approval. Performance measures shall be submitted to the Board annually, and in accordance with a schedule and format established by the Executive Director. Performance measures will be used to measure results, ensure accountability, and encourage continuous improvement to meet goals and objectives.

- a. The Office of the State Board of Education will develop a set of uniform performance measures for the institutions that will gauge progress in such areas as enrollment, retention, and graduation.
- b. Each institution and agency will develop unique measures tied to its strategic plan.

### 4. Progress Reports

Progress reports that include, but are not limited to, progress on the approved strategic plan, details of implementation, status of goals and objectives, and expanded information on points of interest and special appropriations ~~will~~ shall be

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS**  
**JUNE 23, 2011**

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provided to the Board at least once annually in accordance with a schedule and format established by the Executive Director.

**5. Statewide Reporting**

Each institution and agency will provide to the Board, upon request or in accordance with a schedule and format established by the Executive Director, any data or report.

**6. Self-Evaluation**

Each year, the Board will conduct a self-evaluation in conjunction with annual strategic planning activities. The self-evaluation methodology will include a staff analysis of all institution and agency annual performance reporting, and comments and suggestions solicited from Board constituency groups to include the Governor, the Legislature, agency heads, institution presidents and other stakeholders identified by the Board President. The Executive Committee of the Board will annually develop a tailored Board self-evaluation questionnaire for use by individual Board members and the Board collectively to evaluate their own performance. Annually, in conjunction with a regular or special meeting, the Board will discuss the key issues identified in the institution and agency performance reporting assessment, comments and suggestions received from constituency groups, and the self-evaluation questionnaire in order to further refine Board strategic goals, objectives and strategies for continuous improvement of Board governance and oversight. Self-evaluation results will be shared with constituent groups and should heavily influence strategic plan development.

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