



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

**APPROVED MINUTES
STATE BOARD OF EDUCATION
May 14-15, 2014
Special Board Meeting – Board Retreat
Boise, ID**

A special Board meeting of the State Board of Education was held May 14-15, 2014. It originated from the Skyline Room of the Stueckle Sky Center at Boise State University, in Boise Idaho. Board President Emma Atchley presided and called the meeting to order at 8:00 a.m. A roll call of members was taken.

Present:

Emma Atchley, President
Rod Lewis, Vice President
Don Soltman, Secretary
Tom Luna

Richard Westerberg
Bill Goesling
Milford Terrell

AGENDA APPROVAL

M/S (Lewis/Terrell): To amend the agenda to add two additional items, IRSA TAB 1, to consider approval of a new academic program at the College of Southern Idaho and PPGA TAB 2, Data Transfer Approval. The IRSA item was not included in the original posted agenda because an administrative oversight at the college was not brought to the attention of Board staff until the deadline for posting the agenda had past, the item requires immediate Board consideration. The PPGA item was not included in the original posted agenda because Board staff was only made aware of the time sensitive data request by the United States Department of Education, Office of Inspector General after the deadline for posting the agenda for the public meeting. Section 33-133, Idaho code requires the Board approve the sharing of these data prior to the data transfer. The motion carried unanimously.

EXECUTIVE SESSION (Closed to the Public)

M/S (Lewis/Terrell): To meet in executive session to evaluate the presidents of Idaho's state higher education institutions and its executive director, pursuant to

Idaho Code Section 67-2345(1)(b). A roll call vote was taken and the motion carried unanimously. Board members entered into Executive Session at 8:10 a.m.

M/S (Terrell/Westerberg): To go out of executive session at 12:31p.m. The motion carried unanimously.

BOARD RETREAT (Open Meeting)

1. Making Processes Work

The Board convened for regular business at 1:00 p.m. on Wednesday, May 14, 2014 for discussion of higher education process issues, including discussion of strategies to improve effectiveness for such processes as budgeting, legislative, administrative rules, and planning and accountability. They also planned to discuss the Board evaluation summary and next steps, committee structure and operational process, and Board values and responsibilities.

Dr. Rush introduced the discussion and format for the work session and gave a brief overview of the workshop he attended with President Atchley in Washington D.C. related to Board processes.

The first item for discussion was the Master Planning Calendar. Mr. Freeman provided a slide for visual aid showing the budget development timeline. He pointed out that line item categories are developed and reviewed by the President's Council and the Business Affairs & Human Resources (BAHR) Committee in February. In April, the Board approves the line item categories for the institutions. In June, the Board reviews and approves the agency and institution line item requests. This is also the first opportunity the Board has to see the line item requests from agencies and institutions. Mr. Freeman encouraged feedback in vetting the line items such as bringing them to the BAHR committee and the BAHR committee making recommendations to the Board. He pointed out the vast amount of detail in the line item requests and questioned the amount of time and detail the Board would want to get into. In August, the Board reviews and approves the final budget request for the next fiscal year. By September 1st (the deadline), the final budget requests are sent to the Division of Financial Management (DFM) and Legislative Services Office (LSO). Then, in January the Board and institutions present their requests during Education Week to the Joint Finance and Appropriations Committee (JFAC).

Dr. Fox from the College of Southern Idaho (CSI) asked if community college voices are represented at the Governor's office. He asked if they would be better served working through their own boards, if they should have a unified voice, or if they should have individual requests to the state Board office. He asked how they fit into the process considering their local governance. Mr. Freeman responded that historically the community colleges are not included in the line item categories in April. The informal meeting with DFM does include the community colleges, encompassing all of higher

education. Mr. Freeman responded a unified approach would be more effective in talking to JFAC.

Dr. Rush indicated that Governor Otter implemented a process to shares his recommendation in confidence with the cabinet members which provides a small opportunity for feedback. He indicated that the Board Chair could visit with the Governor about specific items of concern. Mr. Lewis asked about the process the Superintendent goes through with the Governor's office. Mr. Luna responded his office initiates the conversation with the Governor's office, and the Superintendent tries to build his budget based on conversations with the Governor and his recommendations.

Ms. Atchley asked if there was a desire on the part of the Board to be more proactive with the process and discussions with the Governor's office. Discussion among Board members concluded that they want to be more involved. Mr. Freeman asked if they want to review individual line items at a Board level, at a committee level, or other. Mr. Westerberg felt the Board lacks a rigorous review process. He felt if the Board intends to be more involved in budget setting, they need to review the process and have more thorough discussions. Mr. Lewis felt there is not a working relationship with the Governor's office, and that the Board is not on the same page by the time the recommendations come out. He felt there is a communication breakdown between institutions, Board office, Governmental Affairs Directors (GADs), and the Governor's office. Ms. Atchley indicated the Board is far more effective if they advocate for things as a system and requested discussion from the institution presidents.

Dr. Glandon suggested it would be advantageous to spend more time meeting together and presenting together to present a unified approach for higher education. Dr. Fernandez suggested the development of the budget and to meet and present as a group. Dr. Vailas remarked that there is a need to go to the Governor with unified vision and goals between the Board and institutions. He felt the Board and institutions should work with both the Governor's office and the legislators to present a unified view.

Mr. Lewis asked how to come to a unified view. Dr. Goesling asked what role their lobbyists/advocates would play in moving to a unified voice. Dr. Kustra responded that there is a need to simplify the "ask" and come up with a goal that is clearly in the interest of universities and colleges. The longer the list, the harder it will be for the Governor and legislators to figure out what higher education is trying to do. He felt they need to work toward system-wide initiatives, but there will always be a clash between those initiatives and individual institution priorities.

Dr. Vailas remarked that the GADs should combine their voices and work together more, instead of individually. He felt the goals and strategies of higher education would come across clearer to legislators and the Governor with combined articulation. Dr. Glandon also pointed out the tremendous need for consistency, discipline and commitment to have a unified voice for the best interest(s) of higher education. Mr. Luna remarked on the importance of developing relationships with individual members

of the JFAC committee. Mr. Lewis felt the presidents and the Board should be working together early in the year identifying major funding issues.

Dr. Kustra remarked that a chancellor is a vehicle of authority that stands out as a model of political power in this type of conversation. Bruce Newcomb remarked that the Board should change its status as how it proceeds, not as a state agency, but as a constitutional entity, and suggested demonstrating that more with the legislature.

Dr. Rush summarized that immediate staff work should include a formal process where the BAHR chair and Board staff discuss line items in June and review the Governor's recommendation. Mr. Lewis felt the direction should come very early in the year and include regular meetings with the presidents and governor, also to include the Board president. Mr. Freeman indicated he would work with the Board president and BAHR chair on this process and the level of involvement with the Governor, Governor's staff, and legislators.

Mr. Stegner remarked there is room for improvement everywhere. He remarked that K-12 by sheer numbers outweighs higher education, and reminded the group that there are no statutory requirements for funding higher education. He pointed out that unfortunately when something needs to be cut, higher education usually suffers. Mr. Stegner felt the Board and staff doesn't have a good influence or relationship with the legislature, and encouraged Board and staff be more involved with legislators in order to grow important relationships. Ms. Atchley thanked Mr. Stegner for his direct comments and that his feedback is the type of directness they are looking for. Dr. Vailas also encouraged clear communication with the voters on the importance and goals of higher education; and how it would benefit the political process.

At this time, the meeting moved on to discuss the legislative process and timeline. Ms. Whitney recapped the process and pointed out that legislative ideas can be developed at any time. In April, the initial discussion of ideas with GADs, presidents and legal counsel begins. In May, a description of the statement of purpose and fiscal impact are due to the Board office. In June, the President's Council meets with GADs and the Policy, Planning & Governmental Affairs (PPGA) committee. At the June Board meeting, the Board discusses and approves legislative ideas and the master planning calendar. In July, there is development and drafting of legislative language. In August, the deadline is August 3rd to submit drafts to the LSO. In September, the President's Council meets with GADs and PPGA; drafts are due to DFM. In October, the legislation is reviewed and there is an additional meeting with PPGA and the GADs. At the October Board meeting, the Board considers the legislation, and approved legislative language is submitted to DFM. In November, legislation is reviewed with GADs and legal counsel, and any changes are worked through. In December legislation is reviewed and proofs are returned to DFM. December 3rd is the final date for any changes to bills. In January the legislative session begins.

Ms. Whitney pointed out some expectations for institutions and GADs, and discussed the process the Board staff uses in non-institution related legislation. Ms. Whitney

pointed out that whatever the legislature approved impacts the whole system, and it is important to keep that in mind.

Dr. Fox asked where the meeting with president's and the Governor would fit in the timeline. Ms. Whitney indicated it could fit in a number of places depending on the item. She pointed out that the Board office is in contact with the Governor's office throughout the entire process. Mr. Lewis requested the establishment of a monthly meeting with the Governor's office and the presidents. Mr. Terrell asked if after January there is any collaboration between lobbyists on the Board's priority items. Ms. Whitney responded that is the main reason for the Friday meetings with the GADs – that the meetings are to coordinate and strategize throughout the legislative process.

Mr. Stegner suggested when meeting with the Governor's office, that the Board advocate more strongly for money being returned to higher education that has been cut. He felt there is a strong lack of advocacy to get higher education back to where it was prior to 2009. Mr. Newcomb echoed those remarks. Mr. Luna pointed out an important factor not yet considered in this conversation which is that people (general public) do not value higher education, which is largely a cultural issue. It is not enough for Board members and staff to advocate, there needs to be a way for parents and students to advocate. He felt there needs to be a better opinion in higher education for those who would advocate for it and development of that opinion throughout Idaho. Ms. Atchley agreed with those remarks. Dr. Kustra remarked there needs to be more support from those people appointed to advocate for higher education. Mr. Kunz remarked on the support from the various associations behind higher education. Mr. Westerberg remarked on Board concurrence through the legislative process, and requested direction from staff on how it wants Board members to provide support; when and where. Ms. Whitney pointed out there would be an off session strategy throughout the summer to engage legislators.

Ms. Bent reviewed the administrative rules process and timeline. In March the Board staff starts work on identifying administrative rules that may need amendments. In April, Board staff publishes notices of intent to promulgate rules, and proposed rules start coming to the Board for consideration. In June, the Board considers the proposed rules. The August Board meeting is the final meeting for the Board to consider proposed rules, and it is the start of the 21 day public comment period for rules approved in June; the deadline for submittal is August 29th. In September, proposed rules are published in administrative bulletin and the 21 day public comment period begins for those rules approved in August. In October, the Board considers pending rules. In November there is a special Board meeting held to consider final pending rules; the deadline for submittal is November 30th. In January, administrative rules are submitted to the legislature and staff presents the rules to the legislature. Ms. Bent identified the difference between a temporary proposed rule and that they are the same as law. There were no questions for Ms. Bent about the administrative rules process.

Ms. Bent went on to discuss the strategic planning and performance reporting timeline. In September, the Board office submits agency and institution performance measure

reports for previous years to DFM and the legislature. In October, the Board committee and staff review statewide K-20 strategic plans. Institutions and agencies present performance reports for the previous year to Board and conduct review of statewide performance measures. In November, Board staff work to make amendments to Board strategic plan; this is over a five year process. In December, the Board approves the statewide K-20 strategic plan. The Board gives direction to institutions and agencies regarding their strategic plan. In March, institutions and agencies submit their strategic plans to Board office for review. In April, the Board considers institution and agency strategic plans and provides guidance if changes are needed. In May, institutions and agencies resubmit strategic plans as needed for final June approval by the Board. In June, the Board gives final approval of the institution and agency strategic plans. Approval includes approval of performance measures reported following October. In July, Board, agency, and institution strategic plans are submitted to DFM.

Ms. Bent identified how the pieces of the K-20 strategic plan puzzle fit together. She discussed how CCI, STEM, Research, Institution Agencies, and Special Health programs all fit together. There was discussion about the required contents of the strategic plans, and Ms. Bent reminded the institutions that it can be frustrating when required detail is omitted, because there are very specific requirements and definitions to the strategic plans in statute, and it is also Board policy. Furthermore, if Ms. Bent happens to miss something that was required in content, the Division of Financial Management always catches it, which can be troublesome.

Dr. Rush expressed his understanding of how much work updating a strategic plan is for institutions. He added that that related to the planning process, however, there needs to be more input and work with the Board on when the institution has major updates and rewrites that take place. Ms. Atchley indicated that the Board's planning might need to be advanced a year, meaning that the Board would work under the old plan for a year while the new plan is being developed and put out to the institutions so that they have more time to respond to it.

Dr. Fox pointed out relative to accreditation and the cycle of core theme development, the major revisions of strategic planning relative to the institutional processes occur when the institutions develop that first year every seven years. He suggested that might be a good time to run the parallel process relative to the Board's five-year plan. Dr. Rush acknowledged and indicated it would be explored in greater detail in the President's Council meetings. Dr. Goesling suggested a joint meeting with the Community College Boards.

Summarizing from the earlier discussion on budgeting processes, Mr. Freeman indicated that he would be working with the BAHF chair, the Board President, and Dr. Rush on what the process will be to review budget line items. Ms. Whitney summarized from the legislative process discussion, there is still a question as to how the Board wants to be engaged, either specifically or in general, in legislative advocacy, and that it would be important (and beneficial) to have a plan for the next session. Ms. Whitney added that she would appreciate thoughts and guidance with respect to individual Board

member interactions with legislators. Mr. Lewis remarked on the importance of the Board members communicating uniformly and that there should be coordinated communication among the Board members and the Board office, emphasizing disjointed communication would be harmful.

At this time, the meeting moved on to the Board self evaluation summary and next steps. Ms. Bent indicated overall the evaluation this year indicated there has been no decrease in the measures asked of the Board, and that comments were positive overall. Ms. Bent reviewed the questions on the evaluation and summarized the comments. One recommendation was to have more communication between Board members and committee chairs. Additional recommendations include that the committee chairs should consider having regular meetings, perhaps quarterly; that there is a need for more information on the accreditation process; that presentations to the Board be more data driven and use more information sources (i.e., that the institutions often showcase positive things and stay away from reporting on negative things, despite the importance of covering both).

The Board felt they were better informed in the area of significant policy and budget implications. There was a request for more information on short and long term consequences of decisions the Board makes, as well as having stronger staff recommendations instead of staff neutrality. There was an additional recommendation that the committee chairs meet and discuss how what one committee is working on may affect another committee. There was discussion regarding the agenda material preparation and delivery for Board members and a recommendation that Board members be given more time to review the materials. Ms. Bent reviewed the timeline for agencies and institutions to provide their materials to the Board, and also the timing for when Board materials are distributed to members.

Mr. Lewis requested recommendations on the ability for Board members to communicate more informally, but within the confines of legal restrictions. He expressed that the limitations on Board member communication has directly affected the amount of work the Board is able to get done. Mr. Lewis requested an approach from a legal standpoint on how the Board can do more within the confines of what they can't do, i.e., more informal communication in a less formal setting. The question is how the Board can work with the Open Meeting Law to facilitate discussions where decisions are not being made. Ms. Atchley indicated communication through Executive Committee is one possible avenue. Mr. Westerberg pointed out being careful with that approach as to not disenfranchise the other members of the Board. Ms. Bent indicated staff and legal counsel would discuss it in more detail and explore recommendations.

One other recommendation was for deeper communication with institution presidents about issues outside of Board meetings, but not necessarily related to Board member and president geographic location. Mr. Westerberg pointed out that as Board members they must not have their individual priorities pushed on institution presidents.

Ms. Atchley remarked that the self evaluation process is required for accreditation, and that it may be useful to have anonymous institution president feedback in the form of a survey or questionnaire. Dr. Goesling pointed out an AGB article on what president's think of their boards may contain useful information. Ms Atchley encouraged communication from the presidents with the Board members.

At this time, the meeting moved to review the standing committees of the Board. Ms. Atchley opened the floor for comment on the Board's committee structure. Dr. Fox complemented the Institutional Research & Student Affairs (IRSA) committee and its work and collaboration. Dr. Goesling recommended making the Indian Ed and the Athletics Committees standing committees of the Board, and making a Board member a chair of those committees. Ms. Atchley responded that one of the problems with doing that is, it opens the door to a number of other groups that could request a committee, and the Board does not have the staff or resources to accommodate more committees. Ms. Atchley indicated the Board would consider that request and discuss in more detail with staff. Ms. Atchley indicated that the Athletics Committee is somewhat a subcommittee of BAHR, and pointed out again the need to be careful in extending the number of committees of the Board because of the amount of work and staff work required where they are already spread thin. Mr. Terrell pointed out how each of the committees works together as two sets of eyes for the Board (i.e., BAHR and Athletics). Ms. Atchley asked if BAHR felt it should make Athletics its own standing committee. Mr. Terrell expressed Athletics should stay as its own committee and report its findings to BAHR. Dr. Goesling encouraged the Board to consider his recommendation. Mr. Lewis also felt Athletics should remain as a subcommittee to BAHR. Ms. Atchley responded that making a decision about the committees today would not be possible at this venue.

Dr. Goesling asked that the Governor's Task Force on Veterans Affairs be added to the committee list. Mr. Terrell recommended a staff review of the committee referenced by Dr. Goesling and make a recommendation. Dr. Rush indicated staff work would be done and a report would be provided at the June Board meeting.

Ms. Atchley introduced the next item which was Board values and responsibilities. She referenced a handout that was provided to Board members with recommended responsibilities of individual Board members. Mr. Lewis recommended providing a copy of the list to institution presidents for their feedback. Mr. Lewis cautioned about Board members being over-active with presidents, and that it puts tremendous pressure and burden on them, and it can be disruptive to the work of the institution president. Mr. Lewis reminded the Board members of the importance of being loyal to the entire system of higher education which includes every institution and agency, and K-12 system. Ms. Atchley reiterated the importance for Board members to speak their mind at Board meetings, but once the Board makes a decision as a whole, the decision should be supported by all Board members.

Mr. Lewis pointed toward the item of helping to enhance the public image of the higher education system and of each of the institutions and agencies and the Board, and recommended adopting a statement. Dr. Rush suggested the Board members and

presidents offer edits to the staff and that staff prepare a statement to the Board at the June meeting. Board members agreed.

BOARDWORK

POLICY, PLANNING & GOVERNMENTAL AFFAIRS (PPGA)

1. University of Idaho – Temporary proposed rule 08.05.01, Rules Governing Seed and Plant Certification.

M/S (Soltman/Terrell): To approve the temporary and proposed rule, IDAPA 08.05.01, Rules Governing Seed and Plant Certification as presented in attachment 1. The motion carried unanimously. Ms. Atchley abstained from voting. The motion carried 6-1.

Ms. Bent introduced the item which is a temporary and proposed rule forwarded by the University of Idaho. The motion incorporates by reference into the rule the standards that were previously set by the Idaho Crop Improvement Association (ICIA). Once approved by the Board, the rule would go into effect and the pending rule would return to the Board for approval at the end of the 21-day comment period. Ms. Atchley pointed out that she is a member of the ICIA and would not be voting on the motion today.

2. Data Transfer Approval

M/S (Soltman/Westerberg): To authorize the sharing of confidential data for compliance with federal education program audits when the State has previously agreed to consent to the audits as a condition of participation in the federal program. The motion carried unanimously.

INSTRUCTION, RESEARCH AND STUDENT AFFAIRS

1. College of Southern Idaho – Food Processing Tech Program

BOARD ACTION

M/S (Westerberg/Goesling): To approve the request by the College of Southern Idaho to offer a new Intermediate Technical Certificate in Food Processing Technology. The motion carried unanimously.

Dr. Fox from CSI provided some details on the program and pointed out they had received a \$4.5 million grant and additional funding and resources for the center which has received broad support.

M/S (Terrell/Westerberg): To adjourn the meeting at 4:44 p.m. The motion carried unanimously.