

1. Agenda Approval

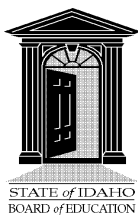
Changes or additions to the agenda

2. Minutes Approval**BOARD ACTION**

I move to approve the minutes from the September 14, 2015 special Board meeting, and the October 21-22, 2015 regular Board Meeting as submitted.

3. Rolling Calendar**BOARD ACTION**

I move to set December 14-15, 2016 as the date and the College of Western Idaho as the location for the December 2016 regularly scheduled Board meeting.



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

DRAFT MINUTES
STATE BOARD OF EDUCATION
October 21-22, 2015
Lewis-Clark State College
Williams Conference Center
Lewiston, Idaho

A regularly scheduled meeting of the State Board of Education was held October 21-22, 2015 at Lewis-Clark State College in Lewiston, Idaho.

Present:

Don Soltman, President
 Emma Atchley, Vice President
 Bill Goesling, Secretary
 Sherri Ybarra, State Superintendent

Richard Westerberg
 Debbie Critchfield
 Dave Hill
 Linda Clark

Absent:

Wednesday, October 21, 2015

The Board met in the Williams Conference Center at Lewis-Clark State College (LCSC) in Lewiston, Idaho. Board President Don Soltman welcomed everyone and called the meeting to order at 1:00 pm Pacific time. Mr. Soltman took a moment to extend appreciation to LCSC for its hospitality and introduced Erin Cassetto, Work Scholars Program Coordinator at the college, who introduced scholars from the program.

BOARDWORK

1. Agenda Review / Approval

BOARD ACTION

M/S (Atchley/Goesling): To approve the agenda as presented. The motion carried unanimously.

2. Minutes Review / Approval

BOARD ACTION

M/S (Atchley/Clark): To approve the minutes from the August 12-13, 2015 regular Board meeting and the September 3, 2015 special Board meeting as submitted. The motion carried unanimously.

3. Rolling Calendar

BOARD ACTION

M/S (Atchley/Ybarra): To set October 19-20, 2016 as the date and Lewis-Clark State College as the location for the October 2016 regularly scheduled Board meeting. The motion carried unanimously.

WORKSESSION – Planning, Policy & Governmental Affairs (PPGA)

A. Performance Measure Reports

Board Critchfield introduced staff from the Board office, Mr. Carson Howell Director of Research and Ms. Cathleen McHugh, Principal Research Analyst, to present the Performance Measures Report which provide a picture of the overall progress the system is making towards the Board's strategic plan goals.

Mr. Howell reviewed a number of performance measures in the Boards strategic plan as well as the system wide performance measures the Board requires the institutions to report on. The standard achievement test (SAT) scores, and since 2013 average scores on critical reading and math have increased, writing has decreased. Mr. Howell described how The College Board, who administers the SAT, uses a composite score to signify college readiness. Ms. McHugh reported on the share of students who meet the benchmarks, pointing out there has been a decline only in writing; math and reading have increased. The data shows that Idaho is close in scores to other states who also test all students. Mr. Howell reported the national average scores since 2013 have dropped, but pointed out that Idaho's average scores have increased since that time.

Mr. Howell also reported on how Idaho students performed on the American college testing (ACT) test and reported on its scores, pointing out the students who take the ACT are generally those who intend to go on to college. Average ACT scores from 2012 and on have increased, but fewer students took the test. He pointed out the gap between the national scores and Idaho scores continues to grow – which is positive. For the share that meet the benchmark for college and career readiness, Ms. McHugh reported there has been an increase in all the subject areas for 2014-2015, adding that Idaho far surpasses the national benchmark averages.

Mr. Howell reported that there are more students taking dual credit than before, indicating there is a difference in student behavior regionally. He provided a chart for illustrative purposes showing by institution the number of dual credits students were taking and where the students were coming from in the state.

Related to go-on rates, the data shows about 50% of graduating students go-on within one year. Over time, that number decreases. Mr. Howell pointed out that since data can be reviewed at the district level and can also be compared to the statewide average, it should help inform the districts who need help, where the go-on rates could be improved, to identify best practices, and identify behaviors and pattern among students, etc. The data will help inform superintendents, and help open a dialogue between them. He pointed out the data could also be sorted by county. A link will be made available on the Board's website so that anyone may use it to look at a variety of detail. Mr. Howell pointed out the enrollment data by institution shows both part time and full time students, and the trends and averages of both of those groups by institution.

Related to the American Indian student population, Mr. Howell reported the benchmark for go-on rates is 60% in the strategic plan approved by the Board relative to this group of students. Presently that rate is reporting at about 40%.

Ms. McHugh reported on the number of students majoring in science, technology, engineering, and math (STEM) fields, pointing out two distinct trends. One unexplainable trend is a large and persistent gap between male and female students majoring in stem fields. The other trend is a dip in STEM majors from 2013-2014, which may be due to possible inaccurate data uploaded to the statewide longitudinal data system (SLDS) for that range. That trend is being investigated.

Mr. Howell reported one of the measures in the Idaho Board's Indian Education strategic plan is the number of students who identify as American Indian students enrolling at postsecondary institutions. The benchmark is 400 students which was surpassed in 2013. He clarified that the Board's Indian Education committee felt that was an appropriate benchmark.

Mr. Howell reported on data for students in need of remediation in math or English and how the data could identify trends and so forth. Dr. Clark suggested all institutions should be using a common definition for remediation. Dr. Mathias, Chief Academic Affairs Officer from the Board office, responded we do not have a common comprehensive definition of remediation, but a minimum definition of remediation based on Board Policy III.Q(C)(4). Institutions are working together on a more comprehensive definition which includes a multiple measures approach. Dr. Clark expressed concern about needing a standard measure when comparing. Mr. Howell pointed out this particular data is not comparing institutions, but looking at trends. The data presented is those students who the institutions they enrolled at identified as needing remediation. He did conclude that for comparison's sake a standard definition would be necessary. Dr. Clark requested seeing a graph by institution over a period of time. There was continued discussion on the topic of remediation and the need for a meaningful standard definition. Ms. McHugh responded that they could create a consistent measure based on the SAT and ACT scores using the Board's definition of remediation, then apply that to students using the SLDS which would address Dr. Clark's concerns to develop a consistent measure. They continued to discuss remediation and how practically useful that information could be for districts and schools in addressing

remediation, and at a larger end – toward the 60% goal. They discussed the depth the data could be filtered, such as what high school the remedial student is coming from. Ms. McHugh reported on math remediation which shows about 20% of Idaho students who go-on are in need of remediation.

Reporting on retention, Mr. Howell reported the average retention rate in 2012 was near 59%. As an example, he showed they can drill that information down to just the 4-year institutions, which showed about 79% retention in 2012. Mr. Howell pointed out their hope is that a dialogue will be opened to address strategies to improve go-on rates.

Mr. Howell reported on efficiency measures for each institution and cost per undergraduate credit hour, as related to academic credits. He reported on peer comparisons using IPEDs data for each institution, and showing how Idaho institutions compare to peers across the country.

Mr. Howell went on to report on completion data and trends from 2012 through 2014 for the institutions. He reviewed degrees awarded by institution, showing that bachelor's degrees make up a large portion of degrees awarded by institution, followed by associate's degrees, then graduate degrees. Trends over time from 2012 show an increase in the degrees awarded despite flat or declining enrollment. Information provided also showed peer comparisons per institution.

Ms. McHugh reported on Idaho STEM education graduates which shows a decline in STEM degrees awarded from 2014 to 2015. Ms. McHugh pointed out that the STEM degree data includes an additional year whereas the degrees awarded data did not, and it remains to be seen if the overall degrees awarded follows the same trend as the STEM data. The ratio of STEM degrees compared to non-stem degrees shows the goal was met of having one STEM degree for every four non-STEM degrees awarded.

Reporting on the 60% goal, Mr. Howell reported on where we are presently. He pointed out 2014 data was not available at this time but would be shared as soon as it is available. From 2012 to 2013, we dropped about 1% from 42% to 41%, which is within the margin of error and not a significant amount. He pointed out we have closed the gap a bit in relation to the national average, and continue to move in the right direction. The two biggest gaps are with the bachelor's and associate's degrees. Mr. Howell reported briefly on direct admissions and that acceptance letters should be sent by the end of the month. He will report in the future on how the initiative effects the 60% goal. He pointed out there are about 20,570 unduplicated seniors who will be receiving a letter; of those approximately 4,800 seniors need additional data points identified in order to receive a letter, which they are working on gathering that information. At present count, 7,894 students will be receiving the group of eight letter, and 7,736 will be receiving the group of six letter.

Ms. Critchfield reported that in December, the Board will review the Boards K-20 Education strategic plan. She recommended Board members review the information and make recommendations for amendments prior to that time. She also recommended the institutions to make recommendations prior to the April meeting.

Discussion concluded to make recommendations for the performance measures reports prior to the deadline for the December agenda. Board members were provided a copy of the Performance Measure Report in their agenda materials. The reports include the six (6) system-wide measures and additional measures selected out of the strategic plans by the institutions.

B. Idaho Indian Education Strategic Plan

BOARD ACTION

M/S (Critchfield/Atchley): To approve the amendments to the 2016-2021 Idaho Indian Education Strategic Plan as submitted in Attachment 1. The motion carried unanimously.

Ms. Critchfield indicated the Idaho Indian Education Strategic Plan previously was lacking data from the SLDS and that data has since been added into the strategic plan. She recommended going directly to motion to accept those changes. There were no objections.

DEPARTMENT OF EDUCATION

1. Superintendent's Update

Superintendent Ybarra provided a report on the recent work of the Department. She reported on closing the appeals window for the current testing, and that they are putting the final touches on their strategic plan. The Department is working on a couple of key pieces of legislation – mastery based education and rural education centers, and are receiving positive feedback. They have hired a new assessment director, Dr. Cheryl Findley, who will be joining the Department in December. Ms. Ybarra introduced from Education Commission of the States (ECS) Ms. Julie Rowland-Woods, to provide a national perspective on testing. Ms. Woods is a researcher from ECS and was joined by Ms. Kathy Christie, retired Vice President of Policy. Ms. Rowland-Woods reported the ECS group researches, reports, counsels and convenes. She reported on standardized tests which are administered and scored in a consistent manner. They test on proficiency of standards, and reviewed the types of assessments such as diagnostic, formative, interim, and summative and how they can inform us in various ways in order to measure and make policy decisions. Ms. Rowland-Woods reported on ECS's systemic approach to testing at the federal, state, and local level. She provided some history on standards and assessments along with an illustration of the assessments being used by all states for 2015-16. Trends nationally show that most states are using the common core state standards; some states are using the ACT or SAT test as an 11th grade exam. She pointed out that some colleges and universities are not requiring those scores for admissions.

Ms. Rowland-Woods identified some emerging issues including testing time and quantity, opt-outs, test results, and vendor issues. She also shared recent state actions

whereby fifteen (15) states have convened task forces to look at concerns and issues identified above. Some states are taking a combination approach and testing on a sampling basis, and other states are putting a cap on the amount of testing time and quantity. She indicated half the states considered legislation to authorize parent opt-outs, and some states leave it up to the district. Presently California, Colorado, Delaware and Utah have passed bills guaranteeing parents the right to opt-out.

There was discussion on the meaning of a diploma from high school and how it translates to being college and career ready. Ms. Christie responded that the diploma is intended to equate to college and career readiness, and they have seen deep discussion on using multiple measures or a test-based feature to determine college and career readiness. She pointed out, however, that every time the test is changed, so is the baseline, and that test timing is a state decision. Mr. Soltman asked about the opt-out with still receiving federal dollars. Ms. Rowland-Woods responded that the federal government requires a 97% participation rate but also offer several options for states who don't meet that. She reported that the federal government considers states in their individual context. They discussed if the SBAC is a college and career readiness test, and ECS reported it is built as such. Ms. Rowland-Woods commented there isn't a lot of analysis comparing assessments.

Ms. Ybarra remarked on the importance of ECS input and perspective on the assessments as they move forward on making decisions. Mr. Freeman asked for their feedback about using either the ACT or SAT as a state assessment. Ms. Christie responded that more states use the ACT, though SAT is the new development. She felt there haven't been any major issues in using either. She pointed out the testing is one way to ensure you are aligning with the postsecondary requirements of the community. Ms. Ybarra indicated the superintendents would prefer students take the ACT to illustrate college and career readiness.

2. Schools with Less Than Ten (10) Students

Ms. Ybarra reported that this is an information item and is part of the Board's delegated authority to the Superintendent of Public Instruction to approve elementary schools to operate with less than ten (10) average daily attendance. She indicated there were ten schools that applied and nine were approved. The tenth school's attendance went up, which excluded them from requiring the Superintendent's approval. Ms. Ybarra named the schools that were approved, adding that they are very small, rural, remote schools.

3. Proposed Waiver of Requirement of IDAPA 08.02.03.111 – Rules Governing Thoroughness, Assessment in Public Schools, for the 2014-2015 School Year

BOARD ACTION

M/S (Ybarra/Goesling): To approve the waiver of requirement of Idaho Administrative Code, IDAPA 08.02.03.111.06(j), administration of the grade nine (9) Idaho Standards Achievement Test, Idaho ALT Assessment Test, and the

Idaho English Language Assessment for the 2015-2016 school year. The motion carried unanimously.

Ms. Ybarra indicated this is a request for a waiver of the grade nine (9) assessment requirements which will reduce the number of required assessments while still meeting federal compliance requirements. It makes the ninth grade assessment optional for students who wish to participate in it. Federal requirements only require an assessment be administered once in high school and students will still be required to take the grade ten (10) assessment. Not administering the test will result in a savings to the state.

4. Proposed Waiver of Requirement of IDAPA 08.02.03.105 – Rules Governing Thoroughness, High School Graduation, for the 2015-2016 School Year

BOARD ACTION

M/S (Ybarra/Goesling): To approve the waiver of the requirement in Idaho Administrative Code, IDAPA 08.02.03.105.06, graduation requirements, requiring students receive a proficient or advanced score on the Idaho Standards Achievement Test, for the 2015-2016 school year. The motion carried unanimously.

Ms. Ybarra introduced the request for the Board to waive the requirement for the proficiency/advanced score for graduation for students in grade ten (10) during the 2015-2016 school year.

Mr. Westerberg requested unanimous consent to modify the agenda to continue with the action items of the Planning, Policy and Governmental Affairs (PPGA) agenda prior to entering into Executive Session, leaving the presentation items of that section for tomorrow. Additionally, Dr. Goesling recommending addressing the Consent Agenda at this time as well. There were no objections. Following the Consent Agenda, they started with item six (6) of the PPGA agenda.

CONSENT AGENDA

M/S (Westerberg/Hill): To approve the consent agenda as presented. The motion carried unanimously.

Business Affairs & Human Resources – Section II (BAHR)

1. Ednetics, Inc. Telephone Systems Upgrade

BOARD ACTION

By unanimous consent to approve the request by the University of Idaho to enter into an agreement with Ednetics, Inc. in substantial conformance to the form submitted to the Board in Attachment 1, and to authorize the President of the University, or the President's designee, to execute the contract and any necessary supporting documents.

Instruction, Research & Student Affairs (IRSA)

2. Idaho EPSCoR Committee Appointments

BOARD ACTION

By unanimous consent to reappoint Representative Maxine Bell, Doyle Jacklin and Dennis Stevens to the Idaho Experimental Program to Stimulate Competitive Research Idaho Committee effective immediately and expiring on Jun 30th, 2020.

By unanimous consent to appoint Senator Roy Lacey to the Idaho Experimental Program to Stimulate Competitive Research Idaho Committee as a representative of the Idaho Senate effective immediately and expiring on Jun 30th, 2020.

By unanimous consent to appoint Gynii Gilliam to the Idaho Experimental Program to Stimulate Competitive Research Idaho Committee as a representative of the private sector effective immediately and expiring on Jun 30th, 2019.

Planning, Policy & Governmental Affairs (PPGA)

3. Indian Education Committee Appointments

BOARD ACTION

By unanimous consent to appoint Mr. Donovan Chase, representing the Coeur d'Alene Tribal School and Ms. Shawna Daniels to serve as the K-12 representative for the Coeur d'Alene Tribe to the Idaho Indian Education Committee effective immediately and expiring June 30, 2021.

4. State Rehabilitation Council Appointments

BOARD ACTION

By unanimous consent to approve the reappointment of Gordon Graff to the Vocational Rehabilitation State Rehabilitation Council as a representative of the Workforce Development Council for a term of three years effective September 1, 2015 and ending August 31, 2018.

By unanimous consent to approve the appointment of Mel Leviton to the Vocational Rehabilitation State Rehabilitation Council as a representative of The State Independent Living Council for a term of three years effective October 1, 2015 and ending September 30, 2018.

5. Data Management Council Appointments

BOARD ACTION

By unanimous consent to approve the appointment of Dr. Don Coberly to the Data Management Council, representing urban school districts, effective immediately and expiring June 30, 2016.

6. President Approved Alcohol Permits - Report

A list of approved permits by institution was provided for informational purposes in the agenda materials to the Board.

State Department of Education (SDE)

7. Curricular Materials Committee Appointments

BOARD ACTION

By unanimous consent to appoint Sarah J. Anderson to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to appoint Melyssa Ferro to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to appoint Catherine Griffin to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to appoint Tauna Johnson to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to appoint Zoe Ann Jorgensen to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to appoint Lori Conlon Khan to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to appoint Sharon Tennent to the Curricular Materials Selection Committee for a five-year term effective November 1, 2015, and ending October 31, 2020.

By unanimous consent to reappoint Darlene Matson Dyer to the Curricular Materials Selection Committee for a five-year term effective July 1, 2016, and ending June 30, 2021.

By unanimous consent to reappoint D. Laree Jansen to the Curricular Materials Selection Committee for a five-year term effective July 1, 2016, and ending June 30, 2021.

By unanimous consent to reappoint Stacey Jensen to the Curricular Materials Selection Committee for a five-year term effective July 1, 2016, and ending June 30, 2021.

By unanimous consent to accept the resignation of Tara Drexler from the Curricular Materials Selection Committee.

PLANNING, POLICY & GOVERNMENTAL AFFAIRS

6. IDAPA 08.0203.113 – Rewards - Waiver

BOARD ACTION

M/S (Critchfield/Westerberg): To waive IDAPA 08.02.03, subsection 113 Rewards for the 2015-2016 school year. The motion carried unanimously.

Ms. Critchfield provided this rule deals with the Distinguished Schools Awards. Ms. Bent from the Board office clarified the request is to waive the rule for this year because the calculations outlined in the rule include the Five Star school rating system and growth on the ISAT and cannot be calculated this year due to the transition to the new assessment.

7. Expanded Alcohol Service Report

BOARD ACTION

M/S (Critchfield/Westerberg): To rescind the approval of expanded alcohol service for the University of Idaho and Boise State University and the waiver of the invitation requirement in Board policy I.J.2., and to conduct a review of the policy to return information to the Board for consideration. The motion failed 5-3. Ms. Atchley, Dr. Goesling, Ms. Ybarra, Mr. Soltman, and Dr. Hill voted nay on the motion.

Second Motion

M/S (Goesling/Hill): To extend the approval of expanded alcohol service for the University of Idaho and Boise State University during home football games for the 2015-2016 football season, waiving the invitation requirement in Board policy

I.J.2. for the same time period. The motion carried 6-2. Mr. Westerberg and Ms. Critchfield voted nay on the motion.

Ms. Critchfield provided some background indicating at the June 2015 Board meeting, the Board approved pregame alcohol service for the University of Idaho (UI), Idaho State University (ISU) and Boise State University (BSU). There was a misunderstanding regarding the conditions under which BSU's service was approved. On September 3, 2015 the Board held a special meeting to consider the request by the UI for expanded service during its home football games and to provide clarification of the approval previously granted to BSU. At the special meeting the Board waived a portion of policy I.J. to allow for the expanded alcohol service on a pilot basis. The Board requested that UI and BSU report back to it at the October Board meeting on a variety of areas, where the Board could then consider if the approval would be expanded to the entire football season, or rescinded.

Representatives from each of the institutions reported to the Board. Dr. Kustra reminded the Board of how seriously they take alcohol consumption on campus. He indicated there has not been any instances of problems related to alcohol service on campus. They only complaint they received was from the parent's weekend because parents couldn't bring students into the alcohol service area which illustrates how closely it is controlled. Mr. Kent Nelson responded for the University of Idaho, reporting on a positive, mellow environment, which resulted in no misconduct or complaints. He reported they have not had an issue with the events they have conducted, and the control of alcohol service is heavily monitored.

Mr. Westerberg commended the institutions on their reports and control of alcohol service at the gaming events. Mr. Westerberg suggested not having an alcohol waiver, commenting on the uncertainty of what benefit serving alcohol really has. Dr. Goesling commented that he personally attended three Vandal Zone functions and witnessed no problems with the service at the UI events. He expressed that the responsibility should be given to the presidents as to whether they believe the service of alcohol serves a purpose on their campuses. Mr. Westerberg clarified that he is unsupportive of providing alcohol service at the universities because it is not integral to their mission and it subjects the institutions up to additional risk. Ms. Critchfield recommended a more thorough review of the policy to develop one that would be used and enforced, pointing out the frequency of this policy being waived in one way or another. She asked what the consequences would be if the policy were not waived today. Dr. Kustra indicated they would follow the will of the Board. Mr. Satterlee followed by saying the university would not put the burden on the Board. Mr. Nelson from UI echoed those remarks.

After further discussion, the Board agreed the policy needs a more thorough review; Dr. Hill requested a full review of the policy before next year. Dr. Goesling echoed that sentiment, recommending a thorough review at PPGA and to consider that alcohol service does serve a purpose for some institutions.

Ms. Atchley reminded the Board of the crux of the matter being the invitation only requirement portion of the policy. She remarked the policy is effective as it exists, was well written, and that it was thoughtfully constructed. Further, that the institutions should be able to determine how to work within the existing policy. She recommended continuing service this year, but having the institutions develop a way to work within the ramifications of the existing policy. Mr. Westerberg also commented on how much work went into the existing policy.

8. Boise State University – Alcohol Service – Basketball Games

BOARD ACTION

M/S (Goesling/Hill): To waive Board policy I.J.2.b.vi. and approve the request by Boise State University to establish a secure area under the conditions set forth in this request and in full compliance with the provisions set for in Board policy I.J.2.c. for the purpose of allowing alcohol service for the 2015-16 home basketball season, a potential conference championship game, and post-season bowl game, and a request will be brought back to the Board after the conclusion of the 2015-16 season for reconsideration for 2016-17. The motion failed 5-3. Ms. Atchley, Mr Westerberg, Dr. Clark, Mr. Soltman and Ms. Critchfield voted nay on the motion.

Ms. Critchfield indicated this is a request from BSU for Board approval to allow alcohol service for the 2015-2016 basketball season, a possible championship game, and a post-season bowl game. Dr. Kustra described how the service would take place in the Club Room of the Taco Bell Arena prior to the basketball game, pointing out they would do it with the same care and control as other alcohol service at the university. The Club Room has a capacity for about 30 people, and sometimes special dinners are hosted there. He indicated it was a request by the Athletics Department to cater to the super donors of the basketball program. Mr. Satterlee clarified additional details of the Club Room, and that it is purely by invitation only.

Ms. Atchley expressed some concern that seeing this other institutions would likely want to expand alcohol service in other sporting events, along with concern over alcohol service outside of the Stuckle Sky Center. She recommended keeping the alcohol service to the Stuckle Sky Center and catering to the basketball donors and special guests at that location.

After voting on the motion, Board President Soltman indicated the rest of the PPGA agenda would be covered tomorrow. Dr. Vailas took a moment to introduce ISU's new general counsel, Joann Hirase-Stacey, who will be joining ISU in mid-November. Mr. Soltman welcomed her to the meeting. At this time the Board recessed for executive session.

EXECUTIVE SESSION (Closed to the Public)

University of Idaho

BOARD ACTION

M/S (Critchfield/Clark): To go into Executive Session pursuant to Section 74-206(1)(b), Idaho Code, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

A roll call of members was taken and the motion carried unanimously. The Board went into Executive Session at 4:33 p.m. Pacific Time.

M/S (Westerberg/Atchley): To go out of Executive Session at 5:10 p.m. Pacific Time. The motion carried unanimously.

Thursday October 22, 2015, 8:00 a.m., Lewis-Clark State College, Williams Conference Center, Lewiston, Idaho

The Board reconvened at Lewis-Clark State College in the Williams Conference Center for regular business. Board President Soltman called the meeting to order at 8:00 a.m. Pacific Time and thanked LCSC for their hospitality.

OPEN FORUM

John H. Bradbury, UI Alum and former adjunct professor of international business and banking, member of the Idaho Bar, and former District Judge for Grangeville, addressed the Board regarding Board policy under which faculty, staff, and students are allowed to use a lawyer when there is a dispute that arises within the university community. He indicated he was told that it is UI policy that a student, staff, or faculty member can have a lawyer only when the university permits it. Under any other circumstances, lawyers are not permitted to accompany or advise those persons during a dispute within the university. He reported that when he asked for this information to be confirmed by UI general counsel, they refused to answer the question. He provided an example that illustrated the reason for his concern and felt this type of policy was arbitrary treatment in favor of the university. He urged the university to examine the policy for fairness of process. He requested the Board determine what the policy is and if there is not one, to establish one.

PLANNING, POLICY & GOVERNMENTAL AFFAIRS

9. Lewis-Clark State College (LCSC) – Annual Progress Report

LCSC President Dr. Tony Fernandez welcomed the Board and guests to Lewiston. He was joined by Alex Bezzerides, Faculty Senate President, and Ryan Rehberg, Student Body President. Dr. Fernandez provided a progress report to the Board on the college's strategic plan. He summarized the four goals of the strategic plan and praised the

faculty and staff of LCSC in their work toward fulfilling those goals. Dr. Fernandez pointed out most of the faculty are full time faculty at LCSC, and the change in employee compensation (CEC) is always the college's number one priority going into legislative session each year. They are asking for more counselors, and specifically a counselor for veterans at LCSC who would help returning veterans be more successful, along with additional faculty positions, etc. He reviewed growth strategies, and that they will be seeking private fundraising for scholarships and faculty support. New and modernized academic and professional-technical programs that will be added to the five-year plan, and he reported on their Teaching and Learning Center.

Dr. Fernandez reported on optimizing and promoting student success, pointing out last year they had a record of 753 graduates. Fall enrollment is up about 4.1% consisting of mostly recent high school graduates. In an effort to promote student success, they are participating in early intervention for at-risk students, emphasizing non-traditional student degree offerings, and placing an emphasis on on-line learning. Dr. Fernandez showed a short video on the types of students that come to LCSC and some of their positive comments. Dr. Fernandez reported on their Work Scholars Program, where students will work at LCSC or an industry location near LCSC and not pay tuition. The goal is for the student to get their degree and leave the college without debt or as little debt as possible. Many of the individuals would not be able to go to college if it were not for that program.

Dr. Fernandez reported on student representation that most of the representation is from the Lewiston region, but they are getting more from across the state. Annual enrollment has been relatively steady and PTE programs have tapered of somewhat. Annually there are about 4,500 taking courses at LCSC. Female students out-number male students, and nearly 70% of the student population are first time, first generation students. Racial and ethnic student numbers are increasing. He indicated their graduation rate peaked in FY12 and has been going down over the last few years. They are working to determine the factors contributing to the decline. He pointed out their part time student count has increased nearly 20% and their full time students have decreased 6%. They feel this is a contributing factor in the length of time students are taking to complete their graduation requirements. Since 2009 the graduation numbers have been increasing which means students other than traditional students are now in the pipeline. Retention rates show a steady increase with the exception of a dip in FY 2013, but since then have shown a steady increase to FY 2015. He indicated they are very focused on outputs of the college and reported on their fall census headcount which shows a very slight increase.

Dr. Fernandez reported on the collaboration efforts, advisory committees, and economic development efforts of LCSC. He reported that professional-technical education (PTE) programs are meeting the needs of many students, and listed a number of collaborations with other institutions, other state agencies, and area industries. He reported on college advancement with the help of the expansion of scholarships, increased endowment opportunities for faculty and staff, an alumni planned giving campaign, and others. He reported on their outreach areas and programs, community events, and overall well-roundedness of the institution. Dr. Fernandez reported on

sustaining facilities, and noted a number of facilities on campus that have benefitted from improvements. He closed by pointing out the LCSC Warriors Softball Team has won the national championship 17 years in a row now, and 22 of the 25 students either completed or are on schedule to complete their degrees.

Ms. Atchley complemented LCSC on the campus tour and remarked on the quality of the facilities and staff, thanking them for their time on such an informative tour.

10. President's Council Report

LCSC President Tony Fernandez, and current chair of the Presidents' Council, provided a report on the recent Council meetings. Ms. Critchfield asked about the findings of the redesign of the SAT and PSAT, and what the discussion was relative to other colleges and universities dropping the requirement for the SAT for admittance. Dr. Fernandez responded that they feel the SAT is a useful test in determining the academic ability of some students. Dr. Vailas added that it is a useful test but the demographics are changing. Some states have dropped the SAT requirement; and many institutions feel GPA is a better predictor of student success. Dr. Fox indicated the community college presidents were involved in the conversation, but pointed out the community colleges do not require those tests for entrance. Dr. Staben added the SAT is being realigned with common core to some extent, and it is useful as a predictor of student success.

They discussed Board meeting locations and that it would be more efficient to have meetings in a central location (Boise) every other time, and that the state Board would meet on a campus every other year in an effort to save some time and some money, and reduce the burden on travelers. The costs in terms of time and other expenses are great; they are still discussing how that will be modeled. They are asking the Board to consider changing the locations, but pointed out it is still important for the Board to visit the campuses. Board members responded in support of the idea. Dr. Kustra indicated the BSU campus would be available for meetings. Ms. Critchfield indicated the Board staff would bring suggestions back at the December meeting for consideration. They are looking at a possible effective date of April for these changes to occur.

Ms. Critchfield asked about the Governor's update of school and campus safety. Dr. Fernandez reported the presidents provided an update to the Governor's office on their campus safety plans. Mr. Freeman added they would have a briefing for the Governor in November.

Ms. Critchfield asked for an update on the list presidents are working on of delegated authority items. She requested the list be available for discussion at the December Board meeting. Mr. Westerberg pointed out each committee is working on suggestions and will be prepared to discuss them and any process changes in December.

Dr. Fernandez noted the Fair Labor Standards Act (FLSA) may have a substantial effect on each of the institutions and that it should be explored in much greater detail. Mr. Freeman indicated that at the last Financial Vice President's (FVP) meeting they

discussed the issue and that the Governmental Affairs Directors (GADs) will also be discussing the issue.

11. Idaho Division of Vocational Rehabilitation – Annual Report

Ms. Jane Donnellan, Administrator of the Idaho Division of Vocational Rehabilitation (IDVR), provided a report to the Board on the progress of the agency's strategic plan. She reviewed their structure which is comprised of three distinct programs: Vocational rehabilitation (VR), extended employment services, and the Council for the Deaf and Hard of Hearing. She indicated she would focus primarily on the vocational rehabilitation program for today's report. Throughout the presentation, Ms. Donnellan highlighted a number of success stories of VR.

The VR program assists individuals with a diverse array of disabilities to prepare for, obtain, and retain employment and see the VR program as a major building block for individuals with disabilities to achieve employment. Ms. Donnellan reported on some of VR's accomplishments in 2015 such as a 630% increase in wages for individuals after receiving IDVR services, an 11% increase in successful employment outcomes, and 85% of VR customers who achieved or maintained employment reported their wages as their primary means of support. She reported on the collaborative relationship with the University of Idaho to advance the profession of vocational rehabilitation counseling. IDVR believes success in training equates to success in employment.

Ms. Donnellan reported VR customer average hourly wages have been increasing since FY 2011; the average wage is about \$11.74 per hour. With increased income, there is a decreased dependency on public assistance. She reported on successful youth employment outcomes, pointing out that 574 youth were helped by VR in FY 2015.

Ms. Donnellan reported in July 2014 there was a reauthorization of the IDVR program called the Workforce Innovations and Opportunities Act (WIOA). It was signed into law pending rules. The VR program was required to implement changes upon enactment without rules; the WIOA is still pending final rules. She pointed out they are doing their best to meet comply with the WIOA, but it has brought challenges to the agency. Ms. Donnellan reviewed what the WIOA is designed to do and briefly reviewed some of the challenges the agency is facing, particularly with funding and the definition of youth ages which affects who they can help. They have recently hired a coordinator to work on these efforts on a larger scale.

Ms. Donnellan reported on the SFY 2017 budget requests, pointing out they are requesting a \$270,600 increase in state general fund appropriations for the purpose of capturing \$1 million in federal dollars. They do not have their full federal match in order to capture the full federal grant. IDVR is requesting \$340,000 in additional state general funds for the extended employment services, and \$94,300 from the general fund for the purpose of supporting one additional full time equivalent for the Council for the Deaf and Hard of Hearing.

Ms. Donnellan reported on how IDVR maximizes resources, particularly through partnerships which also helps maximize dollars. She highlighted a number of those partnerships with multiple school districts, the Department of Education, the Department of Corrections, the Department of Labor, and institutions. She pointed out they are proactive in generating alternative funds and further increasing collaborations.

12. Workforce Development Council Report

Mr. Tim Komberec, Chair of the Workforce Development Council (WDC), provided the council's report to the Board on the recent activities. He was joined by Ms. BJ Swanson, Vice Chair of the council. He commented the council works with education in a variety of different ways to build a workforce that meets employer needs throughout the state; it is made up of 26 members with 7 of them representing education.

Mr. Komberec illustrated the projections for population and job growth from 2014-2024, reporting that the gap will be over 67,000 by 2024 for workforce needs. He reviewed the WDC's goals and priorities, indicating their work is to develop strategies designed to yield high quality workforce investment services for Idaho's businesses, job seekers, and students.

Mr. Komberec also discussed the Workforce Innovation and Opportunity Act (WIOA) and its themes of system alignment, being employer driven, measuring accountability, improving services to people with disabilities, and emphasizing work-based training. He discussed Idaho industry sector grants, and that the grants issued have been for targeted training programs, and are industry-education based. He reviewed their expected outcomes, and how they support the Board's 60% goal. He reviewed details of grants received by BSU, ISU, NIC, CWI, and UI, and reported on their success.

Ms. Atchley expressed appreciation for the work the WDC is doing. She commented that some of the employers she has encountered have had to seek employees from out of state to get the qualifications they want. She questioned how Idaho employers can find Idaho students. Mr. Komberec responded that collectively education and industry are working toward that. He also pointed out that out of state wages are higher which can be a contributing factor. Mr. Komberec responded there is no single answer to that question, and agreed there is a gap in communications between state agencies and industry employers in Idaho, and how they collaborate with the educational institutions. Ms. BJ Swanson reported the industry sector grants have been particularly helpful in this sort of situation, adding they are working to add more of that type of connection in the future.

13. Accountability Oversight Committee Recommendations

Mr. Spencer Barzee, Superintendent of the West Side School District and Chair of the Accountability Oversight Committee, reported the committee has met five times since July 2015 to develop recommendations for a revised K-12 statewide accountability system for the Board's consideration. The report and summary of recommendations

were included in the agenda materials. Recommendations were made for performance measures, student growth calculations, and scoring and reporting.

Mr. Barzee reviewed the six recommendations brought forward by the committee. Related to performance measures, they recommended the state adopt an accountability model that includes separate performance measures for three types of schools – elementary and middle schools, high schools, and alternative high schools. They recommend the state require ISAT testing for all general high school students in the 10th grade only. Mr. Barzee clarified that students who do not demonstrate proficiency in 8th grade should be required to continue to test yearly in non-required grades (9th, 11th, 12th) until they demonstrate proficiency if the ISAT is used as a graduation requirement.

The committee recommended that the state adopt a new model for calculating student growth; that the graduation rate calculation be adjusted by extending the period for students to complete graduation requirements through the summer; and that school performance information be provided to the public but that schools not receive a single, summative score or performance rating. The committee felt the rating system was not an apples-to-apples comparison of schools, and there were many complicating factors in the previous rating system. He clarified the committee did create a model of what a school comparison model could look like. Appendix C provided in the agenda materials included a visual representation of the committee's recommended school report card dashboard. Finally, the committee's sixth recommendation is for school report card data to be presented on-line in a manner that is clear and user friendly, and interactive.

Dr. Clark felt the testing and assessment continuing in high school for students who did not demonstrate proficiency in grade eight should be revisited. The purpose of that assessment is to inform the instruction so that teachers can make informed decisions on how to tailor instruction for the students.

Ms. Atchley asked if the committee recommends if the ISAT should be a graduation requirement. Mr. Barzee responded they have not yet made that recommendation. Ms. Atchley asked about testing only in the 10th grade. Mr. Barzee responded that the feedback from the testing is used to guide instruction, and the federal government requirement is for the test to be given only once in high school and they don't want to go beyond the federal requirement. He added they feel the 10th grade is the best year for testing students, and it is what the current practice is.

Mr. Westerberg questioned if there will be new policy or if the Board would be waiving this policy again. Ms. Ybarra clarified a yearly waiver enables them to revisit areas and provides the Board and Department flexibility to make changes before taking the next step, and that the process is beneficial in its flexibility rather than solidifying the policy it at once. There was additional discussion related to the timeline of testing and another waiver. Dr. Hill suggested a timeline would be helpful for illustrative purposes.

At this time the agenda moved to the Audit portion of the agenda.

AUDIT

1. Selection of Vendor for Auditing Services

BOARD ACTION

M/S (Atchley/Westerberg): To ratify the Audit Committee's selection of Moss Adams as the awardee for audit services. The motion carried unanimously.

She reported on a very robust process to select the auditor.

BUSINESS AFFAIRS AND HUMAN RESOURCES

Section I – Human Resources

1. Boise State University – Multi-Year Employment Agreement – Men's Basketball Head Coach – Leon Rice

BOARD ACTION

M/S (Westerberg/Atchley): To approve the request by Boise State University to enter into a new five year employment agreement with Leon Rice, Head Men's Basketball Coach, for a term commencing October 25, 2015 and terminating March 31, 2020 in substantial conformance with the terms of the agreement set forth in Attachment 1, with the exception of 3.2.8 pertaining to away game payments and 3.2.9 pertaining to home game scheduled bonus payments. The motion failed 6-8. Dr. Hill, Dr. Goesling, Dr. Clark, Debbie Critchfield, Superintendent Ybarra and Mr. Soltman voted nay on the motion.

M/S (Goesling/Hill): To approve the request by Boise State University to enter into a new five year employment agreement with Leon Rice, Head Men's Basketball Coach, for a term commencing October 25, 2015 and terminating March 31, 2020 in substantial conformance with the terms of the agreement set forth in Attachment 1. The motion carried unanimously.

Dr. Goesling shared some comments from the Athletics committee and pointed out a few concerns with contracts in general. Mr. Westerberg praised Coach Rice for exemplary performance over the past several years, but pointed out a couple of specific concerns with the contract such as incentive pay for money games, scheduling schools from one of the Power-Five conferences and the cash bonuses tied to those games. Mr. Westerberg indicated his motion would exempt both of those concerns.

BSU's legal counsel, Mr. Kevin Satterlee, felt they have arrived at a very good program related to incentivizing, and that Coach Rice is a highly sought after coach. He clarified details of the terms of the contract related to incentive payments, and that ticket sales greatly increase for those games, and that they bring the program to a higher level. Dr. Kustra expressed concern in sending the wrong message to the coach, and pointed out how much work went in to this contract. He recommended a committee to work on

coach contracts earlier in the season and not right before an amendment is made. He was deeply concerned about losing Coach Rice to another institution.

Mr. Westerberg responded it is a matter of principal and not a matter of cash, clarifying his concern is with how the games are scheduled and not with the coach. He reiterated the exceptional performance of Coach Rice, and felt the compensation could be changed somewhere else in the contract. He also acknowledged the point and concerns of Dr. Kustra. Mr. Westerberg welcomed opinions from other Board members. Dr. Kustra pointed out that the athletic director is typically who schedules the games, with the coach's approval – that they work together on scheduling. Dr. Hill agreed that the changes should be part of a process and not done last moment. He expressed his dislike for money games and recommended the original motion as a substitute. Board President Soltman recommended trying to avoid this type of situation in the future.

Ms. Critchfield left the meeting at 10:25 am Pacific Time.

2. Boise State University – Multi Year Employment Agreement – Women's Swimming and Diving Head Coach – Jeremy Kipp

BOARD ACTION

M/S (Westerberg/Hill): To approve the request by Boise State University to enter into a new three year employment agreement with Jeremy Kipp, Head Women's Swimming and Diving Coach, for a term commencing October 25, 2015 and terminating June 30, 2018 in substantial conformance with the terms of the agreement set forth in Attachment 1, provided the agreement excludes any provisions authorizing personal use of state vehicles. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Boise State University is requesting approval of a three year contract for its new Head Women's Swimming and Diving Coach, Jeremy Kipp. The base salary is \$80,000 with athletic and academic incentives. Mr. Westerberg pointed out that the Athletic Committee reviewed the contract and it is in conformance with the model contract with one exception – the use of courtesy cars for the coach's personal use. He indicated Risk Management and the institution attorneys are working on the best way to handle courtesy cars for personal use. He indicated the motion would exempt the language from paragraph 3.1.1.c. of the policy.

3. Boise State University – Multi Year Employment Agreement – Men's Football Defensive Coordinator – Marcel Yates

BOARD ACTION

M/S (Westerberg/Goesling): To approve the request by Boise State University to enter into a three-year employment agreement with Marcel Yates, Football Defensive Coordinator, for a term commencing on March 1, 2015 and terminating on February 28, 2018, at a base salary of \$330,000 and supplemental

compensation provisions as set forth in Attachment 1, provided the agreement excludes any provisions authorizing personal use of state vehicles. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Boise State University is seeking approval of a three year contract for the defensive coordinator, Marcel Yates, for the men's football program. The team's success has prompted BSU to offer a three year agreement to Mr. Yates who has served as BSU's Defensive Coordinator since 2014.

Mr. Westerberg pointed out that the Athletic Committee reviewed the contract and it is in conformance with the model contract with one exception – the use of courtesy cars for the coach's personal use. He indicated Risk Management and the institution attorneys are working on the best way to handle courtesy cars for personal use. He indicated the motion would exempt the language from paragraph 3.1.1.c. of the policy.

Ms. Atchley asked about the language regarding liquidated damages where it states "they *shall* be paid". This contract states, "they *may* be required at the university's discretion", and asked what the difference is. Mr. Satterlee responded it was a term the coach wanted to negotiate into the agreement, and that the university would enforce it at its discretion. Dr. Goesling reported the Athletics Committee discussed it and the difference is when a coach leaves for another coaching position, or if he/she leaves for service in the public sector or other private industry, pointing out there may come a time when there is a good reason not to enforce it. Ms. Atchley asked why it wasn't included in other contracts. Mr. Satterlee indicated it was because Mr. Yates asked for it, but clarified they wouldn't want it as their standard language.

4. Boise State University – Multi Year Employment Agreement – Women's Gymnastic Co-Head Coach – Neil Resnick

BOARD ACTION

M/S (Westerberg/Goesling): To approve the request by Boise State University to enter into a new three year employment agreement with Neil Resnick, Co-Head Women's Gymnastics Coach, for a term commencing October 25, 2015 and terminating June 30, 2018 in substantial conformance with the terms of the agreement set forth in Attachment 1, provided the agreement excludes any provisions authorizing personal use of state vehicles. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

BSU is seeking approval for a three year employment agreement with Neil Resnick, Co-Head Women's Gymnastics Coach. The contract base salary is \$78,802 the first year, \$81,800 for the second year, and \$84,800 for the third year with athletic and academic incentives, and liquidated damages. Mr. Westerberg again pointed out that the Athletic Committee reviewed the contract and it is in conformance with the model contract with one exception – the use of courtesy cars for the coach's personal use. He indicated Risk Management and the institution attorneys are working on the best way to handle

courtesy cars for personal use. He indicated the motion would exempt the language from paragraph 3.1.1.c. of the policy.

5. Boise State University – Multi Year Employment Agreement – Women’s Gymnastic Co-Head Coach – Tina Bird

BOARD ACTION

M/S (Westerberg/Hill): To approve the request by Boise State University to enter into a new three year employment agreement with Tina Bird, Co-Head Women’s Gymnastics Coach, for a term commencing October 25, 2015 and terminating June 30, 2018 in substantial conformance with the terms of the agreement set forth in Attachment 1, provided the agreement excludes any provisions authorizing personal use of state vehicles. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

BSU is seeking approval for a three year employment agreement with Tina Bird, Co-Head Women’s Gymnastics Coach. The contract base salary is \$64,356 the first year, \$70,000 for the second year, and \$75,000 for the third year with athletic and academic incentives, and liquidated damages. Mr. Westerberg again pointed out that the Athletic Committee and the contract is in conformance with the model contract with one exception – the use of courtesy cars for the coach’s personal use. He indicated Risk Management and the institution attorneys are working on the best way to handle courtesy cars for personal use. He indicated the motion would exempt the language from paragraph 3.1.1.c. of the policy.

6. Idaho State University – Men and Women’s Cross-Country Head Coach – Nate Houle

BOARD ACTION

M/S (Westerberg/Atchley): To approve the request by Idaho State University to extend the multi-year employment agreement with Nate Houle, Head Men’s and Women’s Cross Country Coach, for a term commencing October 23, 2015 and terminating June 21, 2018 at a base salary of \$44,012.80 and supplemental compensation provisions in substantial conformance with the terms of the agreement set forth in Attachment 1. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Idaho State University is seeking approval to extend the multi-year employment agreement with Nate Houle, Head Men’s and Women’s Cross Country Coach. The contract base salary is \$44,012.80 with athletic and academic incentives, and liquidated damages.

7. Idaho State University – Women’s Softball Head Coach – Candi Letts

BOARD ACTION

M/S (Westerberg/Goesling): To approve the request by Idaho State University to extend the multi-year employment agreement with Candi Letts, Head Women's Softball Coach, for a term commencing October 23, 2015 and terminating June 21, 2018 at a base salary of \$58,011.20 and supplemental compensation provisions in substantial conformance with the terms of the agreement set forth in Attachment 1. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Idaho State University is seeking approval to extend the multi-year employment agreement with Candi Letts, Head Women's Softball Coach. The contract base salary is \$58,011.20 with athletic and academic incentives, and liquidated damages.

8. Idaho State University – Women's Volleyball Head Coach – Fredrick Reynolds

BOARD ACTION

M/S (Westerberg/Hill): To approve the request by Idaho State University to extend the multi-year employment agreement with Fredrick Reynolds, Head Women's Volleyball Coach, for a term commencing October 23, 2015 and terminating January 21, 2018 at a base salary of \$69,014.40 and supplemental compensation provisions in substantial conformance with the terms of the agreement set forth in Attachment 1. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

ISU is seeking approval to extend the multi-year employment agreement with Fredrick Reynolds, Head Women's Volleyball Coach. The contract base salary is \$69,014.40 with athletic and academic incentives, and liquidated damages.

Section II – Finance

1. FY 2016 Sources and Uses of Funds

Mr. Westerberg indicated this is an informational item that is the institutions summary of sources and uses of funds. Simply stated, a report that shows where the money comes from and what it is used for. Mr. Chet Herbst from the Board office provided a brief report to the Board indicating it is a useful tool providing a look at the institutions on where the money goes, and the scale of the operations at the institutions. The report also shows trends by institution, appropriated dollars, financial aid, etc.

Dr. Goesling asked for clarification on line 27 for BSU and the reduction. Ms. Pearson reported the difference is from shifting the reporting of the athletics expenditures. The year before they were all reported in athletics for the 2016. The athletic expenditures moved to the auxiliary line with the exception of the state appropriated apportionment to athletics; it moved from line 27 to line 26. There was additional discussion on why the shift was made, along with discussion on how to report these items – stating it would be good to keep the athletics lines separate so it is reported together. Mr. Herbst

responded he would check with others and have discussion related to the item. Mr. Goesling asked for an updated chart when it is available.

2. Amendment to Board Policy – Section V.B. – Budget Policies – First Reading

BOARD ACTION

M/S (Westerberg/Goesling): To approve the first reading of proposed amendments to Board policy V.B., Budget Policies, as presented in Attachment 1. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Mr. Herbst reported the only change is the timing on when LSO is notified on occupancy costs, making it an annual event that occurs with the budget cycle.

3. Amendment to Board Policy – Section V.R. – Establishment of Fees – First Reading

BOARD ACTION

M/S (Westerberg/Hill): To approve the first reading of proposed amendments to Board policy V.R., Establishment of Fees, as presented. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Mr. Herbst provided an explanation of the amendments to policy indicating it bundles three minor administrative updates.

4. Boise State University – City Center Project – Materials Science Research Center Project – Planning and Design Phase

BOARD ACTION

M/S (Westerberg/Goesling): To approve the request by Boise State University for planning and design of the Materials Science Research Center for a cost not to exceed \$3.4 million. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Ms. Pearson provided a report to the Board that BSU has received a \$25 million gift, the largest gift the university has received in one gift, from the Micron Foundation to help fund the new Center for Materials Science Research. She pointed out their College of Engineering is now 20 years old and nearly 3,000 students are enrolled in the college. She reviewed the degrees being offered and how enrolment growth is growing. The Materials Science and Engineering (MSE) program was started in 2004, and is now the largest Ph.D. program in engineering in the state, and is a leading program in the northwest. The proposed building will include 85,000 to 100,000 square feet and include a 250 seat lecture hall. Estimated costs are near \$55 million, and the source of funds for planning and design services is gift proceeds including \$25 million from Micron Foundation, \$5 million in gifts from other donors, and \$25 million from the issuance of

bonds. Ms. Pearson reviewed the planned building schedule that runs through August of 2019. Construction would start in May 2017 and classes will start in the Fall of 2019. She reported on the gift payment schedule with final gift distribution from the Micron Foundation during construction of \$5 million. She provided a drawing for illustrative purposes and a map of the location which included a map of the campus plan. The proposed building will be located in the master-planned science and engineering complex in the south campus zone.

Mr. Westerberg, on behalf of the Board, publicly recognized the contributions of the Micron Foundation toward higher education and its contributions to BSU.

5. Boise State University – City Center Project – Tenant Improvements

BOARD ACTION

M/S (Westerberg/Atchley): To approve the request by Boise State University to enter into and execute the First Amendment to the June 30, 2014 Lease Agreement between the State of Idaho by and through the Idaho State Board of Education by and through Boise State University and City Center Plaza Education LLC, for a cost not to exceed \$2,763,400, and to authorize the Vice President for Finance and Administration to execute all related documents and payments. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Ms. Pearson provided details to the Board in that BSU is requesting to amend its lease agreement for computer science program space in the new City Center building presently under construction in downtown Boise. Under the amendment BSU will be exercising its option to purchase tenant improvements for \$2,763,400. Approval of this request allowing BSU to exercise the option to purchase reduces the lease rate substantially, further reducing the initial purchase price from \$9.1 million to \$6.4 million. The source of funding is University reserves held for the procurement of property.

6. North Idaho College – Waiver of Board Policy V.B.10.b.i., Notification of New Eligible Space

BOARD ACTION

M/S (Westerberg/Goesling): To waive Board Policy V.B.10.b.i as it applies to Notification of New Eligible Space for North Idaho College for Career and Technical Education Facility and Automotive Technology Center in the FY 2017 budget request. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Mr. Westerberg indicated approval of the waiver will allow North Idaho College (NIC) to request occupancy costs for the referenced facilities.

INSTRUCTION, RESEARCH & STUDENT AFFAIRS (IRSA)

1. Amendment to Board Policy – Section III.G. – Postsecondary Program Approval and Discontinuance – Second Reading

BOARD ACTION

M/S (Hill/Atchley): To approve the second reading of proposed amendments to Board Policy III.G, Postsecondary Program Approval and Discontinuance as submitted in attachment 1. The motion carried unanimously 7-0. Ms. Critchfield was absent from voting.

Dr. Hill pointed out there were no substantive changes between first and second reading, only one minor change to clarify what constitutes a Professional Technical program modification. Board Staff and CAAP both recommend its approval.

2. Amendment to Board Policy III.P – Students – Second Reading

BOARD ACTION

M/S (Hill/Westerberg): To approve the second reading of proposed amendments to Board policy Section III.P. Students, as presented. The motion carried unanimously 6-0. Ms. Critchfield and Dr. Goesling were absent from voting.

Dr. Hill indicated there were no changes between the first and second reading.

3. Amendment to Board Policy III.U. – Telecommunications – Second Reading (Repeal)

BOARD ACTION

M/S (Hill/Atchley): To approve the second reading of amendments to Board Policy III.U, Telecommunications, repealing the section in its entirety. The motion carried unanimously 6-0. Ms. Critchfield and Dr. Goesling were absent from voting.

4. Amendment to Board Policy – Section III.Q.4.c. – Placement Scores - Waiver

BOARD ACTION

M/S (Hill/Westerberg): To extend the waiver of the criteria in Board policy III.Q.4.c for placement in entry-level college courses for the final time to allow for the creation and adoption of alternative placement mechanisms until the end of the Fall semester 2016. All alternative placement mechanisms shall be reviewed by the Chief Academic Officer and the Council on Academic Affairs and Programs (CAAP) prior to implementation during the waiver. The motion carried unanimously 7-0. Ms. Critchfield and Dr. Goesling were absent from voting.

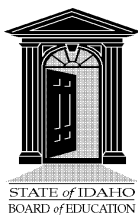
Dr. Hill indicated this is a waiver of policy concerning placement scores related to admissions standards. The colleges and universities are not using those placement

scores presently, so the policy doesn't match the reality. This one-year waiver will allow policy amendments to establish updated placement cut scores while keeping the institutions in compliance with Board Policy.

OTHER BUSINESS

There being no further business, a motion to adjourn was entertained.

M/S (Westerberg/Hill): To adjourn the meeting at 11:20 a.m. Pacific Time. The motion carried 6-0. Dr. Goesling and Ms. Critchfield were absent from voting.



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

DRAFT MINUTES
STATE BOARD OF EDUCATION
September 14, 2015
Office of the State Board of Education
Len B. Jordan Building, 3rd Floor
Boise, Idaho

A special meeting of the State Board of Education was held September 14, 2015 in the Executive Director's office of the Office of the State Board of Education, Len B. Jordan Building, in Boise, Idaho. Board President Don Soltman presided and called the meeting to order at 1:30 pm Mountain Time. A roll call of members was taken.

Present:

Don Soltman, President	Richard
Westerberg	
Emma Atchley, Vice President	Debbie
Critchfield	
Bill Goesling, Secretary	Dave
Hill	

Absent:

Sherri Ybarra, State Superintendent

PLANNING, POLICY & GOVERNMENTAL AFFAIRS

1. 2016 Legislative Agenda

BOARD ACTION

M/S (Critchfield/Atchley): To adopt the recommendation of the Task Force Public School Funding subcommittee to incorporate pupil service staff into the career ladder as outlined in Attachment 2 and the ADA count as described herein. A roll call vote was taken and the motion carried unanimously 7-0. Ms. Ybarra was absent from voting.

AND

M/S (Critchfield/Hill): To approve the proposed legislation in substantial conformance to the summaries provided and to authorize the Executive Director to make additional changes as necessary as the legislation moves forward through the legislative process. A roll call vote was taken and the motion carried unanimously 7-0. Ms. Ybarra was absent from voting.

Ms. Critchfield introduced the item indicating Board staff would highlight a few of the legislative items that may have new or clarifying information for Board members. She indicated that two of the items are before the Board for the first time and all of the draft language is contained in the agenda material. Ms. Bent reviewed the major changes, starting with item 2, Residency for Tuition Purposes. She indicated changes are intended to streamline residency requirements for students, and will help to alleviate some of the burden on the institutions' side. Staff has been working with the community colleges on the item, but there is still concern whether the changes take away any local authority. Ms. Bent pointed out local authority is not being taken away and staff will continue to work with the community colleges on any concerns. If a consensus cannot be reached the proposal will go forward with only changes to the four

Dr. Goesling asked about the status of military students who are gone for more than six years. Ms. Bent indicated there would be no change to how they are treated today, and for those who come back within six years they would be treated as in-state residents for tuition purposes. She indicated staff could look at the impact over the next couple of years and make adjustments to the six or ten year benchmark if necessary.

Moving on to item 4, Charter School Law Clarification and Non-Profit Corporation Limitations and Authorizations, Ms. Bent indicated staff has been working with the charter school network to address any concerns and make certain the level of understanding. The legislation clarifies that as non-profit organizations, a public charter school may not operate enterprises other than the public charter school. Additional amendments address issues regarding the number of charter schools that may be organized and managed under a non-profit organization and a streamlined process for replication of existing charter schools that have been proven effective.

Ms. Critchfield directed attention to item 14, Pupil Service Staff/Career Ladder, indicating it is a new item from the Task Force. Ms. Bent highlighted the details of this item and the work from the Task Force, pointing out that amending this law will establish outcome based criteria for Pupil Service Staff and move them onto the Career Ladder in addition to technical changes that were identified during the first year of implementation. Dr. Clark commended the committee for their work on this item.

Ms. Critchfield moved on to item 15, Literacy Recommendations, and pointed out two things. One is that all schools will be reporting their scores on the Idaho Reading Indicator (IRI) rather than only low scoring schools. The second item is that this rule would provide districts an opportunity for kindergarten students that are below basic in their testing to have a full day of kindergarten or some other type of proven effective program. Those schools would be identified and the hope is that they would receive funding in order to provide some of these services.

Ms. Critchfield indicated item 17, ADA Calculation, is new and is related to the average daily attendance (ADA) calculation. Ms. Bent provided a recap that the item is part of the Public School Funding Committee's recommendation. She indicated that the committee was tasked with looking at the funding formula for K-12 schools, and that the formula is based heavily on how ADA is calculated. She indicated part of this item was to give some certainty to districts and that the committee will be working on a future recommendation for public school funding. This is the initial recommendation on how to calculate ADA. Mr. Hill requested the item be developed more before it goes before the legislature, specifically regarding the funding of virtual schools. Ms. Bent indicated the committee will continue to work on it.

Ms. Bent indicated if the Board is comfortable with these legislative proposals, they will be submitted to DFM today which today is the deadline. If there are any questions or concerns, there is an opportunity to edit or pull legislation at the October Board meeting. Mr. Westerberg remarked that an enrollment based funding proposal should be looked at in the future. Dr. Clark pointed out that if you look at enrollment based funding without an additional type of funding, it actually reduces the amount that districts received, but clarified by saying this is a good intermediate step.

Dr. Goesling asked about students who were impacted by the recent fires in their areas, such as the Kamiah district. Mr. Freeman responded that regarding those districts, there is a provision in code for extraordinary circumstances, such as natural disasters, where if a district has an unexpected drop in attendance their ADA funding is protected at 97% of the previous year's ADA.

OTHER BUSINESS

There being no further business, a motion to adjourn was entertained.

M/S (Atchley/Hill): To adjourn the meeting at 2:30 p.m. Mountain Time. The motion carried unanimously.

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