



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 Career Technical Education

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**STATE BOARD OF EDUCATION  
June 20-21, 2018  
Eastern Idaho Technical College  
Rooms 6163/6164  
Idaho Falls, Idaho**

A regularly scheduled meeting of the State Board of Education was held June 20-21, 2018 at Eastern Idaho Technical College in Idaho Falls, Idaho. Board President Dr. Linda Clark presided and called the meeting to order at 1:00pm MST.

**Present:**

Linda Clark, Vice President  
Emma Atchley  
Andrew Scoggin

Don Soltman  
Richard Westerberg  
Sherri Ybarra\*, State Superintendent

**Absent:**

Debbie Critchfield, Vice President  
David Hill, Secretary

\*Except Where Noted

**Wednesday, June 20, 2018**

**PLANNING, POLICY & GOVERNMENTAL AFFAIRS (PPGA)**

1. Eastern Idaho Technical College (EITC) Annual Progress Report

Board member Soltman introduced the item then invited President of Eastern Idaho Technical College (EITC), Dr. Rick Aman, to provide his annual report to the Board.

Dr. Aman begins by sharing with Board members for the upcoming fall semester, EITC has enrolled 810 credit seeking students and received 1,200 applications which equate to an increase of 115% compared to the same time the previous year, highlighting the need for EITC within the local community. Dr. Aman continues the four priorities for EITC as it transitions to the College of Eastern Idaho (CEI) are academic transfer (including 2+2 agreements, consortium agreements and dual credit), STEM, online education and workforce development. President Aman then shares with Board members the vision for CEI moving forward and how the college intends to build partnerships with the local community, business and industry.

Board member Atchley then expresses her appreciation for President Aman and his leadership during the transition from EITC to CEI to which President Aman responds with his appreciation of the Board for their vision creating CEI.

There were no additional questions or comments from the Board.

**BOARDWORK**

1. Agenda Review/Approval

**BOARD ACTION**

**M/S (Westerberg/Soltman): To approve the agenda as posted.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

2. Minutes Review / Approval

**BOARD ACTION**

**M/S (Westerberg/Soltman): To approve the minutes from the March 15, 2018 Special Board meeting, April 9, 2018 Special Board meeting, April 18-19, 2018 Regular Board meeting, May 16-17, 2018 Board Retreat, and June 1, 2018 Special Board meeting as submitted.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

### 3. Rolling Calendar

## **BOARD ACTION**

**M/S (Westerberg/Atchley): To set May 15-16, 2019 as the date and Boise as the location for the 2019 Board Retreat and June 19-20, 2019 as the date and North Idaho College as the location for the June 2019 regularly scheduled Board meeting.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

## **WORKSESSION**

### **INSTRUCTION, RESEARCH & STUDENT AFFAIRS (IRSA)**

#### **1. System-wide Access and Affordability Strategies**

This item was provided in the agenda materials as an information item.

Board President, Dr. Linda Clark introduced the item and then invited the Board's Chief Academic Officer, Dr. Randall Brumfield to present strategies for the Board's consideration to increase postsecondary access and affordability through a system-like practice across Idaho's public higher education institutions. Joining Dr. Brumfield were the Board's Chief Fiscal Officer, Mr. Carson Howell, Director of Research, Dr. Cathleen McHugh and Chief Planning and Policy Officer, Ms. Tracie Bent.

Dr. Brumfield begins by sharing with Board members the purpose of today's work session is for the Board to consider four (4) strategies to increase access and affordability for students across the state; General Education Coordination, Open Education Resources (OER), Prior Learning Assessment (PLA), and New Student Fees.

#### **Common Course Numbering & Open Education Resources**

Dr. Brumfield begins by reminding Board members in 2014 the Board approved policy that formally established the State General Education Committee, charged with the responsibility for reviewing competencies and rubrics for institutionally designated General Education categories and ensuring transferability. However, institutions share responsibility for selecting courses at their campuses that should apply to the General Education Matriculation (GEM) framework. Institutions are also responsible for designating courses to meet one of the six GEM area requirements. As a result, duties ascribed to the State General Education Committee do not involve coordinating or clearinghouse functions for GEM courses. With the implementation of a GEM common course list beginning in Fall 2019, Board policy will need to be amended to ensure a process exists for centralized maintenance and continuity of the state common course list, as well as review and consideration of proposed courses. This includes ensuring that courses do not differ across institutions in meeting GEM area requirements. Finally, Dr. Brumfield states it is important for the Board to understand this is something that should allow for greater transparency and visibility, but also serve as a starting point to look at ways to make college more affordable for students.

The Board's Executive Director, Mr. Matt Freeman, then comments implementation and maintenance of common course numbering requires constant tuning by the college and university faculty and work by both Board staff and a statewide committee to maintain.

Board member Westerberg then remarks on the importance for the Board to make clear their expectations for common course numbering and to develop policy to support the Board's expectations in regards to implementing and maintaining common course numbering.

Board member Soltman then asks if there have been any conversations about the use of Open Education Resources (OER) in conjunction with GEM courses. Dr. Brumfield responds use of OER in GEM courses has been discussed in a number of groups, particularly with the Council on Academic Affairs and Programs (CAAP), General Education Committee and the Institutional Research and Student Affairs (IRSA) Committee and that all three have expressed the need for Board members to define the Board's expectations with using OER.

Board member Scoggin then asks if there are other states or systems who have successfully implemented the use of OER to which Dr. Brumfield responds the state of Florida has implemented common course numbering managed through a state committee comprised of faculty from across the state with much success. Dr. Brumfield then comments that if the Board were to make the decision to transition to OER, they must think of OER not so much as an online resource, but also as a way to minimize cost to students. Adding it is important to remember textbook costs are an upfront cost to students, particularly freshmen, who have not even set foot in a college classroom at the time of purchase and it is important for the Board to think of OER as another way to deliver affordable instruction to students.

Board member Scoggin then asks how soon OER could be implemented to which Dr. Brumfield responds based upon available funds and institution support it could be possible to move forward with a phased approach beginning with select courses for the coming year. Board President Clark adds OER was included on the agenda for the June Student Advisory Council meeting and discussed in some detail and that from the student perspective OER is a priority. Additionally, Dr. Clark comments she is intrigued with the idea shared from Lewis-Clark State College (LCSC) who, in addition to OER, is working to implement additional models offered for a very low cost and she hopes this is considered as a viable option as well.

Board member Westerberg then comments he shares Board member Scoggin's frustration and suggests the Board request an implementation plan, with a timeline and a listing of resources and impediments, either system-wide or at the institutional level, to know if the Board is making progress in this area.

Board member Atchley then comments it would be the most practical for the Board to begin implementation with those courses that are commonly numbered and to concentrate on those common courses that all students are required to take.

Dr. Clark then asks Dr. Brumfield if it were feasible for him to provide a detailed timeline, with barriers for implementation, at the Board's August meeting. Dr. Brumfield responds in the affirmative and then asks if the timeline should include only those courses eligible for adoption in the 2019/2020 school year or a more long-term timeline. Board member Westerberg responds the timeline should include those courses that could be implemented as quickly and reasonably as possible, starting with General Education courses. Board member Scoggin adds the timeline should include target courses for the first year, to be expanded upon in the second year and then again, in the third year to provide the Board some sense of the process and the direction of institutions in relation to OER. Board member Scoggin also asks if there are resources available to aid Board and institution staff in this process.

Dr. Clark asks for clarification on the role of faculty as it relates to implementing OER and that it was her understanding faculty would not be developing resources, but rather recommending existing resources. Dr. Brumfield responds it would be at the liberty of faculty to determine if a textbook meets course pedagogy. The Board's Executive Director, Mr. Matt Freeman, then comments the contemplated stipends for institution faculty could include development of OER resources to which Dr. Brumfield answered in the affirmative as well as editing and scaffolding of existing textbooks. Dr. Clark then asks of the 43 courses identified for common course numbering, how soon Board staff could identify those eligible for OER. Board member Soltman then comments what the Board is requesting will take time and requires a degree of patience on the part of the Board. Mr. Soltman then reminds Board members faculty control their curriculum and the Board will need their support developing OER. Dr. Brumfield then comments a majority of faculty are not on campus during the summer break, however, most faculty administrators are accessible and asks to what extent the Board feels this should be prioritized and working with Provosts and Deans to implement OER would be dependent on the extent to which the Board feels this should be done.

Board President Clark then requested feedback from the Provost and Deans in attendance; Dr. Laura Woodworth Nye, Executive Vice President and Provost for Idaho State University (ISU); Dr. John Wiencek, Provost and Executive Vice President for University of Idaho (UI); Dr. Todd Schwarz, Executive Vice President and Chief Academic Officer for College of Southern Idaho (CSI); Dr. Lita Burns, Vice President for Instruction for North Idaho College (NIC) and Ms. Lori Barber, Dean of General Education for College of Eastern Idaho (CEI) .

Dr. Wiencek shares with Board members implementation of OER is something UI has been working on for the past three years and that while faculty appreciate and understand the financial burdens placed on students, control over the curriculum is viewed as their domain falling under academic freedom and simply imposing something without faculty input could result in it not moving forward.

Dr. Woodworth Nye then comments OER is something ISU has been working on with a group of dedicated faculty who have launched OER for use in their classrooms. She continues one of the challenges with OER is that it tends to be a grassroots effort coming out of the disciplines and that in relation to their healthcare programs, ISU faculty have had a difficult time finding appropriate OER materials for use in their unique environment. Dr. Woodworth Nye then states it would be of benefit to ISU to have a larger faculty conversation at the discipline, state or regional level to understand how other disciplines have implemented these systems across both a single campus and multi-location campus similar to ISU.

Ms. Barber then shares with Board members the CEI English Department has transitioned to using OER whenever possible, however, like ISU; CEI has experienced similar challenges with the use of OER for their health sciences programs. Ms. Barber then states CEI's Psychology and Sociology departments will be piloting OER during the fall semester and will then review the results to determine if they will continue with OER for future semesters. Finally, Ms. Barber shares with Board members that while there are many benefits that come with using OER, there are some limitations as well, specifically with the science programs.

Dr. Clark then shares a suggestion made by UI President, Chuck Staben, during the Higher Education Presidents Council (HEPC) June meeting to offer incentives to implement OER at the department level rather than individually at the faculty level.

Dr. Schwarz then comments most of the state's colleges and universities have already undertaken initiatives to provide affordable resources to students and that, similar to LCSC, CSI has researched options to reduce the overall cost of textbooks and implementation of a Board Policy to support initiatives under way would be welcome.

Dr. Burns then shares faculty at NIC are very conscious of the cost to students and many have started developing their own resources to help offset costs to students by becoming more creative around traditional OER resources while still trying to reduce costs to students.

Dr. Wiencek then comments the challenge with OER is getting a culture to change and providing incentives at the department level would lead to more long-term change compared to providing incentives at the individual level.

Board member Scoggin then comments he appreciates the feedback provided today by the institutions but is not clear on the direction the institutions are taking with regards to OER and asks how the Board can aid in the process.

Board member Westerberg then modifies his previous request for each institution to provide an implementation plan to also include a report of what measures they are taking to address textbook costs and implementation of OER.

Mr. Freeman than asks for confirmation from the Board they would like to receive at the Board's August meeting an inventory, from each institution, on their current efforts as they relate to OER as well as any additional efforts underway or being considered to lower the cost of textbooks. Board member Scoggin adds, if, out of those reports arises a set of recommendations for where the Board might start to go then this too could be added to the inventory. Board member Westerberg comments the purpose is for the institutions to inform the Board on the direction they are headed, to which Dr. Clark adds specifically with those common course numbered courses.

Dr. Wiencek then comments if the desired outcome is to lower the price point for students, the Board should request each academic program provide a total textbook cost to complete their curriculum and how they plan to reduce those costs. Dr. Clark states her agreement with this, adding the report should include where you are at currently, your plans moving forward, and what you need from the Board to move forward as rapidly as possible. Board member Scoggin adds the end goal should be for students to move through the system most efficiently and cost effectively as possible.

Finally, Dr. Clark asks the institutions to provide their report to the Board at the October Board meeting.

### **Prior Learning Assessment (PLA)**

Dr. Brumfield begins by sharing with Board members Prior Learning Assessment (PLA) is an opportunity for individuals to earn postsecondary credit(s) through the demonstration of knowledge, usually through performance on comprehensive exams or portfolio development. Dr. Brumfield continues PLA methods provide a bridge for student learning acquired outside the traditional postsecondary classroom environment. Examples of the most popular prior learning assessments include Advanced Placement (AP), College Level Examination Program (CLEP), academic department challenge exams, and student portfolio evaluation. For active service military personnel and military veterans, the Joint Services Transcript (JST) and DANTES Subject Standardized Tests (DSST) are traditional forms of PLA. Research indicates that adult and non-adult learners who earn credit through PLA are more likely to persist, take more courses over a longer period of time, and graduate with a postsecondary credential. For these reasons, access to PLA is essential to helping reduce costs for students, while achieving the State Board's goal that 60% of 25-34 year olds hold a post-secondary credential by 2025. Though Board Policy III, Continuing Education and Prior Learning, provides definitions and guidance for PLA it does not provide direction for institutions as to how PLA should be implemented across the system; therefore, a need exists to develop consistent and transparent approaches to delivering and recognizing PLA methods, as well as awarding credit and articulating transfer credit for PLA.

Board member Scoggin asks if this is an item being considered by the Institution, Research & Student Affairs (IRSA) Committee. Board member Westerberg responds in the affirmative adding the IRSA Committee is seeking input from Board members to help prioritize which of the items to address and when to address them.

Vice President for Instruction for North Idaho College (NIC), Dr. Lita Burns, comments another area to explore would be development of a statewide policy for a PLA tool that could be used by institutions to award credit for prior learning experience to those individuals currently in the workforce who wish to return to an institution to pursue their degree. Dr. Burns adds this would also help to address challenges with Horizontal Alignment as well.

Board member Atchley then comments the Northwest Commission on Colleges and Universities (NWCCU) has language addressing PLA that could be used by the Board as a starting point to form a policy on PLA. Ms. Atchley continues the only item of concern she has would be NWCCU's limit of a maximum of 25 credits that could be applied towards a degree. Finally, Ms. Atchley states the Board should consider every avenue available to continue to offer students ways to complete their degree, adapted to suite Idaho's needs. Dr. Clark adds this is not exclusive to Idaho and that many states are grappling with this same issue.

Finally, Ms. Bent states the Board does have a policy addressing PLA, however, that policy is very open and is limited to defining the terms related to PLA and requiring institutions to have policies in place on how to award PLA.

### **Processing Fees**

Mr. Howell begins by reminding Board members at the April 2018 Board meeting, the Board approved the FY19 tuition and fees for the public four-year institutions. Fees are broken into three categories: general and career technical fees, institutional local fees approved by the Board, and institutional local fees approved by the chief executive officer. The fees are described in Board policy V.R. The general and career technical fees, along with the institutional fees approved by the Board, are presented and approved by the Board annually at the April meeting. The institutional local fees approved by the chief executive officer are fees that are approved at the institution level. These fees approved by the institutions include processing fees and can be used to fund an auxiliary of the institution. Prior to eliminating the application fee for resident students, many of the institutions used the application fee to fund the admissions office operations. There are differences in how institutions administer fees such as the orientation, enrollment, and graduation fees. The timing of fees can affect whether those fees can be paid through financial aid funds or if the fees must be paid with other funds.

Board member Soltman then asks to what extent students are expected to pay for the ongoing operations of university entities, such as the Registrar's Office, and are we looking for revenue streams to pay for these different departments or should they be considered part of the overall university expense. Board member Soltman then comments he is appalled by the number and types of fees assessed by the institutions, adding, the appearance is the institutions are out to get what they can get, citing the "*Fee to Confirm Enrollment Upon Admission*" as one example and that this gives the



appearance that another fee was deleted and substituted with this one. Mr. Howell responds this could indeed be the case and brings the discussion back to what are these fees paying for and if a self-support auxiliary is funded through these fees and a fee is deleted then the revenue needs to be made up from somewhere. Mr. Howell then states Board staff would like guidance from the Board on how to address these types of fees.

Ms. Bent adds part of the policy question is when the fees are applied, which fees can be rolled in to the cost of attendance that could then be covered by financial aid or scholarship. She continues there is also the issue of transparency and is it more transparent to students to have a more consolidated fee to cover different costs as opposed to multiple, smaller fees, and what is the true cost of attendance, in addition to tuition.

Mr. Freeman then asks if the Business Affairs & Human Resources (BAHR) Committee has considered this item to which the BAHR Committee Chair, Mr. Westerberg, responds the Board has always recognized it is about the total cost of attendance, regardless of whether or not it is called tuition or a fee and the BAHR Committee is working on simplifying the fee structure to make the cost of attendance more transparent and easier to pay for with financial aid and scholarship funds.

Dr. Clark ends the work session by reminding Board members of the great many recommendations that came from the Governor's Higher Education Task Force, however, there is a limitation to what the Board can address due to current staffing and the Board office needs more staff and cannot stretch the existing staff any further. Finally, Dr. Clark states everything discussed today is important, but the Board must prioritize and make choices on what to address first.

At this time, Board took a 20 minute break, returning at 3:00 pm

## **STATE DEPARTMENT OF EDUCATION (SDE)**

### **1. Developments in K-12 Education**

This item was provided in the agenda materials as an information item.

Prior to beginning her update to the Board, Superintendent Ybarra requested a moment of personal privilege to recognize retiring Deputy Superintendent, Mr. Pete Koehler and to thank him for his years of service to Idaho's students. Board President Dr. Linda Clark also expressed her appreciation for Mr. Koehler, noting he has been a major participant in the Board's initiatives and committees and thanking him for his hard work.

Superintendent Ybarra continued with a brief update to the Board on the current work of the State Department of Education staff which includes reaching out to school districts, K-3 Literacy Training, professional development around the new Science Standards, Assessment Literacy Training, meetings with stakeholders to prepare the Public School

Budget Request and review of the preliminary data from the 2018 Idaho Standards Achievement Test (ISAT).

Superintendent Ybarra then invited the National Assessment of Educational Progress (NAEP) Coordinator for the State Department of Education, Dr. Paul Kleinert, to share the results of the 2017 NAEP with the Board.

Dr. Kleinert begins by sharing 81% of Idaho students performed at or above basic on the Grade 4 Mathematics assessment which equates to an average scale score of 240 out of 500, one point higher than the national average of 239 and that since 2007 there has been no significant change in Idaho's score, with the exception of English Language Learner (ELL) students who experienced a decrease of 9 scale points.

Board member Soltman then asked why, if the NAEP test is used as an indicator for change, Idaho's scores have not increased. Superintendent Ybarra responded that while the intent is to see an increase in scores, the data is used to inform higher level policy decisions and the data indicates Idaho is holding their own especially in light of Idaho's incredible population growth. Mr. Koehler then adds the continuous drum beat has been the state is not doing well for its children and this data is fundamental proof the state is as, if not more competitive, as the states around us adding the scores are proof the children in Idaho's public schools and charter schools are getting a good education. Board member Clark then comments the NAEP is not a growth test but rather a measurement of Grade 4 and Grade 8 students over time against a national standard. Superintendent also adds it is not typical to see a gain of more than 1-2 % points or a decrease of more than 3-4%.

Dr. Kleinert continues with an update on the results for Grade 8 Mathematics, sharing 74% of Idaho students scored at or above basic which equates to an average scale score of 284 out of 500, two points higher than the national average of 282 and that since 2007 there has been no significant change in Idaho's score, with the exception of ELL students who experienced a decrease of 16 points.

Dr. Kleinert then shares for the Grade 4 Reading assessment 70% of students performed at or above basic which equates to an average score of 223 out of 500, two points higher than the national average of 221 and that since 2007 there has been no significant change in Idaho's score, with the exception of Students with Disabilities who experienced a decrease of 12 scale points and ELL students who experienced a decrease of 17 scale points.

Finally, Dr. Kleinert shares for the Grade 8 Reading assessment 81% of students performed at or above basic, which equates to an average score of 270 out of 500, five points higher than the national average of 265 and that since 2009 Idaho has seen a significant increase in the student group score of five scale points.

Superintendent Ybarra then comments the increase in the Grade 8 Reading scores are due to Idaho's investment in the reading initiative, and that significant increases of more than one point are not typical and the increase of five points in Grade 8 Reading scores is very promising.

Dr. Dale Kleinert, Idaho Operations Director for AdvancED shared with Board members feedback from school districts on the AdvancED survey has been positive.

There were no additional questions or comments from the Board.

2. Hardship Status – Albion Elementary School

This item was provided in the agenda materials as an information item.

Superintendent Ybarra introduced the item, sharing with Board members the conditions supporting the Board's October 1999 approval of the request by Cassia County School District, #151, for Albion Elementary School to be designated a hardship elementary school have not changed and the item today is the school district's annual report to the Board as required in Idaho Code Section 33-1003(2)(b).

There were no questions or comments from the Board.

3. Proposed Rule, IDAPA 08.02.03, Rules Governing Thoroughness, Annual Measurable Achievement Objectives (AMO)

## BOARD ACTION

**M/S (Ybarra/Scoggin): To approve the proposed rule amendment to IDAPA 08.02.03, Rules Governing Thoroughness, as submitted in Attachment 1.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

Superintendent Ybarra introduced the item sharing with Board members changes to the state accountability system and statewide assessment program have made the Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAO's) obsolete.

There were no questions or comments from the Board.

4. Professional Standards Commission – Proposed Rule, Docket No. 08-0202-1801, Rules Governing Uniformity

## BOARD ACTION

**M/S (Ybarra/Westerberg): To approve the revised Idaho Standards for Initial Certification of Professional School Personnel as submitted in Attachment 2.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

**AND**

**M/S (Ybarra/Westerberg): To approve Proposed Rule Docket No. 08-0202-1801, Rules Governing Uniformity, as submitted in Attachment 1.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

Superintendent Ybarra introduced the item sharing with Board members the revisions to IDAPA 08.02.02, Rules Governing Uniformity, and the Idaho Standards for Initial Certification of Professional School Personnel will enable Idaho colleges and universities to better prepare teachers according to these updated initial certification standards and endorsements.

There were no questions or comments from the Board.

5. Proposed Rule, Docket No. 08-0203-1801, Rules Governing Thoroughness, Incorporation by Reference

**BOARD ACTION**

**M/S (Ybarra/Westerberg): To approve the amended Idaho Special Education Manual as submitted in Attachment 2.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

**AND**

**M/S (Ybarra/Westerberg): To approve Proposed Rule Docket No. 08-0203-1801, Rules Governing Thoroughness, Incorporation by Reference, as submitted in Attachment 1.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

Superintendent Ybarra introduced the item sharing with Board members the proposed changes to the Idaho Special Education Manual (Manual) will bring the Manual into alignment with the Idaho Administrative Procedures Act (IDAPA), Idaho Code, Individuals with Disabilities Education Act (IDEA), Every Student Succeeds Act (ESSA), and recent court decisions as well as provide clear and consistent guidance for school personnel.

There were no questions or comments from the Board.

6. Red Tape Committee Recommendations

**BOARD ACTION**

**M/S (Ybarra/Soltman): To accept the recommendations of the Red Tape Committee as submitted in Attachment 1.** The motion carried 6-0. Ms. Critchfield and Dr. Hill were absent from voting.

Superintendent Ybarra introduced the item sharing with Board members the Red Tape Committee was formed to address the concerns of district administrators and charter school directors over reporting requirements to the different state agencies and, if implemented, the recommendations presented to the Board today would reduce the administrative burden of school districts and charter schools across the state, allowing administrators and their staff to dedicate more time and energy to the education of their students.

There were no questions or comments from the Board.

At this time, the Board recessed for the evening at 3:42pm MST.

**Thursday June 21, 2018, 8:00 a.m., Eastern Idaho Technical College, Rooms 6163/6164 Idaho Falls, Idaho.**

Board President Dr. Linda Clark called the meeting to order at 8:00 a.m. Mountain Time for regularly scheduled business. There were three (3) participants for Open Forum.

**OPEN FORUM**

Mr. Ladd Edmo, Vice Chairman for Shoshone Bannock Tribes; Ms. Sidney Upsi Fellows, member of the Shoshone-Bannock Tribe and Idaho State University student; and Mr. Gaylen Edmo, member of the Shoshone-Bannock Tribe and University of Idaho Law School student addressed the Board to encourage Board members to approve the proposed amendment to Board policy Section V.R.3.,a. to lower tuition for American Indian students effective for the 2019-2020 academic year.

**CONSENT AGENDA**

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the consent agenda as presented.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**Audit**

1. Idaho State University – Operating Agreement between Idaho State University (ISU) and Idaho State University Foundation, Inc.

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the operating agreement between Idaho State University and Idaho State University Foundation, Inc., as presented.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**Business Affairs & Human Resources – Section I Human Resources**

2. Boise State University – Amendments to Annual Contract for Eric Kiesau, Assistant Coach, Men’s Football

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by Boise State University to amend its single year employment agreement with Eric Kiesau as proposed, commencing after Board approval and terminating on February 28, 2019, at a base salary of \$220,000 and supplemental compensation provisions, as presented in Attachment 3. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

3. Lewis-Clark State College – Faculty Rank and Promotion – Bill Hayne

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by Lewis-Clark State College to advance Bill Hayne to the rank of Assistant Professor, with opportunity for continuing advancement in rank as per institutional policy. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**Business Affairs & Human Resources – Section II Finance**

4. Boise State University – Nike, Inc. Agreement – Amendment

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by Boise State University to extend its multi-sport product supply and sponsorship agreement with NIKE, Inc. for an additional two years, as outlined herein. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**Planning, Policy & Governmental Affairs (PPGA)**

5. Idaho Division of Vocational Rehabilitation – Idaho State Rehabilitation Council Membership

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the appointment of Kenna Buckner to the State Rehabilitation Council as a representative for a community rehabilitation provider for a term of three years effective July 1, 2018, ending June 30, 2021. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the appointment of Darin Lindig to the State Rehabilitation Council as a representative for business, industry and labor for a term of three years effective June 1, 2018 ending May 31, 2021. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

6. Data Management Council Appointments

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the reappointment of Chris Campbell to the Data Management Council as a representative of the Department of Education for a term commencing July 1, 2018 and ending June 30, 2020. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the reappointment of Don Coberly to the Data Management Council as a school district representative for a term commencing July 1, 2018 and ending June 30, 2020. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the reappointment of Mathew Rauch to the Data Management Council as a school district representative for a term commencing July 1, 2018 and ending June 30, 2020. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the reappointment of Georgia Smith to the Data Management Council as a representative of the Department of Labor for a term commencing July 1, 2018 and ending June 30, 2020. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the appointment of Cathleen McHugh to fill the remainder of Carson Howell's term on the Data Management Council, ending June 30, 2019. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

7. Accountability Oversight Committee Appointments

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the reappointment of Julian Duffey to the Accountability Oversight Committee for a term of 2 years commencing July 1, 2018 and ending on June 30, 2020.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the reappointment of Rob Sauer to the Accountability Oversight Committee for a term of 2 years commencing July 1, 2018 and ending on June 30, 2020.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the reappointment of Roger Stewart to the Accountability Oversight Committee for a term of 2 years commencing July 1, 2018 and ending on June 30, 2020.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

8. Institution President Approved Alcohol Permits

**BOARD ACTION**

**M/S (Soltman/Atchley): To accept the report on institution president approved alcohol permits.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

9. Coeur d'Alene School District/Post Falls School District – Boundary Annexation/Excision

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the corrected boundary legal description for the Coeur d'Alene School District as submitted in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.



10. Lewis-Clark State College – Facilities Naming – Center for Arts and History

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by Lewis-Clark State College to name the Center for Arts and History the Lee and Deanna Vickers Center for Arts and History.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**State Department of Education (SDE)**

11. Request for Waiver of 103% Student Transportation Funding Cap

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by St. Maries School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 143%, for a total of \$16,261 in additional funds from the public school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the request by Plummer-Worley School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 119.67%, for a total of \$25,040 in additional funds from the public school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the request by Garden Valley School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 133%, for a total of \$55,107 in additional funds from the public school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the request by Butte County School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 133%, for a total of \$2,832 in additional funds from the public school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the request by Orofino School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 130.27%, for a total of \$28,736 in additional funds from the public school appropriation. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the request by Bliss School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 119.67%, for a total of \$3,540 in additional funds from the public school appropriation. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the request by Mountain View School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 150.50%, for a total of \$32,511 in additional funds from the public school appropriation. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the request by Kootenai School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 203%, for a total of \$2,424 in additional funds from the public school appropriation. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the request by Moscow School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 118.62%, for a total of \$68,005 in additional funds from the public school appropriation. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

**AND**

**M/S (Soltman/Atchley): To approve the request by Kamiah School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 143%, for a total of \$11,369 in additional funds from the public**

**school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the request by Highland School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 123%, for a total of \$5,321 in additional funds from the public school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Atchley): To approve the request by Kellogg School District for a waiver of the 103% transportation funding cap, at a new cap percentage rate for the fiscal year 2017 of 108.41%, for a total of \$17,395 in additional funds from the public school appropriation.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

12. Transport Students Less Than One-And-One-Half Miles for the 2017-2018 School Year

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the requests by ninety-nine (99) school districts and twelve (12) charter schools as submitted in Attachment 1 for approval to transport students less than one and one-half miles for the 2017-2018 school year.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

13. Appointment to the Professional Standards Commission

**BOARD ACTION**

**M/S (Soltman/Atchley): To appoint Peter McPherson as a member of the Professional Standards Commission for a three-year term beginning July 1, 2018, and ending June 30, 2021, representing the State Department of Education.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

## 14. Emergency Provisional Certificates

### BOARD ACTION

**M/S (Soltman/Atchley): To approve the request by the Professional Standards Commission for the one-year emergency provisional certificates for Tabitha Notareus, Charles Chesbro, Randall Annunziato, Chelsey Stucki, Megan Hinojos and MaKinzie Adamson to teach the content area and grade ranges at the specified school districts as provided herein. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

### BUSINESS AFFAIRS & HUMAN RESOURCES (BAHR)

#### Section I – Human Resources

##### 1. Chief Executive Officer Compensation

### BOARD ACTION

**M/S (Westerberg/Scoggin): To approve an hourly rate of \$74.34 (annual salary of \$154,627) for Matt Freeman as Executive Director of the State Board of Education, effective June 17, 2018. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

### AND

**M/S (Westerberg/Soltman): To approve an hourly rate of \$54.17 (annual salary of \$112,674) for Jane Donnellan as Administrator of the Division of Vocational Rehabilitation, effective June 17, 2018. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

### AND

**M/S (Westerberg/Soltman): To approve an hourly rate of \$54.43 (annual salary of \$113,214) for Ron Pisaneschi as General Manager of Idaho Public Television, effective June 17, 2018. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

### AND

**M/S (Westerberg/Soltman): To approve an hourly rate of \$57.65 (annual salary of \$119,912) for Dwight Johnson as Administrator of the Division of Career Technical Education, effective June 17, 2018. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

Business Affairs & Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members the Board's Executive Director has completed the annual performance evaluations for the administrator of the Division of Career & Technical Education, the administrator of the Division of Vocational Rehabilitation, and the general manager of Idaho Public Television. Mr. Westerberg then states the salary recommendations for these positions are based on the evaluations and the individual agencies' Division of Financial Management approved compensation plans for FY2019 and approval of the proposed salaries will allow staff to enter the salaries for FY2019 into the state payroll system.

There were no questions or comments from the Board.

## 2. Supplemental Retirement 403(b) Plan – Amendments

### **BOARD ACTION**

**M/S (Westerberg/Atchley): To approve amendments to the Closed Supplemental Retirement 403(b) Plan Appendix A document set forth in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs & Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members eligible participants in the Board's Supplemental 403(b) Retirement Plan (Plan) are determined by the Board and listed by name in Appendix A to the Plan. In the event the Board desires to expand the Plan participants, it must do so by approving a revision to append Appendix A. With the appointment of Dr. Martin Schimpf as interim president at Boise State University (BSU), commencing July 1, 2018 and terminating June 30, 2019, the addition of Dr. Schimpf in the Plan would only be for the period of one year with the same commencement and termination dates as his appointment of interim president.

There were no questions or comments from the Board.

### **Section II – Finance**

#### 1. FY 2019 Operating Budgets

**M/S (Westerberg/Soltman): To approve the FY 2019 operating budgets for the Office of the State Board of Education, Idaho Public Television, Division of Vocational Rehabilitation, College and Universities, Career Technical Education, Agricultural Research and Extension Service, Health Education Programs and Special Programs, as presented in Attachments 1-28.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs & Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members approval today establishes the agency and institutional fiscal spending plans for FY2019 and allows the agencies and institutions to continue operations from FY2018 into FY2019.

Board member Atchley then questions the significant increases in executive and administrative funding for Boise State University (BSU) and University of Idaho (UI), noting the total increase in executive/administrative compensation BSU is shown to be 13.5% compared to an increase of only 3.8% for faculty and for UI a 7.2% increase in executive/administrative compensation compared to an increase of 1.88% for faculty.

Associate Vice President of Budget & Planning for Boise State University, Mr. Kenneth Kline, explains an increase in the overall number of positions is what is driving the increase in executive/administrative compensation. Board member Atchley then comments that during the Board's February meeting, BSU shared with Board members their struggle to retain faculty and to provide enough faculty to teach the number of students enrolled at BSU and that what Mr. Kline has shared with the Board today would indicate BSU has more administrative positions than faculty. Mr. Kline responds in the affirmative and offers to provide a detailed accounting of the positions included in the FY2019 budget request to the Board.

University of Idaho (UI) Vice President for Finance, Mr. Brian Foisy, explains UI has moved to an era of market-based compensation, having established target compensation for individual employees and not groups or classifications and these targets apply to executive and administrative employees as well as faculty and staff.

Board member Westerberg comments Board member Atchley brings forward an important point, highlighting the fact that administrative costs for allocation have increased much faster than instruction staff and the BAHRC Committee should spend some time to determine why this is.

There were no additional questions or comments from the Board.

2. FY2020 Line Item Budget Requests

This item was provided in the agenda materials as an information item.

There were no questions or comments from the Board.

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

## BOARD ACTION

**M/S (Westerberg/Atchley): To approve the first reading of proposed amendment to Board policy Section V.R.3.,a. establishing a new fee effective for the 2019-2020 academic year, contingent on state appropriations to offset the cost; to authorize Idaho State University to pilot the new fee during the 2018-2019 school year; and to direct staff to develop an FY 2020 line item request for funds to offset the fee.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs & Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members the Idaho Indian Education Committee (IIEC) has identified cost as a barrier to Idaho American Indian students access to postsecondary education. With the goal of increasing access to postsecondary education for tribal members, who meet specific eligibility requirements, the IIEC has requested the Board establish a fee in lieu of tuition, similar to other fees established by the Board.

Mr. Westerberg then invited IIEC Chair, Dr. Yolanda Bisbee, and committee member Ms. Selena Grace, to present to the Board on the need for the proposed fee.

At the end of the presentation, Board member Scoggin asks if a legal analysis has been conducted to determine any possible legal ramifications if the Board were to move forward with approving the proposed fee. The Board's Deputy Attorney General, Ms. Jenifer Marcus responds an exhaustive legal analysis has not been completed; however, a United States Supreme Court decision supports the approach, in an employment context, of treating tribes and tribal members differently than other minority classifications based upon their status as sovereign nations.

There were no additional questions or comments from the Board.

#### 4. Boise State University – Authorization of Planning/Design – Baseball Field

### **BOARD ACTION**

**M/S (Westerberg/Scoggin): To approve the request by Boise State University to proceed with planning and design of a new baseball field for a total cost not to exceed \$500,000.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members the request from Boise State University (BSU) for the design phase of the proposed baseball field project conforms to the requirements for major capital projects established in Board Policy V.K. and that following successful completion of the design phase, BSU will need to return to the Board for approval of the financing plan for the project and to obtain Board approval to proceed into construction.

There were no questions or comments from the Board.

5. Boise State University – Revisions and Additions to 2018-19 Online Program Fees

## BOARD ACTION

**M/S (Westerberg/Soltman): To approve the proposed online program fee reductions and the proposed pricing model for the “Passport to Education” pilot program as described in the attached FY 2019 Boise State University revised fee schedule.** The motion carried 4-0 with Dr. Clark abstaining. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item and then invited Associate Vice President of Budget & Planning for Boise State University (BSU), Mr. Kenneth Kline, to present the proposal to the Board.

Mr. Kline begins by sharing with Board members the Passport to Education pilot program will be launched through an exclusive partnership with Cap Ed Credit Union and made available to all 75,000 of its members. The pilot program has been designed to allow participants the ability to earn a college degree online from BSU for 5%-50% less than other national providers. Passport members will be charged a monthly subscription fee that will remain fixed for as long as the student maintains payments and stays enrolled in the program.

There were no additional questions or comments from the Board.

6. Boise State University – Amendment to Multi-Media and Marketing Rights Agreement for Boise State University (BSU) Athletics  
This item was provided in the agenda materials as an information item.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members this agreement signifies a significant change in the way the Board operates marketing agreements with Learfield Sports Marketing (Learfield). Mr. Westerberg then requests Boise State University present the proposed changes to the Board. Representing Boise State University were Athletic Director, Mr. Curt Apsey; General Counsel, Mr. Matt Wilde; and Director of Trademark Licensing and Enforcement, Ms. Rachael Bickerton.

Mr. Wilde begins BSU’s presentation by sharing with Board members in 2009 Boise State University entered into a multimedia and sports marketing agreement with Learfield for seven years commencing July 1, 2010 with three additional one-year options. In 2014, BSU elected to exercise its first option to extend the agreement through June 30, 2025 and has now exercised its second option for a new three-year extension that would extend the contract until 2028. The new terms of the agreement will be July 1, 2010 through June 30, 2028 and would provide BSU an additional \$17,450,000 over the current



contract through additional revenue each year and the three additional years of the contract. Mr. Wilde then states in addition to the monetary consideration, the amendment would also allow for multi-media rights for categories specifically excluded in the original 2009 agreement, including off campus beer and wine promotions and partnerships in the casino/gaming categories.

Board member Westerberg then asks for additional information on what the casino and gaming industry partnerships would look like to which Mr. Apsey responds on campus events would be treated like any other major corporate partner. Off campus, would be something to the effect of Broncos playing on the road in another state and fans could go to a facility to participate in a “watch party” and associated activities. Mr. Apsey then states if the event is not operated in good taste or compromises the BSU brand, the university would act accordingly.

Board member Scoggin then asks how the proposed agreement would restrict the ability for a location or individual to invite someone to watch a particular game to which Mr. Apsey responds it would not, however, if they were to host a watch party and then decorate the location in BSU’s marks then it would.

Board member Westerberg then asks if there are any concerns, based upon the national discussion around sports gaming, with BSU collaborating with the gambling industry to which Mr. Apsey responds the national discussion creates concerns, regardless of any partnerships with the gaming and casino industry.

Board member Atchley then asks how BSU polices the use of their mark to which Ms. Bickerton responds the approval and enforcement process is the same for anyone using the BSU name and trademark. Ms. Bickerton then states trademark licensing is run through IMG and BSU has access to their resources for enforcement and it is not uncommon for alumni, fans, other licensees and sponsors to report misuse of BSU’s marks.

Board member Scoggin then asks what the financial impact would be if BSU were not to extend their branding to these additional areas to which Mr. Apsey responds the current contract would remain the same.

Board member Westerberg then asks if the agreement requires Learfield to prepare a marketing plan on an annual basis and, if so, who would approve that plan. Ms. Bickerton responds the contract requires Learfield to present a marketing plan to the Athletic Director on an annual basis and once the Athletic Director has approved the concept of sponsorship, every request for use of the BSU logo must receive approval from the Trademark Licensing and Enforcement Department as well. Mr. Westerberg then asks if a particular request were denied, would it have a financial impact on the agreement with Learfield to which Mr. Apsey responds in the negative, adding the wording in the contract is “in good faith” and it is his belief there would not be any financial impact unless the university were to repeatedly deny requests and he does not believe the university would approve a request based solely on the financial incentive.

Board member Westerberg then states his concern with the amendment, specifically the approval process and the financial consequences if Learfield were not allowed to market a product in the manner in which they desire. Mr. Westerberg then states, in his opinion, approval of these categories must be reviewed at the Presidential level.

Board member Westerberg then requests unanimous consent to return this item to the Business Affairs & Human Resources (BAHR) Committee for additional work. There were no objections.

There were no additional questions or comments from the Board.

7. Boise State University and Idaho State University – Revised Purchasing Practices for Boise State University (BSU) and Idaho State University (ISU)

#### **BOARD ACTION**

**M/S (Westerberg/Scoggin): To approve Boise State University’s and Idaho State University’s proposed purchasing policies revision as submitted in Attachment 1 and 2; to find it substantially consistent with Title 67, Chapter 92 Idaho Code; and to authorize the universities to implement the revised purchasing policies effective July 1, 2018.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members the proposed revision to the Board-approved purchasing policies are required to address new federal procurement regulations for sponsored projects and should improve the timeliness and efficiency of the acquisition process for Boise State University and Idaho State University.

There were no questions or comments from the Board.

8. Idaho State University – Authorization of Planning/Design – Holt Arena Seating

#### **BOARD ACTION**

**M/S (Westerberg/Soltman): To approve the request by Idaho State University to revise its six year capital plan to include the proposed project for new seating for the Holt Arena to enable the University to begin fundraising for the project, and to approve the University’s request to begin the planning and design phase of the project.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members Idaho State University (ISU) is seeking Board approval to begin fundraising efforts and to initiate planning and design for the acquisition of new seating in Holt Arena.

There were no questions or comments from the Board.

9. Idaho State University – Authorization of Construction Phase – Anatomy and Physiology Lab Building Addition at ISU Meridian Health Science Center

## BOARD ACTION

**M/S (Westerberg/Atchley): To approve the request by Idaho State University to revise its six-year capital project plan and to begin construction of the Anatomy and Physiology Lab building addition at the Meridian Health Science Center, at a cost not to exceed \$7.75M.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members Idaho State University (ISU) is seeking Board approval to begin construction of the Anatomy and Physiology Lab Building Addition at the ISU Meridian Health Science Center. Mr. Westerberg then invited Vice President for Health Sciences for ISU, Dr. Rex Force and ISU Interim Chief Financial Officer, Mr. Brian Hickenlooper to answer any questions from the Board.

Board member Soltman then asked for an update on the projects timeline to which Dr. Force responds substantial completion is anticipated for late summer 2019. Board member Soltman then asks how this will affect the Idaho College of Osteopathic Medicine (ICOM) students to which Dr. Force responds per the existing contingency plan, ICOM students will be using the existing lab space during construction. Board President Clark then asks how the construction will impact the existing parking to which Dr. Force responds the construction layout and details are still to be worked out, however, the plan is to not affect ISU's existing parking.

There were not additional questions or comments from the Board.

10. University of Idaho – Idaho Central Credit Union (ICCU) Arena Funds Investment Approval

## BOARD ACTION

**M/S (Westerberg/Scoggin): To approve the request by the University of Idaho to approve the transfer of funds to the University of Idaho Foundation as outlined in the materials presented to the Board, and to authorize the Vice President for Finance and Administration to sign the MOU at Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members pursuant to Board Policy V.E. University of Idaho (UI) is requesting Board approval to transfer the corpus of the \$10 million received from Idaho Central Credit Union (ICCU) for the Arena project to the UI Foundation in order to earn interest on the donated funds as the University waits for the start of the project. UI will then return to the Board for approval of the financing plan and to begin the construction phase of the Arena project once fund-raising is complete.

There were no questions or comments from the Board.

#### 11. University of Idaho – Acquisition of Real Property – Sandpoint

### BOARD ACTION

**M/S (Westerberg/Soltman): To approve the request by the University of Idaho to authorize the acquisition of the real property located in Bonner County as described in the materials presented to the Board, and to authorize the University's Vice President for Finance and Administration to execute all necessary transaction documents related thereto.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members University of Idaho (UI) is seeking Board approval to acquire the 48 acre property to establish the Sandpoint Organic Agriculture Center (SOAC). Mr. Westerberg then invited University of Idaho (UI) Vice President for Finance, Mr. Brian Foisy to present the terms of the acquisition to the Board. Joining Mr. Foisy were Ms. Jennifer Root, Senior Director of Development for the College of Agricultural and Life Sciences, and Ms. Carly Schoepflin, Director of Communications and Strategic Initiatives for the College of Agricultural and Life Sciences.

Ms. Root begins by sharing with Board members UI has a unique opportunity to strengthen its presence in Northern Idaho through the acquisition of the Sandpoint Orchard located near Sandpoint, Idaho for the purpose of establishing the Sandpoint Organic Agriculture Center (SOAC). Ms. Root continues the 48-acre property includes a variety of existing heirloom apple trees, two-story lodge building, bunkhouse, and other specialized improvements and acquisition of the property would take place through a bargain sale. The land and improvements were recently appraised at \$3,382,000; however, the seller has offered the property to UI for \$2,200,000.

Mr. Foisy then comments if UI were to invest its own funds to recreate a research and extension center of this nature costs would exceed \$5,000,000. Finally, Mr. Foisy states UI has the funds over a five (5) year period to cover the purchase as presented here today.

There were no additional questions or comments from the Board.

12. University of Idaho – Authorization of Planning/Design – Potato Seed Building

**BOARD ACTION**

**M/S (Westerberg/Scoggin): To approve the request by the University of Idaho to implement the planning and design phase of the capital project for the proposed Seed Potato Germplasm Facility, for a total cost of \$5,500,000, with costs for the Planning and Design phase not to exceed \$650,000. Authorization includes the authority to execute all necessary and requisite consulting and vendor contracts to fully implement the planning and design phase of the project.** The motion carried 4-0 with Board member Atchley abstaining. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members University of Idaho (UI) is seeking Board approval to proceed with the Planning and Design phase of a Capital Project to design and construct a Seed Germplasm Potato Facility to be located on the main campus of the UI in Moscow, Idaho. Mr. Westerberg then invited University of Idaho (UI) Vice President for Finance, Mr. Brian Foisy to present the request to the Board.

Mr. Foisy begins by sharing with Board members UI proposes to construct a Seed Potato Germplasm Facility as part of the ongoing effort to collaborate with and support the potato industry within the State of Idaho. The university currently maintains an existing Seed Potato Germplasm laboratory within the Iddings Agricultural Sciences Laboratory Building on the main campus of the university in Moscow, Idaho. However, this facility is small in size and scale, limiting production and germplasm storage. There is high demand from researchers and the potato industry to increase production and expand storage capacity.

Board member Soltman then asks where facility will be located to which Mr. Foisy responds UI is contemplating a stand-alone facility on the main campus, with the final location being determined during the planning and design phase.

There were no additional questions or comments from the Board.

13. College of Eastern Idaho Real and Personal Property Transfer

**BOARD ACTION**

**M/S (Westerberg/Atchley): To approve the quitclaim deed transferring title of the Eastern Idaho Technical College campus to the College of Eastern Idaho, except for that portion of the campus encumbered with the Building Authority Site Lease and Facilities Lease.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Westerberg/Scoggin): To approve the execution of the Educational Facility Property Agreement documenting the parties understanding regarding the transfer of real and personal property to the College of Eastern Idaho.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Westerberg/Atchley): To authorize the Executive Director to execute all documents necessary to authorize the College of Eastern Idaho to use the portion of the campus encumbered with the Building Authority Site Lease and Facilities lease, as well as any other documents required to transfer the Eastern Idaho Technical College campus and personal property to the College of Eastern Idaho.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Business Affairs and Human Resources (BAHR) Committee Chair, Mr. Richard Westerberg, introduced the item sharing with Board members as of July 1, 2018 Eastern Idaho Technical College (EITC) will no longer exist and the transfer to the College of Eastern Idaho (CEI) of real and personal property used by EITC to offer career technical education is required in order for CEI to continue providing career technical education as well as academic programs in its role as a community college. Mr. Westerberg then requested the Board's Deputy Attorney General, Ms. Jenifer Marcus, provide a summary of the transfer as well as answer any questions from the Board.

Ms. Marcus begins by sharing with Board members approval of the motion today will transfer title from EITC to CEI with the exception of Building 6 Health Sciences Building constructed with bonds issued by the Idaho State Building Authority in 2005. Ms. Marcus continues the facility will be subleased to CEI until the bonds have been paid off, at which time the Board will transfer title of this facility to CEI. Finally, Ms. Marcus states repayment of bonds has historically been through appropriation to the Department of Administration.

Board member Soltman then asks if the funding source for paying the bonds was out of appropriated funds to which Ms. Marcus responds in the affirmative, adding Building Authority projects are repaid through annual appropriations. Dr. Clark then asks for the anticipated payoff for the bonds to which Ms. Marcus responds the end of FY2024. Board member Soltman then asks if EITC will continue to exist until 2024 to which Ms. Marcus responds in the negative adding EITC is being dissolved statutorily and will no longer exist in statute as of July 1, 2018.

There were no additional questions or comments from the Board.

At this time, the Board took a 20-minute break, returning at 10:00 am MST.

## **INSTRUCTION, RESEARCH & STUDENT AFFAIRS (IRSA)**

### **1. College of Southern Idaho – Bachelor of Arts in Education**

This item was provided in the agenda materials as an information item.

Instruction, Research & Student Affairs (IRSA) Committee member, Mr. Richard Westerberg, introduced the item sharing with Board members the IRSA Committee was conflicted on how to proceed with this item and it is the desire of the IRSA Committee for the Board to discuss the proposal today and then vote on the proposal at the Board's Regular meeting in August. Mr. Westerberg then requests the College of Southern Idaho (CSI) present their proposal to the Board. Representing CSI were President Dr. Jeff Fox, Executive Vice President and Chief Academic Officer Dr. Todd Schwarz, and Associate Dean of Early College, Dr. Jonathan Lord. Also present was Dr. Laura Woodworth Nye, Executive Vice President and Provost of Idaho State University (ISU).

Prior to beginning his presentation, Dr. Schwarz shares with Board members CSI intends to propose a Bachelors of Applied Science in Education and not a Bachelor of Arts in Education as previously submitted. Dr. Schwarz continues the proposed Bachelor of Science in Education was designed in direct collaboration with stakeholders to respond to the workforce needs in Region IV. Dr. Schwarz then states CSI's proposal is a departure from existing teacher education programs and emphasizes learning opportunities in a direct cohort model, delivered year round over the course of three years to accelerate completion. Finally, Dr. Schwarz states the program leverages an apprenticeship model of instruction with students entering the classroom immediately, earning 25 percent of their credits in a practical learning based environment. The program compliments and does not replace current programming while addressing some of the conclusions of the 2017 Teacher Pipeline Report and other dire circumstances specific to Region IV.

President Fox then shares with Board members CSI's mission as a community college is to serve their community and that currently Region IV is experiencing a severe teacher shortage, which, from the perspective of CSI is a workforce issue and CSI is approaching it as such. Dr. Fox continues the 2017 Teacher Pipeline Report affirmed the existing programs are not fulfilling the need and CSI's proposal is a new concept and new way to address this issue. Dr. Schwarz then comments the proposed Bachelor of Science in Education has been designed with the Board's strategic goals in mind, especially in regards to access and completion.

Dr. Woodworth Nye then shares with the Board ISU has worked for many years with CSI in the Twin Falls market and has a long-standing relationship and Elementary Education is just one piece of ISU's presence in Twin Falls. Dr. Woodworth Nye continues by sharing ISU is in the process of implementing new measures from a data perspective to try to understand where Idaho's teachers are going statewide and whether they are employed as teachers in Idaho. She acknowledges there are leaks in the pipeline and that many of the teachers ISU is producing, 30-40 annually, become employed in Utah

and Wyoming. Dr. Woodworth Nye then states one of the differences between the programs offered by CSI and ISU is CSI's application of the cohort/apprenticeship model. Dr. Woodworth Nye acknowledges ISU has many part-time students and the university is trying to move them through the program as quickly as possible, however, there are many challenges with this situation. Finally, Dr. Woodworth Nye states ISU's commitment across their footprint is to look at ways of getting working professionals into a pathway that works efficiently for them where CSI's model is focused on getting students from the region in to classrooms within that same region.

Board member Soltman then asks if the 30-40 graduates per year are from ISU's main campus to which Dr. Woodworth Nye responds system wide. To this, Dr. Schwarz adds Region IV is seeking to fill approximately 370 openings in Region IV alone.

Board member Scoggin then comments the move of community colleges offering four-year degrees is increasing nationwide and the Board should consider how this could enhance education in our state.

Board member Soltman then asks if the proposed Bachelors of Applied Science is considered a terminal degree to which Dr. Schwarz responds in the affirmative.

Board member Westerberg then comments the way in which Board Policy III.Z. is written, ISU must deliver a Bachelor of Arts and if the Board were to approve the proposal, there are policy issues that must be worked through.

Board member Clark then shares her concern with the proposal, reminding Board members currently there are institutions whose primary responsibility is Teacher Preparation and it is her opinion the Board must look at these programs and make adjustments where necessary before expanding the offerings of the community colleges. Regarding the Teacher Pipeline, Dr. Clark states there are three elements, however two of those elements are not getting much attention; teacher compensation and mentoring. Dr. Clark continues the Career Ladder was designed to put in place a teacher compensation program to attract more individuals to teaching and compensate them at a level more commensurate with STEM professions, and, equally important the state would have a compensation level at the top tier that would retain our teachers. As we know, the legislature decided not to fund the top step and replaced this with the Master Teacher Premium. Dr. Clark then states many of Idaho's teachers who are leaving the profession are going to neighboring states because they pay more money and the Board must deal with the issue of how to retain the best and brightest teachers. Dr. Clark continues the second issue is mentoring, reminding Board members the state gave up a strong mentoring program several years ago and has been struggling to put it back in place. Finally, Dr. Clark states both of these elements require a tremendous amount of attention before the Board should change the responsibility of the community colleges.



Dr. Schwarz then comments there is a tremendous amount of brand loyalty within the local community for CSI and although ISU is a wonderful partner, feedback from CSI's constituents has shown students would have completed programs with CSI if the program were available.

There were no additional questions or comments from the Board.

2. College of Southern Idaho – Bachelor of Applied Science – Advanced Food Technology

## **BOARD ACTION**

**M/S (Westerberg/Scoggin): To approve the request by the College of Southern Idaho to create a new program that will award a Bachelor of Applied Science in Advanced Food Technology in substantial conformance to the program proposal submitted as Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Instruction, Research & Student Affairs (IRSA) Committee member, Mr. Richard Westerberg, introduced the item and then invited Dr. Todd Schwarz, Executive Vice President and Chief Academic Officer for College of Southern Idaho (CSI), to present the program proposal to the Board.

Dr. Schwarz begins by sharing with Board members the Bachelor of Applied Science in Advanced Food Technology was developed in response to requests from local industry to educate the workforce they currently need and plan to increase into the future. Dr. Schwarz continues many of CSI's expected student body are currently employed in the industry and would like to advance in their career and the most frequent opportunities for advancement occur in supervision or management positions, both of which require a candidate to have a Bachelor's degree.

There were no questions or comments from the Board.

3. Board Policy III.C. Graduate Medical Education – First Reading

## **BOARD ACTION**

**M/S (Westerberg/Soltman): To approve the first reading of proposed Board Policy III.C. as provided in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Instruction, Research & Student Affairs (IRSA) Committee member, Mr. Richard Westerberg, introduced the item and then invited the Board's Chief Academic Officer, Dr. Randall Brumfield, to present the proposal to the Board.

Dr. Brumfield begins by sharing with Board members the proposed policy will establish the Graduate Medical Education Committee to coordinate the states 10 year graduate medical education plan and that the committee will consist of no more than 30 members to be appointed by the Board for no more than 5 years with a chair and vice-chair serving for 2 years.

The Board's Executive Director, Mr. Matt Freeman, adds the legislature approved funding for a coordinator to help facilitate this work, however, the Board did not receive funding for a Full Time Position (FTP).

Board member Soltman then asked if Dr. Ted Epperly, President and CEO of Family Medicine Residency of Idaho, was involved in the drafting of the proposed policy to which Dr. Brumfield responds in the affirmative as well as the drafting of the committee charter.

There were no additional questions or comments from the Board.

#### 4. Board Policy III.E. Certificates and Degrees – First Reading

### **BOARD ACTION**

**M/S (Westerberg/Soltman): To approve the first reading of proposed amendments to Board policy III.E. Certificates and Degrees as submitted in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Instruction, Research & Student Affairs (IRSA) Committee member, Mr. Richard Westerberg, introduced the item and then invited the Board's Chief Academic Officer, Dr. Randall Brumfield, to present the proposed amendments to the Board.

Dr. Brumfield begins by sharing with Board members the intent of the proposed amendments is to update the definition to baccalaureate degree to clarify that coursework may include academic and technical courses. Dr. Brumfield then adds the proposed amendments were drafted with assistance from the Provosts and Chief Academic Officers from each of the state's institutions.

Board member Westerberg then states it is essential the Board have a clear definition of what an applied degree is.

There were no additional questions or comments from the Board.

5. Board Policy III.Y. Advanced Opportunities – First Reading

**BOARD ACTION**

**M/S (Westerberg/Atchley): To approve the first reading of proposed amendments to Board Policy III.Y. Advanced Opportunities as submitted in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Instruction, Research & Student Affairs (IRSA) Committee member, Mr. Richard Westerberg, introduced the item and then invited the Board's Chief Academic Officer, Dr. Randall Brumfield, to present the proposed amendments to the Board.

Dr. Brumfield begins by sharing with Board members the Advanced Placement® (AP) Program, as defined in Board Policy III.Y., is administered by The College Board and allows a high school student to earn college credit based upon their score on a national AP exam. Currently Board policy provides institutions the discretion to accept a student's AP exam score to award college credit or advance standing, however, the proposed amendments would require institutions to award academic credit consistently for an AP scores of 3, 4, and 5 to satisfy general education requirements, major requirements, and/or elective credit requirements for degree completion with the option for institutions to award more credit for scores of 4 or 5. Additionally the proposed amendments would require the Board office to review the validity of the credits awarded every three years.

Board member Soltman then asks how the proposed amendments would address inconsistencies and thresholds currently experienced with the awarding of AP credits. Dr. Brumfield responds approval of the proposed amendments would establish that credit be awarded for any exam score of three or higher. Mr. Soltman then asks how credit will be awarded for an exam score of 4 or 5 to which Dr. Brumfield responds the baseline would be a score of 3.

Board member Scoggin then asks why the proposed amendments would not create a consistent approach for AP exam scores of 3, 4 and 5 to which Dr. Brumfield responds currently there is not complete uniformity across the system making it difficult to apply a consistent approach to how scores are credited. Board President Clark adds this issue is not exclusive to Idaho but is one encountered nationwide and is one reason why students elect to take dual credit courses over AP courses because they will know exactly how many credits they have earned as they enter college. Dr. Brumfield then comments the possibility of aligning courses with AP exams could be added as an item for discussion at the GenEd Summit in September.

There were no additional questions or comments for the Board.

6. Board Policy III.Z. Planning and Delivery of Postsecondary Programs and Courses – First Reading

**BOARD ACTION**

**M/S (Westerberg/Scoggin): To approve the first reading of proposed amendments to Board Policy III.Z, Planning and Delivery of Postsecondary Programs and Courses as submitted in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Instruction, Research & Student Affairs (IRSA) Committee member, Mr. Richard Westerberg, introduced the item and then invited the Board's Chief Academic Officer, Dr. Randall Brumfield, to present the proposed amendments to the Board.

Dr. Brumfield begins by sharing with Board members the proposed amendments to Board policy III.Z would authorize 2-year institutions to partner with 4-year institutions for delivery of baccalaureate programs, allow community colleges to serve as designated institutions for applied baccalaureate degrees for their service region, and allow for a memorandum of understanding (MOU) to be developed between 4-year and 2-year institutions when more than one institution shares the same service region for the delivery of academic or technical credit.

Board member Westerberg then comments the materials supporting the requested changes indicate the University of Idaho (UI) and Boise State University (BSU) deliver Applied Baccalaureate Degrees; however, these two institutions do not have a technical mission. Dr. Brumfield explains Board staff was not comfortable with rendering a decision on whether to limit these two institutions to which Mr. Westerberg responds if the institution does not have a technical mission than they should be excluded.

Interim Provost and Vice President for Academic Affairs for Boise State University, Dr. Tony Roark, explains to Board members BSU has a long standing Bachelor of Applied Science Program that is very robust, degree completion program, and the university would be reticent to lose the program which would occur if BSU were to be excluded from the policy. Mr. Westerberg then states it was his misunderstanding this degree was offered at BSU. He then directed Board staff to remove UI and to leave BSU intact.

Board member Atchley then comments both the University of Idaho (UI) and College of Southern Idaho (CSI) have an assigned Food Science Degree, and while one offers an academic degree and the other an applied degree, should both institutions have an obligation to work together in the food science area. Board member Westerberg responds by stating the Board should work to refine language that requires collaboration among the institutions in this type of situation.

There were no additional questions or comments from the Board.

## PLANNING, POLICY AND GOVERNMENTAL AFFAIRS (PPGA)

### 2. Idaho Public Television – Annual Report

This item was provided in the agenda materials as an information item.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited the General Manager of Idaho Public Television, Mr. Ron Pisaneschi, to present his annual report to the Board.

At the end of the presentation, Board member Soltman thanked Mr. Pisaneschi for his presentation and for raising the quality of productions provided to the citizens of Idaho.

There were no additional questions or comments from the Board.

### 3. 2019 Legislative Ideas

## BOARD ACTION

**M/S (Soltman/Scoggin): I move to approve the Legislative Ideas expressed here this morning as 1 through 6 and to authorize the Executive Director to submit these and additional proposals as necessary through the Governor’s legislative process.**

The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then reminded Board members of the directive from the Governor’s Office that all state agencies, commissions and boards submit only mission critical legislation for the upcoming session. Board member Soltman then requested the Board’s Chief Planning and Policy Officer, Ms. Tracie Bent, present a summary of the proposed legislative ideas.

Ms. Bent begins by sharing with Board members a total of five (5) legislative ideas were submitted to the Board for consideration; four (4) from the institutions and one (1) from Board staff. Ms. Bent then provided a brief overview of the items submitted, beginning with Board staff’s recommendation for legislation related to Seed Certification that, if enacted, would no longer require the Board go through the formal rule promulgation process for seed certification. Ms. Bent continues the Board submitted this same legislation last year, however, during the 2018 Legislative Session, the Potato Commission requested the legislation be held and that a broader group composed of the University of Idaho’s College of Agriculture and the various agricultural commissions be formed to look at more holistic changes to the section of code. If the broader group were to form consensus and bring forward a consensus piece of legislation, the consensus legislation would be brought to the Board for consideration in lieu of this item.

Ms. Bent continues the second legislative idea is a proposed constitutional amendment submitted by the University of Idaho and is substantially similar to the Agricultural Endowment – CAFÉ Dairy legislative idea approved by the Board in 2017. During the last session, this legislation was held in the House Agriculture Committee due to questions raised by legislators as to the constitutionality of the proposed legislation.

The third legislative idea, submitted by North Idaho College (NIC) is a request to eliminate the community college tuition cap but leave in place the percentage restriction. Ms. Bent states NIC is very close to meeting the cap and would like the ability to set tuition exceeding the cap if necessary. Ms. Bent continues the fourth legislative idea, submitted by Lewis-Clark State College (LCSC), would allow LCSC to expand their program offerings and finally, the fifth legislative idea, submitted by UI, is a proposed statute change to address the concerns associated with the Agricultural Endowment-CAFÉ Dairy legislation.

Board member Atchley then requests clarification on the percentage restriction language included in NIC's legislative idea to which Ms. Bent responds the community colleges are limited by the percent in which they can increase tuition each year. Board member Atchley then asks if the intent is to eliminate the cap and allow fees to increase every year to which Ms. Bent responds the local Board of Trustees for each community college sets the tuition for their college and the intent is to remove the \$2,500 cap; but retain the allowable percentage increase.

Board member Scoggin then requested a placeholder for any recommendations that come from the Operational Systems Integration Consultant Request for Proposals (RFP) the Board office is currently forming.

Board member Westerberg then asks if the request from LCSC is related to specific programs they would like to offer to which Provost and Vice President for Academic Affairs for Lewis-Clark State College, Dr. Lori Stinson responds LCSC has long been considering requesting the ability to offer graduate programs in select areas, specifically nursing education and teacher education.

Board member Soltman then reminds Board members again of the Governor's request to limit any legislative ideas to mission critical items and it is his opinion the items submitted do not rise to that level, with the exception of the Seed Certification legislation.

There were no additional questions or comments from the Board.

#### 4. Institution, Agency, and Special/Health Programs Strategic Plans

### **BOARD ACTION**

**M/S (Soltman/Westerberg): To approve the FY2019 – FY2024 strategic plans as submitted in Attachments 1 through 23.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited the Board's Chief Planning and Policy Officer, Ms. Tracie Bent to provide an overview of the plans to the Board.

Ms. Bent reminds Board members the institutions, agencies and special/health programs under the oversight of the Board are required to submit an updated strategic plan each year that must encompass, at a minimum, the current year and four years going forward and, once approved, the Board office will submit the plans to the Division of Financial Management by July 1, 2018.

There were no questions or comments from the Board.

At this time, the Board recessed for lunch, returning at 12:30 pm MST.

5. Division of Career Technical Education – Extension of Limited Occupational Certificates

## **BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by the Division of Career Technical Education to waive the three year limit of the interim certificate in IDAPA 08.02.02.015.06.b. for one year for those individuals listed in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited the Board's Chief Planning and Policy Officer, Ms. Tracie Bent to provide an overview of the request to the Board.

Ms. Bent begins by sharing with Board members administrative rule limits interim certificates to three years and they are nonrenewable. Idaho's Career & Technical Education cohort program included individuals with an interim certificate that will expire this year. The proposal before the Board today is a request for an extension to allow these individuals to complete their program.

There were no questions or comments from the Board.

6. Apply Idaho – Private Institution Participation

**BOARD ACTION**

**M/S (Soltman/Scoggin): To approve the participation of Northwest Nazarene University and College of Idaho, in Apply Idaho, contingent upon the terms and conditions in a Memorandum of Understanding that will be drafted by Board staff and authorize the Executive Director to execute the Memorandum of Understanding on behalf of the Board.** The motion carried 4-1 with Ms. Atchley voting Nay. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited the Board's Chief Fiscal Officer, Mr. Carson Howell to provide an overview of the request to the Board. Mr. Howell was asked to present this item to the Board based upon his involvement in the development of the Apply Idaho portal during his time as the Board's Director of Research.

Mr. Howell begins by sharing with the Board approval of this item would provide Idaho high school students the ability to select participating private, non-profit institutions within the Apply Idaho application. Mr. Howell then states the private, non-profit institutions that have expressed an interest in participating in Apply Idaho understand that in order for the Board office to evaluate and improve the Apply Idaho application, it would be necessary to provide information back to the Board office on enrollment and student progress. Finally, Mr. Howell shares Board approval is only for participation in Apply Idaho and would not affect the Board's Direct Admissions initiative.

Board member Atchley then states her discomfort with this request, noting the two institutions, Northwest Nazarene University and College of Idaho, are not under the purview of the Board and because of this, the Board has no control over their admission policies and no process in place to address any issues that may arise during the application process.

There were no additional questions or comments from the Board.

7. Board Policy I.E. Executive Officers, V.I. Real and Personal Property and Services, and V.U. Entertainment and Related Expenses – Second Reading

**BOARD ACTION**

**M/S (Soltman/Westerberg): To approve the second reading of proposed amendments to Board Policy Section I.E. Executive Officers, as submitted in Attachment 1.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**



**M/S (Soltman/Atchley): To approve the second reading of proposed amendments to Board Policy Section V.I. Real and Personal Property and Services, as submitted in Attachment 2.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

**AND**

**M/S (Soltman/Westerberg): To approve the second reading of proposed amendments to Board Policy Section V.U. Entertainment Related Expenses, as submitted in Attachment 3.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited the Board's Chief Planning and Policy Officer, Ms. Tracie Bent to provide an overview of the request to the Board.

Ms. Bent begins by sharing with Board members this is a second reading of the proposed amendments to Board Policy Section I.E. and approval of the amendments would eliminate the requirements for presidential housing, automobile allowance and entertainment expenses from Board policy.

Board member Scoggin then asks if the proposed amendments would still allow institution presidents access to funds for the purpose of fundraising and other work they are expected to perform in a social setting. Ms. Bent responds in the affirmative, however, the funds must be from non-state sources and could not be a part of the compensation package. Board member Scoggin then asks if these amendments could possibly limit a president's fund raising ability and performance of other duties as required.

Board President Clark then comments this emanated from discussions by Board of what should be in the president contracts. Board member Scoggin then asks how long the language has existed in policy to which Ms. Bent responds a minimum of eight (8) years.

There were no additional questions or comments from the Board.

8. Boise State University – Board Policy I.J. Use of Institutional Facilities and Services – First Reading

## **BOARD ACTION**

**M/S (Soltman/--): To approve the first reading of Board policy I.J. Use of Institutional Facilities and Services, adding two additional locations to the list of approved locations for alcohol service at Boise State University in conjunction with student athletic events as specified in Attachment 1.** There was no second and the motion failed.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited Vice President for Campus Operations for Boise State University (BSU), Ms. Randi McDermott, to present the proposal to the Board.

Ms. McDermott shares with Board members BSU's request includes the DeChevrieux Field as an outdoor alternative for pre-game events planned for the Caven Williams Sports Complex in conjunction with NCAA football as well as the Alumni and Friends Center for pre-game events in conjunction with NCAA basketball games.

There were no questions or comments from the Board.

#### 9. Boise State University – Alcohol Service 2018 Student Athletic Events

### **BOARD ACTION**

**M/S (Soltman/Scoggin): To approve the request by Boise State University for alcohol service in full compliance with all applicable provisions of Board Policy I.J., including sections I.J.2.c., d, and e as applicable to the location. Alcohol services are provided for the 2018-2019 football and basketball season in the following locations: for pre-game football: Caven-Williams Sports Complex, Allen Noble Hall of Fame, the Alumni & Friends Center; to approve in-suite service in the Stueckle Sky Center; and to approve pre-game service in the following location for basketball: the Double R Ranch Club Room in the Taco Bell Arena and to also include the Famous Idaho Potato Bowl, Spring Football Game, and Conference Championship Game if applicable. The motion carried 4-1 with Mr. Westerberg voting Nay. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item, sharing with Board members the item before the Board today is a reauthorization of Boise State University's alcohol service as provided for under Board Policy I.J.

There were no questions or comments from the Board.

#### 10. Idaho State University – Alcohol Service 2018 Home Football Games

### **BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by Idaho State University to establish secure areas as specified in Attachment 1 and 2 for the purpose of allowing alcohol service during pre-game activities under all of the conditions outlined in Board policy I.J. subsection 2.c. for the 2018 football season. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item sharing with Board members approval of the motion today

would allow Idaho State University (ISU) to continue with limited alcohol service at football games during the 2018 season.

There were no questions or comments from the Board.

11. University of Idaho – Alcohol Service 2018 Home Football Games – Pre-Game Events

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by the University of Idaho to establish a secure area on the Student Activities Field and North Kibbie Field under the conditions set forth in this request and in full compliance with all of the provisions set forth in Board policy I.J.2., for the purpose of allowing alcohol service during the 2018 football season, including post-season home games, and the spring 2019 football scrimmage, with a post-season report brought back to the Board. The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item sharing with Board members approval of the motion today would allow the University of Idaho (UI) to serve alcohol in the approved areas within the limits of Board policy I.J.

There were no questions or comments from the Board.

12. University of Idaho – Alcohol Service 2018 Home Football/Basketball Games – Suite Club Seating

**BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by the University of Idaho to allow alcohol service during the 2018 football season, the spring 2019 football scrimmage, and the 2018-19 basketball season, in the Litehouse Center/Bud and June Ford Club Room located in the ASUI-Kibbie Activity Center under the conditions outlined in Board Policy I.J. subsection 2.c. The motion carried 4-1 with Mr. Westerberg voting Nay. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.**

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item sharing with Board members approval of the motion today would allow the University of Idaho (UI) to expand alcohol service to home basketball games.

Board member Scoggin then asked what other locations the Board has allowed for the sale and consumption of alcohol during home basketball games, to which Board President Clark responded Taco Bell Arena on the campus of Boise State University.

There were no additional questions or comments from the Board.

### 13. University of Idaho – Alcohol Permit, 2018 Home Football Games – Tailgating

#### **BOARD ACTION**

**M/S (Soltman/Atchley): To approve the request by the University of Idaho for authority to establish tailgating areas where consumption of alcohol by game patrons may occur in parking lots 34, 57, 57E and 110 as shown in Attachment 1 and under the conditions set forth in this request and in full compliance with all provisions set forth in Board policy I.J.2 during the 2018 football season, including post-season home games, and the spring 2019 football scrimmage, with a post-season report brought back to the Board.** The motion carried 3-2 with Mr. Scoggin and Mr. Westerberg voting Nay. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.

Planning, Policy and Governmental Affairs (PPGA) Committee member, Mr. Don Soltman, introduced the item and then invited General Counsel for the University of Idaho (UI), Mr. Kent Nelson, to present the request to the Board.

Mr. Nelson shares UI's request before the Board today seeks approval from the Board to allow consumption of alcohol by home football game patrons tailgating in designated areas on the UI campus.

Board member Scoggin asks if UI has requested Board approval to allow tailgating in previous years to which Mr. Nelson responds in the negative, adding, this is the first year UI has had the ability to request approval from the Board to allow tailgating activities on campus and that tailgating activities occurring in previous years were a violation of Board policy.

Board President Clark then asks if UI was directed to bring their plan to the Board for approval to which the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, responds the recent policy change allows for tailgating with Board approval on an annual basis.

Board member Scoggin then comments Board members are appointed to the State Board of Education; however, it is his opinion the Board spends an inordinate amount of time not on the education of children, but on the adult entertainment of non-students. Mr. Scoggin then asks if there are other locations where the Board has allowed for tailgating, to which Dr. Clark responds Boise State University (BSU), however, it is her understanding tailgating on the BSU campus is tied to an agreement with the Boise City Police Department. Vice President for Campus Operations for Boise State University

(BSU), Ms. Randi McDermott, confirms this and adds BSU is in compliance with Board policy. Board member Scoggin then comments it would be his preference not to allow an expansion of the use of alcohol on campus, however, the Board must be consistent in its approval of the use of alcohol on campus.

Board member Soltman then reminds the Board the change in policy was due in part to UI's desire for the Board to take formal action, from a liability standpoint, on the definition of tailgating and where such activities could be authorized. Mr. Nelson confirms this and adds the desire of UI has been for the Board to provide institutions the ability to recognize tailgating was occurring on their campus and to better control bad conduct resulting from such activities. Board member Scoggin then asks if it is UI's belief that individuals will not become overly intoxicated as long as the activity is confined to an approved area. Mr. Nelson responds alcohol is a problem on every campus across the nation and the revised policy will now allow UI to better predict where there may be issues.

Ms. Bent then comments the Board had not previously approved tailgating at BSU and the current year is the first year where tailgating would be permitted, pending Board approval. Ms. Bent continues BSU's previous motion (Tab 9 of the PPGA Agenda), did not include a request for tailgating.

Board member Westerberg comments some individuals may view his nay vote as a moral judgement; however, this is not the case. Mr. Westerberg continues he does not believe the ability for an institution to provide alcohol improves their mission of educating students and if the Board continues to allow for an increase in the availability of alcohol and alcohol consumption on campus, they risk increasing the likelihood of a negative incident.

Board member Soltman then asks representatives from Boise State University (BSU) and Idaho State University (ISU) if it was their intent to submit a request for tailgating for the 2018-2019 football season to the Board for approval. Representatives from both institutions answered in the affirmative. Ms. Bent confirmed that BSU's agenda item did include a proposal to allow alcohol in designated tailgating areas; however, ISU did not submit a proposal with their agenda material. Board President Clark asked if they needed a decision at this time or could wait until the August Board meeting. Both institutions answered in the affirmative. Dr. Clark then suggested both BSU and ISU submit their requests for tailgating to the Board at the regular Board meeting in August.

## **ELECTION of OFFICERS**

### **BOARD ACTION**

**M/S (Westerberg/Scoggin): To appoint Dr. Linda Clark as Board President, Debbie Critchfield as Vice President, and Dr. David Hill as Secretary.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting. The positions of the new officers take effect immediately.

## **OTHER BUSINESS**

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

## **BOARD ACTION**

**M/S (Westerberg/Soltman): To adjourn the meeting at 1:11 pm Mountain Time.** The motion carried 5-0. Ms. Critchfield, Dr. Hill and Superintendent Ybarra were absent from voting.