

**CONSENT  
AUGUST 16, 2018**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
1	<b>BAHR - SECTION II – BOISE STATE UNIVERSITY – EASEMENT – ADA COUNTY HIGHWAY DISTRICT</b>	Motion to Approve
2	<b>BAHR - SECTION II –UNIVERSITY of IDAHO– EASEMENT RELEASE – UI SPACE AT NORTH IDAHO COLLEGE’S MOLSTEAD LIBRARY</b>	Motion to Approve
3	<b>BAHR - SECTION II – LEWIS-CLARK STATE – DONATION OF FUNDS MOVED FROM THE COLLEGE TO THE LCSC FOUNDATION</b>	Motion to Approve
4	<b>BAHR – SECTION II – CYBERCORE C3 FIRE EASEMENT</b>	Motion to Approve
5	<b>IRSA – QUARTERLY REPORT FOR PROGRAMS APPROVED BY THE EXECUTIVE DIRECTOR</b>	Information Item
6	<b>PPGA – ALCOHOL PERMITS REPORT – PRESIDENT APPROVED</b>	Motion to Approve
7	<b>PPGA – DATA MANAGEMENT COUNCIL APPOINTMENTS</b>	Motion to Approve
8	<b>PPGA – STATE REHABILITATION COUNCIL APPOINTMENTS</b>	Motion to Approve
9	<b>PPGA – ACCOUNTABILITY OVERSIGHT COMMITTEE APPOINTMENTS</b>	Motion to Approve
10	<b>PPGA – IDAHO STATE UNIVERSITY – ALCOHOL DURING TAILGATING</b>	Motion to Approve
11	<b>PPGA – BOISE STATE UNIVERSITY – ALCHOL DURING TAILGATING</b>	Motion to Approve

**CONSENT**  
**AUGUST 16, 2018**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
12	<b>SDE – ASSESSMENT BIAS AND SENSITIVITY COMMITTEE APPOINTMENTS</b>	Motion to Approve

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**CONSENT**  
**AUGUST 16, 2018**

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**BOISE STATE UNIVERSITY**

**SUBJECT**

Conveyance of easement to Ada County Highway District

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures Section V.I.5.b.

**ALIGNMENT WITH STRATEGIC PLAN**

The conveyance of an easement agenda item is a non-strategic Board governance agenda item.

**BACKGROUND/DISCUSSION**

Boise State University (BSU) requests permission to grant an easement to the Ada County Highway District (ACHD) for the purpose of placing a pedestrian crossing signal and crosswalk on the north side of University Drive and Lincoln Avenue. The size of the conveyance is approximately 550 square feet. A map detailing the location of the proposed easement is included in Attachment 1.

**IMPACT**

Board approval will allow ACHD to move forward with the installation of the crossing signal. The additional signal will allow students to cross one street instead of two to get to the main campus or BSU housing. It is expected that the additional crossing will reduce incidents of jaywalking, thereby increasing student safety.

**ATTACHMENTS**

Attachment 1 – Proposed Easement Agreement

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends approval.

**BOARD ACTION**

I move to approve the request by Boise State University to grant an easement to the Ada County Highway District as outlined in Attachment 1.

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

Project Name: University Dr & Lincoln Ave Pedestrian Crossing  
Project No. 21655  
Name: Idaho State Board of Education  
R/W Parcel No: 1 & 2  
T3N, R2E, Sec 15  
APN: S1015120612 & S1010346610

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(Reserved for Ada County Recorder)

## **PERMANENT EASEMENT**

THIS PERMANENT EASEMENT (the "Easement"), is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, by and between, **Idaho State Board of Education**, hereinafter referred to as "GRANTOR," and ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho, hereinafter referred to as "ACHD."

WITNESSETH:

FOR GOOD AND SUFFICIENT CONSIDERATION, IT IS AGREED:

### **SECTION 1. Recitals.**

1.1 GRANTOR owns the real property located in Ada County, Idaho more particularly described on Exhibit "A" attached hereto and by this reference incorporated herein (hereinafter "Servient Estate").

1.2 ACHD has jurisdiction over the public highways, including sidewalks, and public rights-of-way which adjoin and are adjacent to the Servient Estate (hereinafter the "Dominant Estate").

1.3 ACHD desires to obtain an easement on, over and across the Servient Estate for the purposes hereinafter described, and, for the consideration and on the terms and conditions hereinafter set forth, GRANTOR is willing to grant such easement to ACHD.

### **SECTION 2. Grant of Easement and Authorized Uses.**

GRANTOR hereby grants to ACHD a permanent exclusive easement over and across the Servient Estate for use by the public, including pedestrians and bicyclists, and the following uses and purposes:

- (a) placement of a Public Right-of-Way (as defined in Idaho Code, section 40-117);
- (b) construction, reconstruction, operation, maintenance and placement of necessary culverts, sluices, drains, ditches, waterways, embankments, retaining walls, grade separation structures, roadside improvements, pedestrian facilities, and any other structures, works or fixtures incidental to the preservation or improvement of an adjacent Highway ;
- (c) statutory rights of ACHD, utilities and irrigation districts to use the Public Right-of-Way.

### **SECTION 3. Permanent Easement; Covenants Run with the Land.**

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, disability or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ACHD service, program or activity.

EBTR Permanent Easement - 1  
(2/11/14)

Project Name: University Dr & Lincoln Ave Pedestrian Crossing  
Project No. 21655  
Name: Idaho State Board of Education  
R/W Parcel No: 1 & 2  
T3N, R2E, Sec 15  
APN: S1015120612 & S1010346610

This is a permanent easement. This Easement, and the covenants contained herein shall be a burden upon the Servient Estate and shall run with the land. The Easement and the covenants and agreements made herein shall inure to the benefit of and be binding upon, ACHD and GRANTOR, and Grantor's successors and assigns to the Servient Estate.

**SECTION 4. Appurtenant.**

The Easement herein granted is appurtenant to the Dominant Estate and a burden on the Servient Estate.

**SECTION 5. Maintenance.**

ACHD shall maintain the physical integrity of any facilities constructed by ACHD on the Servient Estate in good condition and repair and as required to satisfy all requirements of applicable laws, the policies of ACHD and sound engineering practices. The repair and maintenance of such facilities shall be at the sole cost and expense of ACHD; provided if the damage to such facilities is as a result of the activities of GRANTOR, GRANTOR'S guests, invitees, contractors or agents, the repair shall be at the sole cost and expense of GRANTOR. This Section shall not release GRANTOR'S obligation to provide routine maintenance required under any applicable state or local law, ordinance or regulation as to any pedestrian facilities that may be placed on the Servient Estate.

**SECTION 6. Indemnification.**

ACHD shall, subject to the limitations hereinafter set forth, indemnify, save harmless and defend regardless of outcome GRANTOR from expenses of and against suits, actions, claims or losses of every kind, nature and description, including costs, expenses and attorney fees caused by or arising out of any negligent acts by the ACHD or the ACHD's officers, agents and employees while acting within the course and scope of their employment, which arise from or which are in any way out of ACHD's construction, use and maintenance on the Servient Estate. Any such indemnification hereunder by the ACHD is subject to the limitations of the Idaho Tort Claims Act (currently codified at chapter 9, title 6, Idaho Code). Such indemnification hereunder by the ACHD shall in no event cause the liability of the ACHD for any such negligent act to exceed the amount of loss, damages, or expenses of attorney fees attributable to such negligent act, and shall not apply to loss, damages, expenses, or attorney fees attributable to the negligence of GRANTOR.

**SECTION 7. Recordation.**

This Easement shall be recorded in the Official Real Property Records of Ada County, Idaho.

TO HAVE AND TO HOLD this Easement unto the ACHD forever.

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, disability or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ACHD service, program or activity.

EBTR Permanent Easement - 2  
(2/11/14)

Project Name: University Dr & Lincoln Ave Pedestrian Crossing  
Project No. 21655  
Name: Idaho State Board of Education  
R/W Parcel No: 1 & 2  
T3N, R2E, Sec 15  
APN: S1015120612 & S1010346610

GRANTOR covenants to ACHD that ACHD shall enjoy the quiet and peaceful possession of the Servient Estate; and, GRANTOR warrants to ACHD that GRANTOR is lawfully seized and possessed of the Servient Estate and has the right and authority to grant this Easement to ACHD.

IN WITNESS WHEREOF, the undersigned have caused this Easement to be executed the day, month and year first set forth above.

GRANTOR:  
Idaho State Board of Education

\_\_\_\_\_  
By:  
Its:

\_\_\_\_\_  
By:  
Its:

STATE OF IDAHO       )  
                                  ) ss.  
County of Ada        )

On this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me,  
\_\_\_\_\_, a Notary Public in and for the State of Idaho, personally  
appeared, \_\_\_\_\_, known or identified to me to be the  
\_\_\_\_\_ who executed this instrument on behalf of **Idaho**  
**State Board of Education.**

(SEAL)

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, disability or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ACHD service, program or activity.

EBTR Permanent Easement - 3  
(2/11/14)

Ada County Highway District  
Project No. 21655.0  
University Dr/Lincoln Ave Pedestrian Crossing

• Parcel 1 •

**Permanent Easement Description**

An easement located in the NW ¼ of the NE ¼ of Section 15, Township 3 North, Range 2 East, Boise Meridian, and being a part of *Parcel A* shown on Record of Survey No. 9382 found on file as Instrument No. 113019959 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at a 5/8" diameter iron pin marking the intersection of *University Drive* and *Lincoln Avenue* from which a 5/8" diameter iron pin marking the intersection of *University Drive* and *Manitou Avenue* bears S 89°48'00" E a distance of 990.64 feet as shown on Record of Survey No. 9382 found on file as Instrument No. 113019959 in said office of the Recorder;

Thence N 89°48'00" W a distance of 33.00 feet to a point on the westerly right-of-way of *University Drive*;

Thence N 0°24'14" E along said westerly right-of-way a distance of 33.00 feet to the POINT OF BEGINNING;

Thence continuing N 0°24'14" E a distance of 20.04 feet to a point;

Thence leaving said westerly right-of-way N 89°35'46" W a distance of 5.00 feet to a point;

Thence S 0°24'14" W a distance of 20.06 feet to a point;

Thence S 89°48'00" E a distance of 5.00 feet to the POINT OF BEGINNING.

This parcel contains 100 square feet (0.002 acres) and is subject to any other easements, existing or in use.

Prepared by: Glenn K. Bennett, PLS  
Civil Survey Consultants, Incorporated  
May 24, 2018



Ada County Highway District  
Project No. 21655.0  
University Dr/Lincoln Ave Pedestrian Crossing

• Parcel 2 •

**Permanent Easement Description**

An easement located in the NW ¼ of the NE ¼ of Section 15, Township 3 North, Range 2 East, Boise Meridian, and being a part of *BOISE STATE COLLEGE* as shown in Book 26 of Plats at Page 1618 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at a 5/8" diameter iron pin marking the intersection of *University Drive* and *Lincoln Avenue* from which a 5/8" diameter iron pin marking the intersection of *University Drive* and *Manitou Avenue* bears S 89°48'00" E a distance of 990.64 feet as shown on Record of Survey No. 9382 found on file as Instrument No. 113019959 in said office of the Recorder;

Thence S 89°48'00" E along the centerline of said *University Drive* a distance of 70.50 feet to a point;

Thence leaving said centerline N 0°12'00" E a distance of 42.00 feet to a point on the northerly right-of-way of *University Drive* and the POINT OF BEGINNING;

Thence N 89°48'00" W along said northerly right-of-way a distance of 4.24 feet to a point;

Thence a distance of 51.95 feet along the arc of a 33.00 foot radius curve right, said curve having a central angle of 90°12'14" and a long chord bearing N 44°41'53" W a distance of 46.75 feet to a point on the easterly right-of-way of *University Drive*;

Thence N 0°24'14" E along said easterly right-of-way a distance of 4.22 feet to a point;

Thence leaving said easterly right-of-way S 44°42'47" E a distance of 52.72 feet to the POINT OF BEGINNING.

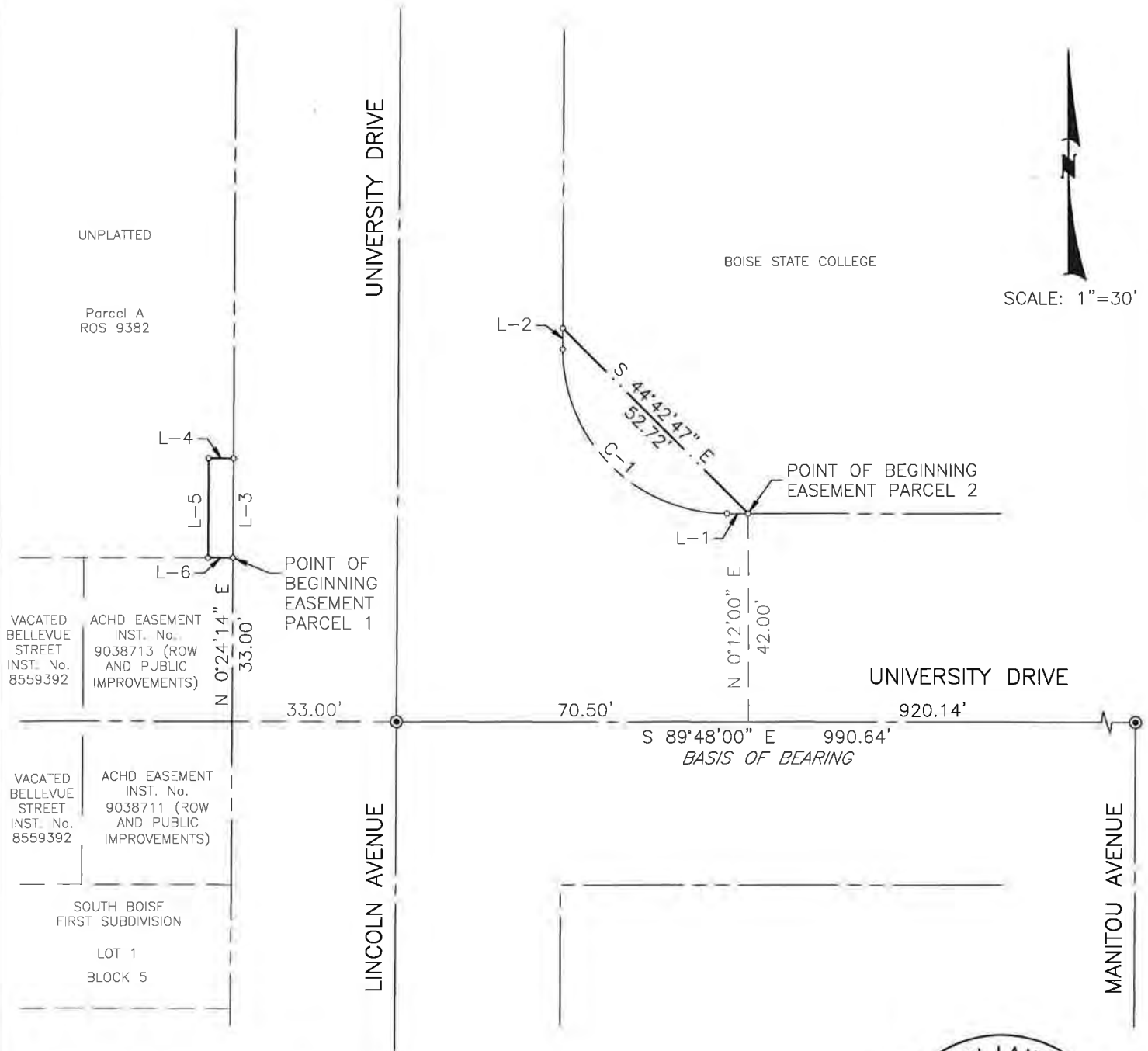
This parcel contains 462 square feet (0.011 acres) and is subject to any other easements, existing or in use.

Prepared by: Glenn K. Bennett, PLS  
Civil Survey Consultants, Incorporated  
May 24, 2018





SKETCH TO ACCOMPANY PERMANENT EASEMENT DESCRIPTIONS  
IN THE NW 1/4 OF THE NE 1/4 OF SECTION 15,  
TOWNSHIP 3 NORTH, RANGE 2 EAST, BOISE MERIDIAN,  
ADA COUNTY, IDAHO



## LINE DATA

LINE	BEARING	DISTANCE
L-1	N 89°48'00" W	4.23'
L-2	N 0°24'14" E	4.22'
L-3	N 0°24'14" E	20.04'
L-4	N 89°35'46" W	5.00'
L-5	S 0°24'14" W	20.06'
L-6	S 89°48'00" E	5.00'

## CURVE DATA

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BRNG.
C-1	100.00°	33.12	33.12	46.75	46.75	N 44°41'53" E



CIVIL SURVEY CONSULTANTS, INC.  
2893 SOUTH MERIDIAN ROAD  
MERIDIAN, IDAHO 83642  
(208)888-4312



**CONSENT**  
**AUGUST 16, 2018**

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**UNIVERSITY OF IDAHO**

**SUBJECT**

Release of Regents easement rights at North Idaho College's (NIC's) Molstead Library, Coeur d'Alene.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section V.I.5.b(2).

**ALIGNMENT WITH STRATEGIC PLAN**

Partial release of an easement permitting University of Idaho (UI) administrative office use at NIC's Molstead Library does not correspond with strategies established by the Board's strategic plan, but does accomplish a practical business action for UI.

**BACKGROUND/DISCUSSION**

In 1989 the Regents acquired an easement to occupy a portion of a building on the NIC campus now known as the Molstead Library. UI pays NIC for the annual operating costs of the UI easement space. This space includes classrooms still utilized by UI and an office space that has not been used by UI since 2002, when most UI administrative functions were relocated to another UI facility.

After UI's office uses were re-located out of UI's space in the Molstead Library, UI leased that vacated space to NIC for their administrative functions. UI has collected rent from NIC in an amount that is equivalent to the operating costs billed to UI by NIC for the remainder of that easement space being used for UI classrooms and which shall be retained by the Regents for continuing classroom use on the NIC campus.

UI is proposing to release the portion of the easement area it no longer occupies or anticipates using in the future. In return the release of these easement rights is conditioned upon NIC providing operating services (utilities and janitorial) to UI's classrooms at no cost, and for so long as UI occupies the remaining easement area.

**IMPACT**

The proposed easement release will have no financial impact as it perpetuates the existing financial arrangement between the two institutions but releases a portion of office space no longer needed by UI and provides building services for classroom space that is needed by UI.

**ATTACHMENTS**

Attachment 1 – Draft Partial Release of Space Easement

**CONSENT**  
**AUGUST 16, 2018**

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**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends approval.

**BOARD ACTION**

I move to approve the request by the University of Idaho to authorize the Vice President for Finance and Administration for the University of Idaho to execute all necessary transaction documents for conveying the subject property rights in the manner presented in Attachment 1.

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

**PARTIAL RELEASE OF SPACE EASEMENT**

This Partial Release of Space Easement is made and entered on the date of the last signature set forth below, by University of Idaho ("U of I"). Signature on behalf of North Idaho College ("NIC") demonstrates acceptance of this Partial Release.

**RECITALS**

WHEREAS, U of I and NIC entered into that certain Agreement Creating Classroom and Administrative Space Easement (the "Space Easement") dated October 20, 1989 for the purpose of NIC granting U of I an easement to use and occupy certain classroom and administrative space in NIC's Molstead Library (the "Easement Area"). A diagram of the Space Easement Area is attached hereto as Exhibit A (and shown as the shaded area);

WHEREAS, in addition to granting U of I classroom and administrative space, Section 3 of the Space Easement also provided for U of I to pay NIC a pro rata share of cleaning and maintenance costs for NIC's cleaning and maintenance of the Easement Area.

WHEREAS, in consideration of NIC providing to U of I, at no cost, the same level of cleaning and maintenance in the "University of Idaho Classrooms" (as depicted in Exhibit A) that is described by Section 3 of the Space Easement, U of I has agreed to release its easement right to the administrative space of the Easement Area, which comprises approximately 1454 square feet of the Easement Area (the "Administrative Space") at no cost to NIC;

NOW, THEREFORE, for good, valuable and sufficient consideration, the receipt of which is hereby acknowledged, U of I hereby agrees that the Space Easement shall be, and hereby is, amended to effectuate U of I's release of its easement right to the Administrative Space, and NIC hereby acknowledges that U of I shall no longer pay for the cleaning and maintenance performed by NIC as provided by Section 3 of the Space Easement. Thus, as of the date of the last signature below the area the "Easement Area" shall refer only to the classroom space, consisting of approximately 5,046 square feet. A depiction of the revised Easement Area (which includes only the shaded classroom space) is attached hereto as Exhibit B. This revised Easement Area shall replace any prior depiction of the Easement Area.

**IN WITNESS WHEREOF**, U of I has executed this Partial Release of Space Easement as of the date set forth below, and NIC accepts this Partial Easement Release.

**University of Idaho**

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_

**North Idaho College**

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_



Revised 4/2018





#23 Molstead Library (MOL)  
Second Floor

GSF=22,660  
NSF=19,744

Revised 4/2018

**CONSENT**  
**AUGUST 16, 2018**

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**LEWIS-CLARK STATE COLLEGE**

**SUBJECT**

Approval of donation moved from Lewis-Clark State College (LCSC) to the LCSC Foundation

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section V.E.2.a.v.

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 1: A Well Educated Citizenry, Objective A: Access. The result of this decision will better allow students to receive scholarships and permanent financial relief, thus allowing more students access with lesser debt.

**BACKGROUND/DISCUSSION**

An emeritus faculty member donated funds to set up an emergency loan fund via memorial donations. The funds were transferred to the Native American Minority Student Services local account upon receipt. The emergency loan fund was established and annual fundraisers were organized to benefit the emergency loan fund.

The donor is now requesting that his donations, which total \$8,956 and the fundraiser monies, which total \$11,411, be repurposed into a scholarship. This would require a transfer of \$20,167 from Lewis-Clark State College to the LCSC Foundation. The donor shared that the loan may be difficult for students to repay and his intent is to support students without them taking on additional financial debt. He believes a scholarship better fits his wishes.

The LCSC Foundation staff recognizes that all future fundraiser monies generated for the new scholarship must be directly deposited with the Foundation.

**IMPACT**

There is no financial impact to the institution although it creates a slight efficiency. This provides a scholarship for students resulting in simplicity in distribution and oversight compared to a small loan fund.

**STAFF COMMENTS AND RECOMMENDATIONS**

Board Policy V.E. states that if the transfer of funds from the institution to the foundation is greater than \$10,000, approval must be obtained from the Board unless the donor inadvertently directed the contribution to the institution that was intended for the foundation. The original contribution was made to the institution, but the donor asked that the funds be used as a scholarship instead of a loan fund.

Staff recommends approval.



**CONSENT**  
**AUGUST 16, 2018**

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**BOARD ACTION**

I move to approve the request by Lewis-Clark State College to transfer \$20,167 from Lewis-Clark State College to the LCSC Foundation as requested by the donor.

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

**CONSENT**  
**AUGUST 16, 2018**

---

**SUBJECT**

Easement to be granted at the Cybercore and C3 buildings in Idaho Falls, Idaho.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section V.I.5.b.ii.

**ALIGNMENT WITH THE STRATEGIC PLAN**

The conveyance of an easement agenda item is a non-strategic Board governance agenda item.

**BACKGROUND/DISCUSSION**

The Cybercore Integration Center and the Collaborative Computing Center (C3) buildings are currently under construction. As stated in the INL release for the groundbreaking, the Cybercore Integration Center will host advanced electronics labs for industry, government and academia to work together in engineering cyber and physical security innovations for critical infrastructure, like the power grid. The C3 will provide a modern computing environment where INL researchers, Idaho universities, and industry can develop new nuclear materials, advance nuclear energy concepts and conduct other scientific research.

The construction of these two buildings requires authorization from the Board to approve fire easements.

**IMPACT**

Approval for the fire department easements is required for construction of the buildings.

**ATTACHMENTS**

Attachment 1 – Proposed Easement

**STAFF COMMENTS AND RECOMMENDATIONS**

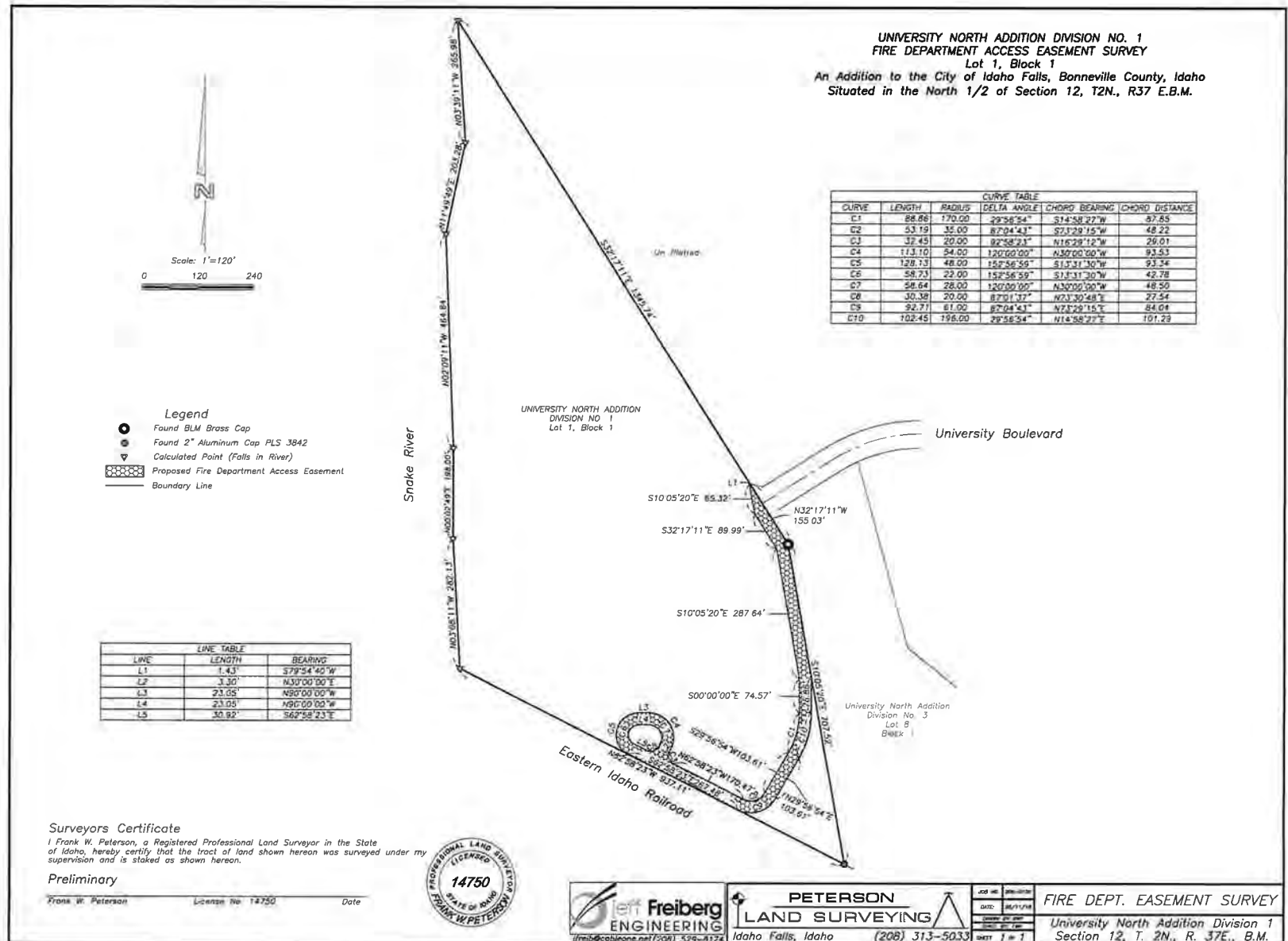
Amendments to Board Policy V.I. are also on the agenda and would allow institutions, schools, and agencies to execute easements for emergency services among other things without prior Board approval. Without amendments to the policy, Board approval is required.

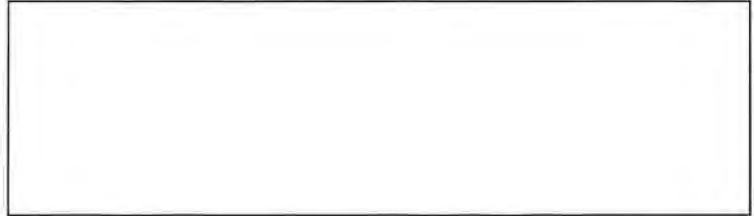
Staff recommends approval.

**BOARD ACTION**

I move to approve the easement as submitted to the Board in Attachment 1, and to authorize the Executive Director to execute the easement and any related transactional documents.

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



**GRANT OF EASEMENT**

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, between THE STATE OF IDAHO BY AND THROUGH THE STATE BOARD OF EDUCATION, hereinafter referred to as "GRANTOR", and the CITY OF IDAHO FALLS, a municipal corporation, P.O. Box 50220, Idaho Falls, Idaho 83405, County of Bonneville, hereinafter referred to as "GRANTEE".

**WITNESSETH**

For and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration paid by GRANTEE, the receipt of which is hereby acknowledged, GRANTOR hereby grants, bargains and conveys unto GRANTEE, and its successors and assigns forever, a permanent fire access easement over, across and under the following described real estate, situated in the County of Bonneville, State of Idaho, to-wit:

All that portion of land describe as "**FIRE DEPARTMENT ACCESS EASEMENT AREA**" on the Record of Survey filed with the Office of the Recorder for Bonneville County as Instrument No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,

This easement may be used as a fire apparatus access road per the definition described therein the 2009 International Fire Code, the GRANTOR or their heirs, successors or assigns, shall comply with all requirements of this code as it is adopted per City of Idaho Falls Code 7-10-1, and GRANTEE shall have the right, at GRANTOR'S or the heirs, successors or assigns, expense, to remove, cut, trim any trees, brush, ornamental shrubbery or plants, or other obstructions on said premises which may injure or interfere with the use thereof by the GRANTEE for such purposes. Such right may be exercised without prior notice to GRANTOR or its heirs, successors or assigns.

GRANTOR or its heirs, successors or assigns further agree that they will hold the GRANTEE or its licensees, or permittees harmless from damage incurred to any items constructed on, over or under these premises described, that was constructed or permitted to be constructed by the servient estate subsequent to this instrument.

GRANTOR further agrees it will construct no permanent structures upon the premises described, including but not limited to buildings constructed on permanent foundations, light posts, sign posts or other structures which are not readily movable with nominal expense.

To have and to hold unto GRANTEE and its successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its hand and seal on this day and year first above written.

\_\_\_\_\_  
Matt Freeman

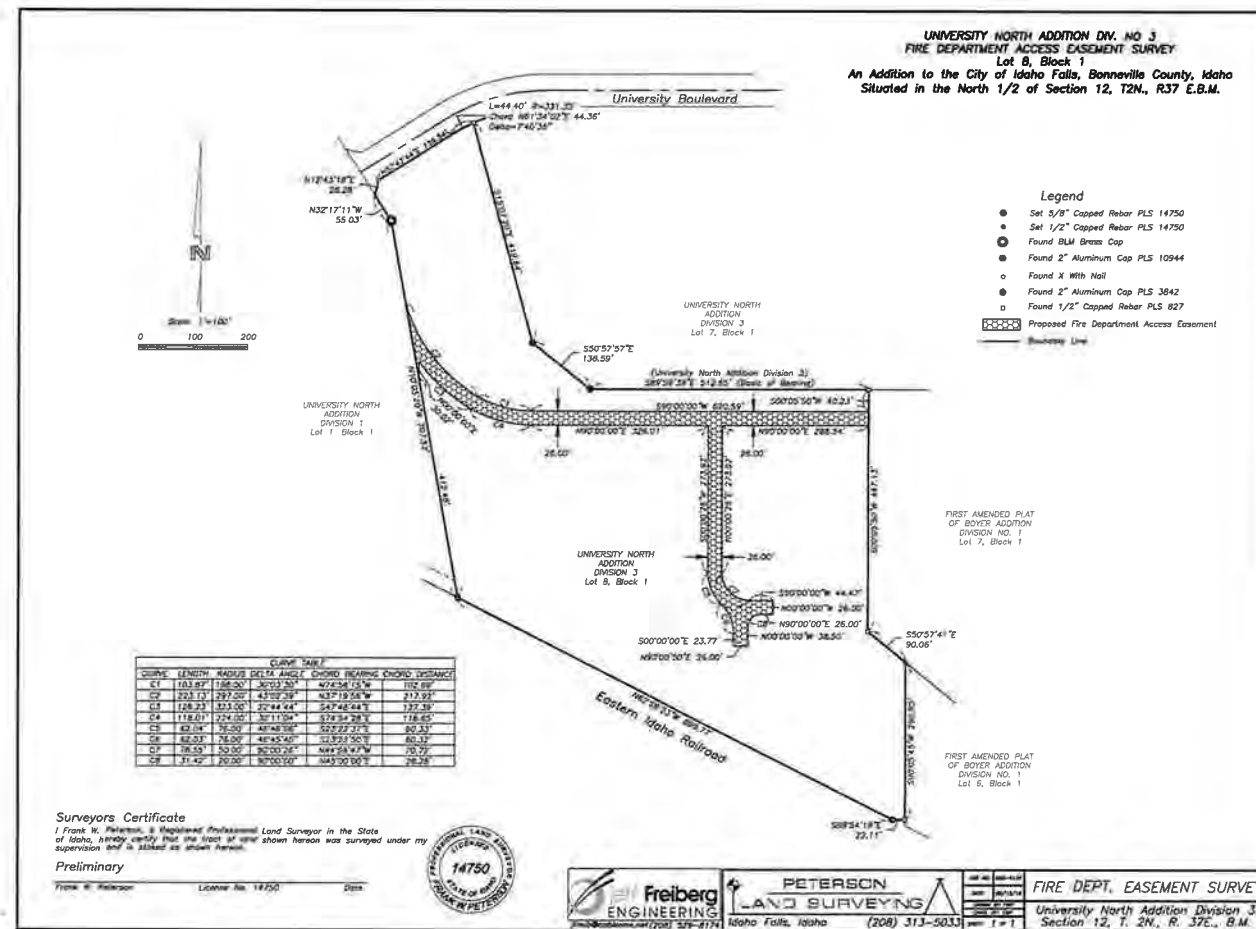
Executive Director

STATE OF IDAHO                    )  
  ) ss:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018 before me, the undersigned, a notary public, in and for said State, personally appeared \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_ of \_\_\_\_\_, a limited liability company, and whose name is subscribed to the within instrument and acknowledged to me that he is authorized to execute the same for and on behalf of said \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public of Idaho  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**GRANT OF EASEMENT**

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, between THE STATE OF IDAHO BY AND THROUGH THE STATE BOARD OF EDUCATION, hereinafter referred to as "GRANTOR", and the CITY OF IDAHO FALLS, a municipal corporation, P.O. Box 50220, Idaho Falls, Idaho 83405, County of Bonneville, hereinafter referred to as "GRANTEE".

**WITNESSETH**

For and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration paid by GRANTEE, the receipt of which is hereby acknowledged, GRANTOR hereby grants, bargains and conveys unto GRANTEE, and its successors and assigns forever, a permanent fire access easement over, across and under the following described real estate, situated in the County of Bonneville, State of Idaho, to-wit:

All that portion of land describe as "**FIRE DEPARTMENT ACCESS EASEMENT AREA**" on the Record of Survey filed with the Office of the Recorder for Bonneville County as Instrument No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,

This easement may be used as a fire apparatus access road per the definition described therein the 2009 International Fire Code, the GRANTOR or their heirs, successors or assigns, shall comply with all requirements of this code as it is adopted per City of Idaho Falls Code 7-10-1, and GRANTEE shall have the right, at GRANTOR'S or the heirs, successors or assigns, expense, to remove, cut, trim any trees, brush, ornamental shrubbery or plants, or other obstructions on said premises which may injure or interfere with the use thereof by the GRANTEE for such purposes. Such right may be exercised without prior notice to GRANTOR or its heirs, successors or assigns.

GRANTOR or its heirs, successors or assigns further agree that they will hold the GRANTEE or its licensees, or permittees harmless from damage incurred to any items constructed on, over or under these premises described, that was constructed or permitted to be constructed by the servient estate subsequent to this instrument.

GRANTOR further agrees it will construct no permanent structures upon the premises described, including but not limited to buildings constructed on permanent foundations, light posts, sign posts or other structures which are not readily movable with nominal expense.

To have and to hold unto GRANTEE and its successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its hand and seal on this day and year first above written.

\_\_\_\_\_  
Matt Freeman

Executive Director

STATE OF IDAHO                    )  
  ) ss:  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018 before me, the undersigned, a notary public, in and for said State, personally appeared \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_ of \_\_\_\_\_, a limited liability company, and whose name is subscribed to the within instrument and acknowledged to me that he is authorized to execute the same for and on behalf of said \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public of Idaho  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**CONSENT**  
**AUGUST 16, 2018**

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**SUBJECT**

Programs and Changes Approved by Executive Director - Quarterly Report

**REFERENCE**

April 2017

Board received quarterly report.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures, Section III.G.8.a., Postsecondary Program Approval and Discontinuance

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 2: Educational Attainment – Idaho's public colleges and universities will award enough degrees and certificates to meet the education and forecasted workforce needs of Idaho residents necessary to survive and thrive in the changing economy.

Goal 3: Workforce Readiness, Objective A: Workforce Alignment. IV. Increase in postsecondary programs tied to workforce needs; and Objective B: Medical Education. V. Medical related postsecondary programs (other than nursing).

**BACKGROUND/DISCUSSION**

In accordance with Board Policy III.G.3.c.i. and 4.b, prior to implementation the Executive Director may approve any new, modification, and/or discontinuation of academic or career technical education programs with a financial impact of less than \$250,000 per fiscal year.

Consistent with Board Policy III.G.8.a., the Board office is providing a quarterly report of program changes from Idaho's public postsecondary institutions that were approved between April 2018 and July 2018 by the Executive Director.

**ATTACHMENTS**

Attachment 1 – List of Programs and Changes Approved by the Executive Director

**IMPACT**

The report will provide the Board with a complete list of new academic and career technical programs and changes approved by the Executive Director over a three-month period consistent with Board Policy III.G.

**BOARD ACTION**

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

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**CONSENT**  
**AUGUST 16, 2018**

**Academic Programs**

Approved by Executive Director  
April 2018 and July 2018

<b>Institution</b>	<b>Program Changes</b>
BSU	Discontinue MA, Art Education
BSU	Discontinue BS in Pre-Professional degrees: Pre-Medical, Pre-Dental, Pre-Veterinary Medicine
CSI	Discontinue AA, Geography
CSI	Discontinue AA, Criminal Justice – Correctional Specialist Emphasis
CWI	New AS in Computer Science
CWI	New AS in Engineering
CWI	New AS in STEM – Mathematics Department
UI	Discontinue Bachelor of Science in Physical Education

<b>Institution</b>	<b>Other Program Changes</b> (Does not require approval but requires notification to OSBE per policy III.G.)
BSU	<ul style="list-style-type: none"> <li>• Create a new Middle School Mathematics Endorsement</li> <li>• Graduate Certificate in History for Second Educators</li> <li>• Create two new emphases in Ed.D. Curriculum and Instruction <ul style="list-style-type: none"> <li>○ Counselor Education and Supervision</li> <li>○ Educational Leadership</li> </ul> </li> </ul>
BSU	Name change from Department of Art to the Department of Art, Design and Visual Studies
BSU	MBA track name change – from Part-Time Program to Professional Program
BSU	M.Ed in ENL name change – from Master of Education in English to Master of Education in Teaching English to Speakers of Other Languages
BSU	Creation of new Cyber-Physical System certificates: <ul style="list-style-type: none"> <li>• Hardware and Firmware Focus</li> <li>• Industrial Control Focus</li> <li>• Power Systems Focus</li> <li>• Software Focus</li> </ul>
CWI	Create the following academic certificates: <ul style="list-style-type: none"> <li>• Biotechnology Laboratory Assistant certificate (12 credits)</li> <li>• Geographic Information Systems Certificate (18 credits)</li> </ul>
ISU	Kasiska Division of Health Sciences modifications/reorganization <ul style="list-style-type: none"> <li>• School of Nursing to College of Nursing</li> <li>• School of Rehabilitation and Communication Sciences to College of Rehabilitation and Communication Sciences</li> <li>• School of Health Professions to College of Health Professions</li> <li>• Move programs housed in Office of Medical and Oral Health to the College of Health Professions (Dental Hygiene, Dental Sciences, Family Medicine, and Physician Assistant Studies)</li> </ul>

**CONSENT**  
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<b>Institution</b>	<b>Other Program Changes</b> (Does not require approval but requires notification to OSBE per policy III.G.)
ISU	Name change from M.A. in Historical Resources Management to an M.A. in History

**Career and Technical Education Programs**  
**Approved by Executive Director**

<b>Institution</b>	<b>Program Changes</b>
CEI	Discontinue BTC for the MCSA option and MCSE option within the computer technologies program
CEI	Discontinue AAS/ITC in Applied Accounting
CEI	Discontinue ATC, Marketing and Management within Business Technology program
CEI	Discontinue ATC, Web Development Specialist
CEI	Discontinue AAS/BTC in Office Technology
CWI	Discontinue BTC, Heavy-Equipment Technician 1 and 2
CWI	Discontinue AAS/ACT, Heavy-Equipment Welding and Fabrication
CWI	Discontinue AAS/ATC, Powersports and Small Engine Repair
CWI	Discontinue BTC, Heavy-Duty Truck Technician 1 and 2
LCSC	Add ITC, Web Design option under Business Technology & Service program

<b>Institution</b>	<b>Other Program Changes</b> (Does not require approval but requires notification to OSBE per policy III.G.)
CEI	Program Name Changes <ul style="list-style-type: none"> <li>• Business Technology to Business Management</li> <li>• Web Development to Web Application Development</li> </ul>
CEI	Program Change: <ul style="list-style-type: none"> <li>• Change name of program from AAS for Apprenticeship and Journeyman to AAS, Apprenticeship</li> <li>• Include HVAC programs in the AAS</li> </ul>

**CONSENT**  
**AUGUST 16, 2018**

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**SUBJECT**

Institution President Approved Alcohol Permits

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**ALIGNMENT WITH STRATEGIC PLAN**

Governance/Oversight required through Board policy to assure a safe environment for students conducive to the institutions mission of educating students.

**BACKGROUND/DISCUSSION**

The chief executive officer of each institution may waive the prohibition against possession or consumption of alcoholic beverages only as permitted by, and in compliance with, Board policy. Immediately upon issuance of an Alcohol Beverage Permit, a complete copy of the application and the permit shall be delivered to the Office of the State Board of Education, and Board staff shall disclose the issuance of the permit to the Board no later than the next Board meeting.

The last update presented to the Board was at the Regular June 2018 Board meeting. Since that meeting, Board staff has received twenty-five (25) permits from Boise State University, six (6) permits from Idaho State University, nine (9) permits from the University of Idaho and one (1) permits from Lewis-Clark State College.

Attachment 1 lists the alcohol permits that have been approved by the President's since the last Board meeting.

**ATTACHMENTS**

Attachment 1 - List of Approved Permits by Institution

**BOARD ACTION**

I move to accept the report on institution president approved alcohol permits.

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

**CONSENT  
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**ATTACHMENT 1**

<b>APPROVED ALCOHOL SERVICE AT BOISE STATE UNIVERSITY March 2018 – January 2019</b>				
<b>EVENT</b>	<b>LOCATION</b>	<b>Institution Sponsor</b>	<b>Outside Sponsor</b>	<b>DATE (S)</b>
Brandsource Regional Meeting	Stueckle Sky Center		X	6/05/2018
Bronco Dairy Booster Auction	Stueckle Sky Center	X		6/08/2018
Western Watershed Art Auction and Reception	Student Union Building		X	6/09/2018
Singaore CEO Retirement Celebration	Stueckle Sky Center		X	6/17/2018
Buddy Guy	Morrison Center		X	6/21/2018
Salt and Light Summer Gala	Stueckle Sky Center		X	6/21/2018
Idaho SBDC Director Retirement	COBE	X		6/21/2018
Ron White Comedy Show	Morrison Center		X	6/22/2018
Tedeschi Trucks Band	Morrison Center		X	6/23/2018
Intermountain Gas Company Reception	Stueckle Sky Center		X	6/26/2018
The Illusionists Adam Trent	Morrison Center		X	6/26/2018
Financial Seminar	COBE	X		6/27/2018
Janitorial Trade Show	Stueckle Sky Center	X		6/27/2018
Celebration of Life – Ray Flachbart	Stueckle Sky Center		X	7/23/2018
Albertsons Produce Department Celebration	Stueckle Sky Center		X	7/25/2018
Venture College Mixer	Venture College	X		8/09/2018
1988 Nampa High School Class Reunion	Alumni and Friends Center		X	8/11/2018
Bronco Athletics Meeting	Hall of Fame	X		8/16/2018
Around the world Tour	Alumni and Friends Center	X		8/27/2018
NCA 25 <sup>th</sup> Anniversary Commemoration	Student Union Building	X		9/04/2018
EPRC – Energy Policy Research Conference	Student Union Building	X		9/06/2018
IMGMA	Annual Conference Dinner		X	9/13/2018

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<b>EVENT</b>	<b>LOCATION</b>	<b>Institution Sponsor</b>	<b>Outside Sponsor</b>	<b>DATE (S)</b>
Make a Wish Fundraiser	Stueckle Sky Center		X	9/17/2018
Shinedown/Godsmack Concert	Taco Bell Arena		X	10/09/2018
ECCO Holiday Party	Stueckle Sky Center		X	12/08/2018

**APPROVED ALCOHOL SERVICE AT  
IDAHO STATE UNIVERSITY  
April 2018 – June 2018**

<b>EVENT</b>	<b>LOCATION</b>	<b>Institution Sponsor</b>	<b>Outside Sponsor</b>	<b>DATE (S)</b>
Idaho State Republication Convention	Holt Arena		X	6/28-29/2018
Bramblla Wedding	Stephens Performing Arts Center		X	7/07/2018
Idaho Falls City Club Annual Meeting	Bennion Student Union Building		X	7/11/2018
Dairy West Board Dinner	Alumni House		X	7/17-18/18
Skyline High – High School Reunion	Bennion Student Union Building		X	7/21/2018
Morton/Campbell Wedding	Stephens Performing Arts Center		X	8/18/18

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<b>APPROVED ALCOHOL SERVICE AT UNIVERSITY OF IDAHO June 2018 – November 2018</b>				
<b>EVENT</b>	<b>LOCATION</b>	<b>Institution Sponsor</b>	<b>Outside Sponsor</b>	<b>DATE (S)</b>
Thank You Reception Helane Davis	Menard Law Building Foyer	X		6/15/2018
BVBD Celebration	Commons	X		6/29/2018
VIP Winners Presentation and Reception	Bruce Pitman Center	X		7/11/2018
Admin Retreat	Commons	X		8/08/2018
New Faculty Orientation Dinner	Commons	X		8/13/2018
Alpha Phi 90 <sup>th</sup> Reunion	Bruce Pitman Center	X		9/08/2018
Environmental Science 25 <sup>th</sup> Anniversary	Education Building West Lawn	X		9/22/2018
Confucius Institute Day	Legacy Point Idaho Water Center	X		9/25/2018
Vandal Sports Properties Sponsor Hospitality	Kibbie North Field		X	11/10/2018

<b>APPROVED ALCOHOL SERVICE AT LEWIS-CLARK STATE COLLEGE August 2018</b>				
<b>EVENT</b>	<b>LOCATION</b>	<b>Institution Sponsor</b>	<b>Outside Sponsor</b>	<b>DATE (S)</b>
Art on the Fly Programming	Gallery	X		8/09/2018



**CONSENT**  
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**SUBJECT**

Data Management Council Appointments

**REFERENCE**

June 2016	The Board reappointed Georgia Smith, Don Coberly, Chris Campbell, Matthew Rauch and Shari Ellertson to the Data Management Council. The Board appointed Connie Black to the Data Management Council.
June 2017	The Board reappointed Tami Haft, Carson Howell, Todd King, Heather Luchte, and Vince Miller to the Data Management Council.
October 2017	The Board appointed Luke Schroeder to the Data Management Council.
June 2018	The Board reappointed Chris Campbell, Don Coberly, Matthew Rauch, and Georgia Smith to the Data Management Council. The Board appointed Cathleen McHugh to the Data Management Council.

**APPLICABLE STATUTE, RULE, OR POLICY**

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

**ALIGNMENT WITH STRATEGIC PLAN**

GOAL 1: EDUCATIONAL SYSTEM ALIGNMENT: Data Access and Transparency

**BACKGROUND/DISCUSSION**

The Data Management Council (Council) is tasked with making recommendations on the oversight and development of the Educational Analytics System of Idaho (EASI) and oversees the creation, maintenance and usage of this system. There are 12 seats on the Council. The Council consists of:

- One representative from the Office of the State Board of Education.
- Three representatives from public postsecondary institutions, of whom at least one shall be from a community college and no more than one member from any one institution.
- One representative who serves as the registrar at an Idaho public postsecondary institution, which may be from the same institution represented in the section above.
- Two representatives from the State Department of Education.
- Three representatives from a school district, with at least one from an urban district and one from a rural district, and no more than one member from any one district.
- One representative from the Division of Career Technical Education.
- One representative from the Department of Labor.

Each year half of the seats are up for appointment. Each term is two years commencing on July 1<sup>st</sup>. At the June 2018 Regular Board Meeting the Board

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reappointed several members but there were two seats left vacant. A seat reserved for a community college representative become open July 1, due to the completion of Connie Black's term. A seat reserved for a 4-year college or university representative became open July 1, due to the completion of Shari Ellertson's term. The Data Management Council sought nominations of individuals who would be willing to fill those roles and considered those nominations during its annual in-person meeting in mid-July.

**IMPACT**

The appointment of Dale Pietrzak and Dianna J. Renz will result in all seats on the Data Management Council being filled.

**ATTACHMENTS**

Attachment 1 – Current Data Management Council Membership

Attachment 2 – Letter of Interest from Dale Pietrzak

Attachment 3 – Letter of Interest from Dianna J. Renz

**STAFF COMMENTS AND RECOMMENDATIONS**

The Data Management Council met and voted to recommend Dale Pietrzak to the Board for appointment on the Data Management Council. Mr. Pietrzak is currently serving as the Director of Institutional Research and Assessment at the University of Idaho. The Data Management Council also voted to recommend Dianna J. Renz to the Board for appointment on the Data Management Council. Ms. Renz is currently Associate Vice President of Planning, Strategy, and Effectiveness at North Idaho College. The Data Management Council felt that Mr. Pietrzak and Ms. Renz would bring valuable experience and perspective to the Council.

Staff recommends approval.

**BOARD ACTION**

I move to approve the appointment of Dale Pietrzak to the Data Management Council as the representative for a four year college or university for a term effective immediately and expiring on June 30, 2020.

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

I move to approve the appointment of Dianna J. Renz to the Data Management Council as the representative for a community college for a term effective immediately and expiring on June 30, 2020.

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

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**Attachment 1**

**Idaho State Board of Education  
DATA MANAGEMENT COUNCIL  
Current Membership – 7/13/2018**

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Tami Haft  
North Idaho College  
**Term: July 1, 2017 – June 30, 2019**

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Vacant  
Community College  
**Term: July 1, 2018 – June 30, 2020**

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Cathleen McHugh - Chair  
Office of the State Board of Education  
**Term: July 1, 2017 – June 30, 2019**

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Chris Campbell – Vice Chair  
State Department of Education  
**Term: July 1, 2018 – June 30, 2020**

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Todd King  
State Department of Education  
**Term: July 1, 2017 – June 30, 2019**

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Don Coberly  
Boise School District  
**Term: July 1, 2018 – June 30, 2020**

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Heather Luchte - Secretary  
Career & Technical Education  
**Term: July 1, 2017 – June 30, 2019**

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Vacant  
4-year college or university  
**Term: July 1, 2018 – June 30, 2020**

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Vince Miller  
Idaho State University  
**Term: July 1, 2017 – June 30, 2019**

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Matthew Rauch  
Kuna School District  
**Term: July 1, 2018 – June 30, 2020**

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Luke Schroeder  
Kimberly School District  
**Term:  
November 1, 2017 – June 30, 2019**

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Georgia Smith  
Department of Labor  
**Term: July 1, 2018 – June 30, 2020**

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**Attachment 2**

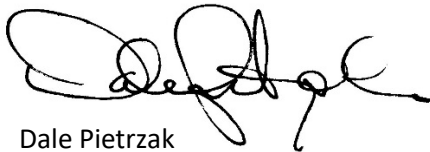
May 23, 2018

Dear Carson and Data Management Council:

I wish to express my interest in being a member of the Data Management Council. I have been involved in data systems, analysis and management in various roles in clinical settings (HIPPA Compliance), k-12 (FERPA Compliance) and Higher Education (FERPA Compliance). As a researcher I have worked with various IRB Boards and processes and am familiar with the various compliance elements relative to the research process as well. I currently serve as the Director of Institutional Effectiveness and Accreditation and for the University of Idaho. In this roll we receive request from internal and external audiences and make determinations about what level and type of data is able to be provided. Additionally we provide/consult with these audiences regarding the type of analysis and analytics that is most likely to be of benefit to them.

I have attached a recent vita if that would be of assistance in this process as well. If there is any additional information that is of assistance please feel free to contact me.

Sincerely,



Dale Pietrzak

Director Institutional Effectiveness & Accreditation  
NWCCU Accreditation Liaison Officer  
Professor in Leadership and Counseling  
Administration Building, Room 201  
875 Perimeter Drive MS 3163  
Moscow, ID 83844-3163  
208-885-7995

To Whom it May Concern:

Please consider this letter as evidence of my interest in serving on behalf of the Idaho community colleges on the statewide Data Management Council. I have served in the field of institutional research within higher education for the past six years, and worked closely with the Wyoming Community College Commission to develop data consistency efforts for community colleges across the state.

During my time working in higher education in the state of Wyoming, the development of a Statewide Longitudinal Database System was a topic of conversation for a number of years. As a part of this project, we researched the work of other states that had been successful in SLDS efforts. By the time I left the state, Wyoming had not succeeded in development of a P-20K SLDS, but some significant movement was made in the right direction.

As an active member of our Wyoming Community Colleges' statewide IR group, I participated in the planning to develop a statewide Business Objects tool that can report comparable data for all Wyoming community colleges. As a part of this effort, we designed a statewide data governance system that addressed creating data definitions with data governance functional groups, and providing input on best measures to use for statewide reporting. Additionally, our statewide IR group worked in collaboration with the Research and Planning office of the Wyoming Department of Workforce Services to obtain employment and wage data of community college graduates.

Although I am new to North Idaho College, I am learning more about the reporting requirements for higher education in the state of Idaho, and am interested in developing open conversations about measures of success and the meaning of specific data points with educational leaders at the State Board of Education. On both the NIC campus and at the state level, I am particularly interested in ensuring leaders have the data they need to make informed decisions.

I would be honored to represent North Idaho College and the State of Idaho in the continuing efforts of the Data Management Council.

Sincerely,

Dianna Renz, Associate Vice President for Planning, Strategy, and Effectiveness

**CONSENT**  
**AUGUST 16, 2018**

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**IDAHO DIVISION OF VOCATIONAL REHABILITATION**

**SUBJECT**

Idaho State Rehabilitation Council Membership (Council) Membership

**REFERENCE**

December 2016	Board appointed Robert Atkins to the Council as a representative for business/industry and labor for a term of three years.
April 2017	Board appointed two new members to the Council and re-appointed three current members to the Council.
June 2017	Board appointed Joe Anderson to the Council for a three-year term.
April 2018	Board reappointed Mike Hauser and Suzette Whiting and appointed Sarah Tueller to the Council.
June 2018	Board appointed Kenna Buckner and Darin Lindig to the Council.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section IV.G.  
Federal Regulations 34 CFR§361.

**ALIGNMENT WITH STRATEGIC PLAN**

GOAL 2: EDUCATIONAL ATTAINMENT: Objective C: Access

**BACKGROUND/DISCUSSION**

Federal Regulations (34 CFR §361.17), set out the requirements for the State Rehabilitation Council, including the appointment and composition of the Council.

The members of the Council must be appointed by the Governor or, in the case of a State that, under State law, vests authority for the administration to an entity other than the Governor, the chief officer of that entity. Section 33-2303, Idaho code designates the State Board for Professional-Technical Education as that entity.

Further federal regulations establish that the Council must be composed of at least fifteen (15) members, including:

- i. At least one representative of the Statewide Independent Living Council, who must be the chairperson or other designee of the Statewide Independent Living Council;
- ii. At least one representative of a parent training and information center established pursuant to section 682(a) of the Individuals with Disabilities Education Act;

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- iii. At least one representative of the Client Assistance Program established under 34 CFR part 370, who must be the director of or other individual recommended by the Client Assistance Program;
- iv. At least one qualified vocational rehabilitation counselor with knowledge of and experience with vocational rehabilitation programs who serves as an ex officio, nonvoting member of the Council if employed by the designated State agency;
- v. At least one representative of community rehabilitation program service providers;
- vi. Four representatives of business, industry, and labor;
- vii. Representatives of disability groups that include a cross section of (A) Individuals with physical, cognitive, sensory, and mental disabilities; and (B) Representatives of individuals with disabilities who have difficulty representing themselves or are unable due to their disabilities to represent themselves;
- viii. Current or former applicants for, or recipients of, vocational rehabilitation services;
- ix. In a State in which one or more projects are carried out under section 121 of the Act (American Indian Vocational Rehabilitation Services), at least one representative of the directors of the projects;
- x. At least one representative of the State educational agency responsible for the public education of students with disabilities who are eligible to receive services under this part and part B of the Individuals with Disabilities Education Act;
- xi. At least one representative of the State workforce investment board; and
- xii. The director of the designated State unit as an ex officio, nonvoting member of the Council.

Additionally, Federal Regulation specify that a majority of the council members must be individuals with disabilities who meet the requirements of 34 CFR §361.5(b)(29) and are not employed by the designated State unit. Members are appointed for a term of no more than three (3) years, and each member of the Council, may serve for not more than two consecutive full terms. A member appointed to fill a vacancy occurring prior to the end of the term must be appointed for the remainder of the predecessor's term. A vacancy in membership of the Council must be filled in the same manner as the original appointment, except the appointing authority may delegate the authority to fill that vacancy to the remaining members of the Council after making the original appointment.

The Council currently has one (1) re-appointment, (1) nomination and one (1) termination for Board approval: The Council would like to re-appoint Mel Leviton to serve a second term as a representative of the State Independent Living Council. The Council would like to nominate Dwight Johnson to represent the Workforce Development Council. Dwight will fill the vacancy left by Gordon Graff whose 2nd term ends August 31, 2018.

**CONSENT**  
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**IMPACT**

The above (1) re-appointment and (1) nomination will bring the Council membership to a total of (17) seventeen. Minimum composition for the council is 15 members.

**ATTACHMENTS**

Attachment 1 – Current Council Membership

**STAFF COMMENTS AND RECOMMENDATIONS**

The requested appointments and reappointments meet the provisions of Board policy IV.G. State Rehabilitation Council, and the applicable federal regulations.

Staff recommends approval.

**BOARD ACTION**

I move to approve the re-appointment of Mel Leviton to the State Rehabilitation Council as a representative for State Independent Living Council for a term of three years effective October 1, 2018, ending September 30, 2021.

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

I move to approve the appointment of Dwight Johnson to the State Rehabilitation Council as a representative for the Workforce Development Council for a term of three years effective September 1, 2018, ending August 31, 2021.

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



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**Attachment 1**

**State Rehabilitation Council Membership as of June 30, 2018**

<b>Members Shall Represent:</b>	<b>Number of Representatives Required</b>	<b>Name</b>	<b>Term Ends</b>
<b>Former Applicant or Recipient</b>	Minimum 1	Joe Anderson	5/31/2020
<b>Parent Training &amp; Information Center...</b>	Minimum 1	Sarah Tueller	6/30/2021
<b>Client Assistant Program</b>	Minimum 1	Dina Flores - Brewer	No end date
<b>VR Counselor</b>	Minimum 1	Suzette Whiting	6/30/2021
<b>Community Rehabilitation Program</b>	Minimum 1	Kenna Buckner	6/30/2021
<b>Business, Industry and Labor</b>	Minimum 4	Lucas Rose	6/30/2020
		Darin Lindig	5/31/2021
		Ron Oberleitner	3/31/2020
		Robert Atkins	12/31/2020
<b>Disability Advocacy groups</b>	No minimum or maximum	Molly Sherpa	3/31/2020
		Janice Carson	3/31/2020
		Mike Hauser	2/28/2021
<b>State Independent Living Council</b>	Minimum 1	Mel Leviton	9/30/2018
<b>Department of Education</b>	Minimum 1	Kenrick Lester	6/30/2020
<b>Director of Vocational Rehabilitation</b>	Minimum 1	Jane Donnellan	No end date
<b>Idaho's Native American Tribes</b>	Minimum 1	Ramona Medicine Horse	No end date
<b>Workforce Development Council</b>	Minimum 1	Gordon Graff/vacating	8/31/2018
		17 Members	

6/22/2018

**CONSENT**  
**AUGUST 16, 2018**

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**SUBJECT**

Accountability Oversight Committee (Committee) Appointment

**REFERENCE**

April 2010	Board approved second reading of Board Policy III.AA, creating the Accountability Oversight Committee.
June 2015	Board approved second reading to amend Board Policy I.Q.
April 2016	Board approved second reading of amendment to Board Policy I.Q. to revise the Accountability Oversight Committee membership by adding a fifth at-large member who has a background in special education.
June 2017	Board approved reappointment of John Goedde and Jackie Thomason.
June 2018	Board approved reappointment of Julian Duffey, Rob Sauer, and Roger Stewart.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section I.Q.  
Accountability Oversight Committee

**BACKGROUND/DISCUSSION**

The Committee was established in April 2010 as an ad-hoc committee of the Idaho State Board of Education. It provides oversight of the K-12 statewide assessment system, ensures effectiveness of the statewide system, and recommends improvements or changes as needed to the Board.

The Committee consists of:

- The Superintendent of Public Instruction or designee,
- Two Board members, and
- Five at-large members appointed by the Board, one of whom must have a special education background.

On July 20, Jackie Thomason notified Board staff that, due to other professional commitments, she was resigning her position on the Accountability Oversight Committee. She has been a member of the committee since its inception and is the outgoing Chair.

The Accountability Oversight Committee discussed the vacancy at its meeting on July 30, 2018, and determined that they would recommend a school district employee with a focus in assessment and accountability fill the vacancy. The committee recommends Jodie Mills for appointment to the committee.

**CONSENT**  
**AUGUST 16, 2018**

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Jodie Mills is the Chief Academic Officer for the Caldwell School District, a position she has held since July 2012. Her role includes administration and supervision of academic and assessment services. She was previously the Systems Improvement Coordinator for the Idaho State Department of Education, supporting implementation of school improvement plans and guiding schools and districts in using data to identify strengths and weaknesses in their system. Ms. Mills also has extensive experience working with school districts and schools, including as a Principal, Assistant Principal, Director of Testing, Director of Federal Programs, and as a Science and Physical Education Teacher. Jodie Mills has a Bachelor of Science in Secondary Education from Western Montana College, a Masters of Education from University of Idaho, and an Education Specialist in Education Leadership / Superintendent from University of Idaho. Her resume is provided as Attachment 2.

**IMPACT**

Approval of Jodie Mills will fill all the at-large seats on the Committee.

**ATTACHMENTS**

Attachment 1 – Current Accountability Oversight Committee Membership  
Attachment 2 – Jodie Mills Resume

**STAFF COMMENTS AND RECOMMENDATIONS**

In order to maintain the rolling committee member terms appointments to seats that become vacant prior to the end of the term are made for the remainder of the term they are filling. Jackie Thomason's term expires on June 30, 2019. Pursuant to Board Policy I.Q., terms run from July 1 through June 30 of the applicable year. In making at-large appointments to the Committee, consideration should be given to the appointees' background, representative district / school size, and regional distribution. Staff recommends approval.

**BOARD ACTION**

I move to approve the appointment of Jodie Mills to the Accountability Oversight Committee effective immediately and ending on June 30, 2019.

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

**CONSENT  
AUGUST 16, 2018**

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**ATTACHMENT 1**

**ACCOUNTABILITY OVERSIGHT COMMITTEE  
JULY 2018**

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State Board of Education Member –  
Ex-Officio

Debbie Critchfield

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State Board of Education Member –  
Ex-Officio

Linda Clark

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Superintendent of Public Instruction or Designee –  
Ex-Officio

Pete Koehler (Designee)  
Deputy Superintendent  
State Department of Education

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Member At Large and Committee Chair  
Term: July 1, 2017- June 30, 2019

Vacant

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Member At Large  
Term: July 1, 2017-June 30, 2019

John Goedde  
Former Idaho State Senator  
Former School Board Trustee, Coeur d'Alene District  
#271

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Member At Large  
Term: July 1, 2018 - June 30, 2020

Roger Stewart  
Professor, College of Education  
Boise State University

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Member At Large  
Term: July 1, 2018 - June 30, 2020

Rob Sauer  
Superintendent  
Homedale School District #370

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Member At Large (Special Education)  
Term: May 19, 2018 - June 30, 2020

Julian Duffey  
Special Education Director  
Bonneville Joint School District #93

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Board Staff Support

Alison Henken  
K-12 Accountability and Projects Program Manager  
Office of the State Board of Education  
[alison.henken@osbe.idaho.gov](mailto:alison.henken@osbe.idaho.gov)  
208-332-1579

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## Jodie M. Mills

6101 South Tarrega Lane • Meridian, Idaho 83642  
Phone: 208.431.4145 • E-Mail: tcjod@hotmail.com



### Objective

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Seeking appointment to the Accountability Oversight Committee.

### Experience

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#### Chief Academic Officer

July 2012 – Current

##### *Caldwell School District #132*

- Administration and supervision of development plans for facilitating professional development programs for teachers and school leaders.
- Administration and supervision of academic and assessment services, including intervention programs. Oversight of the development and monitoring strategies to ensure achievement of performance outcomes and learning goals.
- Collect and analyze all state and district testing data and prepare reports for administration and teachers. Analyze student achievement data with recommendations of strengths, weaknesses and overall trends with sub-populations.
- Administration, supervision and maintenance of all federal and state education budgets associated to all education programs and federal programs.

#### Education Solutions Manager

July 2011 – July 2012

##### *SchoolNet, Inc.*

- Management and supervision of *SchoolNet* deployment: Drafting and implementing overall project plan including risks, milestones, issues, deliverables and timelines
- Management and supervision of all project plans: Professional development, support, communication, assessment, curriculum, strategic planning, data and quality assurance.
- Supervision of all personnel including recommendations for hiring/termination, workload, delegating of assignments, staff training, monitoring and evaluating performance, initiating corrective or disciplinary actions.

#### Systems Improvement Coordinator

July 2009 – July 2011

##### *Idaho State Department of Education*

- Management, implementation and coordination of all school improvement plans for districts and schools identified as "persistently low achieving".
- Collect and analyze all state and district testing data and prepare reports for administration and teachers. Analyze student achievement data with recommendations of strengths, weaknesses and overall trends with sub-populations.
- Provide specific technical assistance and professional development to districts and schools in areas identifies as weak, specifically working with building and district leadership teams.

Jodie M. Mills



**Principal**

**July 2007 – July 2009**

***Burley High School - Cassia County School District #151***

- Administration and supervision of all classroom instruction, standards and benchmark implementation, progress monitoring and formative/summative assessments, and teacher effectiveness.
- Administration and development of all building maintenance and operations including all safety inspections and incident reporting.
- Supervision of all personnel including recommendations for hiring/termination, workload, delegating of assignments, staff training, monitoring and evaluating performance, initiating corrective or disciplinary actions.
- Administration, supervision and maintenance of all building budgets.

**Director of Testing, Data Analysis and Technology**

**July 2009 – July 2011**

***Cassia County School District #151***

- Administration and supervision of all assessments including training, implementation, policies and procedures.
- Administration and oversight of testing, technology and curriculum, including development and monitoring strategies.
- Collect and analyze all state and district testing data and prepare reports for administration and teachers. Analyze student achievement data with recommendations of strengths, weaknesses and overall trends with sub-populations.
- Administration, supervision and maintenance of all assessment and technology plans and budgets.

**Director of Federal Programs and Assessments**

**July 1999 – July 2004**

***Minidoka County School District #331***

- Administration and supervision of all federal and state program requirements, mandates, policies and procedures.
- Administration and supervision of all assessments including training, implementation, policies and procedures.
- Collect and analyze all state and district testing data and prepare reports for administration and teachers. Analyze student achievement data with recommendations of strengths, weaknesses and overall trends with sub-populations.
- Administration, supervision and maintenance of all testing and federal program plans and budgets.

**Assistant Principal**

**January 1997 – July 1999**

***Heyburn Elementary – Minidoka County School District #331***

- Administration and supervision of all student discipline, strategies, interventions and incentives.
- Collect and analyze all state, district and school testing data and prepare reports for administration and teachers. Analyze student achievement data with recommendations of strengths, weaknesses and overall trends with sub-populations.

**Jodie M. Mills**



#### Science/PE Teacher

##### **Minico High School - Minidoka County School District #331**

- General classroom teacher in the area(s) of Biology, Human Anatomy, AP Biology, Honors Biology and Biochemistry; Physical Education and Weights for grades 10-12
- Head Varsity Girls Basketball Coach (1992 – 1999), Assistant Girls Volleyball and Softball Coach (1994, 1996-1998).

#### Education

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- **Education Specialist in Education Leadership/Superintendent** **May, 2005**  
*University of Idaho – Moscow, Idaho*
- **Masters of Education/Education Administration** **May, 1999**  
*University of Idaho – Moscow, Idaho*
- **Bachelor of Science: Secondary Education** **May, 1989**  
*Western Montana College – Dillon, Montana*

#### Education Credentials

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##### **State of Idaho**

**Expire: September 1, 2019**

- Administrator: Superintendent
- Administrator: School Principal (K-12)
- Standard Secondary
  - Biological Sciences (6-12)
  - Physical Education (K-12)
  - Physical Education & Health (6-12)

#### References

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- **Dr. Shalene French** – Superintendent, Caldwell School District #132  
208-455-3300
- **Wendy Johnson** – Superintendent, Kuna School District #3  
208-922-1000
- **Melissa Langan** – Principal, Caldwell School District #132  
208-697-4652
- **Leigh Peebles** – Principal, Caldwell School District #132  
208-615-6691

**CONSENT**  
**AUGUST 16, 2018**

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**IDAHO STATE UNIVERSITY**

**SUBJECT**

Alcohol During Tailgating

**REFERENCE**

2007-2017	Each year the Board has approved a request to establish secure areas for pre-game activities that serve alcohol for the football season.
October 2017	The Board approved revisions to Board Policy I.J. subsection 2.c. and 2.d. establishing designated area's for alcohol service in conjunction with student athletic events and allowing for the consumption of alcohol by game patrons in tailgating areas with prior Board approval.
June 2018	Board approved a request to establish secure areas for pre-game activities that serve alcohol for the 2018 football season.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures, Section I.J. – Use of Institutional Facilities and Services With Regard to the Private Sector  
Idaho Administrative Code, IDAPA 08.01.08 – 100., Possession, Consumption, and Sale of Alcoholic Beverages at Public Higher Education Institutions  
Idaho Administrative Code, IDAPA 38.04.07 – 305, Food and Beverage

**ALIGNMENT WITH STRATEGIC PLAN**

Tailgating activities that serve alcohol are a non-strategic, Board governance agenda item.

**BACKGROUND / DISCUSSION**

Board policy allows consumption of alcohol on campus in conjunction with athletic events provided an acceptable operations and management plan has been provided and approved by the Board annually at the June Board meeting. During the 2007 through 2017 football seasons, Idaho State University operated and managed such plans with Board approval. Those ten years of operation have had no significant adverse incidents and the atmosphere has been operated and managed in a positive and fan- and family-friendly manner.

In accordance with approval granted by the Board for the 2017 football season, Idaho State University reports that the program in place worked well and there were no reports of violations of the policy or Board approved conditions, nor were there incidents of underage drinking. Idaho State University is continuing to work with campus Public Safety, the Pocatello City Police Department, and other officials to provide a controlled area for service of alcohol prior to home football games.



**CONSENT**  
**AUGUST 16, 2018**

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Idaho State University requests Board approval pursuant to SBOE Policy I.J.2.d. to allow consumption of alcohol by home football game patrons who tailgate in designated areas on ISU's campus in Pocatello. Idaho State University will follow all requirements of the Board policy regarding alcohol consumption at tailgating.

The parking lots designated in Attachment 1 will be those used for tailgating where private alcohol may be consumed. Within these areas, authorized game patrons and their private guests may consume alcohol as long as they abide by all local and state laws and regulations governing alcohol usage, including minor in possession and public intoxication.

The timeframe for tailgating each game day that may be authorized by the President shall take place no longer than from between 10:00 am and 10:00 pm. Alcoholic beverages must be in an opaque container without labels or branding of alcohol manufacturers or distributors. Game patrons will not be allowed to take alcohol outside the designated tailgate areas. Idaho State University will not sell alcohol or serve alcohol in the tailgate areas or license or allow any vendor to sell or dispense alcohol in the tailgate area. Only private individuals who are authorized to be in the tailgate area may bring alcohol for personal consumption and that of their guests.

Patrons must access these lots through the marked entrances only.

**IMPACT**

Approval will allow for the consumption of alcohol by game day patrons in the identified parking lots for a time specified by the President, but no longer than the hours between 10:00 am and 10:00 pm.

**ATTACHMENTS**

Attachment 1 - Map of Designated Tailgating Area

**STAFF COMMENTS AND RECOMMENDATIONS**

Idaho Administrative Code, IDAPA 38.04.07.305.02 prohibits the consumption or distribution of alcohol in common spaces of State facilities and IDAPA 08.01.08.100 prohibits the sale, possession or consumption of alcoholic beverages in college or university owned, leased, or operated facilities and on campus grounds, except as provided in the State Board of Education Governing Policies and Procedures. Board Policy Section I.J. sets the provision by which alcohol may legally be sold or consumed in institution facilities.

Board Policy I.J. allows for the chief executive officer to approve limited permits under specific conditions, including the requirement that the events be ticketed or by invitation only, food be provided at the event, the event cannot be in conjunction with any student athletic event and...the chief executive officer must ensure that the decisions to allow possession and consumption of alcoholic beverages are

**CONSENT**  
**AUGUST 16, 2018**

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consistent with the proper image and the mission of the institution.” Amendments made to Board Policy I.J. at the October 2017 Regular Board meeting expanded options for institutions, with Board approval, to serve alcohol in conjunction with NCAA student athletic events under specific conditions and specified locations, including the option to establish “tailgating areas” in Board approved areas and times. Board Policy I.J. requires proposal for alcohol service in conjunction with student athletic events to be submitted to the Board in June.

Idaho State University’s proposal will establish four areas identified in Attachment 1 where game day patrons may consume alcohol and will allow the institution president to set the times as long as they are within the hours of 10:00 am and 10:00 pm. Idaho State University submitted a request to allow alcohol service in conjunction with pre-game events to the Board at the June Board meeting in compliance with the policy requirement. This request did not include a request for approval of alcohol consumption in tailgating areas. Approval of this request at the August Board meeting will require the Board to waive the June submittal requirement.

**BOARD ACTION**

I move to waive the requirement in Board Policy I.J.2.c that “Each year an institution that wishes to seek Board approval must present a written proposal to the Board, at the Board’s regularly scheduled June Board meeting for the ensuing year” one-time for this request.

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

I move to approve the request by Idaho State University for authority to establish tailgating areas where consumption of alcohol by game patrons may occur in the parking lots designated in Attachment 1, and under the conditions set forth in this request, in full compliance with all provisions of Board policy I.J.2 during the 2018 football season.

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



**CONSENT**  
**AUGUST 16, 2018**

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**BOISE STATE UNIVERSITY**

**SUBJECT**

Alcohol during tailgating for the 2018 football season, post-season, Famous Idaho Potato Bowl, and 2019 Spring Game

**REFERENCE**

2013-2017	The Board approved yearly requests to establish secure areas for activities that serve alcohol for the football season, post-season, and spring football game.
October 2017	The Board approved revisions to Board Policy I.J. subsection 2.c. and 2.d. establishing designated area's for alcohol service in conjunction with student athletic events and allowing for the consumption of alcohol by game patrons in tailgating areas with prior Board approval.
June 2018	Board approved a request to allow alcohol service in secure areas for pre-game activities that serve alcohol for the 2018 football season, post-season, Famous Idaho Potato Bowl and 2019 Spring Game. The Board did not take action on a proposal to allow alcohol in designated tailgating areas. The Board denied a request to expand alcohol service to DeChevrieux Field for pregame football activities and the Alumni and Friends Center for pregame basketball activities.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section I.J – Use of Institutional Facilities and Services with Regard to Private Sector  
Idaho Administrative Code, IDAPA 08.01.08 – 100., Possession, Consumption, and Sale of Alcoholic Beverages at Public Higher Education Institutions.  
Idaho Administrative Code, IDAPA 38.04.07 – 305, Food and Beverage

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 1: A Well Educated Citizenry  
Objective A: Access / Objective D: Quality Education

**BACKGROUND/DISCUSSION**

Boise State University (BSU) seeks to enhance the gameday experience by ensuring secure, safe and enjoyable spaces for patrons to gather prior to games. Athletic events serve as strategic opportunities to build relationships with friends, alumni and donors, which often result in contributions that impact scholarships and academic programs for all students.

**CONSENT**  
**AUGUST 16, 2018**

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Current Board policy allows Idaho institutions to seek approval for the sale or consumption of alcoholic beverages in conjunction with NCAA sporting events. For the past twelve seasons, the BSU has consistently received Board approval for the allowance of alcohol service in the Stueckle Sky Center as well as other locations. The University has a history of running successful events with no serious issues or incidents related to the service of alcohol.

In October of 2017, the Board amended Board Policy I.J. to allow alcohol to be consumed, with prior Board approval, at private tailgate spaces that are leased to patrons for home games. The policy now requires BSU to seek approval annually to designate specific parking lots and/or areas of university grounds that will be used for tailgating where alcohol may be consumed by game day patrons.

Accordingly, BSU seeks approval to designate the parking and other limited areas shown in orange in Attachment 1 as tailgate areas for the 2018-2019 football season including the postseason, the Famous Idaho Potato Bowl, and the spring 2019 scrimmage. This includes both traditional parking lot spaces along with some grassy areas where patrons lease small canopies that function the same as traditional parking spaces, albeit without cars. Access to these areas on game day is limited to marked and, in some cases, barricaded entrances where patrons must show proof of authorization to enter.

The University will follow all requirements of Board policy regarding alcohol consumption for tailgating as set forth in Board Policy I.J. Within the tailgate areas, authorized game patrons and their private guests may consume alcohol as long as they abide by all local and state laws and regulations governing alcohol usage including, but not limited to, minor in possession or consumption of alcoholic beverages, public intoxication, and Boise City Code 6-01-15, Unlawful Consumption of or Possession of Alcoholic Beverages in a Public Place.

The game day timeframe during which tailgating with alcohol consumption that may be authorized by the President will fall between 10:00 AM and 10:00 PM, per Board policy. Generally, access to tailgate spaces is limited to four hours before kickoff and lasts until one hour after the game ends; however, this can vary depending on kickoff time and the day of the week that the game is scheduled. Because of this variance, the University seeks approval to allow tailgating for some or all of the time on each game day, between the hours of 10:00 AM and 10:00 PM, as authorized by the President.

Alcohol beverages must be held in an opaque container that is not labeled or branded by an alcohol manufacturer or distributor. Alcohol may not be taken from the designated tailgate area into any other area. The University will not sell alcohol, serve alcohol in the tailgate area nor license, or allow any vendor to sell or dispense alcohol in the tailgate area. Only game patrons who have purchased a

**CONSENT**  
**AUGUST 16, 2018**

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space may bring alcohol into the tailgate area for personal use by themselves and their guests.

**IMPACT**

Approval will allow Boise State University to provide pre-game fan experiences for game patrons who leased or licensed tailgate spaces and their private guests. The University does not anticipate any added expense with the new policy as security has been in place in years past for all tailgate areas. This plan also aligns with provisions provided for in the Boise City Code, and thus matches enforcement plans of Boise City Police.

**ATTACHMENT**

Attachment 1 – Layout – Tailgate areas

**STAFF COMMENTS AND RECOMMENDATIONS**

Idaho Administrative Code, IDAPA 38.04.07.305.02 prohibits the consumption or distribution of alcohol in common spaces of State facilities and IDAPA 08.01.08.100 prohibits the sale, possession or consumption of alcoholic beverages in college or university owned, leased, or operated facilities and on campus grounds, except as provided in the State Board of Education Governing Policies and Procedures. Board Policy Section I.J. sets the provision by which alcohol may legally be sold or consumed in institution facilities.

Board Policy I.J. allows for the chief executive officer to approve limited permits under specific conditions, including the requirement that the events be ticketed or by invitation only, food be provided at the event, the event cannot be in conjunction with any student athletic event and...the chief executive officer must ensure that the decisions to allow possession and consumption of alcoholic beverages are consistent with the proper image and the mission of the institution.” Amendments made to Board Policy I.J. at the October 2017 Regular Board meeting expanded options for institutions, with Board approval, to serve alcohol in conjunction with NCAA student athletic events under specific conditions and specified locations, including the option to establish “tailgating areas” in specific parking lots or limited areas of university grounds and times with prior Board approval. Board Policy I.J. requires proposal for alcohol service in conjunction with student athletic events to be submitted to the Board in June.

Boise State University submitted a proposal to allow the consumption of alcohol by game patrons in designated areas for the June Board meeting. The Board did not take action on that request at the June Board meeting. Boise State University’s proposal will establish four areas identified in Attachment 1 where game day patrons may consume alcohol and will allow the institution president to set the times as long as they are within the hours of 10:00 am and 10:00 pm. Boise State University’s request includes designating a large portion of DeChevrieux Field as an tailgating area where the consumption of alcohol will be allowed. Board Policy I.J. does allow for “parking lots or limited areas of university grounds with

**CONSENT**  
**AUGUST 16, 2018**

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controlled access” to be designated. The Board rejected a request by Boise State University to designate DeChevrieux Field as an approved location for alcohol service by the institution.

**BOARD ACTION**

I move to approve the request by Boise State University to establish tailgating areas as identified in orange shading in Attachment 1 under the conditions set forth in this request and in compliance with the provisions set forth in Board policy I.J.2. for the 2018-2019 football season, including the postseason, the Famous Idaho Potato Bowl, and the spring 2019 scrimmage.

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

CONSENT  
AUGUST 16, 2018

Boise State University  
2018 Football Season  
Tailgate Areas





**CONSENT**  
**AUGUST 16, 2018**

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**DEPARTMENT OF EDUCATION**

**SUBJECT**

Appointments to the Bias and Sensitivity Committee

**REFERENCE**

November 2014	Board appointed thirty (30) committee members for a two (2) or four (4) year term. A list of ninety (90) additional members were appointed to perform a one-time review.
February 2015	Board approved the removal of an audio clip and associated items per the recommendation of the committee members.
August 2016	Board approved the appointment of committee members.
December 2016	Board disapproved the removal of the three (3) ELA items, one (1) grade 11 passage with five (5) associated items, one (1) grade 8 passage with eleven (11) associated items, and one (1) grade 6 math item.
August 2017	Board approved the appointment of committee members.

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-134, Idaho Code - Assessment Item Review Committee

**ALIGNMENT WITH STRATEGIC PLAN**

Goal 1: A Well Educated Citizenry, Objective D: Quality Education

**BACKGROUND/DISCUSSION**

In accordance with Section 33-134, Idaho Code, the State Department of Education (Department) recommended and the State Board of Education appointed a review committee to ensure that parents, teachers, administrators, and school board members in Idaho's public education system have the opportunity to review the types and kinds of questions used on state assessments. The law requires a committee of thirty (30) individuals in each of the six (6) educational regions in the state. Each region is represented by two (2) parents, one (1) teacher, one (1) school board member, and one (1) public or charter school administrator. Committee members shall serve a term of four (4) years.

This committee is to review all summative computer adaptive test questions for bias and sensitivity. The committee is authorized to make recommendations to revise or eliminate computer adaptive test questions from the Idaho Standards Assessment Test in English Language Arts/Literacy and Mathematics.

The Department recommends the following people to serve 4-year terms on the Bias and Sensitivity Committee, expiring June 30, 2022: Bill Rutherford (Region 1

**CONSENT**  
**AUGUST 16, 2018**

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District Administrator), Robin Merrifield (Region 1 District Administrator), Judy K. Novobielski-Muhs (Region 1 District Administrator), David Brinkman (Region 1 School Board Member), Becca Anderson (Region 3 District Administrator), Craig Woods (Region 3 District Administrator), Tanya Koyle (Region 3 Parent), Dionicio Pena (Region 3 School Board Member), Gary Birch (Region 4 Parent), Kathy Millar (Region 4 Parent), Todd Hubbard (Region 4 School Board Member), Darlene Matson Dyer (Region 4 Teacher), Barbara Dee Jones (Region 4 Teacher), Carmelita Benitez (Region 5 District Administrator), Michael Mendive (Region 5 District Administrator), Shawna Sprague (Region 5 Parent), Hayden Raini (Region 5 Parent), Laura Wallis (Region 6 Parent), Lisa Marlow (Region 6 School Board Member), Bonnie Warne (Region 6 Teacher), Ashley Shaffner (Region 6 Teacher) and Cindy Romney (Region 6 Teacher).

**IMPACT**

Appointment of Bias and Sensitivity Committee members ensures statutory compliance.

**ATTACHMENTS**

Attachment 1 – Bias and Sensitivity Committee Members

Page 3

**STAFF COMMENTS AND RECOMMENDATIONS**

Pursuant to Section 33-134, Idaho Code, the Bias and Sensitivity Committee is charged with reviewing any new test items that have been added to any summative computer adaptive test, this includes the Idaho Standards Achievement Test for English Language Usage and Mathematics. Following the review process the committee may make recommendations to the Board for removal of any test questions that the committee determines may be bias or unfair to any group of test takers, regardless of differences in characteristics, including, but not limited to disability status, ethnic group, gender, regional background, native language or socioeconomic status.

**BOARD ACTION**

I move to approve the request by the State Department of Education to appoint Bill Rutherford, Robin Merrifield, Judy K. Novobielski-Muhs, David Brinkman, Becca Anderson, Craig Woods, Tanya Koyle, Dionicio Pena, Gary Birch, Kathy Millar, Todd Hubbard, Darlene Matson Dyer, Barbara Dee Jones, Carmelita Benitez, Michael Mendive, Shawna Sprague, Hayden Raini, Laura Wallis, Lisa Marlow, Bonnie Warne, Ashley Shaffner and Cindy Romney to serve on the Bias and Sensitivity Committee.

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

**Bias and Sensitivity Committee Members 2018**

APPROVED	REGION	ROLE	FIRST	LAST	TERM EXPIRES	EXTEND	NEW
Aug-16	1	District Administrator	Bill	Rutherford	6/30/2022	Extend	
Aug-16	1	District Administrator	Robin	Merrifield	6/30/2022	Extend	
Aug-16	1	District Administrator	Judy K.	Novobielski-Muhs	6/30/2022	Extend	
Aug-16	1	Parent	Timothy	Hunt	6/30/2020		
Aug-16	1	School Board Member	David	Brinkman	6/30/2022	Extend	
Aug-16	1	Teacher	Mary Lee	Ruch	6/30/2020		
Aug-16	1	Teacher	George	Ives	6/30/2020		
Aug-16	1	Teacher	Jared	Hughes	6/30/2020		
Aug-16	2	District Administrator	James	Doramus	6/30/2020		
Aug-16	2	Parent	Susan	Rigg	6/30/2020		
Aug-16	2	School Board Member	Dawn	Fazio	6/30/2020		
Aug-16	2	School Board Member	John	Menter	6/30/2020		
Aug-16	3	District Administrator	Becca	Anderson	6/30/2022		New
Aug-16	3	District Administrator	Craig	Woods	6/30/2022	Extend	
Aug-16	3	Parent	Cindy	Thorngren Fennell	6/30/2020		
Aug-16	3	Parent	Tanya	Koyle	6/30/2022	Extend	
Aug-16	3	School Board Member	Dionicio (Don)	Pena	6/30/2022	Extend	
Aug-16	3	Teacher	Frank	Robinson	6/30/2020		
Aug-16	3	Teacher	Marie	Thomas	6/30/2020		
Aug-16	4	District Administrator	Angela	Davidson	6/30/2020		
Aug-16	4	District Administrator	Marcia	Grabow	6/30/2020		
Aug-16	4	Parent	Mandy	Baker	6/30/2020		
Aug-16	4	Parent	Olga	Maza-Santos	6/30/2020		
Aug-16	4	Parent	Gary	Birch	6/30/2022	Extend	
Aug-16	4	Parent	Kathy	Millar	6/30/2022	Extend	
Aug-16	4	School Board Member	Todd	Hubbard	6/30/2022		New
Aug-17	4	School Board Member	Teresa	Berry	6/30/2021		
Aug-16	4	Teacher	Darlene Matson	Dyer	6/30/2022	Extend	
Aug-16	4	Teacher	Barbara Dee	Jones	6/30/2022	Extend	
Aug-16	5	District Administrator	Carmelita	Benitez	6/30/2022	Extend	
Aug-16	5	District Administrator	Michael	Mendive	6/30/2022	Extend	
Aug-16	5	Parent	Shawna	Sprague	6/30/2022	Extend	
Aug-16	5	Parent	Tara	Jensen	6/30/2020		
Aug-16	5	Parent	Kris	Wilkinson	6/30/2020		
Aug-16	5	Parent	Hayden	Raini	6/30/2022		New
Aug-16	5	School Board Member	Brooke	Palmer	6/30/2020		
Aug-16	5	School Board Member	David	Mattson	6/30/2020		
Aug-16	5	School Board Member	Janie	Gebhardt	6/30/2020		
Aug-16	5	School Board Member	Dan	Lau	6/30/2020		
Aug-16	5	Teacher	La Nae	Robinson	6/30/2020		
Aug-16	5	Teacher	Teresa	Jackman	6/30/2020		
Aug-16	6	District Administrator	Darnea	Lam	6/30/2020		
Aug-16	6	District Administrator	Gail	Rochelle	6/30/2020		
Aug-16	6	Parent	Laura	Wallis	6/30/2022	Extend	
Aug-16	6	Parent	Joy	McDaniel	6/30/2020		
Aug-16	6	School Board Member	Marlow	Lisa	6/30/2022		New
Aug-16	6	Teacher	Bonnie	Warne	6/30/2022	Extend	
Aug-16	6	Teacher	Schaffner	Ashley	6/30/2022	Extend	
Aug-16	6	Teacher	Cindy	Romney	6/30/2022	Extend	