



Trustees of Boise State University  
Trustees of Idaho State University  
Trustees of Lewis-Clark State College  
Board of Regents of the University of Idaho  
State Board for Career Technical Education

**STATE BOARD OF EDUCATION  
August 28-29, 2019  
Idaho State University  
Pond Student Union Building  
Ballroom  
Pocatello, Idaho**

A regularly scheduled meeting of the State Board of Education was hosted by Idaho State University, August 28-29, 2019. Board President, Debbie Critchfield, presided and called the meeting to order at 1:00pm (MST).

**Present:**

Debbie Critchfield, President  
Dr. David Hill, Vice President  
Andrew Scoggin\*, Secretary  
Emma Atchley

Dr. Linda Clark  
Don Soltman  
Richard Westerberg  
Sherri Ybarra, State Superintendent

\*Except Where Noted

**Wednesday, August 28, 2019**

**BOARDWORK**

1. Agenda Review/Approval

**BOARD ACTION**

**M/S (Ybarra/Clark) I move to move Item #8 of the consent agenda, Annexation/Excision – Homedale School District #370/Wilder School District #133, to the State Department of Education agenda. The motion carried 8-0.**

**AND**

**BOARD ACTION**

**M/S (Hill/Soltman): I move to approve the agenda as posted, with the exception of Item #8 of the Consent agenda moved to the State Department of Education agenda. The motion carried 8-0.**

2. Minutes Review/Approval

**BOARD ACTION**

**M/S (Hill/Atchley): I move to approve the minutes from the May 15, 2019 Special Board Meeting, May 23, 2019 Special Board Meeting, June 19-20, 2019 Regular Board Meeting, and August 7, 2019 Special Board Meeting as submitted. The motion carried 8-0.**

3. Rolling Calendar

**BOARD ACTION**

**M/S (Hill/Clark): I move to set May 13-14, 2020 as the date and Boise as the location for the 2020 Board Retreat and August 26-27, 2020 as the date and Idaho State University as the location for the August 2020 regularly scheduled Board meeting. The motion carried 8-0.**

**AND**

**M/S (Clark/Hill): I move to reconsider the rolling calendar agenda item. The motion carried 7-0. Mr. Scoggin was absent from voting.**

**AND**

**M/S (Clark/Hill): I move to change the dates for the December 2019 Regular meeting to December 18, 2019. The motion carried 5-0 with Board members Westerberg and Soltman abstaining. Mr. Scoggin was absent from voting.**

**AND**

**M/S (Clark/Hill): I move the December 18, 2019 Regular meeting be conducted via video conference.** The motion carried 5-0 with Board members Westerberg and Soltman abstaining. Mr. Scoggin was absent from voting.

## **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS (PPGA)**

1. Idaho State University - Annual Progress Report – Information Item  
This item was provided in the agenda materials as an information item.

Board President, Mrs. Debbie Critchfield, introduced the item and invited Idaho State University President, Mr. Kevin Satterlee, to provide an update to the Board. Joining Mr. Satterlee were Executive Vice President and Provost for Idaho State University, Dr. Laura Woodworth-Ney and Vice President for Student Affairs, Dr. Lyn Redington.

President Satterlee began his presentation by sharing with the Board that Idaho State University (ISU) offers more degrees and certificates than any other institution in Idaho, totaling more than 280-degree offerings from career technical education, to traditional undergraduate liberal arts degrees, engineering degrees and health sciences degrees. President Satterlee reported ISU serves multiple roles for the citizens of Idaho and is essential to responding to both regional and statewide needs. In order for ISU to function as a true multi-campus institutions there are provisions of existing Board policy that should be reviewed and changed in order to support ISU's mission and current roles.

Mr. Satterlee reported some of the current challenges faced by ISU are related to enrollment and graduation rates. ISU's enrollment challenges are specific to traditional undergraduate enrollment and the decline in Idaho students enrolling at the institution. ISU's career technical education and graduate programs have consistently maintained their enrollment numbers, and the health sciences programs have more qualified applicants than available seats. Mr. Satterlee shared that the graduation rate data shows a sharp decline in the freshmen to sophomore retention rate.

Finally, President Satterlee reported ISU has developed a four-prong approach to address some of the current challenges.

- I. Address Recruitment and Retention: Promote Idaho State University and create an environment that attracts students, while identifying and addressing barriers to retention.
- II. Promote Identity and Campus Culture: Develop and define an institutional identity and vision for all campus locations that improves workplace culture and promotes a student and mission-centric approach.

- III. Focus on Relationships: Build strong relationships with faculty, staff, students, community and industry.
- IV. Rebuild Infrastructure: Address problematic systems, processes, policies, and physical infrastructure.

Idaho State Universities annual progress report is included in the agenda materials for the August 28-29, 2019 Board meeting.

## **WORK SESSION**

Prior to the start of the Work Session, Board Vice-President, Dr. David Hill, requested unanimous consent to reverse the order of the Work Session topics. There were no objections from the Board.

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

#### **B. Three-Year Program Plan**

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

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and invited the Board's Chief Academic Officer, Dr. Randall Brumfield, Academic Affairs Program Manager, Ms. Patty Sanchez and representatives from the 4-year and 2-year institutions to provide an overview to the Board.

Representing the 4-year college and universities were Dr. Tony Roark, Interim Provost and Vice President for Academic Affairs for Boise State University (BSU), Dr. Laura Woodworth-Ney, Executive Vice President and Provost for Idaho State University (ISU), Dr. Cynthia Pemberton, President of Lewis-Clark State College (LCSC), and Dr. John Wiencek, Executive Vice President and Provost for the University of Idaho (UI).

Representing the 2-year community colleges were Dr. Lori Barber, Vice President of Academic and Student Affairs for the College of Eastern Idaho (CEI), Dr. Todd Schwarz, Executive Vice President and Chief Academic Officer for the College of Southern Idaho (CSI), Ms. Denise Aberle-Cannata, Provost for the College of Western Idaho (CWI), and Dr. Lita Burns, Vice President for Instruction for North Idaho College (NIC).

Dr. Brumfield reported Section 33-113, Idaho Code requires the Board to define the limits of instruction at all publicly funded institutions, and to limit unnecessary duplication to the extent practicable. Board Policy III.Z. sets the method by which the Board limits duplication or evaluates the need for duplication and assigns responsibility for assessing the educational and workforce needs around the state.

Finally, Dr. Brumfield reported after amendments adopted in Board Policy III.G. in August 2018, community colleges are now authorized by the Board to deliver applied baccalaureate degrees. This is the first year the Board will evaluate such delivery in the program planning process. The updated plan represents proposed programs for Academic Years 2020-2021, 2021-2022, 2022-2023 and will provide the Board with a comprehensive picture of anticipated institutional academic program and career technical program development to inform and advise the Board in its efforts to coordinate the delivery of educational programs throughout the state.

Ms. Sanchez reported from 2016-2019 a total of (62) Certificate programs, two (2) Associates programs, (35) Baccalaureate Programs and (15) Graduate programs were approved for the 4-year institutions. A total of one (1) Certificate program, (2) Associates programs, (11) Baccalaureate programs and (2.8) Graduate programs were approved for discontinuance for the 4-year institutions. For the community colleges, a total of (29) Certificate programs, (28) Associates programs and one (1) Baccalaureate program were approved from 2016-2019 and (24) Certificate programs and (13) Associates programs were approved for discontinuance.

Dr. Hill asked if the programs that were approved were wholly new programs or fractured within programs that are high specialized and lead to a new degree. Ms. Sanchez responded most of the programs approved by the Board were not entirely new programs, however, Board policy still requires approval. Mr. Soltman asked if there is a ratio, the Board is trying to maintain, between the number of programs approved and discontinued. Dr. Brumfield responded in the negative, adding this information has been presented to the Board to address questions from Board members on whether or not existing programs are discontinued as new programs are approved. Dr. Hill commented at some point there is a limit to growing programs if the overall student population is remaining constant and asked if the Board is failing to discontinue enough programs or simply renaming existing programs.

Dr. Clark commented that in the past, the Board has indicated a willingness to approve the delivery of Applied Baccalaureate degrees by the community colleges in Career Technical Education areas to meet a regional demand and asked if the Board now has a desire to approve the delivery of traditional Baccalaureate degrees at the community colleges.

Prior to starting the discussion on the delivery of traditional Baccalaureate degrees at the community colleges, the Board entered into a discussion around the types and number of degrees offered and how these degree offerings are impacted by program prioritization.

Mr. Westerberg opened the discussion by stating that when programs come forward to the Board for approval, the requesting institution often times justifies the need for the program based upon the critical mass of the number of students taking it. However, if you increase the number of programs exponentially, the critical mass for those students to support the program cannot exist. Board member Scoggin responded the institutions must have the ability to prepare students for new skills and careers even if this increases the number of cohorts offered. Mr. Westerberg responded if this is the case, then the Board must change the paradigm for how programs are approved and reconsider whether the Board needs to approve those programs that have been bifurcated from an existing program versus those that would require additional resources. At the request of Mrs. Atchley, the process by which these types of programs are approved was returned to the IRSA Committee to determine if changes to Board policy were needed.

Board member Soltman commented when program prioritization was implemented it was never intended to be a single exercise and the hope of the Board, at that time, was for program prioritization to be embedded in the operations of the institutions and reviewed on an ongoing basis. Board member Atchley added it was the Board's intent, at the time, for institutions to develop their own criteria to be used for program prioritization and for the institutions to have the responsibility for the process and review the programs offered on a regular basis.

At this time, the Board entered into a discussion around the criteria for allowing the community colleges to deliver programs beyond the applied baccalaureate degrees currently authorized by the Board.

Mr. Westerberg commented the four-year institutions have the responsibility to partner with the community colleges to respond to regional workforce demands and to deliver the educational needs for that region. Dr. Hill commented the community colleges are inherently local institutions. However, if a community college has the ability to deliver a program that no other institution has or if there is a well-defined regional need then this should be considered by the Board in cooperation with a four-year institution. Dr. Clark stated her agreement, adding her belief the community colleges are uniquely positioned to offer applied baccalaureate degrees to address regional demand, such as the Bachelor of Applied Science in Advanced Food Technology offered by the College of Southern Idaho, but regional cooperation between the two-year and four-year institutions is the best model for traditional baccalaureate programs.

Finally, Mrs. Critchfield commented the Board relies on the institutions to develop and bring forward programs that meet the statewide and regional workforce needs while being mindful of the limited resources available for higher education.

At this time the Board recessed for 15 minutes, returning at 3:25pm

## **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS (PPGA)**

### **A. Board Committee Structure and Operations**

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

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested Board President Critchfield present the item to the Board.

President Critchfield reported based upon the discussion during the work session of the June 2019 Regular meeting she has researched ways for the Board to leverage their time during meetings to be less transactional and focus more on the Board's strategic plan and goals. As a result of this research, President Critchfield proposed changes to the agenda structure that focus on:

1. How to make the most of the Board committees, including:
  - a. Career Technical Education
  - b. Idaho Public Television
  - c. Charter Schools
  - d. Idaho Division of Vocational Rehabilitation
  - e. Professional Standards Commission
2. How committee work drives the agenda;
3. Employee contracts and Board oversight/approval;
4. Coordinating committee chairs and Board president roles;
5. Using the Board's strategic plan to drive the Board's work.

In order for these changes to be implemented, Mrs. Critchfield requested the Chair of each of the Board's standing committees take the following action;

1. Work to actively engage the agencies under the Board within the existing committee structure;
2. Take ownership and responsibility for how the Board agenda is put together;
3. Work with the staff support for the committee to set the agenda;
4. Work with the Board president to finalize agenda items.

Finally, Mrs. Critchfield reported pursuant to Section 33-104, Idaho Code, the Board is required to hold "no less than four regular meetings annually." The current regular Board meeting calendar sets six regular meetings each year. In order for the Board to transition to a more strategic Board and less of a transactional Board, President Critchfield requested the number of regular Board meetings be reduced to four each year, eliminating the June and December meeting. Special meetings will be called for any items meeting a very specific criteria or critical threshold as determined by the committee chair and Board President. No exceptions or special consideration will be granted outside of the Board's designated timelines.

Board member Scoggin and Superintendent Ybarra were supportive of the proposed changes suggested by President Critchfield. Dr. Clark requested the Board expand the four Regular meetings to meet as the Board of Regents or Board of Trustees of the hosting institutions. Mr. Westerberg cautioned the decision to reduce the number of Regular meetings to four per year, adding his concern this may send a message to the community colleges that the Board is abandoning their responsibility to them. Board members Hill, Soltman, Clark and Atchley also expressed concern with eliminating the meetings at the community colleges. Mrs. Atchley commented the work of the Board should be visible to the institutions, K-12 stakeholders and the public and to reduce the time the Board spends as a whole in favor of behind the scenes work would not be in the best interest of the Board. The Board's Executive Director, Mr. Matt Freeman, reported during the August 2019 Higher Education President's Council Retreat, two of the four community college presidents voiced their support for the Board meeting on their campus. Mr. Freeman then stated an alternative to meeting at the community colleges would be for Board members to attend the Idaho Community College Coalition (ICCC) meetings, which occur on a quarterly basis and include the presidents of the community colleges and chair of the Board of Trustees for each of the four community colleges.

President Critchfield asked if there was any opposition to adopting the proposed changes to the agenda preparation process for the October 2019 Regular meeting. There were no objections voiced. President Critchfield then asked if there was any opposition from Board members to amend the current regular Board meeting calendar to not include the December 2019 Regular meeting. Mr. Scoggin and Superintendent Ybarra voiced their support for this change. Dr. Clark suggested the Board conduct the December 2019 Regular meeting by video conference for any items meeting the threshold for a special meeting.

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

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

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

State Superintendent of Public Instruction, Sherri Ybarra, introduced the item and reported that for the 2019/2020 school year there are 21 new superintendents leading districts across the state. Superintendent Ybarra hosted a new superintendent orientation on July 30, 2019 for new superintendents and, based upon feedback from stakeholders and discussions from Governor Little's Our Kid's, Idaho's Future K-12 Task Force, the State Department of Education is working to improve mentoring and training opportunities and to implement the Superintendent's Network in partnership with Education Northwest to support superintendents statewide. Additionally, State Department of Education (SDE) staff will be attending upcoming regional superintendents meeting to provide additional information and training to superintendents on analyzing the new Idaho Reading Indicator (IRI) data.



Superintendent Ybarra then introduced Dr. Eric Studebaker who will serve in the role of Director of Student Engagement and Safety for the State Department of Education and Mr. Todd Driver who will serve as the Director of Content and Curriculum.

Superintendent Ybarra reported SDE staff have been developing the FY2021 budget request and that common themes from meetings with stakeholders include continuing funding for teacher salaries to build out the third tier of the career ladder, sustained funding for professional development, ongoing literacy prevention funding and additional operational funds.

Finally, Superintendent Ybarra reported the U.S. Department of Education approved Idaho's consolidated state plan in March of 2018 and amendments to the plan in July 2019. President Critchfield added one of the amendments approved by the U.S. Department of Education was acceptance of the five (5) year graduation rate.

There were no additional questions or comments from the Board.

## 2. 2019 Assessment and Accountability Update

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

State Superintendent of Public Instruction, Sherri Ybarra, introduced the item and invited the Director of Assessment and Accountability for the State Department of Education (SDE), Mrs. Karlynn Laraway, to provide the update to the Board.

Mrs. Laraway reported the final assessment results for the spring 2019 Idaho Reading Indicator (IRI) include the first year of the new IRI and Parent and Staff Engagement surveys.

Final results from the 2019 IRI show an overall improvement from 52.6% of students reading at grade level in the Fall to 70.4% of students reading at grade level in the Spring. The 2019 final results for the Idaho Standards Achievement Tests (ISAT) English Language Arts and Literacy showed an overall improvement of just over 3% from 2017 to 2019 and a 2.5% increase in the ISAT Math proficiency results from 2017 to 2019.

Results from the 2019 student engagement survey showed a 13-percentage point decline from 2018 to 2019. Mrs. Laraway reported a contributing factor to the decline could be the time of year the survey was administered. The survey was administered after the spring break in 2018, compared to 2019 when the survey was administered before the spring break. As a result, the administration date has been moved to mid-February to late-March annually. The results from the 2019 parent engagement and staff engagement surveys reported 74.5% of parents as engaged and 75.7% of staff as engaged.

Finally, Mrs. Laraway reported the results from the 2019 accountability summary showed 188 schools identified for targeted support and improvement, 57 schools identified for additional targeted support and improvement, 474 schools identified as goal makers, and 178 schools identified as top performers.

Dr. Clark commented on the results from the fall IRI showing that less than half of Idaho's students enter school under prepared and the state and Board must address the issue of school readiness.

There were no additional questions or comments from the Board.

3. Proposed Rule – Docket No. 08-0202-1901 – Suicide Awareness and Prevention

**BOARD ACTION**

**M/S (Ybarra/Atchley): I move to approve Proposed Rule Docket Number 08-0202-1901 as presented in Attachment 1. The motion carried 8-0.**

State Superintendent of Public Instruction, Sherri Ybarra, introduced the item and reported Section 33-136, Idaho Code, directs the State Board of Education to adopt rules supporting suicide awareness and prevention training for public school personnel. The State Department of Education collaborated with the Idaho Suicide Prevention Action Collective to inform the current iteration of these proposed rules.

There were no questions or comments from the Board.

4. Professional Standards Commission – Emergency Provisional Certificates and Revised Considerations and Recommendations

**BOARD ACTION**

**M/S (Ybarra/Clark): I move to approve the Department's revised request to submit Emergency Provisional Certificates for the current school year later than the April meeting of the Board, subject to extenuating circumstances as described in Attachment 1. The motion carried 8-0.**

**AND**

**M/S (Ybarra/Hill): I move to accept the recommendation of the Professional Standards Commission to issue one-year emergency provisional certificates for Bryce Frandsen and Andrew Bailey to teach the content area and grade ranges at the specified school districts as provided herein for the 2018-2019 school year. The motion carried 8-0.**

**AND**

**M/S (Ybarra/Atchley):** I move to accept the recommendation of the Professional Standards Commission to issue a one-year emergency provisional certificate for Stephanie Woodman to teach the content area and grade range at the specified school district as provided herein for the 2019-2020 school year. The motion carried 8-0.

**AND**

**M/S (Ybarra/Clark):** I move to accept the recommendation of the Professional Standards Commission to not approve a one-year emergency provisional certificate for Jacob Nye to teach the content area and grade ranges at the specified school district as provided herein for the 2018-2019 school year. The motion carried 8-0.

State Superintendent for Public Instruction, Sherri Ybarra, introduced the item.

Board member Soltman commented three of the four requests for emergency provisional certification were submitted after the deadline for the April 2019 meeting of the Professional Standards Commission (PSC) and asked why these requests have been allowed to continue through the approval process. The Director of Certification for the State Department of Education, Mrs. Lisa Colon-Durham, responded the requests were submitted to the PSC prior to the decision made during the April 2019 Board meeting and this will be the final time the PSC submits emergency provisional certificates to the Board outside of the stated deadline, except for those circumstances where a local education agency (LEA) loses a staff member after the deadline for the April Board meeting.

Board member Scoggin asked why the PSC did not recommend approval of the emergency provisional certificate for Mr. Jacob Nye. Mrs. Colon-Durham responded that while the application meets the letter of the law, the candidate was unable to complete the American Board for Certification of Teacher Excellence (ABCTE) program in the 2017-18 school year and the PSC did not feel comfortable converting the application into an Emergency Provisional application due to lack of progress by the candidate.

Dr. Hill asked what the impact to the school district would be if the Board did not approve the emergency provisional certificate. Mrs. Colon-Durham responded funding for the position would be withheld from the school district.

There were no additional questions or comments from the Board.

5. Annexation/Excision – Homedale School District #370/Wilder School District #133

**BOARD ACTION**

**M/S (Ybarra/Hill): I move to accept the recommendation of the hearing officer and to reject the petition for excision and annexation of property from Wilder School District #133 to Homedale School District #370. The motion carried 8-0.**

State Superintendent of Public Instruction, Sherri Ybarra, introduced the item and reported the request before the Board is a petition requesting an excision of property from Wilder School District 133 to be annexed to Homedale School District 370. Section 33-308, Idaho Code, provides a process whereby the State Board of Education shall consider amendment of the boundaries of adjoining school districts and direct that an election be held, provided that the proposed excision and annexation is in the best interest of the children residing in the area described, and excision of the territory would not leave a school district with a bonded debt in excess of the limit prescribed by law. Idaho Administrative Procedures Act (IDAPA) 08.02.01.050 includes criteria for review of the petition by a hearing officer appointed by the Superintendent of Public Instruction for purposes of making recommendations to the Board. Finally, Superintendent Ybarra reported John Stellmon, Attorney at Law, as appointed as hearing officer for this petition.

Dr. Hill asked Mr. Stellmon how he arrived at the recommendation to reject the petition. Mr. Stellmon responded approximately 64 students reside in the affected area, 32 of whom are enrolled in the Homedale school district and 32 enrolled in the Wilder school district. Mr. Stellmon then stated the burden of transporting students to and from home by private transportation should fall on the petitioner until additional families wish to petition for the change and it is his belief it is in the best interest of all children to leave the current boundaries in place at this point in time.

President Critchfield stated this should be a matter of local control and a decision made by local citizens through their local election process.

Deputy Attorney General for the Board, Mrs. Jenifer Marcus, reported that under the applicable statute and corresponding Board approved administrative rules, the Board does not have a lot of freedom to balance equities and the statute requires the Board to approve the proposal provided two factors have been met;

1. The request is in the best interest of the children residing in the area described in the petition, and,
2. The excision of territory would not leave the school district with bonded debt beyond the limit described by the law.

Mrs. Marcus stated the State Department of Education hired a hearing officer, Mr. John Stellmon, to make this determination and it is the finding of the hearing officer that both factors have not been met. Board member Scoggin asked if Board action can override the findings of the hearing officer, to which Mrs. Marcus responded only if the Board went through a process to determine it was in the best interest of the children.

There were no additional questions or comments from the Board.

The Board recessed for the evening at 5:28pm MST.

**Thursday, August 29, 2019, 8:00am (MST)**

**OPEN FORUM**

There were no requests to speak during the Open Forum.

**CONSENT**

**BAHR – SECTION II**

1. Boise State University – Distributed Antenna System in Albertsons Stadium

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to approve the request by Boise State University to enter into a new license agreement with CommNet Cellular, doing business as Verizon Wireless, for the Distributed Antenna System in Albertsons Stadium for a term of five years, in substantial conformance with Attachment 1. The motion carried 8-0.**

2. Idaho State University – President Residence Maintenance Needs

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to accept and approve the maintenance projects list for the Idaho State University President’s House as provided in Attachment 1. The motion carried 8-0.**

**IRSA**

3. Programs and Changes Approved by Executive Director – Quarterly Report

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to accept the quarterly report on programs and changes approved by the Executive Director. The motion carried 8-0.**

4. Idaho Established Program to Stimulate Competitive Research (EPSCoR) – Committee Appointments

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to appointment Dr. Scott Snyder to the Established Program to Stimulate Competitive Research – Idaho Committee to serve as the Idaho State University representative. The motion carried 8-0.**

**AND**

**M/S (Hill/Westerberg): I move to appoint Representative Laurie Lickley to the Established Program to Stimulate Competitive Research – Idaho Committee to serve as the representative of the House of Representatives. The motion carried 8-0.**

**AND**

**M/S (Hill/Westerberg): I move to appoint Mr. Greg Wilson to the Established Program to Stimulate Competitive Research – Idaho Committee to serve as the representative of the Governor’s Office. The motion carried 8-0.**

**PPGA**

5. Institution President Approved Alcohol Permits

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to accept the report on institution president approved alcohol permits as provided in Attachment 1. The motion carried 8-0.**

6. Division of Career Technical Education – Occupational Specialist Certificate Extension

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to approve the request by the Division of Career Technical Education to waive the three-year limit of the intermit certificate in IDAPA 08.02.02.015.06b. for one year for Jodie Young and Jenny J. Collier. The motion carried 8-0.**

## SDE

### 7. 2019 Curricular Materials Adoption

#### **BOARD ACTION**

**M/S (Hill/Westerberg): I move to approve the recommendation of the Curricular Materials Selection Committee to adopt curricular materials and related instructional materials for K-12 science, computer science, and computer applications, as submitted in Attachment 1. The motion carried 8-0.**

8. Annexation/Excision – Homedale School District #370/Wilder School District #133 Superintendent Ybarra requested unanimous consent to move this item to the end of the State Department of Education agenda. There were no objections.

#### **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS (PPGA)**

##### 2. Idaho Division of Career Technical Education – Annual Report

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

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and invited the Administrator for the Idaho Division of Career Technical Education (Division), Mr. Dwight Johnson, to provide the annual report to the Board. Joining Mr. Johnson was the Director of Policy and Organizational Planning for the Division, Mrs. Amy Lorenzo.

Prior to the annual report, Dr. Hill, acknowledged Mr. Johnson's upcoming retirement from the Division and thanked him for his many years of service to the Division, Board, and citizens of Idaho.

Mr. Johnson provided an overview of the Division's progress in carrying out the agency's strategic plan and shared with Board members the goal of the Division is to train and retrain a highly skilled workforce and to focus on the return on investment, greater access and greater capacity of career technical education programs in Idaho.

At the conclusion of Mr. Johnson's report, Dr. Hill requested Mrs. Lorenzo provide an update to the Board on the Division's efforts to further explore the feasibility of online or hybrid delivery of career technical education programs.

Mrs. Lorenzo reported current online delivery options available to school districts include career technical education courses mapped to the state standards delivered through Idaho Digital Learning Academy (IDLA) courses or any curriculum provider a district chooses. Currently the Payette River Regional Technical Academy (PRTA) and Region II's Certified Nursing Assistant pilot program are the only hybrid delivery models in Idaho. The Division is working to develop a fully online pathway pilot program in Business Digital

Communications and researching ways for districts to deliver core academic programs online in order to free up positions to provide hands-on learning for the career technical education programs.

Finally, Mrs. Lorenzo reported the Division would continue to research promising practices in other states to identify potential models for replication and to work with stakeholders to evaluate the feasibility and appropriateness of online delivery of career technical education programs in the high school environment. The Division's final report and action plan will be provided to the Board at the Regular December meeting.

The Idaho Division of Career Technical Education annual progress report is included in the agenda materials for the August 28-29, 2019 Board meeting.

3. Division of Career Technical Education/Workforce Development Council – Employment and Training Administration Grant Update

### **BOARD ACTION**

**M/S (Hill/Clark): I move to approve the request by the Division of Career Technical Education and the Workforce Development Council for the State Board of Education to apply for the Apprenticeship: Closing the Skills Gap Grant on behalf of the partnering institutions and agencies.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Administrator for the Idaho Division of Career Technical Education (Division), Mr. Dwight Johnson, present the item to the Board.

Mr. Johnson reported the Employment and Training Administration (ETA) within the U.S. Department of Labor (DOL) announced the availability of approximately \$100 million in grant funds for the Apprenticeships: Closing the Skills Gaps grant program. Through cross agency partnership with the Workforce Development Council (WDC), the Idaho Department of Labor (IDOL) and the Division of Career Technical Education (CTE) the grant would expand training of apprentices in the growing fields of healthcare and cybersecurity in Idaho, enhance cross collaboration between CTE, IDOL and WDC on creating a systemwide approach to meeting the skills gap through apprenticeship programs, meet the industry needs of local employers, and grow apprenticeships in Idaho by 200 annually, or 800 over four years. Finally Mr. Johnson reported the Board, through the Division would serve as the fiscal agent for the grant.

Dr. Hill asked if the apprenticeships that resulted from the grant would attribute towards the 60% Goal. Mr. Johnson responded the grant would provide an opportunity for the Board to develop policy to include apprenticeships in the 60% Goal.

There were no additional questions or comments from the Board.



4. Idaho Department of Labor – Idaho Job Corps Demonstration Project Update  
This item was provided in the agenda materials as an information item.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested Dr. Tina Polishchuk with the Idaho Department of Labor (IDOL), present the update to the Board.

Dr. Polishchuk reported the Idaho Job Corps demonstration project is a three-year grant, funded by the U.S. Department of Labor (DOL) that aims to serve income-eligible youth, ages 16-24, by connecting them to training and workplace opportunities. Idaho Job Corps provides wrap-around services for students, connecting them to training and in-demand jobs in Idaho and will bring nearly \$18 million of funding to connect Idaho's youth to the workforce.

Finally, Dr. Polishchuk reported the demonstration project will require cooperation between IDOL and the State Board of Education and requested access to the Board's Next Steps Idaho Resources and the inclusion of Idaho Job Corps as an option on the Board's annual Direct Admissions letters.

Board member Soltman asked for the projected cost per student to which Dr. Polishchuk responded \$50,000 per student at the national level and \$22,000 per student in Idaho.

The Board's Executive Director, Mr. Matt Freeman, commented Direct Admissions is designed to reach students as they are graduating from high school. If the Board were to expand Direct Admissions to include adult learners, it would require a policy decision by the Board. President Critchfield asked if Idaho Job Corps could be included on the Next Steps Idaho website as an available resource to which Mr. Freeman responded in the affirmative. Dr. Hill requested Board staff investigate ways for Idaho Job Corps to be integrated into Next Steps Idaho before any final decisions are made. Dr. Clark commented a better approach could be for Idaho Job Corps to work with high school counselors to distribute the information to those students who would be eligible for the program.

There were no additional questions or comments from the Board.

## 5. Higher Education Task Force – Guided Pathways Workgroup Recommendations

### **BOARD ACTION**

**M/S (--/--): I move to direct the Executive Director to add one additional line item to the Office of the State Board of Education’s FY2021 Budget request for one FTE to serve in the role of a Community Outreach Coordinator for the purpose of implementing Recommendation 2 in Attachment 1.** The Board did not take action on this item.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board’s Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported the agenda item is a follow up to the action the Board previously took adopting the Guided Pathways work group recommendations. The request before the Board to add one additional line item to the Office of the State Board of Education’s FY2021 Budget was formed prior to the Division of Financial Management memo directing all State agencies to withhold any non-essential line items from the FY2021 budget requests.

Board President Critchfield reported the PPGA Committee was tasked with developing an implementation plan for K-12 and postsecondary transition recommendations. As part of this work, Mrs. Critchfield convened a workgroup comprised of K-12 educators and postsecondary staff that work with advising students. The focus of this workgroup was to identify strategies for advising students in elementary and secondary school and helping them through the transition to some form of postsecondary education. The workgroup identified 24 strategies that were consolidated into 16 recommendations. Finally, Mrs. Critchfield reported while work continues to implement the recommendations adopted by the Board, additional areas have been identified where further Board action would help to move the recommendations forward.

Board member Scoggin asked what role the requested position would serve at the Office of the State Board of Education. Mrs. Critchfield responded one of the items identified by the Guided Pathways workgroup was a gap in the communication and messaging from the Board office on the postsecondary opportunities available to students and the position would focus on providing outreach to parents and students specific to the work around guided pathways and increased parent and student engagement.

Board member Atchley commented the State Department of Education (SDE) serves this role in numerous ways in their interactions with students, districts and parents and asked if there is a way to leverage this part of the Board's system without adding a full time position to the Board office. Mrs. Critchfield responded the intent of the position is to promote to students and families the options available after high school. Mr. Scoggin commented if the primary role of the position is to communicate to parents and students specific to the work around guided pathways, then the Board office does not feel like the appropriate location, however, if the primary role of the position is to promote programs beyond Guided Pathways to districts, students and families, then the Board office would be the appropriate location. Finally, Mr. Soltman stated former Governor C.L. "Butch" Otter strongly encouraged the Board add this position to the Office of the State Board of Education.

The Board directed staff to include the request to add the additional line item for the role for a Community Outreach Coordinator to the Office of the State Board of Education's FY2021 Budget request, should the Division of Financial Management authorize agencies to submit line item requests for the FY2021 budget.

There were no additional questions or comments from the Board.

6. Division of Career Technical Education – Board Policy IV.E. Division of Career Technical Education – First Reading

**BOARD ACTION**

**M/S (Hill/Atchley): I move to approve the first reading of amendments to Board policy IV.E. Division of Career Technical Education as provided in Attachment 1. The motion carried 8-0.**

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported this is the first reading of Board policy IV.E. updating existing language regarding the Division of Career Technical Education (CTE) and adds two additional sections regarding secondary career technical education programs and endorsement areas for occupational specialist certificates for educators entering the profession through an industry pathway.

There were no questions or comments from the Board.

17. Division of Career Technical Education – Proposed Rule 55-0103-1901, Rules of Career Technical Schools – First Reading

**BOARD ACTION**

**M/S (Hill/Scoggin): I move to approve Proposed Rule Docket No. 55-0103-1901, as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board. Joining Ms. Bent were the Administrator for the Division of Career Technical Education (CTE), Mr. Dwight Johnson, and Director of Policy and Organizational Planning, Mrs. Amy Lorenzo.

Ms. Bent reported during the 2018 Legislative Session, Section 33-1002G, Idaho Code was amended to allow the Board to explore moving to an enrollment-based funding model for career technical schools. The proposed amendments would move funding for career technical schools from a model based on student average daily attendance and support units to one based on the number of students enrolled in a capstone course during the previous academic year, the aggregate total number of students completing a technical skills assessment for the program in which the student was enrolled, and the total credit hours reported by each school for intermediate, capstone, and work-based learning courses. Finally, Ms. Bent reported the proposed amendments include language for an in-person face-to-face requirement and a hold harmless provision that are not consistent with the language being proposed for some of the work that remains to be finished.

President Critchfield requested CTE include language in the second reading to address the online delivery of career technical programs or remove the prohibition. Mr. Dwight Johnson responded the language provided to the Board in the agenda materials came directly from feedback solicited from administrators of Idaho's career technical schools.

Dr. Hill stated if the Board were to approve the first reading of the proposed amendment, it would be with the understanding CTE would modify the language for the second reading to remove the face-to-face requirement pursuant to discussions with the Board and Legislators.

Mr. Scoggin asked what would be achieved if the Board were to approve the proposed amendments. Mrs. Lorenzo responded currently, CTE does not have a process in place that accurately and efficiently captures student attendance at career technical schools and the proposed amendments would clarify the process for calculating and distributing funds to career technical schools. Finally, Mrs. Lorenzo reported an enrollment-based approach would more closely align with how the infrastructure and costs for career technical programs are calculated, reduce the reporting burden for school administrators, provide a clearer understanding of program expectations from year to year, and identify those courses that are eligible to receive funding.

There were no additional questions or comments from the Board.

7. Board Policy V.Q. Residency for Tuition Purposes – Second Reading

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to approve the second reading of new Board Policy V.Q. Residency for Tuition Purposes as provided in Attachment 1. The motion carried 8-0.**

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and reported no comments were received between the first and second reading and no additional amendments have been made.

There were no questions or comments from the Board.

The Board recessed for 10 minutes, returning at 9:50am.

11. Proposed Rule – Docket No. 08-0201-1901, Rules Governing Administration

**BOARD ACTION**

**M/S (Hill/Soltman): I move to approve Proposed Rule – Docket No. 08-0201-1901, as submitted in Attachment 1. The motion failed 2-6 with Mr. Soltman and Mr. Westerberg voting Aye.**

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board. Joining Ms. Bent was the Deputy Superintendent of Communications and Policy for the State Department of Education (SDE), Mrs. Marilyn Whitney. Joining through the conference line were the Associate Deputy Superintendent of School Finance, Mr. Tim Hill, and Chief Technology Officer, Mr. Chris Campbell.

Ms. Bent reported that during the 2019 legislative session multiple draft bills were circulated to rewrite the public school funding formula. While none of the proposed new funding formulas were enacted, House Bill 293 (HB293) was and establishes the majority of the definitions proposed in the earlier public school funding formula bills. HB293 also tasks the Board and SDE (as the Board's delegate) with collecting and reporting the necessary data for the next legislative session and promulgating the rules necessary to determine how to calculate fractional enrollment.

Board staff were able to conduct a few preliminary meetings with education stakeholder groups and SDE staff prior to school district and charter school staff leaving for the summer break. The initial focus of these preliminary meetings was calculating enrollment. One of the recommendations from these meetings was to collect enrollment data for the current school year (2019/2020) based upon a statewide average course load per term to determine the impact of different definitions for enrollment. Because school districts and charter schools are allowed to set their own schedules, consensus could not be found on a way to base fractionalized enrollment on courses alone. The current calculation for average daily attendance is based on students attending 2.5 hours (half-day) or 4 hours (full-day) or more. Using this concept, the courses could be broken out to minutes per week, with 1,200 minutes per week being consistent with the current four-hour requirement for a full day of average daily attendance. Using this methodology, the proposed formula for calculating student enrollment full-time equivalency (FTE) was developed; however, the proposed formula does not fully address those students attending more than one Local Education Agency (LEA) for more than one FTE. The language in the proposed rule is based upon the feedback from the Idaho Association of School Administrators (IASA) Finance Committee, school districts and the Department.

Superintendent Ybarra added the SDE does collect information on student course enrollment, including minutes per week of the course; however, there are challenges with ensuring the accuracy and consistency of the data collected. Finally, Superintendent Ybarra reported a new methodology would require more input from the field to allow adequate time to explore how any changes would affect local school districts.

Dr. Hill asked what the impact would be if the Board were to not take action on this item. Ms. Bent responded if the Board were to not take action on this item, the Board would not meet the timeline for promulgating the proposed and final rule for approval during the next (2020) legislative session. Ms. Bent suggested a second option to consider a temporary rule and then request the legislature extend the temporary rule as the Board continues to develop the formula is available.

The Board's Executive Director, Mr. Matt Freeman, asked if SDE had plans to engage local superintendents and school district officials in addition to the meetings being scheduled by Board staff. Mrs. Whitney responded representatives from the SDE are planning to attend regional superintendent meetings in September and have asked for Business and IT Managers from the local school districts to also attend. Additionally, the SDE plans to host webinars to engage additional stakeholders.

Board members then discussed the merits of moving forward with a proposed rule versus a temporary rule. During the discussion, Mr. Freeman reported that if the Board were to move forward with a temporary rule, the action today would be to send this agenda item back to the PPGA Committee which would allow the Board time during the month of September to solicit additional feedback from school districts and administrators. The Board could then take action on the temporary rule at a Special meeting in late September

to approve the temporary rule in time to meet the October 1 deadline. Mr. Scoggin commented the same would happen if the Board were to approve the proposed rule. President Critchfield responded her concern with the proposed rule is that it might signal to stakeholders the rule is the finished product, even though the Board, SDE and stakeholders acknowledge there is still more work to be done. Ms. Bent commented that if the Board were to approve the proposed rule, a temporary rule would still come to the Board for approval, at the request of SDE. Mrs. Whitney added the statute requires districts to report enrollment, starting in December and backtracking to October and there has to be something in place so that districts can report that data in December for October and December. If at the time of adjournment the legislature does not extend a temporary rule, the rule would become null and void and the Board would then approve a new temporary and proposed rule for the following year that would go forward for public comment through the administrative rules process.

Mr. Westerberg stated his support for the Board to approve the proposed rule.

Dr. Clark stated her preference for the Board to approve a temporary rule, adding, it is her belief the proposed rule, as written, is not workable for the districts and that the districts should have an opportunity to provide feedback.

There were no additional questions or comments from the Board.

## **BUSINESS AFFAIRS AND HUMAN RESOURCES**

### **Section II – Finance**

#### 4. Systemness Update

### **BOARD ACTION**

**M/S (Atchley/Clark): I move to accept the report from the President's Leadership Council as presented. The motion carried 8-0.**

### **AND**

**M/S (Atchley/Hill): I move to establish the Systemness Program Committee as presented in Attachment 1 with members including the presidents of Boise State University, the University of Idaho, Idaho State University, and Lewis-Clark State College, their respective vice presidents of finance, the Board executive director, the Board chief financial officer, and Board members as appointed annually by the Board President. The motion carried 8-0.**

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and invited the Presidents of the eight colleges and universities along with the Administrator for the Division of Career Technical Education to provide the report to the Board.

Representing Boise State University (BSU) was Dr. Marlene Tromp. Representing Idaho State University (ISU) was Mr. Kevin Satterlee. Representing Lewis-Clark State College (LCSC) was Dr. Cynthia Pemberton and representing the University of Idaho (UI) was Mr. Scott Green. Representing the College of Eastern Idaho (CEI) was Dr. Rick Aman. Representing the College of Southern Idaho (CSI) was Dr. Jeff Fox. Representing the College of Western Idaho (CWI) was Dr. Bert Glandon and representing North Idaho College (NIC) was Dr. Rick MacLennan. Representing the Division of Career Technical Education (CTE) was Mr. Dwight Johnson.

Addressing the Board on behalf of his colleagues, ISU President Kevin Satterlee reported the presidents have pledged to work together to synergize one another's efforts, play to their unique strengths, and better serve the people of Idaho by helping students pursue a better life. The presidents have agreed to a unified vision and shared mission for a system born not out of competition and institutional self-interest, but from a vision of collaboration and coordination and to create a new and more effective ecosystem of higher education in Idaho.

Board members commended the presidents on their unified vision and willingness to collaborate and contribute to a more effective and efficient higher education system for Idaho.

## **PLANNING, POLICY AND GOVERNMENTAL AFFAIRS (PPGA)**

### 8. 2020 Proposed Legislation

#### **BOARD ACTION**

**M/S (Hill/Atchley): I move to approve the proposed legislation in substantial conformance to the form provided in Attachment 2 through 6 and to authorize the Executive Director to make additional changes as necessary as the legislation moves forward through the legislative process. The motion carried 8-0.**

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Mr. Scoggin asked if the proposed legislation to amend Section 22-1505, Idaho Code, would remove the approval of seed certification standards from under the Board. Ms. Bent responded the proposed legislation would remove the requirement that the Idaho Agricultural Experiment Station in the College of Agriculture of the University of Idaho use the Administrative Rule process for setting standards for seed certification. Mr. Scoggin expressed concern this would eliminate any oversight over seed certification. Ms. Bent responded the College of Agriculture would still set the standards; however, they would no longer go through the formal Administrative Rule process.



Ms. Bent reported of the thirteen (13) total legislative ideas submitted by the Board, a total of five (5) were approved by the Governor's Office to go forward to the 2020 Legislative Session. One of the legislative ideas that was not approved was the request from Lewis-Clark State College (LCSC) to expand the ability for the college to provide graduate level programs. Dr. Clark then asked Dr. Pemberton to provide an overview of LCSC's proposal for the Board to consider for the next legislative session.

Dr. Pemberton reported the request from LCSC was to remove from statute the limit for LCSC to provide graduate level programs and to bring forward to the Board, on a case-by-case basis, regionally relevant and mission associated proposals for approval. Requests could include LCSC offering graduate level programs in Education and Nursing.

Dr. Hill requested Board staff work with President Pemberton to bring forward LCSC's request to the Board for consideration at a Special Board meeting. Ms. Bent reported the legislative idea was rejected by the Governor's Office. The next opportunity to submit the proposal for consideration would be for the 2021 Legislative Session. Dr. Hill requested Board staff work with LCSC to include this as a legislative idea for the 2021 Legislative session.

There were no additional questions or comments from the Board.

## **INSTRUCTION, RESEARCH AND STUDENT AFFAIRS**

### **7. Graduate Medical Education and Ten-Year Plan**

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

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. Linda Clark, introduced the item and invited Dr. Ted Epperly, MD and Dr. Melissa (Moe) Hagman, MD to present the plan to the Board.

Dr. Epperly reported Idaho currently ranks 49<sup>th</sup> in the United States for physicians per capita and 49<sup>th</sup> in the U.S. for the number of Graduate Medical Education (GME) residency positions per capita. The Ten Year GME Plan (Plan) was created in 2017 to increase the number of GME programs in Idaho from nine to twenty-one over the course of a decade. The impact of the Plan will be to produce an additional 1,440 physicians over what would have been produced without this Plan.

The third year of the Plan would be implemented through support provided by the FY2021 budget request. The GME FY2021 budget calls for \$2.78 million to expand to 172 residents per year in training and to add 38 new resident positions and would also provide new GME program expansions in Nampa, Boise, Idaho Falls, Rexburg, Pocatello, Coeur d'Alene and Blackfoot. The FY2021 budget request was developed prior to the issuance of the memo from the Division of Financial Management directing agencies to withhold any non-essential line items from their budget request. Mr. Epperly reported in the spirit

of collaboration this request was reduced to \$1.5 million, however, he strongly advised against eliminating all funding for the third year of the Plan.

Dr. Hagman provided Board members with an update to the GME Committee Dashboard.

Dr. Hill asked what, after funding, is the greatest challenge to the Plan. Dr. Hageman responded finding qualified instructors and time. Dr. Epperly added an additional challenge is securing a commitment from the local community to the program.

There were no additional questions or comments from the Board.

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

9. Idaho Division of Vocational Rehabilitation – Temporary Rule Docket No. 07-0101-1901, Rules of the Idaho Division of Vocational Rehabilitation

### **BOARD ACTION**

**M/S (Hill/Westerberg): I move to approve Temporary Rule Docket No. 47-0101-1901 as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported the Division of Vocational Rehabilitation is bringing forward a temporary rule that complies with the federal requirements for vocational rehabilitation services. Additional work is being performed with various stakeholder groups to bring back a proposed rule during the 2020-2021 negotiated rule making cycle that would go through the proposed and pending rule stages and be forwarded to the Legislature in 2021 for consideration.

There were no questions or comments from the Board.

10. Temporary and Proposed Rule – Docket No. 08-0113-1901, Rules Governing the Opportunity Scholarship Program

**BOARD ACTION**

**M/S (Hill/Atchley): I move to approve Temporary and Proposed Rule Docket No. 08-0113-1901, as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported the temporary and proposed rule would make amendments to the student eligibility and application requirements to allow for a portion of the Opportunity Scholarship awards to be used for individuals who have earned 24 or more postsecondary credits. The temporary rule would go into effect immediately upon approval by the Board. Any amendments to the proposed rule from the negotiated rule making process would amend the temporary rule at the same time.

There were no questions or comments from the Board.

11. Proposed Rule – Docket No. 08-0201-1901, Rules Governing Administration

Dr. Hill requested unanimous consent to move this item after item seven (7) of the Planning, Policy and Governmental Affairs agenda - Board Policy V.Q. Residency for Tuition Purposes – Second Reading. There were no objections.

12. Proposed Rule – Docket No. 08-0201-1902, Rules Governing Administration – Continuous Improvement Plans

**BOARD ACTION**

**M/S (Hill/Atchley): I move to approve the Proposed Rule Amendments – Docket No. 08-0201-1902, as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported approval of the proposed rule would bring the rule in compliance with section 33-320, 1212A, and 33-1616, Idaho Code and provide the school districts guidance on the new requirements for the district plans.

There were no questions or comments from the Board.

13. Proposed Rule – Docket No. 08-0202-1903, Rules Governing Uniformity – Juvenile Detention Centers

**BOARD ACTION**

**M/S (Hill/Clark): I move to approve the Proposed Rule Amendments – Docket No. 08-0202-1903, as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board’s Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported approval of the proposed rule would bring the rule in alignment with Section 33-2009, Idaho Code and remove obsolete language from Administrative Code.

Board member Scoggin asked if there were any issues with removing the obsolete language from statute to which Ms. Bent responded there were none.

There were no additional questions or comments from the Board.

14. Division of Career Technical Education – Proposed Rule – Docket No. 08-0203-1901, Rules Governing Thoroughness, Incorporated by Reference – Career Technical Education Program Content Standards

**BOARD ACTION**

**M/S (Hill/Atchley): I move to approve amendments to the Career Technical Education Content Standards as submitted in Attachments 2 through 6.** The motion carried 8-0.

**AND**

**M/S (Hill/Atchley): I move to approve Proposed Rule Docket No. 08-0203-1901, as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board’s Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported approval of the proposed rule changes would add additional career technical education subcategories into the existing content standard areas and update content standards previously approved by the Board.

There were no questions or comments from the Board.

15. Proposed Rule – Docket No. 08-0203-1902, Rules Governing Thoroughness – Data Elements – Chronic Absenteeism

**BOARD ACTION**

**M/S (Hill/Atchley): I move to approve Proposed Rule Docket No. 08-0203-1902, as submitted in Attachment 1.** The motion carried 8-0.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported should the pending rule be approved by the Board and accepted by the legislature it would add chronic absenteeism as an ongoing data element in the state longitudinal data system.

There were no questions or comments from the Board.

16. Proposed Rule – Docket No. 08-0204-1901, Rules Governing Public Charter Schools

**BOARD ACTION**

**M/S (Hill/Westerberg): I move to approve Proposed Rule Docket No. 08-0204-1901, as submitted in Attachment 1.** The motion carried 7-1 with Mrs. Atchley voting Nay.

Planning, Policy and Governmental Affairs (PPGA) Committee Chair, Dr. David Hill, introduced the item and requested the Board's Chief Planning and Policy Officer, Ms. Tracie Bent, present the item to the Board.

Ms. Bent reported the proposed rule would provide clarification to charter schools on what their status is while waiting for authorizer renewal.

Mrs. Atchley asked if the proposed rule includes a time limit for when an authorizer renewal must be issued. Ms. Bent responded the intent of the rule is to protect the charter school who has met all of its performance certificate targets until such time the chartering entity can take action. Authorizing school districts would already be out of compliance for this provision to take effect.

President Critchfield requested the PPGA Committee work to develop timeframes for when an authorizing entity must review a charter school's performance certificate and take action once a charter school has submitted for renewal of their charter.

The Board recessed for 45 minutes, returning at 12:35pm.

17. Division of Career Technical Education – Proposed Rule 55-0103-1901, Rules of Career Technical Schools – First Reading

Dr. Hill requested unanimous consent to move this item after item six (6) of the Planning, Policy and Governmental Affairs agenda - Board Policy IV.E. Division of Career Technical Education – First Reading. There were no objections.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS**

1. Board Policy III.F., Program Prioritization – First Reading

**BOARD ACTION**

**M/S (Clark/Soltman):** I move to approve the first reading of the new Board Policy III. F, Program Prioritization, as submitted in Attachment 1. The motion carried 8-0.

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and reported it is the intent of the IRSA Committee to submit a change to Section 2 of the proposed policy between the first and second reading. The proposed change would be as follows:

*“The following criteria shall be considered by institutions in evaluating programs. This criteria can be weighed within the evaluation process as the institution determines appropriate. Criteria shall include:*

- a. History, development and expectations of the program
- b. External demand
- c. Internal demand
- d. Quality of inputs and processes
- e. Quality of outcomes
- f. Size, scope and productivity
- g. Revenue and other resources generated
- h. Costs and other expenses
- i. Impact, justification and overall essentiality
- j. Opportunity analysis

Dr. Hill asked for clarification of the staff comments stating the Board seeks reporting on specific outcomes in five-year intervals. Dr. Clark responded the intent of the IRSA Committee was to formalize the reporting to the Board in five-year intervals. Dr. Hill requested clarification on this before the second reading of the proposed policy. The Board’s Chief Academic Officer, Dr. Randall Brumfield, clarified the intent is for the reporting to be on an annual basis and the process on a five-year interval. Mrs. Atchley asked if the expectation is for the institutions to review 20% of their programs every year or 100% of their programs every five-years. Dr. Brumfield responded the intent is for a comprehensive evaluation every five-years.

PPGA Committee chair reported the committee would further develop and clarify the language of the proposed policy before bringing the second reading to the Board for approval. The Board's Executive Director, Mr. Matt Freeman, reminded Board members clarification of the language between the first and second reading would be appropriate, however, substantive changes would need to be returned to the Board as a first reading.

There were no additional questions or comments from the Board.

## 2. Board Policy III.G., Program Approval and Discontinuance – First Reading

### **BOARD ACTION**

**M/S (--/--): I move to approve the first reading of proposed amendments to Board Policy III.G., Postsecondary Program Approval and Discontinuance, as submitted in Attachment 1.** The Board did not take action on this item.

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and requested the Board's Chief Academic Officer, Dr. Randall Brumfield, present the item to the Board.

Dr. Brumfield reported approval of the proposed amendments would provide the Board with a better understanding of the investments institutions are making toward the development of new programs. Offer the Board an opportunity to more effectively govern the planning of the delivery of new programs through a system-wide lens, and provide an opportunity for the Board to evaluate and approve new programs before budget requests are approved for them. The proposed amendments would provide the institutions with a better understanding of the Board's expectations with regard to new programs and provide an opportunity to demonstrate to the Board how new baccalaureate programs would benefit students, the state and respond to workforce needs.

Mr. Scoggin asked how the proposed changes differ from the current process. Dr. Brumfield responded currently only graduate level programs or programs exceeding \$250,000 in a fiscal impact threshold come to the Board for approval. Mr. Scoggin then asked what the benefit would be to having the Board regulate the institutions to the extent provided in the proposed amendments. Dr. Brumfield responded the proposed amendments would allow the Board to understand the fiscal impact to students and how the programs respond to the workforce needs of the state.

Idaho State University (ISU) President, Mr. Kevin Satterlee, requested permission from the Board to comment on the proposed amendments. Joining Mr. Satterlee was ISU Executive Vice President and Provost, Dr. Laura Woodworth-Ney.

President Satterlee reminded Board members of the commitment from the presidents of the colleges and universities to promote and foster a system of collaboration and coordination and that, as written, the presidents of the colleges and universities could not support the proposed amendments.

Dr. Woodworth-Ney shared with the Board the concerns expressed by the provosts of the colleges and universities that the language, as written, only addresses new program proposals and not those programs that are created through a shifting of resources or utilization of existing resources.

Dr. Clark requested that, based upon the information received from the colleges and universities, the Board take no action and return the item to the IRSA Committee for further development.

Mr. Westerberg requested unanimous consent to return the item to the IRSA Committee. There were no objections.

### 3. Board Policy III.L., Continuing Education and Prior Learning – First Reading

#### **BOARD ACTION**

**M/S (Clark/Atchley): I move to approve the first reading of proposed amendments to Board Policy III.L., Continuing Education and Prior Learning as submitted in Attachment 1.** The motion carried 8-0.

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and requested the Board's Chief Academic Officer, Dr. Randall Brumfield, present the item to the Board.

Dr. Brumfield reported the proposed amendments would provide potential students and advisors with greater access and understanding of established institutional policies and processes facilitating the awarding of credit for alternative forms of learning. This would include credits awarded for experience-based learning, work-based learning and other forms of assessment external to that provided through traditional course delivery.

There were no questions or comments from the Board.



4. Board Policy III.N., General Education – First Reading

**BOARD ACTION**

**M/S (Clark/Soltman): I move to approve the first reading of proposed amendments to Board Policy III.N., Statewide General Education, as submitted in Attachment 1.** The motion carried 8-0.

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and requested the Board’s Chief Academic Officer, Dr. Randall Brumfield, present the item to the Board.

Dr. Brumfield reported approval the proposed amendments would provide a process for providing changes to the common indexed course list, as well as the removal of courses from the common indexed course listing to ensure an accurate list is maintained at all times.

There were no questions or comments from the Board.

5. Board Policy III.S., Remedial Education – First Reading

**BOARD ACTION**

**M/S (Clark/Westerberg): I move to approve the first reading of proposed amendments to Board Policy III.S., Remedial Education, as submitted in Attachment 1.** The motion carried 8-0.

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and requested the Board’s Chief Academic Officer, Dr. Randall Brumfield, present the item to the Board.

Dr. Brumfield reported approval of the proposed amendments would provide definitions for college level courses and gateway Math and English courses, and discontinue the requirement for remedial courses and other prerequisite courses including remedial courses for gateway Math and English courses for students beginning in the 2021-22 academic year. The amendments would also clarify that gateway courses without a prerequisite would fulfill general education requirements as provided in Board Policy III.N. and would include common-indexed gateway math and English courses such as Math123: Math in Modern Society; Math143: College Algebra; Math153: Statistical Reasoning and ENGL101: Writing and Rhetoric I. Finally, Dr. Brumfield reported the proposed amendments would ensure students completing a co-requisite gateway course would not be required to take a placement exam to enroll in a subsequent course.

Boise State University (BSU) Provost, Dr. Tony Roark, requested permission to address the Board. Dr. Roark reported the BSU has successfully utilized a corequisite model for the delivery of English courses and an emporium model for the delivery of math courses for many years and expressed concern that the policy, as written, would drastically restructure BSU's delivery of math courses.

Dr. Clark asked if this feedback had been shared with the IRSA Committee while the policy was being drafted. Dr. Roark responded he had shared this feedback with the committee, and in the context of that meeting it was his understanding there was agreement the committee was looking at outcomes and there would be some flexibility allowed in the policy for the implementation of Complete College American (CCA) Game Changer strategies.

Mr. Scoggin asked Dr. Roark if his concern with the policy is specific to the first sentence of Section 10 *“Effective Fall 2021, completion of a pre-requisite course shall not be required for enrollment in a gateway course”*. Dr. Roark responded in the affirmative. Mr. Scoggin then asked if BSU would like to retain the ability to require prerequisite courses for gateway courses. Dr. Roark responded in the affirmative, especially for Math 143. Mr. Scoggin asked if it were Dr. Roark's opinion the last sentence of Section 10 should read *“Co-requisite gateway courses will not exceed six semester credits”*. Dr. Roark responded in the affirmative.

Dr. Brumfield responded to Dr. Roark's comments by stating the intent of the policy is to not restrict the types of delivery models. With respect to the requirement that gateway courses not exceed five credit hours, the intent of the IRSA Committee was to keep students from having to take two gateway courses.

University of Idaho (UI) Vice Provost for Academic Initiatives, Dr. Cher Hendricks, requested permission to address the Board. Dr. Hendricks reported UI utilizes the emporium model for the delivery of math courses and does not have the available resources to fully transition to a corequisite model for math.

North Idaho College (NIC) Vice President for Instruction, Dr. Lita Burns, requested permission to address the Board. Dr. Burns reported NIC also utilizes an emporium model for the delivery of math courses and expressed concern with how the policy, as written, could affect NIC's delivery of math courses under this model.

President Critchfield commented on the amount of time spent at the committee level developing the proposed policy amendments and that the Board members on the IRSA Committee were fully supportive of the policy amendments coming to the Board as a first reading with the understanding the provosts of the colleges and universities were in agreement with the changes.

Mr. Westerberg suggested the concerns expressed by the provosts could be addressed in the second reading of the policy.

There were no additional questions or comments from the Board.

6. Board Policy III.U., Textbook and Instructional Material Affordability – First Reading

**BOARD ACTION**

**M/S (Clark/Scoggin): I move to approve the first reading of new policy, Board Policy III.U., Textbook Affordability and Instruction Material Affordability, as submitted in Attachment 1.** The motion carried 8-0.

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and reported the proposed policy is the Board's first attempt to address textbook affordability and the IRSA Committee will bring to the Board for approval a companion piece to address low cost textbooks. Dr. Clark then requested the Board's Chief Academic Officer, Dr. Randall Brumfield, present the item to the Board.

Dr. Brumfield reported the proposed new policy establishes definitions for Open Education Resources (OER) and instructional materials and minimum standards for textbook affordability. The policy would require institutions to implement a plan to meet or exceed the standards no later than the 2021-2022 academic year.

There were no questions or comments from the Board.

7. Graduate Medical Education and Ten-Year Plan

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

Dr. Clark requested unanimous consent to move this item after item eight (8) of the Planning, Policy and Governmental Affairs agenda – 2020 Proposed Legislation. There were no objections.

## 8. Three-Year Program Plan

### **BOARD ACTION**

**M/S (Clark/Soltman): I move to approve the Three-Year Program Plan, as submitted in Attachment 1. The motion carried 8-0.**

Instruction, Research and Student Affairs (IRSA) Committee Chair, Dr. Linda Clark, introduced the item and requested the Board's Chief Academic Officer, Dr. Randall Brumfield, present the item to the Board.

Dr. Brumfield reported approval of the three-year plan would provide the institutions with the option to proceed with the development of program proposals for consideration by the Board for approval and implementation over the next three years.

There were no questions or comments from the Board.

### **BUSINESS AFFAIRS AND HUMAN RESOURCES**

#### **Section II – Finance**

#### **1. FY2021 Line Item Budget Requests**

### **BOARD ACTION**

**M/S (Atchley/Westerberg): I move to approve the inclusion of fund shifts for Change in Employee Compensation and Health and Variable Benefits and enrollment growth funding for existing academic and career technical programs as part of the Maintenance of Current Operation budget request. The motion carried 8-0.**

### **AND**

**M/S (Atchley/Westerberg): I move to approve occupancy costs and faculty promotions as described in Attachments 2 and 3, to authorize the Executive Director to approve the Maintenance of Current Operations budget requests for agencies and institutions due to the Division of Financial Management and Legislative Services Office on August 30, 2019, and to submit any necessary revisions to the FY2021 budget requests. The motion carried 8-0.**

### **AND**

**M/S (Atchley/Westerberg): I move to approve the Graduate Medical Education Line Items for a total of \$1,500,000. The motion carried 8-0.**

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item. There were no questions or comments from the Board.

## 2. FY2021 Capital Budget Requests

### **BOARD ACTION**

**M/S (Atchley/Soltman):** I move to approve the capital projects listed in the table in Attachment 1 from Boise State University, Idaho State University, and Lewis-Clark State College and to submit projects requesting Permanent Building Funds to the Permanent Building Fund Advisory Council for the FY2021 budget cycle. The motion carried 8-0.

### **AND**

**M/S (Atchley/Clark):** I move to approve the Six-Year Capital Improvement Plans for FY2021 through FY2026 for Boise State University, Idaho State University, the University of Idaho, and Lewis-Clark State College, as provided in Attachments 2 through 5. The motion carried 8-0.

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the Board's Chief Fiscal Officer, Dr. Caron Howell, present the item to the Board.

Dr. Howell reported Board approval of the six-year plan constitutes notice to the Board that an institution or agency may bring a request at a later date for approval for planning and design for one or more of the projects in the institution plan.

There were no questions or comments from the Board.

### 3. Boise State University, Idaho State University and University of Idaho – Report on National Collegiate Athletic Association (NCAA) Academic Progress Rate (APR) Scores

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

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and reported Boise State University, Idaho State University and University of Idaho all report their institution is meeting the 930 APR benchmark.

Mr. Westerberg commented on the exceptional work being done by the institutions and their progress on the APR numbers.

There were no additional questions or comments from the Board.

#### 4. Systemness Update

This item was moved to after item 11 of the moved PPGA agenda.

#### 5. Boise State University – Online Course/Program and Pricing Strategies

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

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the Vice President and Chief Financial Officer for Boise State University (BSU), Mr. Mark Heil, present the item to the Board. Joining Mr. Heil was the Dean of the College of Extended Studies, Mr. Mark Wheeler.

Mr. Wheeler reported through the use of online program fees, BSU has created more than one dozen fully online programs without utilizing any additional state funds. The online programs approved by the Board extend access to BSU to thousands of students. Finally, Mr. Wheeler reported in response to questions from the Board about the criteria and cost of online fees, BSU developed a Frequently Asked Questions (FAQ) Document. This FAQ was presented to the BAHHR Committee during the April 5, 2019 meeting.

President Critchfield asked if BSU has considered offering online courses for what it actually costs the university to deliver the course. Mr. Wheeler responded in the affirmative, however, for the programs to be successful, BSU must price them based upon a combination of the actual cost and what the market will bear.

Dr. Clark asked if there is a cost differential on campus for students taking a face-to-face class versus taking the same class online. Mr. Wheeler responded in the affirmative, adding that currently BSU charges a \$30 per-credit fee for online courses that is in addition to the on-campus rate.

Mr. Westerberg asked if the Board should consider a system wide approach for the pricing of online courses or continue to allow the individual institutions to set the pricing for online courses. Dr. Hill responded this would be a good discussion for the Board to have in a public setting, if only to allow the public an opportunity to observe the discussion on how fees are set.

The Board's Chief Fiscal Officer, Dr. Carson Howell, reported the topic of online program fees has been a topic of discussion of the BAHHR Committee. Mrs. Atchley asked if the preference of the Board were to have this discussion at the Board level, or at the committee level.

There were no additional questions or comments from the Board.

6. Idaho State University – Amending Bond Reimbursement Resolution for Meridian Parking Lot Project

**BOARD ACTION**

**M/S (Atchley/Westerberg): I move to approve the request from Idaho State University for authority to use future bond proceeds to reimburse itself for costs and expenses of the project as described in the second paragraph of the Impact Section above; provided however any issuance of bonds will require prior Board approval.** The motion carried 8-0.

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the Vice President of Finance for Idaho State University (ISU), Dr. Glen Nelson, present the item to the Board.

Prior to Dr. Nelson’s presentation, the Board’s Chief Fiscal Officer, Dr. Carson Howell, reported items number six (6), seven (7) and eight (8) of the BAHR agenda were related to a single bond that ISU would be requesting Board approval for later this year.

Dr. Nelson reported the Board previously approved purchasing and constructing a parking lot at the Sam and Aline Skaggs Health Science Center in Meridian. At the April 2019 Board meeting, the Board approved the request for ISU for authority to use future bond proceeds to reimburse itself for costs and expenses of the project. The impact statement in the April 18, 2019 request for reimbursement referred to the parking lot construction cost of \$2M and did not specifically identify the \$1.7M purchase price of the property. Finally, Dr. Nelson reported Board approval would amend the Bond Counsel advised language changing the project cost from \$2M to \$3.7M.

There were no questions or comments from the Board.

7. Idaho State University – Residence Halls Renovations

**BOARD ACTION**

**M/S (Atchley/Hill): I move to approve the development of a housing refresh and renovation project by Idaho State University not to exceed \$5 million to renovate Turner Hall, Dyer Hall, Nicholas Hall, and the Owen Redfield Hall subject to future Board approval of the financing plan and bond issuance.** The motion carried 8-0.

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the Vice President of Finance for Idaho State University (ISU), Dr. Glen Nelson, present the item to the Board.

Dr. Nelson reported ISU is seeking Board approval to invest \$5M in upgrades to four of their older residence halls; Turner Hall (constructed in 1966), Dyer Hall (constructed in 1960), Nichols Hall (constructed in 1960) and the Owen Redfield Hall complex (constructed prior to 1960). The project would include the installation of air conditioning to the living units and common areas of Turner Hall and the common areas of Dyer Hall, Nichols Hall and the Owen Redfield Hall complex. The bathrooms will be redesigned and updated in Dyer Hall, Nicholas Hall and the Owen Redfield Hall complex, and the common areas and entrances to all four (4) residence halls will be upgraded and new finishes installed.

There were no questions or comments from the Board.

#### 8. Idaho State University – Stephens Performing Art Center Refinancing

##### **BOARD ACTION**

**M/S (Atchley/Clark): I move to approve the request by Idaho State University to refinance the debt associated with the Stephens Performing Arts Center subject to future Board approval of the financing plan and bond issuance. The motion carried 8-0.**

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the Vice President of Finance for Idaho State University (ISU), Dr. Glen Nelson, present the item to the Board.

Dr. Nelson reported the financing plan for the Stephens Performing Arts Center was built on charitable contributions and debt issuance by the ISU Foundation on behalf of ISU. The current balance on the debt held by the ISU Foundation is \$3.5M at 3.7%. The annual debt service payment by the ISU Foundation has created a severe obstacle for effective fundraising by ISU, requiring the university to use unrestricted Foundation assets to pay the debt service rather than use such funds to either increase scholarships or invest in the fundraising infrastructure and abilities of the University Advancement function.

Board approval of the request would allow ISU to receive ownership of the Stephens Performing Arts Center and retire the remaining ISU Foundation debt through refinancing with the issuance of a bond.

Mr. Westerberg asked what the combined total of the bond request would be. Dr. Nelson responded \$20M - \$22M and would include the previously approved Davis Field Renovations and the most recent purchase of land at the ISU Meridian Campus. Mr. Soltman asked how this would impact ISU's bonding capacity. Dr. Nelson responded the impact would be minimal. Dr. Howell added ISU's current bonding capacity is 2.6% and this would raise their capacity to 3.1%, well below the 8% limit.

There were no additional questions or comments from the Board.



9. University of Idaho – Contract Approval, Student Health Services Clinic

**BOARD ACTION**

**M/S (Atchley/Hill): I move to approve the request by the University of Idaho for authority to enter into the contract set forth in Attachment 1 for its Student Health Services Clinic for an initial term of three years in substantial conformance with the Proposed Contract included in the materials submitted to the Board; including authority for the Vice President of Finance and Administration to execute the final contract and any related documents necessary to bring the contract into effect. The motion carried 8-0.**

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the Board's Chief Fiscal Officer, Dr. Caron Howell, present the item to the Board.

Dr. Howell reported the University of Idaho (UI) went out to bid for the contract and sent the bid to three potential vendors and Gritman Medical Center was selected. Board policy requires that any contract over \$1M come to the Board for approval. The estimated value for this contract is just over \$1M and provides standard health services available to all students.

There were no questions or comments from the Board.

10. University of Idaho- Disposal of Regents' Real Property, Sandpoint, Idaho

**BOARD ACTION**

**M/S (Atchley/Soltman): I move to approve the request by the University of Idaho for approval of the Purchase and Sale Agreement for the Sandpoint Research and Extension Center for an amount of \$4,000,000 as submitted in Attachment 2, and 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 as described therein. The motion carried 8-0.**

Business Affairs and Human Resources (BAHR) Committee Chair, Mrs. Emma Atchley, introduced the item and requested the University of Idaho (UI) Vice President for Finance and Administration, Mr. Brian Foisy, answer any questions from the Board.

Mr. Scoggin asked, from a stewardship standpoint, if sufficient work was performed to provide confidence to the Board the sale price of \$4M is appropriate. Mr. Foisy responded UI performed two appraisals on the property; one came in at \$2.8M and the other at \$5.1M. After the appraisals, the university did receive an unsolicited offer from a local developer to purchase the property for \$4M., saving the university the cost of a commission were they to list the property with a commercial real estate broker.

Mr. Westerberg asked if there was community support for the sale of the property. Mr. Foisy responded there is mixed support from the community for the sale of the property as there has been use of the property by the community. UI did agree to cooperate with the City of Sandpoint while they worked on plans to acquire the property; however, at the end of two (2) years reported they were unable to complete the purchase. UI now finds itself in a position where they are attempting to fund strategic priorities and have an unutilized property they are able to sell.

Mr. Scoggin stated his concern with the sale process and asked why UI did not put the property on the market. Mr. Foisy responded accepting the unsolicited offer would save the university 10% of the land's value in brokerage fees. Mr. Scoggin asked if the university risks losing the buyer if the property were to be put out to bid. Mr. Foisy responded this is a possibility but that he cannot answer definitively.

University of Idaho President, Mr. Scott Green, requested permission to address the Board. Mr. Green reported the Board recently approved the purchase of a dairy property in Jerome and at the time UI informed the Board it would be disposing properties owned by UI located in Caldwell and Sandpoint Idaho. The sale of these properties is needed for the university to build up their reserves. The commercial real estate market in Sandpoint is extremely thin and the number of people who may bid on the property should it be put out to bid is not high. Mr. Green reported the buyer tried to push the price down and the university stood firm. Finally, Mr. Green stated this is the right decision for the state and the university.

Mr. Scoggin asked if Mr. Green had reviewed the sale process and if he felt comfortable with the price offered. Mr. Green responded in the affirmative.

There were no additional questions or comments from the Board.

## **OTHER BUSINESS**

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

## **BOARD ACTION**

**M/S (Westerberg/Hill): To adjourn the meeting at 2:06pm (MST).** The motion carried 8-0.