



**STATE BOARD OF EDUCATION MEETING  
June 28, 2021**

**Office of the State Board of Education  
Len B. Jordan Building  
650 W State Street, 3<sup>rd</sup> Floor  
Boise, Idaho**

A special meeting of the Idaho State Board of Education was held via Zoom teleconference on June 28, 2021, with the call originating from the Office of the State Board of Education in Boise. Board President Kurt Liebich presided and called the meeting to order at 4:00pm (MT).

**Present**

Kurt Liebich, President  
Dr. Dave Hill, Vice President  
Dr. Linda Clark, Secretary

Debbie Critchfield  
Andy Scoggin  
Shawn Keough

**Absent**

Emma Atchley  
Sherri Ybarra, State Superintendent

**Monday, June 28, 2021, 4:00p.m. (MT)**

*Prior to the start of the meeting, Board Member Hill asked for unanimous consent to remove the second agenda item (Business Affairs and Human Resources Tab 2, University of Idaho – Huron Contract) from the agenda. There were no objections.*

**BUSINESS AFFAIRS AND HUMAN RESOURCES**

1. University of Idaho – Jaggaer E-Procurement Purchase

**BOARD ACTION**

**M/S (Hill/Clark): I move to approve the request by the University of Idaho to execute the attached contract with Jaggaer and to authorize the University of Idaho Vice-President for Finance and Administration, or designee, to execute the**

**necessary contractual documents in substantial conformity to the documents attached to this motion.** A roll call vote was taken and the motion carried 6-0. Mrs. Atchley and Supt. Ybarra were absent from voting.

Board Member Hill introduced the item and asked Todd Kilburn, Chief Financial Officer, and Chet Herbst, System Optimization Project Manager, to provide background information. Mr. Herbst discussed that the proposed contract and use of Jaggaer's software will improve coordination and streamline operations at the institutions in regard to purchasing and procurement. He added that this contract will increase compliance efforts with state and federal regulations, and noted that the institutions will continue to comply with any guidelines and regulations set forth by the Idaho Division of Purchasing.

Board President Liebich inquired if the two-year institutions have expressed interest in participating in this contract. Mr. Herbst discussed that he has communicated with representatives at each of the two-year institutions, and noted that while they may not be able to participate in the Jaggaer contract they are interested in being involved in larger, systemwide purchases for items such as technology. Board President Liebich also inquired if the institutions' IT and Purchasing departments are comfortable with the implementation of the Jaggaer software. Mr. Herbst stated that it will be an ongoing process to implement the new software, and that Jaggaer will provide extensive support during the implementation and training stages.

Mr. Kilburn noted that the funding for this project will not be received until July 1, 2021, at which point contracts will be signed and funds will be transferred to the UI from the Idaho State Controller's Office. Jim Craig, General Counsel for the UI, noted that the UI would receive a significant discount by signing the contract by the end of June rather than waiting for the new fiscal year to begin. He added that the UI has funding to cover the cost of the contract in the case of a delay with the transfer from the State Controller's Office.

The contract in its entirety is included within the meeting agenda materials.

There were no additional questions or comments from the Board.

## 2. University of Idaho – Huron Contract

*This item was removed from the agenda prior to the start of the meeting via a request for unanimous consent by Board Member Hill. There were no objections.*

## 3. University of Idaho – Lease & Purchase Option Agreement

### **BOARD ACTION**

**M/S (Hill/Critchfield): I move to authorize the University of Idaho to lease the facility located at 501 West Front Street, Boise, ID 83702 under the terms set forth in the attached Triple Net Lease Agreement; to enter into the Option to Purchase the facility; and to authorize the Vice President for Finance and Administration for the University of Idaho to execute all necessary transaction documents including,**

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**but not limited to, the Triple Net Lease Agreement; the Subordination, Nondisturbance and Attornment Agreement; the Option and Right of First Negotiation Agreement; the Memorandum of Lease Agreement; and the Memorandum of Option Agreement; in substantial conformity to the documents attached to this motion.** A roll call vote was taken and the motion carried 6-0. Mrs. Atchley and Supt. Ybarra were absent from voting.

Board Member Hill introduced the item and asked Scott Green, University of Idaho President, to provide background information. President Green discussed that the UI would like to enter into a lease agreement for 501 Front Street in Boise, which previously housed the Concordia Law School, in order to expand the UI's law program in Boise. He discussed that expanding to this building will allow the program cohort to increase by 30 students per year, and that this increase will cover the rent and ongoing expenses for the building as well as produce revenue that will support the law program on the Moscow campus. The contract in its entirety is included within the meeting agenda materials.

Board Member Scoggin inquired if there are any cost savings from space that will no longer be used following the transfer into the new building. Brian Foisy, Vice President for Finance and Administration at the University of Idaho, noted that the new facility is large enough to house the entirety of the law program once it fully transitions over to the new space, and that the space that currently houses the program in the Water Center building could be commercially leased as a source of revenue.

Board President Liebich inquired about the demand for the expansion of the law program. President Green discussed that the UI absorbed the cohort from the Concordia Law School, and noted that there is sufficient demand for the expansion of the program in the Treasure Valley area.

There were no additional questions or comments from the Board.

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

1. Board Policy III.K. – Diversity, Educational Equity, and Inclusion – First Reading

### **BOARD ACTION**

**M/S (Critchfield/Scoggin): I move to approve the first reading of proposed amendments to Board Policy III.K., Diversity, Educational Equity, and Inclusion, as submitted in Attachment 1.** A roll call vote was taken and the motion carried 6-0. Mrs. Atchley and Supt. Ybarra were absent from voting.

Board President Liebich introduced the item and discussed that this is the first reading of proposed amendments to Board Policy III.K. – Diversity, Educational Equity, and Inclusion, which will give the Board an opportunity to discuss and provide feedback on the policy. He also noted that there will be time for public comment prior to the policy being brought before the Board for a second reading during the upcoming Regular August Board Meeting.

Board Member Critchfield discussed that the items outlined in Board Policy III.K., specifically diversity, equity, and inclusion in the public school system, have been a topic of concern and ongoing discussion over the course of the past year, particularly during the 2021 Legislative Session. She noted that the Board discussed these topics at length during the May Board Retreat, and outlined work that has been done with the legislature, the institutions, and students to address concerns around these topics. She also noted that the Board has been very clear that it has not received any evidence of and does not support indoctrination in public schools, and that the Board supports the creation of environments on the institution campuses where individuals can have differing points of view and are able to have civil discussions without repercussions or consequences.

Board Member Critchfield discussed the purpose statement for Board Policy III.K., noting that the aim of the policy is to promote that, “Diversity, educational equity, and inclusion are necessary components of educational experiences that challenge individuals to grow, improve critical thinking, refine skills, build character, develop awareness, and engage in freedom of thought and expression.” She noted that the policy is not in opposition to House Bill 377 or to the work that has been done by the Board in this area up to this point. The policy defines the terms diversity, educational equity, and inclusion, and will require each institution to establish and maintain local policies relating to the aforementioned terms in accordance with the unique Board-approved missions and purposes of each institution. The policy in its entirety can be found within the meeting agenda materials.

Board President Liebich echoed Board Member Critchfield’s comments and emphasized the importance of the definitions set forth in the policy, noting that the policy will aid in the development of vibrant and welcoming educational environments. Board Member Hill inquired if the definitions outlined in the policy are the standard definitions of the terms or definitions created by the Board. Board Member Critchfield discussed that the terms are defined in part by how they are used from an accreditation standpoint and how the terms will be utilized when the Board uses them in future discussions. Dr. TJ Bliss, Chief Academic Officer, noted that the definitions listed for diversity and inclusion largely stem from the Northwest Commission on Colleges and Universities (NWCCU), the accrediting body for each of Idaho’s public four-year institutions, as well as the Idaho Commission for Human Rights. He stated that the educational equity definition focuses on equitable opportunities and access for all students. Board Member Hill added that equity is often mischaracterized as equality, and provided the example of fair treatment of employees as it pertains to the health of an organization. He noted that in an organization, employees have different responsibilities and levels of risk but they are provided with the resources and compensation that they need to succeed as an individual within the organization, recognizing that each individual’s needs are different.

Board Member Critchfield echoed Dr. Bliss’s comment about the language stemming from the Idaho Commission for Human Rights, noting that the Idaho Human Rights Act was passed by the Idaho legislature. She added that the policy aims to be a compliment to the legislature’s actions.

Matt Freeman, Executive Director, echoed Board Member Hill's comments and added that the term equity focuses on equitable opportunity rather than equitable outcomes. Board Member Clark also echoed Board Member Hill's comments.

Board President Liebich noted that having uniform definitions for the terms will ensure more productive and clear conversations about these items in the future. He added that public feedback will be collected by the Board Office prior to the Regular August Board Meeting. Board Member Critchfield discussed that the Board may need to revise some of the terminology used to title the subsections of the policy in order to provide further clarity.

There were no additional questions or comments from the Board.

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

#### **BOARD ACTION**

**M/S (Critchfield/Hill):** I move to adjourn the meeting at 4:41pm (MT). The motion carried 6-0.