

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

TAB	DESCRIPTION	ACTION
1	BOARD POLICY III.B. ACADEMIC FREEDOM AND RESPONSIBILITY AND POLICY III.P. STUDENTS – FIRST READING	Action Item
2	BOARD POLICY III.G. POSTSECONDARY PROGRAM APPROVAL AND DISCONTINUANCE – FIRST READING	Action Item
3	ONLINE IDAHO UPDATE AND DEMONSTRATION	Information Item
4	NORTH IDAHO COLLEGE – NORTHWEST COMMISSION ON COLLEGES AND UNIVERSITIES’ INVESTIGATION OF COMPLAINTS	Information Item

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

SUBJECT

Board Policy III.B. Academic Freedom and Responsibility and Board Policy III.P.
Students – First Reading

REFERENCE

October 2020	The Board approved a first reading of amendments to Board Policy III.P. that brought the policy into compliance with new Title IX Regulations.
December 2020	The Board approved a second reading of amendments to Board Policy III.P.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section III.B., III.P., and III.U.

BACKGROUND/DISCUSSION

Public postsecondary educational institutions are created for the common good and not to further the interests of either the individual student or the institution as a whole. Academic freedom is fundamental for the protection of the rights of students in learning and carries with it responsibilities as well as rights. Idaho's public colleges and universities strive to create environments where civil discourse and academic inquiry may occur free from discrimination, intimidation, and retaliation. As such, postsecondary learning experiences—both inside and beyond the classroom—are protected under the academic freedom and academic responsibility of every student, faculty member, and institution.

The academic freedom to explore significant and controversial theories is essential to the development of conscientious lifelong learners. Academic freedom in research and teaching is fundamental to advancing access to knowledge and ensuring its quality. The freedom of an institution to pursue its academic mission without interference is essential for students to learn and conduct research, a faculty member to teach and conduct research, and an institution to facilitate learning, teaching, and research. Accordingly, students, faculty, and institutions hold a common responsibility to respect diverse worldviews and should not elevate the ideas or beliefs of an individual, an institution as a whole, or a specific political agenda at the expense of others' right to pursue their own educational interests.

Board Policy III.B. Academic Freedom and Responsibility was created as part of the process in the late 1900s when postsecondary personnel policies were moved from Administrative Code to the Board's Governing Policies and Procedures. At that time, it was common for the Board to consider the Board Policy Manual as a whole rather than individual policy changes. Due to the way the minutes to the Board meetings were structured at that time it is not possible to determine the exact date Board Policy III.B was codified, other than it was prior to 2000. Only technical changes that did not require Board approval have been made to the policy since that time, with the most recent change occurring in 2002.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

IMPACT

The proposed amendments will bring Board policy III.B. into alignment with current nationally accepted standards of academic freedom and academic responsibility, particularly those supported by the American Association of University Professors. The amendments also clearly define key terms, delineate the academic freedoms and academic responsibilities of students, faculty, and institutions alike, and outline the general limitations of these freedoms and responsibilities. Language related to academic freedom and responsibility of students currently contained in Board Policy III.P. has been moved to Board Policy III.B. and expanded upon. Finally, amendments to the title of Board Policy III.B. are also proposed, adding the word “academic” prior to the term “responsibility” to emphasize a balance between academic freedom and academic responsibility.

An additional, incidental revision to Board Policy III.P is also proposed, removing language about vaccine categories that are no longer utilized by the Centers for Disease Control and Prevention. This change will prevent confusion about vaccine related information in Board policy.

ATTACHMENTS

Attachment 1– Board Policy III.B. Academic Freedom and Responsibility – First Reading

Attachment 2 – Board Policy III.P. Students – First Reading

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff identified Board Policy III.B. as in need of updating in early 2020, in connection with the amendments made to other Board policies at that time. In May 2021, Board staff formed a working group of faculty and administrators from all eight public postsecondary institutions. This working group met several times throughout the summer, resulting in the proposed amendments as attached. The committee and Board staff also sought input from nationally recognized experts and resources on academic freedom and freedom of expression, including the American Association of University Professors¹, the Foundation for Individual Rights in Education², and the Report on the Committee on Freedom of Expression at the University of Chicago³ (also known as “The Chicago Principles”).

The policy amendments represent a significant structural change to the policy. Specifically, the proposed policy is restructured to include the following major sections:

- Definitions of Key Terms
- Academic Freedom and Academic Responsibility of Students
- Academic Freedom and Academic Responsibility of Faculty
- Academic Freedom and Academic Responsibility of Institutions
- Limitations

¹ <https://www.aaup.org/our-programs/academic-freedom/resources-academic-freedom>

² <https://www.thefire.org/>

³ <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

The current version of Board Policy III.B. applies only to faculty, does not define key terms, and lacks limitations. Language related to the academic freedom of students currently found in Board Policy III.P has been proposed for deletion, as student academic freedom and responsibility is now covered in the proposed amendments to Board Policy III.B.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board Policy III.B. Academic Freedom and Responsibility, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

I move to approve the first reading of proposed amendments to Board Policy III.P. Students, as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: III. POSTSECONDARY AFFAIRS

Subsection: B. Academic Freedom and Academic Responsibility ~~April 2002~~February 2022

~~In adopting the following policy statement concerning academic freedom and responsibility, the State Board of Education and Board of Regents of the University of Idaho affirms its belief that academic freedom should not be abridged or abused.~~

~~Institutions of higher education are operated for the common good and not to further the interests of individual faculty members or the institution as a whole. Academic freedom is essential to protect the rights of the faculty member in teaching and the student in learning. Freedom in research and teaching is fundamental to the advancement of truth. Academic freedom carries with it responsibilities as well as rights.~~

~~1. Teaching~~

~~The faculty member is entitled to freedom in the classroom in discussing the subject material but should not introduce matters not germane to the subject.~~

~~2. Research~~

~~The faculty member is entitled to freedom in research and the publication of the results. However, research for pecuniary return, when that research is a part of the faculty member's assigned duties or when the research involves use of institutional facilities or resources not usually available to the general public may be undertaken only with prior written approval by the chief executive officer or his or her designee.~~

~~3. Responsibilities~~

1. Definitions

a. Academic Freedom is a long-standing philosophical, legal, and constitutional principle of freedom of speech that advances the right of postsecondary students, faculty, and institutions to pursue educational opportunities that seek, examine, apply, discuss, and build knowledge, theories, values, concepts, or ideas without fear of censorship, retaliation, or threat to institutional status.

b. Academic Responsibility is the commitment by students, faculty, and institutions to strive to protect the academic freedom of others by appreciating their special position in the community, performing academic obligations with intellectual honesty, promoting the free exchange of ideas, and showing respect toward those with whom they both agree and disagree.

- c. Faculty are employed to forward the academic mission of a college or university through teaching, research, service, and other scholarly contributions. Students may assume similar employment with institutions as graduate teaching or research assistants. Further, postdoctoral researchers may assume similar employment with institutions. In addition to the foregoing definition, faculty are employees of the institution pursuant to Board Policy II.G.
- d. Student means any person duly admitted and enrolled at an institution under governance of the Board as defined in Board Policy III.P.

2. Students

This policy recognizes the academic freedom and academic responsibility to individuals with the status of student.

a. Academic Freedom of Students

In addition to constitutionally protected freedoms of speech, assembly, and religion, students have the right to engage in free inquiry, intellectual debate, and freedom of scholarship both on and off campus. Students shall not be subject to retaliation, or censorship in response to their beliefs, opinions, research, publications, creative activity, and participation in institutional governance. Students are subject to the responsibilities outlined in paragraph 2.b. of this policy. This academic freedom includes but is not limited to:

i. Instructional Environments

- 1) Students have the right to express personal opinions about concepts and theories presented in their courses and to disagree with opinions expressed by faculty and fellow students, even as they continue to be responsible for the assigned course content.
- 2) Students are entitled to fair and even treatment in all aspects of student-faculty relationships.
- 3) Students may not be directed or otherwise compelled to personally affirm, adopt or adhere to any particular political, religious or philosophical tenet or ideology.
- 4) Students shall not be evaluated on the basis of their adherence to any particular political, religious, or philosophical tenet or ideology.

ii. Research, Publication, and Creative Activity

- 1) Students may pursue research topics of their choosing, pursuant to institutional research standards.
- 2) Students have the right to publish and present their research as well as engage in the production and exhibition of creative works.

- 3) Students are entitled to attribution for discoveries and original research conducted.

iii. Participation in Institutional Governance

- 1) Students have the right to participate in institutional governance through appropriate institutional processes.
- 2) Students have the right to express opinions and provide feedback concerning institutional governance and administration without fear of censorship or retaliation.
- 3) In matters of disciplinary action, students have the right to due process and to be held accountable using academic standards and institutional procedures.

iv. Community and Campus Involvement

- 1) Students have the right of free expression on and off campus.
- 2) Students have the right to organize student associations and to request official recognition or status from their institution for such associations.
- 3) Students have the right to be free from requirements to make personal or political choices against their beliefs or values.

b. Academic Responsibility of Students

Academic freedom carries certain responsibilities which broadly include contributions to the academic community, acknowledgement of the validity of a diverse range of perspectives, commitment to learning relevant information, and good stewardship of the academic community. Students assume, at minimum, the following responsibilities in relation to academic freedom:

- i. By enrolling in a public postsecondary institution, students agree to adhere to the institutions' student codes of conduct and to respect the rights of others, including the right to express differing opinions. Students also agree to acknowledge that faculty may expose students to a broad range of diverse perspectives, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. Expression of dissent and attempts to produce change shall not be carried out in ways which injure individuals, damage institutional facilities, disrupt classes, or interfere with institutional activities. Students who seek to call attention to grievances must do so in accordance with institutional policies and procedures, and in ways that do not significantly impede the academic functions of the institution.
- ii. Students have a responsibility to engage in scholarship, learn material that is relevant to course outcomes, and adhere to course syllabi, institutional

student codes of conduct, and other institutional policies related to research and publication.

- iii. Students are responsible for the academic integrity of their coursework, including, but not limited to, producing original works for assignments, completing assessments, and activities using their own knowledge and experience.
- iv. Students are responsible for conducting and reporting research in an ethical manner. The design, conduct, and presentation of research may exist beyond the contexts of a specific course. However, students are subject to an institution's expectations for scholarly inquiry and academic integrity.
- v. Students shall not threaten the rights or the safety of others while exercising academic freedom. Students will frequently participate in pluralistic learning environments, but shall not be required to make personal or political choices against their beliefs or values.

3. Faculty

This policy recognizes the academic freedom and academic responsibility to individuals with the status of faculty.

a. Academic Freedom of Faculty

In addition to constitutionally protected freedoms of speech, assembly, and religion, faculty have the right to engage in free inquiry, intellectual debate, and freedom of scholarship both on and off campus. Faculty shall not be subject to retaliation or censorship in response to their research, publications, creative activity, pedagogy, participation in institutional governance, and all other official aspects of their job description. When speaking or writing as a citizen, ~~the~~ each faculty member should be free from institutional censorship or discipline. Faculty are subject to the responsibilities outlined in paragraph 3.b. of this policy. This academic freedom includes but is not limited to:

i. Pedagogy and Curriculum Development

- 1) Faculty have the right to determine course content, including the use of relevant materials, subject to institutional curriculum development processes and policies.
- 2) Faculty have the right to determine the instructional methodologies used to engage learners in the course content and evaluate student performance.

ii. Research, Publication, and Creative Activity

- 1) Faculty may pursue research topics of their choosing, pursuant to institutional research standards.
- 2) Faculty have the right to publish and present their research as well as engage in the production and exhibition of creative works, within the requirements of Board Policy V.M. related to intellectual property.
- 3) Faculty are entitled to attribution for discoveries and original research.

iii. Participation in Institutional Governance

- 1) Faculty have the right to participate in institutional governance.
- 2) Faculty have the right to express opinions and provide feedback concerning institutional governance and administration without fear of censorship or retaliation.
- 3) In matters of promotion, tenure, and disciplinary action, faculty have the right to due process and to be judged by their peers using established academic standards and institutional procedures.
- 4) Faculty have the right to participate in institutional processes that determine who may teach, what may be taught, how it shall be taught, and what methods will be used for student admission.

b. Academic Responsibility of Faculty

Academic freedom carries with it certain responsibilities which broadly include maintaining competence in scholarship, exposing students to a diverse range of perspectives, ensuring that students are taught relevant information, and being good stewards of the academic community. Faculty assume, at minimum, the following responsibilities in relation to academic freedom:

- i. Each faculty member of the institution is a citizen, a member of a learned profession, and a representative of the institution. Membership in the academic community imposes on ~~administrators, faculty members, other institutional employees, and students~~ an obligation to respect the dignity rights of others, ~~to acknowledge the~~including the right ~~of others~~ to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off ~~the~~ campus ~~of an institution~~. Expression of dissent and attempts to produce change shall not be carried out in ways which injure individuals, damage institutional facilities, disrupt classes, or interfere with institutional activities. Faculty who seek to call attention to grievances must do so in accordance with institutional policies and procedures, and in ways that do not significantly impede the academic functions of the institution. However,
aAs a member of the academic community and a representative of the institution, the~~each~~ faculty member should at all times be accurate intellectually honest, exercise appropriate restraint, ~~show respect for the opinions of others~~, and make every effort to indicate that he or she is not an official spokesperson

for the institution. Furthermore, each faculty member must refrain from using institutional resources to further his or her interests or activities which are not a part of the assigned responsibilities to the institution.

- ii. Faculty members are expected to maintain professional competence in their field(s) of specialization, congruent with their teaching, service, and scholarly expectations.
- iii. Faculty may expose students to an intellectual diversity of scholarly and creative views related to the faculty member's discipline and/or specific field of study. It is the responsibility of the faculty members to present the subject matter in their courses in a way that is consistent with the collective goals of the institution, college, and department or program.
- iv. Faculty shall meet their workload requirements established in their employment agreements. This may include the expectation that the faculty member conducts class, meets with and mentors students, provides clear learning outcomes, and/or participates in group deliberations to develop instructional programs.
- v. Faculty are responsible for participating in institutional processes to establish goals for student learning, to design and implement general programs of education and specialized study that intentionally cultivate intended learning, and to assess students' achievement.
- vi. Faculty shall not threaten the rights or the safety of students, other faculty, and administrators, while exercising academic freedom. Faculty may not refuse to enroll or teach a student because of the student's beliefs, interpretations, or applications of knowledge. Faculty have the responsibility to facilitate pluralistic learning and work environments, but shall not require others to make personal or political choices against their beliefs or values.

4. Institutions

This policy confers academic freedom and academic responsibility to institutions.

a. Academic Freedom of Institutions

Institutional rights to academic freedom are in concert with the academic freedom of students and faculty. A college or university has the autonomy to create and maintain an atmosphere which is most conducive to a diverse range of scholarship. Institutions have the right to develop processes that determine who may teach, what may be taught, how it shall be taught, and what methods will be used for student admission, pursuant to Board Policy III.Q.

Institutions perform functions, such as the selection of faculty and admission of students, that are intertwined with the exercise of academic freedom. The academic freedom of an institution is necessary to protect and support the academic freedom of those who comprise an institutional community.

b. Academic Responsibility of Institutions

Academic freedom carries with it certain responsibilities which broadly include the educational functions of an institution, the ethical administration of academic affairs, and the protection of student and faculty academic freedom. Institutions assume, at minimum, the following responsibilities in relation to academic freedom:

- i. Institutions have a responsibility to set, maintain, and enforce policies that protect the academic freedom and promote the academic responsibility of faculty and students.
- ii. Institutions shall adopt appropriate procedures for transparently evaluating the members and activities of the academic community that are consistent with and respectful of the ideals of academic freedom.
- iii. Institutions shall also dedicate adequate resources, space, and programming toward the advancement of academic freedom among its greater community.
- iv. Institutions have a responsibility to create and deliver academic programs and shall develop appropriate policies and processes to aid content and curriculum delivery that are consistent with the ideals of academic freedom.
- v. Institutions must create admissions and selection policies, procedures, and practices for students that are in harmony with the academic mission of the institution and that are consistent with the ideals of academic freedom.
- vi. Institutions have the responsibility to facilitate pluralistic learning environments, but shall not require others to make personal or political choices against their beliefs or values.

5. Limitations

The following limitations exist to the academic freedom and academic responsibility of students, faculty, and institutions:

- a. Academic freedom does not permit members of an institutional community to harass, threaten, or intimidate others.
- b. Student academic freedom does not grant students the right to refuse to complete assigned coursework without consequence.

- c. Academic freedom does not protect faculty members from colleague or student challenges to, or disagreement with, their instructional methods.
- d. Academic freedom does not protect faculty or students from institutional or non-institutional penalties for violating the law.
- e. Academic freedom does not confer the right to faculty or students to violate institutional policies; though academic freedom does confer the right of faculty and students to criticize such policies.
- f. Academic freedom does not protect faculty or students from disciplinary action consistent with established institutional policies.
- g. Academic freedom does not protect faculty or students from sanctions or dismissal for professional misconduct or poor performance consistent with established institutional policies.
- h. Academic freedom does not protect faculty or students from investigations into allegations of or discipline for scientific misconduct or other violations of institutional policy.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: III. POSTSECONDARY AFFAIRS
SUBSECTION: P. STUDENTS

December 2020February 2022

The following policies and procedures are applicable to or for any person designated as a student at an institution under governance of the Board. A "student" means any person duly admitted and regularly enrolled at an institution under governance of the Board as an undergraduate, graduate, or professional student, on a full-time or part-time basis, or who is admitted as a non-matriculated student on or off an institutional campus.

1. Nondiscrimination

It is the policy of the Board that institutions under its governance must provide equal educational opportunities, services, and benefits to students without regard to race, color, religion, sex, national origin, age, handicap, or veterans status, including disabled veterans and veterans of the Vietnam era in accordance with:

- a. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d *et seq.*, which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.
- b. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance.
- c. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 *et seq.*, which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance.
- d. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 *et seq.*, which prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.
- e. Chapter 59, Title 67, Idaho Code, and other applicable state and federal laws.

2. Sexual Harassment

- a. Each institution must establish and maintain a positive learning environment for students that is fair, humane, and responsible. Sexual discrimination, including sexual harassment, is inimical to any institution.
- b. Sexual harassment violates state and federal laws and the Governing Policies and Procedures of the Board. "Sexual harassment" is defined by the regulations implementing Title IX at 34 C.F.R. § 106.30 (a).

- c. Each institution must develop and make public procedures providing for the prompt response, in a manner that is not deliberately indifferent, to allegations of sexual harassment in the institution's education programs or activities of which the institution has actual knowledge. Each institution's policies and procedures must comply with the regulations in 34 C.F.R. Part 106.

~~3. Academic Freedom and Responsibility~~

~~Institutions of postsecondary education are conducted for the common good and not to further the interests of either the individual student or the institution as a whole. Academic freedom is fundamental for the protection of the rights of students in learning and carries with it responsibilities as well as rights.~~

~~Membership in an academic community imposes on students an obligation to respect the dignity of others, to acknowledge the right of others to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus of an institution. Expression of dissent and attempts to produce change may not be carried out in ways which injure individuals, damage institutional facilities, disrupt classes, or interfere with institutional activities. Speakers on the campuses must not only be protected from violence but must also be given an opportunity to be heard. Those who seek to call attention to grievances must do so in ways that do not significantly impede the functioning of the institution.~~

~~Students are entitled to an atmosphere conducive to learning and to fair and even treatment in all aspects of student-teacher relationships. Teaching faculty may not refuse to enroll or teach a student because of the student's beliefs or the possible uses to which the student may put the knowledge gained from the course. Students must not be forced by the authority inherent in the instructional role to make personal or political choices.~~

~~4.3. Catalog and Representational Statements~~

Each institution will publish its official catalogue and admissions, academic, and other policies and procedures which affect students. (See *also* "Roles and Missions," Section III, Subsection I-2.)

Each institutional catalogue must include the following statement:

Catalogues, bulletins, and course or fee schedules shall not be considered as binding contracts between [institution] and students. The [institution] reserves the right at any time, without advance notice, to: (a) withdraw or cancel classes, courses, and programs; (b) change fee schedules; (c) change the academic calendar; (d) change admission and registration requirements; (e) change the regulations and requirements governing instruction in and graduation from the institution and its various divisions; and (f) change any other regulations affecting students. Changes shall go into force whenever the proper authorities so determine and shall apply not only to prospective students but also to those who are matriculated at the time in [institution]. When economic and other conditions permit, the [institution] tries to provide advance

notice of such changes. In particular, when an instructional program is to be withdrawn, the [institution] will make every reasonable effort to ensure that students who are within two (2) years of completing graduation requirements, and who are making normal progress toward completion of those requirements, will have the opportunity to complete the program which is to be withdrawn.

No employee, agent, or representative of an institution may make representations to, or enter into any agreement with, or act toward any student or person in a manner which is not in conformity with Board Governing Policies and Procedures or the approved policies and procedures of the institution.

54. Student Records

The collection, retention, use, and dissemination of student records is subject to the requirements of the Family Educational Rights and Privacy Act of 1974, as amended, and implementing regulations. Each institution will establish policies and procedures for maintenance of student records consistent with the act and implementing regulations and will establish and make public an appeals procedure which allows a student to contest or protest the content of any item contained in his or her institutional records.

65. Full-Time Students

a. Undergraduate Student

For fee and tuition purposes, a “full-time” undergraduate student means any undergraduate student carrying twelve (12) or more credits (or equivalent in audit and zero-credit registrations).

i. Student Body Officers and Appointees

For fee and tuition purposes, the president, vice president, and senators of the associated student body government are considered full-time students when carrying at least the following credit loads: (a) president, three (3) credits and (b) vice president and senators, six (6) credits.

ii. Editors

Editors of student published newspapers are recognized as full-time students when carrying a three credit load, and associate editors are recognized as full-time students when carrying a six credit load.

b. Graduate Student

For fee and tuition purposes, a “full-time” graduate student means any graduate student carrying nine (9) or more credits, or any graduate student on a full appointment as an instructional or graduate assistant, regardless of the number of credits for which such instructional or graduate assistant is registered.

76. Student Governance

The students at each institution may establish a student government constitution for their own duly constituted organization, which must be consistent with Board Governing Policies and Procedures. Each student constitution must be reviewed and approved by the Chief Executive Officer. Any amendments to the student constitution must also be reviewed and approved by the Chief Executive Officer.

87. Student Financial Aid

Each institution will establish policies and procedures necessary for the administration of student financial aid.

- a. Transfer of Delinquent National Direct Student Loans. (See Section V, Subsection P)
- b. Student Financial Aid Fraud

Each institution under governance of the Board should, as a matter of policy, initiate charges against individuals who fraudulently obtain or misrepresent themselves with respect to student financial aid.

98. Fees and Tuition

- a. Establishment
Policies and procedures for establishment of fees, tuition, and other charges are found in Section V, Subsection R, of the Governing Policies and Procedures.
- b. Refund of Fees
Each institution will develop and publish a schedule for refund of fees in the event a student withdraws in accordance with regulations governing withdrawal.

109. Student Employees

- a. Restrictions

No student employee may be assigned to duties which are for the benefit of personal and private gain, require partisan or nonpartisan political activities, or involve the construction, operation, or maintenance of any part of any facility which is used for sectarian instruction or religious worship. No supervisor may solicit or permit to be solicited from any student any fees, dues, compensation, commission, or gift or gratuity of any kind as a condition of or prerequisite for the student's employment.

- b. Policies and Procedures

Each institution will develop its own policies and procedures regarding student employment, including use of student employment as a part of financial assistance available to the student. Such policies and procedures must ensure that equal

employment opportunity is offered without discrimination and that wage administration is conducted in a uniform manner. Such policies also must include a statement of benefits available to student employees, if appropriate.

c. Graduate Assistants

Each institution is delegated the authority to appoint within the limitations of available resources graduate assistants in a number consistent with the mission of the institution. Graduate assistantships are established to supplement a graduate student's course of study, with employment appropriate to the student's academic pursuits.

Each institution will establish its own procedures for appointment of graduate assistants which will include (a) qualifications, (b) clear and detailed responsibilities in writing, and (c) maximum number of hours expected and wages for meeting those requirements.

Matriculation, activity, and facility fees for graduate assistants will be paid either by the student or by the department or academic unit on behalf of the student. Graduate students will be covered by appropriate insurance in accordance with institutional procedures for work-related illness or injury.

d. Hourly or Contractual Employment

Each institution may employ students on an hourly or contractual basis in accordance with the needs of the various departments or units, available funds, and rules of the Division of Human Resources (or the University of Idaho classified employee system) or federal guidelines when work-study funds are used.

4410. Student Conduct, Rights, and Responsibilities

Each institution will establish and publish a statement of student rights and a code of student conduct. The code of conduct must include procedures by which a student charged with violating the code receives reasonable notice of the charge and is given an opportunity to be heard and present testimony in his or her defense, and an opportunity to appeal any disciplinary action. Such statements of rights and codes of conduct, and any subsequent amendments, are subject to review and approval of the chief executive officer.

Sections 33-3715 and 33-3716, Idaho Code, establish criminal penalties for conduct declared to be unlawful.

4211. Student Services

Each institution will develop and publish a listing of services available to students, eligibility for such services, and costs or conditions, if any, of obtaining such services.

4312. Student Organizations

Each student government association is responsible, subject to the approval of the institution's chief executive officer, for establishing or terminating student organizations supported through allocation of revenues available to the association. Expenditures by or on behalf of such student organizations are subject to rules, policies, and procedures of the institution and the Board.

4413. Student Publications and Broadcasts

Student publications and broadcasts are independent of the State Board of Education and the institutional administration. The institutional administration and the State Board of Education assume no responsibility for the content of any student publication or broadcast. The publishers or managers of the student publications or broadcasts are solely liable for the content.

4514. Student Health Insurance

Students are responsible for making arrangements for coverage of their medical needs while enrolled in a post-secondary institution on a part- or full-time basis. Accidents, injuries, illnesses, and other medical needs of students (with limited exceptions in the case of student employees of an institution who experience workplace injuries within the course and scope of their employment) typically are not covered by the institution's insurance policies. The types and levels of medical/clinical support services available to students varies among the institutions and among the local communities within which institutions conduct operations.

- a. Health Insurance Coverage Offered through the Institution

Each institution, at the discretion of its chief executive officer, may provide the opportunity for students to purchase health insurance through an institution-offered plan. Institutions are authorized to provide student health insurance plans through consortium arrangements, when this option serves the interests of students and administration. Institutions which elect to enter contractual arrangements to offer student health insurance plans (either singly or through consortium arrangements) should comply with applicable Board and State Division of Purchasing policies. Institutions which elect to offer health insurance plans to their students are authorized, at the chief executive officer's discretion, to make student participation in such plans either optional or mandatory.

b. Mandatory Student Health Insurance

Each institution, at the discretion of its chief executive officer, may require all or specified groups (for example, international students, intercollegiate athletes, health professions students engaged in clinical activities, student teachers, etc.) to carry health insurance that meets coverage types and levels specified by the institution. Administration and enforcement of any such health insurance requirements, and procedures for dealing with any exceptions thereto, lie within the authority of the institution presidents or their designees.

c. Other Medical Support Services and Fees

Institutions are authorized to support or supplement students' medical needs through services provided by college/university clinics, health centers, cooperative arrangements with community/regional health care providers, etc. In cases where such services are provided, institutions are authorized to establish optional or mandatory fees to cover the delivery cost of such services.

d. Financial aid considerations

Any medical insurance or health services-related fees which are mandated by an institution as a condition of participation in any institutional program are considered a bona fide component of the institution's cost of college and are a legitimate expenditure category for student financial aid.

4615. Student Vaccine Informational Materials

Each institution shall provide current information on vaccine-preventable disease to each student at the time of admission or enrollment for classes. The information shall include, at a minimum:

- a. symptoms, risks, especially as the risks relate to circumstances of group living arrangements for vaccine-preventable diseases that are known to occur in adolescents and adults;

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 2

- b. current recommendations by the United States Centers for Disease Control and Prevention on [Category A and B](#) vaccines;
- c. information regarding where the vaccinations can be received; and
- d. the benefits and risks of vaccinations, and specific information for those persons at higher risk for the disease.

[1716](#). Students Called to Active Military Duty

The Board strongly supports the men and women serving in the National Guard and in reserve components of the U.S. Armed Forces. The Board encourages its institutions to work with students who are called away to active military duty during the course of an academic term and provide solutions to best meet the student's current and future academic needs. The activated student, with the instructor's consent, may elect to have an instructor continue to work with them on an individual basis. Additionally, institutions are required to provide at least the following:

- a. The activated student may elect to completely withdraw. The standard withdrawal deadlines and limitations will not be applied. At the discretion of the institution, the student will receive a "W" on his or her transcript, or no indication of enrollment in the course(s).
- b. One hundred percent (100%) of the paid tuition and/or fees for the current term will be refunded, as well as a pro-rated refund for paid student housing fees, meal-plans, or any other additional fees. Provided, however, that if a student received financial aid, the institution will process that portion of the refund in accordance with each financial aid program.

[1817](#). Student Complaints/Grievances.

- a. The State Board of Education and Board of Regents of the University of Idaho, as the governing body of the state's postsecondary educational institutions, has established the following procedure for review of institution decisions regarding student complaints/grievances:
 - i. The Board designates its Executive Director as the Board's representative for reviewing student complaints/grievances, and authorizes the Executive Director, after such review, to issue the decision of the Board based on such review. The Executive Director may, in his/her discretion, refer any matter to the Board for final action/decision.
 - ii. A current or former student at a postsecondary educational institution under the governance of the Board may request that the Executive Director review any final institutional decision relating to a student's attendance at the institution, except as set for under paragraph iii. The student must have exhausted the complaint/grievance resolution procedures that have been

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 2

established at the institution level. The Executive Director will not review complaints/grievances that have not been reported to the institution, or processed in accordance with the institution's complaint/grievance resolution procedures.

- iii. Matters involving a violation of an institution's code of student conduct will only be reviewed if the basis for the request is that the institution substantially failed to follow its procedures resulting in a failure to give the student reasonable notice of the violation and opportunity to be heard, or to present testimony. Sanctions imposed by the institution will remain in effect during the pendency of the review.
 - iv. A request for review must be submitted in writing to the Board office to the attention of the Chief Academic Officer, and must contain a clear and concise statement of the reason(s) for Board review. Such request must be received in the Board office no later than thirty (30) calendar days after the student receives the institution's final decision on such matter. The student has the burden of establishing that the final decision made by the institution on the grievance/complaint was made in error. A request for review must include a copy of the original grievance and all proposed resolutions and recommended decisions issued by the institution, as well as all other documentation necessary to demonstrate that the student has strictly followed the complaint/grievance resolution procedures of the institution. The institution may be asked to provide information to the Board office related to the student complaint/grievance.
 - v. The Chief Academic Officer will review the materials submitted by all parties and make a determination of recommended action, which will be forwarded to the Executive Director for a full determination. A review of a student complaint/grievance will occur as expeditiously as possible.
 - vi. The Board office may request that the student and/or institution provide additional information in connection with such review. In such event, the student and/or institution must provide such additional information promptly.
 - vii. The Board's Executive Director will issue a written decision as to whether the institution's decision with regard to the student's complaint/grievance was proper or was made in error. The Executive Director may uphold the institution's decision, overturn the institution's decision, or the Executive Director may remand the matter back to the institution with instructions for additional review. Unless referred by the Executive Director to the Board for final action/decision, the decision of the Executive Director is final.
- b. The Board staff members do not act as negotiators, mediators, or advocates concerning student complaints or grievances.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

SUBJECT

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

REFERENCE

February 14, 2019	The Board approved the first reading of proposed amendments to include review and approval procedures for applied baccalaureate degrees and microcertifications.
April 18, 2019	The Board approved the second reading of proposed amendments to Board Policy III.G.
August 29, 2019	The Board was presented with a first reading of proposed amendments to Board Policy III.G. Policy, which was referred back to Instruction, Research, and Student Affairs (IRSA) for additional discussion.
October 17, 2019	The Board approved the first reading of proposed amendments, which adds baccalaureate degree programs to the list of programs reviewed by the Board and changes requirements for new academic program proposals that consist of new state appropriations.
December 2019	The Board approved the second reading of proposed amendments to Board Policy III.G.
June 10, 2020	The Board approved a one-year, partial waiver of the requirement for full proposals in Board Policy III.G.3.d and 4.d for modifications to academic programs, career technical programs and instructional and administrative units.
June 16, 2021	The Board approved an extension of the partial waiver of the requirement for full proposals in Board Policy III.G.3.d. and 4.d for modifications to academic programs, career technical programs and instructional and administrative units.
June 16, 2021	The Board approved the first reading of proposed amendments to Board Policy III.G, which reorganizes and streamlines proposal requirements and provides flexibility to the Executive Director to delegate authority to designees for the approval of academic and career technical program changes.
August 26, 2021	The Board approved the second reading of proposed amendments to Board Policy III.G.

APPLICABLE STATUTE, RULE OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section III.G.
Section 33-2107A, Idaho Code
Section 33-2202, Idaho Code
Section 33-2205, Idaho Code

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

BACKGROUND/DISCUSSION

In August 2021, the Board approved a major revision to Board Policy III.G. Postsecondary Program Approval and Discontinuance. This revision restructured the policy to include three levels of review, based on the nature of requested programmatic changes: full proposal, short proposal, and letter of notification. After the second reading was approved, Board staff identified an unintended conflict in the policy that cannot be handled as a minor technical correction.

Specifically, there is an error in the recently adopted revision of Board Policy III.G that duplicates language in two places:

- Under 3.b.xi, Actions Requiring a Short Proposal
Establishment of a dual degree from existing programs with a financial impact of less than \$250,000 per fiscal year.
- Under 3.c.iv, Actions Requiring a Letter of Notification
Establishment of a dual degree from existing undergraduate or graduate programs with a financial impact of less than \$250,000 per fiscal year.

The original intent was to have this type of action under the Short Proposal process, not the Letter of Notification process. Other amendments include clarifying procedures for the discontinuation of undergraduate and graduate certificates and clarifying roles for the State Administrator and Executive Director for approval of career technical programs in accordance with Section 33-2202 and 33-2205, Idaho Code.

IMPACT

Amendments will correct the erroneous conflict and duplicative language in the policy, removing confusion about what level of review is required for establishment of dual degrees from existing programs. Amendments will also provide institutions with the necessary procedures for discontinuing certificates and will align roles for program approval for the State Administrator and Executive Director in compliance with Idaho code.

ATTACHMENTS

Attachment 1 – Board Policy III.G. Postsecondary Program Approval and Discontinuance – First Reading

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of these amendments to correct the erroneous and duplicative language in the policy to include clarifying procedures for discontinuation of certificates and roles for career technical program approval.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

BOARD ACTION

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.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: III. POSTSECONDARY AFFAIRS

SUBSECTION: G. Postsecondary Program Review Approval

[August 2021 February 2022](#)

This subsection shall apply to the University of Idaho, Idaho State University, Boise State University, Lewis-Clark State College, North Idaho College, College of Eastern Idaho, College of Southern Idaho, and College of Western Idaho.

1. Classifications and Definitions

- a. Academic Program shall mean a postsecondary educational program offered by an institution of higher education that leads to an academic or professional degree, certificate, or other recognized educational credential as defined in Board Policy Section III.E.
- b. Academic Program Components shall include options, minors, emphases, tracks, concentrations, specializations, and cognates as defined by each institution. For the purposes of this policy, a certificate is not an academic program component.
- c. Administrative Unit shall mean offices, centers, bureaus, or institutes that are responsible for carrying out administrative functions, research, or public service as their primary purpose, and are not responsible for academic or career technical programs.
- d. Career Technical Program shall mean a sequence or aggregation of competencies that are derived from industry-endorsed outcome standards and directly related to preparation for employment in occupations requiring a career technical certificate or degree as defined in Board Policy Section III.E. These programs must include competency-based applied learning that contributes to an individual's technical skills, academic knowledge, higher-order reasoning, and problem-solving skills.
- e. Career Technical Program Component shall mean instructional paths to fields of specialized employment, consisting of more than one specialized course.
- f. Financial Impact shall mean the total financial resources, regardless of funding source, needed to support personnel costs, operating expenditures, capital outlay, capital facilities construction or major renovation, and indirect costs that are incurred as a direct result of establishing, modifying, or discontinuing a new instructional program, instructional unit, or administrative unit. This includes the impact of moving resources from existing programs to proposed programs.
- g. Full Proposal shall mean a document submitted to the Board Office that contains details about substantive changes to academic or career technical education programming or administration that require review and approval by the full Board or the Executive Director of the Board or designee, as specified in this policy. The Full Proposal template is developed and maintained by the Executive Director or designee.

- h. Instructional Unit shall mean departments, institutes, centers, divisions, schools, colleges, campuses, branch campuses, and research units (e.g. extension centers) that are responsible for academic programs or career technical programs.
- i. Letter of Notification shall mean a letter from the institution to the Executive Director or designee, notifying the Board Office of changes to academic or career technical education programming or administration that do not require advanced approval by the Board or the Executive Director or designee, as specified in this policy.
- j. Major shall mean a principal field of academic specialization that usually accounts for 25 to 50 percent of the total degree requirements. The concentration of coursework in a subject matter major serves to distinguish one program from others leading to the same or a similar degree.
- k. Short Proposal shall mean a document submitted to the Board Office that contains details about non-substantive changes to academic or career technical education programming or administration that require review and approval by the Executive Director or designee, as specified in this policy. The Short Proposal template is developed and maintained by the Executive Director or designee.

2. Roles and Responsibilities

Program planning, review, and approval shall be a collaborative process which includes the Board, Board staff, the institutions, faculty, external advisory groups, regional and specialized accreditation bodies, and other stakeholders pursuant to Board Policy III.Z.

- a. Each institution shall establish and maintain policies and procedures for evaluating existing programs and developing new program proposals. This evaluation process should be an integral component of the institution's academic and career technical education planning and budgeting processes.
- b. New program proposals and discontinuation requests shall be reviewed by the Council on Academic Affairs and Programs (CAAP). CAAP shall make recommendations to the Instruction, Research, and Student Affairs (IRSA) committee on instructional programmatic matters and related policy issues.
- c. The Idaho Division of Career Technical Education shall review and make recommendations as appropriate to the IRSA Committee and/or the Board on instructional programmatic matters and policy issues related to their roles and responsibilities. The State Administrator of the Idaho Division of Career Technical Education is authorized to approve academic microcertifications developed by the institutions in addition to career technical microcertifications.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 1

- d. The Professional Standards Commission shall review and make recommendations as appropriate to the Board on educator preparation programs for educator certification purposes. Educator preparation program approval for state certification purposes is governed by Administrative Code through a separate process. The processes for earning approval for certification should be conducted concurrently with the program approval process when practicable.

3. Academic Programming and Administration Proposal Submission and Approval

a. Actions Requiring a Full Proposal

Subsequent to institutional review and consistent with institutional policies, but prior to implementation, actions related to academic programs or units identified in this subsection require approval by the Board or the Executive Director or designee as indicated, and shall be submitted by the institution as a Full Proposal.

i. The following actions require approval by the Board:

- 1) Establishment of a new branch campus or change in location geographically apart from the main campus, regardless of financial impact. A location of an institution that is geographically apart and independent of the main campus is permanent in nature; offers at least 50% of the courses of an educational program leading to a degree, certificate, or other educational credential; has its own faculty and administrative organization; and has its own budgetary and hiring authority ~~as defined by 34 CFR 600.2~~. Subsection 3.a.i.1 does not apply to excluding the community colleges.
- 2) Establishment of any new academic undergraduate or graduate program with a financial impact of \$250,000 or more per fiscal year.
 - a) All doctoral program proposals shall require an external peer review, regardless of financial impact. The external peer-review panel shall consist of at least two (2) members and will be selected by the Executive Director or designee and the requesting institution's Chief Academic Officer. Board staff shall notify the institution in writing whether it may proceed with the external peer-review process. External reviewers shall not be affiliated with a public Idaho institution. The review shall consist of a paper and on-site peer review, followed by the issuance of a report and recommendations by the panel. Each institution shall provide the panel with a template developed by the Executive Director or designee. The peer reviewer report and recommendations shall be a significant factor in the Board's evaluation of the program.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 1

- b) New educator preparation programs require concurrent submission of a Full Proposal to the Executive Director or designee and the Professional Standards Commission (PSC), regardless of financial impact. The PSC ensures programs meet the Idaho standards for educator certification. The Executive Director or designee ensures the program proposal is consistent with the program approval process and meets the standards approved by the Board and established by rule in Administrative Code. The PSC makes recommendations to the Board for approval of programs as vehicles for meeting the state certification requirements.
 - 3) Establishment by a community college of any new applied baccalaureate program, pursuant to Section 33-2107A Idaho Code.
 - 4) Establishment of any new program with academic program fees as defined in Board Policy Section V.R.
 - 5) Adding program fees to existing programs requires full Board approval consistent with Board Policy Section V.R; however, such changes do not require submission of a Full Proposal.
- ii. The following actions require approval by the Executive Director or designee:
- 1) Establishment of any new academic undergraduate or graduate program with a financial impact of less than \$250,000 per fiscal year.
 - 2) Discontinuation of an academic undergraduate or graduate program or instructional or administrative unit.
 - 3) Establishment of any new instructional or administrative unit.
 - 4) Establishment of any new [or discontinuation of any existing](#) academic undergraduate and graduate certificates consisting of more than 30 credits and with a financial impact of \$250,000 or more per fiscal year.
 - 5) Expansion of an existing program outside an institution's Designated Service Region as defined in Board Policy III.Z.
 - 6) Conversion of a program option into a stand-alone program with a financial impact of \$250,000 or more per fiscal year.
 - 7) Consolidation of two or more undergraduate programs into one undergraduate program with a financial impact of \$250,000 or more per fiscal year.
 - 8) Consolidation of two or more graduate programs into one program.
 - 9) Splitting of a graduate program into two or more programs.
 - 10) Addition of [existing](#) certificates or degrees to existing programs with a financial impact of \$250,000 or more per fiscal year.

Each Full Proposal shall be reviewed by the Council on Academic and Affairs and Programs within 30 days of receipt. At the sole discretion of the Executive Director or designee, any Full Proposal may be referred to the full Board for review and approval. Requests requiring new state appropriations shall be submitted to the

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 1

Board for review prior to or concurrently with submission of an institution's annual budget request.

b. Actions Requiring a Short Proposal

Subsequent to institutional review and consistent with institutional policies, but prior to implementation, the following actions related to academic programs or units require approval by the Executive Director or designee and shall be submitted by the institution as a Short Proposal:

- i. Establishment of a new or discontinuation of any existing academic undergraduate or graduate certificate consisting of more than 30 credits with a financial impact of less than \$250,000 per fiscal year.
- ii. Addition of a certificate or degree to an existing program with a financial impact of less than \$250,000 per fiscal year.
- iii. Splitting of an undergraduate program into two or more undergraduate programs.
- iv. Consolidation of two or more undergraduate programs into one undergraduate program with a financial impact of less than \$250,000 per fiscal year.
- v. Conversion of one program option into a stand-alone program with a financial impact of less than \$250,000 per fiscal year.
- vi. Conversion or transition of a degree type (e.g., Bachelor of Arts to Bachelor of Science).
- vii. Conversion or transition of a certificate type (e.g., Technical Certificate of Completion to Basic Technical Certificate).
- viii. Deviation from program credit definitions.
- ix. Changes to program names or degree titles related to Statewide Program Responsibilities as defined in Policy III.Z (requires full board approval).
- x. Establishment of new programs consisting of multiple certificates with similar coursework.
- xi. Establishment of a dual degree from existing programs with a financial impact of less than \$250,000 per fiscal year.
- xii. Modification to existing academic instructional or administrative units

At the sole discretion of the Executive Director or designee, institutions may be required to submit a Full Proposal for any action identified in this subsection.

c. Actions Requiring a Letter of Notification

Subsequent to institutional review and consistent with institutional policies, and within 30 days after implementation, institutions shall notify the Executive Director or designee of the following actions related to academic programs or units via a Letter of Notification:

- i. Establishment of a new, modification to, or discontinuation of an academic program component.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 1

- ii. Establishment of a new or discontinuation of any existing academic undergraduate or graduate certificate consisting of fewer than thirty (30) credits.
- iii. Program expansion within an institution's Service Region as defined in Board Policy III.Z.
- ~~iv. Establishment of a dual degree from existing undergraduate or graduate programs with a financial impact of less than \$250,000 per fiscal year.~~
- ~~v-iv.~~ A change from clock hours to credit hours for an academic program.
- ~~vi-v.~~ Addition of an online option to an existing academic program.
- ~~vii-vi.~~ Transition of an academic program with less than fifty percent (50%) of courses offered online exclusively to fifty percent (50%) or more of courses offered online exclusively.
- ~~viii-vii.~~ Transition of an academic program to an exclusively online format.
- ~~ix-viii.~~ Addition or removal of courses that represent a significant departure from existing academic program offerings or method of delivery.
- ~~x-ix.~~ A change in name or title of any academic program or instructional or administrative unit.
- ~~xi-x.~~ A change of Classification of Instructional Program (CIP) code for any academic program.
- ~~xii-xi.~~ A credit change to an existing academic program.

At the sole discretion of the Executive Director or designee, institutions may be required to submit a Short Proposal or Full Proposal for any action identified in this subsection.

- d. Minor changes to curriculum, descriptions of individual courses, or catalog listings do not require notification to or approval by the Board or the Executive Director or designee.

4. Career Technical Program Proposal Submission and Approval

a. Actions Requiring a Full Proposal

Subsequent to institutional review and consistent with institutional policies, but prior to implementation, requests for changes to career technical programs or units identified in this subsection require approval by the State Administrator and-or the Executive Director or designee and shall be submitted by the institution as a Full Proposal.

- i. Establishment of a new career technical education program or certificate. New career technical programs or certificates with a financial impact of \$250,000 or more per fiscal year require approval by the full Board.
- ii. Discontinuation of career technical programs and components.
- iii. Establishment of new career technical administrative or instructional units.
- iv. Expansion of a career technical program outside an institution's Designated Service Region as defined in Board Policy III.Z.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

ATTACHMENT 1

- v. Consolidation of two or more career technical programs into one career technical program with a financial impact of \$250,000 or more per fiscal year.
- vi. Conversion of one career technical program option into a stand-alone career technical program with a financial impact of \$250,000 or more per fiscal year.
- vii. Addition of career technical certificates or degrees to existing career technical programs with a financial impact of \$250,000 or more per fiscal year.

For new or modified career technical programs or certificates, a Program Profile Attachment B is required. Each Full Proposal shall be reviewed by the Council on Academic and Affairs and Programs within 30 days of receipt. At the sole discretion of the [State Administrator or](#) Executive Director or designee, any Full Proposal may be referred to the Board for review and approval.

b. Actions Requiring a Short Proposal

Subsequent to institutional review and consistent with institutional policies, but prior to implementation, requests for changes in career technical programs or units identified in this subsection require approval by the State Administrator ~~and or~~ Executive Director or designee and shall be submitted by the institution as a Short Proposal.

- i. Splitting of a career technical program into two or more career technical programs.
- ii. Consolidation of two or more career technical programs into one career technical program with a financial impact of less than \$250,000 per fiscal year.
- iii. Conversion of one career technical program option into a stand-alone career technical program with a financial impact of less than \$250,000 per fiscal year.
- iv. Addition of career technical certificates or degrees to existing career technical programs with a financial impact of less than \$250,000 per fiscal year.
- v. Inactivation of a career technical program. Inactivation allows program re-evaluation and assessment in response to rapid changes in industry for up to three years. If industry demand for the program does not resume within three years following approved inactivation, the program shall be discontinued pursuant to paragraph 7 of this policy.
- vi. Addition or removal of courses that represent a significant departure from existing career technical program offerings or method of delivery.
- vii. Modification to existing career technical instructional or administrative units.
- viii. Conversion or transition of one career technical program degree or certificate level to another degree or certificate level.
- ix. Transition of a career technical program to an exclusively online format.
- x. Addition of an online option to an existing career technical program.
- xi. Transition of a career technical program with less than fifty percent (50%) of courses offered online exclusively to fifty percent (50%) or more of courses offered online exclusively.

~~xii.—~~

For the addition or modification of career technical programs or certificates, a Program Profile Attachment B is required. Upon the recommendation of the State Administrator and-or at the discretion of the Executive Director or designee, institutions may be required to submit a Full Proposal for any action identified in this subsection.

c. Actions Requiring a Letter of Notification

Subsequent to institutional review and consistent with institutional policies, and within 30 days after implementation, institutions shall notify the State Administrator and-or the Executive Director or designee of the following changes to career technical programs or units via a Letter of Notification:

- i. Establishment of a new, modification to, or discontinuation of a career technical program component.
- ii. Career technical program expansion within an institution's Designated Service Region as defined in Board policy III.Z.
- iii. A change from clock hours to credit hours for a career technical program.
- ~~iv.~~
- ~~v.~~ iv. A change in the name or title of any career technical program or instructional or administrative unit.
- ~~vi.~~ v. A change of Classification of Instructional Program (CIP) code for any career technical program.
- ~~vii.~~ vi. A credit change to an existing career technical program.
- ~~viii.~~ vii. Minor changes to career technical courses. Requires a program profile Attachment B and letter.

Upon the recommendation of the State Administrator and-or at the discretion of the Executive Director or designee, institutions may be required to submit a Short Proposal or Full Proposal for any action identified in this subsection.

- d. Requests to establish, modify, or discontinue a microcertification, as defined in Board Policy III.E, require approval by the State Administrator and-or shall be submitted by the institution in accordance with a template developed by the Division of Career Technical Education.
- e. Requests requiring new state appropriations shall be included in the annual budget request of the Idaho Division of Career Technical Education for Board approval.

5. Sunset Clause for Academic and Career Technical Program Approval

Academic and career technical programs approved by the Board or Executive Director must be implemented within five years. A program not implemented within five years from the approval date requires submission for approval of an updated proposal. Institutions shall notify the Executive Director or designee in writing when an approved program has not been officially implemented within the sunset timeframe. Institutions

may request a change in the sunset timeframe indicated in the program proposal if a program's implementation is delayed.

6. Academic and Career Technical Program Proposal Denial Procedures

- a. The Executive Director or designee shall act on any Full Proposal or Short Proposal within thirty (30) days.
- b. If the Executive Director or designee denies a proposal, he/she shall provide specific reasons in writing to the institution. The institution shall have thirty (30) days in which to address the issue(s) for denial of the proposal. The Executive Director or designee shall have ten (10) working days after the receipt of the institution's response to re-consider the denial. If the Executive Director or designee denies the request after re-consideration, the institution may send its request and the supporting documents related to the denial to the Board for final reconsideration.

7. Program Discontinuance

The primary considerations for program discontinuance are whether the program is an effective use of the institution's resources, no longer serves student or industry needs, or when programs no longer have sufficient students to warrant allocation of resources. This policy does not apply to programs that are discontinued as a result of financial exigency as defined in Board Policy Section II.N.

- a. Institutions shall develop policies, in accordance with the Northwest Commission on Colleges and Universities Accreditation Handbook, which requires institutions to make appropriate arrangements for enrolled students to complete affected programs in a timely manner with minimum interruptions.
- b. Any faculty or staff members whose employment the institution seeks to terminate due to the discontinuance of a program based upon Board Policy Section III.G. shall be entitled to the following procedures:
 - i. Non-classified contract employees, including non-tenured faculty, may be dismissed or have their contracts terminated or non-renewed in accordance with Board and institutional policies.
 - ii. State of Idaho classified employees shall be subject to layoff as provided in the rules of the Division of Human Resources. Classified employees of the University of Idaho shall be subject to layoff as provided in the policies of the University of Idaho.
 - iii. Tenured faculty will be notified in writing that the institution intends to dismiss them as a result of program discontinuance. This notice shall be given at least twelve (12) months prior to the effective date of termination.

- iv. An employee who receives a notice of termination as a result of program discontinuance is entitled to use the internal grievance procedures of the institution. The sole basis to contest a dismissal following a program closure is in compliance with these policies.

8. Career Technical Program Reduction or Termination

For the reduction or termination of career technical programs, institutions shall adhere to criteria set forth by Idaho Division of Career Technical Education.

a. Conditions for Reduction or Termination

A program is subject to reduction or termination when one or more of the following conditions exist. Standards for the metrics listed below will be predetermined at the local level according to the institution's program health metrics for each category.

- i. Inadequate Job Opportunities
- ii. Inadequate Student Enrollment
- iii. Inadequate Positive Placement
- iv. Inadequate Completion Rate
- v. Inadequate Finances

b. Notice to Employees

The institution must give notice in writing to employees who are affected by a program reduction or termination in accordance with Board and institutional policies.

9. Reporting

- a. The Executive Director or designee shall report semi-annually to the Board regarding all program proposals approved by the Executive Director or designee.
- b. All baccalaureate and graduate level programs approved by the Board require a report on the program's progress in accordance with a timeframe and template developed by the Executive Director or designee.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

SUBJECT

Online Idaho Update and Demonstration

REFERENCE

June 10, 2020	The Board approved and forwarded a request to the Coronavirus Financial Advisory Committee for \$4M to support the development of a system-wide digital campus for postsecondary education.
June 29, 2020	The Board received an update on CFAC funding and two different potential models for a digital campus in Idaho.
July 9, 2020	The Board approved an Initial Implementation Plan and directed staff to access funds from the Governor's Coronavirus Financial Advisory Committee to pursue this plan.
August 24, 2020	The Board received an update on Idaho's digital campus project that highlighted early outcomes in institution engagement, shared governance, project roadmaps, and state purchasing.
November 2, 2020	The Board received an update on the initiative, approved the name "Online Idaho" and approved contracts with Instructure for two additional years of statewide Canvas licensing.
October 21, 2021	The Board approved fully online cybersecurity degrees that were jointly designed by faculty at Boise State University and Lewis-Clark State College for course sharing through Online Idaho's course exchange.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.I.3.a.

BACKGROUND/DISCUSSION

In response to the mission-critical pivot of colleges and universities to online and remote instruction during Spring Semester 2020, the Board formed a working group to explore the concept of a "digital campus" that could drive new growth toward low-cost, high-quality, career-relevant, online-first postsecondary educational experiences that reach every Idahoan in times of crisis as well as calm. Board staff consulted prominent leaders and models from aspirational institutions/systems as well as the accumulated knowledge of Idaho's academic community in designing a consortial strategy online education that is uniquely viable, feasible, and desirable as a postsecondary innovation in Idaho. A steering committee comprising key stakeholders and representatives from all eight public postsecondary institutions as well as the Workforce Development Council has advised the Board's Online Idaho strategy since August 2020.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

Under Board direction and in partnership with other state agencies and institutions, Online Idaho has emerged as a collaborative effort to fortify digital teaching and learning infrastructure through new investments in interoperable software, services and resources. Key investments in the product suite of a third-party vendor named Quottly consolidates access to existing online courses and programs via a statewide course exchange that allows for new inter-institutional experimentation in joint programs that better leverage faculty expertise, present more relevant learning pathways for students, and drive down cost of delivery. The Board's approval of two joint online cybersecurity programs in October 2021 has yielded multiple new learning pathways for students to pursue starting Spring Semester 2022 – establishing a clear example that other faculty and institutions may follow in launching complete pathways, degrees, and certificates in the Online Idaho exchange. The Board's partnership with Quottly has garnered positive nationwide attention both for the speed in which a system-like strategy for online course sharing has been implemented at scale and for demonstrating how a technical solution may streamline administrative processes without undermining institutional autonomy.

Other investments in enterprise access to a common learning management system, a digital authoring platform, and professional services from open and online learning organizations promote consistency and buoy inter-institutional excellence among online and on-ground learning contexts alike. Investments made to address institution-specific support needs have further reduced inequities between institutions in the areas of accessibility, IT support, records retention, and project management. Whether statewide or institution-specific, the software, services, and resources that Online Idaho provides has led to new collaborative conversations about what is possible for open educational resources, zero textbook cost degrees, quality assurance, online accessibility, digital literacy, professional development, student support, instructional design, continuing education, and other contemporary teaching and learning topics in Idaho.

In fall 2021, Board staff conducted strategic planning exercises for Online Idaho, leveraging the expertise of Idaho stakeholders who have led implementation of Online Idaho infrastructure at their respective campuses as well as interested counterparts from the Idaho Commission for Libraries and Idaho Digital Learning Alliance – two other state-level organizations that have made complementary investments in online teaching and learning infrastructure. Strategic planning recommendations and other project updates will be presented to the Board in December 2021, coinciding with open enrollment for Spring Semester 2022 courses through a soft launch of integrated student search, advising, registration, and payment functionality within the Online Idaho course exchange.

IMPACT

In one year, Online Idaho has transitioned from a Board-led initiative to an inter-institutional collaboration toward radical affordability, reliable access, and educational agency for online learners. The consortial model endorsed by the

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

Board in June 2020 endures because it celebrates the unique strengths of Idaho's higher education community: the already robust portfolio of fully online courses and programs collectively available across Idaho's eight public colleges and universities continues to grow; radically affordable learning pathways are emerging between colleges and universities; administrative processes are becoming less onerous as institutions consolidate efforts and understanding; and a sustainable understanding of "systemness" is emerging as Idaho institutions endeavor to reach every adult Idahoan with meaningful postsecondary opportunities.

ATTACHMENTS

Attachment 1 – Online Idaho Update and Demonstration

STAFF COMMENTS AND RECOMMENDATIONS

Board updates include an overview of early outcomes, novel functionality, ongoing efforts, and strategic opportunities for Online Idaho after the first year of the initiative.

BOARD ACTION

This item is for informational purposes only.



ONLINE IDAHO

State Board of Education Update | **December 2021**

CORE GOALS

1

**Increase access,
affordability, and agency**

2

**Map the future of online
learning in Idaho**

OPEN STRATEGIC PLANNING



COMMUNITY CONTRIBUTORS

- Robin Bagent, CSI
- Chris Harper, CSI
- Tracey Meyerhoeffer, CSI
- Tiffany Seeley-Case, CSI
- Patrick Tanner, CWI
- Greg Wilson, CWI
- John Crepeau, UI
- Mark Wheeler, BSU
- Ed Vasko, BSU
- Blake Beck, ISU
- Cindy Hill, ISU
- Staci Phelan, ISU
- Randy Stamm, ISU
- Gail Ballard, NIC
- Ryan Faulkner, CEI
- Rick Aman, CEI
- Ryan Cantrell, IDLA
- Ryan Gravette, IDLA
- Jolene Montoya, IDLA
- Jeff Simmons, IDLA
- Dylan Baker, ICFL
- Board Staff: Outreach and Academic Affairs

WORKING **VISION**

Online Idaho is a **digital learning consortium** that is **collaboratively** driven by public institutions to increase access to postsecondary learning opportunities, **accommodate** all learners regardless of their circumstances, **advocate** for the recognition of effective online educators, **promote** exceptional online learning practices, and **pioneer** improved advising pathways toward **lifelong learning**.

WORKING GOALS: **ACCESS**

1. Online learning becomes a **meaningful** option for every postsecondary student in Idaho
2. Support the general public and public/private decision makers in becoming effective **champions** of online, open, blended, and accessible teaching and learning in Idaho

WORKING GOALS: **AFFORDABILITY**

1. Joint degree pathways, consolidated infrastructure, system-like purchasing power, and resource sharing result in **radically affordable** postsecondary learning experiences
2. Public institutions develop **lifelong learning** relationships with Idahoans through consolidated marketing, communication, analytics, reporting, and advising efforts

WORKING GOALS: **AGENCY**

1. **Transparent**, stackable pathways toward credentials emerge within and between institutions
2. Through regular statewide meetings, the academic community shares **expertise** that informs and continuously improves common standards for effective design and delivery of online courses

AY 2021–22 **ROADMAP**

FALL 2021

- Complete exchange implementation and soft launch registration
- Design and deliver training for advising staff at each institution
- Launch interinstitutional cybersecurity pathways

SPRING 2022

- Statewide marketing push to support summer/fall registration
- Define system-wide expectations for course exchange participation

SUMMER 2022

- Formalize long-term sustainability model for Online Idaho

ONLINE COURSE EXCHANGE



COURSE EXCHANGE WALKTHROUGH

- Student Experience and course-level information
- Administrative portal and reports
- Cyber Security degrees, certificates, and pathways

YEAR ONE OUTCOMES



OUTCOMES: **SYSTEMNESS**

ENGAGEMENT

- Institution-led steering committee
- Weekly open “office hours”
- Strategic planning and promotion

ADMINISTRATION

- New consortium agreements
- New joint programs and degrees
- New distributed support models

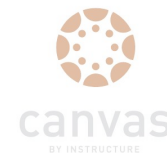


OUTCOMES: **INFRASTRUCTURE**

INTEROPERABLE TECHNOLOGY

- Common LMS adoption and support
- Interoperable technology pilots and adoption

qualtrics.^{XM}



PB PRESSBOOKS

PROFESSIONAL DEVELOPMENT

- Statewide OEN membership
- Statewide OLC membership + workshop passes
- Board staff development with OLC and UPCEA
- Exploring open resources in online education



LOOKING FORWARD



FUTURE OF ONLINE IDAHO

- More multi-institution collaborations on programs and stackable, fully online pathways to credentials (academic and nonacademic)
- Fortified statewide conversations about continuing education partnerships between Idaho employers and public institutions
- New and/or updated Board and institution policies for online education that reflect consortial infrastructure and practices
- Experimentation with exchange pricing and consortial purchasing
- Leadership in interstate course sharing networks in Cybersecurity, Agriculture, and more

THANK YOU

Jonathan Lashley, Ph.D.

Associate Chief Academic Officer

jonathan.lashley@osbe.idaho.gov

online.idaho.edu

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

SUBJECT

North Idaho College – Northwest Commission on Colleges and Universities’
Investigation of Complaints

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Constitution Article IX, Section 2
Idaho Code § 33-101

BACKGROUND/DISCUSSION

Northwest Commission on Colleges and Universities (NWCCU) is the accrediting body for North Idaho College (and all of Idaho’s public colleges and universities).

Beginning in March 2021, several complaints against the NIC Board of Trustees have been filed with NWCCU. A Frequently Asked Questions¹ document on NIC’s website provides the following timeline regarding NWCCU’s ongoing investigation of these complaints:

On March 12, 2021, NWCCU received a formal complaint regarding NIC and its Board of Trustees from the Kootenai County Task Force on Human Relations, Spokane County Human Rights Task Force, Bonner County Human Rights Task Force, and Boundary County Human Rights Task Force, alleging violation of three eligibility requirements.²

On April 26, 2021, NWCCU asked NIC to respond to the allegations under NWCCU’s Complaints Regarding Candidate and Member Institutions Policy and Receipt of Unsolicited Information Policy.³

[On May 28, 2021, the NIC Board of Trustees released a statement regarding the NWCCU investigation.⁴]

¹ “FAQ About Accreditation Status,” 2021, accessed December 4, 2021 from:

<https://www.nic.edu/modules/images/websites/46/file/FAQsNWCCUNovember2021.pdf>.

² “Official Complaint of Civil Rights and Civil Liberties Violations at North Idaho College,” 2021, accessed December 4, 2021 from:

https://www.nic.edu/modules/images/websites/46/file/NWCCU/NIC%20Letter%20of%20Complaint_18March2021-accessible.pdf.

³ Accessed December 4, 2021 from:

<https://www.nic.edu/modules/images/websites/46/file/NWCCU/NWCCU%20-%20NIC%20Complaint%20-%20Request%20for%20Institutional%20Response-accessible.pdf>.

⁴ “Board Statement re: NWCCU Investigation,” 2021, accessed December 4, 2021 from:

<https://www.nic.edu/modules/images/websites/46/file/BoardOfTrusteesAccreditationInquiryResponse-accessible.pdf>.

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

On June 10, 2021, NIC submitted two documents (response,⁵ unsolicited materials⁶) to NWCCU addressing the alleged violations by providing evidence that NIC meets the three eligibility requirements.

On July 19, 2021, NWCCU requested an Ad-Hoc Report due August 1, 2022 in response to NIC's response and supporting evidence.⁷

The July 19th NWCCU request stipulated the following:

The [Ad-Hoc] report must focus on Eligibility Requirement 9, Governing Board,⁸ and the commitment and actions to be taken by the college's governance and administrative leadership as described in the evidence presented in the Board's statement to agree to readdress its roles and responsibilities in relation to the college administration. ...The requested Ad Hoc report will be critical to ensure the College remains compliant with NWCCU's Eligibility Requirements, Standards of Accreditation, and Policies, and as such, will strengthen your efforts to continue to fulfill the institutional mission to serve students.

On September 22, 2021, the NIC Board of Trustees voted 3-2 to terminate President Rick MacLennan without cause. The Board appointed Lita Burns as Acting President on September 24. On October 18, at the request of the NIC Board of Trustees, then-Acting President Lita Burns developed an Accreditation Response Action Plan.⁹ The proposed actions were developed "based upon a review of NWCCU Eligibility Standard 9, Policy 2.01.02, the June 2021 Board Statement on the NWCCU Investigation, and the July 2021 NWCCU response, with the stated goal of avoiding sanction by the Northwest Commission on Colleges and Universities. These action steps create documented evidence that the college will be able to use in completing the Ad-Hoc Report on Governance that is required to be submitted to NWCCU by August 1, 2022."

⁵ "Response to April 26, 2021 Inquiry from Northwest Commission on Colleges and Universities," 2021, accessed December 4, 2021 from: <https://www.nic.edu/modules/images/websites/46/file/Response%20Report%20to%20NWCCU%20061021.pdf>.

⁶ "Receipt of Unsolicited Materials Policy Amended Response," 2021, accessed December 4, 2021 from: <https://www.nic.edu/modules/images/websites/46/file/NWCCU/Receipt%20of%20Unsolicited%20Materials%20Policy%20Amended%20Response.pdf>.

⁷ Accessed December 4, 2021 from: <https://www.nic.edu/modules/images/websites/46/file/NWCCU/NWCCU%20Letter%20to%20NIC%20Response%20to%20NIC%20Board%20Complaint.pdf>.

⁸ NWCCU Eligibility Requirements can be found at: <https://nwccu.org/accreditation/standards-policies/eligibility-requirements/>.

⁹ The Action Plan was reissued on November 29, 2021 with corrected ad hoc due date reference errors. "Accreditation Response Action Plan," 2021, accessed December 4, 2021 from: <https://www.nic.edu/modules/images/websites/159/file/AccreditationResponseActionPlan.pdf>

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

On November 1, 2021, the original complainants filed a second complaint with NWCCU regarding the NIC Board of Trustees alleging new and continuing violations of NWCCU Eligibility Requirements and Accreditation Standards.¹⁰

During the month of November, all three remaining executive leaders at NIC, along with several other senior staff members, announced their intentions to leave NIC. On December 1, 2021, NWCCU notified NIC that “[r]eview and analysis by NWCCU staff of materials and evidence submitted as part of this new complaint and recent additional and ongoing issues implicate NWCCU Eligibility Requirements and Standards for Accreditation pertaining to institutional integrity, human resources, financial resources, and, physical infrastructure. ... Based on NWCCU analysis of alleged facts, NIC’s ability to maintain compliance with the United States Department of Education’s regulations [link omitted] and NWCCU’s Eligibility Requirements, Standards of Accreditation, and Policies, and Accreditation Procedures [link omitted] is of concern.”¹¹ Therefore, “NWCCU has appointed a panel of regional representatives of higher education with expertise and experience to review the college’s compliance with NWCCU Eligibility Requirements and Standards for Accreditation and to undertake an in-person, onsite inquiry of facts and circumstances related to financial sustainability and student outcomes as a result of recent decisions undertaken at NIC, including by its Board of Trustees.” The tentative date of this onsite review is the week of January 17, 2022.

On December 3, 2021, State Board President Kurt Liebich and Executive Director Matt Freeman sent a letter to the NIC Board of Trustees requesting that they complete the actions outlined in the Accreditation Response Action Plan well before the August 1, 2022 deadline. The letter also provides very specific examples of how students in particular, and the college in general, would be injured by potential accreditation sanctions.

IMPACT

NWCCU “has adopted three types of sanctions – Warning, Probation, or Show Cause – to inform the institution and the public of the severity of its concerns about an institution’s failure to meet one or more Eligibility Requirements or Standards for Accreditation or one or more of any conditions or restrictions that were contained in a Commission action letter. The different types of sanctions are not intended to be applied sequentially. Whichever sanction is imposed, the Commission is required by federal law to withdraw accreditation, rather than to

¹⁰ “Second Official Letter of Complaint Regarding North Idaho College Board of Trustees to the NWCCU,” 2021, accessed December 4, 2021 from:

<https://www.nic.edu/modules/images/websites/46/file/NWCCU/NIC%20Board%20Complaint%20%232%20by%20Four%20Task%20Forces.pdf> .

¹¹ NWCCU Notification of Onsite Review, 2021, accessed December 4, 2021 from:

<https://www.nic.edu/modules/images/websites/46/file/NWCCU/NWCCULetter12012021.1.pdf> .

**INSTRUCTION, RESEARCH AND STUDENT AFFAIRS
DECEMBER 15, 2021**

continue the institution under the same or a new sanction for another two-year period, unless clear progress has been made within two years.”¹²

ATTACHMENTS

Attachment 1 – Liebich and Freeman Letter to NIC Board of Trustees

BOARD STAFF COMMENTS AND RECOMMENDATIONS

The Board will have an opportunity to discuss the unprecedented and serious accreditation situation at NIC.

BOARD ACTION

This item is for informational purposes only.

¹² “NWCCU Accreditation Handbook,” 2020, accessed December 4, 2021 from:
<https://nwccu.app.box.com/s/nimzpotmpq9f6ezg95refbkwlco9ofzy#:~:text=or%20special%20visits,-.Sanctions,-Under> .



December 3, 2021

Board of Trustees
North Idaho College
1000 W. Garden Ave.
Coeur d'Alene, ID 83814

Dear Trustees Banducci, Barnes, McKenzie, Howard and Wood,

We are writing to express deep concern about the current trajectory of North Idaho College. Documented complaints submitted to your accrediting body, Northwest Commission on Colleges and Universities (NWCCU), followed by an exodus of top-level leadership, including all three vice presidents, is extremely concerning.

Idaho Constitution Article IX, Section 2 provides: “The *general supervision of the state educational institutions* and public school system of the state of Idaho, shall be vested in a state board of education, the membership, powers and duties of which shall be prescribed by law” (emphasis added).

Pursuant to this constitutional grant of authority, the Idaho Legislature has defined the “powers and duties” of the State Board of Education in Idaho Code Title 33. Specifically, Idaho Code § 33-101 provides: “For the general supervision, governance and control of all state educational institutions, to wit: University of Idaho, Idaho State University, Boise State University, Lewis-Clark State College, the School for the Deaf and the Blind and any other state educational institution which may hereafter be founded, and for the *general supervision, governance and control* of the public school systems, *including public community colleges*, a state board of education is created” (emphasis added).

While the State Board respects the local governance of community colleges, it also has a legal and moral interest in the health of the colleges.

As you know, NWCCU has directed NIC’s trustees to “submit an Ad Hoc Report as an attachment to its 2022 Annual Report, no later than August 1, 2022 for evaluation and possible follow-up monitoring.” The focus of the report is to address specific questions about the proper roles and responsibilities of the trustees and college administration.

We urge you to complete the Accreditation Response Action Plan as developed by Dr. Lita Burns and posted on [NIC's website](#) as soon as possible and in good faith. As NWCCU stated, "[t]he requested Ad Hoc report will be critical to ensure the College remains compliant with NWCCU's Eligibility Requirements, Standards of Accreditation, and Policies, and as such, will strengthen your efforts to continue to fulfill the institutional mission to serve students." For the sake of the College, students, and the community, we believe this action needs to be taken and resolved well before the August 1, 2022 deadline.

As duly elected fiduciaries and stewards of the College, it is imperative that you recognize the consequences of being sanctioned by NWCCU, many of which are numerous and severe. Given the gravity of the situation, we believe it necessary and appropriate to enumerate very specific and tangible impacts of placing your accreditation in jeopardy. The following points are illustrative, not exhaustive:

- If accreditation is lost, the value of a degree from NIC will be significantly reduced, or even negated entirely, for all students. Idaho Code § 33-3728(1) provides: "Any student who completes the requirements for the associate of arts or associate of science degree at a postsecondary institution *accredited by a regional accrediting body recognized by the state board of education* will be considered as *satisfying the general education requirements*, as defined by the state board of education, upon transfer to a public postsecondary institution in Idaho and *will not be required to complete any additional general education requirements*" (emphasis added). If NIC loses accreditation, AA and AAS degrees earned by students will no longer be transferable to other Idaho institutions for the purpose of degree completion (i.e. earning a baccalaureate degree). To put a finer point on it, a degree from an unaccredited institution is a liability, not an asset. Perhaps only an unscrupulous and predatory diploma mill would recognize credits from an unaccredited institution.
- Without accreditation, students who complete general education credits, including dual credits, at NIC would not be allowed to transfer these credits to other accredited institutions in Idaho. Idaho Code § 33-3728(2) provides: "A student who has completed the general education framework as defined by the state board of education, without an associate of arts or associate of science degree, and transfers from a postsecondary institution in Idaho *accredited by a regional accrediting body recognized by the state board of education* will not be required to complete additional general education requirements at the receiving Idaho public postsecondary institution" (emphasis added). Completion of courses at accredited institutions in Idaho which satisfy the general education framework (as defined in [State Board Policy III.N.](#)) transfer and articulate fully throughout the system. Idaho Code § 33-3728(3) emphasizes this point: "If a student who has completed a general education course or general education courses ... from a postsecondary institution in Idaho *accredited by a regional accrediting body recognized by the state board of education*; and transfers to a public postsecondary institution, *those general education course credits will be applied towards the associated general education course requirements at the receiving public postsecondary institution*" (emphasis added). Once again, loss of accreditation status would make NIC general

education credits non-transferable to other Idaho public institutions.

- One of the eligibility criteria for the state's Opportunity Scholarship is for students to attend an accredited public or private institution. Therefore, if NIC were to lose its accreditation, its students would not be eligible for the Opportunity Scholarship. For the current academic year, 154 NIC students are recipients of the Opportunity Scholarship.
- It is estimated that over 60% of jobs in the private and public sectors now require some form of postsecondary education. Most employers stipulate credentials must be granted by an accredited institution. Therefore, loss of accreditation would negatively impact the ability of many northern Idaho businesses and industries (e.g., aerospace, forestry, heavy equipment manufacturing) to meet their workforce needs.

In short, action or inaction by the College's Board of Trustees that places accreditation at risk would result in long-term injury to the very students you were elected to serve. It would also significantly impair the College's ability to recruit and retain students, faculty and staff. Indeed, the very viability of the College itself could hang in the balance.

We respectfully request that you set aside parochial or partisan interests, and urgently focus on the best interests of students and the College before both are irreparably harmed.

Sincerely,



Kurt Liebich
President



Matt Freeman
Executive Director

Cc: Dr. Mike Sebaaly, Interim President, North Idaho College
Dr. Sonny Ramaswamy, President, Northwest Commission on Colleges and Universities
Governor Brad Little
Sen. Steven Thayn, Chairman, Senate Education Committee
Rep. Lance Clow, Chairman, House Education Committee
Legislative Delegation Districts 1, 2, 3, 4 and 7