



Special Report

Idaho Four-Year Institutions of Higher Education

Compliance with Idaho Code Prohibiting or Relating

to Diversity, Equity, and Inclusion

For the period July 1, 2023, through June 30, 2025

Legislative Services Office Audits Division

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SUMMARY

April Renfro, Legislative Auditor



We have completed a limited scope special report directed by Senate Bill 1209 as passed by the 2025 Idaho Legislature. It states that the Legislative Audits Division of the Legislative Services Office (LSO) will audit Boise State University (BSU), Idaho State University (ISU), Lewis-Clark State College (LCSC), and the University of Idaho (U of I) for compliance with those portions of Idaho Code prohibiting or relating to diversity, equity, and inclusion (DEI) in higher education.

As part of completing this report, we reviewed applicable statutes and appropriation bills, university and college policies and procedures applicable to the subject matter, and financial and administrative records. We conducted several interviews of staff at all four institutions and the Office of the State Board of Education (OSBE). The Review Procedures and Results by School section provide information about specific testing and potential noncompliance, if any, with the statutes and/or appropriation bills reviewed.

In summary, this report identifies some areas where specific schools do not appear to comply with applicable statutes. More detail can be found within the Review Procedures and Results by School section.

- Boise State University
 - Our review of BSU found that the Institute for Inclusive and Transformative Scholarship and related Office of Community Engagement and Belonging may not comply with the requirements of the 2025 Senate Bill 1198 including the prohibition of the establishment and support of a DEI office or department and contracting or hiring a DEI officer or consultant.
- Idaho State University
 - Our review of ISU's jobs postings identified three tenured faculty positions that included, "...demonstrated ability to work with people from diverse backgrounds" under minimum/preferred qualifications; however, ISU did not require applicants to provide a diversity statement of any kind.
 - We also identified a job posting for Assistant Professor, Counseling, that included "evidence of working with counseling students from historically marginalized populations" as a minimum qualification and also required candidates to submit a Diversity in Counselor Education Statement.
 - ISU has six courses determined as being DEI-related and required for a degree, major, minor, or certificate that were approved for exemptions by the Board of Education (Board). We identified one course that was not included in the exemption list. ISU staff explained that they have now submitted the request to the Board, and the exemption is expected to be approved at the December 2025 Board meeting.

- University of Idaho
 - There were no U of I student resources, services, or programs related to DEI as of July 1, 2025. However, we identified content within The Faculty Staff Handbook that may not align with legislation.
 - The U of I received an exemption from the Board for one course. However, we identified additional courses that should have been included in an exemption request to the Board, but there was no documentation of this occurring. The U of I disagrees with this assessment.

If you have any questions regarding this investigation, please contact April Renfro, Legislative Auditor, at arenfro@lso.idaho.gov.

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BACKGROUND

Senate Bill 1209, as passed by the 2025 Idaho Legislature, states that the Legislative Audits Division of the Legislative Services Office (LSO) will audit Boise State University (BSU), Idaho State University (ISU), Lewis-Clark State College (LCSC), and the University of Idaho (U of I) for compliance with those portions of Idaho Code prohibiting or relating to diversity, equity, and inclusion in higher education.

The following legislation was identified as prohibiting or relating to diversity, equity, and inclusion (DEI) in higher education.

Idaho Code, Section 67-5909A. House Bill 440, as passed by the 2020 Idaho Legislature, added Idaho Code, Section 67-5909A, prohibiting discrimination or preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment or public education.

Idaho Code, Section 33-138. House Bill 377, as passed by the 2021 Idaho Legislature, added Idaho Code, Section 33-138. Subsection (3) states:

- (a) No public institution of higher education shall direct or otherwise compel students to personally affirm, adopt, or adhere to any of the following tenets:
 - (i) That any sex, race, ethnicity, religion, color, or national origin is inherently superior or inferior;
 - (ii) That individuals should be adversely treated on the basis of their sex, race, ethnicity, religion, color, or national origin; or
 - (iii) That individuals, by virtue of sex, race, ethnicity, religion, color, or national origin, are inherently responsible for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin.
- (b) No distinction or classification of students shall be made on account of race or color.
- (c) No course of instruction or unit of study directing or otherwise compelling students to personally affirm, adopt, or adhere to any of the tenets identified in paragraph (a) of this subsection shall be used or introduced in any institution of higher education, any school district, or any public school, including a public charter school.

Idaho Code, Section 33-139. House Bill 377, as passed by the 2021 Idaho Legislature, added Idaho Code, Section 33-139, prohibiting expenditures by the State Board of Education, any entity under the State Board of Education's jurisdiction, or any school district, public charter school, or public institution of higher education for any purpose prohibited in Section 33-138, Idaho Code.

Senate Bill 1176. Senate Bill 1176, as passed by the 2023 Idaho Legislature, states that the college and universities shall verify that no State-appropriated funds are used to support diversity, equity, inclusion, or social justice ideology as part of any student activities, clubs, events, or organizations on campus. Each college and university shall submit a written report

of its expenditures related to these activities to the Joint Finance-Appropriations Committee no later than January 14, 2024.

Idaho Code, Section 67-5909B. House Bill 538, as passed by the 2024 Idaho Legislature, added Idaho Code, Section 67-5909B, prohibiting adverse employment action for State of Idaho employees declining to identify their pronouns while acting in the scope of their employment.

House Bill 734. House Bill 734, as passed by the 2024 Idaho Legislature, added State-appropriated funds shall not be utilized to support diversity, equity, inclusion, or social justice ideology as part of any student activities, clubs, events, or organizations on campus. Each college and university shall submit a written report of its expenditures related to these activities to the Joint Finance-Appropriations Committee no later than December 1, 2024.

Idaho Code, Section 67-5909C. Senate Bill 1274, as passed by the 2024 Idaho Legislature, added Idaho Code, Section 67-5909C, stating that hiring and admissions decisions at any public postsecondary educational institution in the State of Idaho shall be made on merit. Hiring and admissions decisions shall not be conditioned on a requirement that applicants submit or ascribe to a diversity statement. No public post-secondary educational institution in the State of Idaho shall require or solicit a diversity statement as part of an admissions process, employment application process, hiring process, contract renewal process, or promotion process or as a condition of participation in any administrative or decision-making function of the institution.

Idaho Code, Section 67-5909D. Senate Bill 1198, as passed by the 2025 Idaho Legislature, added Idaho Code, Section 67-5909D, relating to public institutions of higher education in the state of Idaho.

Specifically, Subsection 2 prohibits the institutions of higher education from the following:

- Discriminating against or providing preferential treatment to prospective students or employees based on race, sex, color, ethnicity, or national origin.
- Establishing, supporting, or staffing a DEI office or department.
- Contracting or hiring an individual to serve as DEI officer or consultant.
- Directly or indirectly organizing, administering, promoting, or sponsoring diversity training.
- Establishing curricula or designating courses in a manner that requires or otherwise compels students to enroll in DEI-related courses.
- Requiring or incentivizing faculty to apply or participate in DEI practices or include DEI content in any course.

Subsection 3 requires each institution of higher education in the State of Idaho to provide a procedure to allow the governing board of the institution to exempt, upon written notice to the board, any academic degree program requirements which clearly establishes its course of study as primarily focused on racial, ethnic, or gender from the prohibitions in Subsection 2.

Subsection 4 requires each institution of higher education to submit an annual report, on or before January 15 of each year, to the Idaho Attorney General and the House and Senate Education Committees, certifying it is in compliance with this section. The first report will be due in 2026.

PROCEDURES AND RESULTS

Pursuant to Senate Bill 1209, as passed by the 2025 Idaho Legislature, we reviewed the applicable legislation and identified four areas to include in the scope of our review.

APPLICABLE LEGISLATION AND POLICIES BY REVIEW AREA

Expenditures

Senate Bill 1176 (2023), House Bill 377 (2021), and House Bill 734 (2024), prohibit State-appropriated funds from being utilized to support diversity, equity, inclusion, or social justice ideology. Senate Bill 1198 (2025) prohibits colleges and universities from establishing and supporting a DEI office or department and from contracting or hiring a DEI officer or consultant. Senate Bill 1176 (2023) requires each college and university to submit a report of its DEI-related expenditures for any student activities, clubs, events, or organizations on campus, to the Joint Finance-Appropriations Committee (JFAC) by January 14, 2024. In addition, House Bill 734 (2024) required each college and university to submit a report of its DEI-related expenditures for any student activities, clubs, events, or organizations on campus to JFAC by December 1, 2024.

The OSBE's interpretation of Senate Bill 1176 (2023) and House Bill 734 (2024) was that State-appropriated funds shall not be utilized to support diversity, equity, inclusion, or social justice ideology as part of any student activities, student clubs, student events, or student organizations on campus. Therefore, since student activities, student clubs, student events, or student organizations on campus are funded solely by student fees and not State-appropriated funds, there were no expenditures to report by BSU, ISU, LCSC, or U of I. The LSO legal counsel confirmed that OSBE's interpretation of Senate Bill 1176 (2023) and House Bill 734 (2024), only applying to those activities specifically listed in the bills, was appropriate based on the language included in the respective bills.

Hiring and Employment

House Bill 538 (2024) prohibits adverse employment action for State of Idaho employees declining to identify their pronouns while acting in the scope of their employment. Senate Bill 1274 (2024), states that hiring and employment decisions shall not be conditioned on a requirement that applicants submit or ascribe to a diversity statement.

Admissions and Enrollment

House Bill 377 (2021) states that no public institution of higher education shall direct or compel students to personally affirm, adopt, or adhere to tenets of DEI ideology or social justice. Senate Bill 1274 (2024), states that admissions decisions shall not be conditioned on a requirement that applicants submit or ascribe to a diversity statement.

Curriculum

Senate Bill 1198 (2025) prohibits establishing curricula or designating courses in a manner that requires or otherwise compels students to enroll in DEI-related courses. Further, the bill requires each institution to provide a procedure to allow the governing board of the institution to exempt any academic degree program requirements which clearly establishes its course of study as primarily focused on racial, ethnic, or gender.

The Board oversees the public higher education institutions, which include BSU, ISU, LCSC, and the U of I. The Board provided background and context on the specified four institutions of Higher Education. The Board worked closely with each college and university to implement compliance with DEI-related requirements.

In April 2023 and December 2024, the Board adopted resolutions for BSU, ISU, LCSC, and U of I to align with legislation. The first, Board Resolution Prohibiting Diversity Statements in Hiring and Promoting and Environment of Belonging for All Students at Public Postsecondary Institutions (2023), resolved that institutions "shall not invite nor require any candidate for hire to demonstrate commitment to the principles of diversity, equity, and inclusion through a written diversity statement."

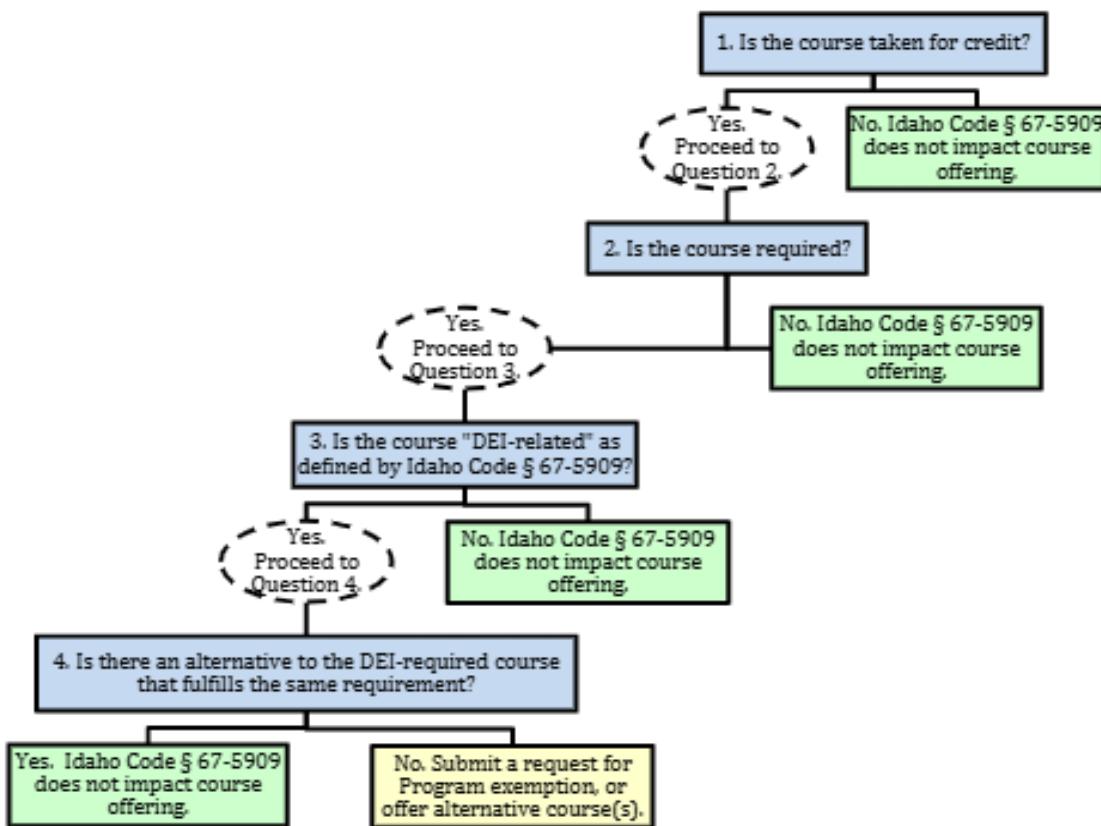
Additionally, a Board Resolution on DEI Ideology in Higher Education (2024) resolved that diversity, equity, and inclusion ideology is any approach that prioritizes "personal identity characteristics" (race, color, sex, sexual orientation, national origin, religion, or gender identity) over individual merit; that the institutions shall establish and maintain equality of opportunity so that all students may succeed regardless of personal identity characteristics; that the institutions shall not use personal identity characteristics in decisions affecting the employment or education of any employee or student; that institutions shall not establish or maintain a central office, policy, procedure, or initiative that promotes DEI ideology; that institutions shall ensure that no student resource or student success center serves students based on DEI ideology; that no institution employee or student shall be required to declare gender identity or preferred pronouns in any form of communication; that nothing herein shall prevent institutions from complying with federal and State laws, external regulatory requirements, or from following other specific guidance provided by the Board related to this resolution; and that the resolutions contained herein shall be implemented by June 30, 2025.

On May 16, 2025, the Board issued a memorandum, Interim OSBE Process Related to Academic Programs for Idaho Code § 67-5909D. The memorandum outlines the major points of the legislation and provides a procedure, pursuant to Idaho Code, Section 67-5909D, Subsection 3, to exempt academic degree program requirements with courses of study primarily focused on racial, ethnic, or gender studies. The process is as follows:

- Identify courses offered for credit at the institution.
- Of the courses offered for credit, identify which courses are required by the institution for a degree/certificate program, or part of a set of required courses.
- Of required courses, identify which courses meet the definition of "DEI-related courses", according to Idaho Code.

- For required “DEI-related courses”, identify whether the institution offers alternatives that are not “DEI-related” to meet the academic program requirements.
- Where an alternative to a “DEI-related course” is not available, the institution may seek and exemption for the academic degree requirements from the Board.

Program Exemption Flow Chart



The reports required by Senate Bill 1176 (2023) and House Bill 734 (2024) were submitted by OSBE to JFAC and verified that no State-appropriated funds were being used to support diversity, equity, inclusion, or social justice ideology as part of any student activities, clubs, events, or organizations on the respective campuses.

The OSBE's interpretation of Senate Bill 1176 (2023) and House Bill 734 (2024) was that state-appropriated funds shall not be utilized to support diversity, equity, inclusion, or social justice ideology as part of any student activities, student clubs, student events, or student organizations on campus. Therefore, since student activities, student clubs, student events, or student organizations on campus are funded solely by student fees and not state-appropriated funds, there were no expenditures to report by BSU, ISU, LCSC, or U of I.

The LSO legal counsel confirmed that OSBE's interpretation of Senate Bill 1176 (2023) and House Bill 734 (2024) was appropriate based on the language included in the respective bills.

OVERALL REVIEW PROCEDURES

We contacted each school and requested the following information:

- A contact in human resources to gain an understanding of the online employment application process.
- An admissions contact to gain an understanding of the online admissions application process.
- As of July 1, 2025, did the college or university have any DEI offices, departments, or equivalents?
- As of July 1, 2025, did the college or university have any faculty or staff employed as DEI officers, consultants, or support staff?
- As of July 1, 2025, did the college or university have any university led student resources, services, or programs related to DEI, not including student clubs or organizations?
- Regarding the written reports required to be submitted in response to 2023 Senate Bill No. 1176 by January 1, 2024, and 2024 House Bill No. 734 by December 1, 2024, we asked:
 - What was the process to identify possible student activities, clubs, events, or organizations on campus related to DEI?
 - What methodology was used to review the expenditures of those identified student activities, clubs, events, or organizations on campus related to DEI?

We performed a thorough examination of the websites for BSU, ISU, LCSC, and U of I. The examination included the following:

- Key word searches for terms such as diversity, equity, inclusion, DEI, social justice, and critical race theory.
- Directory searches for any DEI-related offices, department, officers, employees, and consultants.
- Careers pages for hiring policies and procedures, job postings, references to DEI, or requirements involving DEI statements or the use of pronouns.
- Admissions pages for enrollment policies and procedures, references to DEI, or requirements involving DEI statements or the use of pronouns.
- Dean of students, office of the provost, and student affairs sites for references to DEI, including offices, departments, officers, employees, consultants, trainings, and any other university led activities.
- Course catalogs to identify DEI-related courses and evaluate compliance with Idaho Code, Section 67-5909D.

REVIEW PROCEDURES AND RESULTS BY SCHOOL

BOISE STATE UNIVERSITY

As of November 21, 2025, BSU representatives have stated that, to the best of their knowledge and information, BSU does not have any authorized DEI offices, departments, or equivalents; faculty or staff employed as DEI officers, consultants, or support staff; or BSU led student resources, services, or programs related to DEI, within the meaning of Idaho Code, Section 67-5909D. BSU has identified certain offices and positions and trainings exempt from the definition of DEI under the law, including BSU's Office of Compliance and Ethics, which oversees Title IX and other antidiscrimination laws and policies, and the Educational Access Center, which provides accommodations for individuals with disabilities in accordance with State and federal legal requirements, and is in the process of finalizing the necessary certifications through the Idaho Attorney General's office. BSU has also established a mechanism by which people may submit a question or concern related to perceived DEI activities at BSU through the Office of Compliance and Ethics to allow for ongoing review and oversight.

BSU's mission is to provide an innovative, transformative, and equitable educational environment that prepares students for success and advances Idaho and the world. BSU stated that it eliminated all DEI-related departments, staff, and web pages and now has a web page for The Office of Community Engagement and Belonging, which fosters a culture of connection, respect, and empowerment. The website states that through programs and initiatives that honor different perspectives and lived experiences, the Office of Community Engagement and Belonging promotes a sense of belonging where everyone is valued, supported, and equipped to thrive and is committed to advancing civic responsibility, leadership, and innovative solutions that address societal challenges, ensuring that the campus and community are places where all people can flourish.

As part of our procedures reviewing the BSU website, we identified a web page for the Institute for Inclusive and Transformative Scholarship (IFITS). The IFITS mission states it is to create and nurture a vibrant inclusive community where all are actively engaged in the scholarly life of BSU and the region. The IFITS increases access to, supports professional development in, and accelerates the impacts from transformative scholarship.

The IFITS accomplishes its mission through the following mechanisms:

- Serving as the home of the Office of Undergraduate Research at Boise State (OUR Boise State).
- Facilitating the Aligning Stakeholders and Structures to Enable Research Transformation (ASSERT) faculty cohort program and offering other tailored support to established and developing scholars.
- Working to increase representation and success for those who have been historically marginalized and minoritized in their discipline.

- Acting as a change agent to ensure that BSU's structures, policies, and practices enable and facilitate inclusive transformative scholarship that can lead to an authentic impact in the State, region, and beyond.

RESULTS

Our review of BSU found that the IFITS and related Office of Community Engagement and Belonging may not comply with the requirements of the 2025 Senate Bill 1198 including the prohibition of the establishment and support of a DEI office or department and contracting or hiring a DEI officer or consultant.

EXPENDITURES

In accordance with the Board Governing Policy and Procedure, Section V, Financial Affairs, Subsection R. Establishment of Tuition and Fees, student fees are approved by the Board, collected from students, and deposited into local institutional accounts (not appropriated accounts). These fees include student government fees, for which there is an opt-out for students who do not wish to participate. These fees provide students with a means to engage in discussions, events, and opportunities of interest to students and include funding for student organizations, activities, and clubs. BSU acts as trustee of these funds, which are governed by and distributed by students for use by students. This is not an appropriated funding source.

RESULTS

Appropriated funds are not expended for student organization activities, and the expenditure of those fees are governed by student organizations whose activities are exempted from Idaho Code, Section 67-5909D.

HIRING AND EMPLOYMENT

We performed a detailed examination of the BSU official website and published policies related to employment at BSU to evaluate compliance with Idaho Code. We also performed a review of the online job postings. We scanned the postings for key words such as DEI, Diversity Statement, and Inclusion. and for language that may be indicative of a diversity statement requirement as part of the hiring process. We did not identify any job postings requiring a diversity statement.

We met with BSU's General Counsel, Nikki Pantera; Deputy Chief of Human Resources, Brian Ray; and Assistant Director of Recruitment Operations, Christine Uria. Brian Ray provided us with a copy of the online employment application to review, and we discussed the hiring application process. BSU confirmed that currently there are no requirements for job applicants to ascribe or provide any kind of diversity statement. BSU also confirmed that BSU does not currently request, require, or collect pronouns for job applicants or employees.

RESULTS

Our review of BSU found that the BSU's employment process is consistent with Idaho Code requirements and found nothing pertaining to a diversity statement requirement. BSU's human resources decisions are based on objective, merit-based criteria. BSU's Career Opportunities

webpage includes an Equal Employment Opportunity statement that states, in part: The University endeavors to recruit, hire, train, and promote the most qualified employees in all job titles. All other personnel actions are administered without regard to protected class under federal, state, or local law.

ADMISSIONS AND ENROLLMENT

We reviewed the admissions pages on the BSU website, focusing specifically on pages outlining admission requirements including webpages for admissions standards, graduate admissions, international admissions, and BSU's Policies and Procedures. We did not identify a diversity statement requirement as part of the enrollment process.

Nikki Pantera, along with Executive Director of Admission and New Student Programs, Kelly Talbert; and Senior Associate Director of Admissions Systems Scott Brueck, explained the online enrollment application process in detail. They confirmed that there are no requirements for prospective or current students to ascribe or provide any kind of diversity statement as part of the enrollment process. Nikki Pantera also explained that BSU does not require or collect pronouns from students.

RESULTS

Our review of BSU found that the BSU's enrollment process is consistent with Idaho Code. BSU requires standard information from all prospective students, and admission decisions are based on objective, merit-based criteria, including academic performance, course completion, and prior college credits.

CURRICULUM

We performed a detailed examination of the course catalogs from 2021-2022, 2022-2023, 2023-2024, 2024-2025, and 2025-2026 school years. We reviewed the courses offered to determine if they contained content that may be in violation of Idaho Code. Once identified, we determined if the courses were required for any degree, major, minor, or certificate, and if alternative courses were available. If alternative courses were not available, we then attempted to verify if BSU had received an exemption through the Board.

RESULTS

Our review of BSU found that the BSU's curriculum was consistent with Idaho Code. Six courses identified as being DEI-related and required for a degree, major, minor, or certificate were approved for exemptions by the Board.

The Provost for BSU has a web page for information regarding Idaho Code, Section 67-5909D (Course and Curriculum). The site explains the law, the restrictions on certain DEI activities at Idaho colleges and universities, and the protections for free speech and academic freedom. It explains that DEI-related courses may not be required by BSU to complete a program if that program is approved for an exemption, and how that relates to BSU classes. The web page also lists exempt programs and includes a link for further information, questions, and concerns.

IDAHO STATE UNIVERSITY

As of July 1, 2025, ISU did not have any DEI offices, DEI staff or university-led DEI programs. ISU's Diversity Resource Center and Janet C. Anderson Gender Resource Center were closed on November 15, 2024. ISU also has an established mechanism by which people may submit a question or concern related to perceived DEI activities at ISU through the Office of Equal Opportunity and Title IX web page.

RESULTS

Our review of ISU found that ISU's mission is to engage students through learning and research opportunities that improve the intellectual vigor, cultural vitality, and health of our communities. ISU eliminated all DEI-related departments, staff, and web pages. ISU now has a web page, Bengal Success Center, that provides resources to support all students. Programs and services available on the web page include the following:

- Academic Opportunities Program
- Bengal Bridge Program
- Center for Learning and Instructional Excellence
- College Assistance Migrant Program (CAMP)
- High School Equivalency Program (HEP)
- Intensive English Institute (IEI)
- TRIO Programs
- University Honors Program (UHP)
- University Tutoring (UT)

We did not identify any online content at ISU that did not comply with legislation.

EXPENDITURES

In accordance with the Board Governing Policy and Procedure, Section V, Financial Affairs, Subsection R. Establishment of Tuition and Fees, student fees are approved by the Board, collected from students, and deposited into local institutional accounts (not appropriated accounts). These fees include student government fees, for which there is an opt-out for students who do not wish to participate. These fees provide students with the means to engage in discussions, events, and opportunities of interest to students and include funding for student organizations, activities, and clubs. Funds utilized by the Associated Students of Idaho State University (ASISU) and distributed to students and recognized student organizations are not an appropriated fund source. ISU did not review the expenditures of student organizations to determine if expenditures were related to DEI since State-appropriated funds do not fund activities of registered student organizations in any circumstance. ISU acts as a trustee of these fees, which are governed by and distributed by students for use by students. Accordingly, appropriated funds, as a matter of course, are not expended for student organization activities, and the expenditure of those fees are governed by student organizations whose activities are exempt from Idaho Code, Section 67-5909D.

RESULTS

Appropriated funds are not expended for activities of registered student organization activities, clubs, events, or organizations.

HIRING AND EMPLOYMENT

We performed a detailed examination of the ISU official website and published policies related to employment at ISU to evaluate compliance with Idaho Code. We also performed a review of the online jobs postings. We scanned the postings for key words such as DEI, diversity statement, and inclusion, and for language that may be indicative of a diversity statement requirement as part of the hiring process.

We met with ISU's Senior Human Resources Business Partner for Talent Acquisition, Benefits, & Onboarding, Denise Scott, who walked through the online employment application with us and discussed employment processes for ISU. She explained that when ISU was notified about the changes in legislation involving DEI, all human resources documents were reviewed, and references to DEI, including DEI statements, were removed, along with all DEI references in training material. Denise Scott confirmed that there were no requirements for prospective or current students to ascribe or provide any kind of diversity statement as part of ISU's hiring process. She also verified that ISU has never required employees to state their pronouns.

RESULTS

Our review of ISU's jobs postings identified three tenured faculty positions that included, "...demonstrated ability to work with people from diverse backgrounds" under minimum/preferred qualifications; however, ISU did not require applicants to provide a diversity statement of any kind.

We also identified a job posting for Assistant Professor, Counseling, that included "evidence of working with counseling students from historically marginalized populations" as a minimum qualification and also required candidates to submit a Diversity in Counselor Education Statement.

ADMISSIONS AND ENROLLMENT

We reviewed the admissions pages on the ISU website, focusing specifically on pages outlining admission requirements including ISU's Policies and Procedures.

We met with ISU's Assistant Director of Admissions Systems and Data Analytics, Kitanna Taylor; Director of Admissions, Nicole Joseph; and Associate Director of Admissions/International Services, Shawn Bascom. Kitanna Taylor explained the admissions application and confirmed that there were no requirements for prospective or current students to ascribe or provide any kind of diversity statement as part of the enrollment process. ISU also does not request, require, or collect pronouns from students.

RESULTS

We did not identify a diversity statement requirement as part of the enrollment process.

Our review of ISU further found that ISU's enrollment process is consistent with Idaho Code. ISU requires standard information from all prospective students, and admission decisions are based on objective, merit-based criteria, including academic performance, course completion, and prior college credits.

CURRICULUM

We performed a detailed examination of the course catalogs from 2021-2022, 2022-2023, 2023-2024, 2024-2025, and 2025-2026 school years. We reviewed the courses offered to determine if the courses contained content that may be in violation of Idaho Code. Once identified, we determined if the courses were required for any degree, major, minor, or certificate, and if alternative courses were available. If alternative courses were not available, we then attempted to verify if ISU had received an exemption through the Board.

RESULTS

ISU has five courses determined as being DEI-related and required for a degree, major, minor, or certificate that were approved for exemptions by Board.

We identified one additional course, Social Work in a Diverse World (SOWK 3379), that is required for a BA degree in Social Work that was not included in the exemption list. The University explained that in July 2025, when exemptions were being submitted, ISU was unsure SOWK 3379 would be offered during the fall 2025 semester, so it was not submitted for exemption. When the course was added for fall, ISU thought that because the program was already exempted, they did not need to request exemption specifically for that course. They have since come to understand that SOWK 3379 should have been submitted for exemption. ISU has submitted the request to the Board, and the exemption is expected to be approved at the December 2025 Board meeting.

LEWIS-CLARK STATE COLLEGE

The LCSC stated that it had no diversity, equity, and inclusion offices, departments, or equivalents as of July 1, 2025. LCSC had no diversity, equity, and inclusion officers, consultants, or support staff as of July 1, 2025. LCSC also had no college-led student resources, services, or programs related to DEI as of July 1, 2025.

LCSC's mission is to prepare students to become successful leaders, engaged citizens, and lifelong learners. LCSC's website includes a page for the [Student Success Center](#) where everyone will find a welcoming staff prepared to offer personal, academic, and professional support. Programs and services listed include Tutoring and the Warrior Pantry.

RESULTS

We did not identify any online content at LCSC that did not comply with legislation.

EXPENDITURES

Student activities, clubs, events, and organizations at LCSC are not funded as State-appropriated accounts. LCSC's chart of accounts, an index of associated funds, cost centers, and functional classifications, does not associate State-appropriated funds with clubs and student activities.

RESULTS

LCSC does not allocate State appropriations to student activities, which was verified at the time of the 2024 report to JFAC by review of student activity accounts and their fund sources. Based on the review of accounts associated with student activities, clubs, events, or organizations on campus related to DEI, we were able to verify that no State appropriations were used to support student activities, clubs, or events. Since there were no State appropriations directed to the accounts that fund student activities, specific expenditures were not reported.

HIRING AND EMPLOYMENT

We performed a detailed examination of the LCSC official website and published policies related to employment at LCSC to evaluate compliance with Idaho Code. We also performed a review of the online job postings. We scanned the postings for key words such as DEI, diversity statement, and inclusion and for language that may be indicative of a diversity statement requirement as part of the hiring process. We did not identify any job postings requiring a diversity statement.

We met with LCSC's Human Resources Director, Vikki Swift-Raymond, and inquired about LCSC's hiring process. She explained the online application and stated that LCSC follows State Division of Human Resources policies and that hiring decisions are based on merit. Vikki Swift-Raymond said that LCSC has never required current or prospective employees to ascribe to a diversity statement. LCSC has never required employees to state their pronouns.

RESULTS

Our review of LCSC found that LCSC's employment process is consistent with Idaho Code. LCSC provides clear instructions, an online application, and requires standardized documentation for all applicants. Human resources decisions are based on objective, merit-based criteria. We found nothing pertaining to a diversity statement requirement.

ADMISSIONS AND ENROLLMENT

We reviewed the admissions pages on the LCSC website, focusing specifically on pages outlining admission requirements including webpages for admissions standards, graduate admissions, international admissions, and LCSC's Policies and Procedures. We did not identify a diversity statement requirement as part of the enrollment process.

We met with LCSC's Assistant Dean of Enrollment Services, Soo Lee Bruce-Smith. Soo Lee Bruce-Smith explained the online undergraduate application process and confirmed there were no requirements for prospective or current students to ascribe or provide any kind of diversity

statement as part of the enrollment process. Soo Lee Bruce-Smith also stated that LCSC has never requested, required, or collected pronouns from students.

RESULTS

Our review of LCSC found that LCSC's enrollment process is consistent with Idaho Code. LCSC requires standard information from all prospective students. Admission decisions are based on objective, merit-based criteria, including academic performance, course completion, and prior college credits.

CURRICULUM

We performed a detailed examination of the course catalogs from 2021-2022, 2022-2023, 2023-2024, 2024-2025, and 2025-2026 school years. We reviewed the courses offered to determine if the courses contained content that may be in violation of Idaho Code. Once identified, we determined if the courses were required for any degree, major, minor, or certificate, and if alternative courses were available. If alternative courses were not available, we then verified if LCSC had received an exemption through the Board.

The LCSC Student Handbook under Student Rights and Responsibilities, Academic Affairs, page 45, states, "Students have the responsibility to review course descriptions prior to enrollment and identify any content that may conflict with their personal beliefs in relation to diversity, equity, and inclusion (DEI) topics."

RESULTS

Our review of LCSC found that the LCSC's curriculum was consistent with Idaho Code. Eighteen courses identified as being DEI-related and required for a degree, major, minor, or certificate were approved for exemptions by the Board. All DEI-related courses, including those mentioned, included a disclaimer stating, "This course may include DEI-related content. If you are taking this class as a program or graduation requirement, you may work with your advisor to find an alternative class."

UNIVERSITY OF IDAHO

Following the Idaho State Board of Education resolution in December 2024, the U of I announced the closure of all diversity, equity, and inclusion offices, departments or equivalents and implemented these closures prior to the beginning of the spring semester that began on January 8, 2025. Additionally, the U of I investigated and appropriately addressed allegations of unauthorized DEI activities not otherwise permitted by law.

Throughout the Spring 2025 semester and prior to July 1, 2025, all U of I faculty and staff employed in positions that would have violated the Idaho State Board of Education policy or Idaho Code were either reassigned to positions unrelated to DEI or left the U of I to pursue other employment.

The U of I's mission is to shape the future of Idaho and beyond through innovative research, education and community engagement. The U of I's website includes The Campus Communities web page that provides links to explore campus communities and affinity groups including, the Honors Program, Student Support Services – TRIO, Tribal Relations Student Affairs, Vandals First Office, Vandal Gateway Program, and ROTC.

RESULTS

There were no U of I student resources, services, or programs related to DEI as of July 1, 2025.

However, we identified content within The Faculty Staff Handbook that may not align with legislation.

Chapter 2: Student Affairs Policies, Section 2100, the Statement of Student Values states, “We come together as Vandals, a diverse community embracing individuality and striving for equity. We hold each other accountable to conduct ourselves with integrity and honesty, to foster excellence in education both in and outside the classroom, and to treat each other with respect.”

Chapter 4: Educationally Disadvantaged and Minority Students, Section 4340, “UI policy, as it relates to minority cultures or educationally disadvantaged segments of society, is to foster an environment that will allow for their recognition by the faculty, staff, and students in such a way as to afford such students a better opportunity to compete for and attain an education consonant with their particular abilities and concerns. Ubuntu recommends and reviews university policies concerning students from minority cultures (in consultation with Student Advisory Services) and students who are educationally disadvantaged (in consultation with Student Support Services), aids these students in developing successful academic programs, and encourages cultural programs that emphasize the contributions of minority groups to American culture (see 1640.58).”

Section 1640.58 states that “Ubuntu, as explained by Desmond Tutu, is essential to the interconnectedness of being human and living in interdependent communities. Ubuntu is affirming and inclusive of others because we all belong to a larger whole which is diminished when any members are humiliated, disrespected or oppressed. People with Ubuntu enrich themselves but do so in ways that enable the community and all its members to also improve. In this spirit the Ubuntu committee is established to advance these ideals.” The site goes on to list the function and structure of Ubuntu.

EXPENDITURES

The U of I took a multi-pronged approach to comply with both 2023 Senate Bill 1176 and 2024 House Bill 734:

- Restrictions as outlined in both bills were discussed with U of I leadership, and leadership was asked to review the activities within their areas for anything falling within the restrictions paid for using appropriated funds.

- Central U of I offices reviewed the expenses of DEI offices specifically to ensure that all expenses were being paid for using non-appropriated funds.
- In November 2024, an analysis of indirect support to DEI offices was completed.
- Restrictions were communicated to ensure continued compliance with restrictions moving forward.

Additionally, in response to 2021 House Bill 387, the U of I completed a review of the use of student government fees in support of student clubs and organizations. As a result of this analysis, the U of I determined that 6 percent of its student government fee would be optional to comply with the law, and U of I has continued to maintain this strategy as part of the student fee structure. An e-mail from the Dean of Students is sent prior to the beginning of each semester to ensure all students understand their ability to opt out of the specific portion of student fees.

RESULTS

The multi-pronged approach identified by the U of I addresses the use of State-appropriated funds and supports that the funds were not used for identified student activities, clubs, events or organizations.

HIRING AND EMPLOYMENT

We performed a detailed examination of the U of I official website and published policies related to employment at the U of I to evaluate compliance with Idaho Code. We also performed a review of the online jobs postings. We scanned the postings for key words such as DEI, diversity statement, and inclusion, and for language that may be indicative of a diversity statement requirement as part of the hiring process.

We met with U of I's Director of Human Resources, Brandi Terwilliger, and Recruitment Operations Lead, Mandy Charbonneau. Mandy Charbonneau explained the job application, and we discussed U of I's employment policies. U of I does not currently require applicants or employees to ascribe any type of diversity statement. The U of I explained that with the new legislation, all job postings had been reviewed and updated to align with State laws and verified that it has never required employees to state their pronouns.

RESULTS

Our review of U of I's jobs postings identified a job posting for Regular Faculty – Scenic Design. Under special instructions, applicants are asked to submit a "statement of teaching philosophy, with specific attention to inclusive pedagogy, mentorship, and creative practice." No other job postings were found to include any type of diversity statement requirement.

ADMISSIONS AND ENROLLMENT

We reviewed the admissions pages on the U of I website, focusing specifically on pages outlining admission requirements including webpages for admissions standards, graduate admissions, international admissions, and U of I's Policies and Procedures. We did not identify a diversity statement requirement as part of the enrollment process.

We met with U of I's Vice Provost Strategic Enrollment Management, Dean Kahler, who explained the online undergraduate application and that enrolling at U of I was a simple and straightforward process. The U of I admissions were merit based, using high school or transfer college grade point average and standardized test scores. Dean Kahler confirmed that there are no requirements for prospective or current students to ascribe or provide any kind of diversity statement as part of enrollment process. The U of I also stated that it has never requested, required, or collected pronouns from students.

RESULTS

Our review of U of I found that the institution's enrollment process is consistent with Idaho Code. The U of I requires standard information from all prospective students. Admission decisions are based on objective, merit-based criteria, including academic performance, course completion, and prior college credits.

CURRICULUM

We performed a detailed examination of the course catalogs from 2021-2022, 2022-2023, 2023-2024, 2024-2025, and 2025-2026 school years. We reviewed the courses offered to determine if they contained content that may be in violation of Idaho Code. Once identified, we determined if the courses were required for any degree, major, minor, or certificate, and if alternative courses were available. If alternative courses were not available, we then verified if the U of I had received an exemption through the Board.

RESULTS

The U of I received an exemption from the Board for one course, Introduction to Inequity and Justice (SOC 2010).

We identified additional courses, Teaching Culturally Diverse Learners (EDCI 3020/EDCI 5440), as a possible DEI-related courses, required for BS in Early Childhood Education, BS in Elementary Education, MAT in Secondary Education, and MA in Teaching English to Speakers of Other Languages degrees. We also identified the courses Gender and Sexual Diversity in Schools (EDCI 4200) and Racial and Ethnic Diversity (EDCI 4210), which are both required for a Certificate in Culturally Responsive Pedagogy and Universal Design for Learning. It appears that these courses should have been included in an exemption request to the Board, but there was no documentation of this occurring. However, the U of I disagrees with that assessment and provided the following information on these four courses:

The U of I states that the primary focus of EDCI 3020, EDCI 5440, EDCI 4200, and EDCI 4210 is on curriculum design and instructional approaches to promote learning. In addition, course content is not "derived from" and does not "promote the tenets or concepts of critical theory." Instead, the majority of course work focuses on course design, implementation and teaching strategies.

- EDCI 3020/5440: As noted in the catalog description, these courses focus on "cultural and linguistic diversity in classrooms" and equip teachers in training with

strategies that help teachers understand and work effectively with students from a wide range of cultural backgrounds. For example, research suggests that rural and urban students often bring different values, experiences, and prior preparation to classrooms. Effective teachers learn to recognize such differences and develop strategies for working with students of all backgrounds. The course is focused on pedagogical topics, not “DEI” content as defined in the law.

- EDCI 4200: As explained in the catalog description, this course focuses on equipping teachers in training with “the skills needed to critically and sensitively work with gender non-conforming, gay, lesbian, and bisexual students in schools.” Its primary focus is how to design curricula and instruction to help these students succeed. It teaches best practices for supporting the academic achievement of K-12 students with different perspectives and backgrounds. The course is focused on pedagogical topics, not “DEI” content as defined in the law.
- EDCI 4210: Per the catalog description, this course prepares teachers in training with “the skills needed to critically and sensitively work with students of color in schools.” The concept of structural marginalization is explored as one of many topics discussed, all of which focus on curricula and instructional strategies likely to help students from different perspectives and backgrounds. The course is focused on pedagogical topics, not “DEI” content as defined in the law.

We continue to assert that these classes meet the criteria for an exemption from the Board and that should be pursued by the U of I.

MANAGEMENTS' RESPONSE



January 9, 2026

By email to arenfro@lso.idaho.gov
April Renfro, Division Manager, Legislative Audits
Idaho Legislative Services Office (LSO)

Dear Auditor Renfro:

Thank you for your work pursuant to Senate Bill 1209 (2025) and for the professionalism demonstrated by the audit team throughout this process. We appreciate the opportunity to review your thorough analysis and respond to its findings.

The State Board of Education, this office (OSBE), and the four-year institutions take seriously the Legislature's direction and their obligation to comply fully with Idaho Code. As reflected in the report, substantial work has been done to eliminate prohibited DEI offices, staffing, and practices; ensure hiring and admissions decisions are merit-based; prevent the use of state-appropriated funds for prohibited purposes; and align curriculum processes with statutory requirements and Board guidance. We are proud of our collective work to comply with the law and grateful for the partnership of the Legislature and Attorney General throughout this process.

Thanks to that work and partnership, the institutions have been largely successful in achieving compliance, as the report reflects. Work will be ongoing, but we are pleased that the audit identified only a few matters of concern. In response to those concerns, the institutions have confirmed compliance with statutory requirements, taken prompt corrective action, or are working closely with OSBE to resolve documentation or interpretive questions to ensure clear, durable compliance. We will continue to identify and correct issues as they arise at each institution, consistent with the oversight and accountability framework established by SB 1198 and other laws.

OSBE is committed to continued legislative partnership and accountability. We will maintain active oversight, reinforce uniform guidance, and work closely with legislators, LSO, and the Attorney General's Office to ensure consistent implementation that reflects the letter and spirit of Idaho law, while preserving lawful academic and operational functions.

We stand ready to provide any additional information the Legislature or LSO may require.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer White".

Jennifer White
Executive Director
jwhite@edu.idaho.gov



January 9, 2026

VIA EMAIL: arenfro@lso.idaho.gov

April Renfro, CPA
Division Manager, Legislative Audits
Idaho Legislative Services Office
State of Idaho

Dear Ms. Renfro,

Thank you for the opportunity to respond to the Special Report: *Idaho Four-Year Institutions of Higher Education Compliance with Idaho Code Prohibiting or Relating to Diversity, Equity, and Inclusion* for the period of July 1, 2023, through June 30, 2025. I appreciate the intentionality that guided this effort and am grateful for the opportunity it has afforded us to further examine various campus initiatives. My leadership team and I have thoroughly reviewed the findings, and the following reflects the university's response:

I would like to address the findings related to the Institute for Inclusive and Transformative Scholarship (IFITS) and the Office of Community Engagement and Belonging (OCEB). The University has previously taken steps to ensure that each unit's activities comply with Section 67-5909D (the "Law") and other applicable federal and state laws, and in response to the Special Report, has reassessed both units to confirm and reinforce compliance and to update any remaining outdated references to prior activities.

IFITS supports Boise State's strategic plan by advancing research and partnerships with Idaho industry and communities. Its primary focus is to expand undergraduate and faculty capacity for impactful research and scholarship across all disciplines. All IFITS programs are institutionally supported, open to all participants, and fully compliant with Section 5909D and applicable federal guidance.

In response to changes in federal grant programs, State Board resolutions, and Section 5909D, IFITS has begun updating its name, web content, and program descriptions to better reflect its primary focus on undergraduate research and mentorship—initiatives that promote student success and advance the University's research and learning goals. The outdated website language referenced previously administered, National Science Foundation–funded programs designed to broaden participation in STEM fields, which concluded in May. That language has been removed, and the University is finalizing updates to the Institute's name and mission, which are expected to be

submitted to the Office of the State Board of Education next month in accordance with standard procedures.

The Office of Community Engagement and Belonging supports the University's strategic goal of fostering thriving communities by partnering with Human Resources, Academic Affairs, and research units to advance academic mentorship, undergraduate research, faculty recognition, campus dialogue, and community engagement. All OCEB activities are open to the entire University community and provide no special or differential benefits. The office conducts all work in full compliance with Section 67-5909D.

Following our review, the University has determined that neither unit currently engages in activities that violate Idaho Code Section 67-5909D, nor does either meet the statutory definition of a "DEI Office" or "DEI Officer." In response to the report, the University reviewed associated websites and updated language that no longer reflected current operations or programs. The University will continue to work closely with both units to ensure ongoing compliance with Section 67-5909D.

Thank you for your efforts in conducting this review. I am grateful to have the opportunity to clarify the mission and work of these efforts. Please reach out to Zeynep Hansen, Interim Provost, provost@bosiestate.edu, if you have any further questions.

Sincerely,



Jeremiah Shinn, Ph.D.
Interim President

Cc: Nikki Panterra, General Counsel Boise State University
Zeynep Hansen, Interim Provost
Jennifer White, Executive Director, Office of the State Board of Education

January 9, 2026

Subject: Fiscal Year 2021 - 2023 Accountability Report Response

Dear Ms. Renfro,

Thank you for the opportunity to provide ISU's response to the Legislative Services Office Audits Division's "Special Report Idaho Four-Year Institutions of Higher Education Compliance with Idaho Code Prohibiting or Relating to Diversity, Equity, and Inclusion," for the period of July 1, 2023 – June 30, 2025. Idaho State University (ISU) has a strong focus on continuous improvement and has made significant efforts to ensure compliance. We appreciate your effort to bring these issues to our attention. ISU has resolved the identified concerns as follows.

As noted in the report,

1. LSO found that three job postings for tenured faculty positions included a "demonstrated ability to work with people from diverse backgrounds" under minimum/preferred qualifications, but did not require that applicants provide a diversity statement.
 - a. Response: As noted, ISU did not ask that candidates for these positions submit a diversity statement as part of the hiring process. While the qualifications language highlighted by the report was intended to build a robust candidate pool, we understand how this language could be interpreted as problematic with state law and policy and have deleted this language from all job postings. This language will not be included in the future.
2. LSO found a job posting for an Assistant Professor, Counseling, that included "evidence of working with counseling students from historically marginalized populations" as a minimum qualification and also required candidates to submit a Diversity in Counselor Education Statement.
 - a. Response: ISU has completed a comprehensive analysis of this issue and appreciates having this brought to our attention. This job posting was posted in August 2024 and should have been identified and removed during the university's comprehensive website review in February 2025. Despite best efforts, this posting was missed and remained on the website. The posting has now been removed.

Similar to the above, the qualification language was included in an attempt to build a robust candidate pool. This language has been removed and will not be included in the future.

ISU has determined the diversity statement requirement was erroneously included despite internal prohibitions against such a requirement and has worked closely with its Human Resources team to ensure procedures are in place that prevent the inclusion of this requirement from any job posting in the future. Additionally, ISU has determined

the search for this position was never completed, and any future posting to fill this position will be modified to conform with law.

3. LSO found that ISU had exemptions approved by the Board of Education for six courses determined to be DEI-related and required for a major, minor, or certificate. LSO found that an additional course should have been included in the exemption list.

- a. Response: Following identification of this issue, ISU promptly convened a meeting with staff at the Idaho State Board of Education to ensure the university properly understood the procedure for requesting exemptions. We discovered the omission was the result of confusion regarding a procedural issue, which was quickly rectified. The identified course was then reviewed and the exemption was approved by the Office of the State Board of Education, as reported to the Board at the Board's meeting on December 17, 2025.

Idaho State University appreciates LSO's independent review of its compliance with state laws and the thoughtful recommendations made by the LSO auditors.

If you have questions or need any additional information, please contact Blake Christensen, ISU's General Counsel & Chief Compliance Officer, at blakechristensen@isu.edu.

Sincerely,



Robert Wagner, PhD
President
Idaho State University



January 7, 2026

Ms. Roxanne Hays, CPA
Senior Supervising Auditor, Legislative Audits
Idaho Legislative Services Office

Dear Ms. Hays,

Thank you for the opportunity to provide a management response to the special report concerning compliance with the Idaho Code prohibiting or relating to diversity, equity, and inclusion, that covers fiscal years 2024 and 2025. Lewis-Clark State College has made a concerted effort to ensure its policies and practices align with state law and is pleased that the report found that the institution is fully compliant with Idaho Code.

If you have questions or need any additional information, please reach out to the following institutional contacts who will be ready to assist:

Dr. Andrew Hanson
Senior Vice President and Vice President for Student Affairs
ahanson@lcsc.edu
(208) 792-2218

Mr. Chris Jones
Vice President for Finance and Administration
cmjones@lcsc.edu
(208) 792-2582

Sincerely,

A handwritten signature in blue ink, appearing to read "Cynthia Pemberton".

Dr. Cynthia Pemberton
President, Lewis-Clark State College

CC: Patrick Aggers, Managing Auditor, Legislative Services Office
Jennifer White, Executive Director, Idaho State Board of Education
Mark Eisenman, Chief Audit Executive, Idaho State Board of Education

January 9, 2025



OFFICE OF THE PRESIDENT

875 Perimeter Drive MS 3151
Moscow ID 83844-3151

208-885-6365
president@uidaho.edu
uidaho.edu/president

TO: April Renfro, Legislative Auditor
Patrick Aggers, CPA, CFE – Managing Auditor
Roxanne Hays, CPA – Senior Supervising Auditor
Idaho Legislative Services Office – Audit Division

FROM: C. Scott Green, President 

SUBJECT: Special Report: Idaho Four-Year Institutions of Higher Education Compliance with Idaho Code Prohibiting or Relating to Diversity, Equity, and Inclusion – For the Period of July 1, 2023, through June 30, 2025

Thank you for the opportunity to provide a management response to the Special Report: Idaho Four-Year Institutions of Higher Education Compliance with Idaho Code Prohibiting or Relating to Diversity, Equity, and Inclusion – For the Period of July 1, 2023, through June 30, 2025. The University of Idaho welcomes the independent review of its compliance with state laws and policies and related findings. It is the University of Idaho's intent to comply with all sections of Idaho code.

We were pleased to see that the audit confirmed that no U of I student resources, services, or programs related to DEI existed as of July 1, 2025. I would like to comment on the potential findings and related policies referenced in the audit from our Faculty and Staff Handbook, hiring and employment processes, and curriculum.

The Faculty and Staff Handbook (FSH), Section 2100.B – Statement of Student Values was flagged as being potentially out of compliance with Idaho code. This statement was drafted and passed by the student government, the Associated Students of the University of Idaho (ASUI), in 2014. The ASUI is a registered student organization that is not funded by the State of Idaho, rather it receives its funding through student-initiated fees. Regardless, we will bring this matter to the attention of the ASUI Leadership so they can consider an update to their Statement of Values which may more clearly align with Idaho priorities.

FSH 1640.58 (Committees: Ubuntu) and 4340 (Educationally Disadvantaged and Minority Students) both pertain to the Ubuntu Committee. While the committee serves to monitor and advance the university's equal opportunity and ADA requirements, I can see how the language from B-1 of FSH 1640.58 and FSH 4340 could be construed to be out of compliance with Idaho code. I am directing a revision of these policies so that language clearly complies with the spirit of the Idaho code.

MOSCOW

BOISE

COEUR D'ALENE

IDAHO FALLS

STATEWIDE RESEARCH AND EXTENSION

The University of Idaho is an equal opportunity employer.

In Hiring and Employment, the audit found one job posting (Regular Faculty – Scenic Design) for a Theater Arts set and stage design position that asked applicants to submit a “statement of teaching philosophy, with specific attention to inclusive pedagogy, mentorship, and creative practice,” and that no other job postings were found to include any type of diversity statement requirement. The University does have a process to preclude a requirement for a diversity statement. This posting has been rewritten to exclude language that could be interpreted to require a diversity statement.

As it relates to the curricular findings listed, based on SB1198 and the guidance provided by the Office of the State Board of Education (OSBE), we believed EDCI 4200 and EDCI 4210 did not require an exemption. However, we revisited these courses and have submitted an exemption request to OSBE for discussion for the Culturally Responsive Pedagogy and Universal Design for Learning Certificate which requires those two courses. It is currently still under consideration by OSBE. This is an optional certificate that is elective and that no student is required to pursue.

We maintain that EDCI 3020/EDCI 5440 does not require exemptions based on SB1198 and the guidance provided by and discussions with the Office of the State Board of Education (OSBE). The focus of this course is curriculum design and instructional approaches to promote learning, and the course content is not “derived from” nor does it “promote the tenets or concepts of critical theory.” Instead, the course work focuses on course design, implementation, and teaching strategies for students of all backgrounds. This material is required by national accreditors, and national accreditation is in turn required for all institutions in Idaho, not just the University of Idaho, that offer a state-approved teacher preparation program. The course content has already been revised to strengthen alignment with SB1198, and changes to the course title and catalog description are currently in our approval process for the July 2026 catalog. The course catalog reviewed as part of this audit did not include this change due to the annual catalog publication schedule. We invite a conversation with the LSO audit team to better understand their perspective and have a dialogue about the subject matter of the course.

Again, we are dedicated to working with you to ensure compliance with all aspects of Idaho code in deed and spirit.