

OFFICIAL MINUTES
MEETING OF THE STATE BOARD OF EDUCATION
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO
TRUSTEES OF IDAHO STATE UNIVERSITY
TRUSTEES OF LEWIS-CLARK STATE COLLEGE
TRUSTEES OF BOISE STATE UNIVERSITY
STATE BOARD FOR PROFESSIONAL TECHNICAL EDUCATION
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND

September 21-22, 2000
Idaho State University
Pocatello, Idaho

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 8:00 a.m., on September 21, 2000, with Mr. Tom Boyd, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

Members Present

Tom Boyd, President
Karen McGee, Vice President
James C. Hammond, Secretary
Curtis H. Eaton
Severina Haws
Marilyn Howard, State Superintendent of Public Instruction
Roderic W. Lewis

Members Absent

All exhibits, appendices and items referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

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ADJOURNMENT 30

CERTIFICATION 32

of the University of Idaho for the month of September, 2000.

<u>James Hammond</u>	<u>Days</u>	<u>Curtis H. Eaton</u>	<u>Days</u>
09/20-22	3.0	09/20	1.0
<u>Severina Haws</u>	<u>Days</u>	<u>Tom Boyd</u>	<u>Days</u>
09/19, 20-22	3.5	09/20-22	3.0
<u>Karen McGee</u>	<u>Days</u>	<u>Rod Lewis</u>	<u>Days</u>
09/06-08, 14, 20-22, 27	7.5	09/20-22, 27	4.0

Non-compensated days for members of the State Board of Education/Board of Regents of the University of Idaho for the month of September, 2000.

<u>Curtis H. Eaton</u>	<u>Days</u>	<u>Marilyn Howard</u>	<u>Days</u>
09/07, 21-22	2.5	09/20-22, 27	4.0

Among the persons meeting with the State Board of Education/Board of Regents of the University of Idaho were:

Office of the State Board of Education

Gregory G. Fitch, Executive Director
Robin A. Dodson, Chief Academic Officer
Kevin Satterlee, Chief Legal Officer
Keith Hasselquist, Chief Fiscal Officer
Mike Killworth, Policy and Planning Officer
Laurie Boston, Public Information Officer
Nancy Szofran, Learning Technology Officer

State Department of Education

Robert West, Chief Deputy Superintendent
Don Robertson, Chief Legal Officer
Allison Westfall, Public Information Officer

Idaho Public Television

Peter Morrill, General Manager

Idaho School for the Deaf and the Blind

Ron Darcy, Superintendent

Division of Professional-Technical Education

Mike Rush, Administrator
Kirk Dennis, Chief Fiscal Officer

Idaho Division of Vocational Rehabilitation

Barry Thompson, Interim Administrator
Richard Sloneker, Chief Fiscal Officer

Boise State University

Charles Ruch, President
Daryl Jones, Provost
Harry Neel, Financial Vice President & Bursar
Brent Winiger, Budget Officer

Eastern Idaho Technical College

Miles LaRowe, President
Mary Ann Carlson, Dean of Instruction
Robert Smart, Finance Officer

Idaho State University

Richard L. Bowen, President

Jonathan Lawson, Academic Vice President

Ken Prolo, Financial Vice President

Lewis-Clark State College

Niel Zimmerman, Interim President

Rita Rice Morris, Provost/Vice President for Academic Affairs

Dean A. Froehlich, Financial Vice President

University of Idaho

Robert A. Hoover, President

Brian L. Pitcher, Provost, Academic Affairs

Jerry Wallace, Financial Vice President

College of Southern Idaho

Gerald Meyerhoeffer, President,

Gerald Beck, Vice President of Instruction

J. Mike Mason, Dean of Finance

North Idaho College

Michael Burke, President

Jerry Gee, Dean of Instruction

Rolly Jurgens, Dean of Administration

Idaho State Historical Society

Steve Guerber, Director

Idaho State Library

Charles Bolles, Director

BOARDWORK

1. Agenda Approval

It was moved by Mr. Hammond, seconded by Dr. Howard and carried (7-0) to approve the agenda for the September 21-22, 2000 meeting with the following amendments:

- 1) September 21 - lunch will be in the Little Wood River Room.
 - 2) A residency appeal will be brought forth under Good of the Order.
 - 3) Addition of Item #7, BAHF, Discussion of Higher Education Finance Study
- (Motion #1)

2. Rolling Calendar

It was moved by Mr. Hammond, seconded by Ms. McGee and carried (7-0) to approve September 20-21, 2001 as the dates and Idaho State University as the location of the September 2001 regularly scheduled Board meeting.

Boardwork materials on file as Exhibit #1 with the Office of the State Board of Education.

BUSINESS AFFAIRS AND HUMAN RESOURCES COMMITTEE

Section I

1. Minutes of the June, 2000 Meeting

Approved in committee.

2. Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (7-0) to approve the Routine Finance agendas submitted by Boise State University, Idaho State University, the University of Idaho, Lewis-Clark State College, the Idaho School for the Deaf and the Blind and the State Division of Professional-Technical Education. (Motion #3)

3. Non-Routine Institution/Agency Agenda Items

Boise State University

4.82 - Marketing Partnership Plan

Mr. Eaton said the committee did not discuss the request as it was felt it should be reviewed by the entire Board. Mr. Harry Neel and Mr. Gene Bleyemeier addressed the Board.

Mr. Neel said the report would entail a recommendation and a marketing effort for the athletic program. Several months ago, BSU went through the RFP process and elected to go with a company called Infinity Sports Marketing (ISM). The company presented a proposal that detailed how they will assist BSU in increasing advertising revenues. The advantages to going with ISM are:

- 1) No up-front money will be required from BSU.
- 2) Nothing will be paid to ISM until advertizing revenues are collected. Up to now, the company has not been paid anything although they have been working for several months.

Mr. Neel said the basic concept is that facilities will be improved so advertizing can be displayed more prominently as well as add to the entertainment value of events. In turn, BSU will be able to increase the value of advertizing to the institution. A tiered partnership approach will be used:

- 1) The lead partner will provide the money to pay for the improvements to the facilities, i.e. video screens in the stadium and the Pavilion, scoreboards,

- advertising panels, a message board, etc. The value of the equipment is approximately \$1.85M. A lead partner has been secured.
- 2) The second tier consists of four sponsors who will be expected to contribute money at a certain level for five years. The four sponsors have been secured.
 - 3) The third tier consists of six sponsors who will be expected to contribute money at a level of contribution determined by the prominence of the advertising. All six sponsors have been secured for this year: three have been secured for five years and three for one year each, but will probably continue sponsorship for the full five years.
 - 4) The fourth tier consists of 24 sponsors in the stadium and 24 in the Pavilion with different levels of advertising. Over 90 percent of these sponsorships have committed for three years.

Mr. Neel said the project would be part of BSU's five-year plan which will be presented to the Board in October. It was brought to the Board today because the Infinity Sports Group will purchase and install the equipment. The cost of the equipment and the 15 percent commission will be deducted from advertising revenues with BSU receiving the net amount. The projected numbers for worst-case and best-case scenarios for the five-year period are:

- 1) In a worst-case scenario, BSU would receive an additional \$744,000 over and above the advertising money currently coming to BSU athletics.
- 2) In a best-case scenario, BSU would receive \$1,570,000 over and above the advertising money currently coming to BSU athletics. Additionally, BSU would have the improvements to the facilities, and at the end of ten years, all of the equipment would belong to BSU.

Mr. Neel said the State Department of Administration, State Purchasing and the Division of Public Works support the approach. It is being brought to the Board at this time due to timing constraints, i.e. it takes about 60 days to manufacture and install the equipment and they would like to have it in place for the basketball season.

Mr. Bleymeier said they had hoped to come to the Board sooner because when the project was embarked on this spring, the goal was to have the equipment in place for the start of the football season. However, before they could obtain internal approval, sponsorships had to be secured. When that was done (in early July), they hoped to move forward, but encountered some purchasing obstacles. Due to the delay, the sponsors had to be contacted and the original offer modified to reflect the later start date. He said it would be most advantageous to have the project in place in time for the basketball season.

Mr. Lewis asked for clarification of the relationship between Infinity and the proposed equipment. Mr. Bleymeier said Infinity would purchase and own the equipment, and would be reimbursed over the next ten years by sponsorship revenues. Mr. Lewis asked if Infinity would

generate the revenue and control the sports marketing operation. Mr. Bleymeier said BSU will control who is approached and would also do the presentations as they did not want an outside company going to BSU supporters and soliciting donations.

Mr. Eaton asked for clarification on when the equipment warrantee expires, when BSU assumes responsibility for maintaining the equipment and how much it is projected to cost. Mr. Bleymeier said the video screen has a one-year warrantee on labor and five years on parts; all other components have a one-year warranty on labor and parts. He said it is felt the systems are cost effective to maintain so they do not feel repairs will be a significant expense, and they do have approximately \$10,000-\$15,000 built into the budget for equipment repairs. Maintenance expense is primarily for the video screen and the scoreboards, but those costs are minimal.

Mr. Eaton asked for explanation on how and when payment for the \$1.8M was changed from BSU to Infinity. Mr. Bleymeier said the offer was made approximately 30 days ago as a result of delays in meeting the original timeline. The Infinity group knew of the delays and said they would be willing to purchase the equipment and get reimbursed over time.

Mr. Eaton said the original contract was entered into around February. Mr. Bleymeier said last February Infinity was hired to look at BSU's facilities, equipment and marketing and design a presentation of equipment and accompanying sponsorship opportunities. At that time, BSU was going to purchase the equipment; however, approximately 30 days ago Infinity said they would be willing to purchase the equipment. Mr. Eaton asked if the initial agreement was still in effect and what BSU would receive from the agreement. Mr. Bleymeier said Infinity designed the model, consulted on equipment needs and secured the equipment. In exchange, they receive a commission of 18 1/2 percent after the normal levels of revenue are reached. They have amended the agreement to include Infinity's purchase of the equipment and the reduction of the commission to 15 percent.

Mr. Eaton asked for clarification on what the contract stipulation "for marketing services" meant. Mr. Bleymeier said they will provide all marketing materials for BSU presentations to prospective sponsors. The model encompasses all of the exterior advertizing opportunities that are seen upon entering the facilities.

Mr. Boyd asked if the agreement was only for on-campus advertizing. Mr. Bleymeier said it was. He also said they designed a logo for the "big four" sponsors that is used to promote BSU athletics in newspaper, radio and television advertizing.

Mr. Eaton said the agreements says "retain the advertizing rights," but Board policy says "the sale of any service or rights shall come to the Board." He asked why it was not brought forth earlier. Mr. Bleymeier said the item "retain the advertizing rights" was part of the new agreement and was not in the original agreement. It was put in the second agreement when Infinity agreed to put up \$1.8M to purchase the equipment so they can make their money back.

Mr. Eaton asked about “marketing services,” i.e. Board policy says “services or rights.” He asked why the contract would not be seen as a service contract. Mr. Bleymeier replied that it was his understanding that Infinity was being paid on a commission basis, so BSU is not expending any monies so if no money is made Infinity does not get paid. Mr. Neel said BSU legal counsel determined it was not something that needed to be presented to the Board. However, Board legal counsel has since reviewed it and has a different opinion. Mr. Eaton was concerned because he first learned about the project through the media.

Mr. Hammond asked what the result would be if the Board denied approval of the project. Mr. Neel said they would not make the improvements and would go back to former advertizing commitments of about \$298,000 per year. Mr. Hammond felt it would be difficult for the Board to deny approval at this point in the project. Mr. Eaton felt that was a key issue as the Board has been talking to all of the institutions for over a year about financing for athletics. He did not feel the Board should be put in the position of preventing something happening that is in anticipation of the strategic plan for athletics, which is due to be addressed in October.

Mr. Eaton said it was curious that BSU would go to its legal counsel to get a determination on whether or not it needed to bring the contract to the Board when the Board has been discussing athletics. He was concerned that there appeared to be a desire not to bring the issue to the Board unless absolutely necessary. He said the facts are, whether intentional or not, he has been put in an untenable position. Mr. Neel did not feel there was an effort made to try to find a way not to bring it to the Board. He said that when issues come to their desks, they try to determine what goes to the Board and what doesn't. He felt they had learned there is a gray area but there wasn't an intentional effort not to inform the Board.

Mr. Bleymeier said the effort of reviewing sponsorships was begun approximately one year ago. The review had nothing to do with a budget shortfall nor did it have anything to do with a five-year plan as the review was started in advance of those issues. There was never a question of whether or not to take it to the Board because of a plan down the road and they did not mean to back the Board into a corner and apologized if that is how anyone was feeling. He said BSU came up with a unique and ambitious program and they had to find sponsorships. The sponsorships were secured by July, internal approvals were given and the project was brought to the Board in as timely a fashion as possible.

Mr. Hammond said he appreciated the efforts to find ways to bolster the program, but his concern was that they are so far down the road, it would be difficult to stop at this point. He felt that put the Board in the position of having to approve something that it did not have a chance review prior to sponsors being secured. He asked if his understanding of the purpose of the sponsorships was correct in that they help pay for equipment and the costs of the marketing company, with whatever is remaining going to the Athletic Department. He asked why, if sponsorships were for a five-year term, it was going to take ten years to reimburse Infinity for the cost of the equipment. Mr. Bleymeier said the agreement is for ten years, but Infinity is

taking the risk. Infinity set the length of time for sponsorships at five years because 1) that would give reasonable assurance that the investment would pay off and 2) it is hoped that in year six the price of the sponsorships can be increased. Mr. Hammond asked who would get the equipment if the sponsorship arrangement did not work. Mr. Bleymeier said Infinity would not pull the equipment because there is a ten-year agreement with the major video sponsor and one of the other sponsors has a seven-year agreement that actually will go for ten years. He said Infinity would be assuming the risk should the sponsorships fail. The concept is that if after 10 years Infinity has not been paid back, BSU and Infinity will mutually agree to extend the use of the equipment in order to give BSU time to find other funding.

Mr. Lewis was concerned about the practice of someone purchasing equipment for the University and having it backed by sponsors. He was also concerned that if BSU was not able to fulfill the contract, the institution would be sued for the remainder of the amount. Mr. Bleymeier said the original plan was to have those sponsorships and agreements with the University, but when Infinity offered to buy the equipment, it was determined they would either make the agreement directly with Infinity or with the University and assigned to Infinity.

Mr. Lewis said he was concerned about having a third party buy the equipment with the obligation backed by sponsors. He asked who would be responsible if the sponsors backed out. Mr. Neel said he assumed that it would then become a legal issue because there would be signed contracts. Mr. Bleymeier said there is an understanding with Infinity that they, with BSU's approval, will secure sponsorships to cover their investment costs. Mr. Lewis asked if BSU would be sued for the equipment costs if the sponsorships are not secured. Mr. Bleymeier said that it would be stipulated in the contract that Infinity could not sue BSU. Mr. Lewis asked if they were saying that with these types of contracts Infinity would not expect BSU to pay, but would collect from the sponsors. Mr. Bleymeier said that was correct.

Mr. Eaton asked if ten years from now, BSU would end up with a system that's not superseded by bells and whistles from those same venues that it is now trying to have a state-of-the-art competition with. Mr. Bleymeier said could happen as technology constantly changes and should that occur, they would review the sponsorships. He felt that in a worst case scenario, the equipment would be good for ten years. However, if there's an opportunity six or seven years from now to upgrade, they would look at the existing agreements.

Mr. Eaton said he was concerned that he was being asked to approve a contract when he did not quite understand the full ramifications.

Dr. Howard asked why there was disagreement on whether or not to bring the topic to the Board. Mr. Neel said that went back to the original February contract and the process of determining what needed to be brought to the Board. BSU legal counsel determined that the February agreement did not need to be placed on the agenda. Since then, Mr. Satterlee looked at it and determined the contract should come to the Board.

It was moved by Mr. Hammond, seconded by Ms. Haws and carried (6-1) to approve the request from Boise State University to proceed with a marketing partnership plan through an agreement with Infinity Sports Marketing for the benefit of its intercollegiate athletics program. (Motion #4)

Mr. Hammond asked the record to reflect that he intended the motion (Motion #4) to refer to the revised agreement and approving it to go forward; are not approving the agreement itself. Mr. Lewis said as the Board had not seen a copy of the agreement, he was uncomfortable giving approval. What he could approve was the plan that is developed through that agreement. BSU will send a copy of the agreement to the Board through the OSBE for review.

5.11 Remodel of 721 Warm Springs Avenue

On December 18, 1981 the SBOE accepted the gift of the property to BSU on condition that it serve as the President's residence. Gladys Langroise made an additional gift to the BSU Foundation of \$100,000 for the purpose of remodeling the house which has increased in value to approximately \$400,000 and is the source of funding for the project.

It was moved by Mr. Eaton and carried (7-0) to approve Boise State University's request to remodel the facility at 721 Warm Springs Avenue to serve as the President's residence and a venue for entertainment functions hosted by the President. The total project cost is estimated at \$400,000 and will be funded by private donations. (Motion #5)

NOTE:BSU informed the OSBE via telephone that the correct address is 929 Warm Springs Avenue.

5.71 Naming of Langroise House

It was moved by Mr. Eaton, seconded and carried (7-0) to approve the request from Boise State University to officially name the facility at 721 Warm Springs Avenue the Langroise House in recognition of the donation of the facility by Mr. and Mrs. Langroise. (Motion #6)

NOTE:BSU informed the OSBE via telephone that the correct address is 929 Warm Springs Avenue.

5.42.1 Revision in scope of Athletics Tennis Complex

It was moved by Mr. Hammond and carried (7-0) to approve a revision of the scope of the Athletics Tennis Complex in the amount of \$2,000,000, with the additional funding coming from private and \$250,000 of institutional funds. (Motion #7)

Idaho State University

5.12 New Student Housing

It was moved by Mr. Eaton and carried (7-0) to approve the request from Idaho State University for an additional \$250,000 to contract a design firm to do the programming and schematic design of the student housing and supporting student union functions portion of the new classroom building complex for a total project cost of \$19,250,000. (Motion #8)

University of Idaho

5.41 J. A. Albertson College of Business

In June 1999 the Regents approved planning, design and construction of a separate facility for the College of Business and Economics at an estimated total project cost of \$13,300,000. In June 2000 the Regents approved increasing the project budget by \$1,100,000 to \$14,400,000.

Following the June 2000 Board meeting, all bids were rejected and the project was reviewed. The University made some design and scope changes to the project and also identified additional private revenues to meet the resulting project scope. Total project cost will increase from \$14,400,000 to \$14,820,000. The increase will be funded from private donations.

It was moved by Mr. Eaton and carried (7-0) to approve the request from the University of Idaho to revise the project scope of the J. A. Albertson College of Business, including the planning, design and construction of the facility for an estimated total cost of \$14,820,000, an increase of \$420,000 from the amount approved at the June 2000 Board of Regents meeting. The additional funds will come from private donations. (Motion #9)

5.10.1 Revised Business of Technology Incubator and Caldwell Incubator Form Leases

The UI requested authorization for the VP for Finance and Administration to execute leases for spaces in the Business Technology Incubator in Moscow and the Caldwell Incubator using generic forms (approved in March 1990) as the basis for negotiating leases with prospective tenants.

It was moved by Mr. Eaton and carried (7-0) to approve the request from the University of Idaho to execute leases for spaces in the Business Technology Incubator in Moscow and the Caldwell Incubator using generic forms as the basis for negotiating leases with prospective tenants. (Motion #10)

4. Final Reading: Naming/Memorializing Buildings

GOVERNING POLICIES AND PROCEDURES

SECTION: I GENERAL GOVERNING POLICIES AND PROCEDURES

SUBSECTION: Naming/Memorializing Buildings

First Reading was approved March 2000.

Mr. Lewis asked for clarification on the meaning of open spaces. Mr. Hammond said it is an area that isn't necessarily a room, but a part of the building such as a gathering area. Mr. Satterlee felt the intent when the policy was written was for the term to refer to open spaces within building. He further said Board policy (in another section) specifically gives the Board the right to name natural or physical features of the campus that are not improved, but interpretation would be the Board's prerogative. Mr. Hammond said his understanding was that it was interior spaces that were not necessarily a given room, but an open space within a building. For instance an area where someone had made a substantial donation to create that space and they wanted to memorialize that name. Ms. McGee said that was her understanding also.

Mr. Lewis felt that if the Board were going to reserve the right to name buildings, it should also reserve to itself the right to name open spaces outside the building and felt the change should be limited to the internal spaces of buildings.

Mr. Boyd asked the committee whether or not it should be incorporated in the motion. Mr. Eaton said the policy identified that delegation to the naming of "rooms and open spaces located within buildings or structures." He suggested "internal" be placed in front of "open." There was general agreement that the policy was clear as written.

It was moved by Mr. Eaton and carried (7-0) to approve the request authorizing presidents of the colleges and universities to name or memorialize rooms and open spaces. (Motion #11)

5. FY01 Revenue Adjustment

It was moved by Mr. Eaton and carried (7-0) to increase the FY01 spending authority for BSU, ISU, UI and LCSC based on available endowment and student revenue funds as shown on revised Item 5.a. (Motion #12)

NOTE: Revision to exhibit--Line 2, LCSC decreased to \$311,000 due to an adjustment for carryover funds.

6. FY02 Budget Request Follow-up

It was moved by Mr. Eaton and carried (7-0) to approve the special requests for one-time funding from BSU, ISU, UI, LCSC, CSI, NIC and SDPTE as detailed in Item 6.a. (Motion #13)

Mr. Eaton said the committee recommended that special requests be taken forward as a system request and not by the individual institutions.

7. Higher Education Financial Condition Assessment

In August the Board authorized development of a proposal to assess the financial condition of higher education. Mr. Eaton, Mr. Hasselquist and Mr. Larry Bird reviewed proposed formats and determined there were two that are workable. Mr. Eaton asked the Board which of two proposed formats it would like:

- 1) One of consultation, independent investigation and assessment, and would be in the nature of an audit. The Board would hire someone to do the background work to prepare the presentation and deliver a presentation to the Board.
- 2) A committee comprised of individuals involved in higher education processes.

He said Mr. Bird felt the committee format is preferable to the consultation format because the people who would be relied on to bring information to the consultant are the people who would be involved in bringing information and developing the ideas in the committee. Mr. Eaton said Mr. Bird has indicated a willingness to serve on the committee and to bring advisors and experts on higher education financial matters to the committee on a gratis basis. Whereas, if he were the consultant, it would be otherwise.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (7-0) to give approval to go forward within the guidelines as shown on the document named "State Board of Education Business Affairs Committee Task Force." (Motion #14)

Section II

1. Minutes of the June, 2000 Meeting

The minutes were received by the committee.

2. Routine Institution/Agency Agenda Items

Mr. Eaton advised of a correction to the UI agenda (page 133), Aaron Harp. The job title should read: from Associate Professor of Agricultural Economics to Associate Professor of Agricultural Economics and Interim Director of Public Policy Analysis Center.

Mr. Eaton told the Board that there are significant changes in the way Boise State University is delivering health services as indicated by the changes listed in the Routine Agenda. BSU's medical care provider that may not be able to provide future services; therefore, BSU has decided to provide that service itself and will transfer the employees from the service provider to BSU. If the service is again outsourced, the employees will be transferred back to the provider.

It was moved by Mr. Eaton and carried (7-0) to approve the Routine Personnel agendas the Idaho Division of Vocational Rehabilitation, Idaho Public Television, the Idaho School for the Deaf and the Blind, the State Division of Professional-Technical Education, Boise State University, Eastern Idaho Technical College, Idaho State University, Lewis-Clark State College and the University of Idaho, with the noted correction. (Motion #15)

3. Non-Routine Institution/Agency Agenda Items

It was moved by Mr. Eaton and carried (7-0) to approve the Non- Routine Personnel agendas Boise State University, Idaho State University, Lewis-Clark State College and the University of Idaho. (Motion #16)

4. Eastern Idaho Technical College Advisory Council Appointments

It was moved by Mr. Eaton and carried (7-0) to approve the appointments of Mr. Fred Gunnerson, Mr. Joseph Groberg and Mr. Russell Spain to positions on the EITC Advisory Council, to run through December 31, 2003.. (Motion #17)

5. Idaho State Library Board Appointment

It was moved by Mr. Eaton and carried (7-0) to approve the reappointment of Mr. Pete Black to the Idaho State Library Board for a term to run through June 30, 2005. (Motion #18)

6. LCSC Presidential Search

Mr. Eaton said the committee felt Dr. Fitch should be the Board contact person, but not be a voting member of the committee. Mr. Boyd asked the Executive Director to take an active role on the search committee and keep it moving forward.

Mr. Eaton felt the Board should determine early in the process whether or not it would have committee members conduct site visits.

Dr. Fitch asked that the salary element be determined and suggested that the search committee be asked to provide a recommendation. He also asked for a determination on which Board member would serve on the committee.

Mr. Eaton said the committee also discussed procedures in place on LCSC campus to provide a firewall between the presidential search and other campus activities.

It was moved by Mr. Eaton and carried (7-0) to approve the LCSC Presidential Search procedures as presented. (Motion #19)

7. Other

Mr. Satterlee provided copies of the revised OSBE policies regarding due process procedures for problem solving, due process and sexual harassment reporting procedures. A copy was given to Board members. No Board action was required.

BAHR Committee agenda on file as Exhibit #s 4 & 5 with the Office of the State Board of Education.

INSTRUCTION, RESEARCH and STUDENT AFFAIRS COMMITTEE

1. Committee Restructure and Introductions

Reviewed in committee.

2. Minutes of the June, 2000 Meeting

Approved in committee.

3. Minutes of CAAP & HERC Meetings

Approved in committee.

4. New Programs: Notices of Intent

- a. Technical Certificate and A.A.S., Horse Management, CSI

It was moved by Dr. Howard and carried (6-0) to approve the request from CSI to offer a technical certificate and A.A.S. degree in Horse Management. (Motion #20)

- b. A.A.S., Law Enforcement, ISU

It was moved by Dr. Howard and carried (6-0) to approve the request from ISU to offer an A.A.S. degree in Law Enforcement. (Motion #21)

- c. A.A.S., Marketing and Management Occupations, ISU

It was moved by Dr. Howard and carried (6-0) to approve the request from ISU to offer an A.A.S. degree in Marketing and Management Occupations. (Motion #22)

- d. A.A.S., Dental Assisting, BSU

It was moved by Dr. Howard and carried (7-0) to approve the request from BSU to offer an A.A.S. degree in Dental Assisting. (Motion #23)

5. Standards for the Initial Certification of Professional School Personnel

Action taken in Item #6.

6a. Final Reading: Program Review

GOVERNING POLICIES AND PROCEDURES
SECTION III - Post Secondary Affairs
SUBSECTION H - Program Review

Dr. Howard advised that under H. Program Review, 6. the word “existing” should be deleted so the sentence would read: “The official vehicle for the approval of teacher...”

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) to approve the changes to the Program Review policy (Section III, Subsection H) Item 6a, with an effective date of September 1, 2001. (Motion #24)

6b. Final Reading: In-State and Out-of-State Institutions Policy

GOVERNING POLICIES AND PROCEDURES
SECTION III - Post Secondary Affairs
SUBSECTION N - In-State/Out-of-State/Non-accredited Institutions

Dr. Howard said Idaho institutions have been approached to accept credits from institutions that may not have the same standards as Idaho institutions. The former policy was that if those credits were accepted by one Idaho institution, they could be transferred to other Idaho institutions. This policy resulted in Idaho institutions being approached individually by those institutions in an attempt to get their credits into the system. The proposed change is a systemwide approach to deal with acceptance of credits from institutions in other areas.

Mr. Eaton asked how the policy would impact Internet courses. Dr. Dodson said there is an accreditation agency recognized by the U.S. Department of Education for on-line distance education courses that is revising their standards. Additionally, the six regional accreditation bodies have been in dialogue dealing with the overall issue and are getting close to issuing a document.

It was moved by Dr. Howard and carried (7-0) to approve for Final Reading the revision to the Board’s In-State and Out-of-State Institutions policy as exhibited in Item 6b. (Motion #25)

6c. First Reading: Program Review and Approval

GOVERNING POLICIES AND PROCEDURES
SECTION III - Postsecondary Affairs
SUBSECTION G - Program Approval and Discontinuance

Dr. Howard said there were several procedural changes that needed to be reviewed and modified prior to the Final Reading. A flow chart will be developed showing how requests are addressed.

Mr. Lewis said the committee discussed the change in control over the establishment of majors within the institutions. While the committee was not concerned with turning that control over to the institutions, it did not want to waive all Board authority in that area. Additionally, the State Division of Professional-Technical Education had some concerns over the change. He asked for further clarification on the entire process, i.e. whether it is a policy decision or a procedural change.

Ms. Haws asked that inconsistencies be cleared by changing the statements “financial impact of \$150,000 or more” to “financial impact greater than \$150,000.”

It was moved by Dr. Howard and carried (7-0) to approve for First Reading the revision to the Board’s Program Approval and Discontinuance Policy. (Motion #26)

6d. First Reading: Admission Standards

GOVERNING POLICIES AND PROCEDURES

SECTION III - Postsecondary Affairs

SUBSECTION Q - Math Scores

Dr. Howard said the committee discussed admission standards relating to math requirements at Idaho’s four-year public institutions. It also discussed an institution agreement (page 37 of the exhibit) dealing with credits and where students would be placed, based on their math scores.

Dr. Howard said the Idaho School Administrators Association (ISAA) asked to have input in decision making and the implementation of standards. She said there would be modifications prior to it being brought back for Final Reading that would take into account input from additional stakeholders.

Dr. Dodson said implementation of Achievement Standards would have a direct impact on the admission process at the colleges and universities. He said some people are under the impression that Achievement Standards would be equal to admission standards; they are not. However, when Achievement Standards are implemented, the admission process will have to be reviewed.

Mr. Eaton did not feel the changes were ready for First Reading as there had not been discussion on what impact the change would have on students. Ms. Haws agreed and felt that on the surface they appear to negatively impact students.

Dr. Howard said the institutions did not believe additional credits would solve the problems because the problems result from systemic issues that relate to how math is taught. Additionally, there are concerns that the change would create a negative impact by creating a need to have courses just to meet that expectation.

Dr. Dodson said the Final Reading would remove the first part, so it would go back to the original language of six credits and additional discussion. However, the second part regarding placement scores did need action. Dr. Howard suggested the changes be separated into two motions so the one issue could receive further discussion and the other could continue through the process.

It was moved by Dr. Howard to approve for First Reading the revision to the Board's Admission Standards Policy. **The motion was withdrawn.** (Motion #27)

Mr. Hammond asked if the request was to change the placement scores or to give guidance to the colleges. Dr. Dodson said Board policy has never contained math placement scores and is intended to give guidance officers some guidance on where to place students, and to increase consistency among the schools.

It was moved by Dr. Howard and seconded by Mr. Hammond to disapprove the revision of the Board's Academic Standards Policy excepting the acceptance of the placement scores on page 37. **The motion was withdrawn.** (Motion #28)

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) to approve for First Reading the provision of the Board's Admission Standards Policy as it regards to math the math placement scores. (Motion #29)

Mr. Lewis and Mr. Boyd asked Dr. Dodson to pull together interested parties for dialogue on the first part and set a goal date for bringing the issue back. Dr. Dodson said they are currently in dialogue with shareholders and felt they could bring a white paper in November. The paper would frame the issues and impacts of change as well as provide options to the Board.

7. Board Review of Standing Committees

Dr. Howard said Board staff and institutional representatives will be looking at subcommittees to determine whether they need to have continued existence or operational changes. A report will be brought to the committee. Additionally, a review report will be coming on health professions and engineering related technologies.

Mr. Eaton asked that there be discussion on each subcommittee's value. Dr. Dodson said the subcommittees in question have been standing subcommittees of Academic Affairs for many years. However, as a result of bylaws changes, there is discussion on where they now fit.

8. Title II Reporting Requirements

Committee information only, no Board discussion.

9. Student Participation in Postsecondary Education

Committee information only, no Board discussion.

10. Program Review Update

Not addressed.

11. Idaho's MOST Advisory Group Appointment

In August, Rep. Fred Tilman advised Dr. Patty Toney that he would be unable to remain on the Advisory Group. Rep. Bev Montgomery has agreed to fill the position.

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (7-0) to appoint Representative Bev Montgomery to replace Rep. Tilman on the Idaho's MOST Advisory Group. (Motion #30)

POLICY, PLANNING AND GOVERNMENTAL AFFAIRS COMMITTEE

Ms. Randi McDermott said the plan is for the staff to review and revise the Board's personnel policies so that staff would review all items except those that are an exception to Board policy.

Additionally, it is planned that the PPGAC would meet as a committee of the whole with Ms. McGee serving as chair. It was recommended that the committee meet four times per year: February, April, August and November, probably the Wednesday before the Board meeting.

Committee agenda on file as Exhibit #7 with the Office of the State Board of Education.

OTHER

1. Teacher Education Reform Assessment

Dr. Richard Bowen and Dr. Larry Harris reviewed reforms addressing educator preparation in Idaho.

2. Idaho Public Television

Mr. Morrill said the \$80,000 grant to study privatizing IPTV has been submitted. If approval is given, an independent firm by the name of Borstein and Associates of Tucson, Arizona will conduct the study. The firm has conducted similar feasibility studies for other public broadcasting entities (including Oregon Public Broadcasting). The study should be completed by the beginning of the legislative session.

Mr. Eaton suggested the study review the economic and the desirability aspects of privatization. Mr. Morrill said the study could accomplish an economic and regulatory review of the issues involved, but other aspects would need to be decided by others.

Mr. Lewis asked that the report be given to Board members prior to being released. Mr. Morrill will provide a copy to the Board as soon as it is available.

Exhibit #2

3. Technology Presentation

Ms. Nancy Szofran reported on the Governor's E-boot Camp held in early September.

Dr. Corey Schou reported on the designation of ISU and the UI by the National Security Agency as National Centers of Excellence in Information Assurance Education. He also reported on Idaho's efforts to encourage faculty and students to enter technology areas.

Exhibit #3

4. IACI Letter

Mr. Eaton asked that the topic identified in his September 13 letter to Steve Ahrens be placed on the agenda for the first Strategic Planning meeting, i.e. an initiative that chooses pathways that transcend the boundaries that are in our system.

Exhibit #8

5. Executive Session

It was moved by Mr. Hammond, seconded by Ms. McGee and carried to enter into Executive Session “pursuant to Section 67-2345, 1, (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student; (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; (d) to consider records that are exempt by law from public inspection; and (f) to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation. **A roll call vote was taken:**

AYES: Ms. Haws, Ms. McGee, Dr. Howard, Mr. Hammond, Mr. Lewis, Mr. Eaton, Mr. Boyd

NAYS: None

ABSTAIN: None

ABSENT: None

The motion carried. (Motion #31)

- 1) The Board reviewed management letters for the college and university presidents.
- 2) The Board evaluated the performance of several public employees.
- 3) The Board reviewed personnel documents exempt from Public Records Act disclosure.
- 4) The Board considered advise of legal counsel on matters pending.

(The minutes were taken by Kevin Satterlee.)

6. BSU Strategic Plan

Dr. Charles Ruch and Dr. Daryl Jones presented BSU’s five-year strategic plan to the Board. Dr. Ruch said the plan suggests that their strategic direction is correct; that they are meeting needs and goals established by the mission and expected by stakeholders. It also identified the need for additional buildings, infrastructure, faculty, staff and operating support.

Mr. Eaton asked what has been done to address cooperation among institutions with regard to the Boise State-West campus. Dr. Ruch said they have a 45-member advisory committee that includes private and public institutions and that they share classes and meet continually to ensure coordination.

Mr. Boyd asked if they had considered making BSU-West the technical part of the college. Dr. Jones said that suggestion has come up over the years. However, due to the projected needs of the area, offering what would in effect be a community college operation would not meet the needs of that community.

Mr. Lewis asked for identification of BSU’s strengths and weaknesses. Dr. Jones said

BSU has an overall integrating theme that has to do with the nature and character of the institution based on its geographic location. As a result, pedagogy, research and community service have been shaped and influenced. In effect, BSU has the world's largest laboratory at its disposal which has resulted in the emphasis on real-world experiences. Applied learning is one of the great strengths of the institution and is manifested in internship programs, undergraduate research opportunities and learning opportunities in the community.

Dr. Ruch said one of BSU's greatest challenges is the changing characteristics of faculty as a high number of senior faculty will retire in the next five years. Overall the areas needing improvement are faculty salaries, space and infrastructure support.

Mr. Lewis asked Dr. Ruch to articulate BSU's vision. Dr. Ruch replied that they would like to become known as the best metropolitan university in the northwest. By metropolitan he meant a university that does all of the things universities do, i.e. good teaching, good research, good service, but really focuses its energy on the metropolitan area that it serves.

Mr. Lewis felt the response was somewhat reactive. Dr. Ruch said the qualities of a community are enhanced and supported by the efforts of a university and that what it takes to make a good metropolitan area in the 21st century is good schools, good health care, good culture, good commerce and good psychology. BSU wants to be involved in those sectors of community life, both responding to and leading the community. Dr. Jones added that in the vision statement there is a phrase "Boise State's strategic plan reflects the desire to enhance, grow and expand efforts to anticipate and serve the growing needs of our region and state."

Mr. Lewis said he would challenge the university to provide leadership. If there is a reliance on reacting to the community, the ability for the university to perform at a high level becomes reactive and may not be positive over time.

Exhibit #9

7. Idaho Independent Living Council

Mr. Kelly Buckland and Ms. Bobby Ball gave a review of the Statewide Independent Living Council's history and mission. They requested support of the Council's request for an exemption from the 5 percent increase that it receives each year. Additionally, they would like the ability to go to the legislature each year and request funding. Mr. Buckland said that federal regulations require that the Council not be a part of another agency, but also require that the Council's funding go through another agency. At this point, they were not asking to break away from Vocational Rehabilitation, but asked for authorization to go to the legislature and petition for additional funding.

Ms. McGee said she needed to see how the change would impact other agencies and

asked for a written statement prior to the session. Mr. Buckland said he would work with Dr. Fitch to get something in writing to the Board.

Mr. Hammond said the Board has given authorization to another agency to seek additional funding because that organization was also small and a 5 percent restriction allows for minimal growth. He felt the Board should work with the Council to see what they can do to request additional funding from the legislature and felt the request should be brought forward by the Finance Committee.

Exhibit #10

8. Memorandum of Understanding

Dr. Mike Rush said the Task Force on Correctional Education felt it would not be able to operate without significant support from the top level administrators of all involved entities. Therefore, a MOU was developed to set forth parameters and rules to facilitate education in a correctional environment. The MOU has been signed by Dr. Howard (SDOE), Mr. Fred Reinke (DJC) and Mr. Ralph Townsend (BOC). He asked that the SBOE sign off on the MOU.

Mr. Hammond encouraged the Board to approve the request. He felt it would facilitate study to determine how best to allocate resources. Mr. Eaton also felt the request should be approved. He further felt there should be a recommendation regarding community support for adult inmates as is identified in the agreement for juvenile inmates.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (6-0) to sign the Advisory Committee on Correctional Education and Programs' Memorandum of Understanding as proposed. (Motion #32)

Dr. Howard said she supported Motion #33 because she has talked to the director about the issue and it was acknowledged that there is a gap in working with people while in prison and then just releasing them without support. She said there is also a growing awareness that even in the prison system, a workforce capacity is being developed for people. Therefore, it becomes part of the total state plan, i.e. looking at workforce development and support systems.

It was moved by Mr. Eaton, seconded by Mr. Hammond and carried (6-0) to encourage all state agencies who have a role to develop the appropriate community support for people who will be released from the program that is envisioned by the MOU. (Motion #33)

Exhibit #10

9. Oath of Office

Mr. Tom Boyd administered the Oath of Office to Mr. Blake Hall. Mr. Hall's term will run from September 21, 2000 through March 1, 2005.

10. Open Forum

No requests to speak.

11. Residency Appeal

Mr. Satterlee said the OSBE received a residency appeal from a student at BSU. The student went through BSU's internal appeals process and was classified as a non-resident, but has asked the Board to review the decision. Mr. Satterlee said the Board has traditionally delegated its appeal authority to the Chief Academic Affairs Officer, who acts as a hearing officer.

It was moved by Mr. Hammond, seconded by Ms. Haws and carried (7-0) to delegate the authority to hear the residency issue to Dr. Dodson. (Motion #34)

12. Idaho's MOST

Mr. Hammond expressed concerns about the issues involved in retaining qualified teachers. He suggested the Governor's office and others be contacted to develop a plan on how the compensation issue could be addressed. Mr. Eaton agreed, but was concerned that it could become public education versus higher education and recommended the discussion be addressed as faculty and teacher salaries.

13. Good of the Order

- 1) ISBA Meeting in November
- 2) NASBE and AGB Conferences
- 3) Mr. Eaton asked Dr. Fitch to provide the Board with a summary of his activities each week.
- 4) IPTV has received the \$80,000 grant for the privatization study.

Exhibit Materials on file with the Office of the State Board of Education.

STATE DEPARTMENT OF EDUCATION

A. Basic Educational Technology Standards for Continuing Educators

Dr. Bob West reviewed the annual report on certified personnel demonstrating mastery of the standards by state, district and schools. He said that due to reporting date problems, the report was not absolutely current. Therefore, the SDOE will come back at a later time with more up-to-date information. Mr. Lewis asked if the reporting date could be changed so current information could be brought to the Board. Dr. West said the reporting date was in policy, but they could postpone bringing the report until current information was available.

Dr. West said another reason for discrepancy between district figures and the figures of the administering institutions is that unless the full fee is paid to the administering institution to receive the certificate, the institution does not report them as having met the competency. The institutions invite them to pay the additional \$35 to get the certificate, but many do not because they already have a letter saying they passed the test which is given to their school administrator.

Mr. Eaton asked if the 90 percent requirement had been met. Dr. Howard said the figure was approximately 60 percent a year ago and when current data is reviewed, the figure should be higher. Additionally, a large push is expected this year to get people to meet the competency.

B. SDOE Gifted and Talented Program

Dr. West said school districts are mandated to serve gifted and talented students. Some are doing a good job, others are only serving some students and others do not serve any. Because of the mandate, the SDOE is under an obligation to assist in developing procedures and approaches for instruction. One way to do that is through the Administrative Rules process. A proposed rule has been written which will assist school districts in developing plans outlining how students are identified and how services will be provided.

Dr. West said action would not be required as additional public input will be sought. However, it is anticipate the rule will be brought back in October.

C. Approval to Operate with Less Than 10 Pupils

In November 1999 the SBOE delegated authority to the SDOE to approve elementary schools to operate with less than ten average daily attendance. A report was brought to the Board on schools given authority to operate during the 2000-2001 school years.

D. Withdrawn

To be brought back at a later date.

E. Achievement Standards Update Report

Ms. Lydia Guerra gave an informational update on the process. The commission is working to hire an assessment consultant in order to move forward with assessment. Last year's recommendations have been updated so they can be finalized with the comprehensive plan in November. The roles and responsibilities of the SBOE and the SDOE have been clarified. The commission agreed:

- 1) The SBOE will take ownership and have assessment oversight.
- 2) The SDOE will have standards implementation responsibility.

The commission recommended:

- 1) Standardized testing so Idaho can be compared to other states. This may be accomplished by ITBS tests in 3rd, 7th and 9th grades. If the recommendation is adopted, ITBS will be eliminated in several other grades.
- 2) Use of the Idaho Reading Initiative model for math. They also propose the same kind of framework and funding in the comprehensive plan.
- 3) Utilization and modification of existing direct writing and direct math assessments to align them with the standards for use in the 4th and 8th grades.
- 4) The assessment consultant will do research and make specific recommendations.
- 5) Development of an 11th grade exam for language arts and math.
- 6) Development of student improvement plans at the 4th & 8th grades. And, limited model at the high school level to assist with intervention.
- 7) Several opportunities will be given to students to retake the 11th grade exam.
- 8) Additional seat time may be required for students to repeat a class. However, they are proposing that there not be the same kind of instruction.
- 9) Consideration of positive incentives, i.e. scholarships.

The Humanities Subcommittee met to finalize the initial draft. The standards should be ready for review by October. It is anticipated the approval request will be brought to the Board in November.

Mr. Eaton asked Ms. Guerra to send the Board a summary sheets showing commission decision and direction.

Mr. Eaton said he was under the impression that the assessments were to be done by the SDOE and asked why the change was made. Mr. Lewis said the committee agreed that assessment would be assigned to the Board and implementation would be assigned to the Department. He felt those assignments were important in order to make the standards relevant.

Mr. Hammond asked who will determine the results of the assessments, i.e. what happens if a student does not pass the exam. Mr. Lewis said that question still needed to be answered and the committee is working towards answering it. He also said they are looking at other states and Best Practices to see what has been done and what can be done.

Mr. Eaton felt educators specializing in assessment should be included on the committee. He also felt it would be appropriate for the Board President and, maybe, the Superintendent to write a guest editorial to Idaho's newspapers explaining what is being done in the standards area for both students and teachers.

F. Superintendent's Report

Dr. Howard updated the Board on:

- 1) The Parents Guide to the Idaho Reading Initiative.
- 2) Statewide Reading Conference in October.
- 3) Technology in the classroom.
- 4) SDOE staff changes.
- 5) SDOE staff training.
- 6) Uniformity School Safety Code Committee.

Agenda and materials on file as Exhibit #11 with the Office of the State Board of Education.

ADJOURNMENT: September 21, 5:00 p.m.
September 22, 10:30 a.m.

CERTIFICATION:

The minutes are not verbatim. However, to the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker