

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

January 10, 2013

A regular meeting of the Utah State Board of Education was held January 10, 2013 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. The Board Audit Committee met at 7:00 a.m. prior to Board meeting.

Chair Debra Roberts conducted.

Board Members present:

Chair Debra G. Roberts	Member Michael Jensen
Vice Chair David L. Crandall	Member Jennifer A. Johnson
Member Dixie L. Allen	Member Jefferson Moss
Member Laura Belnap (non-voting)	Member James V. (Jim) Olsen (non-voting)
Member Kim R. Burningham	Member C. Mark Openshaw
Member Keith M. Buswell	Member Tami W. Pyfer
Member Leslie B. Castle	Member R. Dean Rowley (non-voting)
Member Joel Coleman	Member Isaiah (Ike) Spencer (non-voting)
Member Barbara W. Corry	Member Teresa L. Theurer (non-voting)
Member Marlin K. Jensen (non-voting)	Member David L. Thomas

Members excused:

Member Craig Coleman

Executive staff present:

Martell Menlove, State Superintendent	Bruce Williams, Associate Superintendent
Brenda Hales, Deputy Superintendent	Don Uchida, USOR Executive Director
Judy Park, Associate Superintendent	Lorraine Austin, Board Secretary

Others present:

Jason Meyers, Thanksgiving Point; Lydia Nuttall, Morgan District parent; Jay McCarthy, BYU-ECS; Helen Hu, Westminster College-ECS; Mike Washburn, Thanksgiving Point; Calvin White, NN/DODE; Jay Blain, UEA; Jan Ferré, LCPD

Opening Business

Chair Debra Roberts called the meeting to order at 8:00 a.m. Member Leslie Castle led the Board in the Pledge of Allegiance.

Swearing in of State Superintendent

Dr. Martell Menlove was administered the Oath of Office as State Superintendent of Public Instruction by Representative Ronda Menlove, Utah House of Representatives.

Swearing in of Board Members

The following members elected to the State Board of Education in the November 2012 General Election were administered the Oath of Office by State Superintendent of Public Instruction Martell Menlove.

Tami W. Pyfer - District 1
David L. Thomas - District 4
Leslie B. Castle - District 7
Jennifer A. Johnson - District 8
David L. Crandall, District 10

Jefferson Moss, District 11
Dixie L. Allen, District 12
C. Mark Openshaw, District 13
Barbara W. Corry, District 15

Recognition of Carol Murphy

Outgoing Board member Carol Murphy was recognized for her service on the Board since 2009. Chair Roberts lauded her strong advocacy for children and her years of service to public education beginning with the Park City School Board. Ms. Murphy was presented with the traditional bell.

Board Member Message

Member David Thomas welcomed the Board with a story about remembering the small things and practicing kindness in *The Cab Ride I'll Never Forget*. He then gave an invocation.

Promises to Keep Highlight

Superintendent Martell Menlove reported that he just returned from Israel, where he visited the Jerusalem Holocaust Museum, Yad Vashem. There is a separate museum there dedicated to the 1.5 million children who died in the Holocaust. Dr. Menlove recounted a moving experience he had while there, learning about Janusz Korczak. Dr. Korczak was born in Warsaw, and became a pediatrician and prominent author of children's literature. He was director of an orphanage housing 200 Jewish children that became part of the Warsaw Ghetto during World War II. When German soldiers came to transport the children to Treblinka, Janusz

was given several opportunities to stay behind, but refused to abandon the children, and perished with them.

Dr. Menlove expressed that Janusz Korczak has become one of his heroes. He promised to the Board and others his total commitment to the 600,000 school children in Utah, and to doing what he can to ensure the very best experience and education possible for them.

Public Comment

The following individuals gave comment to the Board.

Mike Washburn, Thanksgiving Point - requested that the Board develop a process allowing additional entities to become part of the iSEE (Informal Science Education Enhancement) program. Information was distributed on the organization's tulip sharing program, field trips, and school programs.

Maure Baker, Certiport - forwarded a request from the company that as the Board considers graduation requirements, it not eliminate the computer literacy course in high school. Information was distributed about Certiport's commitment to strong educational programs.

Jay McCarthy, Brigham Young University and Helen Hu, Westminster College - both spoke on the importance of including a rigorous technology course in high school as part of graduation requirements. The institutions have received a National Science Foundation Grant to support educators teaching more rigorous technology classes for students in high school. Information was distributed about the program.

Lydia Nuttall, Morgan County parent - received an email from an individual concerned about the content of history courses. Ms. Nuttall asked the Board for continued vigilance in this area.

[For more details, see General Exhibit No. 12205.]

General Consent Calendar

Motion was made by Member Dixie Allen and seconded by Member Mark Openshaw that the Board approve the General Consent Calendar. Motion carried unanimously.

1. Minutes of December 7, 2013

Minutes of the State Board of Education meeting held December 7, 2013 were approved.

2. Contracts

The following contract was approved by the Board.

- A. College Board Examination Board, \$139,072, 11/01/2012 to 03/15/2013, Amendment, Federal

The purpose of the contract is to pay advance placement test registration fees for low income students. [For more details, see General Exhibit No. 12206.]

3. Monthly Budget Report

The Monthly Budget Report for November 2012 was provided to give information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education, Utah State Office of Rehabilitation, and Utah Schools for the Deaf and the Blind. [For more details, see General Exhibit No. 12207.]

4. Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as submitted by the school districts and charter schools. [For more details, see General Exhibit No. 12208.]

5. List of Educator Licenses Processed

A summary of the total number of educator licenses and license areas processed in December 2012 was provided for Board information. [For more details, see General Exhibit No. 12209.]

6. WestEd Appointment

As a signatory agency to WestEd, the Utah State Board of Education can fill two positions on WestEd's Board of Directors. Action was needed to fill the position held by Dr. Larry K. Shumway, who retired as State Superintendent of Public Instruction on December 31, 2012.

The Board appointed Dr. Martell Menlove to represent the Utah State Office of Education on the WestEd Board of Directors to fill Larry Shumway's remaining term through May 31, 2014, and a subsequent term from May 31, 2014 to May 31, 2017.

The Board recessed to standing committees at 8:42 a.m.

The full Board reconvened at 10:02 a.m.

Achievement Spotlight

Deputy Superintendent Brenda Hales reported on the outstanding achievement of Dee Elementary and Odyssey Elementary Schools in Ogden City School District. Both schools have been designated as Priority Schools under the federal Title I program. Through improvement programs—including a school improvement grant (SIG) and participation in the Darden School Partnership for Leaders in Education program—the two schools have gone from low proficiency to outperforming their peer schools, and are no longer among Utah’s lowest-performing Title I schools.

Principals Sandra Jolovich-Motes, Dee Elementary, and Dale Wilkinson, Odyssey Elementary, were congratulated by Vice Chair David Crandall and Superintendent Menlove. Ogden District Superintendent Brad Smith was also applauded for his courage and leadership in support of the schools.

Both principals gave an overview of how the schools overcame their challenges and improved achievement.

[For more details, see General Exhibit No. 12210.]

2013 Legislative Session Update

Superintendent Menlove distributed a schedule of meetings during the legislative session and a list of legislative education committee members. He distributed and reviewed a comparison of the Board’s legislative priorities and the Governor’s budget. He noted the great alignment between the two budgets. The main issue is the increase in the value of the WPU, with the Board recommending a two percent increase and the Governor recommending a 1.16 percent increase.

Dr. Menlove reported that the Governor has expressed interest in closing achievement gaps. The Governor has proposed funding the Utah Data Alliance at \$100,000, but did not recommend any funding for educator professional development. Dr. Menlove expressed his

opinion that if there is no funding for professional development, there will be a direct negative impact on student achievement.

Superintendent Menlove distributed and reviewed a list of bills currently announced. He will follow up on getting sponsors on Board priority legislation for college and career readiness assessments and one-to-one technology devices.

[For more details, see General Exhibit No. 12211.]

Computer Adaptive Assessment System Contract

In the 2012 Legislative Session, HB 15 *Statewide Adaptive Testing* provided \$6,700,000 to “annually require each school district and charter school, as applicable, to administer a computer adaptive assessment system that is (a) adopted by the State Board of Education; and (b) aligned to Utah’s common core.” The State Board appointed a Request for Proposal (RFP) Writing Committee to write the RFP and an RFP Selection Committee to review the proposals and make a recommendation to State Purchasing on a vendor. State Purchasing released the successful bid award to AIR (American Institutes of Research) on November 28, 2012.

Associate Superintendent Judy Park distributed a binder with information about the Computer Adaptive Assessment System, and reviewed the material. She reported that she just finished giving a presentation on the system to the Utah School Superintendents Association (USSA), and at the conclusion of the presentation, the USSA organization voted to support the process, conclusions and final recommendations for the new assessment system.

Dr. Park indicated that if the contract is approved today, CRTs (criterion-referenced tests) will be given for the last time this spring and it will be the last time the assessment pilots would be in effect. The new formative assessment will be available fall 2013, and in spring 2014 the summative assessment will be in place.

Dr. Park took questions from the Board and clarified the following:

- Every assessment item will be reviewed by parents, including those already in place. Test questions are evaluated through a twenty-step process, and every question goes through a piloting process.

- The contract is for \$39 million over five years, leaving \$18 million from the appropriation that will not be used for the contract. The use of the remaining money still needs to be determined. The state money may only be used for the computer adaptive assessment system.
- Some money from federal dollars could possibly be used for alternate assessments for special needs students or English language learners.
- The tests adapt to students that struggle or excel by adapting the questions or content of questions.
- The contract provides a solution that is unique to Utah, thus providing for future changes, and the vendor is prepared to stay current with emerging technology.

It was suggested that a webinar on the system be developed that would be open to the public.

Superintendent Myron Mickelsen, Sevier School District, was invited to share his thoughts on the new system. Sevier District has been a participant of the current assessment pilot. Superintendent Mickelsen reported that the pilot program has been very beneficial, and the information received from adaptive testing is critical. At this point, he is not confident the new system can be developed and available in a timely way, whereas the pilots have an established system through which the district is receiving value now.

Motion was made by Member Tami Pyfer and seconded by Member Kim Burningham that the Board approve the contract with AIR.

Some members expressed concern that they have not had time to thoroughly review the contract. Member Isaiah Spencer reported that faculty in the school where he works are anxious to have in place assessments that are aligned with the Core Standards. The lack of current assessments is having a negative effect on schools.

Motion carried, with Members Allen, Burningham, Buswell, Castle, Corry, Jensen, Moss, Openshaw, Pyfer, Roberts and Thomas in favor, and Member J. Coleman opposed. Members Crandall and Johnson abstained.

Motion carried. [For more details, see General Exhibit No. 12212.]

Utah Professional Practices Advisory Commission (UPPAC) Recommendations

In its December 7, 2012 meeting, the Board received recommendations for review from the Utah Professional Practices Advisory Commission (UPPAC) regarding educator licensure in four cases. In accordance with the Utah Open and Public Meetings Act, the Board reviewed those cases in closed session. Board policy dictates that the Board will review cases brought from UPPAC one month, and take action on those cases in the subsequent month. The following motions were taken on the pending cases.

Motion was made by Member Tami Pyfer and seconded by Member Barbara Corry that in Case No. 12-075 the Board accept UPPAC's recommendation and approve a Stipulated Agreement for suspension of the educator's Level 3 Secondary Education and Administrative license. All conditions of the signed Stipulated Agreement will apply to the suspension. The educator's license will be suspended indefinitely and the educator has agreed not to seek reinstatement of the license.

Motion carried. [For more details, see General Exhibit No. 12213.]

Motion was made by Member Tami Pyfer and seconded by Member Mark Openshaw that Case No. 12-1068 be referred to Executive Session for discussion of the character, competence and physical or mental health of the individual.

Motion carried.

Motion was made by Member Leslie Castle and seconded by Member Tami Pyfer that Case No. 11-1033 be referred to Executive Session for discussion of the character, competence and physical or mental health of the individual.

Motion carried.

Motion was made by Member Leslie Castle and seconded by Member Joel Coleman that the Board not accept the UPPAC recommendation in Case No. 12-1073.

Substitute motion was made by Member David Crandall and seconded by Member Kim Burningham that Case No. 12-1073 be referred to Executive Session for discussion of the character, competence and physical or mental health of the individual, and that action on the case be postponed until after Executive Session.

Motion carried, with Members Castle and Pyfer opposed.

Executive Session

Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board move into Executive Session for the purpose of discussing the character, competence and physical or mental health of individuals, and pending or potential litigation.

A voice vote was taken and upon unanimous consent of those present, the Board moved into Executive Session at 12:27 p.m.

Those present in Executive Session included Board Members Allen, Belnap, Burningham, Buswell, Castle, J. Coleman, Corry, Crandall, Marlin Jensen, Michael Jensen, Johnson, Moss, Openshaw, Pyfer, Roberts, Spencer, Theurer and Thomas, Superintendent Martell Menlove, Deputy Superintendent Brenda Hales, Board Secretary Lorraine Austin, Board Attorney Kristina Kindl, and USOE staff members Carol Lear, Heidi Alder, and David Rodemack.

Motion was made by Member Dixie Allen and seconded by Member Jennifer Johnson that the Board reconvene into open session. Motion carried.

The meeting reconvened at 1:30 p.m.

Executive Session ItemsUSDB Superintendent Appointment

Motion was made by Member Joel Coleman and seconded by Member Dixie Allen that the Board not renew Steven Noyce's appointment as the Superintendent of the Utah Schools for the Deaf and the Blind for the upcoming 2013-14 school year, and that the process for finding a replacement begin immediately.

Motion carried.

Utah Professional Practices Advisory Commission (UPPAC) Recommendations

Motion was made by Member Tami Pyfer and seconded by Member Leslie Castle that in Case No. 12-1068 the Board reject the stipulated agreement and send the case back to UPPAC.

Motion carried, with Members Buswell, Castle, J. Coleman, Crandall, Jensen, Johnson, Moss, Openshaw, Pyfer, and Thomas in favor, and Members Allen, Burningham, Corry, and Roberts opposed.

Motion was made by Member Joel Coleman and seconded by Member Jefferson Moss that in Case No. 11-1033 the Board accept the recommendation of UPPAC and approve a Stipulated Agreement for Suspension of the educator's Level 2 Secondary Educator license. The educator may apply for reinstatement of the license following satisfaction of all conditions and no sooner than two years from the date of action by the Board. Any future UPPAC recommendation for reinstatement of the license is subject to Board approval.

Motion carried. [For more details, see General Exhibit No. 12213.]

Motion was made by Member Leslie Castle and seconded by Member Joel Coleman that the Board reject the stipulated agreement in Case No. 12-1073 and send the case back to UPPAC.

Motion carried, with Members Burningham, Buswell, Castle, J. Coleman, Crandall, Jensen, Johnson, Moss, Openshaw and Pyfer in favor, and Members Allen, Corry, Roberts, and Thomas opposed.

Member Burningham commented that UPPAC members are very competent, and expressed his feeling that better communication is needed between UPPAC and the Board. He urged Board Leadership to facilitate an interface between the groups, and suggested that two board members be placed on UPPAC. Chair Roberts directed that the matter be considered by the Board's UPPAC Review Task Force.

Superintendent's Report

Superintendent Martell Menlove reported on the following:

New USOE employees Randy Raphael, Margaret Bradshaw and Leslie Scoresby were introduced.

Reports on graduation rates and class size were distributed.

Board-requested data on the impact of students with high mobility on UCAS reports was shared.

In light of the recent school shooting in Newtown, CT, Superintendent Menlove shared correspondence he sent to districts and charter schools regarding emergency response plans. Dr. Menlove expressed his feeling that current law and State Board rules that address emergency situations for schools are very comprehensive if schools will comply. He has asked for LEAs to certify their compliance and respond back to questions attached to the memo by July 1, 2013. He invited the Board to give input as well. He will report back to the Board in August.

The Board was reminded that current state code allows for teachers with concealed permits to carry concealed weapons in schools. That information is confidential, so there is no way of determining which teachers are carrying guns.

The Utah Department of Human Resource Management conducts a biannual survey of employees in all state agencies, and the results have been shared with Superintendent Menlove. There are 254 core employees at the State Office of Education. When added to the State Office of Rehabilitation and Utah Schools for the Deaf and the Blind, the Board has over 1000 employees.

It was reported that due to the reduction of one USOE associate superintendent, additional responsibilities have been given to the USOE deputy and remaining associate superintendents.

The Utah Foundation recently completed a study of rural schools in Utah. Conclusions included the following: Students in small rural schools have higher GPAs than similar students in large schools; although rural students have higher GPAs, they have lower ACT-type test scores; rural and urban students complete college education at about the same rate; class offerings are less in rural schools, but opportunities for leadership, etc. are greater.

[For more details, see General Exhibit No. 12214.]

Audit Report

Internal Auditor Natalie Grange reported on the following:

Report No. 2012-08 Monitoring of Salt Lake Arts Academy Fiscal Year 2012 - the Academy requested the audit and has been very receptive to recommendations. Work is needed on segregation of duties and internal controls; inadequate supporting documentation and

insufficient internal controls; and general findings on internal controls. Steps have been taken to address the findings, and the State Charter School Board will be monitoring the progress.

Report No. 2012-17 Monitoring of Education Jobs Funds, Fiscal Years 2012 & 2013 - the audit is for a federal grant that ended in December 2012, and there were no questioned costs. One more monitoring report will be done.

Other Activities - USOE auditors have assessed the risks of local education agencies (LEAs) and reviewed their financial statements. Some LEAs have been flagged for having continuing problems with segregation of duties, and those LEAs will be visited in order to correct the problems.

[For more details, see General Exhibit No. 12215.]

State Board of Education Strategic Plan

In January 2011, the Board adopted the Utah State Board of Education Promises to Keep Strategic Plan. Deputy Superintendent Brenda Hales gave an overview of progress on the Plan to date.

Superintendent Menlove reported on his goals in conjunction with the Strategic Plan, to: 1) close achievement gaps with various populations; 2) implement the teacher evaluation system as outlined in SB 64 *Public Education Employment Reform* (2012 Legislative Session), expanding discussions for both quality and quantity of instruction; 3) improve morale, tying the conversation to high standards and relevance; 4) implement computer adaptive assessment and work on data-driven instruction; 5) work on relationships and communication—with the Governor’s office, legislature, district superintendents, local school boards, the State Board and USOE, and within the State Office of Education, among others.

Committee Chair Mark Openshaw forwarded a motion from the Instruction Committee that an item #4 under Providing High Quality Instruction/Key Activities be added to read: “Develop and support plans to recruit, prepare, evaluate and retain highly effective educators.”

Motion carried.

Committee Chair Openshaw forwarded a motion from the Instruction Committee that an item #5 under Providing High Quality Instruction/Key Activities be added to read: “Develop and

support a technology roadmap which would include the evaluation of infrastructure for wired and wireless systems; provide technology support for users; provide ongoing professional development for all educators in the use of technology as a tool to support high quality instruction.”

Motion carried.

Motion was made by Member Tami Pyfer and seconded by Member Michael Jensen that item #2 under Effective Assessment/Intermediate Goals—“Support the work of the SMARTER Balanced Assessment Consortium and adopt Computer Adaptive Assessment in Language Arts and Math by 2014-2015”—be deleted.

Motion carried.

Motion was made by Member Kim Burningham and seconded by Member Mark Openshaw that item #4 under Ensuring Literacy/Key Activities, be revised to read: “Advocate and support increased early intervention programs for high need pre-K children.”

Motion carried, with Member Joel Coleman opposed.

Motion was made by Member Kim Burningham and seconded by Member Keith Buswell that item #2 under Ensuring Literacy/Key Activities, be revised to read: “Support and extend the K-3 reading initiative to include specialists and/or professional development for K-8 reading and math.”

Member Joel Coleman expressed his opinion that expansion of the program should be a local issue. Member Allen responded that the results of the K-3 reading program aren’t evident until the 8th grade, therefore it is important to continue the program through that level. Member Burningham also added that there is evidence that math achievement in older grades is an area of weakness and one that could benefit from greater focus of resources. Member Corry also mentioned that local schools would not be able to implement expansion without funding and training from the state level.

Motion carried, with Members Allen, Burningham, Buswell, Castle, Corry, Jensen, Johnson, Pyfer, Roberts and Thomas in favor, and Members J. Coleman, Crandall, Moss, and Openshaw opposed.

Motion was made by Member Jennifer Johnson and seconded by Member Dixie Allen that a portion of item #2 under Effective Assessment/Intermediate Goals which was deleted in an earlier motion, be added back, to read: “Statewide implementation of computer adapted assessment in Language Arts and Math by 2014-2015.

Motion carried.

The Strategic Plan will be discussed further in the Board’s February meeting.

[For more details, see General Exhibit No. 12216.]

Graduation Requirements

In its December 7, 2012 meeting, the Board heard a presentation from its Graduation Requirements/Competency Committee, which has been meeting for several months. The presentation included several recommendations for changes in graduation requirements. Action on the recommendations was referred to the Board’s January meeting in order to give Board members time for review.

Motion was made by Member Tami Pyfer and seconded by Member Mark Openshaw that two ad hoc committees be created—one to look at the financial literacy course and one to look at the technology literacy course—in regards to recommendations from the Graduation Requirements/Competency Committee.

Suggestions from Board members for the work of the committees included considering enhancement and improvement, expansion into lower grades, integration into other courses, and online options.

Motion carried; Member Castle absent.

Motion was made by Member Tami Pyfer and seconded by Member Joel Coleman that the Board release for stakeholder input a redefining of graduation credit requirements and definition of gateways to graduation, including an extensive information-gathering outreach throughout the state, and create a centralized place for input to be gathered.

The intent is for staff to gather input from LEAs, parents, and community members partly by traveling throughout the state.

Motion carried; Member Castle absent.

Motion was made by Member Mark Openshaw and seconded by Member Kim Burningham that the Board create an ad hoc committee to bring to the Board by June 2013 recommendations for high quality grading and reporting practices for elementary and secondary, including:

- 1) Academic grades based on proficiency on standards:
 - Grading and report card practices must reflect the actual competency or academic growth of a student.
 - Proficiency at the end of a term or unit should be the major consideration, not just the average of assignment or test scores.
 - Extra credit points should serve instructional purposes.
 - Opportunities extended to retake or improve the score on an assignment or do makeup work.
 - No use of attendance or citizenship points to obtain an academic grade.
- 2) Citizenship Competency Grade (Graduation Requirement):
 - Attendance record and engagement.
 - Teamwork and collaboration.
 - Effective communication.
 - Recognition of appropriate situational dress standards.
 - Work ethic.
 - Digital responsibility.
- 3) Seals for academic competencies (no limit to . . .):
 - Foreign language (dual immersion).
 - Technology skills.
 - Service learning.
 - Integrated academic areas projects.
 - Extracurricular/employment experience.
 - Postsecondary plan.
 - Health and fitness.
 - Leadership.

Motion carried; Member Castle absent.

Motion was made by Member Dixie Allen and seconded by Member Barbara Corry that a detailed examination of graduation rates be done by looking at successful programs and making recommendations for state level policy, and by examining recommendations coming from the dropout prevention work group.

Motion carried; Member Castle absent.

Motion was made by Member Jennifer Johnson and seconded by Member Dixie Allen that the Board revisit the Graduation Requirements/Competency Committee recommendations in its February or March meeting.

Motion carried; Member Castle absent.

[For more details, see General Exhibit No. 12217.]

Board Standing Committee Reports

ACCOUNTABILITY AND FINANCE COMMITTEE

Committee Chair David Thomas reported on the following from the committee.

Charter School Building Revolving Subaccount Committee Loan Recommendation

Committee Chair Thomas forwarded a motion from Committee that the Board approve a revolving loan of \$300,000 to Wasatch Institute of Technology, as recommended by the Charter School Building Revolving Subaccount Committee.

It was noted that the State Charter School Board is in favor of the loan.

Motion carried. [For more details, see General Exhibit No. 12218.]

Board TEC Representative Appointment

The Board is charged with appointing one representative to serve on each taxing entity committee (TEC).

Motion was forwarded from the Committee that the Board appoint Cathy Dudley, USOE Property Tax Specialist, as its TEC representative for 2013, with David Roberts, USOE Finance Director, as the alternate. Motion carried; Member Castle absent.

Taxing Entity Committee to the Redevelopment Agency of Eastern Bluffdale Economic Development Project Area Plan

The Redevelopment Agency of Bluffdale City is requesting Taxing Entity Committee approval of an amendment to the budget of the Eastern Bluffdale Economic Development Project

Area Plan Budget. The Redevelopment Agency is requesting to extend this project one more year (through 2024) to recoup those funds to which the agency was entitled and did not receive.

The Committee gave direction to its TEC representative, Cathy Dudley, to vote in favor of the extension. [For more details, see General Exhibit No. 12219.]

R277-113 LEA Fiscal Policies and Accountability

The Board Accountability, Finance and Assessment Committee discussed R277-113 during the Board's November and December 2012 meetings. The rule sets expectations for local boards to establish fiscal policies and procedures manuals over cash receipting, cash disbursement, fund raising, and donations and gifts.

Due to concerns raised regarding costs for a required RFP process for the independent audit, costs and staff for a required finance or audit committee and required training, and the definition of "school sponsored," the rule was referred back to staff for revisions and was presented with changes.

It was noted that the date in Section 3A, Line 72, was corrected to March 13, 2013.

The Accountability and Finance Committee approved new rule R277-113 *LEA Fiscal Policies and Accountability* on first reading, and moved that the Board approve the rule on second reading.

Motion carried; Member Castle absent. [For more details, see General Exhibit No. 12220.]

CURRICULUM, STANDARDS AND STUDENT SUCCESS COMMITTEE

Committee Chair Dixie Allen reported on the following items from the committee.

Data Sharing Agreement Between the Utah State Office of Education and The Navajo Nation

Leadership from the Diné Department of Education of the Navajo Nation has requested that the Utah State Office of Education enter into a memorandum of understanding (MOU) for the sharing of student assessment data of Navajo students attending Utah public schools. A USOE team has been working to draft the proposed MOU. Current FERPA guidelines identify

the education departments of Indian Tribes as entities that can receive student data in the role of a state education agency.

The committee heard a presentation on the MOU from Navajo Nation representatives in December.

The committee approved the Data Sharing Agreement Between the Utah State Office of Education and The Navajo Nation, and moved that the Board approve the MOU.

Motion carried; Member Castle absent. [For more details, see General Exhibit No. 12221.]

Title I Accountability under ESEA Flexibility and Title I Systems of Support

Under the approved Utah ESEA Flexibility Waiver, the USOE is to identify Title I Reward, Priority, and Focus schools and implement specific requirements. A report to the committee was given by USOE staff outlining the new Title I accountability system as well as the Utah Title I Systems of Support that have led to significant improvement and achievement. [For more details, see General Exhibit No. 12222.]

R277-444 *Distribution of Funds to Arts and Science Organizations*

There have been a series of discussions within the community seeking clarification of R277-444. This rule details the distribution of funds to arts and science organizations and administration of the program elements that have been designated to the USOE. Specifically, clarification is needed regarding the steps an organization needs to take to be able to join the Professional Outreach Program in the Schools (POPS) or Informal Science Education Enhancement (iSEE) groups.

The committee considered the role of the Board in both the RFP and funding allocation process for POPS and iSEE, and the role of USOE specialists for administration and compliance for both POPS and iSEE. The discussion will be continued in a future meeting. [For more details, see General Exhibit No. 12223.]

INSTRUCTION, ASSESSMENT AND TECHNOLOGY COMMITTEE

Committee Chair Mark Openshaw reported on the following items from the committee.

State Board of Education Bylaws

In its December 7, 2012 meeting, the Board passed a motion to consider changes to its Bylaws regarding the composition of the Board Leadership Committee. The committee discussed the role of the Board Vice Chair to review the Bylaws once a year. It was suggested that a thorough Bylaws discussion continue over the next few months, with changes to be finalized in April, taking into consideration any changes needed as a result of new legislation.

Board member Coleman will present some proposed changes to the Committee in its February meeting. [For more details, see General Exhibit No. 12224.]

R277-101 Utah State Board of Education Procedures

The definition of Board leadership in R277-101-1 is inconsistent with the definition in the Board Bylaws. The committee made the following amendments to the rule.

- Change Section 1-B to read: “Board leadership” means the Leadership Committee as defined in the Board Bylaws.
- Delete Section 3-D.

The committee approved R277-101 *Utah State Board of Education Procedures*, as amended, on first reading, and moved that the Board approve the amended rule on second reading.

Motion carried. [For more details, see General Exhibit No. 12225.]

Adjournment

Motion was made by Member Leslie Castle and seconded by Member Joel Coleman that the meeting adjourn.

Motion carried. The meeting adjourned at 4:00 p.m.

Lorraine Austin, Secretary to the Board
Minutes approved February 8, 2013