

**Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held October 3, 1997, at the Utah State Office of Education, Salt Lake City, Utah.**

Meeting commenced at 9:10 a.m. Board Chairman Katharine B. Garff presided.

*Members present were:* Chairman Katharine B. Garff, Vice Chairman John L. Watson, Member Linnea S. Barney, Member Neola Brown, Member Janet A. Cannon, Member Cheryl Ferrin, Member Lynn Haslem, Member Susan C. Henshaw, Member C. Grant Hurst, Member Boyd F. Jensen, Member Jill G. Kennedy, Member Kay McDonough, Member Joyce W. Richards, Member Marilyn Shields, Member Waynette Steel

*Also present were:* Executive Officer Scott W. Bean, Deputy Superintendent Laurie A. Chivers, Associate Superintendent Robert O. Brems, Associate Superintendent Steven O. Laing, Associate Superintendent Jerry P. Peterson, Executive Director, USOR, Blaine Petersen, Public Information Officer, Eileen Rencher, Board Secretary Twila B. Affleck

*Also present for portions of the Board meeting were:* Members of the Press: Kelly Kennedy Bogdenewicz, Standard Examiner; Jennifer Toomer-Cook, Deseret News; Hilary Grontage, Salt Lake Tribune; Nadine Wimmer, KSL-TV; Susan Kuziak, Utah Education Association. Kolene Granger, Superintendent, Washington County School District; Frances Christensen, Washington County School Board; Steven H. Peterson, Utah School Boards Association/Utah School Superintendents Association; Gary L. Carlston, Governor's Office; Con Rowley, Governor's Office; Debbie Simpson, Utah Eagle Forum; Gary V. Ricks, Legislative Fiscal Analyst's Office; Steve R. Billings, Utah Schools for the Deaf and the Blind; Lee Robinson, Superintendent, Utah Schools for the Deaf and the Blind; Lee Stephens, Utah Schools for the Deaf and the Blind; Linda Smith, Legislative Coalition for People with Disabilities; Barbara Willie, Utah PTA; Gene Jacobsen, Citizen; Dave Holmstrom, Citizen; Sharon Holmstrom, Citizen; Mareid Horton, Citizen; Brent Horton, Citizen; Mary Kay Kirkland, Citizen; Patti Harrington, Citizen; Sue Vicchilli, Citizen; Pam Jacobsen, Citizen; JoAnn Jacobsen-Wells, Citizen; Steven Baugh, Superintendent, Alpine School District; Phil Oyler, Secondary School Principals Association; Luana Searle, Elementary School Principals Association. Members, State Office of Education Staff: Nate Taggart, Agency Services; Judy DeWaal, Agency Services; Max Jensen, Agency Services; Pat O'Hara, Agency Services; William Montoya, Instructional Services; Robert Petersen, Agency Services; Brent Hackett, Agency Services; Steve Kukic, Instructional Services.

Vice-Chairman John Watson called the meeting to order and indicated that Chairman Garff was in traffic and would arrive soon. The Board Repeated the Pledge of Allegiance. Board Member Waynette Steel offered the reverence. Board secretary Twila B. Affleck recorded the minutes.

**Executive Officer Report**

Superintendent Scott W. Bean presented the following items of information:

Juvenile Crime Peaks When School Lets Out -- Distributed a chart on the percent of juvenile crime occurring each hour from *Education Daily*, September 12, 1997. He indicated that this basically follows the same pattern in our state, i.e. the highest percentage of juvenile crime occurs right after school is out. He indicated this is just for information for the Board.

Superintendent Orientation -- This week we held the new superintendent orientation. Eight new superintendents attended. The following made presentations: Val Finlayson, Business Education Partnership; Barbara Willie, State PTA; Steve Peterson, Utah School Superintendents Association; John McAllister, Attorney General's Office and Jim Wilson from the Office of Legislative Research and General Counsel. Following those presentations we had the divisions in the office explain to the new superintendents the services provided by the office.

Salt Lake Olympic Organizing Committee Chair -- Dr. Bean announced that Chairman Garff's husband Bob was

selected as the Olympic Organizing Committee Chair. He indicated that this is a very difficult position and Bob will do a great job. Dr. Bean indicated he has had associations with Mr. Garff for many years. In particular, almost 20 years ago Bob was the Chair of the Committee that did the work on the Critical Building Aid; and also we had a good working relationship with him when he was Speaker of the House through his work on the career ladder effort. Mr. Garff has been involved in many things in the total community in our state. Dr. Bean expressed congratulations to the Garff family on this appointment, and recommended that it would be appropriate for the Board to send a letter of congratulations.

Motion was made by Member C. Grant Hurst and seconded by Member Boyd F. Jensen that a letter of congratulations on behalf of the Utah State Board of Education to Mr. Robert Garff on being named Chairman of the Salt Lake Olympic Organizing Committee. Motion carried with Members Barney, Brown, Cannon, Ferrin, Henshaw, Hurst, Jensen, Kennedy, McDonough, Richards, Shields, Steel and Watson voting in favor; Member Garff and Haslem absent.

Milken Foundation Awards -- Superintendent Bean announced that he had more fun in the last couple of days than he has in years in education. He indicated that for a couple of years we have attended the Milken Educators Conference. After the first one, we got in touch with them and indicated we thought this would be a great recognition for teachers. At that time they had 32 states involved in that recognition. We were accepted as one of the states that would be recognized. The first year they decided to recognize six educators, after this it will probably be four. The people that are selected become part of a group of more than 1,000 educators which they call Milken Educators. Milken sponsors a conference in Los Angeles for these educators yearly to study education issues and technology. Dr. Bean indicated he has never seen a better technology presentation than the one at this conference. Dr. Bean indicated that they require the award presentation be spontaneous and kept quiet until the awards are presented. He assured the Board that when they went to Dillworth Elementary on Wednesday, they didn't know why they were there or why the big limousines were at their school. Lowell Milken, President of the Education part of the Foundation was there to make the first two presentations. They also bring along a Hollywood production crew which does an outstanding job recording certain things that will be used at their conference. He indicated the other awards were to an assistant principal in Jordan District, a teacher in Granite District and a principal at Timpanogus Elementary in Provo District. Two more awards will be presented next week. Dr. Bean indicated that we will make that Board members in the areas of the awards are notified of the time and place.

Dr. Bean indicated that each of these individuals are presented with a \$25,000 award, which is personal to do with as they wish. The Milken Foundation provides guidelines which we are required to follow in the selection process.

Dr. Bean also expressed appreciation to the Huntsman's for their awards to educators which is held in the spring. They use a different criteria, but it is nice to have both sets of awards. He again expressed appreciation to the Milken Foundation and the Huntsman's for their recognition to these educators. He indicated that these six individuals represent 23,000 educators in excellence in education. It isn't possible to recognize all of them, but nice to make awards to say someone will recognize excellence and someone will contribute for that purpose.

Dr. Bean indicated that the Board would be invited to the Milken recognition banquet in honor of these six individuals on Friday, October 24, 1997, at 11:00 a.m. at the Hilton Hotel in Salt Lake City.

Dr. Bean expressed appreciation to Jerry Peterson, Eileen Rencher and Nate Taggart for their work on this recognition. He indicated we had received some nice press coverage.

### **Board Chairman Report**

Chairman Garff reported that it was necessary to move the December Board meeting from Friday December 12 to Tuesday, December 2<sup>nd</sup>. There not being any opposition expressed, the date was changed to December 2<sup>nd</sup>.

Member Cheryl Ferrin reported on attending the Governor's speech at Weber State University. She indicated that the Governor is making informal visits with the faculty and staff of the nine institutions of higher learning bringing to them his visions of the future. The Governor talked about the brand name universities and then the value added universities. He also talked about when employers look at hiring they like to see that their employees are competent.

He would like to see us putting out competent workers from our universities.

Member Marilyn Shields commented on the teacher of the year banquet and complimented staff on the great job of putting that together. She suggested that Board Members be aware of the award winners that are in their districts so they can contact them. Member Shields also commented on the articles in *Salt Lake Tribune* about Custom Fit. She also indicated she had attended the Wasatch Front South Applied Technology Consortium at Cottonwood High School where Willard Daggett was the speaker. She indicated that this was a good meeting and was well attended.

Vice Chairman John Watson also commented on the exceptionally nice evening for teacher of the year awards banquet. He complimented Nate Taggart on the great organization of that -- it was great.

Member Neola Brown commented that she and possibly other Board members had been bombarded with material concerning home schooling. She requested that information relative to home schooling be brought before the Board. She was particularly concerned with the charges that have been made that this is so productive and superior to our public schools. She complimented Superintendent Bean on his letter to BYU President, Merrill Bateman regarding this issue.

Superintendent Bean commented that he has not been so concerned until this last situation where research as reported is not valid in any way. It may be a good idea to look at this and point out the flaws in that particular situation. The research comes from an organization that is promoting home schools.

Member Grant Hurst commented that he found it interesting after he had received the flyer that he tried to follow-up on the information presented and when he tried to call them he could not get anyone on the phone. He is concerned as a taxpayer as to who is supporting these people and where they are getting their information. He felt there needed to be some unanimity of position as to where the Board is on that issue.

Member Neola Brown also requested that the Board receive a report and information regarding charter schools and how or what they are in our state.

Superintendent Bean responded that Associate Superintendent Steve Laing is on the Charter Schools Task Force who have been studying this, and he could possibly make a presentation to the Board in November or December.

### **Financial Distress in Utah School Districts**

Superintendent Bean reported that he had received a call from Superintendent Granger of the Washington School District about making a report about financial concerns specific to Washington School District. He indicated that we always have interest in this because we are in a state where we look at finance as being financially distressed for the entire state. You can't have a situation where you have the lowest expenditure per pupil in the nation consistently over a period of years and not say that it represents a negative financial situation. If we have districts in the state that are in a situation where it represents even greater stress to them, it is interesting to hear from their point of view how they perceive that. In the past, other districts, in particular Granite, Jordan, Davis, Alpine and Weber have all been in this situation. No one every thought that Dixie would grow as much as it has, but all at once Washington District started to grow along with these others.

Dr. Bean introduced Francis Christensen, President of Washington Board of Education and Superintendent Kolene Granger.

Mrs. Christensen indicated that they were not here just representing Washington County, but for all rapidly growing school districts. She requested support from the Board to seek initiation of legislation to assist all school districts with maintenance and operation due to rapid growth.

Dr. Kolene Granger, Superintendent Washington School District presented information about financial distress in Utah school districts. (For complete details, see General Exhibit No. 7828.) The information presented included legislative suggestions to help alleviate the distress to school districts.

Member Marilyn Shields commented that this is reality and an emotional issue with people who are affected and involved. She felt there was a need to address this issue and to send a strong message to the legislature.

Superintendent Bean commented that in situations of this nature where we have something that represents a significant change for public education, we normally go through a thorough study process. He recommended that we take the recommendations and suggestions that have been made and review them very carefully. There are a number of other factors in the minimum school program and formulas that will have other ramifications. In making such a study we would look at all of the issues.

Member Janet Cannon questioned what the Washington District had done with regard to their voted leeway.

Dr. Granger responded that they were close to the maximum capacity and within the top ten across the state.

Motion was made by Member Grant Hurst and seconded by Member Neola Brown to receive the report with commendation and direct staff to take appropriate study issue and come back by the end of the year with a preliminary recommendation so the Board can determine if there is an opportunity for an interim study committee to take some protracted look at this issue.

Member Janet Cannon indicated that there is a Board rule up for administrative rule review on aiding financial distressed school districts. She suggested that this issue might be incorporated into that rule.

Member Hurst offered an amendment to his motion, Member Brown agreed, to include a review of rules on aiding financial distressed school districts and aide to necessarily existent small schools.

Superintendent Bean voiced concern about making studies without looking at all of the implications to make sure we involve the superintendents, Governor's Office, Fiscal Analyst and others in this study. Superintendent Bean also voice concern that two months may not be adequate time for such a study.

Motion as amended carried unanimously.

### **Suspension and Revocation of Teaching Certificates Rule R277-514**

Steve Laing, Associate Superintendent presented changes in the Suspension and Revocation of Teaching Certificates Rule R277-514 which have been recommended to conform with revised procedures recommended by the Attorney General's Office and incorporated in a recent revision of rules of the Utah Professional Practices Advisory Commission. He indicated that the revised rules should provide for greater fairness and efficiency in handling complaints regarding alleged misconduct by educators. (For complete details of the Rule, see General Exhibit No. 7829.)

Motion was made by Member Lynn Haslem and seconded by Member Susan C. Henshaw to approve the revised Suspension and Revocation of Teaching Certificates Rule R277-514 on first reading.

Susan Kuziak of the Utah Education Association voiced a concern that the Board was revising a rule based on the Professional Practice Advisory Commission rule which was submitted on an emergency basis, but prior to its final adoption.

It was clarified that this rule was being recommended on first reading and there would be ample time for comment or input if necessary.

Motion carried with Member Barney, Cannon, Ferrin, Haslem, Henshaw, Hurst, Jensen, Kennedy, McDonough, Richards, Shields, Steel and Watson voting in favor; Member Brown absent.

### **State Board of Education Budget Priority Recommendations**

Laurie A. Chivers, Deputy Superintendent, presented the recommendations from staff for the budget priorities and the

accompanying dollar amounts. (For complete details of the recommendations, see General Exhibit No. 7830.) Dr. Chivers identified eight items that were dropped from the budget that was presented to the Board in September as follows: (1) Minimum School Program: middle schools, class size reduction and additional administrator; (2) summer agriculture program; Utah State Office of Education: (3) gang prevention and intervention; (4) ATE scholarship program; (5) GED adult education; (6) ATE public awareness funding campaign; (7) Utah Schools for the Deaf and the Blind contractual increase obligations; and (8) Utah System ATC/ATSSR career guidance funding.

Members Janet Cannon and Boyd Jensen requested information relative to the amount of federal dollars that interface with state dollars. Dr. Chivers provided the information from the School Finance Reference Manual.

Discussion ensued relative to the recommendations for the applied technology service regions. Member Grant Hurst voiced concern relative to the need for an applied technology center in the Wasatch Front Region.

Motion was made by Member C. Grant Hurst and seconded by Member Boyd F. Jensen to add a building block of \$1.5 million to create the beginning of a study for the building of an ATC in Salt Lake County.

Member Lynn Haslem spoke in favor of the motion, but did not want to see it done at the expense of the other areas of the state. He indicated that there is definitely a need for this.

Superintendent Bean suggested that Member Hurst change the motion to direct the Joint Liaison Committee to study that particular issue; rather than saying it go to the legislature.

Discussion ensued relative to the need for an ATC in the Wasatch Front area and the shift in the mission of the Salt Lake Community College.

Member Hurst withdrew his motion indicating it was too late in the process to proceed even though there is a real need for this.

Motion was made by Member C. Grant Hurst and seconded by Member Boyd F. Jensen to refer to the Joint Liaison Committee an item to insert \$1.5 million in this year's budget for the beginning of the creation of an applied technology center in the Salt Lake Valley area. Motion carried with Members Barney, Brown, Cannon, Ferrin, Haslem, Henshaw, Hurst, Jensen, Kennedy, McDonough, Shields, Steel and Watson voting in favor; Member Richards voting against.

Member Jill Kennedy commented that on Page 69 of the budget relative to Transportation, I-15 and USDB she may have a possible conflict of interest due to the fact that her husband had represented an unsuccessful bidder on this project. She indicated her husband was no longer involved in the situation. It was determined that since she had disclosed her possible conflict of interest she could vote on the item.

Member Grant Hurst questioned on the Minimum School Program Budget Request how far down on that list would we receive funding? Superintendent Bean responded that it is hard to tell in any given year what the appropriations subcommittee will recommend. He felt we will get funding in a large majority of these, but maybe not the amount requested.

Member Hurst suggested moving arts funding to a higher priority in the order. He indicated that as we submit our priorities it slips as we get into the reality. Member Hurst encourage the Board to give thought to raising the arts focus a little more in the future.

Superintendent Bean recommended that the Board adopt the budget by section.

Motion was made by Member Lynn Haslem and seconded by Member C. Grant Hurst to approve the State Office Budget Requests as proposed. Motion carried unanimously.

Motion was made by Member Boyd F. Jensen and seconded by Member Linnea S. Barney to approve the Utah State Office of Rehabilitation Budget Requests as recommended. Motion carried unanimously.

Motion was made by Member Cheryl Ferrin and seconded by Member Neola Brown to approve the Utah Schools for the Deaf and the Blind Budget Requests as recommended. Motion carried unanimously.

Motion was made by Member Linnea S. Barney and seconded by Member Boyd F. Jensen to approve the Contracts and Grants Budget Requests as recommended. Motion carried unanimously.

Motion was made by Member C. Grant Hurst and seconded by Member Joyce W. Richards to approve the Science and Fine Arts Budget Requests as recommended. Motion carried unanimously.

Motion was made by Member Marilyn Shields and seconded by Member Jill Kennedy to approve the Utah State System of Applied Technology Budget Requests as recommended. Motion carried unanimously.

Motion was made by Member Jill Kennedy and seconded by Member Neola Brown to approve the Child Nutrition Budget Requests as recommended. Motion carried unanimously.

Motion was made by Member Lynn Haslem and seconded by Member John L. Watson to approve the Minimum School Program Budget Request as recommended. Motion carried unanimously.

Motion was made by Member Susan Henshaw and seconded by Member Marilyn Shields to approve the Supplementals and one Time Budget Requests. Motion carried with Members Barney, Cannon, Ferrin, Haslem, Henshaw, Jensen, Kennedy, McDonough, Richards, Shields, Steel and Watson voting in favor; Member Brown and Hurst voting against. Members Brown and Hurst explained their opposition feeling that textbooks and the arts should be higher on the priority list. Member Brown also felt textbooks, library media and ATC/ATCSR should be moved higher.

Member Janet Cannon questioned if the money allocated to districts for textbooks was tracked to determine whether or not it is spent on textbooks. She requested information relative to how much money is actually being spent on textbooks. Deputy Superintendent Laurie Chivers indicated she would provide that information to Member Cannon. Member Cannon also requested how Utah compares with other states in the amount spent on textbooks.

### **General Consent Calendar**

Motion was made by Member Jill G. Kennedy and seconded by Member C. Grant Hurst to approve the General Consent Calendar with the following correction and addition: Correction to the last item under Item C, Administrative Rule Review, to change number from R277-903 to R277-904. Add to Item C, Rule R277-526 Career Ladders in Education and R277-903, Career Ladders for Applied Technology Centers. Motion carried unanimously.

#### 1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board for Applied Technology Education and the State Board of Education held September 12, 1997.

#### 2. Contracts

The following contracts were approved by the Board:

##### (1) National Food Service Management Institute. \$10,000. 10/1/96-12/30/97. - Fed.

This is a consortium of states sharing the cost to develop, print and distribute a quality training package. The funding from multiple states increases the capability to develop a quality product which otherwise would be cost prohibitive.

##### (2) American Freight Payers. \$2,500. 10/1/97-9/30/98. - Amend.

Pre-audit of freight bills of lading for shipment of USDA commodities.

(3) Utah Idaho Freight Systems. \$300,000. 10/1/97-9/30/98. - Amend.

Transportation of USDA commodities to recipient agencies statewide.

(4) RaNae Jessop. \$120,000. 10/1/97-9/30/98. - Fed. - Amend.

To continue a service contract to maintain a statewide training network for the Child Nutrition Programs.

(5) BOOST Inc. \$78,318. 10/10/97-10/1/98.

To operate and facilitate the Governor's Committee on Employment of People with Disabilities.

(6) Florin Nielsen. \$4,000. 10/28/97-2/28/98. - Fed.

The Olympic Organizing Committee is the first step in our Team Nutrition Grant. This committee of approximately 40 people will set up a five-year integrated delivery plan to reach all levels of the school nutrition programs.

(7) James L. Poulton, Ph.D. \$88,000. 10/1/97-12/31/98. - Fed.

Professional and technical medical services for USOR/DDS.

(For complete details of the Contracts see General Exhibit No. 7831.)

### 3. Administrative Rule Review

Under provisions of 63-46a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor nonsubstantive changes within these rule. The following rules were reviewed and approved:

R277-419 Pupil Accounting

R277-420 Aiding Financially Distressed School Districts

R277-422 State Supported Voted Leeway

R277-423 Delivery of Flow Through Money

R277-424 Indirect Costs for State Programs

R277-426 Definition of Private and Non-Profit Schools for Federal Program Services

R277-452 Procedures for Filing Comprehensive Capital Outlay Plan

R277-454 Construction Management of School Building Projects

R277-509 Certification of Student Teachers and Interns

R277-510 Special Subject Certification for Small Secondary Schools

R277-511 Eminence or Special Qualification Authorization for Teaching in the Public Schools

R277-512 Letters of Authorization

R277-515 Approval of Educator Preparation Programs

R277-733 Adult Basic Skills and Adult High School Programs

R277-904 Applied Technology Center and Service Region Standards and Operating Procedures

R277-903 Career Ladders for Applied Technology Centers

R277-526 Career Ladders in Education

(For complete details, see General Exhibit No. 7832.)

#### 4. Certification Agenda

The Certification Agenda included recommendations for certification authorization requests. (For complete details, see General Exhibit No. 7833.) The Board approved the Certification Agenda as presented.

#### 5. SBR/SBE Joint Liaison Committee Meeting Minutes

Minutes of the Joint SBR/SBE Liaison Committee Meeting held August 11, 1997. (For complete details, see General Exhibit No. 7834.) The Board approved the minutes of the Committee Meeting, and ratified the actions of the Joint Liaison Committee.

#### 6. Ratification of Employment

James P. O'Hara was ratified as Director, School Finance and Statistics, Agency Services Division.

Margaret Bird was ratified as Educational Specialist, School Trust Lands, Law & Litigation, Planning & Project Services Division.

#### 7. List of Applicants for Certificates

A summary of the list of applicants for initial and renewal certificates. (For complete details, see General Exhibit No. 7835.)

#### 8. Financial Statement and Claims Report

The Claims Report in the amount of \$131,82,174.90, and Financial Statement ending September 30, 1997. (For complete details, see General Exhibit No. 7836.)

Motion was made by Member C. Grant Hurst and second by Member John L. Watson expressing admiration and commendation to Deputy Superintendent Laurie Chivers and her staff on the preparation of the budget. Motion carried unanimously.

### **Executive Session**

Motion was made by Member John L. Watson and seconded by Member Marilyn Shields to move into executive session to discuss personnel issues. The Board was polled and by unanimous consent of those present, the Board moved into executive session at 11:40 a.m.

Motion was made by Member C. Grant Hurst and seconded by Member Joyce Richards to reconvene into open meeting. Motion carried unanimously. The Board reconvened into open meeting at 12:00 p.m.

Motion was made by Member C. Grant Hurst and seconded by Member Jill Kennedy to approve the following advisory committee recommendations: Motion carried unanimously.

## **Rehabilitation Services Advisory Council**

James T. Simkins, Bernadette Ortiz, Diane Baird, Ron Johnson, Jeff Smith, Gail Kulp and as alternates, Lynn Haas, Eric Carlson and Lynn Zaritsky.

## **State Advisory Committee on Teacher Education (SACTE)**

Kalyn Denny, Sally Bishop, Stephen A. Jeffs, Steve Earl, Aleen Ure, David Richards, Juneil Lyon, and Claudia Seeley.

## **Ogden-Weber Applied Technology Center Board**

Dan James.

Meeting adjourned at 12:05p.m.

Following the meeting the Board recognized the following:

Sharon Holmstrom, Teacher of the Year; Patti Harrington, Secondary Principal of the Year; Mary Kay Kirkland, Elementary Principal of the Year; Steven Baugh, Superintendent of the Year; Maried Black Horton, and Gene S. Jacobsen, Light of Learning Awards.