

# Utah State Board of Education

## Minutes

July 9, 1999

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held July 9, 1999, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:00 a.m. Board Chairman John L. Watson presided.

Members present were:

Chairman, John L. Watson  
Vice Chairman, Jill G. Kennedy  
Member Bette O. Arial  
Member Linnea S. Barney  
Member Kim R. Burningham  
Member Janet A. Cannon  
Member Lynn Haslem  
Member Susan C. Henshaw  
Member C. Grant Hurst  
Member Boyd F. Jensen  
Member Judy Larson  
Member Joyce W. Richards  
Member Marilyn Shields

Members Cheryl Ferrin and Denis R. Morrill were excused

Also present were:

Executive Officer Steven O. Laing  
Deputy Superintendent Laurie A. Chivers  
Assistant Superintendent Gary L. Carlston  
Associate Superintendent Robert O. Brems  
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:

Hillary Groutage, Salt Lake Tribune  
Diane Urbani, Deseret News  
Jeff Spole, Utah Education Association  
Shannon Bittler, SBR/SBE Joint Liaison Committee  
Lee Robinson, Superintendent Utah Schools for the Deaf and the Blind  
Race Davies, Governor's Office of Planning & Budget  
Con Rowley, Governor's Office  
Susan Mitchell, University of Phoenix  
Darris Howe, University of Phoenix  
Mark Cameron, University of Phoenix  
Boone C. Colegrove, University of Phoenix  
Gary Ricks, Legislative Fiscal Analyst  
Lynn Davidson, Granite School Board

Karen Derrick, Salt Lake City School Board  
Members State Office of Education Staff  
Shauna South, Planning and Project Services  
Pat O'Hara, Agency Services  
Judy DeWaal, Agency Services  
Tom Upton, Agency Services  
Don Uchida, Utah State Office of Rehabilitation

The Board repeated the Pledge of Allegiance.

Board Member Boyd F. Jensen offered a reverence.

Board secretary Twila B. Affleck recorded the minutes.

Chairman Watson excused Members Cheryl Ferrin and Denis Morrill.

## Recognitions

Vice Chairman Jill G. Kennedy recognized Anthony Steven Downard who received the highest score in Utah for those who took the General Educational Development (GED) in calendar year 1998. His high score of 370 out of a possible 400 earned him an overall average of 93% over the five areas that the GED tests. She noted that after his successful completion of the GED, Steve enrolled in Utah State University where he is pursuing his Bachelors Degree.

Mr. Downard was not able to be present to receive the National Award for Outstanding Achievement in GED testing. The award will be mailed to him.

## Board Chairman Report

### **NASBE Technology Conference & Board and Committee Meetings**

Member Grant Hurst reported that the most significant item that came out of the conference is that technology is being used by state education organizations in a lot of different ways, and in ways we have not started to use it. The delivery of information, data, and the educational process itself is going to be changed by the technology issues. He commented that in the State of Utah we have done some important things that will prepare us for the use of technology such as EDNET and the interconnection of our school system. However, as the applied technology group looks at how we use the emerging technology, we need to focus part of our efforts on the use of technology, not just in an applied technology training facility but in the actual delivery of education from K through 12. He reported that he has prepared some material that he has given to staff.

Member Linnea Barney reported they had received a 15 minute video on use of technology in the classroom and teaching technologies. She requested that the board see the video at the next meeting. The name of the video is "Learn and Live," and was produced with a grant from the Milken Foundation.

Member Barney reported that this was an excellent conference which was cosponsored by the Milken Foundation and a lot of the material came from their resources. She shared a State Profile of Utah which was prepared by Milken. (For complete details, see General Exhibit No. 8179.) She indicated that the profile indicated Utah is the only state in the union that does not have a technology exit requirement for high school graduates. One of the things they stressed was that technology needs to be integrated across the curriculum. Also, the conference dealt with teacher preparation and teacher training.

Superintendent Laing commented that we do have a graduation requirement that students have proficiency with information technologies, but it is not a required class. It may be embedded in other course work. He indicated that in reality we are doing more of what they would like to see done.

Member Susan Henshaw reported on attending her committee for school leadership. There was a report from Celeste

Ferguson from the Missouri Department of Education. They spend 2% of their budget on professional development which is mandated by their legislature. One percent goes to the state and one percent goes to the local district. The total allocation in the state is about \$30 million with \$15 million going to each.

Member Grant Hurst reported that he also attended the NASBE Resolutions Committee meeting, and there will be three or four new resolutions that will be available in August, and he will try to send them to the Board prior to the September Board meeting. He indicated that we have had an opportunity to give major input on these resolutions. Chairman Watson recognized Con Rowley from the Governor's office. Con Rowley introduced Dr. Race Davies now in the Governor's Office of Planning and Budget replacing him in the roll of budget preparation for public education.

Chairman Watson commented on the new format for the agenda memorandums. He asked that if anyone has a suggestion on further improvement to please let us know. He indicated that the new format will help all board members be more in tune with what is going on.

Chairman Watson commented that the Board is from all over the state of Utah, and it is very difficult to be in meetings and have communication day in and day out. The Committees help us to run the affairs of the Board. Sometimes we get bogged down and our trust level needs to continue to improve. He read some information provided by NASBE on Boardmanship and committee work.

Chairman Watson commented that the committees are running well, we have confidence in each other, we just need to continually improve. He encouraged members to study their agendas, if there is something they have strong feelings about or questions call the committee chairs or a staff member.

Chairman Watson shared a book *School and Fireside* written in 1898 by Carl Maeser, General Superintendent. Vice Chairman Jill Kennedy read two portions of the book: Definition of Aims of Education, and Authority of the Board. Chairman Watson commented that things are not too dissimilar today than they were 100 years ago. Utah has come a long way, the Board is a part of it, and hoped they took the responsibility to use it well.

## Executive Officer Report

Superintendent Steven O. Laing presented the following items of information:

Perfect ACT Score -- Dr. Laing reported that he has sent a letter of congratulations to Garn Smith, Alta High School who received a perfect 36 on the ACT. At the last administration of the test he was one of 31 across the nation to receive a perfect score out of 443,000 that took the test.

Economic Education Teacher Awards -- Dr. Laing reported that he had attended the Economic Education Teacher Awards. Six teachers were recognized, three elementary and three secondary. The Wasatch Front Economic Forum contributed a small stipend to each of the six teachers.

Health Inspection Fees -- We received a letter from the Attorney General's Office relative to the controversy over the health department assessing fees to schools to do the inspections that are required of them. The law specifies that the health departments will inspect schools for health issues. Because many of those district health departments are feeling stretched and financially distressed, they had undertaken the policy of charging the schools fees to do the inspection. We requested that the Attorney General's Office review that and in that review, the advice was that where the department of health had the statutory obligation to do the inspections, there was not any indication or authority for them to charge fees. If they were voluntary or optional inspections, they could charge fees. This will come as a relief to many of the school districts who are being asked to pay for the inspections that are required in the law. Davis School District Recognition -- The Davis School District has been recognized at the most recent American School Counselors Association Conference for having the outstanding career planning program on grades 7-12. The Planning for Life recognition program is an annual award sponsored by the United States Army, and managed by the Consortium of State Career Guidance Supervisors. Joint Meeting With Board of Regents and Legislative Interim Committee -- Dr. Laing reported that the initial planning for the joint meeting in August between the State Board, the Board of Regents and the Legislative Interim Committee has been completed. The meeting will be held on Friday, August 20<sup>th</sup> at the

Salt Lake Community College. He reviewed the preliminary agenda and indicated further information will be provided to the Board. He indicated it would convene at 8:30 a.m. and conclude by 3:30 p.m.

Dr. Laing indicated that for the discussion groups we would put Board Members with members of the Board of Regents and the Legislative Interim Committee. He indicated it was important that we have all three voices in each of the discussion groups.

Outstanding State Employee -- Shar Gilchrist, an employee in Vocational Rehabilitation was selected as a semi-finalist in the 1999-2000 Outstanding State Employee Award.

Applied Technology Education Conference -- The Board will be receiving an invitation to attend the annual ATE Conference which will be held August 9-11, 1999. The traditional Steak Fry will be held on August 5<sup>th</sup> in Springville Canyon. More information will be forthcoming relative to sections the Board members wish to attend.

Superintendent Laing and the Board recognized Deputy Superintendent, Dr. Laurie A. Chivers upon her retirement for her service in the State Office of Education and to public education in the State of Utah.

Dr. Chivers commented that it was a tough decision to make. She indicated that she has worked with disadvantaged kids for the past 15 years and she has learned that the most important person in a child's life is parents or other family members. If not one of those the next person to pull through for kids is a teacher. Education offers that opportunity to pull through for kids. She further commented that she has enjoyed the opportunity to work with kids, teachers, school board members, administrators and all the people at the State Office of Education. She enjoyed the opportunity to participate in democratic process. Dr. Chivers expressed appreciation to the Board for all they have done and for their support for the past thirty years. She looks forward to a new beginning. Dr. Chivers was presented a bell plaque and bouquet of roses.

Dr. Laing announced that there will be an open house for Dr. Chivers on Thursday, July 15<sup>th</sup> from 2:00 -4:00 p.m.

Chairman Watson commented that Dr. Chivers has been a hero to education in the State of Utah, she will be missed. He extended love and good wishes to her in the future as she becomes a full-time mother.

## State Board Retreat Review and Recommendations

Superintendent Laing reported that at the board retreat on April 27, 1999, it was anticipated that the notes be reviewed and then we would come back and develop some guiding principles or general directions to use as we proceed to direct the affairs of education in Utah. (For complete details of the notes, see General Exhibit No. 8180.) He indicated that the anticipated results from this discussion would be some of the general directions we can use as budget decisions are made, as policies are developed and refined and staff direction to implement things that will improve education. Also, the next agenda item is to look at some budget recommendations. Dr. Laing reported that the Utah Partners in Education group had asked for some indication as to what would be the budget priorities from education. Without this discussion, but based on the discussion at the retreat, he had indicated to them the possibilities in three basic areas: (1) standards, assessment and accountability (including student achievement) with first priority being literacy; (2) Increase in the Minimum School Program (basic increase to the weighted pupil unit, increases for specific categorical or line item funding to enhance things like elementary counselors, library media holdings, textbooks); and (3) School Safety (school counselors, resource officers, professional staff development). He commented that as we get to the budget considerations, the Board will also be asked to consider two other issues in the areas of Applied Technology Education and the State Office of Rehabilitation.

The Board discussed the issues and made the following recommendations:

### **Legislation**

Time Line -- determine when things will be accomplished. [Function, date to be accomplished, etc.] Move budget hearings in June instead

of September. Begin planning for next year immediately following the legislative session.

Identify legislators in each of the Board districts as well as other legislators they are acquainted with.

Fact sheets for Board members indicating priorities and a little background information that they can take to their legislators and a date to respond back relative to the contact. [Request, why it is needed {hard facts}, what we intend to do with it, what will be achieved] Also identify in the fact sheet which legislators would be appropriate to contact on the issue.

Schedules of the legislative meetings.

Meeting with Governor and Legislative Leadership prior to the establishment of their priorities, to make them aware of our emphasis. Need to be more political and not administrative.

State of Education Address as to what the State Board wants to accomplish. The public does not know what we are about or direction we are headed.

Public Service and Media announcements.

Board have a report following each meeting that goes to legislators and others relative to actions taken.

During legislative session need information of what is happening on a daily basis.

## **Applied Technology Education**

Applied Technology Committee review and revise policy and rules and develop an applied technology education master plan and make recommendations to the Board. It was also noted that the ATE Master Plan needed to fit into the overall State Board of Education master planning efforts. [Take the initiative, decide the needs, direction, priorities and move forward.]

## **Rehabilitation**

Growth

Vocational Rehabilitation Program federal funds increase. There has not been a growth increase in federal funds since 1992.

Chairman Watson questioned if it would be appropriate to prioritize these federal funding issues and write to our congressmen and senators on behalf of the board. Blaine Petersen indicated that would be a very appropriate action.

Motion was made by Member Bette O. Arial and seconded by Member C. Grant Hurst that a letter be prepared from the Board to the senators and congressmen from Utah identifying federal funding priorities for Vocational Rehabilitation. Motion carried unanimously.

## **Assessment**

Change basis of funding for the assessment programs.

Standards and Accountability Task Force should carry responsibility of going after the money for assessment.

School Districts need to be better informed on what is required — assessment needs to be aligned to curriculum.

Concern with rewarding and intervention in school districts on assessment and accountability.

Once we find out through assessment what is wrong, we will then need to know to improve the situation and the funding to do so. Bottom line is what is being done for the child who is not succeeding.

Legislature should not cut funding to other programs to give funding to assessment.

Chairman Watson indicated that the Board Executive Committee would get together in the next month to take the notes and bring to the next Board Meeting fact sheets on these issues.

## 2000-2001 Budget

Deputy Superintendent Laurie A. Chivers presented information on the budget priorities for the 2000-2001 fiscal year. Dr. Chivers reviewed the Budget Preparation Calendar, the guidelines prepared by the Governor's Office of Planning and Budget, and the Budget Notes with the following priority recommendations: Student Achievement (Literacy), Standards, Assessments, and Accountability; Increase in MSP - 5%; School Safety; and Applied Technology Education/Rehabilitation. (For complete details of the materials presented see General Exhibit No. 8181.) Dr. Chivers noted that this year we will be selectively requesting staff to submit budget building blocks.

Con Rowley, Governor's Deputy for Education commented that they like this new approach. They recognize that the State Board of Education is different from the state government system, and the Board will be making requests that they may not find grounds for in the Governors budget guidelines. He encouraged the Board that as they review their priorities they give attention to those guidelines. As they find areas where they find to take exceptions, the Board should provide rationale for that.

Member Kim Burningham, commented that he felt the prioritization was good, and strongly supported the emphasis of the 5% minimum school increase.

Vice-Chairman Jill Kennedy commented that in the notes, accountability was not addressed. She felt that the Board needed to make sure that people are aware that if we are going to be held accountable we have to have the resources to address whatever accountability system that is recommended by the Task Force. There needs to be a factor for accountability.

Discussion ensued relative to accountability and the process of dealing with all of the factors of accountability. It was noted that these things are going to cost money. Member Janet Cannon voiced concern with the request for reading specialists. She questioned if there was documentation on whether or not this will make a difference. She felt emphasis should be on professional development for teachers overall.

Motion was made by Member Kim R. Burningham and seconded by Member Boyd F. Jensen to adopt the recommendations as budget priorities. Motion carried unanimously.

## Executive Session

Motion was made by Member C. Grant Hurst and seconded by Member Judy Larson that the Board move into executive session for the purpose of discussing personnel or other matters appropriate for executive session that may come before the Board. The Board was polled and by unanimous consent of those present, the Board moved into executive session during lunch beginning at 12:50 p.m.

Motion was made by Member Bette O. Arial and seconded by Member Boyd F. Jensen to reconvene into open meeting. Motion carried unanimously.

The Board reconvened at 2:10 p.m.

### **Public Education Strategic Planning Committee**

Motion was made by Member C. Grant Hurst and seconded by Member Marilyn Shields to appoint Vice Chairman Jill G. Kennedy to the Public Education Strategic Planning Committee replacing Katharine Garff. Motion carried unanimously.

### **Rehabilitation Services Advisory Council**

Motion was made by Member C. Grant Hurst and seconded by Member Joyce W. Richards to appoint: Helen B. Johnson, Jaime Bacon, Kevin Mansfield, Rick W. Fuchs, Debbie Christensen, Robert Sullivan, James Beck and Bonnie Cook; and to reappoint, Robert Daniels to the Rehabilitation Services Advisory Council. Further that Kathie Orell, Debbie Desjardins, and Mary Wilson-Burkett be appointed as alternates to the Rehabilitation Services Advisory Council. Motion carried unanimously.

### **Deaf and Hard-of-Hearing Advisory Council**

Motion was made by Member C. Grant Hurst and seconded by Member Judy Larson to appoint R. Darlene Bonnell and Lynette Roper to the Deaf and Hard-of-Hearing Advisory Council. Motion carried unanimously.

### **Division of Services for the Blind and Visually Impaired Advisory Council**

Motion was made by Member C. Grant Hurst and seconded by Member Janet A. Cannon to appoint Jan Quinn, Ron Gardner, Maxine Penrod, Ronald Mecham, and Sue Boswell; and reappoint Richard Jewkes to the Services for the Blind and Visually Impaired Advisory Council. Motion carried unanimously.

### **Wasatch Front South Applied Technology Center**

Motion was made by Member C. Grant Hurst and seconded by Member Marilyn Shields to appoint Bo Hall as Acting Superintendent of the Wasatch Front South Applied Technology Center, with his first term to end June 30, 2000. Motion carried unanimously.

## **General Consent Calendar**

Motion was made by Member C. Grant Hurst and seconded by Member Joyce W. Richards to approve the General Consent Calendar as presented.

Member Kim Burningham noted a conflict of interest with the contract on the 3Rs project. He sits as a member of their Board of Directors.

Member Hurst questioned what the Three Rs Project was and what would be accomplished with the contract to Steve James Productions.

Superintendent Laing explained that Prevention Dimensions is the program that is funded with Safe and Drug Free Schools money, it is an interactive program and Mr. James has been involved in the development of curriculum materials, which includes multi-disciplinary material including music. This is on a district level which will be

replicated.

Member Kim Burningham explained that the Three Rs Project is Religion, Rights and Responsibilities.

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 June 4, 1999.

2. Contracts

(A) The College Board. \$144,000. 5/14/99-7/31/99.- Fed.

Pay advanced placement (AP) test registration fees for low-income students.

(B) Psychological Corporation. \$532,088. 4/02/99-12/01/2003. - Amend.

To purchase tests and support materials for the 1997 - 2003 Utah Statewide Testing Program.

(C) Utah Education Network. \$222,716. 7/1/99-6/30/2000. - Amend. - Fed. - RECEIVABLE

Provides funds to cover the salaries, benefits, and program budgets for two education specialists. Rick Gaisford - Utah Link and George Miller - EDNET.

(D) Utah Three Rs Project. \$250,000. 7/1/99-6/30/2002. - RECEIVABLE

To provide program budget for the Three Rs Project.

(E) Steve James Productions. \$92,750. 7/1/99-6/30/2000. - Fed.

Steve James Productions is being asked to continue to develop musical components to enhance Prevention Dimensions resource lessons. Materials to be developed will be music tapes with accompanying classroom posters and teacher songbooks.

(F) Quality Printing Repair Services. \$43,320. 7/1/99-6/30/2003.

Service on all ABDICK Printing and Binding Equipment.

(G) Michigan Health Council. \$76,666.66. 7/1/99-9/30/99. - Fed. - Amend.

Utah State Office of Education was selected as the lead state for this grant received by NCHSTE, National STW Office and National Skills Standards Board. They have elected Michigan Health Council to manage these funds for this project "Building Linkages."

(H) Utah Independent Living Center. \$226,202. 7/1/99-9/30/00. - Fed. - Amend.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Wasatch Front Utah Independent Living Rehabilitation District.

(I) OPTIONS for Independence. \$298,226. 7/1/99-9/30/00. - Fed. - Amend.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Northern Utah Independent Living Rehabilitation District.

(J) Active Re-Entry. \$298,226. 7/1/99-9/30/00. - Fed. - Amend.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Eastern Utah Independent Living Rehabilitation District.

(K) Red Rock Center for Independence. \$254,825. 7/1/99-9/30/00. - Fed. - Amend.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Southern Utah Independent Living Rehabilitation District.

(L) Bob McCannon, New Mexico Media Literacy Project. \$8,500. 8/17/99-8/18/99. - Fed.

Conduct a two-day Media Literacy Training of Trainers for 30 trainers throughout Utah. Equip trainers with Media Literacy knowledge and skills necessary to be local resources in local needs throughout the state.

Media Literacy materials will be provided.

(For complete details of the Contracts, see General Exhibit No. 8182.)

3. State School Building Program, Rule R277-451

The amendment to the rule was made to coordinate with new legislation passed in the latest legislative session. The rule provides a method for districts to receive partial funding if their capital outlay levy is less than .0024. The rule was approved on first and second reading by the Board at the June 4, 1999 meeting. There have been no further changes made to the rule since that time. (For complete details of the rule, see General Exhibit No. 8183.) The Board approved Rule R277-451, State School Building Program on third and final reading.

4. Student Transportation Standards and Procedures, Rule R277-600

New legislation passed in the latest session of the legislature required a revision to the rule to provide a method for distributing the \$225,000 appropriation provided by the legislation. The rule was approved on first and second reading by the Board at the June 4, 1999 meeting. There have been no further changes made to the rule since that time. (For complete details of the rule see General Exhibit No.8184.) The Board approved Rule R277-600, Student Transportation Standards and Procedures on third and final reading.

5. ATC/ATCSR Membership Hour Accounting, Rule R277-907

This rule was approved in May of 1998 and was used in the review of FY 1998, the budget request process, and in legislative presentations. After using the rule, one area was found to be problematic. Section R277-907D was revised as follows: eliminate: "*Only the hours for adult and secondary students enrolled in technical programs at ATC/ATCSRs shall be counted in the essential workplace skills remediation membership category.*" Add: **Essential workplace skills remediation hours shall be counted separately from other ATC/ATCSR membership hours and reported under the essential workplace skills category.** The State Board of Education approved the rule on first and second reading at the June 4, 1999 meeting. There have been no further changes made to the rule since that time. (For complete details of the rule, see General Exhibit No. 8185.) The Board approved Rule R277-907, ATC/ATCSR Membership Hour Accounting on third and final reading.

6. Utah State Board of Education Rule Repeals

Rule R277-710, Accelerated Learning Programs, was originally written to govern the proportional distribution of state funds for Concurrent Enrollment, Gifted & Talented, and Advanced Placement. During the past several years, the funding formulas for these programs have been modified rendering R277-710 obsolete. During this transition, Administrative Rules R277-711 through 713 were written in order to independently administer the funding of each of these programs. (For complete details of the rule, see General Exhibit

No. 8186. ) The State Board of Education repealed Rule R277-710, Accelerated Learning Programs.

## 7. 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 rules. (For complete details, see General Exhibit No. 8187.) The Board reviewed the following rules and approved them:

R277-105  
Recognizing  
Constitutional  
Freedoms in the  
Schools

R277-609 Standards  
for School District  
Discipline Plans

R277-800  
Administration of  
the Utah School for  
the Deaf and the  
Utah School for the  
Blind

R280-150  
Adjudicative  
Proceedings Under  
the Vocational  
Rehabilitation Act

## 8. Non-Funded Utah Centennial Schools Renewals Approvals

Each of the recommended schools has completed its third year as a funded Centennial School. However, each has formally requested continued, non-funded Centennial Schools status for the 1999-2000 fiscal year in order to complete specified Centennial Schools activities and expend Centennial Schools funds that remain from earlier approved projects. This practice of awarding continued, non-funded Centennial Schools status to complete approved activities in requesting schools has been in place since 1996 as per mutual agreement by the Governor's Office and USOE program staff. The Centennial Schools Program will end June 30, 2000, and all approved activities and expenditures in all remaining Centennial Schools need to be completed prior to that time. (For complete details of the list of schools, see General Exhibit No. 8188.) The Board awarded year-four, non-funded Centennial Schools status to the recommended 20 schools for the 1999-2000 fiscal year with the condition that each of these schools satisfactorily maintain all Centennial Schools

requirements during the period of this designation.

#### 9. Non-Funded Modified Centennial Schools Approvals

Each of the recommended schools has completed its three years as funded Modified Centennial Schools. However, each has formally requested continued, non-funded Modified Centennial Schools status for the 1999-2000 fiscal year in order to complete specified activities and expend awarded funds that remain from earlier approved projects. This practice of awarding continued, non-funded Centennial Schools status to complete approved activities in requesting schools has been in place since 1996 as per mutual agreement by the Governor's Office and USOE program staff. Since all elements of the Centennial Schools Program will end June 30, 2000, all approved activities and expenditures in all remaining Modified Centennial Schools need to be completed prior to that time. (For complete details of the list of schools, see General Exhibit No. 8189.) The Board awarded year-four, non-funded Modified Centennial Schools status to the recommended four schools for the 199-2000 fiscal year with the condition that each of these schools satisfactorily maintain all modified Centennial Schools requirements during the period of this designation.

#### 10. Schools for the 21<sup>st</sup> Century Year-Two Approvals

Each of the recommended schools has completed its first year as a School for the 21<sup>st</sup> Century. Each of these schools has applied for continued status and funding for the 1999-2000 fiscal year in order to complete specified activities in their approved projects. These 28 schools received a base amount of either \$5,000 or \$10,000 (depending on size) and \$27 per student formula funding during the 1998-99 fiscal year. The Schools for the 21<sup>st</sup> Century Program requires the reduction of the formula funding from \$27 per student to only \$9 per student during this next fiscal year with the possibility of incentive funding being made available in the spring of 2000. This incentive funding will be calculated on the basis of pre-approved levels of goal achievement for each of the 28 schools. These incentive awards will require State Board approval in 2000. (For complete details of the list of schools, see General Exhibit No. 8190.) The Board awarded year-two status and formula funding to the recommended 28 Schools for the 21<sup>st</sup> Century for the 1999-2000 fiscal year with the condition that each of these schools satisfactorily maintain all program requirements during the period of this designation and funding.

#### 11. District Career Ladder Plans Approval

The following districts have met the requirements set by the State Board for their 1999-2000 Career Ladder Plans. Each plan has been submitted on a standard form and carefully reviewed by the State Career Ladder Review Committee: One Year — Box Elder, Rich, and Weber School Districts. Three Year — Bridgerland and Uintah Basin Applied Technology Centers. (For complete details, see

General Exhibit No. 8191.) The Board approved the 1999-2000 Career Ladder Funding for the agencies listed above.

12. Council of Chief State School Officers Dues

An invoice for the Council of Chief State School Officers Dues and Assessments in the amount of \$22,816, for fiscal year 2000 was approved for payment. (For complete details, see General Exhibit No. 8192.)

13. Ratification of Employment

Carolee Gunn was ratified as an Educational Specialist, Measurement & Evaluation, Planning and Project Services Division.

14. Utah Schools for the Deaf and the Blind Superintendent Salary Adjustment

Based on the evaluation of the Utah schools for the Deaf and the Blind Superintendent presented by the Utah schools for the Deaf and the Blind Institutional Council at the June 4, 1999 Board meeting, The Board approved an annual salary of \$71,000 and a \$2,000 bonus for Lee Robinson, Superintendent of the Utah Schools for the Deaf and the Blind effective July 1, 1999.

15. Applied Technology Center Superintendent and Applied Technology Center Service Region Director Salary Adjustments

Based on the ATC Superintendent and ATCSR Director evaluation process that was finalized in June by the State Board for Applied Technology Education and Joint Liaison Committee, the following superintendent and director salaries and bonuses are recommended for the 1999-2000 fiscal year: BATC \$92,000/\$2,000 bonus; DATC \$89,000/\$2,000 bonus; OWATC \$92,000/\$2,000 bonus; UBATC \$71,000/\$2,000 bonus; MATCSR \$68,963/\$2,000 bonus; SEATCSR \$48,373/\$2,000 bonus; SWATCSR \$55,427/\$2,000 bonus; WFSATCSR \$69,613/\$2,000 bonus. The State Board for Applied Technology Education approved the above salaries effective July 1, 1999, and the bonus amounts to be paid immediately.

16. List of Applicants for Certificates

A summary of the list of applicants for initial and renewal certificates for June 1999. (For complete details, see General Exhibit No. 8193.)

17. Claims Report

The Claims Report in the amount of \$140,141,234.59 ending June 30, 1999 was approved. (For complete details see General Exhibit No. 8194.)

## Board Committee Reports

### Planning, Finance & Legislation Committee

Member Janet A. Cannon, Chairman of the Planning, Finance & Legislation Committee presented the following recommendations from the Committee:

### New Stewart School Startup Date Delay Request

The New Stewart School is requesting a delay in the startup of their charter school until the fall of 2000. They are aware that the expectation was for them to become operational during the 1999-2000 school year, however, they did not receive approval from the State Board until March 5, 1999. They have also had a difficult time finding a facility for their school. They will start to receive state funding for the school as soon as they have a facility. (For complete details of their request, see General Exhibit No. 8195.) If approved, this will mean their time line is lessened by one year.

Motion from the Committee that the State Board approve the requested delay in the implementation of the New Stewart School until the fall of 2000 due to circumstances outlined in their request. Motion carried unanimously.

### Oversight of School Inspections, Rule R277-417

Senate Bill 68, requires a board rule to: (1) implement inspection oversight through all phases of construction; (2) require the appointment of a School District Building Official in each district; (3) publish a building construction and inspection resource manual; and (4) conduct an annual building construction conference.

Prior to the passage of SB 68, individual responsibilities of school districts and other public agencies for school construction inspections were not formally stated, but were carried out under a series of "understandings." (For complete details of the rule, see General Exhibit No. 8196.)

The committee approved the rule on first reading and moves that the State Board of Education approve Rule R277-471, Oversight of School Inspections on second reading.

Member Kim Burningham questioned if there was a fiscal note attached to the legislation. It was noted that there was not. He expressed concern that the legislature is creating more responsibilities without providing the funding.

Superintendent Laing indicated that there have not been substantive changes over what was required in other laws, this just brought all of them together. Also, there are people in place to do this oversight, especially in the large districts, and in others it may require just a half-time person.

Member Grant Hurst voiced concern about construction management in some of the districts. He indicated that some of them are going to self-administered contracts for their buildings. His concern is that the district is running the project with a project engineer and 25 or so subcontractors, and then also do the inspection.

Motion carried unanimously.

### Professional Specialist Licensing, Rule R277-521

This rule was discussed at the last board meeting and provides a deeper field of candidates for specific sections of the State Office of Education. The coordinators in the Assessment, Legal and Finance sections have recognized that there are good and qualified candidates for specialist positions in their sections who have desirable expertise, education and experience, and often some school experience — but do not have teacher/administrative credentials. The rule would allow these sections of the State Office of Education to hire these very qualified applicants on the specialist pay schedule. (For complete details of the rule, see General Exhibit No. 8197.)

The committee approved the rule on second reading and moves that the State Board of Education approve Rule R277-521, Professional Specialist Licensing on third reading. Motion carried unanimously.

### Certification Committee Agenda

The committee reviewed the recommendations from the Professional Practices Advisory Commission.

The committee moves that the State Board of Education approve the recommendation of the Utah Professional Practices Advisory Commission in Case No. 97-408 and revoke the certification of Arvid Mark Oakley, an educator who holds certification in Utah which expired June 30, 1986, based upon default. This action is taken following a jury trial in the Fourth Judicial Court for a crime of aggravated sexual abuse of a child, a first-degree felony. Mr. Oakley was convicted of the felony.

It was noted that UPPAC mailed an official complaint to Mr. Oakley on December 17, 1998. The certified letter was received at the Utah State Prison. A default and findings was sent to Mr. Oakley on February 16, 1999, also at the Utah State Prison. UPPAC has received no response to either piece of correspondence.

The committee moves that the State Board of Education approve the recommendation of the Utah Professional Practices Advisory Commission in Case No. 98-442 and revoke the certification of Scott R. Gill, a former school counselor in Davis School District. This is as a result of inappropriate and unprofessional conduct toward and in the presence of students over approximately the last five years.

The committee moves that the State Board of Education approve the recommendation of the Utah Professional Practices Advisory Commission in Case No. 98-452 and accept a stipulated agreement whereby Samuel M. Sevier, a former middle-school teacher in Park City School District, voluntarily surrenders his certificate for purposes of suspension. This is based upon Mr. Sevier's mailing of threatening and anonymous E-Mail to a school district employee and violation of the school district's computer use policies.

The Board unanimously approved all three motions.

The committee reviewed the recommendations of the State Advisory Committee on Teacher Education (SACTE) relative to the University of Phoenix Post-Baccalaureate Secondary Teaching Program.

An onsite review committee spent considerable time reviewing their program. The committee comprised of 14 members, including a representative from the University of Nevada, representatives from BYU, the University of Utah, Utah State, and several teachers. They came back and because some of the standards were not met they did not give initial approval. The University of Phoenix went to SACTE to see what could be done to meet the standards. SACTE suggested the following as a course of action: (1) That the State Office of Education Staff meet with the University of Phoenix representatives and a small number of persons who participated in the on-site review to establish specific written and measurable objectives addressing areas of concern identified in the on-site review team's report.

Member Grant Hurst questioned why the standards were not already in place and what made the University of Phoenix different from BYU or the University of Utah? Doug Bates, Director, Law, Legislation, Certification and Equity indicated that the standards have never been through rulemaking and are highly subjective. He further indicated that the current standards are not written in objective measurable terms. He noted that this is one of the things we hope to have do in the next couple of months so we will have something more definitive on the standards.

Discussion ensued relative to the current standards and the role of the review team and the need to bring something more definitive and consistent into place. Member Kim Burningham expressed concern that with this we would be authorizing a program to start this fall that standards as they develop in a year might countermand or be opposite to.

Assistant Superintendent Gary Carlston commented that if new standards are adopted there would be a transitional period which will apply to all teacher preparation institutions.

Dr. Carlston further commented that in this particular review the review team did not make conclusion with regard to a recommendation. Because of this, the actual review team was polled and was asked what was meant by this and asked if they would advise this program go forward, and their answer was yes. SACTE was polled at that time with regard to this and they also suggested it go forward.

Chairman Watson clarified that we would be holding the University of Phoenix to the current standards in the State of

Utah. Also, this is a conditional approval for one year.

Doug Bates provided further background relative to the review teams conclusions and the need for measurable objectionable standards.

Motion from the Committee that the State Board of Education approve the University of Phoenix Post-Baccalaureate Secondary Teaching Program for the coming school year, subject to the following: (1) Staff meet with University of Phoenix representatives and a small number of persons who participated in the on-site review to establish specific written and measurable objectives addressing areas of concern identified in the on-site review team's report; (2) The University of Phoenix move as quickly as possible to meet those objectives; and (3) A follow-up review be conducted and a report be submitted to the Board next spring concerning compliance and the success of the program.

An amendment was made by Member Kim R. Burningham and seconded by Member Judy Larson that until such time as new state standards are clarified, the University of Phoenix teacher certification program will be expected to adhere to state standards as they currently exist. Motion as amended carried unanimously.

(For complete details of the Certification Agenda, see General Exhibit No. 8198.)

### **Curriculum and Instruction Committee**

Member Kim R. Burningham, Chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

#### Distribution of Funds to Arts and Sciences Organizations, Rule R277-444

The recent legislature appropriated one-time money differently in the arts and sciences areas. The change allowed this money to be extended to a brokering agency as well as a performance agency. It was also indicated in the law that the brokering agency could charge for school performances. (For complete details of the rule see General Exhibit No. 8199.)

The committee did not feel that the law provides the best procedure. The Committee recommends two amendments to the rule: (1) **R277-444-3 E For fiscal year 1999-2000, \$50,000 of the funding provided under the 1999 Annual Appropriations Act, Item 258, shall be awarded to delete [an] arts coordinating booking organization[s] adding the [s] selected by the request-for-proposal process.** (2) **R277-444-5(C)(1) a budget expenditure report and income source report using a form provided by the USOE.**

The committee approved the rule on first reading with amendments, and moves that the State Board of Education approve Rule R277-444, Distribution of Funds to Arts and Sciences Organizations on second reading as amended above. And, under protest, but in order to comply with the law. Motion carried unanimously.

Motion was made by Vice Chairman Jill Kennedy and seconded by Member Bette O. Arial to direct staff to come up with a bill in the next legislature to amend the law so the money does not have to go to a brokering agency.

Superintendent Laing suggested that we wait and see if that is a battle worth fighting for \$50,000.

Member Kim Burningham commented that he felt the legislative committee knew what they were doing, and that there were political issues involved.

Motion carried unanimously.

#### Concurrent Enrollment of High School Students in College Courses, Rule R277-713

Changes to this rule were made to accommodate the change from quarter hours to semester hours in the university system, and other adjustments to provide alignment with this change. Also a deletion of accelerated learning programs allowing the rule to deal specifically with concurrent enrollment issues. (For complete details of the rule see General

Exhibit No. 8200.)

The committee approved the rule on first reading and moves that the State Board of Education approve Rule R277-713, Concurrent Enrollment of High School Students in College Courses on second reading. Motion carried unanimously.

Member Burningham reported that an additional motion passed the committee to advise members of Joint Liaison Committee of strong support of concurrent enrollment program because we believe it provides greater opportunities, better facility use and it is cost effective.

### Other

Committee received a report from Margaret Rose on the Health Core Curriculum relative to the permission forms, the wording of the abstinence material from Susan Henshaw's motion and how that has been implemented into the curriculum.

### Standards and Assessment

The committee had a discussion relative to standards and accountability. This was discussion only. No action was taken.

### **Applied Technology and Rehabilitation Committee**

Member Joyce W. Richards, Chairman of the Applied Technology and Rehabilitation Committee presented the following recommendations from the Committee:

#### Independent Living Assistive Technology Policy and Procedures Manual

Following one year of implementation of the Policies and Procedures contained in the Manual, Vocational Rehabilitation and Independent Living staff reported the need to clarify some policies and add new procedures to Section 5. A committee with representation from VR and IL staff was formed and a draft of Section 5 developed. The draft was taken out for public comment and two public hearings were held. (For complete details of Section 5 of the Independent Living Assistive Technology Policy and Procedures Manual see General Exhibit No. 8201.)

Motion from the Committee that the State Board for Applied Technology Education approve the changes to the Independent Living Assistive Technology Policy and Procedure Manual, Section 5, Determination of Financial Needs on first and second reading. Motion carried unanimously.

#### Capital Construction Priorities List

The committee reviewed the Capital Construction Priorities List which included construction priority requests for the Utah State Office of Rehabilitation and the Applied Technology Centers, which include six proposed projects: (1) a new Wasatch Front South Applied Technology Center; (2) the relocation of the maintenance building at the Ogden Weber ATC; (3) a new Uintah Basin ATC branch campus in Vernal; (4) an addition to the Deaf Center; (5) a new computer-transportation technology building at the Davis ATC; and (6) a new Advanced Technology Building at the Bridgerland ATC. (For complete details, see General Exhibit No. 8202.)

It was also noted that additional requests for capital construction projects have been made by ATCSR regions. While the State Board has proposed expansion of the ATC system in areas currently operating as ATCSRs it is felt that these service regions should pursue legislation to clarify policy questions associated with governance before including these requests on the State Board of Education Capital Construction List.

Motion from the committee that the State Board for Applied Technology Education approve the Capital Construction Priorities List for the Utah State Office of Rehabilitation and the Applied Technology Centers to forward to the Division of Facilities Construction and Management (DFCM) and the State Building Board for further information development in anticipation of the 2000 Legislative Session. Motion carried unanimously.

Juab, Millard and Tintic School District Request to Develop a tri-district applied technology center (ATC)

Representatives from the Juab, Millard and Tintic school districts presented a proposal to develop a new applied technology center that would serve their three districts. The Millard School District has offered the use of the existing Delta Technical Center to serve as the hub in providing these services. The three school boards feel that investing their facility and other resources into an ATC model would significantly improve the applied technology education offerings for their students. (For complete details of the material presented, see General Exhibit No. 8203.)

Motion from the committee that the State Board for Applied Technology Education receive the request of the Juab, Millard and Tintic school districts to develop a tri-district applied technology center. Motion carried unanimously.

Motion was made by Member Marilyn Shields and seconded by Member Judy Larson to adjourn.

Meeting adjourned at 3:15 p.m.