

## MINUTES

November 4, 2005

Minutes of the meeting of the State Board of Education held November 4, 2005, at Bridgerland Applied Technology College, Logan, Utah. Meeting commenced at 9:45 a.m. At the request of Chairman Kim R. Burningham, Vice Chairman Janet A. Cannon presided.

Members present were:

Chairman Kim R. Burningham  
Vice Chairman Janet A. Cannon  
Member Dixie L. Allen  
Member Tim Beagley  
Member Laurel Brown  
Member Mark Cluff  
Member Bill Colbert  
Member Edward A. Dalton  
Member Thomas Gregory  
Member Greg W. Haws  
Member Randall A. Mackey  
Member Debra G. Roberts  
Member Richard Sadler  
Member Sara Sinclair  
Member Teresa L. Theurer

Members Bonnie Jean Beesley and Gary C. Swensen were excused.

Also present were:

Executive Officer Patti Harrington  
Associate Superintendent Patrick Ogden  
Associate Superintendent Raymond Timothy  
Board Secretary Twila B. Affleck

Public Affairs Director Mark Peterson and Executive Director of USOR, Blaine Petersen were excused.

Members of the Press:

Sheena McFarland, Salt Lake Tribune  
Emilie Wheeler, Logan Herald Journal  
Paul Koehler, WestEd  
Joey Foote, Educator Development Advisory Committee  
Teddi Safman, Educator Development Advisory Committee  
Christie S. Needham, Logan City Board of Education  
Stu Howell, Logan School District  
Richard J. Jensen, Logan School District  
Paula Olsen, Logan School District  
Andrew Hugie, Logan School District  
Chloe Andersen, Logan School District  
Phil Jeffery, Governor's Office of Planning and Budget  
R. Michael Kjar, Legislative Fiscal Analyst  
Sara Koebs, Cache School District

Holly Peterson, Cache School District  
Martell Menlove, Superintendent, Box Elder School District

Board Secretary Twila B. Affleck recorded the minutes.

### Welcome and Student Achievement Spotlight

Board Member Dixie L. Allen lead the Board in the Pledge of Allegiance.

Board Member Greg W. Haws offered welcoming remarks.

Vice Chairman Janet Cannon shared a comment from Carolyn

Warner an Education Consultant and former Board Member on the Arizona State Board of Education which she shared at the NASBE Annual Meeting. “The New American Dream”

The Board recognized the students at Logan City School District who raised and donated \$10,568.05 to the American Red Cross to be part of the relief efforts to help those affected by the tsunami disaster. Students from Wilson Elementary School and Logan High School shared their experiences in raising this money. A Certificate of Excellence was presented to Superintendent Jensen, Logan School District.

Vice Chairman Cannon excused Members Bonnie Jean Beesley and Gary C. Swensen.

### Educator Quality Task Force Recommendations

Associate Superintendent Ray Timothy reported that the 2004 Supply and Demand Study identified the projected shortage of 1,175 teachers per year unless something can be done to actively recruit, train, and retain quality educators in our state. The Utah State Board of Education addressed the issue of “Educator Quality” in the January 11, 2005 work session. An “Educator Quality” Task Force was established by the Board to review this topic and make recommendations.

Dr. Timothy presented the background and development of the report. (For complete details of the Task Force Recommendations and report, see General Exhibit No. 9746.)

Teddi Safman and Joey Foote, Members of the EDAC/Educator Quality Task Force highlighted the recommendations from the Task Force.

Member Debra Roberts questioned that as they talked about the administrators role, as she has visited with principals they have concerns about the time factor, especially at the high school level. They are so busy putting out fires that they don’t have the time to create the collaboration. She questioned if they had looked at restructuring using a vice principal as the fireman and letting the principal do their job. Mr. Foote indicated that they first look at fire prevention. Therefore, when you talk about training principals in culture management and creating climates that are conducive to certain kinds of things – they are talking about in advance of putting out the fires. We still need to continue discussion of what to do with the fires.

Chairman Burningham commented that this is excellent list of many fine suggestions. However, one of the

frustrating things missing is a need for prioritization. He further commented that he felt there was an omission in how to deal with inadequate teachers. He suggested that he would make a recommendation as the report is received that the Board consider adding an additional item that the State Board of Education and the State Office of Education should examine legislation and/or rule governing the release of substandard teachers with the end of streamlining, even accelerating the exit of any inadequate teachers.

Motion was made by Chairman Kim R. Burningham and seconded by Member Debra G. Roberts to accept the report with the addition of an addendum to address the inadequate teacher issue noted above.

Member Roberts commented that this is something that needs to happen. She noted that she has had two legislators approach her about carrying a bill that will get rid of tenure. She has told them, however, before they go and totally destroy teachers by such legislation, we need to look at building teachers. She requested that the addendum be a priority put into the process of balance with the remainder of positives. Chairman Burningham accepted that as part of the motion.

Vice Chairman Cannon commented that she has learned that the major reason for teachers leaving the profession is the feelings of isolation and lack of administration support. She felt that at some point in time the Board needed to look at administrators, and if there are inadequate administrators, there needs to be some process to deal with that as well.

Member Tim Beagley commented that we need to not only identify teachers who are not performing at the level expected, but to help them become better teachers. If they can't be helped then a process need to be provided for moving them out of the system.

Chairman Burningham commented that he agreed and the document emphasizes mentoring, however, the only thing that is not mentioned is sometimes we need to help a person leave.

Joey Foote commented that this is something that needs to be looked at carefully. There is a statutory portion that is written into the code, on administrator again being trained in how to administer that process. There is a process that is clearly specified that includes mentoring, providing lines of assistance and support. However, this does need to be reviewed both in how it is expressed in statute and in both training for administrators and how that training takes place, how frequently it takes place and how it has been monitored or assessed with our administrators.

Member Sadler requested division of the motion addressing the addendum issue first.

Motion to add to the report an addendum relative to how to deal with inadequate teachers.

Member Tom Gregory voiced concern that this is their report and it may not be appropriate to add an addendum to it, but to receive the report and then direct the State Office to do what the addendum indicates.

Chairman Burningham clarified that he used the word "addendum" rather than an amendment to the report for that very purpose.

Motion to add the addendum carried unanimously.

Member Richard Sadler suggested that on page 11, No. 18 read “The State Board of Education should seek funding for and a mentoring and development program for beginning and continuing administrators.

Dr. Timothy indicated that this would be the focus of the leadership consortium identified in Item #16.

Member Teresa Theurer commented that on Page 13, dealing with the Job Enhancement Program, she would encourage the State Board of Education to possibly encourage legislature, as they fund the Public Education Job Enhancement Program, to include funding for teachers who are placed in hard to staff schools with this money.

Motion to receive the report carried unanimously.

Member Ed Dalton questioned in terms of next steps where this goes, especially in terms of the Board's goal setting. It was noted that this will be included as an objective as part of the goals.

### WestEd Evaluation of the K-3 Reading Achievement Program Year One

WestEd was requested by the Utah State Office of Education to conduct an evaluation of the K-3 Reading Achievement Program for the first year of implementation in order to look at what gains were made by students. To facilitate the evaluation, West Ed was provided copies of the K-3 Reading Achievement Program plans and CRT results for each participating school district and charter school.

The K-3 Reading Achievement Program addresses the state's goal of having all third graders reading at or above proficiency. School districts and charter schools submitted individual proficiency reports for the 2004-05 school year outlining the progress made toward this goal.

Dr. Paul Koehler, Director of WestEd's Policy Center and Reino Makkonen, Research Assistant presented the evaluation to the Board. (For complete details, see General Exhibit No. 9747.)

Member Tim Beagley questioned how do we know the goals set are valid measures of improvement? Also, how can we ascribe improvements we do see to the initiative itself and not something else?

Superintendent Harrington responded that the process of one setting one's own goal alone is a motivator. Therefore, we like to have this done on the local level. There are very few, if any experts in the nation that know exactly how much percentage gain you should get based on where you currently prevail. Understanding that local district people understand their local district far better than anyone in the State Office, we have let them set their own goals. They are not anxious to make an easy goal – they want their kids to read.

Superintendent Harrington indicated that relative to whether the improvement was through the initiative or something else there are so many variables in the classrooms across the state. Where we can, and we use quantitative data from teachers and administrators, we feel there has been enormous value added by Senate Bill 230. We can look at past years gains and then look at this year's gains to determine if we have made enough difference in the amount of

gain that we can say that something has worked better in behalf of kids, but that also is not an exact science.

Brett Moulding, Curriculum Director, further commented that we are going to do as much as we can to help these children in reading. The moral issue is when you are doing research in social sciences you find something that is working you implement it you don't wait on research.

Member Bill Colbert suggested that the report be place on the USOE web page. Vice Chairman Cannon also suggested that a copy be mailed to former Governor Olene Walker.

Associate Superintendent Patrick Ogden suggested that as the Board goes to the legislature this year requesting money for the 4-6 math initiative, very similar to the reading initiative, we should include the things learned from the evaluation of the reading program to that of the math 4-6 initiative.

Dr. Koehler suggested that the recommendations in the back of the report would be useful in building another initiative. The combination of the local responsibility of goal setting and accountability along with the statewide measures following the law is a very good combination. He would also write into the legislation that making sure when districts set up strategies that there is a reason they put them in there. The legislation should specifically encourage districts to set up practices and programs that are supported by good research and development to the extent that is available.

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to receive the report. Motion carried unanimously.

#### Public Participation/Comment

Mr. Larry Carrillo addressed the Board relative to his frustrations with obtaining his ESL Endorsement in Spanish. He requested that the Board grant him is ESL Endorsement.

Member Randall Mackey expressed appreciation for the service Mr. Carrillo has provided over the years.

#### Executive Session

Motion was made by Chairman Kim R. Burningham and seconded by Member Dixie L. Allen to move into an executive session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present the Board moved into an executive session at 11:50 a.m.

Motion was made by Member Debra Roberts and seconded by Member Tim Beagley to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 12:48 p.m.

#### **Utah Professional Practices Advisory Commission Recommendations**

Motion was made by Member Thomas Gregory and seconded by Member Tim Beagley that the Board concurs in the recommendation of the hearing panel and the Utah Professional Practices Advisory Commission in Case No. 02-608, following a reinstatement hearing that the educator license of a former teacher in the Alpine School District be reinstated, with conditions. The license was suspended for two years as a result of the educator's sexual

harassment of a female student, including inappropriate sexual discussions and physical contact with a student. It was noted that the hearing report was reviewed during the executive session. Motion carried unanimously

Motion was made by Member Thomas Gregory and seconded by Member Tim Beagley to accept the Commission's recommendation in Case No. 05-724 and accept a stipulated agreement, including conditions of the agreement, whereby a former teacher in the Salt Lake City School District, voluntarily surrenders his educator license in lieu of a hearing for purposes of revocation of his license for five years from the date of formal action by the State Board of Education. The revocation results from the educator's soliciting minors over the Internet, sexually explicit conversations with minors over the Internet, and sexual intercourse with a minor. At least one act of sexual intercourse with a minor occurred on school grounds. Respondent has been charged with four first degree felony counts of forcible sodomy, two first degree felony counts of unlawful sexual conduct with a 16 or 16 year old, and one second degree felony count of enticing a minor over the Internet. Respondent has also been charged with one federal felony count.

Member Gregory commented that a five year period is a bare minimum for reinstatement and suggested that in the future the Board consider very carefully the five year term because it is less than appropriate in this instance.

Motion carried unanimously.

(For complete details of the recommendations, see General Exhibit No. 9748.)

#### **Adult Education Advisory Committee**

Motion was made by Member Dixie L. Allen and seconded by Member Tim Beagley to appoint Nancy Birchell and Marilyn M. Nunez to the Adult Education Advisory Committee, terms to expire December 2006. Motion carried unanimously.

#### **Coalition of Minorities Advisory Committee (CMAC)**

Motion was made by Member Dixie L. Allen and seconded by Member Tim Beagley to appoint Charlotte Starks, African American; Nola Lodge-Hurford, American Indian; Janice Jones Schroeder, American Indian; Daymee Chan, Asian American; David Chavez, Hispanic/Latino; Charlene Lui, Pacific Islander; Soulee L.K.O. Stroud, Pacific Islander, Charlotte Starks, African American, and Fahina Tavake-Pasi, Pacific Islander. Motion carried unanimously.

#### **Governor's Committee on Employment of People With Disabilities**

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to reappoint Karla Padilla and appoint Susan Loving, John Vickroy, Deborah Egan, Steve Mascaro and Jill Boyle to the Governor's Committee on Employment of People with Disabilities. Terms to expire September 2009. Motion carried unanimously.

#### **Disability Determination Services**

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Mitzi Cheney to the Disability Determination Services Advisory Committee. Term to expire September 2008. Motion carried

unanimously.

### **Utah Statewide Independent Living Council**

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Edward Loosli and Tammy Wood to the Utah Statewide Independent Living Council. Terms to expire September 2008. Motion carried unanimously.

### **Utah Instructional Materials Commission**

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Mary Lou Damjanovich Paul Noble to the Utah Instructional Materials Commission. Terms to expire December 2010. Motion carried unanimously.

The Board recessed for lunch at 12:55 p.m.

The Board reconvened at 1:40 p.m.

### Board Standing Committee Reports

#### **Finance Committee**

Member Tim Beagley, Chairman of the Finance Committee made the following recommendations from the Committee:

#### RDA Mitigation Payments Report

Each year school districts report to the Utah State Office of Education Finance Director the number, dollar amount and purpose of redevelopment agency mitigation payments made to school districts to alleviate financial burdens or detriments caused to the school district by a redevelopment, economic development or education housing development project under provisions of Section 17B-4-1002. Under provisions of Section 17B-4-1008, the redevelopment agency may pay to any school district with territory located within the project area any amount of money which is, in the agency's determination, appropriate to alleviate any financial burden or detriment caused to the school district by a redevelopment project. This school district mitigation payment report covers the time period July 1, 2004 through June 30, 2005. (For complete details of the report, see General Exhibit No. 9749.)

The Committee received the report as information.

#### Utah Schools for the Deaf and the Blind

##### Salary Calculations

As a result of last year's audit of the Utah Schools for the Deaf and the Blind, the legislature passed intent language requiring the State Board to oversee the calculation of USDB teacher salary adjustments and present its calculation to the governor and legislature for inclusion in their respective budget deliberations.

Staff reviewed how the salary adjustment for USDB teachers were calculated and presented to the committee the results for its approval and subsequent recommendation to the Board. The salary adjustment

recommended is a base increase of 2.2%, increase steps, and 1.92% increase lane changes, for a total percentage of 5.6%.

Motion from the Committee that the State Board approve the salary adjustment of 5.6% increase for the Utah Schools for the Deaf and the Blind. Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Haws, Mackey, Roberts, and Sadler voting in favor; Members Gregory and Theurer absent.

#### Annual Financial Review of the Utah Schools for the Deaf and the Blind

The Finance Committee has requested to annually review the finances and budgets of the three organizations the State Board is responsible for. The Committee reviewed the financial status of the Utah Schools for the Deaf and the Blind. (For complete details, see General Exhibit No. 9750.)

The Committee received the report as information.

#### Minimum School Program Review

The Finance Committee has expressed interest in studying the Minimum School Program for the purpose of identifying programs that can be consolidated or simplified.

#### Legislative Task Force on Tax Reform Update

The Legislative Task Force on Tax Reform is considering several proposals that would have a significant impact on school funding. The Finance Committee reviewed the proposals.

The committee received a summary of all of the possible plans of tax reform that are currently circulating. We do not yet know what will happen, however, they range in detriment to the Minimum School Program of \$23 million to \$175 million. Combined, all of the plans would take money from the Minimum School Program, except for the Governor's original program.

Member Beagley reported that the committee has grown increasingly concerned in terms of what the response from the State Board should be in terms of how we would approach the tax reform and how it would affect public education. The Committee provided a proposed Resolution to be passed by the Board. (For complete details, see General Exhibit No. 9751.)

Motion from the Committee that the Board adopt the Resolution.

Chairman Burningham suggested an amendment to add word **only** to the paragraph beginning Now, therefore, be it resolved that the State board **supports only** tax reform. . . The amendment was accepted by the Committee.

Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts, and Sadler voting in favor; Member Theurer absent.

### **Curriculum Committee**

Member Laurel Brown, Vice Chairman of the Curriculum Committee presented the following recommendations:

Accreditation of Schools, R277-410

R277-705, Secondary School Completion and Diplomas, is being amended. One component of the amendment relates to acceptance of credit from nonpublic schools and programs. R277-410, Accreditation of Schools, is being amended to make the rule consistent with the standards and procedures in R277-705. (For complete details of the rule see General Exhibit No. 9752.)

The Curriculum Committee reviewed the amendments and approved the amendments on first reading. Motion from the Committee that the State Board of Education approve R277-410, Accreditation of Schools on second reading. Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts and Sadler voting in favor; Member Theurer absent.

IDEA State Performance Plan

In the reauthorization of the Individuals with Disabilities Education Act of 2004, states are required to develop a State Performance Plan. This plan includes annual long-range rigorous measurable targets concerning state procedures for special education programs and outcomes for students with disabilities. The Office of Special Education Programs in the U.S. Department of Education provided training to state teams in August and plans are to be submitted to the Secretary of Education by December 2, 2005.

Karl Wilson, Director of Special Education provided an overview of the proposed State Performance Plan for special education. (For complete details, see General Exhibit No. 9753.)

Mr. Wilson noted a few changes to the plan since the mailing to the Board. He also indicated that public input and comment will be received until November 21, 2005. At that point they will retabulate the comments and see if there are any further adjustments to the plan and then submit it to the federal government.

Motion from the Committee that the Board approve the State Performance Plan. Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts and Sadler voting in favor; Member Theurer absent.

**Communications Committee**

Member Edward A. Dalton, Chairman of the Communications Committee reported that we are continuing to follow-up on the newspaper project. Almost 15,000 copies have been delivered to the local districts. He expressed appreciation to Chairman Burningham for mentioning it to the superintendents in their meeting earlier in the week to use more and encouraging those that did not order to do so. Tooele and Logan newspapers have requested permission to reprint it in their papers. The PTA received 12,000 copies and have distributed them to PTA leadership across the state. They also used it in their reading conference. Thank you letters have been sent to those who have contributed to

the project. There are still other loose ends to work out as we bring the project to a conclusion with the *Deseret Morning News*.

Member Dalton noted that last month the Board passed an Attendance Resolution and questioned if it had been sent out to the districts. It was reported that it has been sent to the districts and it is on the Board's web page.

Member Dalton indicated that there is a recommendation that encourages the development of statewide or working with local school boards to conduct attendance improvement awareness campaigns. There have been some meetings with USBA to explore whether or not we could work together with them to see if we could put together a common plan to give it a more consistent direction. What we really need is an actual written plan of what that would be like so boards would know what they are getting into if they want to participate in that activity.

### General Consent Calendar

Motion was made by Member Thomas Gregory and seconded by Member Tim Beagley to approve the General Consent Calendar with the exception of Items A, Minutes of Previous Meetings, and F, Secondary School Completion and Diplomas, R277-705. Motion carried unanimously.

#### 1. Contracts

##### A. Utah Department of Health. \$122,310. 7/1/05-6/30/06. RECEIVABLE

To engage services from USOR to assist in implementing a Social Security Benefit Offset Pilot demonstration project referred to as the Utah SSDI '1 for 2' Project.

##### B. Utah Association for the Deaf, Inc. \$1,800. 11/1/05-10/31/06 - RECEIVABLE

Provide space for the Utah Association for the Deaf (UAD) Bookstore for access to individuals who are Deaf, Hard of Hearing, or Speech Impaired needing equipment or information.

##### C. The College Board. \$3,588. 11/4/05-12/15/05. - Amend. Fed.

To pay Advanced Placement (AP) test registration fees for low-income students.

##### D. NCS Pearson, Inc. \$4,264,955. 10/1/05-9/30/08 - Amend. - Fed.

Amendment is to provide additional test development services to accommodate the revised language arts curriculum, and to cover costs for printing and distributing these tests for three school years.

##### E. WestEd. \$149,755. 10/1/05-3/1/06. Fed.

To provide an evaluation of the alignment of the State's educational achievement tests and the Utah Core Curriculum and educational achievement standards.

(For complete details of the Contracts see General Exhibit No. 9754.)

#### 2. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the School Districts were approved by the

Board. (For complete details, see General Exhibit No. 9755.)

3. Administrative Rule Review

Under provisions of 63-45a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor non-substantive changes within these rules. The Board reviewed and approved the following rules:

R277-100	Rulemaking Policy
R277-477	Distribution of Funds from the School Trust Lands Account and Implementation of the School LAND Trust Program.
R277-616	Education for Homeless and Emancipated Students and State Funding for Homeless and Economically Disadvantaged Ethnic Minority Students.
R277-711	Educational Programs for Gifted and Talented Students

(For complete details, see General Exhibit No. 9756.)

4. Charter Schools, R277-470

The Charter Schools Rule R277-470 was repealed and reenacted because of numerous and significant changes to the state law on charter schools in the past two years. Because the rule includes significant amendments to reflect the changes in the law, a repeal and reenact is the most effective and least confusing means of making the changes. The reenacted rule is limited primarily to timelines and the conversion process from locally chartered to Board chartered schools. Further amendments were made by the Board at the October 7, 2005 meeting and the Board approved R277-470 on second reading. There have been no substantive changes to the rule since that time. The Board approved Charter Schools, R277-470 on third and final reading. (For complete details, see General Exhibit No. 9757.)

5. Monthly Budget Report

The Monthly Budget Report provides information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education, the Utah State Office of Rehabilitation and the Utah Schools for the Deaf and the Blind. (For complete details of the report, see General Exhibit No. 9758.)

6. USBE Agenda & Strategic Planning Calendar 2005-2006

The Utah State Board of Education Agenda & Strategic Planning Calendar for 2005-06 is provided for information to the Board. (For complete details, see General Exhibit No. 9759.)

7. Recommendations from the Utah State Instructional Materials Commission

On October 26, 2005, the Utah State Instructional Materials Commission recommended over 3,800 titles for recommendation. The Commission also recommended that the Board accept the bids received from the publishers and direct staff to award contracts to the publishers to furnish instructional materials to the schools of Utah. The Board adopted the recommendations by the Utah State Instructional Materials Commission and directed staff to award contracts to the various publishers. (For complete details of the recommendations, see General Exhibit No. 9760.)

8. Associate Superintendent Mileage Reimbursement

The State Board of Education sets compensation for its employees. The following changes were recommended to the mileage reimbursement policy adopted September 7, 2000 and modified October 7,

2005: Effective November 1, 2005, the State Superintendent, Associate Superintendents, and the Executive Director of the Utah State Office of Rehabilitation will be eligible for mileage reimbursement at the state issued rate. Any monthly amounts previously approved for vehicle reimbursements should continue to be included in the respective salaries. The Board approved the above changes to its mileage reimbursement policy.

9. Visually Handicapped Trust Fund Expenditures

The Division of Services for the Blind and Visually Impaired Council unanimously approved the following grants to be paid out of the Visually Handicapped Trust Fund interest:

**Utah Foundation for the Blind - \$2,500** - To help with the expanded adult goalball program.

**Ogden Association of the Blind: The Ride - \$5,500** To provide transportation for blind and visually impaired individuals to all activities sponsored by the OAB.

**Utah Council of the Blind: Braille Literacy - \$5,750** - To make Braille materials specifically requested by individuals available and increase literacy among the blind.

**Utah Council of the Blind: Ceramics Classes - \$3,000** - To provide ceramics classes in the Salt Lake City area to assist blind and visually impaired individuals increase their dexterity and skill in using their hands and their self-confidence and self-esteem.

**Utah Council of the Blind: Subsidized Cab Coupon Program - \$5,750** - To provide low-cost transportation to blind and visually impaired individuals throughout the state (exclusive of the Ogden area).

**Palisade Pals - \$500** To provide day camps for disabled individuals where they gain social skills and gain confidence by participating in various activities.

10. Advisory Committees - Notice of Vacancies

The Board received the Vacancies on the following Utah State Board of Education Advisory Committees:

**Utah State Instructional Materials Commission**

Secondary Principal (4-year term)

Elementary Principal (4-year term)

Dean of Education (2-year term)

11. List of Applicants for Licenses

The list of applicants for initial and renewal licenses were approved by the Board. (For complete details, see General Exhibit No. 9761.)

12. Claims Report

The Claims Report in the amount of \$216,058,993.18 for September 30, 2005 was approved by the Board. (For complete details, see General Exhibit No. 9762.)

### Minutes of Previous Meeting

Minutes of the Meetings of the State Board of Education held September 29, 2005, and October 7, 2005.

Motion was made by Member Thomas Gregory and seconded by Member Tim Beagley to approve the Minutes of October 7, 2005 with changes on pages 16926 and 16927 to remove the middle initial of "O" from Member Gregory's name, it is incorrect. Motion carried unanimously.

### Secondary School Completion and Diplomas, R277-705

The rule is amended to provide standards and procedures for public school acceptance of student credit from nonpublic schools and programs. The changes also clarify the differences in diplomas and certificates of completion and the issuance of each. Further modifications were made by the Board at the October 7, 2005 meeting and the Board approved on second reading R277-705. There have been no substantive changes to the rule since that time. The Board approved Secondary School Completion and Diplomas, R277-705 on third and final reading. (For complete details, see General Exhibit No. 9763.)

Member Gregory noted that last month there was discussion by the Board regarding the UBSCT Advisory Committee. During that discussion he was not able to clarify his thinking regarding the composition of this committee. He now feels that the Board is creating with UBSCT Advisory Committee a government entity that does not need to exist and is only additional bureaucracy and cost. The intention can be better handled through other more streamlined means. He requested that the Curriculum Committee look at the rule again to see if there is a better way to handle what they see this committee dealing with. He suggested possibly using the district so parents can stay involved.

Motion was made by Member Thomas Gregory and seconded by Member Mark Cluff to send R277-705 back to the committee with these thoughts.

Member Laurel Brown, commented that it was her understanding of the rule that the UBSCT Advisory Committee is set up for specific reason and at that point in time the district would not be able to resolve it because of state law. Further, the membership on the committee does not have to be located along the Wasatch Front, it will include parents, and it does not have to be a set committee with the same people on it all the time, housed in central location – it can be fluid.

Carol Lear commented that universally the group, which included local representation, indicated this was the Board's problem, there are appropriate reviews and you should take care of it. The state mandated the test, therefore the review should be at the state level.

Member Mark Cluff clarified that this committee could be set up in a school district with the representation listed and when the problem was resolved it would be dismantled.

Member Gregory indicated that it had been suggested that this committee is set up only to evaluate whether a student will get full diploma or an alternative completion diploma. This is not entirely the case, at the end of 705-6

Utah Basic Skills Competency Testing Requirements and Procedures, the rule also authorize them to make any exceptions to 705-5 Students with Disabilities. With a purely local solution we loose consistency and if the districts really feel it is our problem they could apply at the state level. He did not want to push this off to another committee the board may or may not be closely tied to.

Carol Lear commented that there are many unknowns with this rule. Most seem to be resolved at the local level. The purpose of putting this committee in the rule was to address issues, if and when they arise, to see how it works and if it is needed or if something more specific is needed.

Brett Moulding, noted that this section of the rule has been in place for at least three years. It is advisory to the Board.

Further discussion ensued relative to the need for a committee being identified in the rule.

Motion failed with Members Allen, Beagley, Brown burningham, Cluff, Colbert, Dalton, Haws, Mackey, Roberts and Sadler voting against; Member Gregory voting in favor; Member Theurer absent.

Member Richard Sadler voiced a concern with appointing multiple committees because we loose consistency.

Member Tom Gregory requested that the Board stay in the loop as to the decisions that are made and appeals that are made. Also, that the Board will set up the criteria by which the committee will act.

Motion was made by Member Greg W. Haws and seconded by Member Dixie L. Allen to approve the rule on third reading. Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Haws, Mackey, Roberts and Sadler voting in favor; Member Gregory opposed, Member Theurer absent.

#### Tax Reform Resolution

Motion was made by Member Randall Mackey and seconded by Member Tim Beagley to reconsider the resolution on Tax Reform Proposals to add one more recital. Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts and Sadler voting in favor; Member Theurer absent..

The additional recital would read: **WHEREAS, many of those proposed reforms may significantly reduce tax revenues used for public education; and**

Motion was made by Member Randall A. Mackey and seconded by Member Tim Beagley to approve the addition of the recital above in the Resolution and approve the Resolution as amended. Motion carried with Members Allen, Beagley, brown, Burningham, Cannon, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts and Sadler voting in favor; Member Theurer absent.

#### Executive Officer Report

Superintendent Patti Harrington presented the following items of information:

Reviewed meeting and speaking assignments.

Dr. Harrington reported that she has received some interest from some superintendents on the Associate Superintendent position, and she has also sought others that might be interested. These would primarily be assistant superintendents that have given leadership to curriculum. She indicated she has informally interviewed many of these people and she feels she will have a replacement for this position by Thanksgiving. In the meantime we have wonderful directors helping with this work.

Dr. Harrington reported that staff will update the strategic plan for the office based on priorities set by the Board yesterday.

Dr. Harrington summarized her visit to Washington, D.C. and her visit with Secretary Margaret Spellings. She reported that she has been asked to work with Senator Hatch in reauthorization of the law.

(For complete details of Superintendent Harrington's report, see General Exhibit No. 9764.)

Dr. Harrington shared a letter she would like to send to members of the Education Interim Committee and the Governor relative to Adult Education and keeping them with public education rather than the possibility of it moving under the Department of Workforce Services or Higher Education. The Board is in support of maintaining adult education and the letter would also include the signature of Chairman Burningham. (For complete details of the letter, see General Exhibit No. 9765.)

Member Tim Beagley suggested that we need to get people out to see the programs that are helping these people.

Motion was made by Member Richard Sadler and seconded by Member Dixie L. Allen to accept the letter and that it be sent in the manner indicated.

Associate Superintendent Patrick Ogden suggested that a paragraph be added relative to the Board's budget request for adult education. This was included in the motion.

Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts and Sadler voting in favor; Member Theurer absent.

### Board Chairman Report

Motion was made by Chairman Kim R. Burningham and seconded by Member Mark Cluff to take the expansion of kindergarten resolution introduced last board meeting from the table. Further, that it be assigned to committee of five for refinement and rewriting. That the committee consist of Board Members Debra Roberts, Tom Gregory, Randall Mackey and Richard Sadler and a staff member to be assigned by Superintendent Harrington. That the Committee consider rewriting the resolution so that the language requires that: a) kindergarten still be optional to all participants, and b) that it be particularly focused at at-risk children. That the Committee report its recommendations to the entire board in the January meeting for consideration.

Motion carried with Members Allen, Beagley, Brown, Burningham, Cannon, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Roberts and Sadler voting in favor; Member Theurer absent.

NASBE - There was excellent attendance from our Board at the annual meeting. Member Dixie Allen attended the Bullying Conference and she will be working with the staff for further implementation at a later time.

Member Bill Colbert commented that after the conference was over he talked with some of the attorneys and he felt that some of their sessions would have been nice to attend. Carol Lear indicated she would address this with NCOSEA.

Chairman Burningham reported that he had been in contact with President Elect of NASBE and they are looking at the assignments for study groups. He noted that number of board members have applied to be members of study group and they will have recommendations to us soon.

Chairman Burningham reported that there were some board members who had requested a copy of speech he presented the final night. He has copies.

Chairman Burningham reported that at the next meeting with the Governor he will mention that it is time for him to come and visit with the Board.

Chairman Burningham commented that he is excited with appointment of Chris Kearn as Deputy and our ability to increase our communications with the Governor's office has increased. It is, however, a big loss for the State Office.

Chairman Burningham reported that meetings have been held with the Governor going over the budget. We are not at liberty to say anything about it at this time, but the Governor has been reviewing the budget and his response is most positive. Another meeting is scheduled November 14<sup>th</sup> with the Governor.

Member Laurel Brown reported that the Utah Public Education Coalition has invited the Board to attend an event entitled Appreciative Inquiry, November 29 and 30 at Fort Douglas Officers Club relative to understanding ways to communicate and ask the right kind of questions especially when working with legislators, etc. They would like to have as many in attendance as we can get. She requested that Board members contact her relative to their availability to attend.

Member Brown reported that the PTA is trying to work on legislation to change the law regarding school community councils. They are concerned with is the makeup of the Councils and would like to insure parent organizations are included on the Community Council.

Member Tim Beagley indicated that a parent is already included on the Council and questioned if this would replace that person or one of the community people. He would support adding another person to the community council but would not like to see this usurp the parent position with a parent organization.

Member Mark Cluff indicated he felt the council was appropriate as they are now organized.

Chairman Burningham reported that a number of board members met with Speaker Curtis recently. He used the opportunity to float proposals he has in mind. Also, Representative Urqhart is going to meeting with he, Superintendent Harrington, Brett Moulding, Tim Beagley about being the sponsor of the math initiative legislation.

Chairman Burningham reported that it was hoped that the Board will have a meeting with Democratic Leadership within the next week.

Legislative Education Interim meetings will be held on Wednesday November 9<sup>th</sup>.

Chairman Burningham noted that a number of board members have been visiting with their legislators and he encouraged strongly to continue the visits with legislators and send to in their reports of those visits.

Chairman Burningham reported that Board leadership elections will take place in December after which the new leadership considers assignment of committees, etc.

Vice Chairman Janet Cannon reviewed the process for election of officers. She noted that we will also we will be electing a person to serve on the USBA Board of Directors in the December meeting.

Chairman Burningham indicated that it is his intent to submit a letter to be chairman again, but encouraged anyone who felt they would like to serve to do so.

Chairman Burningham indicated that there has been some interest in pursuing a student member on the board. NASBE did give quite a bit of attention to this issue in their annual meeting. He asked if the Board wished to consider it further. It was determined that Carol Lear will review statute.

Chairman Burningham reported that we had received a request from the Challenger group because they are out doing fund raising, and they wanted a letter from us. We did not want to write any kind of letter to put them in competition with us. He distributed copies of the letter to be sent.

Chairman Burningham reported that the Board will have a Christmas/Holiday Social at the end of our meeting on December 6. Not all of the details are worked out yet, but further information will be forthcoming.

Chairman Burningham distributed a proposed meeting schedule for 2006. He indicated we are considering one meeting, perhaps in May, being outside of Salt Lake City and suggested it be in Vernal. He noted that the Utah Rural Schools Conference will be held the second week in July and encouraged Board members to attend that if they have the time.

Member Dixie Allen reported that there will be a Uintah Basin Education Conference on June 7, 8 and 9. Superintendent Harrington will be a keynote speaker. Also, Anita Archer will be attending on Thursday, the 8<sup>th</sup>. She thought that might be a good time for the Board to meet in Vernal. Chairman Burningham requested that she get the information to Twila for discussion at the Board Leadership meeting. It was also noted that higher education commencement exercises are usually the first week in May.

Chairman Burningham shared the following Calendaring:

Nov 7 - meeting 3Rs group

Nov 8 - local elections

Nov 9 - Legislative interim possible meeting with Democrats

Nov 14 - Meet with Governor

Nov 14 - Education Partnership

Nov 15 - Dairy Council

Nov 17-18 - Dialogue and Democracy

Nov 22 - Mtg. With Regents on K-16 alliance

Nov 22 - Board Leadership

Nov 29-30 Partnership -

Dec 5 - Meeting with Governor

Dec 6 - Next Board meeting

Dec 8 - Education Deans Colloquium focusing on achievement gap issue.

Thanksgiving Point.

Motion was made by Member Debra G. Roberts and seconded by Member Laurel O. Brown to adjourn.

Meeting adjourned at 3:20 p.m.