

## MINUTES

April 4, 2008

Minutes of the meeting of the State Board of Education held April 4, 2008, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:15 a.m.

Chairman Richard Sadler presided.

Members present were:

Chairman Richard Sadler  
Vice Chairman Mark Cluff  
Member Dixie L. Allen  
Member Kim R. Burningham  
Member Janet A. Cannon  
Member Rosanita Cespedes  
Member Bill Colbert  
Member Thomas Gregory  
Member Greg W. Haws  
Member Michael G. Jensen  
Member Charlene Lui  
Member Randall A. Mackey  
Member Denis R. Morrill  
Member Josh Reid  
Member Debra G. Roberts  
Member Teresa L. Theurer

Members Laurel O. Brown and Richard Moss were excused.

Also present were:

Superintendent Patti Harrington  
Deputy Superintendent Larry Shumway  
Associate Superintendent Brenda Hales  
Associate Superintendent Todd Hauber  
Associate Superintendent Judy Park  
Executive Director, USOR, Don Uchida  
Public Affairs Director, Mark Peterson  
Board Secretary Twila B. Affleck

Members of the Press:

Tiffany Erickson, Deseret Morning News  
Lisa Schencker, Salt Lake Tribune  
Beth Young, Standard Examiner

Holly Langton, Utah PTA  
Patrick Lee, Fiscal Analysts Office

### Welcome and Student Achievement Spotlight

\_\_\_\_\_ Chairman Richard Sadler called the meeting to order. He excused Members Laurel O. Brown and Richard Moss.

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Member Kim R. Burningham lead the Board in the Pledge of Allegiance.

Board Member Thomas Gregory offered opening remarks using a well known prayer. “God grant me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to know the difference.” He commented on a book he has been reading has challenged his view on that. One of their arguments is that we may spend too much time seeking serenity. The premise of the book is that social problems at all levels and at any scope can be solved by changing some small hand full of high leverage behaviors. He then used examples given in the book. We sometimes confuse our means by our ends. He then changed the words of the prayer: “God grant me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to make a difference.”

The Board recognized the staff of Ridgeline Elementary School, Alpine School District for their outstanding efforts on February 13. On February 13, a fast moving snowstorm blasted northern Utah, closing roads and bringing traffic to a standstill. When buses were unable to complete their routes, the decision was made to return to the schools with the children until parents were able to come and pick them up. The last bus, which had left Ridgeline Elementary School at about 3:40 p.m., transporting 30 children, finally got back to the school at 9:30 p.m.

About 180 students, teachers, parents, and younger children ended up spending the entire night at Ridgeline Elementary School. This major undertaking was coordinated by Solonna Thomas, Principal Ken Higgins’ Teacher on Special Assignment. The school had emergency food available. Neighbors also delivered water, string cheese, crackers, fruit, and cereal for those stranded at Ridgeline. The evening was spent playing games and watching movies. The students all finally fell asleep around 11:00 p.m., sleeping in individual classrooms, separated by gender and supervised by teachers.

As the storm finally broke and roads in northern Utah County began to clear, parents began arriving to pick up their children. By Thursday morning at 6:00 a.m., there were still 100 people at Ridgeline, including 65 students, 19 faculty, 13 parents, and three small children. Eventually, everyone made it home on Thursday.

The Board recognized with thanks and commendations all the faculty and staff at Ridgeline Elementary School for handling this emergency situation in such an efficient manner. Representing the school were Salonna Thomas, Teacher on Special Assignment, Phyllis Zimmerman, Hours Secretary, both of Ridgeline Elementary and Rob Clawson, a parent who

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lives in the neighborhood that helped out greatly. A Certificate of Excellence was presented to the school.

#### Differentiated Compensation

Chairman Sadler distributed a draft letter to be sent to the team that may work on the state plan for differentiated compensation. (For complete details see General Exhibit No. 10506.)

Chairman Sadler commented that forty years ago today Martin Luther King was shot and killed. There were struggles going on for us to accept individuals of color, who were different; and yet today we are very proud of the fact that the melting pot in America has melted to some degree. Probably of anything we accept from Dr. King's example it is his great courage. Member Gregory's comments earlier about the ability to recognize what we can change, but also to be courageous. Member Roberts also made a similar statement earlier this morning. This is an important thing for us as individuals to come together to move forward with this issue.

Chairman Sadler asked if there were additional members of the Board who would like to serve on this committee. Members Dixie Allen, Mark Cluff and Denis Morrill indicated they would like to participate. Chairman Sadler requested that if there were others that they email him and let him know of their interest.

Deputy Superintendent Larry Shumway commented that one of the reasons that it is so important that this be thoroughly discussed is that the potential for the work of this group to improve the quality of instruction that Utah students receive in the classroom and thus their achievement is so significant that the Board should understand the level of commitment that this will take. Further, undertaking this, and then not being able to complete something is also a risk that should not be taken lightly. Once we start down this road, we enter into something worse than unchartered waters. This is a path that will lead to divergent feelings and opinions and it will sometimes be emotional and challenging. He cautioned that the Board be clear on the direction we are going. Also, it is important that we all have a commitment to listen and understand the concerns and develop something that will be truly collaborative and representative of all the interests. Our responsibilities as leaders is that the most effective way to help children from our positions, is to improve the quality of instruction they receive. This has been shared as the primary goal we would have of any undertaking in this area.

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Member Debra Roberts commented that it is nice to have opportunities to make a difference. She noted that those who want to comment or attend the meetings should be present and make their voices heard. This needs to be an open and collaborative process. The bottom line is effective and quality instruction in every classroom every day. We are putting the message out because of our respect and appreciation of teachers and our desire to uplift the profession and let teacher know how much we as a Board truly appreciates the dedication of their lives to such a worthy profession.

Motion was made by Member Denis R. Morrill and seconded by Member Kim R. Burningham to accept this work plan for differentiated compensation as proposed.

Member Teresa Theurer asked for clarification relative to the agenda item on differentiated compensation and the proposed work plan and work group.

Deputy Superintendent Larry Shumway noted that the agenda item addresses the differentiated compensation plans based on one-time funding for 2008-09. This work group is intended to carry on long-term.

Member Theurer further commented that there has already been \$20 million put forth for this effort, it seems that there should be some correlation between what districts are doing between now and July 1 and this group. She voiced further frustration that this process seems awkward when we haven't seen how the district plans are working while we are working on our own plan.

Motion was made by Member Greg W.Haws and seconded by Member Bill Colbert to table voting on the motion on the floor until after the discussion of the action item on the agenda on differentiated compensation.

#### Board Standing Committee Reports

##### **Law & Policy Committee**

Member Kim R. Burningham a member of the Law & Policy Committee presented the following recommendations from the Committee:

##### One-time Performance-based Compensation Plans, R277-113

The 2008 Legislature passed SB 281 that allocates \$20,000,000 for performance based compensation that distributes funding to school districts and charter schools to pay employees based on an approved plan. The plan must contain elements described in the statute

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and be approved by the Board. The new statute gives the Board authority to make rules as needed to administer this program. (For complete details see General Exhibit No. 10507.)

The Committee made the following amendments: Lines 26-28, R277-113-3 A, to read: School Districts and charter schools that elect to participate in the one-time performance based compensation program shall submit performance-based compensation plans to the Board. Plans of qualifying education entities shall include all the elements required under Section 53A-17a-148 (5) (b) (ii).

Line 48, R277-113-3 E, add an “s” to district, then add at the end: “and shall provide summary evaluations of the plans including the plans effectiveness by July 1, 2009.

Line 65, R277-113-4 E, comma at the end and add, including an assessment of the effectiveness of school district and charter school plans.

The Committee reviewed the new rule, made the above amendments and approved it on first reading and moves that the Board approve R277-113, One-time Performance-based Compensation Program on second reading. Motion carried unanimously.

Previous motion to put together a task force to look long-range at differentiated compensation.

Member Teresa Theurer suggested that we include in the letter the length of time this will take such as a year or whatever, as well as include that because of SB 281 some schools will be beginning the results from these schools will be shared.

Member Debra Roberts commented that we are looking at doing something that is not being done anywhere else in the nation. We are looking at creating standards of effective teaching and tools to evaluate those standards. This is not easy or maybe even possible, we don't know. If we can do this and do it correctly this would be remarkable.

Member Dixie Allen commented that if we are looking at educator quality standards, we may want to look at something broader than what is indicated in the draft letter.

Deputy Superintendent Larry Shumay commented that this is more instructional quality not educator quality. Chairman Sadler clarified that the letter would read differentiated compensation and instructional quality standards.

Motion carried unanimously.

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Special Educator Stipends, R277-525

The 2008 Legislature passed SB 2 that allocates funds \$2,900,000 to provide \$200 per day stipends to special educators for up to ten additional working days. The additional days are not required, so the number of days available to each educator will depend to some extent on participation. The rules required for program implementation will describe procedures required of the State Office of Education, special educators, school districts, and charter schools. (For complete details see General Exhibit No. 10508.)

The Committee requested staff to do a survey to determine the number of days actually being used so we would have that information as a guideline.

The Committee made the following amendments to the rule:

Line 45, R277-525-1 J, add at the end of the paragraph, “Days are not transferable among teachers.”

The Committee reviewed the new rule with the above amendment and approved it on first reading and moves that the Board approve R277-525, Special Educator Stipends on second reading. Motion carried unanimously.

Motion from the Committee that the maximum any one teacher could claim for this school year is three days. Motion carried unanimously.

One-time Signing Bonuses, R277-109

The 2008 Legislature passed SB 281 that allocates \$5,000,000 for one-time signing bonuses of \$1,000 to new teachers or returning teachers who have not been under contract for at least one year. The new statute gives the Board authority to make rules as needed to administer this program. (For complete details see General Exhibit No. 10509.)

The Committee reviewed the rules and made the following amendments:

Line 13, R277-109-1 A (e) strike “school administrator.”

Line 23, R277-109-2 A, a new definition to read: “Did not work as an educator” means did not work under contract in a position requiring an educator license during the 2007-2008 school year.

Line 45, R277-109-4 C, add the word “salary” after school.

Line 122, R277-109-5 E strike “on” “1” both following December and February.

R277-109-5 F strike “November” put in “December 1 and January 2.”

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The Committee reviewed the new rule with the above amendments and approved it on first reading and moves that the Board approve R277-109, One-Time Signing Bonuses on second reading. Motion carried unanimously.

Member Debra Roberts expressed appreciation to Representative Menlove for this legislation and requested that a letter of appreciation be sent to Representative Menlove from the Board. She further noted that they have been made aware that one special educator who will stay in the profession because of this legislation.

### **Finance Committee**

Member Greg W. Haws, Chairman of the Finance Committee presented the following recommendations from the Committee:

#### Oversight of School Inspections, R277-471

The revision of State Board of Education Rule R277-471 Oversight of School Inspections was an agenda item of the Finance Committee on March 7, 2008. Further revisions to the rule were brought back to the Committee for consideration.

Because some school districts and charter schools have not paid close enough attention to timely school construction inspection reporting to USOE and to local municipal and county building officials, it is recommended that State Board of Education Administrative Rule R277-471, Oversight of School Inspections be revised to include two levels of consequences for noncompliance to the rule:

1. If a school district or charter school fails to complete a required construction inspection or fails to submit a copy of an inspection summary to the Utah State Office of Education or the local governmental entity, the Utah State Office of Education shall withhold Minimum School Program funds in the same graduated manner as is specified in State Board Rule R277-484, Data Standards [R277-484-8, Financial Consequences of Failure to Submit Report on Time].
2. A non refundable penalty in the amount of one half of one percent of the total construction cost shall be withheld from a school district or charter school which fails to report projects to the Utah State Office of Education before construction begins. These funds shall be deducted from the respective school district's or charter school's Minimum School Program allotment and deposited into the School Building Revolving Loan for school districts or into the Charter School Building Revolving Loan subaccount for Charter Schools.

The Finance Committee asked that language be included that allows a school district or charter school to appeal a non-refundable penalty (paragraph R277-471-9-C) to the State

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Board of Education or the State Charter School Board. This language has been added to the rule. The Finance Committee also requested staff to verify that a non-refundable penalty is authorized under statute. (For complete details see General Exhibit No. 10510.)

The Committee reviewed the rule and approved the amendments to R277-471 and moves that the State Board of Education approve R277-471, Oversight of School Inspections on second reading. Motion carried unanimously.

#### Policy Development for School Trust Lands

During the March Finance Committee meeting, the committee requested further information about school trust lands, investment of the permanent State School Fund, the School LAND Trust Program, and representation of the State Board as beneficiary in actions affecting the corpus of this trust. The Committee specifically requested background information and proposals to develop a policy statement regarding school trust lands to include protection of the permanent State School Fund distribution policy and administration of the School LAND Trust Program.

The Committee received the requested information about the school trust lands and associated Permanent Fund to begin a discussion toward preparing a Board policy statement regarding all aspects of the school trust. (For complete details see General Exhibit No. 10511.)

The Committee directed staff to prepare a resolution that we can present to the Board next month that will define the parameters. They also asked for a report of the on-sight visits to the schools that are receiving these funds.

There was no action required.

#### Legislative Budget Summary

The Committee received a review of legislative action relating to Public Education funding for the coming year. (For complete details see General Exhibit No. 10512.)

There was no action required.

#### Public Participation/Comment

Janet Peaden a resident of Murray and the mother of three children who have graduated and one that will graduate next year. Her experience is limited to member of the PTA and a parent on the School Community Council. Mrs. Peaden spoke to the issue of class size reduction.

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Tyler Slack a member of the PTA in Tooele, has a daughter in the first grade. Mr. Slack commented that the Tooele District is doing a fabulous job. He further commented that many citizens of Utah came together and let their opinion be known on a referendum, and millions of dollars were spent believing that one way or another this would help. We let our voices be known that we cared. We continue to care to put in the time and effort into bettering our education. He indicated that class size reduction would be a focus to make a difference. Teachers have said don't raise my pay, reduce my class size.

#### Executive Session

Motion was made by Member Janet A. Cannon and seconded by Member Randall A. Mackey that the Board move into an executive session following lunch 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 following lunch at 1:00 p.m.

#### Lunch and Discussion with Larry Jardine, Chair, Utah State Building Board, and Kent Beers, Facilities Construction and Management

Mr. Kent Beers and Mr. Larry Jardine presented the Building Board Capital Development Request Evaluation Guide and other information relative to the prioritization of capital facilities requests considered by the State Building Board. The Board discussed with Mr. Beers and Mr. Jardine the prioritization of the needs for a building to house the Utah Schools for the Deaf and the Blind in the Salt Lake City area and the status of such a building.

#### Executive Session Cont.

Motion was made by Member Bill Colbert and seconded by Vice Chairman Mark Cluff to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 2:50 p.m.

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

Motion was made by Member Thomas Gregory and seconded by Member Bill Colbert to accept the Commission's recommendation and that of the hearing panel in Case No. 02-585 to reinstate the educator license of a former teacher in the Granite School District. The license was previously suspended as a result of the educator's conviction of theft in Utah Third District court. The educator stole items from teachers on school property. It was noted that the hearing report was reviewed in Executive Session. Motion carried with Members Allen,

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Burningham, Cannon, Cluff, Colbert, Gregory, Haws, Jensen, Mackey, and Theurer voting in favor; Members Morrill and Roberts absent

Motion was made by Member Thomas Gregory and seconded by Vice Chairman Mark Cluff to accept the Commission's recommendation in Case No. 07-816 to accept a stipulated agreement, including conditions of the agreement, whereby a former counselor in the Weber School District voluntarily surrenders his educator license in lieu of a hearing for purposes of suspension of his license for three years from the date of formal action by the State Board of Education. The educator must apply, have a reinstatement hearing, and the State Board of Education must determine that reinstatement is warranted. The suspension results from pleading guilty to one felony count of dealing in materials harmful to a minor. His plea will be held in abeyance for 36 months beginning January 16, 2008. Motion carried with Members Allen, Burningham, Cannon, Cluff, Colbert, Gregory, Haws, Jensen, Mackey and Theurer voting in favor; Members Morrill and Roberts absent.

(For complete details see General Exhibit No. 10513.)

**Nominating Committee for the School and Institutional Trust Lands Board of Trustees**

Motion was made by Member Dixie L. Allen and seconded by Member Michael Jensen to appoint Janet A. Cannon and Steven O. Laing to serve on the Nominating Committee for the School and Institutional Trust Lands Board of Directors. Motion carried with Members Allen, Burningham, Cannon, Cluff, Colbert, Gregory, Haws, Jensen, Mackey and Theurer voting in favor; Members Morrill and Roberts absent.

Board Standing Committee Reports Cont.

**Curriculum Committee**

Member Teresa Theurer, Chairman of the Curriculum Committee presented the following recommendations from the Committee:

Differentiated Accountability Under No Child Left Behind (NCLB)

On March 18, 2008, the Utah State Office of Education was notified by the U.S. Department of Education that it would allow greater flexibility in determining the consequences for schools that did not meet Adequate Yearly Progress (AYP). Currently, whether a school misses AYP goals by one or two factors, or misses goals by several factors, all schools that miss

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AYP are treated the same in terms of noted “failure to meet AYP” and in terms of available consequences.

The new flexibility will be granted to only 10 states, with priority given to those states that have 20% or more schools in “school improvement” (having missed AYP goals in more than one successive year). Utah has only 5% of its schools in school improvement.

The Committee discussed the issue of whether or not to apply for the additional flexibility and gauge the possible impact that SB 162 now has on the federal planning process. (For complete details see General Exhibit No. 10514.)

Motion from the Committee that the Board not apply for this additional flexibility in the differentiated accountability from NCLB. Motion carried with Members Allen, Burningham, Cannon, Cluff, Colbert, Haws, Jensen, Mackey, and Theurer voting in favor; Members Gregory, Morrill and Roberts absent.

Beverly Taylor Sorenson Elementary  
Arts Learning Program, R277-490

S.B. 2, Minimum School Program Budget Amendments, 2008 Legislative Session, created the Beverly Taylor Sorenson Elementary Arts Learning Program to provide grants to integrate arts teaching and learning into selected elementary schools. The new legislation specifically directs the Board to:

- Establish a grant program to allow school districts and charter schools to hire 50 highly qualified, full-time arts specialists to be based at 50 public schools;
- Distribute up to \$10,000 in one-time funds, as appropriated by the Legislature, for each school arts specialist to purchase supplies and equipment;
- Establish a grant program to allow ten school districts to hire arts coordinators, provided that a qualifying school district provides matching funds in an amount equal to the grant amount;
- Annually contract with an independent, qualified evaluator, selected through a request for proposals process, to evaluate the Beverly Taylor Sorenson Elementary Arts Learning Program;
- Require participating schools to partner with Utah higher education institutions that award elementary education degrees to provide professional development and leadership development for arts education;
- Make an annual report to the Education Interim Committee in 2009-2011;
- Consult with the Utah Arts Council in distributing the funds and program development.

Legislative intent language recommends that the Utah State Office of Education work with the Utah Arts Council to develop the program through a mutually agreeable arrangement.

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The new rule provides standards, procedures, and timelines for the above requirements. (For complete details see General Exhibit No. 10515.)

There were several amendments made by the Committee. (For complete details see General Exhibit No. 10516.)

The Committee reviewed and made amendments to the new rule and approved it on first reading and moves that the State Board of Education approve R277-490, Beverley Taylor Sorenson Elementary Arts Learning Program on second reading. Motion carried with Members Allen, Burningham, Cannon, Cluff, Colbert, Gregory, Haws, Jensen, Mackey, and Theurer voting in favor; Members Morrill and Roberts absent.

Critical Languages Pilot Program, R277-488

SB 80, Education Reform - Critical Languages Program, passed by the 2007 Legislature, provided funding to create a pilot program for 20 high schools in the critical need languages of Mandarin Chinese and Arabic.

SB 41S01, International Education Initiative - Critical Languages Program, passed by the 2008 Legislature, will become effective on July 1, 2008. The new law will expand the current program by 40 secondary schools (grades 7-12). The new schools added to the program may offer Mandarin Chinese, Arabic, Russian, or Farsi (Persian).

The legislation also provides funding to create a dual language pilot program which establishes an instructional model using 50 percent of instruction in English and 50 percent of instruction in another language. The program would begin in kindergarten, grade 1 or both and add an additional grade each year.

The revisions to the rule include the additional 40 secondary schools be added to the current critical language pilot program, and the creation of a dual language pilot program. (For complete details see General Exhibit No. 10517.)

The Committee amended to rule to change the date on line 204, R277-488 H, from June 1, 2007 to “annually.”

The Curriculum Committee reviewed and amended the rule as noted above, and approved it on first reading and moves that the Board approve R277-488, Critical Languages Pilot Program on second reading. Motion carried with Members Allen, Burningham, Cannon, Cluff, Colbert, Gregory, Haws, Jensen, Mackey, and Theurer voting in favor; Members Morrill and Roberts absent.

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Minority Achievement Plan - A  
Framework for Success

The Minority Student Achievement Plan was developed to provide a common and shared framework for schools, districts, parents, students, businesses, policymakers and the community to diminish and eventually eliminate the achievement gap. The plan is a comprehensive approach with a compilation of proven practices and strategies that have been successful in narrowing the achievement gap between student subgroups. While targeted interventions are necessary, the purpose of the plan is to create schools in which virtually all students are maximizing their potential and are learning at advanced achievement levels, as defined by national and state standards. The Minority Achievement Plan has been completed. The plan was submitted for comment to focus groups, including representative district administrators, universities, Utah Higher Assistance Authority, and Utah State Office of Education specialists and staff. In addition, the document has gone through a rigorous review by community members, districts, universities, and USOE staff.

The Committee reviewed the Minority Achievement Plan and made several suggested changes, and requested that staff return the document next month. (For complete details see General Exhibit No. 10518.)

State Board Drop-Out Study Group Update

In April of 2007 the Utah State Board of Education established three study groups (Drop-outs, Achievement Gap, and Increasing the WPU) to examine issues and make recommendations. Board Member Dixie Allen provided leadership to the Drop-out Study Group, and a report was provided to the Board in September 2007.

Utah State Office of Education staff have been working on recommendations from the Drop-out Study and provided the Committee with an update. (For complete details see General Exhibit No. 10519.)

The Committee received the report relative to the progress being made in addressing the recommendations of the Drop-out Study.

**Board Meeting**

Charter School Approval Process  
and Update

The Board has asked for greater clarity in the approval process for charter school authorization and matters relating to enrollment, alterations in governing boards, accountability

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provisions, and other related matters. The State Charter School Board (SCSB) is in the process of reviewing charter school applications for the 2009-2010 school year, making this item a good time to provide a charter schools update to the State Board. (For complete details see General Exhibit No. 10520.)

The Board received an update on charter school administration and on the growth of charter schools.

Motion was made by Member Teresa L. Theurer and seconded by Vice Chairman Mark Cluff to approve the process for charter school administration. Motion carried with Members Allen, Burningham, Cannon, Cluff, Colbert, Gregory, Haws, Jensen, Mackey, and Theurer voting in favor; Members Morrill and Roberts absent.

#### General Consent Calendar

Motion was made by Member Greg W. Haws and seconded by Member Michael G. Jensen to approve the General Consent Calendar as presented. Motion carried with Members Allen, Burningham, Cannon, Cluff, Gregory, Haws, Jensen, Mackey and Theurer voting in favor; Members Colbert, Morrill and Roberts absent.

#### 1. Minutes of Previous Meeting

Minutes of the Meetings of the State Board of Education held March 7, 2008.

#### 2. Contracts

The following contracts were approved by the Board:

#### (A) Clella Blakely. \$10,000. 12/15/07-9/30/08. - Fed.

To conduct administrative reviews (appeals and hearings) for Child Nutrition Programs.

#### (B) Richfield Station, Inc. Phillips Edison. \$97,315.68. 9/1/08-8/31/2013. - Amend. - Fed.

Lease for Division of Rehabilitation Services, Richfield Office located at 1100 South Highway 89, Richfield, Utah.

#### (C) Leslie Gertsch. \$55,000. 3/1/08-2/28/09. - Amend.

To provide Braille transcription services to state agencies as coordinated through DSBVI.

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(D) State of Utah Commission on Criminal and Juvenile Justice. \$50,000. 8/1/07-7/31/08 - RECEIVABLE

To provide support for the Utah Methamphetamine Joint Task Force Priority Prevention Initiative. Grant #8F21.

(E) RennuB Services, LLC. \$9,996. 4/1/08-3/31/10. Amend. - Fed.

To provide the funds for the janitorial needs of the Bountiful office 150 N. Main #103.

(For complete details see General Exhibit No. 10521.)

3. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the school districts were approved by the Board as requested. (For complete details see General Exhibit No. 10522.)

4. Elementary, Secondary, Special Education (K-12) Communication Disorders, Speech-Language Pathologists and Speech Language Technician, and Preschool Special Education Licensure, R277-504

Elements of R277-504 have recently been revised by the Board relative to speech language pathologists and technicians. However, because of the need to move expeditiously in that area, other needed changes were not made at that time. The revisions now proposed would have the effect of ensuring that the rule is aligned with other licensure rules both in substance and terminology. The rule was approved by the State Board of Education on second reading at its March 7, 2008 meeting. There have been no substantive changes to the rule since that time. (For complete details see General Exhibit No. 10523.) The Board approved R277-504, Elementary, Secondary, Special Education (K-12) Communication Disorders, Speech-Language Pathologists and Speech Language Technician, and Preschool Special Education Licensure on third and final reading.

5. Request for Variance - Alpine School District

On February 13, 2008, Ridgeline Elementary School in the Alpine School District staff and students stayed at the school all evening and overnight due to the unique circumstances related to weather. Ridgeline Elementary was then closed on Thursday, February 14. Based on these circumstances the Alpine School District, in particular, Ridgeline Elementary School, is requesting that this day not be made up. The school schedule is such that the instructional time is being met beyond the 990 hours. (For complete details see General Exhibit No. 10524.)

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The State Board of Education granted a variance to Ridgeline Elementary School in the Alpine School District for February 14, 2008 based on the above noted unique circumstances.

6. USBE Annual Calendar

The Utah State Board of Education Annual Calendar for 2008. This is provided for information to the Board. (For complete details see General Exhibit No. 10525.)

7. 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 see General Exhibit No. 10526.)

8. Ratifications

Brenda Burrell was ratified as an Educational Coordinator in the Student Achievement and School Success Division.

9. Appointment to WestEd Board of Directors

As a signatory agency to WestEd, the Utah State Board of Education can fill two positions on WestEd's Board of Directors. No action is requested for the position currently filled by Bryan Bowles.

However, action is needed regarding the position currently filled by Patti Harrington. Dr. Harrington was appointed to represent the Utah State Office of Education and her term of office will expire on May 31, 2008.

WestEd has highly recommended that Dr. Harrington be reappointed to another three-year term which would begin on June 1, 2008 and end on May 31, 2011.

The Board appointed Dr. Patti Harrington to serve on the West Ed Board of Directors for three years beginning June 1, 2008 and ending on May 31, 2011.

10. List of Applicants for Licenses

A summary of the list of applicants for initial and renewal licenses was approved by the Board. (For complete details see General Exhibit No. 10527.)

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11. Claims Report

The Claims Report in the amount of \$232,209,411.86 for February 29, 2008 was approved by the Board. (For complete details see General Exhibit No. 10528.)

Executive Officer Report

State Superintendent Patti Harrington reported on the following information items:

Information Items:

1. National Board Certification - Utah teachers qualified
2. Data accuracy and stability in the USOE.
3. Concurrent Enrollment resolution of funding issues.
4. Governor's Blue Ribbon Panel on Assessment

Discussion Items

1. Invited the Board to participate in a visit to American Fork Jr. High School in Alpine School District, April 24 at 8:00 a.m. to see the writing software demonstration and exploration.
2. Provided information relative to the meeting held with the African American Education Interest Group. This was precipitated by a letter to the Board delivered by Member Charlene Lui last board meeting. Chairman Sadler and Vice Chairman Cluff attended the meeting as well. They have three concerns: (1) The opportunity for advancement of minority members of our population in the State Office of Education; (2) The opportunity of a mentoring program in schools where there are high numbers of the black/African American population; and (3) The Board not take a veto stance on SB 2 because it includes the Upstart Program which is running in the basement of the Calvary Baptist Church. She will be visiting the preschool program at Calvary Baptist Church on April 15 at 4:30 p.m. Board members were welcomed to join her.
3. The Task Force to review math did not pass the legislative session. However, she was contacted by Senator Margaret Dayton who has indicated that informally several legislators are coming together to talk about math and asked if she would be interested in joining that group. After visiting with Chairman Sadler, she will join the group for discussion. They will be meeting next week. From what she

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has seen they will be discussing the math standards in the state and math assessment as it relates to the standards.

The Board encouraged Superintendent Harrington to carry the Boards message that they first wait to see how the Board's math curriculum is working and further that Board Members be invited to attend the meetings.

4. Associate Superintendent Todd Hauber presented an overview of legislative action relative to the Boards budget request.
5. Presented the NAEP Writing results which show some very good gains with our children in the 8<sup>th</sup> grade.
6. Presented the Legislative Summary showing who in our office is handling which matter and the required board actions for each piece of legislation that affects public education.

(For complete details of the report see General Exhibit No. 10529.)

#### Board Chairman Report

Chairman Richard Sadler presented the following items of information:

- Calendar Items (For complete details see General Exhibit No. 10530.)
- Over the past month or two he and the Superintendent have talked about strategy of where we are with No Child Left Behind (NCLB). The direction from the Board at the last meeting was to invite Secretary Spellings to Utah. Over the course of the month there has been a variety of things taking place, including some we discussed yesterday, and it has been his advice that we not invite Secretary Spellings to come.
- Yesterday we conducted a day of strategic planning and in the afternoon a discussion and information on different issues. Several board members have suggested that we need to balance a bit more what we do there. He encouraged Board members to let either he or Mark know in person or on the yellow board evaluation form, how this worked, what was good and what was not.
- Yesterday we also talked about having two or three legislative top priorities by early summer so that we could, as early as our discussion with legislators in Cedar City, begin to talk about those and have them note our top two or three priorities. To do that, we will need to move forward on this much quicker than

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we have come up with legislative priorities before. We would also appreciate your feelings on this as well since there was no vote or

- We also seemed to indicate yesterday by our discussion that we would revisit by the spring of 2009 the strategic discussion issues of yesterday with some discussion of these items, not only over the next few months, but how we are doing in accomplishing these items.
- Year Round School Conference - this was cancelled because of lack of attendance. He felt the Board needs to not only advance issues but be certain that we make some of them move ahead.
- Teaching American History Grants - Six and seven years ago the United States Congress began to award through the Secretary of Education million dollar grants to some school districts, half-million dollar grants to some districts concerning teaching American History. He has been involved in a variety of ways with a number of districts, Davis, Weber, Tooele, Jordan and a couple of others and this has lead to taking teachers on site to discuss historical kinds of issues. His summer is involved with eight trips with a variety of teachers which will necessitate his missing the next two Board meetings.
- The Board Leadership/Audit Committee has been active in looking at a variety of kinds of audits, receiving not only from our own Internal Auditor but also from the State Auditor.

Motion to adjourn was made by Member Teresa Theurer and seconded by Member Dixie Allen. Meeting adjourned at 3:30p.m.