

**MEETING MINUTES OF THE UTAH STATE BOARD OF EDUCATION
ACTING AS THE GOVERNING BOARD
FOR THE UTAH SCHOOLS FOR THE DEAF AND THE BLIND**

March 17, 2016

A meeting of the Utah State Board of Education acting as the governing board for the Utah Schools for the Deaf and the Blind (USDB Board) was held March 17, 2016 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted.

Board Members Present:

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| Chair David L. Crandall | Member Brittney Cummins |
| 1 st Vice Chair David L. Thomas | Member Linda B. Hansen |
| 2 nd Vice Chair Jennifer A. Johnson | Member Mark Huntsman |
| Member Dixie L. Allen | Member Stan Lockhart |
| Member Laura Belnap | Member Jefferson Moss |
| Member Leslie B. Castle | Member Terryl Warner |
| Member Barbara W. Corry | Member Joel Wright |

Board Members Excused:

Member Spencer Stokes

USDB Executive Staff and Board Staff Present:

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| Joel Coleman, USDB Superintendent | Letty Debenham, USDB Finance Director |
| Carolyn Lasater, USDB Associate Supt. | Lorraine Austin, Board Secretary |
| Sydnee Dickson, Interim State Superintendent of Public Instruction | Nicole Call, Assistant Attorney General |
| | Debbie Davis, Internal Audit Director |

Others Present:

Jan Ferré, Legislative Coalition for People with Disabilities; Jay Blain, Utah Education Association

Call to Order

Chair David Crandall called the meeting to order at 4:55 p.m.

Approval of Minutes

MOTION was made by Member Huntsman and seconded by Vice Chair Johnson that the Board approve the minutes of the February 4, 2016 meeting.

Motion carried unanimously.

USDB Vision Outreach Services Report

USDB Associate Superintendent Carolyn Lasater introduced Brandon Watts, Director of USDB Outreach Vision Services. Mr. Watts made a presentation about the division, whose teachers participate with local education agency teams to provide specialized instruction to students with vision impairments. Mr. Watts also led the Board in a Braille exercise and shared a song he wrote for the teachers.

Superintendent's Report

USDB Superintendent Joel Coleman reported on the following.

- USDB was treated very well by the Legislature. Steps and lanes for teachers were funded, money was appropriated to fix the school's cottages in Ogden, and money was appropriated for targeted pay increases for the school's paraprofessionals and interpreters. USDB also received \$700,000 one-time monies for a facility in Provo.
- The visit with President Cordano from Gallaudet University was fantastic, and he and Associate Superintendent Tanner will be going Gallaudet in May to follow up on language acquisition brain studies at the university and to visit the campus.
- USDB held a successful Day on the Hill during the legislative session, where two deaf and two blind classes were present.
- Ryan Odland, Regional Director for the Helen Keller Foundation, also visited and a very positive experience was had by those that interacted with him. People from national organizations are coming to visit the USDB because of the great programs offered.

- An improvement plan is being developed for the School for the Deaf and will be presented to the Board in a future meeting.

Financial Report

USDB Financial Director Letty Debenham reviewed the monthly financial report.

Member Lockhart questioned whether more is anticipated this year in the non-lapsing category. Ms. Debenham indicated the expectation is there will be more because some of the contingency fund might not be used.

Vice Chair Johnson asked why more of the USIMAC contract money hasn't been collected. Ms. Debenham responded that local education agencies aren't billed until May or June because the shipment doesn't happen until February.

Contracting Authority

A list of current USDB contracts was included in the Board meeting information. Vice Chair Johnson asked if the contracts with each school are the same. Superintendent Coleman indicated they are.

Vice Chair Johnson asked whether the contracts have been reviewed by the Attorney General's office. Superintendent Coleman responded that it hasn't been the practice, and Vice Chair Johnson advised that the contracts have A.G. review in the future. Superintendent Coleman informed that all interactions with the school districts are done under an interagency agreement.

Vice Chair Johnson asked about the long time frame of the transportation contract. Superintendent Coleman reported that the current transportation contract just expired and USDB has gone through the RFP process and entered into a new contract with Wasatch Transportation. The ten-year length of the contract is due to the vendor having to make long-term purchases. USDB did a cost-benefit analysis to look at whether an in-house system would be better, and determined it was more cost effective to use an outside contractor. Member Huntsman voiced a concern over using the same vendor, and Superintendent Coleman

explained that there were no other qualified proposals. The difficulty is in providing curb to curb service.

Emergency Rule R277-752 *Adult Students with Disabilities and Informed Consent*

Superintendent Coleman informed The Board that USDB is in a situation where a student has reached the age of majority, but does not have a legal guardian. There is currently no rule in process in place to appoint a guardian for a student that can't give consent. In federal Special Education rule, if the state had a process in place the state can appoint the parent or another responsible adult to be that student's advocate when the student can't consent to services. USDB has done everything it can as an agency to this point and is trying to facilitate the family. USDB is required, by Special Education law, to have an individualized education plan (IEP) in place for this student in the next couple of weeks.

Assistant Attorney General Nicole Call reviewed the emergency rulemaking process which allows the Board to put in place a temporary rule for up to 120 days. During that time period, a permanent rule must be put in place or the rule will lapse. An emergency rule can be enacted at this time because USDB is out of compliance with federal IDEA requirements. A process is needed for determining whether an adult student with a disability has the ability to provide informed consent on the student's educational plan if a guardian is not in place.

Member Hansen expressed concern that the Board just received the proposed rule and hasn't been able to vet the rule with stakeholders.

MOTION was made by Vice Chair Thomas and seconded by Vice Chair Johnson that the rule be brought back for further discussion in the Board's meeting tomorrow.

Motion carried unanimously.

Adjournment

The meeting adjourned at 6:00 p.m.

Lorraine Austin, Board Secretary
Minutes approved April 15, 2016