

**UTAH STATE BOARD OF EDUCATION
STUDY SESSION AND BOARD MEETING MINUTES**

June 5-6, 2014

STUDY SESSION, JUNE 5, 2014

The Utah State Board of Education held a work/study session on June 5, 2014 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

Board members present included Chair David Crandall, Dixie Allen, Kim Burningham, Keith Buswell, Leslie Castle, Freddie Cooper, Barbara Corry, Heather Groom, Dan Griffiths, Michael Jensen, Jennifer Johnson (by phone), Steven Moore, Jefferson Moss, Mark Openshaw, Debra Roberts, Dean Rowley and Terryl Warner.

Other present included Superintendent Martell Menlove, USOR Executive Director Russ Thelin, USDB Superintendent Joel Coleman, USBE staff Lorraine Austin and Emilie Wheeler; USOE staff Brenda Hales, Judy Park, Bruce Williams, Sydnee Dickson, Travis Rawlings, and Diana Suddreth; Assistant Attorney General Boyd Hawkins; Jay Blain, UEA; Laura Belnap; and Bonita Richins, CCSD.

Chair David Crandall called the meeting to order at 4:12 p.m.

Budget Workshop

The Board heard information about the FY 2015 budgets for the Utah State Office of Education, Utah State Office of Rehabilitation, and Utah Schools for the Deaf and the Blind.

Educator Licensing

Sydnee Dickson, USOE Director of Teaching and Learning, and Travis Rawlings, USOE Coordinator of Educator Licensing, reviewed the educator licensing process, discussed the Board's licensing role, and discussed future rule changes.

Secondary Mathematics Standards

Brenda Hales, Deputy Superintendent, Sydnee Dickson, USOE Director of Teaching and Learning, and Diana Suddreth, USOE Coordinator for Math 7-12 gave the Board an overview of Utah mathematics standards. They presented Information on a survey they conducted of elementary and secondary teachers regarding the math standards, and outlined some areas in which changes could be made to improve the standards and implementation of the standards. They responded to Board member questions about textbook availability and messaging to districts about textbooks, indicating that instructional materials are now available that align to the math core, and each district has the responsibility to choose those materials for their district.

Adjournment

The meeting adjourned at 9:15 p.m.

UTAH STATE BOARD OF EDUCATION MEETING, JUNE 6, 2014

A regular meeting of the Utah State Board of Education was held June 6, 2014 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted.

Board Members present:

Chair David L. Crandall	Member Marlin Jensen (non-voting)
Vice Chair David L. Thomas	Member Michael Jensen
Member Dixie L. Allen	Member Jennifer A. Johnson (by phone)
Member Kim R. Burningham	Member Steven R. Moore
Member Keith M. Buswell	Member Jefferson Moss
Member Leslie B. Castle	Member C. Mark Openshaw
Member Freddie Cooper (non-voting)	Member Debra G. Roberts
Member Barbara W. Corry	Member R. Dean Rowley (non-voting)
Member Kristin Elinkowski (non-voting)	Member Teresa L. Theurer (non-voting)
Member Dan Griffiths	Member Terryl Warner
Member Heather Groom	

Executive and Board staff present:

Martell Menlove, State Supt.	Lorraine Austin, Board Secretary
Brenda Hales, Deputy Supt.	Natalie Grange, Board Internal Auditor
Judy Park, Associate Supt.	Emilie Wheeler, Board Communications Specialist
Bruce Williams, Associate Supt.	
Joel Coleman, USDB Superintendent	

Others present:

Lydia Nuttall, parent; Deon Turley, Utah PTA; Susan Edwards, Canyons School District; Jonathan Johnson, Utah Technology Council; Gayle Ruzicka, Eagle Forum; Dawn Davies, Utah PTA; Laney Benedict, Utah PTA; Caroldean Neves, Utah PTA; LeAnn Wood, Utah PTA; Jan Ferré, LCPD; Laura Belnap; Barbara Kuehl, Salt Lake City School District; Jeff Rogers, PRA/Utah Technology Council; Rich Nelson, Overstock/Utah Technology Council; Aaron Skonnard, PluralSight/Utah Technology Council; Christy Tribe, Jr. Achievement of Utah/Utah Technology Council; Nancy Tingey, Canyons School District; Linda Hansen, parent; Jay Blain, Utah Education Association.

Opening Business

Chair David Crandall called the meeting to order at 10:47 a.m. Member Terryl Warner led those present in the Pledge of Allegiance.

Swearing in of New Member Steven Moore

Chair Crandall administered the Oath of Office to Steven R. Moore. Mr. Moore was appointed to represent the Utah College of Applied Technology Board of Trustees on the Board.

Board Member Message

Member Mark Openshaw welcomed the Board with a message about Andrew Carnegie's philosophy of finding the good in everyone and being "hearty in your approbation and lavish in your praise." Member Openshaw challenged the Board to find the things going right and give praise when there is an opportunity.

He concluded his remarks with an invocation.

Public Participation

Travis Lemon, President, National Council of Teachers of Mathematics - distributed and shared a statement from the Council encouraging the Board to stay the course in implementing the Utah Core Standards.

Richard Nelson, President, Utah Technology Council (UTC) - distributed information regarding UTC's support of the Board requiring a higher level computer science course by adopting a .5 Creative STEM requirement. He introduced members of the Council present: Jonathan Johnson, Overstock; Terry Bagley, UTC Public Policy Forum; Helen Hu, Westminster College; Brent Peterson, Comcast; Aaron Skonnard, PluralSight; and Christy Tribe, Junior Achievement.

Jonathan Johnson, Overstock - noted that he employs 1500 people in Utah, the vast majority of which are computer programmers, and emphasized that students will be better prepared the more computer literate they are.

Dawn Davies, President-elect, Utah PTA - offered the help of PTA to partner with the Board to assist parents in becoming better informed about the Utah Core Standards. She distributed the PTA Resolution: *PTA Support for Core Education Standards Based on the Common Core State Standards Initiative*.

Jan Ferré, Chair, Legislative Coalition for People with Disabilities - distributed a handout regarding the federal special education law and spoke of why the law is important.

Aaron Skonnard, PluralSight/Utah Technology Council - reported that Utah has been recognized by Forbes as being in the top five states growing technology jobs. In order for local youth to fill those jobs, they need to be exposed to technology at an earlier age. He encouraged the Board to strengthen the requirements for technology education.

Kat Smith, parent - expressed her disappointment at the direction Utah took in accepting the Common Core State Standards and her feeling that educators are forced to comply with elements attached to the Common Core.

General Consent Calendar

Motion was made by Member Openshaw and seconded by Member Allen that the Board approve the General Consent Calendar.

Member Johnson suggested that a financial report be obtained from the Utah School Boards Association to support the request for dues.

Motion carried unanimously.

General Consent Calendar

A. Minutes of Previous Meetings

Minutes of the State Board of Education meetings held April 4, 2014 and May 9, 2014 were approved.

B. Monthly Budget Report

The Board received the monthly budget report.

C. Contracts

The Board approved the following contracts:

1. Department of Administrative Services, \$108,000, 07/01/2014 to 06/30/2015, Federal, Amendment

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation, Division of Services for the Deaf and the Hard of Hearing, located at 5709 South 1500 West, Taylorsville.

2. Department of Administrative Services, \$124,027, 07/01/2014 to 06/30/2015, Federal, Amendment

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation, Division of Services for the Blind and Visually Impaired, located at 250 North 1950 West, Salt Lake City.

3. Department of Administrative Services, \$180,942, 07/01/2014 to 06/30/2015, Federal, Amendment

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation, located at 500 South 1595 West, Salt Lake City.

4. Cisco Systems, Inc., \$428,019.39, 10/31/2014 to 10/30/2019

To purchase a new phone and network system for USOE/USOR Administration.

5. Cisco System, Inc., \$618,448.91, 10/31/2014 to 10/30/2019

To purchase a new phone and network system for DRS offices.

D. Contract Reports

The Board received the following reports:

1. Contracts less than \$100,000 approved by the State Superintendent or USOR Director.
2. Contracts with renewals within the next six months.

E. Utah School Boards Association Dues

The Board approved payment of membership dues of \$1,500 to the Utah School Boards Association for 2014-2015.

F. R277-462 Comprehensive Counseling and Guidance Program

In its May 9, 2014 meeting, the Board approved amendments to R77-462 and

continued the rule on second reading.

The Board approved R277-462 *Comprehensive Counseling and Guidance Program*, as amended, and continuation of the rule, on third and final reading.

G. R277-463 Class Size Average and Pupil-teacher Ratio Reporting

In its May 9, 2014 meeting, the Board approved amendments to R277-463, and continued the rule, on second reading

The Board approved R277-463 *Class Size Average and Pupil-teacher Ratio Reporting*, as amended, and continuation of the rule, on third and final reading.

H. R277-470 Charter School – General Provisions

In its May 9, 2014 meeting, the Board approved amendments to R277-470 on second reading.

The Board approved R277-470 *Charter School – General Provisions* on third and final reading.

I. R277-472 Charter School Student Enrollment and Transfers and School District Capacity Information

In its May 9, 2014 meeting, the Board approved amendments to R277-472, and continuation of the rule, on second reading.

The Board approved R277-472 *Charter School Student Enrollment and Transfers and School District Capacity Information*, as amended, and continuation of the rule, on third and final reading.

J. R277-480 Charter School Revolving Account

In its May 9, 2014 meeting, the Board approved amendments to R277-480, and continuation of the rule, on second reading.

The Board approved R277-480 *Charter School Revolving Account*, as amended, and continuation of the rule, on third and final reading.

K. R277-516 Education Employee Required Reports of Arrests and Required Background Check Policies for Non-licensed Employees

In its May 9, 2014 meeting, R277-516 was approved for continuation on second

reading in accordance with the Utah Administrative Rulemaking Act five-year review requirement.

The Board approved continuation of R277-516 *Education Employee Required Reports of Arrests and Required Background Check Policies for Non-licensed Employees* on third and final reading.

L. R277-602-3 *Special Needs Scholarships—Funding Procedures*

In its May 9, 2014 meeting, the Board approved amendments to R277-602-3 on second reading.

The Board approved R277-602-3 *Special Needs Scholarships—Funding Procedures*, as amended, on third and final reading.

M. R277-710 *Intergenerational Poverty Interventions in Public Schools*

In its May 9, 2014 meeting, the Board approved new rule R277-714 on second reading.

The Board approved new rule R277-710 *Intergenerational Poverty Interventions in Public Schools* on third and final reading.

N. R277-714 *Dissemination of Information About Juvenile Offenders*

In its May 9, 2014 meeting, the Board approved continuation of R277-714 on second reading, in accordance with the Utah Administrative Rulemaking Act five-year review requirement.

The Board approved continuation of R277-714 *Dissemination of Information About Juvenile Offenders* on third and final reading.

O. R277-719 *Standards for Selling Foods Outside of the Reimbursable Meal in Schools*

In its May 9, 2014 meeting, the Board approved amendments to R277-719 on second reading.

The Board approved R277-719 *Standards for Selling Foods Outside of the Reimbursable Meal in Schools*, as amended, on third and final reading.

P. R277-800 *Utah Schools for the Deaf and the Blind*

In its May 9, 2014 meeting, the Board approved continuation of R277-800 on second reading, in accordance with the Utah Administrative Rulemaking Act five-year review requirement.

The Board approved continuation of R277-800 *Utah Schools for the Deaf and the Blind* on third and final reading.

Q. Utah Instructional Materials Commission Recommendations

The Utah State Instructional Materials Commission (UIMC) met on May 12, 2014 and approved 148 records of titles for recommendation to the Board. 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 UIMC recommendations and directed staff to award contracts to the various publishers.

R. State Board Appointee Terms of Office

The Board approved terms of appointment for Board appointees as listed below:

Organization	Appointee	Term
State Rehabilitation Council	Deja Powell Sandy Terry	Present to 9/30/17 Present to 9/30/17
Utah Statewide Independent Living Council	Faye Elaine Clausen Robert Ferris	5/9/14 to 9/30/16 5/9/14 to 9/30/15
USDB Advisory Council	Donald Lively Ben Springer	7/1/14 to 6/30/15 7/1/14 to 6/30/16
Utah Education and Telehealth Network Board	Ben Dalton (appointed in April) Cindy Nagasawa-Cruz	6/1/14 to 6/30/18 6/1/14 to 6/30/18

S. MyOptions Technical Corrections

In its May 9, 2014 meeting, the Board approved the charter for new school MyOptions, for 400 students K-12 for the 2015-2016 school year.

The Board approved the following technical corrections to the MyOptions charter to be consistent with the State Charter School Board approval:

400 students K-8, 2015-2016

+100 students and grades 9-12, 2016-2017

T. Ratification of Hiring

The Board ratified the hiring of Brian Olmstead as an Education Specialist for Adult Education/Corrections.

U. List of Educator Licenses Processed

The Board received a summary of the total number of educator licenses and license areas processed in May 2014.

Superintendent's Report

Human Resources staff member Susan May introduced the following new employees: Lisa McComb, JoEllen Shaeffer, Steve Kaelin, Brian Olmstead, Gary Bronson, Casey Child, Bill Clyde, Emily Dietrich, Mike Wassmer and April Bey.

Superintendent Menlove reported on the following.

- An update on communications with the U.S. Department of Education was given.
- Efforts on holding hearings for the Library Media Standards were reported.
- Upcoming Interim Committee meetings were reviewed.
- The Superintendent reported that he has met with the USOE Transportation Specialist regarding a school bus accident where a student was killed. There is an ongoing investigation, and a transportation committee has been formed that will determine whether changes are needed in transportation guidelines.
- Dr. Menlove noted that in response to the report on the Utah Professional Practices Advisory Commission (UPPAC) completed by Kirton McConkie, there will be a change in material submitted to the Board for its review of UPPAC cases.
- It was reported that USOE staff members have met with officers of UEA regarding their concerns about the SAGE testing, and staff will continue to work with them to address those concerns.
- Associate Superintendent Judy Park presented information regarding a SAGE College and Career Readiness Study the USOE is proposing, working with several universities to validate the claim that SAGE results demonstrate college and career

- readiness. Higher education students would be paid through AIR to participate in the study. Member Moss expressed his preference that the money not be distributed through AIR.
- Dr. Park also shared information about the SAGE standard setting process which will take place August 11-15, and invited Board members to participate. A stakeholders meeting will be held on August 18.
 - The State Board of Education Nominating Committee held interviews for Board candidates this week, and the names of all Board incumbents that are running will be forwarded to the Governor for consideration for placement on the ballot.
 - New district superintendents and a regional service center director taking office July 1, 2014 were announced.
 - Letters of congratulations have been sent to Utah scholars and distinguished teachers honored in the U.S. Presidential Scholars Program.
 - Upcoming modifications to the Board of Education building were reported.

Board Graduation Initiative

Deputy Superintendent Brenda Hales reviewed with the Board a draft of the State Board of Education High School Graduation Proposals, which is a consolidation of the recommendations of all the Board's graduation initiative subcommittees. She noted that district superintendents are not supportive of the State Board Diploma as outlined.

Member Theurer mentioned that parents and counselors need to be aware that when their children opt out of Math III they are no longer eligible for the Regents Scholarship.

MOTION was made by Member Johnson and seconded by Member Moss that the Board approve a change in graduation requirements, as proposed by the Board's Digital Literacy Task Force, to allow Computer Science to be used as a Core Science credit, and for other Board-approved courses, such as Creative STEM, Exploring Computer Science, Website Design, Graphic Design, and Game Development, to be counted toward the required .5 Computer Technology credit, effective immediately; and for the Board to hold a study session to look at other graduation requirements.

MOTION was made by Member Roberts that the question be divided. Without objection, the question was divided.

Motion to allow Computer Science to be used as a Core Science credit, effective immediately, carried; Members Griffiths and Openshaw absent.

Motion to allow Board-approved courses to be counted toward the required .5 Computer Technology credit, effective immediately, carried; Members Griffiths and Openshaw absent.

The Board considered the motion for the Board to study all other graduation initiative recommendations in a separate meeting.

MOTION to amend was made by Member Roberts and seconded by Member Allen that the graduation initiative recommendations be studied in relation to the Board's legislative agenda, with necessary funding determined prior to the study. Motion to amend carried.

Motion carried; Members Griffiths and Openshaw absent.

Utah Professional Practices Advisory Commission (UPPAC) Recommendations

MOTION was made by Member Allen and seconded by Member Corry that the Board accept the UPPAC recommendation in Case No 12-1084 and suspend the educator's Level 2 Secondary Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than one year from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried; Members Griffiths and Openshaw absent.

MOTION was made by Member Allen and seconded by Member Corry that the Board accept the UPPAC recommendation in Case No. 13-1132 and suspend the educator's Level 2 Elementary Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than four years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried, with Member Castle opposed. Members Griffiths and Openshaw absent.

Executive Session

MOTION was made by Member Buswell and seconded by Member Corry that the Board go into Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of individuals.

Upon voice vote of those voting members present, the Board moved into Executive Session, following lunch, at 1:40 p.m.

Those present included Members Allen, Burningham, Buswell, Castle, Cooper, Corry, Crandall, Elinkowski, Groom, Marlin Jensen, Michael Jensen, Roberts, Rowley, Theurer, Thomas, and Warner; and Martell Menlove, Brenda Hales, Lorraine Austin, Boyd Hawkins, Joel Coleman, Mike Tribe, Heidi Alder and Rachel Terry. Member Griffiths returned to the meeting partway through Executive Session.

MOTION was made by Member Buswell and seconded by Member Jensen that the Board move into open session.

Motion carried. The Board reconvened in open meeting at 2:10 p.m.

Executive Session Items

Appointments

MOTION was made by Member Corry and seconded by Member Allen that the Board appoint the following to the State Rehabilitation Council for terms October 2014 through September 2017: Ronald Campbell, representing community rehabilitation providers; James Harvey and Melissa Freigang, representing business, industry and labor; Corrina Trujillo-Tanner and Amberley Snyder, representing consumers; Robyn Chidester, representing the Parent Center; and Susan Loving, representing the Utah State Office of Education.

Motion carried; Members Johnson and Openshaw absent.

MOTION was made by Member Burningham and seconded by Member Allen that the Board appoint Hiram Alba to the Coalition of Minorities Advisory Committee, representing

Hispanic/Latino Americans, for a term ending December 2014.

Motion carried; Members Johnson and Openshaw absent.

MOTION was made by Member Castle and seconded by Member Allen that the Board appoint Dr. James Kahn and Member Terryl Warner to the School Safety Tip Line Commission.

Motion carried; Members Johnson and Openshaw absent.

Elementary and Secondary Education Act (ESEA) Flexibility Waiver Extension

USOE Title I Programs Director Karl Wilson and Associate Superintendent Judy Park made a presentation on what is required for assessment and accountability from Utah statute, the federal No Child Left Behind Act, and the ESEA flexibility waiver.

Vice Chair Thomas raised several questions regarding the consequences of not applying for a waiver including what happens if a school is not a Title I school and fails Adequate Yearly Progress (AYP) under NCLB, the 30 percent of Title I funding that would have to be set aside for failing schools, contracting for supplemental services, financial impacts and turnaround models. Other issues discussed were how other states that have not had a waiver have been affected and the potential for putting pressure on Congress to reauthorize ESEA by states not applying for waivers. It was requested that staff prepare an accurate assessment of the financial consequences of not applying for a waiver.

Staff responded to questions and expressed that the waiver has allowed states to take control of their accountability systems and take control of their own improvement methodology. Without the waiver, Utah will be subject to all the provisions under NCLB, including reverting back to AYP and setting aside 30 percent of Title I monies.

MOTION was made by Member Allen and seconded by Member Burningham that the Board give staff authorization to apply for the ESEA flexibility waiver.

MOTION TO POSTPONE INDEFINITELY was made by Member Johnson and seconded by Member Moss.

Motion to postpone carried, with Members Castle, Crandall, Griffiths, Groom, Jensen, Johnson, Moss, Openshaw and Thomas in favor, and Members Allen, Burningham, Buswell, Corry, Roberts and Warner opposed.

Secondary Mathematics Standards

MOTION was made by Member Moss and seconded by Member Openshaw that the Utah State Board of Education reaffirm that all decisions regarding the choice of curriculum and pedagogy are solely at the discretion and responsibility of the local education agency. The State Office of Education and State Board of Education may provide recommendations, but cannot mandate either curriculum or pedagogy to any local education agency.

MOTION TO AMEND was made by Member Thomas that the word “cannot” be changed to “will not.” Without objection, the motion was amended.

Motion carried unanimously.

MOTION was made by Member Moss and seconded by Member Thomas that the Board, with the support of the staff, discuss allowing districts the option to choose between the international and traditional model for mathematics.

Concern was expressed that if the Board continues to leave it open for discussion, districts may not feel comfortable purchasing textbooks for next year. It could also send a message that the Board doesn’t believe in the model it has adopted. A response was given that Utah is one of the few states that has adopted the model and that may cause problems for students that move to other states. Dr. Menlove reported that district superintendents and curriculum directors are not in favor of a change. Member Moss indicated that the discussion could take place later in the year.

MOTION TO POSTPONE INDEFINITELY was made by Member Openshaw and seconded by member Allen.

Member Moss supported the motion as long as it comes back in a future meeting.

Motion to postpone carried unanimously.

MOTION was made by Member Roberts that discussion of a rule that would require local districts to create a policy regarding parental review of curriculum be placed on a future agenda.

Chair Crandall responded that without objection, the item will be placed on the August Board meeting agenda.

Board Legislative Priorities

Superintendent Menlove reviewed a list of possible Board legislative priorities for the 2015 Legislative Session.

Vice Chair Thomas reported that he and Chair Crandall have met with House and Senate leadership and Governor Herbert regarding working together on a technology initiative.

MOTION was made by Member Thomas and seconded by Member Roberts that the Board identify a technology initiative as one its top priorities and direct Board leadership to work with the Governor and House and Senate leadership to craft a bill that can be supported by all.

Member Roberts expressed a concern that local districts haven't been included in the discussions. Vice Chair Thomas responded that he listed the Board's constitutional partners in the motion, but recognizes that local districts and charter schools need to be on board.

Motion carried unanimously; Member Jensen absent.

MOTION was made by Member Burningham and seconded by Member Allen that the Board identify middle level math, 3rd grade reading, and increasing the graduation rate as top priorities, with professional development as the chief concern.

MOTION TO DIVIDE was made by Member Thomas. Without objection, the motion was divided.

Motion to identify middle level math was considered.

MOTION TO AMEND was made by Member Thomas that middle level math be defined as grades 4-6 professional development and other alternatives.

Motion to amend carried; Member Jensen absent.

Motion carried.

Motion to identify 3rd grade reading as a top priority carried; Member Jensen absent.

Motion to identify increasing the graduation rate as a top priority was considered.

MOTION TO AMEND was made by Member Roberts that the Board prioritize a graduation initiative for the purpose of increasing the graduation rate.

Motion to amend carried.

Motion carried unanimously.

MOTION was made by Member Johnson and seconded by Member Openshaw that the Board prioritize a joint study of the Utah State Office of Rehabilitation by the Board, Governor, and Legislature, and authorize Board leadership to work with the legislature to find a way to best facilitate a study of USOR governance.

Motion carried, with Members Castle, Crandall, Griffiths, Groom, Johnson, Moss, Openshaw and Thomas in favor, and Members Allen, Burningham, Buswell, Corry, Jensen, Roberts and Warner opposed.

MOTION was made by Member Warner that the Board identify as a priority increased professional development opportunities.

Motion carried unanimously.

Member Griffiths expressed his feeling that one of the ways to close the structural funding gap is to consider public lands and funding sources there. He requested a discussion at a future meeting.

MOTION was made by Member Johnson and seconded by Member Corry that the Board prioritize a study of the statutory mandates required of the Board.

Motion carried, with Members Buswell, Castle, Crandall, Griffiths, Johnson, Moss, Openshaw and Thomas in favor, and Members Burningham, Corry, Groom, Jensen, Roberts and Warner opposed. Member Allen absent.

Other recommendations for future discussion included class size, staff compensation, and recommendations from the Board's UPPAC Review Task Force.

Standing Committee Reports

FINANCE COMMITTEE

Committee Vice Chair Dan Griffiths reported on the following items from the Committee.

Utah State Office of Education (USOE), Utah State Office of Rehabilitation (USOR), and Utah Schools for the Deaf and the Blind (USDB) FY2015 Operating Budgets

Associate Superintendent Bruce Williams and his staff were thanked for their work in preparing the FY 2015 budgets. A concern was expressed by the Committee that the budget process doesn't allow for the Board to establish its budget priorities.

MOTION from Committee that the Board approve the FY 2015 operating budgets for USOE, USOR, and USDB and direct staff to move forward with the appropriated 1 percent employee cost of living allowance and benefit increases, and to use the .25% increase for retention adjustments, focusing primarily on the Information Technology section; also, to have the full Board prioritize at a future meeting five additional budget items: 1) Board attorney, 2) associate superintendent; 3) internal auditor; 4) superintendent salary negotiations; and 5) USOE recruitment and retention.

Motion carried; Member Allen absent.

It was noted that the discretionary budget has been tidied up as directed by the Board. The IT Performance Audit will be added.

R277-113-4 LEA Fiscal Policies and Accountability—LEA Responsibilities

S.B. 93 *Internal Audit Amendments*, passed in the 2014 Legislative Session, requires that LEAs establish an audit committee, and that the audit committee members cannot be administrators or employees of the LEA. Clarifications to R277-113-4 were presented to make the rule consistent with statute.

The Committee approved amendments to R277-113-4 *LEA Fiscal Policies and Accountability—LEA Responsibilities* on first reading.

MOTION from Committee that the Board approve R277-113-4, as amended, on second reading.

Motion carried; Member Allen absent.

MOTION from Committee that the Board prohibit USBE internal auditors from contracting with LEAS to provide LEA internal auditing services.

Motion carried; Member Allen absent.

R277-419-9 Pupil Accounting—Provisions for Maintaining Student Membership and Enrollment

Documentation and Documentation of Student Education Services Provided by Third Party Vendors for School Year 2014-2015

Rule R277-419-9 was proposed as an emergency rule to provide guidance for student membership and enrollment documentation to LEAs for the 2014-2015 school year only. The emergency provision requires State Superintendent approval of nontraditional programs managed solely by third party contractors. It also requires LEAs to establish a written monitoring plan to ensure compliance with law and Board rule for nontraditional programs managed by a contractor.

An updated rule was distributed.

The Committee passed on first reading emergency rule R277-419-9 *Pupil Accounting—Provisions for Maintaining Student Membership and Enrollment Documentation and Documentation of Student Education Services Provided by Third Party Vendors for School Year 2014-2015* with the following amendments:

- Section J, Line 90 - change to read: “compliance with, at a minimum . . .”
- Section J(1), Line 92 - change to read: “requirements of R277-419 are met;”
- Section J(5), Line 101 - change to read: “(5) all required statewide assessments were given . . .”
- Section J(6), Line 104 - change to read: “(6) LEA has developed a written . . .”
- Section J(7), Line 106 - change to read: “(7) LEA has maintained documentation of the supervisory activities . . .”

MOTION from Committee that the Board approve emergency rule R277-419-9, as amended, on second and third readings.

It was clarified that the rule will go into effect immediately, but without further action, will sunset in 120 days. Dr. Menlove explained that the rule needs to go into effect now to impact next school year.

MOTION TO AMEND was made by Member Warner that the rule include a statement that LEAs cannot enter into contracts with vendors where financial incentives are given to families.

As it was felt more information was needed before including this statement, Member

Warner withdrew the motion.

Motion carried; Member Allen absent.

R277-400 School Emergency Response Plans

Rule R277-400 was amended in response to SB 215 *Public School Comprehensive Emergency Response Plan Amendments* passed in the 2014 Legislative Session. The Committee approved amendments to R277-400 *School Emergency Response Plans* on first reading.

MOTION from Committee that the Board approve R277-400, as amended, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-471 Oversight of School Inspections

Discussion on the rule was postponed to a future meeting.

Indirect Cost Pool

Discussion on the Indirect Cost Pool was postponed to a future meeting.

Other Items

The Committee requested that Superintendent Menlove request an A.G. opinion on what kinds of investments SITLA can make.

LAW AND LICENSING COMMITTEE

Committee Chair Mark Openshaw reported on the following items from the Committee.

New Charter School Application for 2015-2016 – Athenian eAcademy

MOTION from Committee that the Board accept the recommendation from the State Charter School Board and approve Athenian eAcademy to open in fall 2015.

Motion carried; Members Allen and Johnson absent.

American Preparatory Academy Charter Amendment Request

MOTION from Committee that the Board accept the recommendation of the State Charter School Board and approve American Preparatory Academy's request to modify its charter to add 600 kindergarten students at its Draper #1 campus in fall 2015 as outlined in its amendment request.

Motion carried, with Members Burningham, Buswell, Castle, Crandall, Groom, Moss, Openshaw, Roberts and Warner in favor, and Members Corry, Griffiths, Jensen and Thomas opposed. Members Allen and Johnson absent.

Syracuse Arts Academy Charter Amendment Request

MOTION from Committee that the Board accept the recommendation of the State Charter School Board and approve Syracuse Arts Academy's request to modify its charter to open a satellite campus in Syracuse in fall 2015 serving 728 students in K-6.

Motion carried; Members Allen and Johnson absent.

DaVinci Academy Charter Amendment Request

MOTION from Committee that the Board approve DaVinci Academy's request to begin an online education pilot program with the following conditions: 1) the school will regularly report to the State Charter School Board as outlined in a letter that will be sent to them; and 2) the contract (currently in the RFP process) with an online vendor will specify that the vendor will not give cash or other financial incentives (e.g. iPads, gift cards, etc.) to students' families.

Member Burningham reported that the school verbally agreed they would not allow pay backs.

Motion carried; Members Allen and Johnson absent.

Summit Academy Charter Amendment Request

MOTION from Committee that the Board accept the recommendation of the State Charter School Board and approve Summit Academy's request to modify its charter to open a second satellite campus in Bluffdale in fall 2015 serving 700 students in K-6, add grade 7 and

100 students in fall 2016, and add grade 8 and 200 students in fall 2017.

Chair Crandall disclosed that he is a member of the Summit Academy governing board.

Motion carried. Members Allen and Johnson absent.

R277-502-5 Educator Licensing and Data Retention – Professional Educator License Areas of Concentration, and Endorsements and Under-qualified Employees

Rule R277-502-5 was amended in response to HB 150 *Science, Technology, Engineering, and Mathematics Amendments*, passed in the 2014 Legislative Session.

The Committee approved amendments to R277-502-5 *Educator Licensing and Data Retention – Professional Educator License Areas of Concentration, and Endorsements and Under-qualified Employees* on first reading.

MOTION from Committee that the Board approve R277-502-5, as amended, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-531 Public Educator Evaluation Requirements (PEER)

Rule R277-531 was amended in response to S.B. 101 *Public Education Human Resource Management Amendments* passed in the 2014 Legislative Session. The Committee approved amendments to R277-531 *Public Educator Evaluation Requirements (PEER)* on first reading.

MOTION from Committee that the Board approve R277-531, as amended, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-532-3 Local Board Policies for Evaluation of Non-licensed Public Education Employees (Classified Employees)—School District Policies

Rule R277-532-3 was amended in response to S.B. 101 *Public Education Human Resource Management Amendments* passed in the 2014 Legislative Session. The Committee approved amendments to R277-532-3 *Local Board Policies for Evaluation of Non-licensed Public Education Employees (Classified Employees)—School District Policies* on first reading.

MOTION from Committee that the Board approve R277-532-3, as amended, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-607 Truancy Prevention

Rule R277-607 was amended to change terminology to make the rule consistent with other Board rules. The rule as it existed is consistent with H.B. 399 *Truancy Amendments*, 2014 Legislative Session.

The Committee approved on first reading amendments to R277-607 *Truancy Prevention*, and continuation of the rule consistent with the Utah Administrative Rulemaking Act five-year review requirement.

MOTION from Committee that the Board approve R277-607, as amended, and continuation of the rule, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-706 Public Education Regional Service Centers

Rule R277-706 was amended to make it consistent with H.B. 92 *Utah Education and Telehealth Network Amendments*, passed in the 2014 Legislative Session.

The Committee approved on second reading amendments to R277-706 *Public Education Regional Service Centers* and continuation of the rule.

MOTION from Committee that the Board approve R277-706, as amended, and continuation of the rule, on second reading.

Motion carried; Members Allen and Johnson absent.

STANDARDS AND ASSESSMENT COMMITTEE

Committee Vice Chair Barbara Corry reported on the following items from the Committee.

Alternative Schools Accountability

In S.B. 209 *School Grading Revisions* passed in the 2014 Legislative Session, Utah alternative schools are exempted from school grading. The legislation requires the Board to approve an accountability plan for alternative schools.

The Committee reviewed and approved a proposed Utah Comprehensive Accountability System for Alternative Schools.

MOTION from Committee that the Board approve the Utah Comprehensive Accountability System for Alternative Schools as presented.

Motion carried; Members Allen and Johnson absent.

R277-402 School Readiness Initiative

New rule R277-402 was created in response to H.B. 96 *Utah School Readiness Initiative* passed in the 2014 Legislative Session. The new rule provides procedures for the Board to solicit proposals to fund grants for qualifying early childhood programs, make recommendations to the School Readiness Board about funding the applications, and monitor and evaluate the program.

The Committee approved on first reading R277-402 *School Readiness Initiative 4-1*, with Chair Crandall opposed.

MOTION from Committee that the Board approve new rule R277-402 on second reading.

Motion carried; Members Allen and Johnson absent.

School Readiness Initiative Grant Recommendations

H.B. 96 *Utah School Readiness Initiative*, passed in the 2014 Legislative Session, provides grants to high-quality early childhood education programs that serve students who are developing typically. The bill requires the Board to solicit proposals from qualifying early childhood programs and make recommendations for funding priority to the School Readiness Board, based on a scoring rubric.

The Committee reviewed recommendations for grant funding priority based on a scoring rubric from an expert committee.

MOTION from Committee that the Board approve the list [top four qualifying early childhood programs] as ordered based on the point total by the expert committee and send the list to the School Readiness Board.

The four names to be forwarded are Washington School District, Salt Lake City School District, Canyons School District and Davis School District.

Motion carried; Members Allen and Johnson absent.

R280-203 Certification Requirements for Interpreters for the Hearing Impaired

Rule R280-203 was reviewed consistent with the Utah Administrative Rulemaking Act five-year review requirement, and was amended to provide for changes since 2003, when last amended.

The Committee approved on first reading continuation of R277-203 *Certification Requirements for Interpreters for the Hearing Impaired*, and amendments to the rule as presented, with the following additional amendments:

- Section 1B, line 8 - change "(ALS)" to "(ASL)."
- Section 5A - delete lines 68 through 71 following "53A-26a-502."

MOTION from Committee that the Board approve R280-203, as amended, and continuation of the rule, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-619 Student Leadership Skills Development

Rule R277-619 was amended in response to S.B. 131 *Student Leadership Skills Development* passed in the 2014 Legislative Session. The Committee approved amendments to R277-619 *Student Leadership Skills Development* on first reading.

MOTION from Committee that the Board approve R277-619, as amended, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-620 Suicide Prevention Programs

Rule R277-620 was amended in response to H.B. 329 *Programs for Youth Protection* passed in the 2014 Legislative Session. The Committee approved amendments to R277-620 *Suicide Prevention Programs* on first reading.

MOTION from Committee that the Board approve R277-620, as amended, on second reading.

Motion carried; Members Allen and Johnson absent.

R277-704 *Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports*

Rule R277-704 was amended in response to S.B. 40 *Financial and Economic Literacy Amendments* passed in the 2014 Legislative Session.

The Committee approved on first reading the proposed amendments to R277-704 *Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports*, and made the following additional amendments:

Section 5A, line 111 and Section 5B, line 120 - replace "USOE" with "Board."

MOTION from Committee that the Board approve R277-704, as amended, on second reading.

Motion carried; Members Allen, Johnson, and Openshaw absent.

K-12 Science Standards Review and Revision Process

The Committee received information from USOE staff regarding the K-12 Science Standards revision process.

Board Chair's Report

At the request of Chair Crandall, Superintendent Menlove reviewed an issue regarding the contract approval process. He indicated that before a contract is awarded, a committee reviews the contract, then makes recommendations to State Purchasing. Once the recommendation is made, State Purchasing contracts with the vendor and makes contract negotiations. They also contact vendors that did not receive the award and give seven days to

protest. Once the seven days is passed, the contract is awarded. The issue for the Board is that for contracts over \$100,000, because a contract cannot be discussed in open meeting until it is awarded and it does not fit the parameters for discussion in closed meeting, the Board does not see the contract until after it has been awarded.

Superintendent Menlove suggested that once the committee has made a decision, they notify him prior to going to State Purchasing and he will notify Board leadership. Board leadership will give permission for the committee to move forward, realizing that the contract is contingent on final approval by the Board.

Board Member Closing Comments

Member Moss reported that the Superintendent Search Committee held a brief meeting last night. The Committee determined that when an individual is nominated for the Superintendent position, the nomination should be forwarded to the Board Secretary and she will forward the name to the recruiter. Board members were encouraged to reach out to individuals and make nominations.

Adjournment

MOTION was made by Member Groom and seconded by Member Openshaw that the meeting adjourn.

Motion carried. The meeting adjourned at 5:38 p.m.

Lorraine Austin, Board Secretary
Minutes approved July 17, 2014