

Utah State Board of Education

Minutes - January 15, 1998

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held January 15, 1998, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:45 a.m. Board Chairman Katharine B. Garff presided.

Members present were: Chairman Katharine B. Garff, Vice Chairman John L. Watson, Member Linnea S. Barney, Member Neola Brown, Member Janet A. Cannon, Member Lynn Haslem, Member Susan C. Henshaw, Member C. Grant Hurst, Member Boyd F. Jensen, Member Jill G. Kennedy, Member Kay McDonough, Member Joyce W. Richards, Member Marilyn Shields, Member Waynette Steel. Member Cheryl Ferrin was excused.

Also present were: Executive Officer Scott W. Bean; Deputy Superintendent Laurie A. Chivers; Associate Superintendent Robert O. Brems; Associate Superintendent Steven O. Laing; Associate Superintendent Jerry P. Peterson; USOR Executive Director Blaine Petersen; Public Information Officer Eileen Rencher; Board Secretary Twila B. Affleck

Also present for portions of the Board meeting were:

. . . Members of the Press: Jennefer Toomer-Cook, Deseret News; Kathy Kapos, Salt Lake Tribune;

. . . [Others:] Gary Cameron, Southeast ATCSR; Mike Bouwhuis, Superintendent, Davis ATC; Con Rowley, Governor's Office; Susan M. Kuziak, Utah Education Association; Dave Moore, Ogden High School; Leslie Moore, Ogden High School; Blake Moore, Ogden, High School; Susan Myers, Gibbs Smith Publisher; John Mdormick, Citizen

. . . Members, State Office of Education Staff: Laura Vernon, Applied Technology; Pat Smart, Applied Technology; Lynn Jensen, Applied Technology; Tim Leffel, Agency Services; Shawna Stewart, Instructional Services; Shelley Kelson, Instructional Services; Jan Tyler, Planning & Project Services; Barbara Lawrence, Instructional Services; Shannon Bittler, Joint Liaison Committee; Rebecca Donovan, Instructional Services; Mae Taylor-Sweeten, Instructional Services; Ron Stanfield, Planning & Project Services; Max Jensen, Agency Services.

The Board repeated the Pledge of Allegiance. Board Member Neola Brown offered the invocation. Board secretary Twila B. Affleck recorded the minutes. Chairman Garff excused Board Member Cheryl Ferrin from the meeting.

Introduction of Staff

Associate Superintendent Robert O. Brems introduced the Curriculum and Student Services Sections in the Applied Technology Education Division.

Executive Officer Report

Superintendent Scott W. Bean presented the following items of information:

Education Week Report -- The *Education Week* report gets misconstrued because they are trying to make comparisons on national or local statistics and then assigning grades to them. Dr. Bean indicated that these grades are *Education Week* grades based on their own criteria and they don't have much meaning for us. Dr. Bean continued with two extremes, one indicated that Utah gets and F in classroom climate. That is based on the pupil teacher ratio and other factors over which we don't have any control because it is financial. Another one indicated that we got a B for the percentage of budget that goes into instruction, 67.2%, which was second highest in the nation. This types of grading creates a lot of misinformation and misunderstanding. This represents one of the worst cases of taking data and then putting their own spin on it. Dr. Bean noted that when you look at things this way no one gets very good grades, as they interpret it.

Dr. Bean reported that it is the same situation with the Utah Taxpayers Association grades for districts. It has no basic value or meaning because you are taking statistics and then all at once you are moving statistics or in some cases perceptions of students about how they feel about things and then assigning a grade to it, it doesn't have much use.

Dr. Bean complimented both Kathy Kapos and Jennefer Toomer-Cook on their articles in the *Tribune* and *Deseret News* respectively. However, the editor or whomever wrote the headline on the story in the *Tribune* made a mistake. The headline was "Utah's School Failings," but what readers saw is that Utah schools are failing. Dr. Bean indicated that the *Tribune* later had a positive editorial about the things that are good.

Home School Task Force -- Dr. Bean reported that it has been suggested that in order for the Home School Task Force to serve everyone better, we need to add one additional person on that from home schools. He indicated that because of the personnel nature of individual names, that will be discussed in our executive session. Dr. Bean indicated that with this additional person it will improve the task force.

Public Education Foundation -- Dr. Bean reported that the Executive Director of the Public Education Foundation, Lillian Taylor, has left that position. The Public Education Foundation Board is looking to some future changes. They are looking at some positive things on mentoring. The Board is interested in making some improvements in the Foundation. They feel we can make some approaches to other groups such as the Eccles Foundation and Sorensen Foundation and others which will hopefully have some impact on these students in a positive way. He assured the Board that the work of the Foundation is going on and will probably be housed at the State Office for a period of time, under the direction of Harley Paulson.

Legislative History Book -- Dr. Bean distributed a book entitled "Legislative History from 1986-1996" This is a gift of Representative Brent Haymond. He indicated that this is a very interesting book and includes all of the members of the legislature from the time of statehood began until this book was completed. He suggested that the Board write a letter of appreciation for the gift.

Motion was made by Member C. Grant Hurst and seconded by Member Marilyn Shields that a letter be written from the State Board of Education Chairman to Representative Haymond thanking him for this gift of the legislative histories. Motion carried unanimously.

1998 Legislative Session -- Dr. Bean reported that the 1998 Legislative Session begins on Monday, January 19, 1998. He indicated that as in the past we will have the office legislative teams meetings on Monday, Wednesday and Friday of each week. The first week, because of the holiday on Monday, we will start on Tuesday, January 20. He invited Board Member to attend those meetings if they wanted to.

Utah Foundation Reports -- Dr. Bean distributed two copies of Utah Foundation Reports--one on *Utah Education Paradox* and the other is on *Growth of Government*. He encouraged the Board to read both to understand the percentage of the state budget going to public education and higher education and many other areas has not increased. However, there are other areas of the government that have increased, such as human services and health.

Dr. Bean welcomed Associate Superintendent Jerry Peterson back after an extensive illness.

Superintendents Annual Report and the Statewide Testing Program ¥¥ Dr. Bean distributed a copy of the Superintendents Annual Report and the Statewide Testing Program. He noted that the Statewide Testing Program included a summary of the Stanford Achievement Tests for every school in the state by district.

Joint Liaison Committee Meeting -- Dr. Bean reported that at the Joint Liaison Committee meeting the Richfield Community Committee presented recommendations relative to switching the Sevier Valley ATC to become a branch of Snow College. He indicated that the citizens in Richfield for years have wanted to have a community college, which they feel would be an enhancement for the community. Dr. Bean indicated that the Board would be presented later with a summary showing the pros and cons of that recommendation along with a position paper that the Board might consider.

Dr. Bean indicated that one part of the account of that meeting was not reported accurately. It indicated that he was

enraged. He stated that he was not enraged, but upset with the procedure. He then gave a historical background on this proposal beginning in May of 1997. Because of this he felt the procedure had been compromised. He also indicated that Representative Johnson had filed a bill shell to make that kind of transfer.

Dr. Bean stated that there is not specific data that cannot be verified with fact. He indicated that he would make recommendations on that issue during the legislative item discussion later in the Board meeting.

Eileen Rencher, Public Information Coordinator presented a video of a group of commercials relative to Applied Technology Education which included spots with Bill Cosby and Governor Leavitt. It also included a TV spot relative to the *Education Week* report.

Superintendent Bean reported that in the last set of statistics, Arkansas has declined to a rate of per pupil expenditure lower than Utah. So Instead of being 50th we are 49th.

Board Chairman Report

Chairman Garff expressed appreciation to the Board Members for their graciousness in accepting their new committee assignments.

Chairman Garff shared the following thoughts:

"When we were sworn in as state board members we were told to serve with 'felicity.' Felicity means happiness. I am happy to be here and to serve the children of the state. I have a brief 'wish list' for our board that I hope we can be anxiously engaged in with felicity. I would hope that we can serve with energy and conscience. That we would concentrate on things we were elected to do. That we will remember that we are a policymaking board. That our primary responsibilities are to discuss, ponder, change, and make policies for the Office of Education. We are not supposed to administer or manage the day to day affairs of this office or staff. We have hired an incredibly talented superintendent; and he in turn administers professional direction to a very qualified and extremely capable staff. We are responsible to support this staff, and remember what our responsibilities are. We also are responsible for an almost \$2 billion budget, that we must carefully and prayerfully consider each year. My wish list goes on.

"These are some other goals for the state which include: revitalizing and integrating the arts and aesthetics into the curriculum. Emphasizing character skills that include teaching lessons in civility, kindness and courtesy. Teaching the importance of ethics, family involvement, basic morality and human decency. And, particularly, teaching tolerance without tolerating. We need to be considerate and learn tolerance of others without tolerating certain behaviors. We need to treat each student as a human being, celebrating diversity and individual worth. Developing and expanding programs for at risk students. Encouraging occupational and technical skills into the curriculum. Improving and supporting changes in the middle schools and junior highs. Promoting pre-school training. Continue to emphasis smaller class sizes. Facilitating graduations from high school for ALL students. Requiring upgraded pre-service and inservice training. Rewarding at a local level vision, improvement and willingness to change in an ever changing world. Supporting literacy programs for all children. Teaching English to non-English speaking families. Expanding ESL and LEP programs. Researching the possibility of teaching a second language proficiency. Cooperating efforts between public education and higher education. Upgrading and supporting our university preparation courses. Encouraging continuation and support of AP, concurrent enrollment and honors programs. Appreciate the many dedicated and loving teachers.

"Some advice: Become an involved family in education. If we have any advice to give to teachers or to schools it is become involved as families in education. Visit your children's schools often. Observe your children's world and become a part of it. Encourage and support your children's teachers. Help your children help themselves with homework. Read, read, and read to and with your children. Listen, listen, and listen to your children and to your children's teachers. Teach your children to respect and appreciate their schools, their teachers, their friends, and most of al...themselves. Remember: 'The child is heir to the

wisdom of all the ages. A school is his treasure house. The child has infinite possibilities. Here he may realize some of them.'

Thomas S. Monson wrote: 'Education is a process, not a completed act. Contrary to what we would like to believe, excellence in education is rarely unearned.'

"May we continue to serve as board members with sensitivity, with clarity of purpose, and above all,
WITH FELICITY."

Chairman Garff reported that a Board retreat has been scheduled for Thursday, May 7, 1998, at the Ogden-Weber Applied Technology Center, and that the May 8, 1998 Board Meeting will be held at the Davis Applied Technology Center.

Chairman Garff thanked the Board Members and staff who participated in the inservice meeting yesterday. Subjects that were addressed were gangs, drugs, teen suicide, domestic abuse, and positive attributes. She commented that the Board learned of the good things the state office is doing to counter these social problems.

Recognitions

Vice Chairman John L. Watson recognized Dr. Stevan J. Kukic who has been the State Director of Special Education for the past 11 years. Mr. Watson indicated that Dr. Kukic has worked with teachers and administrators in virtually every school in Utah and has presented several hundred workshops and keynote addresses in some 45 states and Canada. He is a past president of the National Association of State Directors of Special Education and has presented key testimony during congressional committee hearings. Dr. Kukic is a strong advocate for children and has taught us that, most assuredly, ALL means ALL.

Mr. Watson presented a certificate of appreciation from the Board for his outstanding service to public education.

Dr. Kukic expressed appreciation for the recognition and commented that the children in the state are in good shape because of the wonderful people on the State Board.

Dr. Kukic reported that he had just given a talk at the Utah Mentor Teacher Academy Conference. These are people who have been trained for two years to be mentor teachers with their colleagues at school. There are over 500 of these mentor teachers who are champions of effective practice. The key issue is resilience. In the research in resilience it says that three things have to happen for kids for them to be resilient: (1) Caring and supportive adults; (2) high expectations for all of them; and (3) they have to be able to participate in their own educational lives and in their schools.

Board Member Joyce Richards recognized Blake Moore senior class president at Ogden High School who was selected by Wendy's as their High School Heisman award winner. Mrs. Richards indicated that Blake is a straight-A student and an outstanding athlete who is currently being recruited by Princeton, Yale and Dartmouth as well as Stanford, Utah, BYU, USU, Weber State and Idaho State. Blake is an Eagle Scout and hopes to become a pediatrician. He also spends a great deal of time providing community service and his idea of relaxing is spending six hours cleaning a widow's yard.

Member Richards presented Blake with a certificate of excellence for his outstanding academic and athletic achievements.

Mr. Moore expressed appreciation for the recognition and told of his experience in New York to receive this award from Wendy's. He indicated he had received a lot of help from his parents and family, teammates, teachers, the Scouting Program and church.

Board Chairman Report Cont.

Vice Chairman John Watson reported that the Board had received a letter from the State of Utah Department of Health

announcing School Nursing Week. He indicated that the fourth Wednesday in January is National School Nurse Day, and on January 28, Governor Leavitt will sign a proclamation declaring that day as Utah School Nurse Day.

Member Marilyn Shields reported that she had attended an Equity Conference and received some excellent training on equity issues. She noted that Richard Gomez also attended the conference which was hosted by Intercultural Development Research Association (IDRA.) Member Shields distributed material she had received at the conference. (For complete details, see General Exhibit No. 7868.) Member Shields requested that the Board consider doing a workshop on this where Richard Gomez could present some of his ideas on equity issues. Member Shields noted that the publications of IDRA are well researched and present factual information.

Member Shields also distributed a copy of essays from the 11th Annual Martin Luther King, Jr. Essay Contest, and indicated that these winners will be recognized on Thursday, January 15, 1998 in the Union Building, University of Utah.

Member Shields announced that on April 16, 1998, Richard Gomez and other regional directors will hold a regional charter schools program meeting in Utah.

Associate Superintendent Steve Laing reported that there will be a national conference on charter schools in Salt Lake City, followed by a Region 8 conference on equity and diversity. Dates, times and locations will be forwarded to the board.

Member Neola Brown reported on her attendance at the American Vocational Association Conference. She commented that she was very proud of the education system in Utah. As she attended the meetings the presenters quoted Utah as being a leader in the school to careers area, and that in Utah they are already doing this, etc. She commented on how far we have come with vocational/technical education. She recalled an experience sixteen years ago in Logan to visit the ATC which was then housed on the USU campus and no one knew where the office or the building was. We have come from that to Bridgerland as it is known today. Member Brown paid tribute to each one of the ATC Superintendents who have helped to build this system. Member Brown distributed a document "Trends of the Future" (For complete details, see General Exhibit No. 7869.)

Member Grant Hurst noted the significant contribution Bruce Griffin made to the revision of the applied technology education program. This has also been carried out through the leadership of Rob Brems.

Executive Session

Motion was made by Member John L. Watson and seconded by Member C. Grant Hurst to move into executive session to discuss personnel issues. The Board was polled and by unanimous consent of those present, the Board moved into executive session during lunch beginning at 12:05 p.m.

Motion was made by Member Jill G. Kennedy and seconded by Member C. Grant Hurst to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 1:45 p.m.

Home School Task Force

Motion was made by Member C. Grant Hurst and seconded by Member Neola Brown to appoint Robert Winder, President of UTEACH to serve on the Home Schools Task Force. Motion carried with Members Barney, Brown, Cannon, Haslem, Henshaw, Hurst, Jensen, Kennedy, McDonough, Richards, Shields, and Steel voting in favor; Member Watson absent.

Advisory Committees

Motion was made by Member Lynn Haslem and seconded by Member Joyce Richards to make appointments to the following advisory committees: **State Advisory Committee on Teacher Education (SACTE)** Marilyn Grondel, and J. Kirk Denison; **Disability Determination Services** Paula J. Wigger; and **Statewide Independent Living Council** alternates, Tim Angus and Joe Dunbeck. Motion carried with Members Barney, Brown, Cannon, Haslem, Henshaw,

Hurst, Jensen, Kennedy, McDonough, Richards, Shields, and Steel voting in favor; Member Watson absent..

General Consent Calendar

Motion was made by Member C. Grant Hurst and seconded by Member Susan C. Henshaw to approve the General Consent Calendar as presented. Motion carried with Members Barney, Brown, Cannon, Haslem, Henshaw, Hurst, Jensen, Kennedy, McDonough, Richards, Shields and Steel voting in favor; Member Watson absent.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board for Applied Technology Education and the State Board of Education held December 2, 1997.

2. Contracts

The following contracts were approved by the Board:

(1) Utah Association of Community Services. \$21,954. 1/16/98 - 1/15/99. - Fed.

Move individuals with severe disabilities who are currently in sheltered employment or other non integrated settings, towards integrated competitive employment outcomes.

(2) Alliance House. \$23,172. 1/16/98-1/15/99. - Fed.

Move individuals who have serious and persistent mental illness from temporary part-time employment into full-time competitive employment.

(3) Alliance House. \$15,322. 1/16/98-1/15/99. - Fed.

Provide vocational rehabilitation support services to individuals with serious and persistent mental illness which will lead to full-time competitive employment.

(4) Brain Injury Association of Utah. \$24,954. 1/16/98-1/15/99. - Fed.

Provide vocational rehabilitation services to survivors of traumatic brain injury to assist them in securing competitive and long-term employment.

(5) Columbus Community Center. \$86,844. 1/16/98-1/15/99. - Fed.

Expand vocational rehabilitation to underserved disability population in Summit and Wasatch County to achieve employment outcomes.

(6) College of Eastern Utah. - \$73,996. 1/16/98-1/15/99. - Fed.

Expand and enhance vocational rehabilitation services to individuals with disabilities to increase successful employment outcomes.

(7) Southwest Mental Health Center. \$91,45. 1/16/98 - 1/15/99. - Fed.

To provide vocational rehabilitation services to previously unserved or under served disability populations.

(For complete details of the Contracts, see General Exhibit No. 7870.)

3. Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, and

Special Education (Birth-Age 5) Certification, Rule R277-504

Rule R277-504, Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, and Special Education (Birth-Age 5) Certification, was amended to require Special Education (Birth-Age 5) Certificate holders to have hearing impairment (Birth-Age 5) and/or Visually Impaired (Birth-Age 5) endorsements if they teach preschool special education hearing impaired and/or visually impaired students. There have not been any modifications to the rule since the second reading by the Board in December. (For complete details, see General Exhibit No. 7871.) The State Board of Education approved Rule 277-504, Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, and Special Education (Birth-Age 5) Certification on third and final reading.

4. Board Procedures: Sanctions for Misconduct

Changes in the Board Procedures: Sanctions for Misconduct, R277-514 have been made to conform with revised procedures recommended by the Attorney General's Office and incorporated in a recent revision of rules of the Utah Professional Practices Advisory Commission (UPPAC). The rule as revised should provide for greater fairness and efficiency in handling complaints regarding alleged misconduct by educators. The Board approved the rule on second reading November 7, 1997. (For complete details, see General Exhibit No. 7872.) The State Board of Education approved Rule R277-514, Board Procedures: Sanctions for Misconduct on third and final reading.

5. Administrative Rule Review

Under provisions of 63-46a-9, U.C.A., 1953, all administrative rules shall be reviewed every five years. There may be minor nonsubstantive changes within these rules. (For complete details, see General Exhibit No. 7873.) The following rules were reviewed and approved:

R277-516 Library Media Certificates and Programs

R277-518 Vocational-Technical Certificates

R277-600 Student Transportation Standards and Procedures

R277-605 Extracurricular Student Activities

R277-606 Interschool Competitive Sports in High School

R277-610 Released-Time Classes for Religious Instruction

R277-615 Foreign Exchange Students

R277-700 The Elementary and Secondary School Core Curriculum and High School Graduation Requirements

R277-701 Values Education

R277-702 Procedures for the Utah General Educational Development Certificate

R277-709 Education Programs Serving Youth in Custody

R277-710 Accelerated Learning Programs

R277-716 Alternative Language Services (ALS)

R277-718 Utah Career Teaching Scholarship Program

R277-721 Deadline for CACFP Sponsor Participation in Food Distribution Program

R277-722 Withholding Payments and Commodities in the CACFP

R277-730 Alternative High School Curriculum

R277-732 Community Education

6. Ratification of Employment

Timothy L. Leffel was ratified as an Education Specialist, School Finance and Statistics, in the Agency Services Division.

7. Utah State Textbook Commission Recommendation

The Utah State Textbook Commission meet on Thursday, December 4, 1997, to again review the 4th grade textbook, The Utah Adventure, published by Gibbs Smith. After receiving a report of recommended revisions to the text, the Commission voted unanimously to recommend the book for adoption.

The Utah State Board of Education adopted The Utah Adventure published by Gibbs Smith for use in Utah schools and directed staff to award the contract.

8. List of Applicants for Certificates

A summary of the list of applicants for initial and renewal certificates for December, 1997. (For complete details, see General Exhibit No. 7874.)

9. Financial Statement and Claims Report

The Claims Report in the amount of \$159,702,864.90 and Financial Statement ending December 31, 1997. (For complete details, see General Exhibit No. 7875.)

Board Committee Reports

Administration, Finance, Planning & Legislation Committee

Member Jill G. Kennedy, Chairman of the Administration, Finance, Planning & Legislation Committee presented the following recommendations from the committee:

Certification Committee Agenda

Member Kennedy indicated that this agenda was a follow-up to a certification item tabled at the last meeting of the committee on December 2, 1997. All members of the Board were asked to review the file on this case prior to this meeting and taking action. The committee reiterated its appreciation for the work done by the Professional Practices Commission, and recognize the difficulty of the duty they have.

The Committee discussed permanently revoking the teaching certificate of Patricia Kent a former teacher in the Washington County School District for unprofessional conduct as evidenced by having too familiar relationships with students and discussing religious issues with students inappropriately. Motion from the Committee that the Board permanently revoke the teaching certificate of Patricia Kent, a former teacher in the Washington County School District, for unprofessional conduct as evidenced by personal relationships with students that are too familiar and physically intimate, and by inappropriate discussions of religious issues and topics. Motion carried with Members Barney, Brown, Cannon, Haslem, Henshaw, Hurst, Jensen, Kennedy, McDonough, Richards, Shields and Steel voting in favor; Member Watson absent. (For complete details of the Certification Agenda, see General Exhibit No. 7876.)

Proposed USU Middle Level Endorsement, Proposed WSU Composite Elementary/Special Education Teaching Major and Proposed Westminster College Special Education Mild/Moderate Endorsement

Ron Stanfield, Coordinator for Certification, reviewed the process for accepting and reviewing proposals for levels of certification and endorsements. Dr. Stanfield also reviewed the processes he has instigated with regard to follow-up to requests for letters of authorization.

Motion from the Committee that the State Board of Education approve the following certification and endorsement programs: a) a Middle Level Endorsement program at Utah State University; b) a Composite Elementary/Special Education Teaching Major at Weber State University; and c) a Special Education Mild/Moderate Program at Westminster College. Motion carried unanimously. (For complete details, see General Exhibit No. 7877.)

Curriculum and Instruction Committee

Member John L. Watson, acting chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

Textbook Commission Operating Procedures, Rule R277-469

Staff presented a new rule which will assist the Utah State Textbook Commission in its responsibilities. The purpose of this rule is to provide definitions, operating procedures, and provisions for pilot and limited-approvals of instructional materials. (For complete details of the Rule, see General Exhibit No. 7878.)

The Curriculum and Instruction Committee approved the rule on first reading with the following recommended additions:

1. Under R277-469-10 any pilot materials must first be reviewed by the Utah State Office of Education.
2. The pilot approval must consist of sign off with the school, the district and Utah State Office of Education.
3. Item "C" should read R277-469-10; the rule reference should be changed from "9B" to "10".
4. The pilot procedure should consist of provisions between the district and the publisher for the disposition of the pilot materials if not adopted after submission.

Motion from the Committee that the State Board of Education approve Rule R277-469, Textbook Commission Operating Procedures on second reading with the recommended additions.

Member Janet Cannon questioned the term "subject specialist" and whether that was one person or many people. It was noted that the term "subject specialist" should clearly identify who that is.

Member Grant Hurst R277-469-3 - Use of state funds for instructional material. He questioned if school boards could use money other than state money, such as from a foundation or other organization, to buy textbooks that have not been recommended by the State Textbook Commission or the Board. It was agreed that this would be checked for accuracy prior to the third reading. Linda Alder indicated there was a new Attorney General's Opinion on this which she would check. Member Hurst suggested that there be a statement indicating that under state rule it is inappropriate for school districts to use books that have not been approved by the State Textbook Commission or the Board regardless of the source of the funds.

Vice Chairman Watson thought this might be covered in the pilot procedure that had to take place before any curriculum or books could be used.

Vice Chairman Watson reported that for the past 19 years Shawna Stewart, Textbook Specialist has been operating

without a rule or procedure. This rule has attempted to do something that puts into place all the things we want to happen.

Motion carried unanimously.

Vice Chairman Watson indicated that there has been a discussion the last few months on the book *Utah Adventure*. There were approximately 10,000 of those in the schools, and this procedure would change a pilot process like that.

Linda Alder clarified that this rule will provide for a pilot program for materials, where the publisher, the school and district would apply to the State Office of Education indicating what they would like to pilot and that book will be given a cursory review for being in accordance with state law, etc. by the State Office Subject Specialist, and Associate Superintendent Jerry Peterson would have the final approval. After that, a school may pilot this for up to a year, then it is required that the book be submitted for formal approval. The pilot would then be over. Dr. Alder indicated that it has been discussed that a book may not be piloted in more than one classroom per grade level in a school.

Individuals with Disabilities Education Act (IDEA) Reauthorization Update

Staff provided an update on the reauthorization of the federal Individuals with Disabilities Education Act (IDEA). Ron Whitter of USBEACH (Utah State Board of Education Advisory Committee for Students with Disabilities) also presented information on new requirements for the advisory committee membership. (For complete details, see General Exhibit No. 7879.) Further information and a recommendation will be presented to the Board as an action item at the next meeting.

Motion from the Committee to receive the report. Motion carried unanimously.

Applied Technology and Rehabilitation Committee

Member Susan C. Henshaw, Chairman of the Applied Technology and Rehabilitation Committee presented the following recommendations from the Committee:

ATC/ATCSR Placement Report FY 1996-97

Dr. Marvin Johnson, Management Information Systems Specialist provided a report on placements documented by the five ATCs and four ATCSRs during fiscal year 1997. The report showed that the ATC/ATCSR system reported over 25,000 placements during that time frame in the areas of job placements, upgrade placements and continued education placements. (For complete details, see General Exhibit No. 7880.)

Motion from the Committee to receive and approve the report.

Superintendent Bean pointed out that on the placement count on education he has noted that in the Sevier Valley ATC area under education the count was the lowest in the state at 72 individuals. This is as opposed to related, unrelated, upgrades, and continuing education.

Member Grant Hurst commented on how we count the related and unrelated placements. Related placements require notice of certification back from the employer indicating the person either got the job or received a new job or promotion because of the training they received. If they don't get that, even though that may be the case, those placements need to go under the unrelated training issue. However, in many cases, the reason they received the opportunity was because they got some basic job skill training. The Committee asked that that group take a look at redefining those definitions to make sure they are correct.

Motion carried unanimously.

Proposed Property Usage at Davis Applied Technology Center

Superintendent Michael Bouwhuis of the Davis Applied Technology Center, and Assistant Superintendent Lynn

Trenbeath, Davis School District presented a plan for the District to build a 30,000 square foot young parent/day care facility on two acres of the DATC campus. The collaborative effort will benefit DATC and Davis School District students by providing day care services to them. (For complete details of the proposal, see General Exhibit No. 7881.)

Motion from the committee that the State Board for Applied Technology Education approve the usage of DATC property by the Davis School District for a young parent/day care facility with the authority to design the facility and develop appropriate lease usage agreements. These agreements should be brought back to the State Board for final approval. Motion carried with Members Barney, Brown, Haslem, Henshaw, Hurst, Jensen, Kennedy, McDonough, Richards, Shields, Steel, and Watson voting in favor; Member Cannon abstained.

Task Force Report to the Legislature on Interpreting Services for Deaf Citizens in Utah

During the 1997 Utah legislative session, several building blocks were presented addressing the need for interpreter services for Utah citizens who are deaf. As a result, the Public Education Appropriations Subcommittee, through House Bill 1, Item 226, stated: "It is the intent of the legislature that the State Board of Education develop a state plan for the supervision and coordination of sign language interpreting for the deaf..." A task force was coordinated through the Utah State Office of Education and Utah State Office of Rehabilitation. The findings of that task force was presented to the Board committee and will be presented to the legislature. (For complete details of the draft report, see General Exhibit No. 7882.)

Motion from the Committee that the State Board of Education approve the report for release and further discussion and input. Motion carried unanimously.

Full Board Meeting

Legislative Tracking Sheet

Doug Bates, Director, School Law and Legislation presented the Legislative Tracking Sheet which provides information on the positions taken from education entities on education-related legislation. (For complete details of the Tracking Sheet, see General Exhibit No. 7883.)

Discussion ensued relative to HB 189, English as Official Language of State. Concern was expressed that with the legislation as currently written there may not be funding to teach English to non-English speaking children in the schools.

Motion was made by Member Kay McDonough to oppose HB 189. Motion died for lack of a second.

Motion was made by Member C. Grant Hurst and seconded by Member Marilyn Shields to take a "hold" position on this legislation. Motion carried unanimously.

Dr. Bates indicated there are two other bills that are not included on the tracking sheet:

Board Member Conflict of Interest. Dr. Bates recommended that the bill simply say that members of the State Board of Education could not simultaneously be an employee of the Board, State Office of Education, State Office of Rehabilitation, and Applied Technology Center or the Utah Schools for the Deaf and the Blind. With regard to local boards, it states that a Local Board Member could not be an employee of that board. Dr. Bates indicated that by putting these two additions in the bill it would make it clear what is implied in the ethics act. He recommended the Board support the bill with the above additions..

Dr. Bates indicated that the second bill not listed is a change in the law relating to maintaining certification. He clarified that at the present time if a teacher who is not certified in a certain area is assigned to teach in that area and teaches there for three years with a satisfactory evaluation, then they are exempt from the requirement of having to have an endorsement in that area. Also if a person is teaching and teaches for three years out of any five years, then the persons certificate is automatically renewed. In both of these cases, there is no incentive or requirement that a person actually maintain professional competence in an area.

Dr. Bates indicated that this bill would require a person could teach outside an area, but must meet continuing professional development requirements as established by the State Board. Also that the person with the certificate would, within each five year period, have to satisfy continuing professional development requirements set by the Board. Dr. Bates recommended that the Board support this bill.

Motion was made by Member John L. Watson and seconded by Member Boyd F. Jensen to approve the recommendations presented as noted on the tracking sheet, Exhibit No. 7882, including the two additional bills with recommendations noted above. Motion carried with Members Barney, Cannon, Haslem, Henshaw, Jensen, Kennedy, McDonough, Richards, Shields, Steel, and Watson voting in favor; Members Brown and Hurst absent.

1998-99 Budget

Superintendent Scott Bean presented a comparison of the Governor's Recommendations with the Board Request for fiscal year 1998-99. (For complete details, see General Exhibit No. 7884.)

Dr. Bean noted that the Governor's recommendations were in most cases the same or there is very little difference from the Board recommendation. He felt this was very positive.

Vice Chairman John Watson questioned how close we may be in obtaining these recommendations? Dr. Bean responded that the legislature will be some where in the 90-95 percent of what the Governor has recommended. Also the Board's total figure may come in at 65-70 percent.

Member Susan Henshaw questioned the recommendation for Charter Schools. Dr. Bean explained that one bill would be for one-time funding for 8 start-up schools in the amount of \$500,000 for startup costs. The process would be a review by the local board of education in which a charter school would be located, and then it would come to the State Board for approval. Dr. Bean indicated that the funding and other things would have to go back through the local board. Dr. Bean explained that the other bill is much like Arizona's law, which is the most wide-open law in the nation, and has had the greatest number of difficulties -- we are hopeful that does not pass. Dr. Bean indicated that neither of these bills have been written in the form to be considered as yet.

Dr. Bean commented that he felt some form of charter school legislation would be passed. He also commented that he felt that if the education community wanted to oppose them in total they could defeat them. However, at some time there will be charter school legislation. He indicated, however, that we hope we can get a pilot study with a limited number of schools to see how it will work prior to any legislation.

Chairman Garff commented that she felt they needed to make sure they listened to Superintendent Bean, otherwise it would not work.

Superintendent Bean indicated it was his feeling that if we have a charter school law, regardless of what they put in the language, it would require the State Board to do a significant rule, because there would be so many things left undefined.

Question was raised relative to 21st Century Schools. Dr. Bean indicated they were not Charter Schools. Associate Superintendent Steve Laing reported that there has not been anything officially released on 21st Century Schools. The preliminary drafts indicate they are an attempt to go a step beyond Centennial Schools have done and focus primarily on school initiatives to improve school climate and achievement and do so in a measurable and definitive way. It is an incentive program with bonuses.

Superintendent Bean noted that we have an experimental study going on in Salt Lake and Granite Districts with two or three schools. The concept of this project would be in line with the concept of the 21st Century Schools.

Associate Superintendent Steve Laing indicated another similar program would be the Kentucky Reform in Education Act.

Motion was made by Member Lynn Haslem and seconded by Member Waynette Steel to accept the report. Motion carried with Members Barney, Cannon, Haslem, Henshaw, Jensen, Kennedy, McDonough, Richards, Shields, Steel and Watson voting in favor; Members Brown and Hurst absent.

Meeting adjourned at 3:30 p.m.