

UTAH STATE BOARD OF EDUCATION
UTAH STATE BOARD FOR VOCATIONAL EDUCATION
MINUTES
April 11, 2000

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held April 11, 2000, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 8:10 a.m. Board Chairman Jill G. Kennedy presided.

Members present were:

Chairman, Jill G. Kennedy
Vice Chairman, Kim R. Burningham
Member Bette O. Arial
Member Linnea S. Barney
Member Janet A. Cannon
Member Cheryl Ferrin
Member Lynn Haslem
Member Greg W. Haws
Member Susan C. Henshaw
Member C. Grant Hurst
Member Boyd F. Jensen
Member Judy Larson
Member Denis R. Morrill
Member Joyce W. Richards
Member Marilyn Shields

Also present were:

Executive Officer Steven O. Laing
Deputy Superintendent Gary L. Carlston
Associate Superintendent Robert O. Brems
Associate Superintendent Patrick Ogden
Associate Superintendent Jerry P. Peterson
Public Information Officer, Eileen Rencher
Board Secretary Twila B. Affleck

Executive Director, USOR, Blaine Petersen was excused.

Also present for portions of the Board meeting were:

Members of the Press:

Jennifer Toomer-Cook, Deseret News
Rod Decker, KUTV, Channel 2
Christina Flores, KTVX, Channel 4
Kathy Kapos, Salt Lake Tribune
Marta Murvosh, The Daily Herald
Sandy Riesgraf, Fox 13
Mike Sadowski, KTVX, Channel 4
Deanie Wimmer, KSL-TV

James Gonzales, UCLR
Phyllis Sorensen, Utah Education Association
Edward Lewis, State Conf. NAACP
Jeanetta Williams, NAACP
Stacy Benefield, Sundance Mountain Charter School
Tammy Rowan, Utah State House of Representatives, District 59
Race Davies, Governor's Office of Planning and Budget
Gary Doxey, Governor's Office
Lauri Updike, Utah Eagle Forum
Gayle Ruzicka, Utah Eagle Forum
Nan Streeter, Utah Department of Health
Janice Jones Schroader, Coalition of Minorities Advisory Committee
Max A. Packineau, Coalition of Minorities Advisory Committee

Members, State Office of Education Staff:

Jacqueline Morasco, Instructional Services
Margaret Rose, Instructional Services
Carol Lear, Planning & Project Services
Nan Gray, Instructional Services
Linda Alder, Instructional Services
Bonnie Morgan, Instructional Services

Members, State Office of Rehabilitation Staff:

William Young

The Board repeated the Pledge of Allegiance.

Board Member Judy Larson offered the reverence.

Board secretary Twila B. Affleck recorded the minutes.

Education Programs for Students With Disabilities, Rule R277-750

Dr. Mae Taylor, Director of the Services for At Risk Students section presented a rewrite of the special education rules which have been developed to conform to the federal Individuals with Disabilities Education Act (IDEA) regulations. (For complete details of the Rule, see General Exhibit No. 8338.) Dr. Taylor indicated that one of the major changes in the regulations is that it is the intent that all children, including those with disabilities, will participate in the general curriculum. To help bring this about, the regular classroom teacher will participate in the IEP of each student with a disability. All evaluations and diagnostic efforts are aimed at seeing how the child's disability affects his participation in the general curriculum and what kinds of special supports and special instructions the child will need in order to participate in the general curriculum. Further the district and state level testing will include all children, including those with disabilities. The IEP process will determine the modifications in the way they participate in the curriculum and assessments on a case by case basis.

Dr. Taylor noted that one of the major changes in the rule resulted not only from federal regulations, but state law, and it deals with due process hearings. Dr. Taylor reviewed the new process which is now set-up more like a court system.

Member Joyce Richards questioned if there was sufficient funding provided to the districts to do what is required of them? Dr. Taylor reported that the funding for special education is like the general education

budget because we are dealing with the highest number of students in a classroom, etc. She indicated that the total special education budget is approximately \$140 million, it serves 55,000 school age children under a disability label with almost 2,500 teachers and other specialists such as speech therapists. Each district has a director of special education, and they are constantly in need of more money. The federal mandate is that all children identified must be served, and there is to be no waiting list.

Member Cheryl Ferrin raised a concern relative to the safety of other children in schools where children with disabilities have been mainstreamed.

Member Grant Hurst also voiced a concern relative to the safety of other children when a child with a disability is out of control in the classroom. He questioned if we are providing enough in service for teachers to be able to handle this? Member Hurst brought up the issue that some districts are mainstreaming more and more children with disabilities into the classrooms. He indicated he had visited a kindergarten class where there were three at risk children in one class with 30 other students and the problems the teacher was facing. He questioned what these rules do to help teachers deal with the other 29 or so students in their classroom? Dr. Taylor responded that of the fifty states, Utah's State Office of Education provides the most in service statewide for teachers in the nation. Teachers across the state are taking advantage of this in service. She indicated that there are also several special conferences held on a yearly basis dealing with these issues as well.

Member Janet Cannon shared a personal experience with her son who is at almost a genius level IQ, but has some brain disabilities in reading, writing and mathematics. She indicated that she tried to get help for him from public school system, but they would not acknowledge the fact that he needed help. They have now had some special testing done at the university level and he is now receiving the help he needs. She questioned the process for identifying learning disabled children? Dr. Taylor responded that schools and districts have this responsibility and parents also have rights. One of the things that has been strengthened in the federal regulations is strengthening the role of parent participation in all the decision making related to their child not just the IEP. She indicated that when the state monitors a school district if we find there are procedures lacking we write up a corrective action plan and determine how they will correct this procedure. In addition the federal government monitors state agencies.

Vice Chairman Kim Burningham commended Dr. Taylor and her staff for all the work that has been done in preparation of these regulations and the rule. He noted that the rule is being presented for first reading only, and there will still be opportunity for further examination if needed.

Motion was made by Vice Chairman Kim R. Burningham and seconded by Member C. Grant Hurst to approved Rule R277-750, Education Programs for Students with Disabilities on first reading. Motion carried unanimously.

School Instruction and Human Sexuality, Rule R277-474

Superintendent Laing noted that the rule being presented is the result of the Governor's veto of HB 411, and some negotiations with the Governor relative to that. He further indicated that the rule is in conformity with the Board's Resolution to the Governor on this issue.

Dr. Carol B. Lear, Education Specialist, Law and Legislation presented Rule R277-474, School Instruction and Human Sexuality. (For complete details, see General Exhibit No. 8339.) Dr. Lear indicated that the rule was written to formalize Board policy and locate all references to the instructional process dealing with Human Sexuality into one rule.

Dr. Lear commended the curriculum staff with regard to their presentation of excellent in service programs on a regular basis for health educators.

Dr. Lear indicated that the rule is being presented on first reading. She further indicated that the rule has

had a wide review throughout the education community.

Dr. Lear reported that a very important part of the rule, and one which has been in place, is the parental notification form. Parents will be notified through local schools and teachers when these topics will be taught. In the past we have provided a sample form that districts could use, but many districts chose to do their own. There will now be a standard notification form from the state. A student will not be allowed in the class if there is not a parental consent for signed. Dr. Lear indicated that this is not new to the process, but is expanded to other curricular areas as well.

Member Cheryl Ferrin commented that this subject is brought out in many classes and she was happy that the teachers now have guidelines, and that the parental release forms are for all classes.

Member Lynn Haslem commented that if a parent removes a student from the class, it is then their responsibility to provide the instruction. He commended the staff that this includes that not only is the instruction provided, it is required.

Member Haslem further commented that as we address the components of this new plan, there has not been a single parent object to it or felt it was much stronger than what we have had. It does not change our viewpoint that abstinence is the best policy, but it also recognizes that we can't keep our head in the sand and ignore the views of other many diverse groups. This is something we really need to have, but it also addresses the concerns of others.

Member Linnea Barney questioned what effect this rule will have on the curricula that is currently in place in the local districts?

Superintendent Laing reiterated that the curriculum adopted by the Board earlier is still in place. This is a procedural rule and indicates that before any type of sensitive subject areas are taught we require notification and consent of the parents. Further, that this will be handled in a consistent format. Also, any class or school bringing an outside presenter in has to go through a review process with a local committee. If they propose to use a program, that program needs to be approved by the State Board upon recommendation from the Textbook Commission.

Member Denis Morrill questioned if this will put a procedural burden on a school?

Dr. Lear responded that it is to the credit of the superintendency that says we will be willing to encourage our schools to do this. She indicated that it is something parents want, and it should not be a significant burden.

Member Greg Haws questioned the contents of the references to the Utah Code 53A-13-101, and Rule 277-105, [which he did not know], and whether this would allow a teacher, if approved by the committee in the local district, to discuss homosexuality, to discuss the use of contraceptive methods, as long as they are not advocating or encouraging the use.

Superintendent Laing reviewed Utah Code Section 53A-13-101 dealing with educators responsibility to teach values and parents rights to request waivers to remove their child from certain discussions.

Dr. Lear responded that it would be up to the review committee, that contraceptive devices might be discussed in the classroom is accurate and that homosexuality could be mentioned if approved.

Dr. Lear commented that Rule 277-105 is a Constitutional Freedoms Rule that deals with the students right of conscience. If a student makes a comment that is inaccurate, rather than just leaving it hanging, though it may go to religious belief or issues dealing with human sexuality, the teacher could answer the question briefly. This rule also contains information that a teacher cannot elicit information about certain things with regard to the family; i.e. religious affiliation, size of family, parental status, etc. This is all part of the training provided to educators.

Member Haws asked for clarification that the responsibility of determining whether we are advocating the use of contraceptives or advocating homosexuality or just teaching about that is a local issue.

Dr. Lear responded that a teacher may not advocate the use of contraceptives nor can he/she discuss homosexuality with students. A local district does not have authority to override that rule.

Member Haws clarified that this is a state issue to define what is taught, and the responsibility at the local level is to decide whether what is being taught is advocating or whether it is instruction.

Member Cheryl Ferrin commented that there needs to be some spirit of trust among the players in this issue. The hope is that in going through this the documents portray to the families we have the best interest of their children at heart. All the in service and training are provided to teachers so they are knowledgeable about the limits of their instruction.

Chairman Jill Kennedy reemphasized that as a State Board we believe the best policy for students to follow is abstinence before marriage and fidelity after.

Member Denis Morrill commented that we can say that, but in the long run it is whether that message gets to the end of the row. He felt we needed a way to know whether it is getting to the end of the row. He further indicated that he believed this rule will do that, but we need a mechanism to know if it is. The complaints come from not what we say, but from what is happening in different areas.

Chairman Kennedy indicated that this rule helps us implement procedures to make sure what we are saying is happening.

Member Susan Henshaw commented that some of the things we hear are "hearsay" and she felt Board Members needed to visit a health class and see what is happening.

Motion was made by Member Susan C. Henshaw and seconded by Member Lynn Haslem to approve Rule R277-474, School Instruction and Human Sexuality on first reading.

Dr. Lear recommended that the Board attend the annual healthy lifestyles in service of teachers. She indicated that it is excellent, well organized, specific, and wonderful material is presented.

Deputy Superintendent Gary Carlston, expressed appreciation to the Board for their statement on abstinence and fidelity. He commented that this document rests on parental involvement; schools want and need parents to be involved. It also rests on full disclosure. There should not be anything that parents should not know about and we need to do all we can to get parents involved. He noted that the first reading provides an opportunity for the document to be out there, reviewed and considered. He reported that staff has had discussions with some who think that there are some areas they would like to have further discussions about such as the parental notification form not being specific enough, as well as other clarifications.

Associate Superintendent Jerry Peterson commented that the rule is an effort by the Board to allow decisions to be made at the local level. Also, it adds the role of the State Textbook Commission which is advisory to the Board.

Member Janet Cannon asked for the timing for implementation of the rule. Superintendent Laing indicated that the Board needed to approve the rule which possibly would be in May, so it would be implemented the beginning of school next fall. Associate Superintendent Jerry Peterson indicated that the State Textbook Commission will review the rule at their meeting next Friday.

Member Bette Arial commented that she had a very interesting experience with this type of issue while living in Hawaii. She felt this rule is refreshing, positive and the Board is standing together on the strong standards we believe in and share.

Chairman Kennedy asked if there was anyone in the audience who would like to make a brief comment specifically to the rule. The following commented:

Gayle Ruzicka, Utah Eagle Forum. Questioned how you can teach the correct use of condoms per package instruction without advocating their use? She commented that if we stay with the core curriculum then it will be advocacy there is no other way. Mrs. Ruzicka voiced concern with the parental permission slip. She shared a parental permission slip from her district which was very detailed, but it does not talk about the fact that condom use can be discussed. She indicated that the junior high school in her area taught about a condom, passed out brochures with detailed instructions on use of the condom, and every child in the class received the brochures, including a card from Planned Parenthood. One parent called her and reported that her daughter and several others took the card and went to Planned Parenthood and everyone received birth control pills. She further indicated she could give the name of the school and the principals name and phone number.

Mrs. Ruzicka also voiced concern with whom spontaneous questions can be addressed because that is what is allowing this discussion on condom use. Parents do not have any idea that this is going on in the classroom.

Mrs. Ruzicka indicated that children were afraid to come home and tell their parents what was going on in the classroom because of the repercussions they might receive from the school for doing this.

Member Cheryl Ferrin asked Mrs. Ruzicka for the date of this occurrence. Mrs. Ruzicka responded that it was about six years ago that her daughter reported this to her. She indicated that she has received calls this year reporting these types of incidences. She indicated that she and Senator Waddops could get the specific information to the Board relative to these incidences.

Member Grant Hurst indicated that the laws and Board rules have changed in the past six or seven years. He requested that Mrs. Ruzicka and Senator Waddops provide the Board with specific information relative to school, teacher, principal and time of incident.

Bonnie Morgan, Curriculum Director, agreed that this type of instruction is and would be very inappropriate. She noted that the organization of Planned Parenthood is not documentation from the State Office of Education. We would never condone something like that being handed out. Dr. Morgan pointed out that the Board has put in place for local districts to track and log complaints, and they will come to the state so we can address those issues. For the first time in this rule, the fact that if a teacher violates a state law or advocates in such a way that would be inappropriate, they can be referred to the Professional Practices Advisory Commission. These are two important things, the review committee and the possibility for sanction of the teacher. She indicated that she would never want materials produced by another organization to be distributed in whatever kind of format, or be tied to what we do in public schools. We are responsible for a good curriculum and obeying the law and the policies established by the Board.

Gary Doxey, General Counsel to Governor Leavitt expressed appreciation for the work the Board and staff have done in preparing this rule. He indicated they would have some additional suggestions for some amendments to the rule and appreciate the fact that the Board will be taking this up again. He commented that he believes that the approach of the rule is appropriate, and the principles upon which the rule rests are supporting the curriculum which is based on abstinence. More than that, however, it talks about responsibilities of parents, schools, educators, the school district and the overall system. In addition to that it talks about sensitivity -- to the individual home from which the student comes. It also allows for exemptions, and accountability.

Irene Erickson citizen in the Salt Lake City School District. Mrs. Erickson indicated she had come before the Board last year with concerns from about 100 parents in the Salt Lake City School District relative to the Healthy Lifestyles Core Curriculum. She indicated she was not familiar with the rule but from the discussion she was pleased with direction rule is going. Mrs. Erickson stated that they had asked last year

that the Board change the wording in the curriculum to include explaining benefits of abstinence before marriage and fidelity after marriage. She questioned if the rule attempt to remedy that adjustment in the curriculum? Secondly, they were concerned that the curriculum does not include accurate information about birth control.

Member Grant Hurst noted as Parliamentarian that this was getting into the curriculum issue rather than the rule. Chairman Kennedy ruled that these concerns were not pertinent to the rule. She indicated to Mrs. Erickson that the Board was aware of their concerns, the Board heard them during the discussion of the curriculum and suggested that Mrs. Erickson contact her State Board Member with the concerns on the rule.

Question was called on the motion by Member Lynn Haslem and seconded by Member C. Grant Hurst.

Motion to approve Rule R277-474, School Instruction and Human Sexuality on first reading carried unanimously.

Work/Study Meeting Business

Member Grant Hurst noted that earlier in the week the State Board in a work/study session spent several hours reviewing issues surrounding the creation, governance, maintenance, facilities and use and acceptance of Applied Technology Centers (ATCs). Our review included the five existing ACTs, Bridgerland, Ogden/Weber, Davis, Uintah Basin and the yet unfunded Wasatch Front, as well as the two remaining ATCSRs (Southeast and Southwest).

Member Hurst continued that with the creation of a Task Force by the Utah State Legislature, and considering that the State Board is legally mandated as the State Board for Applied Technology Education, Mr. Hurst moved and the motion was seconded by Member Bette Arial that the State Board of Education designate two elected Board Members and appoint them to represent the State Board as our liaison to the Legislative Task Force. It is our intention that they are instructed to attend all meetings of the Task Force, and to the degree possible, represent the issues of the State Board in those meetings. Since the Constitutional responsibility rests with the State Board for Applied Technology and since the Legislature chose not to have official representation from that body, and since we are elected to represent those issues within our State, we feel it necessary to attempt to gain access to input or to take public issue with the way the Task Force is organized. The motion further asks that since the State Board has a standing committee on Applied Technology, that one of the two appointed by the Executive Committee, would be the Chairman of that standing committee, currently Linnea S. Barney.

"English as the Official Language of Utah Initiative," Proposed State Board of Education Resolution

Dr. Gary Carlston, Deputy Superintendent, reported that at the March Board Meeting the Board directed staff to work with the Coalition of Minorities Advisory Committee to collect the additional information necessary to provide a foundation for a Board Resolution on "English as the Official Language of Utah Initiative." Dr. Carlston presented a corrected copy of the Resolution for Board consideration. He indicated that the only change was in the title and there were no other substantive changes. He reported that the document had the approval of the Coalition of Minorities Advisory Committee. Dr. Carlston reported that the Resolution is a proactive statement to voice the positive public education efforts that address equal opportunity education needs of children and adult English language learners. (For complete details of the Resolution, see General Exhibit No. 8340.) Dr. Carlston stated that we understand clearly that the initiative as it is worded does not directly affect public education in the sense that it does limit either the printing or the translated languages or methods of instruction to teach English.

Dr. Carlston reported that he had called Representative Tammy Rowan and advised her of this resolution, and she requested a few moments to comment.

Representative Tammy Rowan commented that public education is exempt in the initiative. She indicated that she hoped that before the Board chose to pass the resolution that the Board has read the initiative. She read from the initiative that "Languages other than English may be used when required: by public and higher education systems according to rules made by the State Board of Education and the State Board of Regents to comply with Subsection (5)." Subsection 5 "The State board of Education and the State Board of Regents shall make rules governing the use of foreign languages in the public and higher education systems that promotes the following principles": She then read from the Initiative the principles. She also read further in the Initiative that "The Legislature may appropriate any monies received under this section to the State School Board for use in English as a Second Language programs."

Representative Rowan stated that she believed this was not the right issue for the State Board of Education to get involved in and encouraged the Board to not take a stand on the Initiative.

Chairman Kennedy asked Representative Rowan to identify the benefits to the State of Utah if this initiative passed.

Representative Rowan stated that the fact that when we use immersion type language programs in the schools shows us that we all believe that the more you can immerse someone in the new language the quicker and easier it is to learn English. When we take away that incentive and make it convenient and easy to not have to learn English, it makes it harder and takes away that extra push for them to learn the language. Secondly, we need to make a statement that a common language, a common way to communicate, to work out differences in cultures and racial issues is critical. If we can't communicate, nothing gets resolved. This is an issue that can unite us. Also, once you begin the printing of multiple language documents there is no place to stop. It is better to have a policy that we support English as the official language and encourage and assist all to learn it rather than not.

Vice Chairman Kim Burningham commented that his greatest concern is that it seems to create more disunity, at least in the foreseeable future. He feels that minority groups feel that we are looking at them in a stance, a distance, and that lack of unity is very compelling.

Representative Rowan indicated that she has received multiple phone calls on the issue. She noted a call from a Native American lady who had called her relative to the Title 9, Native American Language Liaison issue. This woman also commented and expressed support for the Initiative. She also reported that a national poll was conducted and 78 percent of nonwhite Americans favor this issue.

Member Grant Hurst commented that he also shared a common view with Representative Rowan that whether it is designated or not, English is the official language of Utah. His major concern, however, is how we get through the interim -- how does the Spanish Speaking only family understand what the processes are and what the accesses and functions are within government. There is really no assurance on the part of state government that they are going to protect that transitional time.

Representative Rowan presented information from the State Hispanic Advisory Committee relative to the resources that are available to Hispanics in the Community. She indicated that the government does not have to be the only source of information for people.

Janice Jones Schroader, Chairman of the Coalition of Minorities Advisory Committee commended Dr. Carlston and others for the long hours in putting the Resolution together. She stated that it is documented that many are immigrants and that our ancestors came here for a better life. She indicated that at the Board's March meeting the Coalition of Minorities Advisory Committee had presented research to the board which clearly indicated that this bill will further divide. We are working hard to bring unity into the country, but it has been overlooked in the past. We are asking for acceptance not tolerance. We have been guaranteed that right through the Constitution of the United States. To deny us that human right, as the bill would indicate, is going against a human right, more severe than a Constitutional right. We have shown that the research indicates that you do not make someone fluent in English or a second language by

immersing them in helping them become fluent in a second language. Any research will show that you first have to help the person become literate in their home language. We are not educating our children to be productive, employed citizens. We should be thinking about what are we doing for every student who comes through our doors. She further commented that if you interviewed every parent in the country there would not be one that would not want their children to learn to speak English. However, they would also want the right to have their cultural identity and language is part of our culture.

Ms. Schroader recommended that the Board adopt the Resolution.

Member Denis Morrill commented that the Board had a very well presented presentation at the March meeting on this subject which was very compelling, and Representative Rowan makes comments that are also compelling. He felt that there is a preliminary motion to make before we consider the resolution, and that would be whether this is an issue the Board should be taking sides on.

Motion was made by Member Janet A. Cannon and seconded by Member Judy Larson to table action today; in the interim ask our legal staff to give us advice as to whether or not this is an issue we should be acting upon. If so, that we receive a copy of the initiative.

Member Cheryl Ferrin commented that she had lived in three other countries and none of them went out of their way to teach her or her family their language. However, as she herself learned the language her life was much fuller. She did not feel that she was giving up her identity, but only adding to it.

Discussion ensued relative to the issue of the Board taking a side in the issue in its role as the State Board of Education. Further, that if this is an issue within the purview of the Board that the Board be given a copy of the initiative with further information before it takes a position.

Vice Chairman Kim Burningham commented that the motion is confusing because in Roberts Rules of Order there are two motions possible. One is to table and one is to postpone to a definite time. To table, sets it aside and if you don't bring it back it stays there forever. What he hears the motion saying is more of a postpone to a definite time.

Member Cannon clarified that it was her intent in the motion that if legal staff indicated that the Board should not be involved in this issue, then it remains tabled. If it is something the Board could go forward with, it would be brought back.

Superintendent Laing commented that this is not an issue that is going to affect rule or practice, it is only public interest. It is something the Board could do within its purview; question is, is it something you want to do. Motion to table as explained carried with Members Arial, Barney, Cannon, Ferrin, Haslem, Haws, Henshaw, Jensen, Larson, and Morrill voting in favor; Members Burningham, Hurst, Richards and Shields voting against.

General Consent Calendar

Motion was made by Member Bette O. Arial and seconded by Member C. Grant Hurst to approve the General Consent Calendar as presented. Motion carried unanimously.

1. Minutes of Previous Meeting

Minutes of the Meetings of the State Board for Applied Technology Education and the State Board of Education held March 14, 2000

B. Contracts

- (1) Xerox Corporation. \$2,000,000.00. 3/31/2000-3/31/2005.

To lease 1 Docutech NP135 and 1 Docutech 6135 for use in the print shop.

(2) Department of Administrative Services. \$5,600. 7/1/99-6/30/00. - Amend. - Fed.

To add security services to the Operating and Maintenance Agreement with DFCM and Utah State Office of Rehabilitation, Rehabilitation Service Center located at 1595 West 500 South, Salt Lake City, Utah.

(3) KUTV Channel 2. \$50,000. 2/10/00-9/31/00. - Amend.

Creative development and production of 2 ATE public service announcements for ATCs and colleges and universities to promote recruitment of high school students in high skill and high demand ATE related occupations; development of 2 ATE radio announcements, and purchase of air time for the announcements.

(4) Southwest Mental Health Center. \$79,192. 2/16/00-2/15/01. - Amend. - Fed.

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

(5) Pacific Resource Center. \$54,114. 3/1/00-2/28/01. - Amend. - Fed.

Establish the provision of vocational rehabilitation services to under served pacific islanders which will lead to employment outcomes.

(6) Bear River Mental Health. \$24,288. 3/1/00-2/28/01. - Amend. - Fed.

Vocational rehabilitation services through community rehabilitation program that will result in employment for eligible consumers.

(7) Four Corners Mental Health. \$25,726. 3/1/00-2/28/01. - Amend. - Fed.

Vocational rehabilitation services through community rehabilitation programs that will result in employment for eligible consumers.

(For complete details of the Contracts, see General Exhibit No. 8341.)

3. Resolution Regarding HB 411 - Public Education Curriculum Amendments

At the March 14, 2000 Board Meeting the Board directed staff to draft a Resolution to the Governor requesting that he veto HB 411 - Public Education Curriculum Amendments. The Resolution was prepared and submitted to Board Members. The Board was polled on March 17, 2000 relative to Board approval of the Resolution. A majority vote of approval was obtained on that date. Subsequently, unanimous approval by the Board was obtained. (For complete details of the Resolution, see General Exhibit No. 8342.) The State Board of Education ratified their action via polling procedure and approved the Resolution on HB 411 - Public Education Curriculum Amendments.

4. Ratification of Employment

Valerie K. Scherbinske was ratified as an Educational Specialist, Preschool/Special Education in the Instructional Services Division.

Martha Hyder was ratified as an Educational Specialist, Physical Education in the Instructional Services Division.

5. Sundance Mountain School Waiver Request

The Sundance Mountain School is one of eight pilot charter schools in the state. This school is currently chartered as a kindergarten through sixth grade school and has an enrollment of 19 students. As part of the purpose statement in the charter school legislation, charter schools are encouraged to try new and innovative methods and models in public schools. The school uses an integrated approach in curriculum and believes their students will benefit from this type of schedule. This specific request would offer kindergarten three days a week for the full day as opposed to a half day for five days a week. Calculated over a full school years, students attending kindergarten three days a week for five and one-half hours a day would receive 594 hours of instruction as compared to 450 hours in the current half-day schedule.

The proposed schedule change will result in additional instructional time for kindergarten students at the Sundance Mountain School and permit the school to develop and implement integrated learning experiences for their students. Additional information regarding this schedule where kindergarten children attend school for full days and participate in multi-age grouping for instruction will also provide valuable information for other schools.

The State Board of Education approved the Sundance Mountain School request for a waiver of Board Rule R277-419-(1).

6. Sundance Mountain School Charter Change Request

Sundance Mountain School is requesting that seventh grade be included as part of its charter. The school was originally chartered to include kindergarten through sixth grade. This proposed change would be implemented beginning with the 2000-01 school year.

The State Board granted approval for Sundance Mountain School to include seventh grade students as a part of their charter.

(For complete details of the Sundance Mountain School requests, see General Exhibit No. 8343.)

7. Licensed Staff Salary Increase

It is the responsibility of the State Board of Education to set the salary schedule for the certificated staff of the State Office of Education, including the superintendency, Executive Director of USOR and the Internal Auditor.

The Board approved a 4% cost of living increase to the licensed staff, superintendency, Executive Director of USOR and the Internal Auditor, consistent with the legislative appropriation, effective June 24, 2000. The Board further directed staff to prepare updated salary schedules for these positions.

8. Claims Report

The Claims Report in the amount of \$144,568,446.57 ending March 31, 2000 was approved. (For complete details, see General Exhibit No. 8344.)

Executive Session

Motion was made by Member C. Grant Hurst and seconded by Member Bette O. Arial to move into an executive session for the purposes of discussing litigation or personnel issues. The Board was polled and by unanimous consent of those present the Board moved into an executive session at 10:30 a.m.

Motion was made by Member Marilyn Shields and seconded by Member Janet A. Cannon to reconvene into open meeting. Motion carried unanimously.

The Board reconvened at 11:10 a.m.

Open Meeting

English Only Resolution

Motion was made by Member Denis R. Morrill and seconded by Member Lynn Haslem that the English Only Resolution be brought off the table at the next meeting to discuss specifically whether the Board should or should not be involved in the issue. The Board was polled and the motion carried with Members Barney, Burningham, Ferrin, Haslem, Jensen, Kennedy, Larson, Morrill voting in favor; Members Arial, Cannon, Haws, Henshaw, Hurst, Richards, and Shields voting no.

Motion was made by Member Bette O. Arial and seconded by Member Marilyn Shields to adjourn. Motion carried.

Meeting adjourned at 11:20 a.m.

A Board retreat was held following the meeting.
