

**UTAH STATE BOARD OF EDUCATION**  
**UTAH STATE BOARD FOR APPLIED TECHNOLOGY**  
**MINUTES**

**May 9, 2000**

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held May 9, 2000, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:25 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 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

Member Lynn Haslem was excused.

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  
Executive Director, USOR, 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:

Maria Titze, Deseret News  
Beth Dove, Standard Examiner  
Kathy Kapos, Salt Lake Tribune

Gary Ricks, Legislative Fiscal Analysts Office  
Mike Kjar, Legislative Fiscal Analysts Office  
Race Davies, Governor's Office of Planning & Budget  
Con Rowley, Governor's Deputy for Education  
Lauri Updike, Utah Eagle Forum

Members, Utah State Office of Education staff:

Kathy Berg, Agency Services  
Kristie Fink, Instructional Services  
Vicky Dahn, Instructional Services  
Nan Gray, Instructional Services

The Board repeated the Pledge of Allegiance.

Board Member Susan C. Henshaw offered the reverence.

Twila B. Affleck recorded the minutes.

Chairman Kennedy excused Board Member Lynn Haslem.

---

## **Board Committee Reports**

### **Curriculum & Instruction Committee**

Board Member Marilyn Shields, Chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

#### **Alternative Language Services (ALS), Rule R277-716**

The State Board of Education in preparation for the 2000 Legislative session prioritized a building block request of \$500,000 "to assist districts in their staff development efforts in teaching literacy to students whose primary language is other than English." The building block was funded with an increase to the existing ALS line. This rule will provide a mechanism to hold \$500,000 separate from the formula monies to support staff development. (For complete details of the rule, see General Exhibit No. 8345.)

The Committee approved the rule on first reading and moves that the State Board of Education approve Rule R277-716, Alternative Language Services on second reading. Motion carried unanimously.

#### **Education Programs for Students with Disabilities, Rule R277-750**

The rule supports a re-write of the special education rules which have been developed to conform to the federal Individuals with Disabilities Education Act (IDEA) regulations. It will bring Utah public schools in conformity with federal guidelines and establish the State Board administrative rule as the process for special education in Utah public schools. (For complete details of the rule, see General Exhibit No. 8346.) Dr. Mae Taylor indicated that information has been received from several groups during the public comment period. The comments will provide some wording changes in the rule, but are not substantive. Recently comments were also received in written format suggesting that clarification be given concerning the use of the term emotionally disturbed. These changes will be made. Also, to allow a 60-day period for a hearing to resolve a dispute dealing with the placement of a student. Another question for

clarification was in the deaf and blind areas. The changes will occur in the final copy of the rule in June. An additional request was made to extend the public comment period until May 15.

The Committee approved Rule R277-750, Education Programs for Students with Disabilities on second reading, and moves that the public comment period be extended until May 15<sup>th</sup>. Motion from the Committee that the rule be approved on second reading extending the comment period until May 15<sup>th</sup>.

Member Grant Hurst commented that with the anticipated changes and revisions of IDEA, he questioned whether or not our staff has addressed these issue of the changes IDEA might have on this rule? He further commented that IDEA has some impact both on Title I and other issues that may flow down in the funding of this function. He suggested that before it is finalized they look at this. This legislation may be heard in Washington in May or June.

Associate Superintendent Jerry Peterson, commented that there has been an attempt to bring these rules in conformity with IDEA as much as possible with the data that is available.

Member Janet Cannon commented that the committee had received material with respect to the proposed changes and public comment and requested that the remainder of the board members also receive this material prior to the third reading.

The Board received this material prior to the end of the meeting. (For complete details, see General Exhibit No. 8347.)

Member Hurst also requested general information on funding functions as far as Utah goes for him to take to a Special Education Conference sponsored by NASBE in Las Vegas. Motion carried unanimously.

#### School Instruction and Human Sexuality, Rule R277-474

This rule was written to formalize Board policy and locate all references to the instructional process dealing with Human Sexuality in one rule. Teachers and administrators in Utah public schools will become familiar with the rule and the importance of following it, assuring conformity with the law in Utah public school classrooms. (For complete details, see General Exhibit No. 8348.)

The Committee approved Rule R277-474, School Instruction and Human Sexuality on second reading. Motion from the committee that the State Boards of Education adopt Rule R277-474, School Instruction and Human Sexuality on second reading.

Member Greg Haws requested a review with regard to the legislation that was passed and we requested the Governor to veto, and how this rule solves the problem we had with that.

Superintendent Laing responded that there was legislation proposed that would have restricted any instruction in human sexuality to abstinence only. The concern that exists is that there are too many students for whom that is already a decision that has long since passed. The curriculum we have in place deals with abstinence and is abstinence based stressing abstinence before marriage and fidelity after marriage. With regard to prevention of diseases, it also talks about those means that have been shown to have some effect, either in the prevention of disease or in pregnancy. In concern for the number of students for which that decision has passed and concern of perpetuation of myths and misunderstanding of other means of preventing pregnancy or limiting the transmission of diseases, the Board felt it was important that we have these other areas covered, factually based. The request was made

encouraging the Governor that perhaps that bill would best be vetoed. In so doing, the Governor felt that was a wise thing to do but wanted some assurances that some of the concerns that had led to the passage of the bill would be addressed with a Board rule about how the instruction is given. In that negotiation process there were six items identified, and the rule was developed addressing those six items. The six items were: a review committee at the local level, a consistent and uniform notification that specifically identified topics to be covered and giving parents the opportunity to approve the instruction for their students or opt out of the instruction; and inservice and professional development for educators about teaching these sensitive subjects. The rule will now govern the procedures and processes around providing instruction in the curriculum. Dr. Laing emphasized that the rule does not alter the curriculum which was previously adopted by the Board.

Associate Superintendent Jerry Peterson, added that the parental permission slip will become active rather than passive and suggests that if the slip is not on file, instruction is not given to the student. Member Marilyn Shields commented that the committee felt this is a well written document and expressed appreciation for the many hours that have gone into it. They felt it is something we can move forward with.

Member Cheryl Ferrin requested that the Board receive a copy of the permission slip. Chairman Kennedy indicated that the permission slip needs to be approved by the Board next month. Member Ferrin also noted that there is a provision in the rule for complaints and she questioned the process for the Board to review them. Superintendent Laing responded that the complaints would be dealt with at the school and district level and then collected at the end of the year by the State Office and reported to the Board on an annual basis.

Member Bette Arial complimented the staff and the Board on this rule. She indicated she feels confident in the concerns expressed. She further commented that she valued the students, and we all take this stewardship very seriously.

Motion carried unanimously.

## **Planning, Finance and Legislation Committee**

Board Member Judy Larson, Chairman of the Planning, Finance and Legislation Committee presented the following recommendations from the Committee:

### Standards and Procedures for Building Plan Review, Rule R277-455

The modification to the rule clarifies the criteria for approval of proposed school building sites by the State Superintendent. More specifically, it clarifies that staff from the Utah Geological Survey must review and recommend approval of the geologic hazards report provided by the school district geotechnical consultant; further, that the school district must have a procedure to review geologic hazards in screening potential school facility sites prior to acquisition of the property. School districts may contract with the Utah Geologic Survey for the review of geologic hazards in screening sites, or may choose to contract with other qualified geotechnical consultants for these services. The recommended language puts into rule current practice. (For complete details of the rule, see General Exhibit No. 8349.)

The Committee approved the rule on first reading and moves that the State Board of Education approve the amendments to Rule R277-455, Standards and Procedures for Building Plan Review on second reading.

Kim Burningham, questioned the cost to the districts for this service. Larry Newton responded that it is approximately \$400 starting July 1. In the past the Geological Survey has provided this for free, but the 2000 Legislature established the cost.

Motion carried unanimously.

### Educator Licensing Committee Agenda

The Committee reviewed the recommendations of the Utah Professional Practices Advisory Commission and moves that:

In Case No. 91-256 the Board accept a stipulated agreement whereby Paul C. Noyce, a former teacher in the Salt Lake City School District, voluntarily surrenders his teaching license for revocation. This recommendation results from Mr. Noyce's arrest for lewdness and subsequent arrest for trespassing in violation of his plea agreement. Motion carried unanimously.

In Case No. 98-450, to revoke the license of Alva Jay Van Wagoner, based upon default. Mr. Van Wagoner is a retired Uintah School District educator. This action results from a guilty plea by Mr. Van Wagoner to forcible sexual abuse, a second-degree felony. Motion carried unanimously.

In Case No. 99-455, to reinstate the educator license of Bert Cordell Hansen, a former teacher in the Morgan School District. Mr. Hansen's license was suspended on March 12, 1999. Member Larson indicated there was a lengthy discussion in the committee about why the license had been suspended and whether or not there had been enough time for rehabilitation of this individual for the offense. It was noted that the suspension was for internet abuse. Following the discussion the Committee felt comfortable with the recommendation.

Member Greg Haws indicated he was very uncomfortable taking action to reinstate the license without knowing the reasons for the removal of the license and for the reinstatement. He suggested that in the future it would be helpful to have a brief description stating the reasons.

Motion carried unanimously.

In Case No. 00-494, the Board accept a stipulated agreement whereby David J. Hare, a former teacher in the Salt Lake City School District, voluntarily surrenders his teaching license, in lieu of a hearing, for purposes of suspension for at least three years by the State Board of Education. This suspension results from his use of school district equipment in a classroom to access pornographic material off the Internet and an arrest for disorderly conduct. Member Larson noted that in the committee discussion there was a question on the three-year time limit. She indicated that the three years does not guarantee a hearing, but is the first time he could request it, and if there is a rehearing there would need to be a psychological evaluation. Motion carried unanimously.

The Committee reviewed the Requests for Temporary Authorizations as submitted by the School Districts and moves approval of the Requests.

Member Joyce Richards voiced concern with the number of requests and the need to look at the reasons for not having licensed teachers in these teaching positions.

Motion carried unanimously.

(For complete details of the Educator Licensing Committee Agenda, see General Exhibit No. 8350.)

### Dual Enrollment, Rule R277-438

This rule will provide dual enrollment standards that work cooperatively with the Utah High

School Activities Association, and will provide clear direction to school districts regarding dual enrollment for students with disabilities. (For complete details of the rule see General Exhibit No. 8351.)

Member Larson noted that one Board Member who is not on the committee had asked why accredited was changed to regularly established on Item I under definitions. The reason is that some home and private schools are not accredited. The language was meant to be used throughout the document except where it deals with credit.

Member Larson noted another concern in the wording on 277-438-4(d)(4), and with 277-438-5 the underlined part the committee wishes to strike that. The Committee felt they needed further clarification and approved the rule on first reading, and it will be brought back to the Board at the next meeting.

#### Educational Services Outside of Educator's Regular Employment, Rule R277-107

This rule will provide direction and parameters for public education employees who provide or participate in education-related services outside of their public education employment, and to comply with recently enacted legislation. (For complete details of the rule, see General Exhibit No. 8352.)

The Committee approved the rule on first reading and recommended that it be offered for limited public input from the Utah Education Association and the legislator who wrote the legislation. The rule will be returned to the Board next month.

#### **Applied Technology and Rehabilitation Committee**

Board Member Linnea S. Barney, Chairman of the Applied Technology and Rehabilitation Committee presented the following recommendations from the Committee:

#### Comprehensive Emergency Response Plan, Rule R277-400

The amendments to this rule provide direction and parameters for local school boards to revise and expand their Emergency Preparedness Plans with a new emphasis on preventing and combating violence. (For complete details, see General Exhibit No. 8353.)

The Committee approved the amendments to the rule on first reading and moves that the State Board for Applied Technology Education approve Rule R277-400, Comprehensive Emergency Response, on second reading.

Member Cheryl Ferrin commented that the Weber School District has a wonderful community-based plan, and they are willing to go to any district to help them as they develop their plans.

Superintendent Laing indicated that the law indicates we will do a survey of the district plans and compile the resources and share the information.

Discussion ensued relative to the district plans currently in place and how the districts are taking this very seriously.

Member Denis Morrill commented that the prevention and intervention is very important, but the legislature has not given the districts or schools the tools with which to do it. He indicated that saying it won't make it happen.

Member Linnea Barney suggested that we should incorporate in the plan something for

intervention after the fact.

Motion to approve on second reading carried unanimously.

### Technology, Life and Careers/Work-based Learning, Rule R277-916

When originally written the rule specified a funding distribution to school districts based on weighted pupil units. With the upward adjustment of the WPU in FY 2001, and no funding adjustment to this program, changes in the rule are proposed which substitute actual funding amounts for formerly specified weighted pupil units. (For complete details of the Rule, see General Exhibit No. 8354.)

The Committee approved the rule on first reading and moves that the State Board for Applied Technology Education approve Rule R277-916, Technology, Life and Careers/Work-based Learning on second reading. Motion carried unanimously.

### Tuition Adjustments in ATCs/ATCSRs

The State Board officially sets the tuition adjustments for ATCs and (consulting with higher education) the tuition for ATCSRs. During the last legislative session there was mounting pressure to increase this tuition in conjunction with legislative allocations. The adjustment of five cents in tuition will assist in increasing revenues to operate programs in ATCs/ATCSRs. Member Barney indicated that there was a lot of discussion on the ramifications this may have and what it will mean to the students and employers. Currently the average student who pays \$1,239/year this year would then have to pay \$1,319 next year, an increase of about 8%. However, this is the first time in three years that there has been a proposal to increase tuition, and most everyone felt it should be changed, but with great concern. Member Barney also indicated that alternate sources for funding were also discussed such as federal grants, scholarships, etc.

Motion from the Committee that the State Board for Applied Technology Education approve a tuition adjustment for ATC/ATCSR adult students from the present \$.85 per hour to \$.90 per hour.

Member Boyd Jensen questioned why on the five cents, why not go up to \$1.00. Associate Superintendent Rob Brems explained that the concept of \$1 was explored. It was the strong recommendation from all of the ATC/ATCSR boards to approach this with extreme caution because the adult students at the ATCs are probably the least able to pay their tuition, and support systems are diminishing.

Motion carried unanimously.

### Utah Association for Career and Technical Education

The Utah Association for Career and Technical Education (formerly the Utah Vocational Association) is the professional association for Utah applied technology educators. UACTE is a state-level affiliate for the Association for Career and Technical Education (formerly the American Vocational Association). The Association has numerous divisions each with a focus on specific applied technology education areas such as business and family and consumer sciences. In the past several years, several changes have taken place with UACTE making it a more viable source of professional development for Utah teachers.

Ms. Ann Decker, current UACTE President and Mr. Brian Palfreyman, UACTE Executive Director, provided an update to the Committee on current issues and activities.

The Committee received the update report from the Utah Association for Career and Technical Education.

---

## **Board Meeting**

### **Executive Officer Report**

Superintendent Steven O. Laing presented the following items for Board information:

**Presidential Scholars Program** Six Utah students have been recognized as semifinalists in the 1999 Presidential Scholarship Program. They are chosen on basis of their accomplishments in many areas - academic and artistic success, leadership, and involvement in school and the community. From nearly 2.5 million graduating high school seniors, approximately 2,600 students were identified as candidates and only 500 semifinalists have been selected from across the country. The six Utah students are Benjamin F. Allen, Lone Peak High School, Adryon O. Burton, Rowland Hall-St. Marks School, Darci Rhoades, Murray High School, Jennifer Simpson, Skyline High School, Patrick A. Thronson, West High School and Devren A. Yener, Logan High School. A letter congratulating them was sent on the Board's behalf.

**Utah State Office Staff Recognitions** **Martha Ball** has been named the **nations top American History Teacher by the National Society of the Daughters of the American Revolution**. She is a teacher in the Jordan School District but is also working with us on the 3R's project.

**Robert Abram, computer programmer in District Computer Services** has been published because of some work he has done entitled FoxTalk. The article discusses ways for programmers to automatically configure a database connection, on a client machine, to a centralized database server. Automating the connection to the database serve relieves the LAN Administrator from manually configuring each machine that will use the database server.

**Kristie Fink, Character Education Specialist** has been appointed to the Board of Directors of the Character Education Partnership in Washington, DC. As a member of this prestigious committee she was also asked to chair a committee to write character education language into the Malcolm Baldrige Award. The Department of Commerce integrated much of the language into the new award criteria for education. The Malcolm Baldrige Award is the most sought after award in the corporate world and is given out at the White House by the President. A copy of the brochure was distributed.

**Barbara Lawrence, Director of Assessment** has been named a National Fellow for the National Assessment of Education Progress.

Dr. Laing distributed a "Media Advisory" which talks about two schools who are being recognized for their work in Service Learning. **Harley Paulson is the specialist who works with Service Learning**. The schools, Evergreen Jr. High in Salt Lake City and Box Elder Community High School in Brigham City, were two of 66 schools across the country named as National Service-Learning Leader Schools for Excellence in Service-learning. The Presidential Award recognizes outstanding schools that combine academics with community service in a way that benefits students, teaches civic responsibility, and strengthens communities. Mr. Paulson distributed a pamphlet regarding Service Learning.

**West Desert Trust Lands Exchange** Dr. Laing reported that the Board had received a copy of a position statement on the West Deseret Trust Lands Exchange. He indicated that this is still dynamic and there is a meeting later this week to prevent a revision of the position statement. He asked the Board to review the position statement and if there is anything in it that we should be aware of when we attend the meetings to please give him a call. We are looking at trying to trade out some of those trust lands so they may be more productive and contribute more aggressively to the trust.



**English Only Referendum** Last month the Board asked for a legal opinion relative to the initiative for English as the Official Language. Some of the issues raised by the Board and others were included in a letter to the Attorney General asking for an opinion. The request asked for some relatively technical terms surrounding the opportunity or ability of the Board to complete its work around the programs it can offer that deal with languages other than English. The questions were more of a relatively technical nature around: "Can we do our work with communicating with parents about those programs? Can we disseminate information relative to things like fee waivers, family education rights and privacy act, etc.? Can we deal with parents of young people who are not yet students, like pre-school students, in languages other than English? There is one clause in the initiative that seems to say you can talk to parents, but not to students in languages other than English. We are trying to get a fix on the degree to which this initiative, if it were to pass, would impact education and the State Boards roles and responsibilities. Dr. Laing indicated that we do not anticipate receiving an official Attorney General opinion, but we will get a response from the office. This response will probably come some time in the summer. This would not be a problem because the proximity to the election would be closer and perhaps the Board's position and discussion would be more forceful.

Chairman Jill Kennedy commented that when it was presented it was represented that the State Board and Board of Regents were exempt, and she did not feel that was what the initiative said. She asked her husband, who is an attorney, and he felt the same. She also felt that postponing the discussion until later in the year would be more appropriate.

**Elementary & Secondary Education Act (ESEA) Reauthorization** Superintendent Laing indicated that Board members have been receiving communications from the National Association of State Boards of Education (NASBE) relative to ESEA. There are some concerns that have been raised and we have been in contact with people in our congressional delegation offices in Washington.

Deputy Superintendent Gary Carlston who is also the federal liaison reported that this last week he was in Washington, D.C., and had opportunity to discuss some of these issues with Gordon Aumback, Executive Director of the Council of Chief State School Officers (CCSSO). He has been involved in education for a very long time and he indicated that the reauthorization of ESEA is the most significant debate about public education in fifty years at the federal level. This is not something to think they are going to just reauthorize under the current conditions that we have been operating under.

Dr. Carlston reported that the House and the Senate have each addressed it differently. The House took it on as four or five separate bills, whereas, the Senate took it on as one large bill. This will be a long road between the time it gets finished, if it does this year, to getting agreement from the Senate and the House and the Clinton administration. There are some dynamics at work including this is an election year, there is a lot of discussion about accountability, flexibility, roles of various state entities, i.e. governance issues coming to the states.

Dr. Carlson further reported that on the governance issue, there are conflicting messages that are coming out. However, generally speaking on the basic programs like Title I, the constitutional role of the State Agency is in place. As we have talked with the Senate offices, for example, the governance issue is generally solved in their minds that the money will go to whomever the states' Constitution directs. As the discussion is extended out it becomes less clear, especially on initiatives like Straight A's.

Dr. Carlson indicated that we in Utah have some concerns about Title I. It is currently appropriated to states based on poverty as defined by census and per pupil expenditure. There is also a hold harmless aspect to the Title I funding. He indicated that it is very important for us to hold on to the hold harmless provision because according to census data our poverty has declined by 20%. In working with Senator Hatch's office they wanted to know if we had other indicators of how it might have effected our pool. We have indicated to them that our free and reduced lunch has a direct impact. Dr. Carlston further indicated that if the formula is changed, and right now it is our understanding that the Senate version, indicates there are amendments to drop off per pupil expenditure, and we lose the hold harmless provision, we will loose

significantly.

Dr. Carlston provided the effects on our funding from the hold harmless clause.

Dr. Carlston further reported that the second issue regarding Title I is "portability," or the money following the student. It sounds like a good provision, however, what it means is that if the family of a student who is in a school that has been identified as low performing, and not making changes, that students family can choose another public school and the money will follow. However, it makes an assumption that the student leaving the school is also receiving Title I services, and the student may or may be not receiving the services. Dr. Carlston recommended that this should be opposed.

Superintendent Laing commented that portability would probably be more palatable if Title I were funded fully. Since it has not, the formula has allowed it to be concentrated in those schools where the highest concentration of disadvantaged students have been. You have students now who are not receiving Title I services because they may be in a school that doesn't qualify under the formula for concentration and yet if portability comes in you could spread those funds out to where they become very negligible in doing something for those students.

Dr. Carlson reported that we would lose \$7.5 million if the hold-harmless provision is taken away. He indicated that we are working with both of our Senators' offices on this issue.

Board Member Grant Hurst indicated that the bigger issue is that the formula is flawed to begin with. There is a moving group of people in the House who are convinced that Title I, as it is now being applied, is having little, if any, impact on the targeted audience. One of the issues he feels we might want to concentrate on is changing the whole basis of Title I and spreading it out on the broader basis.

**Straight A's Academic Achievement for All** Dr. Carlston reported that this is a block grant from the federal government to the state and is designed in theory to provide flexibility. There are two versions one from the House that includes all 50 states; the one from the Senate is an inclusion of 15 states on a demonstration basis. The idea is that they will give the state some money, the state will make an accountability or performance agreement with Secretary of Education, and the states will spend the money. Dr. Carlston indicated that there are governance issues that need to be addressed in this. For example, the word "state" is used, and the FDA or state office or state board of education is not used, and it looks like it could go to the Governor or the Legislature for distribution and responsibility.

Board Member Janet Cannon reported that when she visited Senator Bennett's office she was told they had cleaned things up in terms of the governance issue to indicated that the constitutionally organized body responsible for state education funds, which would mean in Utah they would come to the State Board of Education.

Dr. Carlston indicated that in working with both senate offices that is exactly what they have shared with us. However, information received from CCSSO is in conflict with that, as well as questions on the governance issue. He felt that this is not fully resolved, and it needed to be dissected and watched very carefully.

Member Grant Hurst commented that on the basis of effort, if we could just get the issue of the formula, even a percentage factor of the formula, our numbers go up dramatically because of the percentage of our total state budget that is being spent for education versus a state like New Jersey that is outspending us 3.5 times and only spending 25-28 percent of their total budget on public education, where Utah spends 46 percent, and we are only able to spend \$3,500 per student.

**Title II Teacher Empowerment Act** Dr. Carlston reported that this takes class size money which goes to the districts and the Eisenhower monies and rolls them into one. We have some real concerns about the combination. Secondly, the governance issue is less clear.

Dr. Carlston indicated that this information is all dynamic, and it all might be derailed by the gun debate introduction. He recommended that the Board may want to take some action with regard to responding to these issues.

Superintendent Laing indicated that these concerns that still exist and we are getting mixed messages from different groups, who are all watching these in our behalf. He indicated that as Board members are interacting with NASBE and other groups they should raise these concerns on governance, and the hold harmless issues.

Chairman Kennedy suggested that a position statement be developed relative to these issues. For example, a sample letter for Board members to send on their own to the congressional delegation in Washington.

Member Janet Cannon commented that when she was talking with Hatch's office on these issues, they indicated that they have to find other states who are in similar situations to ours and try to get a coalition with those states so that when an amendment is put forward to change the Title I formula to a state effort basis, we know who to contact and who are friends are. She suggested that if that kind of information is available at the State Office the Board would have an opportunity to connect with the people from those other states as they attend NASBE and other national meetings.

Motion was made by Member C. Grant Hurst and seconded by Member Judy Larson to request staff to prepare an official position on these issues, and develop information available to enable the Board to determine its natural allies in this formula issue. Motion carried unanimously.

**Goals 2000** Dr. Carlston indicated that the Goals 2000 issue is still up in the air but it will likely to be repealed.

Member Bette Arial suggested that as Media Advisories and other positions of the Board are prepared on letterhead and sent out that they be e-mailed to the Board.

**Board Goals** Dr. Laing distributed the Board goals as they have been synthesized from the retreat. He also distributed a draft which included the Board's input and synergy from others. Dr. Laing highlighted the major points of the documents. Dr. Laing indicated that we will use this as the skeleton to develop a strategic plan to submit to the legislature. He requested that if Board Members had further suggestions or refinements to please get them to him or Twila within the next week. (For complete details of the documents, see General Exhibit No. 8355.)

Dr. Laing reported that the Utah School Boards Association has allowed us five minutes during their regional meetings in June to present this information. Dr. Laing requested that Board Members attend these regional meetings and present this information.

## **Board Chairman Report**

**ATE Awards Luncheon** Chairman Kennedy reported that a number of Board Members attended the ATE Awards Luncheon last week. She expressed appreciation for the support from Board Members. Chairman Kennedy indicated that 104 scholarships were given out to students who do not have an opportunity for other scholarship money. These are great kids, they know what they want to do, their goals are in place and they are on their way to accomplishing them.

Member Marilyn Shields also commented on the awards luncheon and it was a well organized and wonderful occasion.

Chairman Kennedy noted that there will be three Board Members attending the **Special Education Conference** next week in Las Vegas, Nevada sponsored by NASBE. Member Grant Hurst noted that the **NASBE Resolutions Committee** will be meeting in Alexandria in June. He requested that if anyone has issues they would like discussed to please get them to him.

Member Linnea Barney distributed a paper from **Gordon Whiting from BYU with regard to ignorance.**

Member Janet Cannon reported that the **Nominating Committee for the School and Institutional Trust Lands Board** met last week. She and Board Member Lynn Haslem represent the Board on that Committee. There is a position open, and it was the consensus of the committee that both names that were given to the Governor were people who had backgrounds that were strong in knowledge of coal and coal deposits and mining in Utah. The committee felt this was an area that has not previously been strongly represented on that board.

---

## **General Consent Calendar**

Motion was made by Member Susan C. Henshaw 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 April 11, 2000.

### 2. Contracts

The following Contracts were approved by the Board:

#### (A) Asay Advertising. \$13,000. 12/14/99-11/30/2000. Amend. - Fed.

Legislative mandate to develop a multimedia campaign focusing on current labor market information and the excellent training opportunities available through applied technology education. The campaign goal is to improve the awareness of job opportunities and skills necessary to compete in a global economy.

#### (B) WESTED. \$14,000. 4/15/00-6/30/00. - Amend.

Create a correlation between items on the assessments and the standards and objectives of the related Core Curriculum, analysis of upper level math CRTs, and benchmarks for remaining grade levels in mathematics and reading/language arts. Review technical documentation and evaluate the technical qualities of the assessment instruments. Prepare a report evaluating the overall adequacy of the assessment materials.

#### (C) Utah Association for the Deaf, Inc. \$4,250-\$4,750. 4/1/99-10/31/200 RECEIVABLE

Provide space for the Utah Association for the Deaf (UAD) Bookstore for individuals who are deaf, hard of hearing or speech impaired.

#### (D) Utah State University. \$24,149.88. 5/1/00-4/30/03. - Amend. - Fed.

To extend the lease of office space for the Division of Rehabilitation Services, Vernal office located at 1680 West Highway 40, Suite 1060 (Ashton Energy Building), Vernal, Utah.

#### (E) Washington County School District. \$13,798. 7/1/00-6/30/2001. - Amend. - Fed.

To provide funding for a Transition Facilitator to provide for transition services to

Special Education and 504 Students in the Washington County School District. This target population is comprised primarily of Vocational Rehabilitation clients and potential Vocational Rehabilitation clients.

(F) Kane County School District. \$6,615. 7/1/00-6/30/2001. - Amend. - Fed.

To provide funding for a Transition Facilitator to provide for transition services to Special Education and 504 Students in the Kane County School District. This target population is comprised primarily of Vocational Rehabilitation clients and potential Vocational Rehabilitation clients.

(G) Iron County School District. \$9,883. 7/1/00-6/30/2001. - Amend. - Fed.

To provide funding for a Transition Facilitator to provide for transition services to Special Education and 504 Students in the Kane County School District. This target population is comprised primarily of Vocational Rehabilitation clients and potential Vocational Rehabilitation clients.

(For complete details of the Contracts, see General Exhibit No. 8356.)

3. State Textbook Commission Recommendations

On April 14, 2000 the Utah State Textbook Commission recommended over 350 titles for approval from the attached printout. The Commission also recommended that the State 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. (For complete details of the recommendations, see General Exhibit No. 8357.)

The State Board of Education adopted the instructional materials as recommended by the Utah State Textbook Commission and directed staff to award contracts to the various publishers.

4. Council of Chief State School Officers Dues

The invoice for the Council of Chief State School Officers Dues and Assessments in the amount of \$23,858 for fiscal year 2001 was approved. (For complete details, see General Exhibit No. 8358.)

5. Ratification of Employment

David H. Steele was ratified as an Educational Coordinator, Program Development and Support Services in the Planning and Project Services Division.

6. Pinnacle Canyon Academy Charter Request

The Pinnacle Canyon Academy, a K-7 charter school in Price, has requested approval to extend their curriculum to provide services for eighth grade students. The Board has previously permitted enrollments for the seventh grade students. They anticipate 20 students would take opportunity of this request.

The State Board approved Pinnacle Canyon Academy's request to extend offerings to eighth grade students beginning the 2000-2001 school year.

7. Claims Report

The Claims Report in the amount of \$138,836,484.06, ending April 30, 2000, was approved by the Board. (For complete details, see General Exhibit No. 8359.)

---

## **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 personnel or potential litigation issues. The Board was polled and by unanimous consent of those present the Board moved into an Executive Session during lunch at 12:55 p.m.

Motion was made by Member Susan Henshaw and seconded by Member Cheryl Ferrin to reconvene into open meeting. Motion carried unanimously.

The Board reconvened at 1:25 p.m.

---

## **Open Meeting**

### **Disability Determination Services Advisory Council**

Motion was made by Member C. Grant Hurst and seconded by Member Cheryl Ferrin to appoint Holly Balken, Mark Smith, Leona Lancaster, Rosemary Lysaught to the Disability Determination Services Advisory Council. Also to appoint David Melville, Michael Welker and Michael Jayme as Alternates to the Disability Determination Services Advisory Council. Motion carried unanimously.

### **NASBE (National Association of State Boards of Education) Board of Directors**

Motion was made by Member Janet A. Cannon and seconded by Member Bette O. Arial that the Utah State Board of Education support the following nominees for the NASBE Board of Directors: President, Corine Hadley; Vice President, Betty Preston; and Western Area Director, Marilyn Shields. Motion carried unanimously.

Motion was made by Member C. Grant Hurst and seconded by Member Judy Larson to adjourn the regular meeting to an open study session for the purpose of discussing assessment issues.

Meeting adjourned at 1:30 p.m.

---