

MINUTES

September 7, 2001

Minutes of the meeting of the State Board of Education and State Board for Applied Technology Education held September 7, 2001, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 8:40 a.m. At the request of Chairman Kim R. Burningham Vice Chairman Janet A. Cannon presided. Members present were:

Chairman, Kim R. Burningham

Vice Chairman, Janet A. Cannon

Member R. Michael Anderson

Member Pamela J. Atkinson

Member Linnea S. Barney

Member Laurel Brown

Member Greg W. Haws

Member David J. Jordan

Member Judy Larson

Member A. Earl McCain

Member Denis R. Morrill

Member David L. Moss

Member Joyce W. Richards

Member Marilyn Shields

Member Teresa L. Theurer

Member John C. Pingree 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 Bonnie Morgan

Board Secretary Twila B. Affleck

Public Affairs Director, Mark Peterson

Also present for portions of the Board meeting were:

Members of the Press:

Beth Dove, Standard Examiner

Darci Marchese, KSL Radio

Heather May, Salt Lake Tribune

Marta Murvosh, Salt Lake Tribune

Jennifer Toomer Cook, Deseret News

Chad Harris, Governor's Office of Planning & Budget

Patricia H. Rowse, Superintendent, Tintic School District

Tobey Fields, Cache School District

Eric Smith, Timpanogos Academy

Michelle Smith, Timpanogos Academy

Alison Smith, Timpanogos Academy

Sue Dredge, Timpanogos Academy

Julie Kirkpatrick, Timpanogos Academy

Connie Mason, Timpanogos Academy

Jim Peterson, Timpanogos Academy

Patty Peterson, Timpanogos Academy

Nedra Anderson, Timpanogos Academy

Susan Dayton, Utah PTA

Marian Gardner, Utah PTA

Jim Eldredge, Utah Education Association

Steven H. Peterson, Utah School Boards Association/Utah School Superintendents Association

Janet Hovocka, John Hancock Charter School

David Adamic, John Hancock Charter School

Julie Adamic, John Hancock Charter School

Jeff Jensen, John Hancock Charter School

Don A. Carpenter, John Hancock Charter School

Linda Plouzak, Utah PTA

Utah State Office of Education Staff:

Ron Stanfield, Planning & Project Services

Pat O'Hara, Agency Services

Gail Johnson, Planning & Project Services

Barbara Gardner, Planning & Project Services

David Steele, Planning & Project Services

Barbara Lawrence, Planning & Project Services

Vice Chairman Janet Cannon shared a tribute to teachers and the differences they can make in a child's life.

Vice Chairman Janet A. Cannon excused Board Member John C. Pingree.

Board Members repeated the Pledge of Allegiance.

Board Member A. Earl McCain offered the Reverence.

Twila B. Affleck recorded the minutes.

Board Member Mike Anderson shared his thoughts on Code of Conduct #1 that Board members represent the Board of Education with dignity and integrity. He stated that integrity is knowing what is right and acting accordingly. He shared a quote by N. Eldon Tanner about integrity. He hoped that the standard shared in the quote would be what the Board would represent, that if there is a quality we believe in we stand behind it even when no one else thinks we may

be right.

Installation of New Board Members

Board Chairman Kim Burningham shared a brief history of both new members from the Board of Regents.

Board Chairman Kim R. Burningham issued the Oath of Office to newly appointed Board Members Pamela J. Atkinson and John J. Jordan. Members Atkinson and Jordan were appointed by the State Board of Regents as non-voting members of the State Board of Education.

Chairman Burningham welcomed these two new members to the Board. He shared one thing he said to them on the phone after their appointment by the Regents. He indicated that they are both are non-voting members of the Board, but we consider their view point of great importance, and we should know what their feelings are. Further, in every other way we consider them to be full members of the Board.

David Jordan commented that he is delighted to be a member of the Board and hoped that he brings a perspective, not just from higher education, but an experience with public education that comes from the ground level. He has four children, one in college, one in high school, one in junior high and one in elementary school. He has chaired the community council in his neighborhood that works with both the elementary and junior high school. Most of all, however, his spouse is a former PTA president.

Pamela Atkinson commented that she too is delighted to be a part of the Board. She has a deep and abiding interest in public education. She indicated the Board may hear her talk about the continuum of education because she feels there should not be a division between public and higher education. She is looking forward to learning a great deal and hopefully contributing.

Recognitions

Christa McAuliffe Fellowship Program

Member Teresa L. Theurer reported that the Christa McAuliffe Fellowship Program is a program funded through the Council of Chief State School Officers which provides fellowships to outstanding teachers to enable and encourage them to continue their education, to develop innovative programs, to consult with or assist local educational agencies, private schools, or private school systems, and to engage in other educational activities that will improve the knowledge and skills of teachers and the education of students. The fellowship honors the late Sharon Christa McAuliffe, the teacher who served as an astronaut on the Challenger Space Shuttle in January 1986.

Member Theurer announced that Tobey Fields, a speech pathology teacher at Millville Elementary School, Cache District has been selected as Utah's winner of the 2001-2002 Christa McAuliffe Fellowship Program. She noted that Ms. Fields' project involves the development of a language curriculum for students with severe disabilities, which integrates literacy research, intervention techniques in Communication Disorders, Augmentative and Alternative Communication (AAC) and the Utah Core Curriculum. She presented Ms. Fields with a Certificate of Recognition from the State Board of Education.

Ms. Fields commented on the networking that has taken place with her project. She indicated that she will continue working on her project for the next year. This has been a 20-year project, and many people have offered many things by way of help for this project.

Outgoing Board Member, Bette O. Arial

Chairman Kim R. Burningham recognized Bette O. Arial who has resigned from the Board due to a change in jobs and a move from her district. He noted that Member Arial has worked in the public affairs arena for the past several years and has provided a great deal of community service in the southern part of the state. He presented the traditional school bell plaque to Mrs. Arial upon her retirement from the Board.

Mrs. Ariel commented that it was difficult to leave the Board - it has been a singular experience. She leaves with great respect for the executive staff and for the members of the Board.

Executive Officer Report

Superintendent Steven O. Laing presented the following items of information:

Alliance for Young Artists - Three students from Utah have been recognized nationally by the Alliance for Young Artists and Writers, Inc. There were more than 250,000 entries nationwide for these awards. Thad Gillespie of Timpview High School, painting, silver award; Zack Taylor, Timpview High School, photography, silver award; and Michael Hardy, Viewmont High School, poetry, gold award. Dr. Laing noted that letters of congratulations have been sent to these students on behalf of the Board.

Summer Data Conference - Financial Statistics - Each year there is a summer data conference for our employees in our finance section. At this conference they recognize staff members who have done particularly well. This is the fifth year in a row that we have been recognized in the state with an outstanding performance award in both financial and statistical reporting. Team members who are responsible for submission of the data are Tom Upton, Cathy Dudley, and Shaunna Ford. Pat O'Hara is the finance director over these employees.

Student Immunizations - The law requires that annually we keep track of students who have not been properly immunized. If they are not properly immunized and the schools have not followed through on this, there is to be a withholding of weighted pupil unit funds. Last year there was a change in how this is reported and instead of coming directly from the schools, it now comes from the County Health Nurses. In so doing, a significant number of students have been identified that are not properly immunized. Dr. Laing indicated that on Monday the Utah School Superintendents will be meeting and we will let them know that they may be losing some funds.

Tintic School District - The Tintic School District needed to transfer some money between their funds. The law is such that the Board of Education makes that determination, votes on it and they inform the State Board. Tintic School District because of the difficulty they are having in providing teachers in one of the remote areas of western Juab County felt the need to transfer some money to provide housing for a teacher. The Tintic Board has made that action, and forwarded a letter regarding that action, along with a copy of the minutes. (For complete details of the letter, see General Exhibit No. 8639.) BYU Partnership - On October 3, the BYU Partnership is sponsoring a daylong seminar on "Education in the 21st Century." Dr. Willard Daggett, President of the International Center for Leadership in Education will be the presenter. The Board has been invited to participate in this seminar as the guests of the BYU Partnership. It will be held at the Harmon Conference Center on the BYU campus beginning at 8:30 a.m. and concluding at 3:00 p.m. If any Board member is interested in participating please let us know today so we can notify them.

Legislative Joint Appropriations Subcommittee - The Legislative Joint Appropriations Subcommittee will be taking a three-day tour. On September 18, they will be in the Salt Lake area and have a general meeting scheduled at Jordan High School at 7:30 p.m. Dr. Laing distributed a copy of the agenda for that meeting. (For complete details, see General Exhibit No. 8640.) He noted that item number three on the agenda is the Board's budget request. Dr. Laing further noted that prior to that meeting the Board has been invited to join them for dinner at 5:30 p.m. The place for the dinner is yet to be arranged, but we will get it out as soon as a place has been identified.

U-PASS Training - The Legislature last year appropriated funds for two additional days to providing training with regard to U-PASS and the implications it has for teachers. Dr. Laing selected a letter from several he has received relative to this training. The letter was from Glen Taylor, Executive Director of the Central Utah Education Service Center. The letter talks about the collaboration that existed across several small districts to provide the training and makes some comments about how well it was received. Dr. Taylor commented in the letter "please notice the number of presenters from the Utah State Office of Education. All performed an excellent job, were accommodating and pleasant to work with. The district superintendents of the CUES region thank you for allowing USOE personnel to help with this inservice." He commented that it was nice to know that the service our people are providing is being appreciated. It also validates the perspective that we have of being a service entity.

Take 2 Program - Last Sunday Dr. Laing participated on Take 2 with Rod Decker and individual from Sutherland Institute talking about education generally and tuition tax credits.

Visit to Mountain States Textbook Depository - Several of the executive staff visited the Mountain States Textbook Depository. This is a private organization, and they have contracts with 41 publishers and essentially a warehouse for textbooks. This is the source school districts go to buy textbooks once they have been approved by the Board. It is in close proximity and they can get delivery immediately. Districts also have the opportunity to buy directly from the publishers. Because they are private, they do not have an official relationship with the State Office of Education, it does with the publishers and the districts. They provide information, but are reluctant to provide too much information because they do not have a contractual relationship with us. They are very anxious to be cooperative. There are others who are interested in starting similar programs.

Washington County Republican Women's Group -- Dr. Laing reported that he had the opportunity of speaking to the Washington County Republican Women's Group. They are very concerned about advancing President Bush's initiative of "Leave No Child Behind." They have focused on providing a bag of materials, including books and some other literary materials, and they are focusing on giving those to students in pre school years in distressed situations. They also talked about the Republican Convention's adoption of the tuition tax credit as an initiative to be advanced.

Dr. Laing reported that he received a call this morning from Representative Swallow. Because of his assignment as general counsel for his company and some critical litigation that is going on he will be unable to be with us. He has requested that he be placed on the October agenda.

Board Chairman Report

Vice Chairman Janet Cannon reported that she has been attending the Redistricting Committee meetings and Representative Pace put forth Plan 1 for the State Board, which is the one everyone had given input on. It was passed with the exception of one vote by Representative Harper. Representative Harper came back with more changes that were more extensive than the rest of the committee thought. These changes may affect Members Dave Moss, Laurel Brown, Denis Morrill, Marilyn Shields and herself. She reported that there is another meeting of the Redistricting Committee on Monday, September 10 at 9:00 a.m. where this may be looked at again.

Chairman Kim Burningham reported that he had received a telephone call earlier this morning from Representative Pace about this issue. She felt that at this point it does not affect Vice Chairman Cannon's district, but it does affect the others. He indicated that Representative Harper is very exercised to make this one change. However, Representative Pace made it clear that the change he is recommending would cross some voting districts and split some municipalities. He indicated that the four Board Members whose districts are in question really need to be sure they contact Representative Pace who will be in the legislative office from 11:00 a.m. today. Or you can call Jerry Howe at 538-1032.

Chairman Burningham commented that the Board will be making final decisions about budget recommendations. He emphasized that, from his point of view, making the decision about the budget is only step number one. He felt that the closer we come to seeing it actually accomplished, depends on the actions we take afterwards. He urged Board members to become a key contact for key legislators that represent them. They need to get the Board budget recommendations from members of the Board. He suggested that each member of the Board send a letter including the budget recommendations immediately. He suggested that Board members personalize the letters with comments to each of their legislators.

Chairman Burningham reported that he had attended the NASBE Chairs Leadership Conference in Williamsburg, Virginia in August. The main focus of the meeting was how to become more politically effective. They also examined legal issues which were extremely profitable. They participated in moot court experience about drug testing and other issues.

Chairman Burningham reported that he and Member Linnea Barney attended their first meeting of the Board of Regents. This meeting ended in the selection of the president of UCAT. He indicated that both he and Linnea, as well as the rest of the State Board, wished they had selected Rob Brems because of our high appreciation for him. Dr. Fitch,

who has been appointed as the President of UCAT is a competent, very talented and bright person. His grasp of information about education in general as well as applied technology education is outstanding. He is very aggressive and will be moving ahead. Mr. Burningham indicated that it is the desire of the Board is for it to succeed and for it to work well.

Member Linnea Barney commented on how welcome the Board of Regents made them feel.

Member Linnea Barney reported that she is on the Trust Lands Advisory Committee and was involved in the interviews for Trust Lands Executive Director. Member Barney suggested that the Board have some training on Trust Lands.

Member Dave Moss reported that he has accepted a part-time teaching position at his old school. He will be teaching science and social studies in the afternoons.

Member Teresa Theurer reported that she and Member Judy Larson and Superintendent Laing attended their first meeting of the Job Enhancement Committee. She felt that this is going to be a much bigger job than they thought. They will be meeting again in one week.

Member Laurel Brown reported that she has been working on the English Language Learners Committee. They are anticipating some support from the Board on their building blocks. She has enjoyed her work on this committee and is very impressed with the amount of knowledge and expertise that all the people have brought to the table.

Member Marilyn Shields reported that she attended a meeting in Wendover for a study group dealing with the decisions to be made regarding the state line. There are some really tough problems there. She made a suggestion to them that they need a facilitator who could work with both sides. Our concern is that it involves many of our children.

Member Marilyn Shields reported that in her position as Western Area Director for NASBE they just received an evaluation process of the Executive Director of NASBE. There are many things that have been accomplished by NASBE. She provided a positive evaluation for the Executive Director.

Member Denis Morrill complimented the Trust Lands Board on their choice of Steven Boyden as executive director. He commented that Mr. Boyden will make a great director.

Member Earl McCain reported that he participated in the U-PASS training in the Morgan School District. He was impressed that the teachers have a good attitude about this. One concern that was voiced was in regard to U-PASS, and any other test this office provides for and expects some performance on our school children, is that of the quality of diagnostic feedback with regard to performance of students collectively and individually so they can use it to modify their instruction to accommodate whatever deficiencies there may be.

Annual (final) ATC/ATCSR Membership

Hour and Performance Review

Associate Superintendent Robert O. Brems presented the annual ATC/ATCSR Membership Hour and Performance Review for Fiscal Year 2001. The report provides the Board comprehensive information for monitoring the progress and needs of applied technology centers and service regions. He noted that this year the information is especially critical as it provides a base line for the status of secondary students within the ATCs and ATCSRs which become elements of the new Utah College of Applied Technology. (For complete details of the report, see General Exhibit No. 8641.)

Motion was made by Member Marilyn Shields and seconded by Member R. Michael Anderson that the State Board for Applied Technology Education approve the FY 2001 ATC and ATCSR Membership Hour and Performance Review with appreciation and commendation to the staff.

Member Laurel Brown suggested an addition to the motion that the report be forwarded to UCAT, through our

representatives, the recommendation in the report, specifically a review of Rule R277-907-7, R277-907-8, and that we recommend for study of UCAT a common student information system.

Suggested addition was accepted as part of the motion by Member Shields and Anderson.

Motion as amended carried unanimously.

Proposed Approval of Three New Charter Schools

Deputy Superintendent Gary Carlston presented background information on the charter school legislation. He explained the process for bringing the current applications to the State Board of Education. Presented today are three applications who were not approved by their local boards. The Planning, Finance and Legislation Committee met and reviewed the applications, and took both written comment and presentation from the charter school applicants as well as from the school districts. Member Denis R. Morrill, Chairman of the Planning, Finance and Legislation Committee reported that the Planning, Finance and Legislation Committee held a special Committee meeting on August 24, 2001 to consider three charter school applications. The Committee listened to each application separately and discussed each in detail. He noted that the motion made and voted upon by the committee were included in the agenda. Through the last motion the Committee requested staff to do some work and get back to us on the three questions. They have provided the information in memorandum format. Mr. Morrill reviewed the responses to the questions in the motion. (For complete details of the material presented and the three Charter School Applications, see General Exhibit No. 8642.)

Motion from the Planning, Finance and Legislation Committee that the Board accept the recommendations of the committee and approve the following three charter schools to begin with the 2002-2003 school year: John Hancock Charter School grades K-3, Alpine School District; Timpanogos Charter School grades K-6, Alpine School District; and Thomas Edison Charter School grades K-7, Cache School District.

The Board requested that each school be discussed and voted on individually.

Motion from the Committee that the Board accept the recommendations of the Planning, Finance and Legislation Committee and approve the John Hancock K-8 Charter School upon their meeting the charter school assurances established by the State Board of Education to begin with the 2002-2003 school years. Further, that the State Board of Education encourages the John Hancock Charter School to return to the Alpine School District to attempt to charter under the district.

Vice Chairman Janet Cannon commented that the Board has a vested interest in the success of these charter schools because they are serving our children. The Board also has an interest in knowing that these charter school are public schools and they need to follow the laws and regulations just as the public schools do. Member David Jordan questioned the legal reassurance that the charter can be transferred or cancelled if the district accepted the charter.

Deputy Superintendent Gary Carlston clarified that the Alpine District was not ready with policies, etc. to issue charters when the applications were presented so they were turned down. The law provides that the charter school, once turned down by the local school district, can make application to the State Board. If these charter schools can go back and work things out with their districts, the charters can be transferred. He further indicated that this is all new territory for all of us and we are trying to work things out to benefit all concerned.

Board Member Mike Anderson commented that the proposed charter schools in the Alpine District wanted to begin this school year. When things were not in place in Alpine and they were rejected, their next avenue was to come to the State Board. By starting school next year, this will allow them to come into compliance with all of the assurances and possibly make application with the Alpine School District.

Superintendent Laing clarified that the Board is not an appeal body with regard to charter school applications. The law states that if a charter school application is rejected by a local district, the school can apply to the State Board. The Board needs to accept or reject the application on its merit.

Member Laurel Brown posed several questions relative to the John Hancock Charter School Application. Questions related to volunteer hours requested of parents; enrollment priority given students whose parents are charter school board members; the application amendment process, how the notification to the public will be made of the open enrollment date and a concern with staffing that the principal of the school could also be a part-time teacher.

Deputy Superintendent Gary Carlston responded that such a condition for enrollment in the school was inappropriate, and that the Committee had requested that there be a declaration of the founding parents and that it could not be every parent in the district. Further, that the solicitations of membership commence after the charter is granted.

Deputy Superintendent Gary Carlston reviewed the charter school legislation, the board rule, and the mechanism for more consistent monitoring of charter schools and the assurances. He indicated that between now and the time the charter school opens its doors the State Office of Education will work with the charter school awardees to help them bring their application into full compliance and to make sure they meet the assurances. He commented that until the school is in business and running, those trying to start the schools do not know what some of the assurances really are. Dr. Carlston noted that the State Board will receive regular reports on the progress of the charter schools and how they are meeting the assurances.

Member Laurel Brown voiced concern that once a charter is granted there are no guiding principles if their application is incomplete. She felt the Board should hold off on awarding a charter until the application is complete.

Member Teresa Theurer commented that it is difficult to not charter everyone that asks. There are a lot of concerns with this school. This is one of two schools in the same neighborhood. She has a concern with this feeling that a charter schools needs parents working together. She indicated she did not feel good about chartering this school.

Member Judy Larson commented that the difference between the two schools is in the selection of their governing boards -- one is appointed, one is elected. She indicated that she has learned, since the committee meeting, that the Hancock School was not aware of the Alpine District concerns and they are now communicating with each other. She felt the Board needed to consider that the application is a promise to fulfill the assurances. She stated that her own personal conclusion is that oversight is taking place in the State Office, and it will continue to make sure these charter schools are meeting the assurances. The next step is to develop a reporting system so that the Board knows what is going on.

Member Denis Morrill commented that there could be a tendency on the part of the Board to try to micro manage these charter schools which would defeat the purpose of the schools. He indicated that they are public schools and they must comply with the law. As we look at the charter school applications, we need to remember that these people are amateurs, not professional educators. He felt the applications were remarkably well put together. He stated that he continues to recommend that the Board approve the charter school with the conditions, and if the motion needs to be amended to include a statement that any portion of their application document is not in compliance with the law that it be amended to do so.

Dave Steele, Coordinator, Planning & Project Services, noted that applications and bylaws are not synonymous, because they do not exist at this time. These proposed charters do not have boards of directors, enrollments, etc. Mr. Steele indicated that we currently have eight charter schools in the state and gave a brief background of the changes that have been made in some of those schools relative to compliance with the assurances. He noted that the State Office of Education has compliance mechanisms which have been used as sanctions.

Member Dave Moss commented that one important component is the parent component. Ultimately if there are shortfalls, if things are not happening and kids are not getting the quality education that is expected, the parents will be the ones who say they are not interested in participating in the school anymore.

Deputy Superintendent Gary Carlston noted that to the motion, one of the things that should be considered, as well in other motions on charter school approvals, is that it should be clear in the motion that if the charter is granted, it may only be located in the district where the local board of education has already had an opportunity to receive the charter. In this case, the John Hancock K-8 Charter School can only be located in the Alpine School District.

It was agreed that the original motion from the committee be amended to add approval of the John Hancock K-8 charter school physically located within the Alpine School District.

Member Laurel Brown requested that the Committee accept a change in the motion to delete the sentence, "further that the State Board of Education encourage the John Hancock K-8 Charter School to return to the Alpine School District to attempt to charter under the school district." She suggested the following language: That the Board encourage the John Hancock Charter School to return to the Alpine School District for professional guidance with their school, not necessarily to charter.

Member Denis Morrill indicated that with the policy statement adopted by the Committee in last motion, this would not be consistent with committee action. The suggested change was not adopted

Motion to approve the John Hancock K-8 Charter School carried with Members Anderson, Barney, Brown, Burningham, Haws, Larson, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member McCain opposed.

Motion from the Planning, Finance and Legislation Committee recommends approval by the State Board of Education of the Timpanogos K-6 Charter School to be physically located in Alpine School District upon their meeting the charter school assurances established by the State Board of Education, to begin the 2002-2003 school year. Further that the State Board of Education encourages the Timpanogos Charter School to return to the Alpine School District to attempt to charter under the district.

Discussion ensued relative to how wide spread notification of the enrollment would be for the charter schools. Further, that the Board has the authority to establish rules and define what it means to be a founding parent and what it means to have an open enrollment period.

Motion to approve the Timpanogos K-6 Charter School carried with Members Anderson, Barney, Brown, Burningham, Haws, Larson, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member McCain opposed.

Motion from the Planning, Finance and Legislation Committee that the State Board of Education approve the Thomas Edison K-6 Charter School to be physically located in the Cache School District upon the meeting of the Charter School Assurance established by the State Board of Education to begin with the 2002-2003 school year. Further, that the State Board of Education encourages the Thomas Edison Charter School to return to the Cache School District to attempt to charter under the district. Member Teresa Theurer commented that she appreciated the work of the State Office of Education relative to the information they provided about the financial implications of this application.

Member Theurer informed the Board that although students who may be attending this school will come from two districts, she has learned that approximately 69% will come from Cache School District. Further, approximately 71% of their list of potential governing and steering board members come from one school area. She asked that the Board encourage the legislators to look at the charter school implications on the districts who have stagnant or dropping enrollment. Although there is protection for one year, what happens after that?

Member Mike Anderson commented that there may be school rooms available within the existing district facilities that may minimize the amount of the financial impact if the charter schools used those rooms.

Member Laurel Brown voiced concerns with the application relative to a statement on special education. Member Teresa Theurer responded that they have made a change to the wording and distributed a proposed amendment to the application.

Member Judy Larson noted that if the Board could vote based on the financial ramifications to the school district, she would not vote in favor of this charter.

Member Denis Morrill proposed that the Board accept as part of the original motion the amendment to the application from the Thomas Edison School relative to the special education and ESL issues.

Motion to approve the Thomas Edison Charter School carried with Members Anderson, Barney, Brown, Burningham,

Haws, Larson, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member McCain opposed.

Motion from the Planning, Finance and Legislation Committee that the philosophy of the Board is that charter schools seek support of their local district. That the preference of the Board is that the charter schools be approved by the local boards, including the existing eight charter schools previously approved by the Board. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member R. Michael Anderson that the Board direct staff to prepare a rule that deals with the two issues: definitions for founding member and open enrollment. Further, that this be done in shortest time limit possible, and that the three new charter schools be bound by those rules. Motion carried unanimously.

Motion was made by Chairman Kim R. Burningham and seconded by Member Teresa L. Theurer that the Utah State Board of Education officially conveys to the Education Committees of the Legislature its concern regarding the negative financial implications of chartering schools in districts with stagnant or decreasing enrollment. Motion carried unanimously.

Member Judy Larson requested that when orientation for these charter schools takes place that Board Members be invited to attend.

MGT of America Interim Report

Patrick Ogden introduced Dr. Linda Recio and Dave Teater of MGT of America who made an interim report to the Board detailing the progress of the study and preliminary findings and recommendations of MGT concerning the efficiency and effectiveness study of the State Office of Education. (For complete details of the preliminary report, see General Exhibit No. 8643.)

The Board expressed appreciation for the work to date and the direction that MGT is taking.

Board Budget Request/Building Block Ranking

Chairman Burningham noted that the Board has been discussing budget issues, specifically at the August meeting. He indicated that the material in the agenda reflected that actions of the Board at the August meeting. (For complete details of the proposal, see General Exhibit No. 8644.)

Motion was made by Chairman Kim R. Burningham and seconded by Member A. Earl McCain that the Board adopt the budget recommendation as presented. It included: (1) WPU increase 2% over CPI, (2) Block Grants (Intervention for Student Success and Quality Teaching), (3) Expansion of local tax efforts, particularly the capital outlay funding, and if there is additional funding available (4) an increase in the wpu.

He noted that on Page 1 there is an "or" relative to funding the reading specialist. This would provide reading specialists in one-fourth increments of \$4 million. The motion includes the \$4 million figure.

Superintendent Laing distributed a copy of the Alternative Language Services Building Block. He noted that this has been prepared by the Task Force that is reviewing alternative language services and English language learners. (For complete details, see General Exhibit No. 8645.) He indicated that the budget proposal has the ongoing figures for this building block of \$6 million. He felt it was important that the Board consider how they would like to deal with those issues.

Member Greg Haws questioned the word "pieces" in the document rather than calling the items "priorities." Superintendent Laing responded that the word "piece" is just generic and would be changed to priorities once the Board has taken action.

Member Pamela Atkinson spoke to the need for money for school nurses. She felt that without the well being of the child, education cannot be successful.

Member Laurel Brown explained the request for alternative language services and the strong feeling from the task force that every teacher will have some relevance to a second language.

Superintendent Laing noted that the \$6 million is programmatic for students, so it is shown as part of the new block "Interventions for Student Success." The \$16 million is professional development and is not included in the proposal. The Board will need to decide whether to add this, or designate some of the other monies for that purpose for one time training.

Associate Superintendent Bonnie Morgan commented that Senator Stephenson is on the task force and is committed to getting the third U-PASS day, and these students are part of the U-PASS system. However, a one-day training is not adequate, they need at least 30 hours of training.

Superintendent Laing presented an explanation of each of the pieces in the proposal. He indicated that yet to be considered is to add additional \$16 million for training on ELL, or to take that from the Quality Teaching Block. This could be added to the bottom number building it up to above \$124 million, but we need to ask what is realistic.

Member Joyce Richards commented that legislators want the career ladder money to be used to evaluate or rank teachers, and they are unhappy that such a small amount of money is used for this.

Member Greg Haws suggested that the motion be changed to indicate the proposal is in priority order rather than pieces. Suggestion was accepted by Chairman Burningham and Member McCain.

Discussion ensued relative to priorities versus pieces.

Chairman Burningham clarified his motion to change word to priority, move non-minimum school program issues up in front of Priority #4. Member McCain agreed.

Vice Chairman Janet Cannon suggested that the Board present a Non-Minimum School Program piece and a Minimum School Program Piece which would include the four priorities.

Motion by Chairman Kim Burningham and Member Earl McCain was revised based upon the above clarification.

Motion carried unanimously.

Tuition Tax Credit Proposal

This item was postponed until the October meeting.

Executive Session

Motion was made by Member Teresa L. Theurer and seconded by Member Judy Larson to move into an Executive Session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present, the Board moved into an Executive Session during lunch at 1:35 p.m.

Motion was made by Member Teresa L. Theurer and seconded by Member Greg W. Haws to move out of Executive Session. Motion carried unanimously.

The Board reconvened at 2:15 p.m.

Executive Session Actions

Disability Determination Services Advisory Council

Motion was made by Member Marilyn Shields and seconded by Member Judy Larson to appoint Lilian Grant, M.D. to the Disability Determination Services Advisory Council as an alternate. Motion carried with Members Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields, and Theurer voting in favor; Member

Anderson absent.

Utah Professional Practices Commission Recommendations

Motion was made by Member Linnea S. Barney and seconded by Member A. Earl McCain that the Board accept the Commission and hearing panel recommendation and reinstate the educator license in Case No. 99-474, a former educator in the Millard School District. Motion carried with Members Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Anderson absent.

Motion was made by Member Linnea S. Barney and seconded by Member Marilyn Shields that the Board accept the Commission recommendation and hearing report, including conditions of the report, and suspend the educator license in Case No. 99-487, a former educator in Washington School District for a period of at least two years. The suspension is based on testing protocol violations by the educator. The recommendation for suspension follows an appeal of an earlier revocation of the educators license. Motion carried with Members Barney, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Members Anderson and Brown absent.

Motion was made by Member Linnea S. Barney and seconded by Member David L. Moss that the Board accept the Commission recommendation and hearing report, including conditions of the report and revoke the educator license in Case No. 01-543, a former educator in Kane School District. The action results from a hearing held June 28, 2001, which concluded that the educator accessed sexually-explicit web sites using district-owned equipment, encouraged an informant posing as a student to obtain and grow illegal drugs, and disrupted the educational climate of the school. Motion carried with Members Barney, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Members Anderson and Brown absent.

Motion was made by Member Linnea S. Barney and seconded by Member A. Earl McCain that the Board accept the Commission recommendation and revoke the educator license based upon default in Case No. 01-548 a former educator in the Iron School District. On July 11, 2001, the educator entered an Alford plea to a charge of felony child abuse. The plea is not an admission of guilt, but it acknowledges that the state has enough evidence to prove the charge. A Commission complaint was mailed to the educator on June 5, 2001; no response, either verbal or written, was ever received from the educator or attorney. Motion carried with Members Barney, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Members Anderson and Brown absent.

Motion was made by Member Linnea S. Barney and seconded by Member David L. Moss that the Board accept the Commission recommendation and a stipulated agreement, including conditions of the agreement in Case No. 01-554, a former educator in Alpine School District. The educator voluntarily surrendered his educator license in lieu of a hearing for purposes of revocation for at least five years. The educator pled guilty to two counts of sexual abuse of a minor, both second degree felonies. Motion carried with Members Barney, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Member Anderson and Brown absent.

Motion was made by Member Linnea S. Barney and seconded by Member A. Earl McCain to accept the Commission recommendation and a stipulated agreement, including conditions of the agreement in Case No. 01-559, a former educator in Washington School District. The educator voluntarily surrendered his educator license in lieu of a hearing for purposes of revocation for at least five years. The educator pled guilty to sexual battery, a class A misdemeanor. Motion carried with Members Barney, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, Shields and Theurer voting in favor; Members Anderson and Brown absent.

(For complete details of the Utah Professional Practices Commission recommendations, see General Exhibit No. 8646.)

Chairman Burningham requested that each Board Member follow-up with the budget priorities with their legislators. He distributed two versions of possible letters that may be sent from Board Members to their legislators. He encouraged each Member to write a personal note on the letters because it makes a difference to the legislator. It was agreed that the letters and the budget priorities would be e-mailed to each Board Member so they could personalize and send them to their legislators.

The Board recessed into Committee Meetings.

The Board reconvened for Committee Reports.

Board Committee Reports

Planning, Finance & Legislation Committee

Member Denis R. Morrill, Chairman of the Planning, Finance & Legislation Committee presented the following recommendations from the Committee:

Utah Policies for Participation of Students

with Special Needs in the Utah Performance

Assessment System for Students (U-PASS)

This document establishes policies and procedures for school districts in administering the required statewide tests that are part of the U-PASS system to students with special needs according to state and federal mandates. (For complete details, see General Exhibit No. 8647.) The Committee changed the title of the document to Utah **Requirements** for Participation of Utah Students with Special Needs in the Utah Performance Assessment System for Students (U-PASS). There were also changes made to the document dealing with formatting not content.

Motion from the Committee that the State Board of Education approve the Requirements for Participation of Utah Students with Special Needs in the Utah Performance Assessment System for Students (U-PASS) as modified. Motion carried with Members Anderson, Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards and Theurer voting in favor; Member Shields absent.

Testing Procedures, Rule R277-473 The amendments to this rule are necessary to provide clear directives to school districts and educators regarding test protocol, and violations of testing protocol policies and procedures. (For complete details, see General Exhibit No. 8648.)

The Committee approved Rule R277-473, Testing Procedures on first reading based on changes suggested by the Committee. The Rule will come back to the Board at the next meeting with the changes recommended by the Committee for second and third reading.

Changes to Board rules on Coaching

The rules requiring athletic coaches to be licensed educators have become increasingly problematic for school districts, resulting in some cases with educators being assigned coaching duties for which they were ill prepared, and more tragically, coaches assigned teaching duties for which they were ill prepared were reviewed. The modification to Rule R277-517 Athletic Coaching Certification removes the requirements for coaches to be licensed educators, but keeps in place the important requirements for criminal background checks and at the same time expands the requirement for appropriate training specific to coaching. Since coaches will not necessarily be licensed, appropriately trained coaches will be designated as being "certified." Other changes simply combine the three rules into two, enabling the repeal of R277-606 in its entirety. (For complete details of all of these rule, see General Exhibit No. 8649.)

The Committee moves that the State Board approve on first reading the changes to R277-517, Coaching Certification and approve R277-605 Coaching Standards and Athletic Clinics on first and second reading, as well as the repeal of Rule R277-606 Interschool Competitive Sports in High School.

Member Linnea Barney suggested a correction in grammar in Section 605-3-C(3) to read: "Coaches, assistants and advisors shall act in a manner consistent with . . . "

Member Denis Morrill suggested a correction to 605-3(A) "Schools and coaches shall strictly adhere to both the letter

and the spirit . . . " striking the words "with every effort."

Motion as amended with the above suggestions carried with Members Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards and Theurer voting in favor; Members Anderson and Shields absent.

ESL Endorsement Program at Davis

School District Report

Educator preparation programs are reviewed every six years. The process includes an institution self-study and an On-Site Team visit to assess the institution's practices with state standards. The Davis School District completed the Self-Study Report, and an On-Site Team completed the review. The report contains commendations, recommendations, and suggestions to which a response from the institution is required within one year. The Davis School District will prepare a response to the review within a reasonable period of time but not to exceed one year from the date of Board approval. (For complete details of the report, see General Exhibit No. 8650.)

The Committee received and approved the report with the proviso that there be some rewording on page 3 under General Recommendations. The Committee requested that the changes be made and that the document be placed on the General Consent Calendar for action by the full Board next month.

Curriculum and Instruction Committee

Member Greg W. Haws, Chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

School Instruction and Human Sexuality.

Rule R277-474 and Teen Pregnancy Prevention

Funding, Rule R277-752

Senate Bill 75 passed by the 2001 Legislature requires that school districts have decision-making authority in the adoption of human sexuality instructional materials which have not been approved by the Instructional Materials Commission. Materials to be adopted must be medically accurate and comply with the new criteria of Utah state law. Distribution of teen pregnancy prevention funding to school districts will be consistent with Section 53A-13-101. The requirements of R277-752, Teen Pregnancy Prevention Funding, are satisfied by the amendments to R277-474, School Instruction and Human Sexuality. Therefore, Rule R277-752 is no longer necessary. (For complete details of the Rule, see General Exhibit No. 8651.)

The Committee made the following amendments to Rule R277-474-6-D to read: "The local board's adoption process for human sexuality instructional materials shall include a process for annual review of the board's decision. This decision may be appealed by a designed number or percentage of district patrons as defined by the local board." Under R277-474-8-B(4) Research should be in lower case. Under R277-474-8-C(3) to read "providing a minimum base of \$10,000 . . . "

The Committee approved the amendments to Rule R277-474, School Instruction and Human Sexuality on first reading, and moves that the State Board of Education approve Rule R277-474 on second reading as amended. Further, the Committee moved that the Board repeal Rule R277-752, Teen Pregnancy Prevention Funding.

Superintendent Laing suggested that on R277-474-6-C to reorder the items to (1), (3), (4), (5) and (2).

Motion carried with Members Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, and Theurer voting in favor; Members Anderson and Shields absent.

General Consent Calendar

Vice Chairman Janet Cannon noted a correction under Tab C, Requests for Temporary Authorizations, the total should read 15 instead of 151.

Motion was made by Member Denis R. Morrill and seconded by Member Judy Larson to approve the General Consent Calendar as presented. Motion carried with Members Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, and Theurer voting in favor; Members Anderson and Shields absent.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board of Education and State Board for Applied Technology Education held August 10, 2001.

2. Contracts

(A) Pacific Research Associates. \$27,802. 9/1/01-8/31/02. - Amend. - Fed.

To provide outside evaluation services for Utah Schools, Office of Education, Comprehensive School Reform Demonstration Program (CSR D). Please refer to the attached "Scope of Work" for specific details. The Utah State CSR D Plan states that "the SEA will contract with an outside evaluator" to study the implementation of the CSR D programs.

(B) Ann Pack. \$41,200. 10/1/01-9/30/02. - Fed.

To provide unannounced drop-in reviews of Family Day Care Home providers and reports of all findings.

(C) Utah Education Network. \$222,716. - 9/7/01-6/30/02. - Amend. RECEIVABLE

Provide funds to cover the salaries, benefits, and program budgets for two educational specialists.

(D) Jensen & Keddington. \$60,000. 10/1/01 - 9/30/02 - Amend. - Fed.

Conduct a data analysis, abstraction and evaluation

(E) Digital Media Consulting, LLC. \$20,000. 9/7/01-6/30/02.

To develop and organize an interactive web site for the School LAND Trust Program.

(F) John F. Bates. \$3,000. 10/1/01-9/30/02 - Amend. - Fed.

Appeal officer for disputed audits or reviews required by the United States Department of Agriculture for the Child and Adult Care Program (CACFP) hearings.

(G) UW Freight Lines, Inc. \$300,000. 10/1/01-9/30/02.

Transportation of USDA commodities to recipient agencies statewide.

(H) Creative Walking, Incorporated. \$3,000. 7/13/01-5/10/02.

Provide consulting services for two Utah Principals Academy seminars.

(I) Steve James Productions. \$177,600. 9/7/01-6/30/02. - Amend. - Fed.

Steve James Productions is asked to continue to provide musical components, enhancing prevention dimensions resource lessons. Materials to be provided will be tapes with accompanying classroom posters and song books. 40,000 CD's and accompanying parent tobacco resource guides will go to 5th grade homes.

(J) BOOST. \$22,650. 10/1/01-12/1/01. - Amend.

To operate and facilitate the Governor's Committee on Employment of People with Disabilities.

(K) Scott Meyer. \$8,280. 9/01/01-08/31/04. - Fed.

Janitorial services for three years, from September 1, 2001 through August 31, 2004 for the Division of Rehabilitation Services office located at 212 North Main, Blanding, Utah.

(L) KUTV Channel 2. \$130,000. 9/7/01-6/30/02. - Amend. - Fed.

In conjunction with the SOAR with ATE public awareness campaign:

-Development of a ½ hour program promoting high demand job opportunities and earning potential in nontraditional occupations.

- -4 airings of the 30 minute program in a.m. high viewing times.
- -4 airings of the 30 minute program in p.m. high viewing times
- -Development of 1-30-second commercials promoting nontraditional careers
- -200 airings of the 30-second spots during morning, afternoon, and evening news and during prime time
- -200 airing of the four Applied Technology Center spots similar to the above listed rotation.

(M) Public Works, Inc. \$30,500. 9/7/01-6/30/02. - Fed.

To train district and USOE employees to fulfill federal regulations of the Carl D. Perkins Vocational and Technical Education Act of 1998. The Act requires an assessment of how the needs of special populations are being met and an evaluation of programs, services and activities assisted under the Act.

(N) Automobile Youth Educational System. \$8,875. 9/7/01-1/31/02. - Amend. - Fed.

To increase the number of local business/education partnerships between the automotive dealership and ASE/NATEF-certified secondary/ATE schools. To strengthen the consistency of the implementation of state and national standards, to assist in the automotive programs and ensure that it meets or exceeds state standards.

(O) Long Distance Partnership. \$15,000. 9/7/01-5/1/06. - Fed.

To pay for charges incurred through calls to the toll free number (1-888-ATE-SOAR). The toll free number was established five years ago in response to legislative mandate that a public awareness campaign be launched to promote high demand careers in Applied Technology Education.

(P) University of Utah/Utah Education Network. \$24,000. 9/7/01-6/30/02. - Amend.

To pay EDNET site/system fees associated with USOE-originated video conferences.

(For complete details of the Contracts, see General Exhibit No. 8652.)

3. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the School Districts were approved by the Board. (For complete details, see General Exhibit No. 8653.)

4. District Career Ladder Plan Approval

The following District's have met the requirements set by the State Board for their 2001-2002 Career Ladder Plans.

Each plan has been submitted on a standard form and carefully reviewed by the State Career Ladder Review Committee:

One Year - Alpine, Carbon, Daggett, Garfield, Jordan, Logan, North Summit, Piute, San Juan, South Summit, Tintic, Wasatch and Washington School Districts. (For complete details of the abstracts, see General Exhibit No. 8654.)

The Board approved the 2000-2001 Career Ladder funding.

5. Utah State Board of Education Rule Repeals

The Utah Legislature repealed the provision in the law that requires rules on the following State Board of Education Rules:

R277-902 Applied Technology Center Tuitions

R277-903 Career Ladders for Applied Technology Centers

R277-904 Applied Technology Center and Service Region Standards and Operating Procedures

R277-905 Standards for Granting Academic Credit by Utah System of High Education Institutions for Course Work Completed at Applied Technology Centers.

R277-907 ATC/ATCSR Membership Hour Accounting

R277-912 Standards and Procedures for Post Secondary Applied Technology Education Accreditation

R277-913 Utah's State Custom Fit Training Program

R277-432 Twenty Percent Funding for Class Size Reduction

R277-466 Modified Centennial Schools Program

(For complete details of the Rules, see General Exhibit No. 8655.)

6. Distribution of Funds to Arts and Sciences Organizations, Rule R277-444

The 2000 and 2001 legislatures requested modifications to R277-444, Distribution of Funds to Arts and Sciences Organizations in regard to the eligibility, applications and funding, and accountability processes in order to clarify and improve the process of distribution of funds to arts and sciences organizations. Modifications to the rule will increase consistency in procedures and policies defined in R277-444. The Board approved Rule R277-444 on second reading at the July 13, 2001 meeting. There have been no substantive changes made to the rule since that time. (For complete details of the Rule, see General Exhibit No. 8656.)

The Board approved Rule R277-444, Distribution of Funds to Arts and Sciences Organizations on third and final reading.

7. Least Restrictive Behavior Interventions (LRBI) Document

Students in the public education system seem to be arriving at the school house door with an increasing range and severity of challenging behaviors. The Least Restrictive Behavior Interventions (LRBI) document is an important component of the rules governing the provision of Special Education in the State of Utah. The LRBI prescribes the process which Individual Education Program teams must follow in selecting research-validated supports and interventions for students when their behavior impedes their learning and that of others. This document also defines and describes a range of behavior interventions from least to most intrusive, and gives examples of their application to preschool, elementary, and secondary students. This information will assist teachers in implementing strategies to enable students with disabilities to make progress in their educational programs.

The Board approved the LRBI document on second reading at the July 13, 2001 meeting and authorized the SARS Section to provide public hearings. (For complete details of the changes to the LRBI document based on the input received at the public hearings, see General Exhibit No. 8657.)

The State Board of Education approved the LRBI document with the changes on third and final reading.

8. Education Program for Students with Disabilities, Rule R277-750

The amendments to Rule R277-7750, Education Programs for Students, reflect five appendices originally included with the June, 2000 Special Education Rules, and a sixth appendix that was just recently completed. These

amendments will provide notice of all appendices available with the Special Education Rules. The Board approved Rule R277-750 on second reading at the July 13, 2001 meeting. There have been no substantive changes made to the rule since that time. (For complete details, see General Exhibit No. 8658.)

The Board approved Rule R277-750, Education Program for Students with Disabilities, on third and final reading.

9. Ratification of Employment

Papa Coulibaly was ratified as an Educational Specialist, Minority Graduation, Planning and Project Services Division.

10. College of Eastern Utah Accreditation

In March 2001, review teams under the direction of the Applied Technology Education Services Division, conducted accreditation visits of 14 programs at the College of Eastern Utah. Following the visits and necessary interviews with College of eastern Utah administration and instructors, and ATE personnel, a recommendation for FULL Accreditation status is suggested.

The State Board of Education granted Full Accreditation status to the College of Eastern Utah Applied Technology Education Programs.

11. List of Applicants for Certificates

The list of applicants for initial and renewal certificates were approved by the Board. (For complete details, see General Exhibit No. 8659.)

12. Claims Report

The Claims Reports in the amounts of \$12,002,861.50, \$26,258,996.05, and \$2,202,905.62 ending June 30A, B, and C respectively. (For complete details, see General Exhibit No. 8660.)

Member Laurel Brown requested that the Board revisit the Building Blocks under Tab 6, in particular the discussion on ELL and the importance of getting teachers who are generalists and have universal training. She suggested that on page 2 of the proposal next to last paragraph beginning "Districts develop plans enhancing quality of professional staff. Plans must include three days of professional development, a career ladder as desired (but must indicate districts' disposition of differential pay, recruitment, and retention) and a mentoring component ..." To add language that they should indicate their disposition in regards to ELL training for teachers.

Motion was made by Member Laurel L. Brown and seconded by Chairman Kim R. Burningham to add the language with regard to the ELL training for all educators as suggested above.

Superintendent Laing indicated that in the Board's discussions throughout the Spring we have talked about the importance of ESL and ELL and most of it centered around training, this paragraph also reflects the other issues of mentoring, differential pay for more difficult assignments, etc. It just asks the districts to look at those and make some recognition that they are issues and they have to decide upon the direction they need to take, it is not required.

Chairman Burningham noted that by this inclusion it suggests a way that the three-day professional development could be used.

Motion carried with Members Barney, Brown, Burningham, Haws, Larson, McCain, Morrill, Moss, Richards, and Theurer voting in favor; Members Anderson and Shields absent.

Other Business

Member Denis Morrill invited Board Members to attend the Utah Hispanic American Festival on Friday and Saturday, September 14 and 15 at Franklin Covey Field.

Chairman Burningham noted that at each Board Members place was a video that has been prepared by the Utah Public Education Coalition, dealing with tuition tax credits and why it is not the right way to go.

Meeting adjourned at 4:10 p.m.