

MINUTES

March 12, 2002

Minutes of the meeting of the State Board of Education held March 12, 2002, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:25 a.m. Chairman Kim R. Burningham presided. Members present were:

Chairman, Kim R. Burningham

Member R. Michael Anderson

Member Pamela J. Atkinson

Member Linnea S. Barney

Member Laurel Brown

Member Greg W. Haws

Member Judy Larson

Member A. Earl McCain

Member Denis R. Morrill

Member David L. Moss

Member John C. Pingree

Member Joyce W. Richards

Member Marilyn Shields

Member Teresa L. Theurer

Member Max L. Torres

Vice Chairman Janet A. Cannon and Member David J. Jordan were excused.

Also present were:

Executive Officer Steven O. Laing

Deputy Superintendent Gary L. Carlston

Associate Superintendent Bonnie Morgan

Associate Superintendent Patrick Ogden

Public Affairs Director Mark Peterson

Board Secretary Twila B. Affleck

Also present for portions of the Board meeting were:

Members of the Press:

Jennifer Toomer Cook, Deseret News

Beth Dove, Standard Examiner

Darci Marchese, KSL Radio

Marta Murvosh, Salt Lake Tribune

Bill Gibson, Director, Division of Services for Blind and Visually Impaired

Marilyn Call, Director, Division of Services for the Deaf and Hard of Hearing

Don Uchida, Director, Division of Rehabilitation Services

Laurie Moyers, Division of Services for the Deaf and Hard of Hearing

Paul Clingo, Disability Determination Services

Gary Nakao, Disability Determination Services

Andrea Swanson, Pinnacle Canyon Academy

Roberta Hard, Pinnacle Canyon Academy

Michael Johnson, City of Salt Lake

Lee Robinson, Superintendent, Utah Schools for the Deaf and the Blind

Jim Eldredge, Utah Education Association

Board Member A. Earl McCain lead the Board in the Pledge of Allegiance.

Board Member Laurel Brown offered the Reverence.

Twila B. Affleck recorded the minutes.

Chairman Kim Burningham reviewed the Parliamentary Rules section relating to the five motions for dispensing with items. (1) Question, (2) Previous Question, (3) Lay on the Table (4) Postpone Indefinitely, and (5) Postpone to a definite time.

Comment was made that the agenda should reflect the items that have been laid on the table so everyone knows that matter can be brought back at any time.

Public Participation and Comments

No participation or comments were received.

Board Chairman Report

Political Mass Meetings - Chairman Burningham expressed the importance of the upcoming political caucus mass meetings and encouraged Board Members and others to attend these meetings, and if possible to become voting delegates to the county and state conventions. He indicated that the meetings are Monday, March 25 at 7:00 p.m.

Chairman Burningham stated that there are a number of legislators who have been very antagonistic toward public education and stressed the importance of people on the grass roots level choosing people for our legislature that understand education.

State Board Member Election Filing Deadline - Chairman Burningham noted that Board Members that are up for election this year should file for office between March 7 through the 18. He requested that those who are up for election to please let him know if they are planning to run for election again.

Chairman Burningham noted that Member Barney will be excused from portions of the meeting. She will be attending a meeting in Orem relative to the selection of the new president for the Mountainlands Applied Technology College.

Utah State Office of Rehabilitation 2001

Annual Report and Vocational Rehabilitation

Performance Report

Dr. Blaine Petersen, Executive Director, Utah State Office of Rehabilitation presented the Annual Report of the Utah State Office of Rehabilitation for 2001. Also, presented was the Performance Report of Vocational Rehabilitation. (For complete details, see General Exhibit No. 8761.)

Michael Johnson shared his success story as a rehabilitation client. Mr. Johnson following an accident was trained through the rehabilitation program to be a computer programmer.

Bill Gibson, Director Services for the Blind and Visually Impaired shared some of the successes of their programs.

Laurie Moyers, Adult Education Coordinator, Services for the Deaf and Hard of Hearing Center shared some of the activities taking place at the Center.

Dr. Petersen expressed appreciation to the Board for their support in providing these services.

Board Members expressed appreciation to Dr. Petersen and his staff for all they do, and for the great service they provide.

Legislative Review

Superintendent Laing indicated that the tracking sheet was available on the State Office web page showing the status of

all of the bills that were followed during the legislative session.

Superintendent Steven O. Laing reviewed the actions taken by the 2002 Legislature relative to public education. Dr. Laing reviewed the directions in the legislation for Board action and follow-up that was available to date. He indicated that those items requiring Board action will be presented at future Board meetings. (For complete details see General Exhibit No. 8762.)

SB99S1 - Core Curriculum Amendments - There was discussion and concerns voiced relative to the substitute to this bill that will allow the purchase of textbooks by local schools and the ramifications on assessment and other problems this would cause in the schools and in the districts. Dr. Laing indicated this may be worth of a request to the Governor to consider vetoing the bill.

Motion was made by Member John C. Pingree and seconded by Member Laurel Brown that the Board express to the Governor its concerns and reasons for opposition to the bill and urge the Governor to veto the bill. Further, that staff be directed to work with other state and local education organizations and encourage them to also take a similar position.

Member Earl McCain voiced concern believing that the local schools are under the control of their district and schools could be limited to a state recommended or approved list of textbooks. He felt there should be more freedom of choice for the schools and educators.

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

Superintendent Laing continued the review of legislation.

Motion was made by Member Teresa L. Theurer and seconded by Member Denis R. Morrill that the document presented for legislative review, under accountability specifies Utah State Office of Education, that the Utah State Board also adopt the suggested assurances. Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Executive Session

Motion was made by Member Judy Larson and seconded by Member Laurel Brown to move into an Executive Session for the purpose of discussing personnel issues and litigation. The Board was polled and by unanimous consent of those present [Member Barney absent] the Board moved into an Executive Session at 12:35 p.m.

Motion was made by Member Joyce W. Richards and seconded by Member John C. Pingree to reconvene into open meeting. Motion carried with Members Anderson, Haws, Larson, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Members Barney, Brown and McCain absent.

The Board reconvened at 1:15 p.m.

Adult Education Advisory Committee

Motion was made by Member Judy Larson and seconded by Member A. Earl McCain to appoint the following to serve on the Adult Education Advisory Committee (term expiration following their name): Brent Petersen (12/03), Val Finalyson (12/03), Suzette Martellaro (12/02), Curtis Barney (12/02), Moon Ji (12/02), Maite Turner (12/02), Edie Sidle (12/03), Gary Wixom (12/03), Art Waller (12/03), JoAnn Cowan (12/03), JoAnn Matern (12/03), Cindy Krueger (12/02), Steve Norton (12/02). Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Disability Determination Services Advisory Council

Motion was made by Member Judy Larson and seconded by Member A. Earl McCain to appoint Ari Mendez as an

alternate to the Disability Determination Services Advisory Council. Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Coalition of Minorities Advisory Committee (CMAC)

Motion was made by Member Marilyn Shields and seconded by Member A. Earl McCain to appoint Kitty Stuart to serve on the Coalition of Minorities Advisory Committee. Motion carried with Members Anderson, Barney, Haws, McCain, Morrill, Moss, Pingree, Shields, Theurer and Torres voting in favor; Members Brown, Larson and Richards absent.

Motion was made by Member Greg W. Haws and seconded by Member Theresa L. Theurer that the Board nominate Mitt Romney, Executive Director of the Salt Lake Olympic Organizing Committee for the NASBE Friend of Education Award, recognizing the great effort that was put forth by many people, including Members of the State Board of Education and the State Office of Education in volunteering. Considering particularly the involvement and efforts put forth to involve school children in this state and nation in the Olympics both as participants and spectators. Motion carried unanimously.

Standing Committee Reports

Curriculum Committee

Member Teresa L. Theurer, Chairman of the Curriculum Committee presented the following recommendations from the Committee:

Procedures for the Utah General Educational

Development Certificate, R277-702

Recently, concerns over testing security have led the Board to pass R277-473-8: Standardized Testing Rules and In-service Training Requirement for all standardized tests. However, this rule includes some elements that do not address the standardized testing processes common to the Utah General Educational Development Certificate (GED). There is a need to have a similar provision to address GED testing security and integrity. Rule R277-702 was adopted on second reading by the Board in the February meeting. Following the February Board meeting concerns were raised relative to testing security of the GED. The additional provision to address GED testing security and integrity were added to the rule. There have been no other substantive changes to the rule. (For complete details, see General Exhibit No. 8763.)

The Curriculum Committee approved R277-702, Procedures for the Utah General Educational Development Certificate on second reading and moves that the State Board of Education approve the amendments to the rule on third and final reading. Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Elementary Science Core Curriculum

In the January Board meeting the Board received the Elementary Science Core Curriculum. The curriculum has been out for review at public hearings since that time. Revisions or modifications from the public hearings were reviewed by the Committee. (For complete details of the Curriculum, see General Exhibit No. 8764.) The Board received additional information relative to the public hearings summary, a revision to page 21, Objective 3 b. Describe the role of deposition in the processes that change Earth's surface.

Motion from the Committee that the State board of Education approve the Elementary Science Core Curriculum including the modifications. Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Secondary Social Studies Core Curriculum

The Secondary Social Studies Core Curriculum was revised through a process that occurred over the past 18 months. The document is now ready to be submitted for public hearings to solicit public comment that addresses the content and intent of the curriculum. The Secondary Social Studies Core Curriculum was developed under the direction of a steering committee, an advisory committee, and subject-level writing committees. These committees consisted of teachers, parents, district social studies and curriculum coordinators, principals, university social studies educators, and members of the social studies and business community.

The major changes between the new Secondary Social Studies Core Curriculum and the previous curriculum include: (1) restructuring the Social Studies Core from a process to a content core, (2) defining in greater detail the standards for social studies curriculum, (3) more specific objectives and indicators, and (4) alignment between curriculum and assessment capabilities. (For complete details of the new curriculum, see General Exhibit No. 8765.)

Motion from the Committee that the Board authorize the Curriculum Section to provide public hearings on the Secondary Social Studies Core Curriculum. Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Law and Policy Committee

Member David L. Moss, Chairman of the Law and Policy Committee presented the following recommendations from the Committee:

State Board of Education Bylaws

Following a Board decision to outline more formally and clearly board member duties and responsibilities and the functioning of the Board, and Bylaws were developed. The Bylaws were reviewed by the Committee and presented to the Board at the February meeting. Modifications were suggested at that time. The modifications have been reviewed by Vice Chairman Cannon. Further modifications were made by the Committee as follows: (1) Under Compensation change receiving compensation from monthly to bi-weekly which is consistent with state government payroll. (2) Under V, Appointments, C., to expand the reference of *Becoming a Better Board Member*. Also, under C.1 change Board Selection Committee to Superintendent Selection Committee. Under 2, change from Board to Superintendent, and a) to read as follows: "Follow the goals and objective criteria as established by the Board to further education in Utah as a way of determining what is needed in a new state Superintendent, seeking input from all Board Members." Change Board Selection Committee to Superintendent Selection Committee. (3) Page 10, bottom of D, add two board members serving as members of the State Board of Regents. (4) Under Compensation, change board members to "voting members." Addendum A, change the title to "Additional Information." Remove the flow chart and use the one included in the MGT Audit. (For complete details of the modified Bylaws, see General Exhibit No. 8766.)

Motion from the Committee that the State Board of Education approve the Bylaws as modified. Motion carried with Members Anderson, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields, Theurer and Torres voting in favor; Member Barney absent.

Update on Implementation of U-PASS

and Development of Online Testing

The passage of H.B. 177 in the 2000 Legislative Session and S.B. 28 in the 2001 Legislative Session requires the development of the U-PASS system, specifying time lines for various elements of the system to be completed. One of the specifications of S.B. 28 requires the Utah State Office of Education to allow districts which are able the opportunity to administer the state criterion referenced tests (CRTs) through electronic means. A report was presented providing information to the Board about the progress that has been made in fulfilling these legislative requirements. (For complete details, see General Exhibit No. 8767.)

Member Pamela Atkinson indicated that the legislators on the sub-appropriations committee for higher education

raised questions about remedial courses that are being taken at the colleges and universities relative to English and math. She felt that the legislators did not seem familiar with the accountability process that public education is going through. She shared with them the components of U-PASS and left brochures on the Utah Basic Skills Competency Test (UBSCT). She suggested that the brochure given to the Board today on Assessment be sent to the legislators on both the public and higher education committees. Member Atkinson further indicated that Representative Gordon Snow charged her with the responsibility of bringing this to the attention of the State Board and would like a report back as to the possibilities of having more English and math in the 11th and 12th grades because of the number of high school graduates taking these remedial classes in the college and universities.

The Committee received the interim report on the progress toward implementation of U-PASS and development of online testing.

Charter Schools Update

The Committee reviewed individual Charter School Annual Progress Reports, the charter school renewal process and received information on and provided input into the external evaluation of charter schools. (For complete details of the materials presented, see General Exhibit No. 8768.)

The Committee selected Option 2, under Possible Options for Charter School Renewal Process, 2002.

Motion from the Committee that the Board receive the Annual Progress reports from the eight charter institutions. Motion carried unanimously.

Motion from the Committee that the Board direct staff to develop the State board rule as directed by statute to insure charter school compliance and a time line for remedying deficiencies that include at least the following components: (1) annual progress report, (2) compliance with charter and assurances and documentation required, (3) lists of required reports, to whom and dates due, (4) charter school site visits, frequency and composition of the site visit teams, and (5) reporting to the State Board specification for termination of charters. Motion carried unanimously.

Motion from the Committee to continue the existing eight charters and organize site visits and reviews to these schools in the approaching six months. Motion carried unanimously.

Motion from the Committee that the Board direct staff to work with the evaluation of charter schools at Utah State University to expand their scope or modify the contract where necessary to include additional evaluation components and individual charter school evaluations. Motion carried unanimously.

Member Earl McCain commented that currently there is a matter on the table regarding a request from the Pinnacle Canyon Academy for expansion. There are some issues pending with that unit that needs some immediate attention.

Motion was made by Member A. Earl McCain and seconded by Member John C. Pingree that the application for expansion by the Pinnacle Canyon Academy be taken from the table and addressed at the April meeting in St. George.

Discussion ensued relative to whether the issue could be discussed with sufficient information available by the time of the April meeting, specifically the Utah State University report.

Member Mike Anderson questioned if there was any reason this issue could not be brought to the floor and addressed today. It was clarified that the motion was to bring the issue to the April meeting.

Member Anderson further indicated that he has reviewed his notes and found that almost every question the Board had relative to this issue has been addressed and received by the Board.

Member Dave Moss felt that if the issue were to be discussed there are other people who should be notified so they could be present during the discussion.

Motion carried with Members Anderson, Barney, Brown, Burningham, Pingree, McCain, Moss, and Torres voting in

favor; Members Haws, Larson, Morrill, Richards, Shields and Theurer voting against.

Member Larson indicated that she would not be at the April meeting and that is why she voted against the motion to consider the issue at that meeting.

Member Pamela Atkinson commented that since Member Larson has done a lot of work on this issue and questioned that with her absence if there could be an in-depth discussion, and perhaps then delay a decision until May.

Chairman Burningham indicated that was not the motion and to accomplish such, technically there should be a motion to reconsider. Motion was made by Member Linnea S. Barney and seconded by Member Marilyn Shields to reconsider the previous action of the Board. Motion carried with Members Barney, Brown, Haws, Larson, Morrill, Moss, Richards, Shields and Theurer voting in favor; Members Anderson, McCain, Pingree and Torres voting against.

Motion was made by Member Linnea S. Barney and seconded by Member Marilyn Shields that the issue of the Pinnacle Canyon Academy expansion be placed on the May agenda. Superintendent Laing requested that any information that has currently not been provided on this issue be requested by Board Members prior to the May meeting so when it is considered it can be finalized.

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

Member Mike Anderson commented that it would be appropriate to set a deadline of two weeks for those that have questions or desire further information.

Motion was made by Member R. Michael Anderson and seconded by Member A. Earl McCain that two weeks from today be the deadline for asking questions or requesting information, for discussion at the May meeting and after that date it be closed.

Member Morrill spoke against the motion indicating he did not feel it was fair to cut off the people's ability to ask questions.

Members Anderson and McCain added the words "to the degree possible" to their motion.

Member Linnea Barney indicated her concern was that the Pinnacle Canyon Academy is an elitist school.

Member Teresa Theurer voiced two concerns about the Pinnacle Academy: (1) the waiting list of 35 from grades K-8 and there was a different number given earlier. (2) In the original charter application it seemed the school was technology oriented and the report indicates it is a gifted and talented school.

Member Judy Larson requested information about the junior high test scores and how they compare with the district.

Motion carried with Members Anderson, Barney, Brown, Haws, Larson, McCain, Morrill, Moss, Pingree, Richards, Shields and Torres voting in favor; Member Theurer against.

Full Board

Board Chairman Report Cont.

Utah College of Applied Technology

Chairman Burningham noted that there are three Members of the State Board of Education who serve on the Utah College of Applied Technology Board, Janet Cannon, Earl McCain and Pamela Atkinson.

Member Earl McCain introduced President Greg Fitch and Gary Wixom of the Utah College of Applied Technology (UCAT). He indicated that there have been some interesting challenges for the UCAT Board but he felt that they are making some headway. There are some things that have been completed, yet a lot of things yet to be done. He

indicated that President Fitch was asked to address some specific items of concern raised by the Board.

President Fitch reported that one of the concerns dealt with the under served areas of the state. He indicated that UCAT took a blow financially during this past legislative session and there are still areas in the state that are under served or not served. He further indicated that the College of Eastern Utah is experiencing financial difficulty, along with that the Southeast Applied Technology College is also in difficulty. However, they have joined together using UEN and their satellite broadcasting system to reach out to satellite institutions and are serving a lot of high schools in the area. The Uintah Basin is another area of concern for expansion.

President Fitch reported that the open entry open exit concept is the core of UCAT.

President Fitch indicated that there is a great concern that the minority populations are under represented and under served in the Salt Lake and Tooele area. They are in negotiations with Salt Lake Community College to look at certain aspects of programs and services in that area.

The second issue of concern was the number of high school students being served. President Fitch indicated that there are 11,596 high school students currently receiving UCAT services. This is exactly in line with the number of students served last year.

Other areas of concern addressed by President Fitch were: accreditation, two-year degrees and the open entry open exit concept, and academic creep.

President Fitch reviewed the proposed draft of the UCAT Mission and Roles Statement, and a summary of the appropriations to UCAT. (For complete details of the materials presented by President Fitch, see General Exhibit No. 8769.)

President Fitch reported that he had testified against the transfer of the WPU. He indicated he felt that it was essential that the transfer process be gradual to assure districts receive the funding they need as well as allow them to provide the technical education needed.

President Fitch indicated that there is one weakness within UCAT and that is internal competition. He is working on that and hopes it will be resolved in the near future.

Chairman Burningham questioned the need for bonding and how the legislature had neglected to include applied technology education in their bonding proposal. President Fitch agreed that this was definitely a neglected area with the legislature. He further commented that a lot of people think that this was just a simple shift from one side to another, and it is not at all, it is a very complicated application.

Member Earl McCain reported that the last UCAT meeting was held on the Davis Campus, and the day after he had an opportunity to meet Jay Greaves, Academic Vice President at the Davis Center and Dean Hoffman from the Management Training Corporation. They have the contract for a number of job corp centers. They have had in place for at least three decades an open entry, open exit academic program for job corp persons that could serve as a model for the competency based high school diploma and probably for the 12-16 hours of credit for general education.

President Fitch indicated that the competency based diploma is the State Board's responsibility.

Superintendent Laing commented that this process would be a collaborative effort between the State Board and UCAT.

Member Pamela Atkinson reported that at the last UCAT meeting a nominating committee was formed to evaluate different components of this new system. Chairman Burningham expressed appreciation to President Fitch for coming and invited him to come back often and keep the communication open.

Finance Committee

Member Michael R. Anderson, Chairman of the Finance Committee presented the following recommendations from

the Committee:

Budget Discussion Items

The Committee discussed and received the final differences in the Uniform School Fund for FY 2002 and the total for FY 2003, the Minimum School Program Cuts for both FY 2002 and FY 2003 and the FY 2002 and FY 2003 budget cuts for the State Office of Education. The FY 2003 cut amount of \$3,243,700 will lead to a reduction of at least 13 employees. (For complete details of the materials presented, see General Exhibit No. 8770.) Member Anderson reviewed for the Board the Block Programs in the budget as approved by the Legislature.

The Committee briefly reviewed the other items on the agenda: Textbook and Class Size Audit Followup and Input on Developing a Rule to Protect Districts from Drops in Enrollment.

Full Board

Executive Officer Report

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

Prudential Spirit of Community Awards - The Prudential Spirit of Community Awards is sponsored by the Prudential Corporation. They recognize students who have been involved in the community as exemplary youth volunteers. We have two state honorees who will receive a \$1,000 award, an engraved medallion, and a trip to Washington, D.C. to be considered for national recognition. Anisa Ramaileh, a senior at Bountiful High School, she founded a teenage suicide prevention program that trains high school students to provide support to junior high students. Allison Babb a sixth grader at Heritage Elementary School in American Fork, she worked with 4-H to promote reading literacy programs. We also had distinguished finalists: Marsha Banta, West Desert High School; Natalie Barker, Davis High School; Paul Kooyman, Independence High School; and Clifton Phillips, Fremont High School. Dr. Laing indicated that congratulatory letters had been sent to each of these young people encouraging them in their efforts.

Carl D. Perkins Humanitarian Award - Each year the Association for Career and Technical Education presents the Carl D. Perkins Humanitarian Award to an individual whose career has been marked by support of career and technical education programs that assist individuals in achieving more productive lives. This award is UACTE's highest award and recognizes individuals who have made outstanding meritorious contributions of state or national significance to the improvement, promotion and development and progress of career and technical education. This year UACTE chose Kim R. Burningham to receive the Carl D. Perkins Humanitarian Award. Kim was unable to attend the meeting and ceremony where this was presented. Dr. Laing presented Chairman Burningham with the award.

Scholarship - Mark Peterson and wife Rita had a son who tragically died after a short but serious illness. Ian was an avid participant in hockey. Mark and Rita have committed the money they had been saving for his college and established a scholarship at Weber State University for hockey.

Member Pamela Atkinson complimented Mark Peterson on his education media roundup. She noted that the information provided during the legislative session was invaluable. Superintendent Laing also complimented Mark for his work on the Op-Ed pieces that were sent out over board member names and noted that they were well received. **Master Study Resolutions** - Dr. Laing noted that each year part of the legislation is the creation of the Master Study Resolution. This lists all of the different elements that were brought up during the legislative session in different committees that are potential study items for interim committees. We have gleaned from that all of the elements that were education related. We are asked each year for input as to what we think are the important issues to be studied. Dr. Laing asked board members to consider the list and provide an indication of what they felt were the most important. He asked that they indicate their top 10 and get it back to us by next Tuesday. We will then compile a list and send it to the legislature. (For complete details, see General Exhibit No. 8771.)

Board Chairman Report Cont.

NASBE Summary of Services they Provide - Distributed a copy of the NASBE booklet relating to the services

provided by the organization.

April Retreat - The plan is for us to have board meeting over two days April 4-5. On April 4 between 1 and 3 p.m. we will visit a number of places in the Washington School District and the Tuacahn Charter School. April 4 1-3 p.m. visit a number of local schools in Washington School District, Tuacahn Charter School. Not all Board Members will visit all of the schools but we will divide up. From 4 - 9 p.m. we will meet in a retreat session to talk about strategic planning issues and what we see we need to do during the next year. He encouraged Board Members to give considerable thought about where we want to go and what we want to do. This will be an open discussion and hopefully conclude with our projected goals for the future. This will take place at the Holiday Inn in St. George and will include dinner. The Friday, April 5 regular board meeting will be held either in the district office or at a local school. Some may be bringing spouses, and they are very welcome to attend any of the functions. However, expenses for spouses must be covered by board members. Chairman Burningham also noted that Virginia Roach of NASBE will be participating in our retreat as a facilitator and also attend the Board meeting to provide an evaluation of how we operate as a board.

Member Marilyn Shields reported that she had attended the Changing Faces Conference on Diversity at the University of Utah. There was valuable information provided which she will pass on.

Member Marilyn Shields reported that Vice Chairman Janet Cannon had provided an update on the NASBE Legislative Conference and our visits with our congressional delegation. She indicated that at the Board of Directors meeting they discussed the No Child Left Behind and other federal issues. They also discussed the study groups for the upcoming year which will be Charter Schools and their ramifications, and The Lost Curriculum which will deal with cultural education. She indicated that if anyone was interested in participating on one of these study groups to please let Twila know.

Member Dave Moss reported on attending the NASBE study group for restructuring high schools. They have an incredible amount of work left to do on it, but they are looking at how to feasibly restructure high schools for the 21st century. The final report will be presented in October at the annual convention.

Member Linnea Barney encouraged Board Members to be sure to look at the report from NASBE on *Changing Faces*. The thing that struck her the most was that kids can learn playground languages in a year and we think they are up to speed, but they are not. They are not able to cope with curriculum for at least three years, sometimes longer.

Member Marilyn Shields commented that there is a lot of good work coming forth from NASBE. She felt it is beneficial for us to be represented at these meetings.

Member Shields further reported that the NASBE Board of Directors discussed a 3% increase in dues and there were three states, including Utah who voted in opposition to the increase. NASBE is also concerned about membership from other states and has asked that she visit with the Wyoming Board and Gary Waters was asked to visit the Idaho Board to encourage them to join NASBE.

General Consent Calendar

Motion was made by Member A. Earl McCain and seconded by Member David L. Moss to approve the General Consent Calendar as presented. Motion carried with Members Anderson, Barney, Haws, McCain, Morrill, Moss, Pingree, Shields, Theurer and Torres voting in favor; Members Brown, Larson and Richards absent.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board of Education held February 1, 2002.

2. Contracts

The following Contracts were approved by the Board:

(A) Hill Properties L.C. \$234,744.50. 1/1/02-12/31/06 - Amend. - Fed.

Lease of Division of Rehabilitation Services office located at 2984 North Hill Field Road #A, Layton, Utah.

(B) Independent Student Media. \$11,000. 3/12/02-6/30/02. Fed.

Development of an interactive on-line visual arts core support.

(C) University of Utah SRJ. \$31,551. 3/12/02-6/30/03 - Amend.

Evaluate the Utah State Office of Education's Tobacco Prevention Strategies Grant.

(D) Central Utah Center for Independent Living. \$299,408. 4/1/02-6/30/03. - Amend. Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in Utah, Wasatch, Juab, and Sanpete Counties.

(E) OPTIONS for Independence. \$357,471. 4/1/02-6/30/03. - Amend. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Northern Utah Independent Living Rehabilitation District.

(F) Tri County Independent Living Center of Utah. \$299,408. 4/1/02-6/30/03. - Amend. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in Morgan, Davis and Weber counties.

(G) Active Re-Entry. \$373,312. 4/1/02-6/30/03. - Amend. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Eastern Utah Independent Living Rehabilitation District.

(H) Utah Independent Living Center. \$281,939. 4/1/02-6/30/03 - Amend. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Wasatch Front of Utah Independent Living Rehabilitation District.

(I) Utah Statewide Independent Living Council. \$39,713. 4/1/02-9/30/02. - Amend.

To provide resources to the Independent Living Program in accordance with title VII Part B and the State Plan for Independent Living.

(J) Red Rock Center for Independence. \$310,482. 4/1/02-6/30/03. - Amend. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Southern Utah Independent Living Rehabilitation District.

(For complete details of the Contracts see General Exhibit No.8772.)

3. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the School Districts. (For complete details, see General Exhibit No. 8773.)

4. Public Participation, R277-108

A concern about proper procedures for involving citizens in the proceedings of the Board has existed for some time. A desire to simplify the process by which citizens could address the Board and raise issues with the Board has been voiced. This resulted in a more simplified and streamlined rule to guide public involvement in Board decision making during meetings. The Board approved the rule on second reading in its February meeting. There have been no substantive changes to the rule since that time. (For complete details, see General Exhibit No. 8774.)

The Board approved R277-108, Public Participation on third and final reading.

5. Distribution of Funds from the School Trust Lands Account and Implementation of the School LAND Trust Program, R277-477

After three years of implementation of the new School LAND Trust Program the groups involved have requested clarification of the rules of those implementing the program, the distribution of the funding and reporting of information.

Amendments were made to the rule to clarify that the role of the State Office of Education is primarily to provide a means of accurate and uniform collection and dissemination of information. School committees submit information required by law and implement plans. Plans are amended and approved by school boards. All information is collected on the School LAND Trust website. The office administers the website and reviews a year-end report from each district.

The rule clarifies that an annual distribution to districts will occur at the end of each fiscal year and that distributions within districts can be adjusted by taking into account school closures, openings and boundary changes so that the funding follows the child. It resolves questions about oversight responsibility, distributions to charter schools, and distribution for youth in custody.

The Board approved the rule on second reading in its February meeting. There have been no substantive changes to the rule since that time. (For complete details, see General Exhibit No. 8775.)

The Board approved R277-477, Distribution of Funds from the School Trust Lands Account and Implementation of the School LAND Trust Program on third and final reading.

6. Administrative Rule Review

Under provisions of 63-46a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor non-substantive changes within these rules. The following rules be reviewed and approved:

R277-617 Authorization of Student Clubs and Organizations

R277-915 Work-based Learning Programs for Interns

(For complete details, see General Exhibit No. 8776.)

7. Ratification of Employment

Karl A. Wilson was ratified as the Educational Director, Students at Risk, Instructional Services Division.

8. List of Applicants for Licenses

The summary of the list of applicants for initial and renewal licenses were approved the List of Applicants. (For complete details, see General Exhibit No. 8777.)

9. Claims Report

The Claims Report in the amount of \$601,579.67 for January 31, 2002. (For complete details, see General Exhibit No. 8778.)

Member Mike Anderson suggested that Board Members who have questions regarding the Pinnacle Canyon Charter School to please visit Pinnacle Canyon Charter School to get a first hand view of the school to help answer any questions they may have prior to the May meeting.

Motion was made by Member A. Earl McCain and seconded by Member Marilyn Shields to adjourn.

Meeting adjourned at 4:00 p.m.