

**UTAH STATE BOARD OF EDUCATION  
MEETING MINUTES**

March 8, 2013

A regular meeting of the Utah State Board of Education was held March 8, 2013 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

Chair Debra Roberts conducted.

**Board Members present:**

Chair Debra G. Roberts	Member Jennifer A. Johnson
Vice Chair David L. Crandall	Member Jefferson Moss
Member Dixie L. Allen	Member James V. (Jim) Olsen (non-voting)
Member Laura Belnap (non-voting)	Member C. Mark Openshaw
Member Keith M. Buswell	Member Tami W. Pyfer
Member Kim R. Burningham	Member R. Dean Rowley (non-voting)
Member Leslie B. Castle	Member Isaiah (Ike) Spencer (non-voting)
Member Joel Coleman	Member David L. Thomas
Member Barbara W. Corry	
Member Michael Jensen	

**Board Members excused:**

Member Marlin Jensen  
Member Teresa Theurer

**Executive staff present:**

Martell Menlove, State Superintendent	Bruce Williams, Associate Superintendent
Brenda Hales, Deputy Superintendent	Don Uchida, USOR Executive Director
Judy Park, Associate Superintendent	Lorraine Austin, Board Secretary

**Others present:**

Lydia Nuttall, parent, Morgan School District; Barry Walker, South Summit School District; Ken Spurlock, Canyons School District; Jane Ferré, LCPD

**Opening Business**

Chair Debra Roberts called the meeting to order at 8:15 a.m. Member Jefferson Moss led the Board in the Pledge of Allegiance. Members Marlin Jensen and Teresa Theurer were excused.

It was noted that the Navajo Nation MOU signing has been postponed.

### Recognition of Outgoing Member Craig Coleman

Chair Debra Roberts expressed appreciation to Member Craig Coleman, who is leaving the Board, and honored him with the traditional bell plaque. Member Coleman expressed how much he has enjoyed being on the Board and what great appreciation he has gained for educators in the state.

### Board Member Introductory Remarks

Member R. Dean Rowley welcomed the board. He mentioned that as a local board member it is often difficult to face parents and teachers since class sizes have increased and professional development has decreased. He read a story by explorer Sir Ernest Shackleton regarding the importance of optimism. He then offered an invocation.

### Promises to Keep Highlight

Superintendent Martell Menlove expressed the need to draw his focus back to where it needs to be—the young children of the state of Utah. He shared a humorous story about patience of a teacher assisting a student.

### **Public Participation**

There was no public participation.

### **General Consent Calendar**

Motion was made Member Tami Pyfer and seconded by Member Dixie Allen that the Board approve the General Consent Calendar.

Member Keith Buswell asked if contracts using federal dollars will be affected by sequestration. Dr. Menlove responded that some may be affected, but Child Nutrition Programs will not be impacted.

Motion carried.

#### 1. Minutes of Previous Meetings

Minutes of the State Board of Education meetings held October 8, 2012,

January 31, 2013, February 8, 2013, February 14, 2013, and February 21, 2013 were approved.

2. Contracts

The following contracts were approved by the Board.

A. Dynamic Internet Solutions LLC, \$875,000, 7/01/2013 to 6/30/2018, Federal

To maintain and improve Dynamic Internet Solution's (DIS) CNPweb© Child Nutrition Management System to aid USOE in the oversight and management of Child Nutrition Programs.

B. Educational Research & Training Corp., \$119,000, 2/18/2013 to 2/17/2014, Amendment, Federal

To provide online Migrant Achievement and Performance System (MAPS)/State Migrant Education Program Comprehensive Needs Assessment/State Service Delivery Plan/Migrant Education Program Evaluation/Prospective Re-interview.

C. IronData Solutions, \$75,100, 10/01/2012 to 9/30/2014, Amend., Fed.

To provide annual maintenance for the computer program/system at Disability Determination Services (DDS).

[For more details, see General Exhibit No. 12274.]

3. R277-445 *Classifying Small Schools as Necessarily Existent*

In its February 8, 2013 meeting, the Board approved amendments to R277-445 on first and second reading. The rule was amended in response to a determination by the legislative Administrative Rules Committee that a section of the rule allowing for distribution of a portion of the funds based on tax effort is inconsistent with Utah Code 3A-17a-109.

The Board approved R277-445 *Classifying Small Schools as Necessarily Existent* on third and final reading. [For more details, see General Exhibit No. 12275.]

4. R277-518 *Career and Technical Education Licenses*

In its February 8, 2013 meeting, the Board continued R277-518 on first and second reading. The rule continues to be necessary because it provides standards for a CTE license area and endorsements.

The Board continued R277-518 *Career and Technical Education Licenses* on third and final reading. [For more details, see General Exhibit No. 12276.]

5. R277-600 *Student Transportation Standards and Procedures*

In its February 8, 2013 meeting, the Board approved R277-600, and continued the rule, on first and second reading. The rule was amended to provide clarification on transportation services for students with disabilities, eliminate the requirements for Annual Program Reports, and provide clarification on approved “to and from” school expenses.

The Board approved R277-600 *Student Transportation Standards and Procedures*, and continued the rule, on third and final reading. [For more details, see General Exhibit No. 12277.]

6. R277-605 *Coaching Standards and Athletic Clinics*

In its February 8, 2013 meeting, the Board continued R277-605 on first and second reading. The rule continues to be necessary because it provides standards for school athletic and activity coaches and standards for athletic clinics and workshops.

The Board continued R277-605 *Coaching Standards and Athletic Clinics* on third and final reading. [For more details, see General Exhibit No. 12278.]

7. R277-610 *Released-Time Classes and Public Schools*

In its February 8, 2013 meeting, the Board approved amendments to R277-610, and continued the rule, on first and second reading. The rule was amended to provide appropriate flexibility and interaction between public schools and released-time programs.

The Board approved R277-610 *Released-Time Classes and Public Schools*, and continued the rule, on third and final reading. [For more details, see General Exhibit No. 12279.]

8. R277-700 *The Elementary and Secondary School Core Curriculum*

In its February 8, 2013 meeting, the Board continued R277-700 on first and second reading. The rule continues to be necessary because it specifies the minimum Core Curriculum and Core Standards requirements for the public schools.

The Board continued R277-700 *The Elementary and Secondary School Core Curriculum* on third and final reading. [For more details, see General Exhibit No. 12280.]

9. R277-702 Procedures for the Utah High School Completion Diploma

In its February 8, 2013 meeting, the Board approved amendments to R277-702, and continued the rule, on first and second reading. The rule was amended to provide updated provisions and terminology changes.

The Board approved R277-702 *Procedures for the Utah High School Completion Diploma*, and continued the rule, on third and final reading. [For more details, see General Exhibit No. 12281.]

10. R277-709 Education Programs Serving Youth in Custody

In its February 8, 2013 meeting, the Board continued R277-709 on first and second reading. The rule continues to be necessary because it specifies operation standards, procedures, and distribution of funds for youth in custody programs.

The Board continued R277-709 *Education Programs Serving Youth in Custody* on third and final reading. [For more details, see General Exhibit No. 12282.]

11. R277-719 Standards for Selling Foods Outside of the Reimbursable Meal in Schools

In its February 8, 2013 meeting, the Board continued R277-719 on first and second reading. The rule continues to be necessary because it provides requirements for school district and charter school policies regarding foods sold outside of the reimbursable meal service.

The Board continued R277-719 *Standards for Selling Foods Outside of the Reimbursable Meal in Schools* on third and final reading. [For more details, see General Exhibit No. 12283.]

12. Division of Services for the Blind and Visually Impaired VHTF Grants

The Division of Services for the Blind and Visually Impaired Advisory Council, at its December 5, 2012 meeting, approved grants totaling \$6,699 to be paid out of the Visually Handicapped Trust Fund interest.

The Board approved the expenditures of the Visually Handicapped Trust Fund as submitted. [For more details, see General Exhibit No. 12284.]

13. Monthly Budget Report

The Monthly Budget Report for January 2013 was provided to give information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of

Education, Utah State Office of Rehabilitation, and Utah Schools for the Deaf and the Blind. [For more details, see General Exhibit No. 12285.]

14. Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as submitted by school districts and charter schools. [For more details, see General Exhibit No. 12286.]

15. Ratification of Hiring

The Board ratified the hiring of Daron Kennett as an Education Specialist for the Utah State Office of Education Assessment Section.

16. List of Educator Licenses Processed

A summary of the total number of educator licenses and license areas processed in February 2013 was provided for Board information. [For more details, see General Exhibit No. 12287.]

The Board recessed into committee meetings at 8:30 a.m.

The full Board reconvened at 10:19 a.m.

### **Achievement Spotlight**

Deputy Superintendent Brenda Hales acknowledged Mr. Cody Henrichsen, an outstanding teacher from Canyons Technical Education Center in Canyons School District. Mr. Henrichsen teaches Career and Technical Education courses, and among other things, has brought AP testing to the Center. He has been selected as an AP Team Leader by the College Board, and was the 2012 CTE Teacher of the Year.

Vice Chair David Crandall and Superintendent Martell Menlove presented Mr. Henrichsen with a Certificate of Excellence.

### **Computer Adaptive Assessment System Update**

Associate Superintendent Judy Park gave an update of the computer adaptive assessment system. She distributed and reviewed materials on Student Assessment of Growth and Excellence (SAGE) Development and a schedule of regional meetings on the new computerized

adaptive test system. Further information will be put on the Utah State Office of Education website as it is collected. [For more details, see General Exhibit No. 12288.]

### **Superintendent's Report**

Superintendent Martell Menlove reported on the following.

There will be a number of district superintendent vacancies throughout the state, as superintendents have left for other positions or announced their retirements. Vacancies will occur in Washington, Iron, South Sanpete, Sevier, Morgan, Juab, and Park City School Districts.

H.R. Director David Rodemack introduced new employees Daron Kennett, Jennifer Lambert, and Nikki Broadhead.

Superintendent Menlove reviewed information on federal sequestration and its estimated effect on public education for Fiscal Year 2014. Because of federal requirements, Special Education and IDEA services cannot change even though the funding will be decreased, so districts may need to make cuts in other areas. Over \$17,000,000 will be lost.

Associate Superintendent Judy Park reviewed material from The College Board's 9<sup>th</sup> *Annual AP Report to the Nation* for the class of 2012. The Advanced Placement (AP) program provides a rigorous course of study in a variety of subjects and provides a test at the end of the course that determines students' understanding and knowledge of the concepts. Through passage of the test, students may be eligible for college credits. Dr. Park mentioned that in Utah, some colleges will give credit for AP courses, but still require students to take the same courses in college.

The Board discussed how AP programs are promoted. Member Isaiah Spencer indicated that sometimes participation in AP courses depends on who promotes the student and how the student is prepared for those courses. Sometimes minority students may not be considered or promoted. Deputy Superintendent Hales reported that there is now an AP group in every district that meets bimonthly with a specialist from the USOE to look at ways to encourage more students from different areas to take AP courses. Some districts are removing requirements for getting into AP classes and allowing any student to take the course. It was mentioned that funding that was used to help pay for students to take the tests has been cut.

Board members were encouraged to attend the spring regional meetings of the Utah Schools Boards Association.

Dr. Menlove reported on issues with the Utah Futures website in the last few weeks. It does not have a level of security that is needed to protect student data, so he requested that the site be taken down. USOE staff are working with the Department of Workforce Services regarding Utah Futures to ensure the necessary security is in place.

[For more details, see General Exhibit No. 12289.]

## **Board Chair's Report**

### Audit Report

Internal Auditor Natalie Grange reviewed Report No. 12-OOE-7 from the State of Utah Office of the State Auditor on the Office of Education Minimum School Program. The findings and recommendations, and responses from the USOE, were reviewed. [For more details, see General Exhibit No. 12290.]

### Chair's Report

Member Tami Pyfer gave update on the Utah Schools for the Deaf and the Blind (USDB) superintendent search. An announcement has gone out and the application process will be open until April 14. Applicants will be screened and stakeholders will be invited to be involved in interview process. The announcement has been distributed throughout the country through professional journals and networks and is being distributed statewide through Human Resources and USDB.

Sign-up sheets were passed around for attendance at higher education commencements and dates for a Board retreat.

Chair Roberts distributed comments she gave in reaction to *SJR 5 Joint Resolution on State Superintendent of Public Instruction*. She indicated that Member Jennifer Johnson has given comments as well, and asked for further input from Board members.

Chair Roberts acknowledged and thanked USOE staff for their work during the legislative session and the excellent job they have done representing the Board. They were applauded for their efforts.



[For more details, see General Exhibit No. 12291.]

### **Utah Professional Practices Advisory Commission (UPPAC) Recommendations**

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board accept the recommendation of UPPAC in Case No. 09-928 and revoke the educator's license.

The educator was convicted of a sexual offense against a minor, requiring permanent revocation by law (UCA 53A-6-501(2)(a)(I)).

Motion carried; Member Coleman absent.

Motion was made by Member Kim Burningham and seconded by Member Dixie Allen that the Board accept the recommendation of UPPAC in Case No. 12-1051 and permanently revoke the educator license.

The educator was convicted of a sexual offense against a minor, requiring permanent revocation by law (UCA 53A-6-501(2)(a)(I)).

Motion carried; Member Coleman absent.

Motion was made by Member Dixie Allen and seconded by Member Jennifer Johnson that the Board accept the recommendation of UPPAC in Case No. 12-1080 and Suspend by Default the educator's Level 2 Elementary Education License.

The educator did not respond to the offer of a stipulated agreement or subsequent correspondence.

Motion carried; Member Coleman absent.

Motion was made by Member Dixie Allen and seconded by Member Barbara Corry that the Board accept the recommendation of UPPAC in Case No. 12-1071 and Suspend by Default the educator's Level 2 Elementary Education and Special Education License.

The educator did not respond to the offer of a stipulated agreement or subsequent correspondence.

Motion carried; Member Coleman absent.

Motion was made by Member Kim Burningham and seconded by Member Dixie Allen that the Board accept the recommendation of UPPAC in Case No. 06-772 and reinstate the educator's Level 2 Secondary and Special Education License.

Motion carried, with Members Allen, Burningham, Buswell, Corry, Jensen, Moss, Openshaw, Roberts and Thomas in favor, and Members Crandall, Castle, Johnson and Pyfer opposed; Member Coleman absent.

[For more details, see General Exhibit No. 12292.]

### **Executive Session**

Motion was made by Member Dixie Allen and seconded by Member David Crandall that the Board move into Executive Session for the purpose of discussing the character, professional competence, and physical or mental health of individuals.

A voice vote was taken and upon unanimous consent of those present, the Board moved into Executive Session, following lunch, at 12:00 p.m.

The following were present in Executive Session: Board Members Allen, Belnap Burningham, Buswell, Castle, Corry, Crandall, Michael Jensen, Johnson, Moss, Olsen, Openshaw, Pyfer, Roberts, Spencer and Thomas; Martell Menlove, Brenda Hales, Lorraine Austin, Kristina Kindl, Carol Lear and Heidi Alder.

Motion was made by Member Dixie Allen and seconded by Member Barbara Corry that the Board reconvene into open session.

Motion carried.

The Board moved back into open session at 12:39 p.m.

### **Executive Session Items**

#### School Trust Investment Task Force Appointments

In its February 2013 meeting, the Board passed a resolution to create a School Trust Investment Task Force of seven members, with Member Jennifer Johnson as chair. Two members are to be appointed by the Board, along with any members not appointed by other designated entities by March 15, 2013.

Member Allen asked if there would be any conflict of interest for individuals from universities serving on the Task Force. Member Johnson responded that some higher education entities have been granted other trusts, and anything that would benefit them as beneficiaries would benefit the Board as a beneficiary, therefore there would be no conflict.

Motion was made by Member Jefferson Moss and seconded by Member Mark Openshaw that the Board authorize Member Jennifer Johnson to assign two members to the Task Force based on a list of individuals reviewed by the Board in Executive Session, and after invitation and acceptance of those individuals, to report back to the Board. Also, to authorize Member Johnson to assign, in consultation with the Board Chair and Vice Chair, individuals from the list to any vacancies on the Task Force remaining on March 15, 2013.

Motion carried; Member Coleman absent.

### **2013 Legislative Session**

Superintendent Menlove distributed and reviewed the Utah Legislature's budget proposal for public education. Funding for most of the Board's priorities has been included, and Dr. Menlove expressed appreciation to the legislature for their support of education. Board priorities not included are high-cost special education, implementation of SB 64 *Public Education Employment Reform* (2012 Legislative Session), professional development for for teachers (with the exception of Core Academy), and the at-risk block.

A focus needs to remain on the STEM center funding to ensure that public education retains its portion. Another item to watch is that the \$700,000 for assessment of college readiness is for the test, not online preparation.

It was noted that Chair Roberts and Vice Chair Crandall sent a letter to the chairs of the Executive Appropriations Committee encouraging their support of the Board's priorities.

Superintendent Menlove reviewed education bills.

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board oppose SB 271 *School Grading*, because the Board supports the work that has been done on school grading with Senator Niederhauser.

Motion was made by Member Jennifer Johnson and seconded by Member Tami Pyfer that the motion be amended to delete the word, "oppose," and insert the word, "unnecessary."

Without opposition, the motion was amended.

Amended motion carried, with Members Allen, Burningham, Buswell, Castle, Corry, Jensen, Pyfer, Roberts and Thomas in favor, and Members Crandall, Johnson, Moss, and Openshaw opposed; Member Coleman absent.

Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board support requesting a veto on SB 110 *School-based Budgeting Amendments*, SB 133 *School Performance Report Amendments* and SB 271 *School Grading Amendments* if they pass.

Board members expressed concern that caution should be used when asking for vetoes when the votes by the Board to oppose bills were not unanimous.

Member Burningham withdrew his second. Without objection, the motion did not move forward.

Motion was made by Member Jennifer Johnson and seconded by Member Mark Openshaw that the Board meet after the legislative session to consider veto requests, contingent on if any bills pass that the Board opposed.

Member Barbara Corry moved, and Member Kim Burningham seconded, that the motion be amended to add any other bills that may come up for which the Board has not taken a position.

Motion to amend carried.

Amended motion carried; Member Coleman absent.

The date of March 20 at 2:00 or 2:30 was suggested for a special meeting on veto requests, if necessary.

[For more details, see General Exhibit No. 12293.]

### **State Board of Education Promises to Keep Strategic Plan**

In January 2011, the Board adopted the Utah State Board of Education Promises to Keep Strategic Plan. The Board reviews the plan annually to determine whether changes and additions are needed. Suggested changes were distributed to all Board members. It was noted in an earlier communication to the Board, that item 2D-5 and item 3D-1c were changed to strike out the directions to move and replace.

Motion was made by Member Barbara Corry and seconded by Member Keith Buswell that the Board approve changes to its Strategic Plan in columns A and B.

Motion carried; Member Coleman absent.

Member Jennifer Johnson questioned whether the goals outlined in 1C are reasonable. Deputy Superintendent Brenda Hales commented that while the goals are ideal, they are achievable if additional resources go into the system along the way.

Motion was made by Member Jennifer Johnson and seconded by Member Keith Buswell that item 1D be amended to add item 7 to read: "Advocate and support funding and resources for literacy and numeracy."

Motion carried; Member Coleman absent.

Motion was made by Member Keith Buswell and seconded by Member Dixie Allen that the Board approve item 1C.

Motion carried; Member Coleman absent.

Motion was made by Member Kim Burningham and seconded by Member Dixie Allen that the Board approve item 1D-2 and item 1D-3.

Motion carried; Member Coleman absent.

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board approve item 2C.

Motion carried; Member Coleman absent.

Motion was made Member Dixie Allen and seconded by Member Keith Buswell that the Board approve items 2D-6 and 2D-7.

Motion carried; Member Coleman absent.

Motion was made by Member Tami Pyfer and seconded by Member Mark Openshaw that the Board approve item 3C.

Motion carried: Member Coleman absent.

Motion was made by Member Dixie Allen and seconded by Member Jennifer Johnson that the Board approve item 3D.

Motion carried; Member Coleman absent.

[For more details, see General Exhibit No. 12294.]

### **UPPAC Task Force Update**

Member James Olsen, Chair of the Board UPPAC Task Force, gave on update on the work of the Task Force. The Task Force has met several times and has drafted a scope of work.

Their intent is to get some expertise from outside the Board or office to do part of the work, and the Task Force will be considering the best way to do that. The Task Force used the Harrington report, *A Review of Professional Conduct in Utah's Public Schools* to help outline the scope of work. Member Olsen encouraged all board members to review that the report and the recommendations.

### **Board Standing Committee Reports**

#### ACCOUNTABILITY AND FINANCE COMMITTEE

Committee Chair David Thomas reported on the following items from the committee.

#### Taxing Entity Committee (TEC) to the Redevelopment Agency of Ogden City's

##### Trackline Economic Development Project

The Ogden City Redevelopment Agency has created the Trackline Economic Development Project to encourage and assist economic development to create additional jobs within the community; promote and market the project area to complementary businesses and industries that will enhance the economic base of the city; and to clean up and improve older and underperforming buildings.

The Redevelopment Agency of Ogden City will be requesting Taxing Entity Committee approval of the Project Area Plan Budget.

The Committee gave direction to the Board's TEC representative, Cathy Dudley, to vote in favor of this project. [For more details, see General Exhibit No. 12295.]

#### R277-485 Loss of Enrollment

R277-485 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. The rule continues to be necessary because it provides eligibility, funding, and implementation standards and procedures to financially compensate a school district for an excessive loss in student enrollment due to factors beyond the control of the school district.

The Committee continued R277-485 *Loss of Enrollment* on first reading, and moved that the Board continue the rule on second reading.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12296.]

#### R280-200 Rehabilitation

R280-200 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. Amendments were made to update the revision dates of the Rehabilitation Act of 1973 and the Case Service Manual for the Vocational Rehabilitation Program.

The Committee approved amendments to R280-200 *Rehabilitation*, and continued the rule, on first reading, and moved that the Board approve R280–200, as amended, and continue the rule, on second reading.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12297.]

#### Charter School Building Revolving Subaccount Committee Loan

The State Board of Education is charged with approving loans to charter schools specifically to pay for the costs of: 1) planning expenses; 2) constructing or renovating charter school buildings; 3) equipment and supplies; or 4) other startup or expansion expenses.

The Charter School Building Revolving Subaccount Committee recommended a revolving loan to Salt Lake Charter School for \$270,000 for startup costs.

The Committee moved that Board approve the loan to Salt Lake Charter School for \$270,000.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12298.]

#### Pupil Transportation Drug and Alcohol Testing Policies and Procedures

The Pupil Transportation Drug and Alcohol Testing Policies and Procedures Employee Handbook was developed in the interest of providing safe and efficient transportation to Utah

children to and from school-related activities, and to meet statutory responsibility for maintaining a drug-free workplace. The Handbook was revised and presented to the Committee for approval. The Committee directed staff to make additional changes and bring back to the next meeting. [For more details, see General Exhibit No. 12299.]

CURRICULUM, STANDARDS AND STUDENT SUCCESS COMMITTEE  
Committee Chair Dixie Allen reported on the following items from the committee.

R277-469 *Instructional Materials Commission Operating Procedures*

R277-469 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. Amendments were made to delete U-PASS language, simplify mapping and alignment language, and make changes in repository requirements that reflect the changing technology of instructional materials.

The Committee approved amendments to R277-469 *Instructional Materials Commission Operating Procedures*, and continued the rule, on first reading, and moved that the Board approve R277-469, as amended, and continue the rule, on second reading.

Member Buswell noted that the abbreviation for USIMAC is used prior to its definition. The rule will be changed to address the issue prior to its placement on the Consent Calendar for third reading.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12300.]

R277-483 *Persistently Dangerous Schools*

R277-483 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. The rule continues to be necessary because it provides standards to fulfill the requirements of the federal Elementary and Secondary Education Act.

The Committee continued R277-483 *Persistently Dangerous Schools* on first reading, and moved that the Board continue the rule on second reading.



Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12301.]

R277-746 Driver Education Programs for Utah Schools

R277-746 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. The rule continues to be necessary because it incorporates the specific standards and procedures for local school districts providing automobile driver education.

The Committee continued R277-746 *Driver Education Programs for Utah Schools* on first reading, and moved that the Board continue the rule on second reading.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12302.]

Weber State University Charter Academy Amendment

Weber State University Charter Academy is a charter school scheduled to open in fall 2013 serving 40 students. The school requested to accelerate its approved growth model and add four additional students in fall 2013, for a total of 44 students.

The Committee moved that the Board approve the amendment based on the availability of funding for that number of students, and suggested that in the future, any university or higher-education supported charter school be reviewed by the State Charter School Board prior to coming to the State Board with an amendment request.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12303.]

Graduation Requirements Committee Recommendations

In its January 10, 2013 meeting, the Board took action to move forward with recommendations from its Graduation Requirements/Competency Committee. The Board directed that recommendations that were not addressed in January come back to the March meeting for review.

Deputy Superintendent Hales gave the Board an update of what has been done with the recommendations passed by the Board. Three task forces on graduation and grading, computer technology, and general financial literacy are being organized. She addressed the additional recommendations not passed by the Board:

- Clarify graduation gateways - will be addressed by the task forces.
- Define early graduation - will handle with Board Rule after recommendations from the task forces and state input.
- Address graduation credits - will be addressed by the task forces.
- Explore grading and reporting rules/guidelines - will be addressed by the task forces.
- Address middle level requirement - will address after task forces have finished their work.
- Strengthen College, Career and Citizenship planning - will wait until Board has determined its recommendations for the next legislative session.
- Appoint a work group on post-secondary high school offerings - a committee is already in place.
- Examine graduation rates - will be addressed by the task forces.

[For more details, see General Exhibit No. 12304.]

A Webinar on graduation requirements will be held March 22 from 9:00 to 10:00 a.m.

#### INSTRUCTION, ASSESSMENT AND TECHNOLOGY COMMITTEE

Committee Chair Mark Openshaw reported on the following items from the committee.

##### R277-508 *Employment of Substitute Teachers*

R277-508 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. Amendments were made to add a definition of LEAs to make the rule consistent with other Board rules, to clarify the duration of a teaching assignment for a substitute teacher, and to add the requirement of a minimal background check for substitute teachers.

The Committee added an amendment, as outlined a distributed sheet, to give authority to the State Superintendent to grant exceptions to the duration of teaching assignments.

The Committee approved amendments to R277-508 *Employment of Substitute Teachers*, and continued the rule, on first reading, and moved that the Board approve R277-508, as amended, and continue the rule, on second reading.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12305.]

#### R277-751 *Special Education Extended Year (ESY)*

R277-751 was reviewed for continuation consistent with the Utah Administrative Rulemaking Act five-year review requirement. Amendments were made to change the definition of extended school year.

The Committee approved amendments to R277-751 *Special Education Extended Year (ESY)*, and continued the rule, on first reading, and moved that the Board approved R277-751, as amended, and continue the rule, on second reading.

Motion carried; Member Coleman absent. [For more details, see General Exhibit No. 12306.]

#### State Board of Education Bylaws

Member Joel Coleman and Jennifer Johnson reviewed with the Committee proposed changes to the Board Bylaws. Board members were asked to review the Bylaws and give input. The Bylaws will continue being reviewed over the next few months. [For more details, see General Exhibit No. 12307.]

#### **Adjournment**

Motion was made by Member Mark Openshaw and seconded by Member Jennifer Johnson that the meeting adjourn.

Motion carried. The meeting adjourned at 3:30 p.m..

Lorraine Austin, Secretary to the Board  
Minutes approved April 5, 2013