

MINUTES

September 1, 2005

Minutes of the meeting of the State Board of Education held September 1, 2005, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 1:00 p.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 Dixie L. Allen
Member Tim Beagley
Member Bonnie Jean Beesley
Member Laurel Brown
Member Mark Cluff
Member Bill Colbert
Member Edward A. Dalton
Member Thomas Gregory
Member Greg W. Haws
Member Randall A. Mackey
Member Debra G. Roberts
Member Teresa L. Theurer

Members Bonnie Jean Beesley, Sara Sinclair, and Gary Swensen were excused.

Also present were:

Associate Superintendent Christine Kearn
Associate Superintendent Raymond Timothy
Public Affairs Director Mark Peterson
Board Secretary Twila B. Affleck
Executive Director, USOR, Blaine Petersen

Executive Officer Patti Harrington and Associate Superintendent Patrick Ogden were excused.

Members of the Press:

State Office of Education Staff:

Board Secretary Twila B. Affleck recorded the minutes.

Installation of New Board Member

Chairman Burningham introduced Randall A. Mackey who was appointed by Governor Huntsman to fill the vacancy on the Board created by the resignation of John C. Pingree. Chairman Burningham shared some background information on Mr. Mackey.

Chairman Burningham issued the Oath of Office to Mr. Mackey.

Mr. Mackey commented that he has great admiration for John Pingree and that no one will replace him. He stated that he will try his best to fulfill his duties and responsibilities. He further commented that we have a very serious challenge in public education, but we have a good public education system in the state. It helps if you are united as a board – things work better. He is a strong public school advocate, but we can always do better.

Mr. Mackey commented that he has been involved with Harvard University for a number of years and one of the things he has found is that they are trying to do things better. This is a challenge for any institution. The public school teachers do not get the high regard that they deserve. They are people who can change lives and we entrust our children, our most important possessions, with them. He looks forward to working with all the board members.

Chairman Burningham noted that Superintendent Harrington has been out ill for the past week and a half. She has been preliminarily diagnosed with severe migrans.

NASBE Study Group and Committee Reports

Board Member Mark Cluff presented a report of the work of the NASBE Middle and Secondary School Literacy Study Group. (For complete details, see General Exhibit No. 9676.)

Board Member Debra Roberts presented a report of the work of the NASBE Value Added Assessment Study Group. (For complete details, see General Exhibit No. 9677.)

Board Member Richard Sadler presented a report on the work of the NASBE Governmental Affairs Committee.

Chairman Burningham commented that the Board's participation and interaction with people around the country is valuable and important. He would like to have one member of the board participate in the NASBE study groups. At the Annual Meeting in Phoenix they will announce two new study groups for next year. One group will focus on ethics and how we teach ethical character. The second will deal with early childhood. He encouraged Board Members if they are interested and have the time to sign up to participate on one of these study groups.

Chairman Burningham noted that NASBE puts out public policy positions and he was troubled that they do not have one relative to No Child Left Behind and he felt that something should be noted in their public policy positions. He drafted a statement and has sent it out to the NASBE Board, the State Board, and to others around the country. He distributed a copy of a revised statement that he would propose the Board take action on tomorrow. (For complete details, see General Exhibit No. 9678.)

Member Bill Colbert reported on the NASBE New Board Member Institute. He noted that there is a lot of commonality throughout the country and we face many of the same challenges.

Member Tom Gregory reported that the NASBE New Board Member Institute was an interesting experience and he enjoyed the discussions.

Member Greg Haws reported that he had attended a luncheon sponsored by Zions Bank relative to financial

literacy. There is a study being commissioned by Zions Bank as to why the State of Utah is the highest in personal bankruptcy. Preliminary results show that we have more cars per household than any other state in the union. The average home has more rooms. The average earning is less than national average. Leading into the idea that we have higher expectations that can't be met. Also, Utahans contribute more to charity. When the final results are available he will present it to the Board. The study indicates that we are not less educated, but more, and the more education you have the more debt you have. We seem to have an expectation for more things than we can afford.

IB Requirements and Process

Victoria Brinton, IB Coordinator, Hillcrest High School, provided information on the International Baccalaureate requirements and process. (For complete details, see General Exhibit No. 9679.)

Charter School Application Recommendations

In its July and August board meetings, the State Charter School Board (SCSB) reviewed charter school applications.

John Broberg, Executive Director, State Charter School Board presented the following recommendations from the State Charter School Board:

Re-Charter from State Board to State Charter School Board

Timpanogos Academy

Recommendation from the State Charter School Board to convert the Timpanogos Academy from the State Board of Education to the State Charter School Board.

Academy for Math Engineering and Science

Recommendation from the State Charter School Board to convert the Timpanogos Academy from the State Board of Education to the State Charter School Board.

John Hancock Charter School

Recommendation from the State Charter School Board to convert the John Hancock Charter School from the State Board of Education to the State Charter School Board.

Motion was made by Member Tom Gregory and seconded by Member Mark Cluff that the Board approve the dissolution of the charters listed above and re-charter them under the State Charter School Board including the change in the John Hancock Charter School.

Member Laurel Brown voiced concern with the low incidence of schools including students with special needs or disabilities. She reported that she has heard that some parents are being discriminated against just by comments made at some of the schools, such as "we don't have a ramp for a wheel chair" or "your child may be best served somewhere else."

Dave Moss, Chairman of the State Charter School Board commented that the State Charter Board are asking the applicants much more pointed questions than in the past, particularly not only to compliance with special ed laws and their understanding of what they say they will do or be required to do in this area. As a Board they are moving toward having a better handle on that.

Member Bill Colbert suggested that there be a sampling of the disadvantaged population and demographics of the area in the school district or area.

Motion carried unanimously.

New Charters

Lakeview Academy of Science, Arts and Technology

Recommendation from the State Charter School Board that the Lakeview Academy of Science, Arts and Technology be approved as a State Charter School.

Motion was made by Member Richard Sadler and seconded by Member Bill Colbert that Lakeview Academy of Science, Arts and Technology be approved as a State Charter School. Motion carried unanimously.

George Washington Academy

Recommendation from the State Charter School Board that George Washington Academy be approved as a State Charter School.

Member Teresa Theurer noted that on question #16 there need to be more information provided rather than just complies with the law. We may want to reformulate the question, asking for budget support, whether they have a clear understanding of special education laws and requirements, and the number of special education students anticipated.

Motion was made by Member Debra G. Roberts and seconded by Member Laurel O. Brown that George Washington Academy be approved as a State Charter School. Motion carried unanimously.

Legacy Preparatory Academy

Recommendation from the State Charter School Board that Legacy Preparatory Academy be approved as a State Charter School.

Motion was made by Member Mark Cluff and seconded by Member Tim Beagley that Legacy Preparatory Academy be approved as a State Charter School. Motion carried unanimously.

Spectrum Academy

Recommendation from the State Charter School Board that Spectrum Academy be approved as a State Charter School.

Motion was made by Member Richard Sadler and seconded by Member Teresa Theurer that Spectrum Academy be approved as a State Charter School. Motion carried unanimously.

Mountainville Academy

Recommendation from the State Charter School Board that Mountainville Academy be approved as a State Charter School.

Motion was made by Member Mark Cluff and seconded by Member Tom Gregory that Mountainville Academy be approved as a State Charter School. Motion carried unanimously.

(For complete details of the charter school approvals, see General Exhibit No. 9680.)

Member Tim Beagley commented that as finance committee chair the committee is looking for guidance as it formulates budget request to Governor and Legislature. Last year we did not include requests for the Charter School Board and to date we do not have that in our process. We do not seem to have a mechanism to get that information.

John Broberg responded that the Charter Board would like to have the budget included and he is scheduled to meet with the finance committee tomorrow relative to issues of legislation and budget. They would like to work together on these things. The more we can show a united front as public schools the better.

Member Dixie Allen questioned the process if a charter school is using a curriculum that is against our core curriculum, in particular referring to allegations that have been raised at the Moab Community School. It was noted that this was a concern of Board at the time the charter was approved.

John Broberg responded that in the Moab Community School charter it indicates they will be a Waldorf School. They are only integrating some of the components of the Waldorf curriculum, it is not their full curriculum. He suggested that in the future if there are such concerns raised that he be called so they can be investigated.

Chairman Burningham commended the Charter School Board and expressed appreciation for the tremendous amount of work that has been done and that the process is much better today than it was a year ago.

Chairman Burningham further observed that it was troubling to him today to be told of error on one of the forms. He suggested that in the future if there is an error, to let the Board know ahead of time rather than letting a member find it.

Chairman Burningham reported that the follow-up of the most recent audit on the Moab Community School has been mailed to the Board. He noted that this has been a troubling issue and Kent Mohlman, Internal Auditor, has spend a lot of time working with them and he is much more positive on their progress. He asked members to please review the follow-up report.

Chairman Burningham reported that with respect to charter school recommendations and approvals, there will be an extra meeting of the Board on September 29, 2005. He indicated that there are four or five additional schools that have applied for charters and they do not want to wait two years. There was some confusion relative to the deadlines because they were not well publicized. Therefore, in order to provide a thorough and fair system, we will hold a special meeting on September 29. That same day is when the Board will be meeting with the Legislative

Education Interim and Appropriations Committees at 1:00 p.m. in the House Chambers. A formal vote will be taken relative to holding this special meeting during the regular board meeting tomorrow.

Chairman Burningham noted that several board members had attended the State Charter School Board meeting this week. He commended them for their attendance. However, he reminded them they are not members of the charter school board and should act as guests and visitors.

Motion was made by Member Richard Sadler and seconded by Member Edward A. Dalton to adjourn.

Meeting adjourned at 3:55 p.m.