

MINUTES

August 1, 2003

Minutes of the meeting of the State Board of Education held August 1, 2003, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 8:05 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 Dixie Lee Allen
Member R. Michael Anderson
Member Linnea S. Barney
Member Tim Beagley
Member Laurel Brown
Member Edward A. Dalton
Member Greg W. Haws
Member Denis R. Morrill
Member David L. Moss
Member John C. Pingree
Member Jed H. Pitcher
Member Joyce W. Richards
Member Debra G. Roberts
Member Sara V. Sinclair
Member Teresa L. Theurer

Also present were:

Executive Officer Steven O. Laing
Associate Superintendent Patti Harrington
Associate Superintendent Patrick Ogden
Associate Superintendent Raymond Timothy
Executive Director, USOR, Blaine Petersen
Public Affairs Director Mark Peterson
Board Secretary Twila B. Affleck

Also present were:

Members of the Press:

Christi Babbitt, Daily Herald
Elyse Hunter, Deseret News
Ronnie Lynn, Salt Lake Tribune
Moriah Robertson, Deseret News
Amy K. Stewart, Standard Examiner
C. Nelson, Logan High School
Linda Smith, Legislative Coalition for People with Disabilities
Bob Sonja, Pine View High School

Ken Boyd, Pine View High School
Don Roberts, Utah College of Applied Technology
Shirley Ririe, POPS
Chad Harris, Governor's Office of Planning & Budget
Chris Chournos, Bear River High School
Helen Post, Utah Parent Center
Pat Rusk, Utah Education Association
Jim Eldredge, Utah Education Association
Donna Gleaves, The Arc of Utah
Ronda Rose, Utah PTA
Marilyn Call, Division of Services for the Deaf and Hard of Hearing
Kathy Evans, Self Help for the Hard of Hearing
Ron Nelson, Utah Association for the Deaf
Kristi Mortensen, Utah Community Center for the Deaf and Hard of Hearing
Dave Mortensen, Utah Association for the Deaf
Shanna Mortensen, Utah Association for the Deaf
Bonnie Dew, Office of Black Affairs
Michael Kjar, Legislative Fiscal Analysts Office
Dennis R. Platt, Utah Association for the Deaf

Members, Utah State Office of Education Staff:

Mary Shumway, Student Achievement and School Success Services
Carol Goodson, Student Achievement and School Success Services
Susan Loving, Student Achievement and School Success Services
Nan Gray, Student Achievement and School Success Services
Patricia Bradley, Law, Legislation and Educational Services
Louise Moulding, Student Achievement and School Success Services
Buddy Deimler, Student Achievement and School Success Services
Melvin Robinson, Student Achievement and School Success Services

Board Member Denis R. Morrill lead the Board in the Pledge of Allegiance.

Board Member Dixie L. Allen offered the reverence.

Twila B. Affleck recorded the minutes.

Installation of New Board Member

Vice Chairman Janet Cannon introduced Jed H. Pitcher as the new Board Member appointed by the Board of Regents. Superintendent Steven O. Laing issued the Oath of Office to Member Pitcher.

Mr. Pitcher commented that he is honored to be a member of the Board. He indicated that his contribution would be more in the finance, auditing and business aspects of education.

Graduation Requirements and Competency

Proposal

Board Member Teresa L. Theurer, Chairman of the Graduation Requirements and Competency Ad Hoc Committee reported that since the Board reviewed the proposal in June there has been a summit conference steering

committee formed composed of educators from higher and public education, and others. This committee reviewed the proposal and made a list of suggestions and comments which have been included in the new draft presented.

Member Theurer presented the changes proposed between the first draft adopted and the new proposal before the Board. (For complete details, see General Exhibit No. 9104.)

Member Denis Morrill suggested that on page 3 under “Middle Level Students Must Complete Credit Requirements,” first line the “may” be changed to will. The first sentence would then read: In order to assist those who struggle with these expectations, intensive help will be needed. This concept was agreed upon by the Board.

Member Sara Sinclair voiced concern that as a parent reading this it is not clear as to who is going to give help. It should be stated in the document. Another concern is that some of the language is quite general.

Chairman Kim Burningham noted that another document is being prepared for parents that talks in detail about what will be done at every stage and answers a lot of these questions.

Member Theurer indicated that in the Board’s document they tried to use the word “unit” rather than credit because credit seems to signify time.

Superintendent Laing stated that the concept of differentiating between the accumulation of graduation credits and the creation of competencies emerged from the steering committee. The ad hoc committee talked about this and some members’ concern about whether or not we should still maintain the notion of credit as a requisite of graduation along with the demonstration of proficiencies.

Member Denis Morrill commented that you either go for it or you don’t. If we try to hold on to the past and go into the future at the same time is not a good idea. He felt that going into the future and establishing a new way of doing things terminology can hang you up in getting people out of old thought processes. There was a consensus of the Board to eliminate the word “credit.” The heading for high school would then read: “High School Students Must Earn Required Units Of General Education As One Measure Of Ability.”

Member Denis Morrill voiced concern that the ad hoc committee was not entirely happy with the document and the proposed changes from the summit committee.

Member Sara Sinclair commented that she felt the introduction is too enthusiastic, and it does not indicate that this cannot be done without significant amounts of additional funding.

Member Ed Dalton commented that this is a work in progress and the input from the summit committee is very positive and helps to move this forward. It also seems to make it a much more positive type approach. He further indicated that there was a general consensus that this would get us a little further than the previous document.

Concerns were expressed by some board members that the document needed to be parent friendly so that parents would understand exactly what their child needed to have to graduate.

Discussion ensued relative to the original proposal of strengthening the senior year and how this proposal

was addressing that need. Particularly of concern was the addition of the math course in the senior year.

Member Teresa Theurer indicated that the areas are combined into one from the original proposal.

Member Theurer indicated that one change is the area of focus and the district's prescribed electives.

Superintendent Laing explained the differences in the two proposals in this area. In the original proposal there were three units of focused electives. On the top of page 4 of the new proposal it lists academic choices in area of focus selected from above three, which reflects this. It allows the student to focus those electives in any area of the general core curriculum. However, at the bottom of page the Board had determined that if districts had schedules that required students to enroll in more opportunities, recognizing that the class schedule in high school determines how many opportunities there are to develop units of credit, the most common schedule is the eight period alternating block and that generates 32 opportunities, the next is the seven period semester which generates 28, the trimester , generates 30. The point made earlier, if they were offering these schedules that had students taking more classes above 24, one-third of those would be dedicated toward the academic basics. Most of the districts already require additional language arts. However, if they were offering a block schedule they would have had to pick up another two units of requirement and we have left that open to them. He would personally like to see this moved to above 24 because that protects both released time and it enables a six period schedule and reduces the number of requirements that districts would have to add. He would like to see the last sentence on page four and top of page five reworked to say if districts require schedules of students that offer more than 24 units, that one-third of the additional above 24 needs to be focused in the areas indicated on the tops of page five.

Member Theurer indicated that this is what was in the original proposal.

Member Jed Pitcher questioned what will this cost us? Superintendent Laing responded that it will be \$200,000,000 new dollars; about \$400,000,000 for this and the implementation of SB 154. There is \$200,000,000 in the existing budget that we can apply to this, but it would still require an additional \$200,000,000, mostly in the area in interventions for students, providing the diagnostic assessments, summer school, after school, tutors, professional development for teachers to be able to implement new programs. Dr. Laing indicated that there would be additional information on this presented in the Finance Committee later in the day.

Members Pitcher and Sinclair both commented that the dollars need to be identified in the document more profoundly.

Vice Chairman Janet Cannon indicated that she has received numerous comments relative to the arts and the possible elimination of these opportunities for students. She would like the document to have some type of specificity about how the arts will be protected and the value of the arts play in terms of what is required, etc.

Superintendent Laing responded that SB 154 directs that the State Board make an examination and come with recommendations on shifting dollars from non-core electives into core subjects. This is not an attempt to fulfill

that requirement. We have chosen not to broach that this year. The Board has three years to fulfill those study requirements. Dr. Laing noted that this proposal protects the general core, including the fine arts, by definition of what is required for general education, specification that the three focused electives can be taken in any of those areas, which includes the fine arts, allowing districts to have additional requirements above the 24 which would provide more electives and opportunities. Therefore, the Board is still acknowledging the importance of the fine arts, character education and other elements in this document.

It was suggested that under “Frequently Asked Question” it be added in bold print, this does not eliminate the opportunity for students to take fine arts.

Member Debra Roberts commented that the Board may not have communicated effectively to the public relative to the proposal. She suggested that the Board release a statement today that indicates we support education of the whole child. She proposed the following statement:

As the Board works towards the implementation of performance-based graduation requirements, it is appropriate for us to reiterate our support for education of the whole child. This must include electives and experiences that incorporate cultural, artistic, and aesthetic experiences and should be embedded in the simultaneous teaching of sound decision-making, honesty, self-responsibility, teamwork, service, and citizenship. The needs of the individual child are our greatest challenge and priority. We support core requirements of English, Science, Math and Social Science. This support does not sacrifice individual talents, capacities and goals. The new requirements support that viewpoint. However, as students examine their elective choices, a greater level of counseling will be required both within the school and from parents. As a board we are setting a minimum level of performance that allows many elective choices. We turn to local entities and, most of all, parents to take responsibility for directing the education of our children within those parameters.

Motion was made by Member Debra Roberts and seconded by Chairman Kim R. Burningham to release the above statement to the press.

Member Dave Moss commented that it was important to emphasize “increased” parental involvement. Member Moss offered this as an amendment to the motion. Member Moss was asked to indicate specific wording.

Member Teresa Theurer indicated that there is a Resolution on the agenda for the Curriculum Committee to discuss and she would like to have that discussion prior to voting on the statement.

Motion was made by Member John C. Pingree and seconded by Member Greg W. Haws to table the motion on the statement. Member Pingree stated that he felt the resolution or the statement needed to contain a statement about the money that will be required to implement the proposal. Motion to table carried with Members Allen, Barney, Brown, Haws, Morrill, Pingree, Richards, and Theurer voting in favor; Members Anderson, Beagley, Burningham, Dalton, Moss, and Roberts voting against.

Member Tim Beagley indicated that he felt comfortable with the proposal other than that the introduction is a little too positive and it might understate the need we have.

Associate Superintendent Patti Harrington responded that the first sentence came from the national

consultant at the steering committee meeting. This consultant has indicated that what we have is very good and we should not through it out to change.

Member Greg Haws commented that nationally there is a perception that public education is broken and needs a total overhaul. In Utah we do not need an overhaul, the analogy of a tuneup is a good one. The concept that we are the envy of many in the United States, and the system we have is outstanding, but it does need a tuneup.

Motion was made by Member Teresa L. Theurer and seconded by Member Denis R. Morrill to accept the proposal with the following changes: The word may on page 3 be changed to will; the word credit be changed to unit; the districts require credits be changed back to the original proposal, of 24 and one-third of others; add to frequently asked question a statement relative to the arts and their role in this proposal; on page 4, Students will perform exit competencies in addition to earning units of credit, add examples to make this more clear; and to remove exclamation point in title. Motion carried unanimously.

Motion was made by Member Edward A. Dalton and seconded by Member Teresa L. Theurer that on page 6, second paragraph heading, Implementation of This Plan Depends Upon Significant Additional Funding, change to read: "Implementation Of This Plan Depends Upon the Application of Existing Resources and Significant Additional Funding." Also, at the conclusion add that specific funding recommendations will be forthcoming.

Member Teresa Theurer expressed concern with the motion because she does not want to dilute the additional funding, and to give the impression that we can do this with the funding we have.

Member Mike Anderson suggested that if we want to emphasize the fact that we need more funding that this paragraph be moved to the very first one in the document.

Member Anderson offered an amendment to the motion that the paragraph be placed as the first paragraph in the document.

Member Denis Morrill spoke in favor of moving the paragraph to the beginning of the document.

Motion to change the title of the paragraph and add an additional statement at the conclusion that funding recommendations will be forthcoming failed.

Motion was made by Member R. Michael Anderson and seconded by Member David L. Moss that the paragraph on Implementation of the Plan Depends Upon Significant Additional Funding be moved to the first of the document, on the top of page 3. Motion carried unanimously.

Adequate Yearly Progress

Under No Child Left Behind (NCLB), state education agencies must define the process by which Adequate Yearly Progress (AYP) is determined for schools and districts as it relates to student achievement. This process, its

goals, and its data points have been developed under the direction of the Technical Advisory Committee (TAC) with ongoing statewide input and review by district superintendents, assessment directors, and curriculum directors.

Utah's initial plan was submitted to the U.S. Department of Education (USDE) by the deadline of January 31, 2003. After a peer review, the revised plan was submitted by May 1, 2003. The Utah AYP Plan was approved by the USDE on June 10, 2003, following further revision required by the USDE.

Louise Moulding, Coordinator, Evaluation and Assessment presented key elements of the plan which included the criteria used to determine if a school has made Adequate Yearly Progress, Assessments used to measure student achievement, and inclusion of all students in the accountability program. (For complete details, see General Exhibit No. 9105.)

Motion was made by Member Denis R. Morrill and seconded by Member Laurel Brown to receive the report with commendation to Dr. Moulding. Motion carried unanimously.

Utah Community Center of the Deaf and Hard of Hearing rename to the Robert G. Sanderson Community Center for the Deaf and Hard of Hearing

Blaine Petersen, Executive Director of the State Office of Rehabilitation reported that the State Office of Rehabilitation, the staff of the Division of Services for the deaf and Hard of Hearing and the Deaf and Hard of Hearing Community are recommending that the name of the Utah Community Center for the Deaf and Hard of Hearing be changed to the **Robert G. Sanderson Community Center of the Deaf and Hard of Hearing**. Marilyn Call, Director of the Utah Community Center of the Deaf and Hard of Hearing indicated that this is being recommended to recognize the leadership and service that Dr. Sanderson has provided to the deaf community since he became deaf at age 11. Ms. Call indicated that Mr. Sanderson has served in many leadership roles and developed services for the deaf for the Utah State Office of Rehabilitation. He was the coordinator of services for the Deaf for the Utah State Office of Rehabilitation and the first director of the Community Center for the Deaf in 1980. Dr. Sanderson retired in 1985, and at age 83 never misses and opportunity to advocate for the deaf. (For complete details of the supporting materials, see General Exhibit No. 9106.)

Motion was made by Member Debra G. Roberts and seconded by Member Tim Beagley to approve the renaming of the Utah Community Center for the Deaf and Hard of Hearing to the **Robert G. Sanderson Community center for the Deaf and Hard of Hearing**. Motion carried unanimously.

Dr. Sanderson expressed appreciation and indicated he was humbled to receive such an honor. He stated that no man stands alone, and he has had a lot of support from a lot of people. He named several people including his wife and two sons who have supported him over the years.

Board Chairman Report

Chairman Burningham expressed appreciation to the Board Members for all the work they are doing. He reminded the Board Members that their public meetings are very important. In September there are Summits scheduled around the state. Those summits will be attended primarily by local education people and legislators and others that are decision makers. However, the public needs to be involved in the process and our public hearings are extremely important. These public hearings should be held prior to the summit meetings. He asked that Board Member make sure that the dates and times are clearly to Superintendent Laing so they can be published.

Pat Chlouber, President Bush's education liaison in the West will be visiting Utah in August. She intends to have meetings with superintendents in large districts to get their reactions about "No Child Left Behind." Chairman Burningham indicated that she has invited Board Members to be present as she meets with the superintendents. He distributed a copy of the email he received relative to her schedule with times of her meetings with superintendents.

Chairman Burningham shared emails from former Board Members Judy Larson and Jill Kennedy.

Member Linnea Barney also noted that former Board Chairman John Watson is in Barcelona, Spain and sends his best wishes to the Board.

Applied Technology Education for Secondary Students

In June 2001 state legislation changed the governance of the applied technology centers and created the Utah College of Applied Technology (UCAT). Mary Shumway, Director of Applied Technology and Adult Education reported on applied technology education in the state and how the needs of secondary students are being met through the school districts and through UCAT. (For complete details, see General Exhibit No. 9107.)

Coalition of Minorities Advisory Committee (CMAC) Quarterly Report

Charlene Lui, Chairman-Elect, Soulee Stroud, Past Chairman, and Cyndee Miya of the Coalition of Minorities Advisory Committee (CMAC) presented their Quarterly Report. (For complete details, see General Exhibit No. 9108.)

Executive Session

Motion was made by Member Denis R. Morrill and seconded by Member Laurel Brown that the Board move into an executive session following committee meetings and during lunch to discuss personnel issues. The Board was polled and by unanimous consent of those present, the Board moved into an Executive Session during lunch at 1:28 p.m.

The Board then recessed for Committee Meetings.

Motion was made by Member Greg W. Haws and seconded by Member Laurel Brown that the Board reconvene into open meeting. Motion carried unanimously.

Utah Professional Practices Advisory Commission Recommendations

Motion was made by Member David L. Moss and seconded by Member Tim Beagley that the Board accept the recommendation of the Utah Professional Practices Advisory Commission and the hearing panel in Case No. 01-539 that the educator license of a former teacher in the Provo School District be reinstated. It was noted that the license was suspended on May 4, 2001, as a result of the educator's inappropriate use of district computer equipment to successfully access sexually-explicit and/or pornographic materials on school contract time. It was further noted that the hearing report was reviewed in Executive Session. Motion carried unanimously. (For complete details of the recommendations, see General Exhibit No. 9109.)

Services for the Blind and Visually Impaired Advisory Council

Motion was made by Member Laurel Brown and seconded by Member R. Michael Anderson to appoint Lynne Krumm, and to reappoint W. Kent McGregor and Bill Peterson to the Blind and Visually Impaired Advisory Council, with terms to expire June 30, 2005. Motion carried unanimously.

Division of Services for the Deaf and Hard of Hearing Advisory Council

Motion was made by Member Laurel Brown and seconded by Member R. Michael Anderson to appoint Kirstylynne Brady, Joy Roberts, Barbara Ripley and Matthew T. Snarr to the Deaf and Hard of Hearing Advisory Council, with terms to expire June 30, 1006. Motion carried unanimously.

Human Resource Director, Utah State Office of Education

Motion was made by Member Linnea S. Barney and seconded by Member Edward A. Dalton to ratify the appointment of Marlo Wilcox as the Director of Human Resources in the Utah State Office of Education. Motion carried unanimously.

Public Participation/Comments

None were requested.

Board Standing Committee Reports

Curriculum Committee

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

Character Education in Utah Public Schools

The Committee received a report from Verne Larsen, Safe and Drug Free Schools Specialist on the character education curriculum that is being taught in Utah public schools in connection with regular school work. He noted that it is also an important component of the Prevention Dimension program. (For complete details, see General Exhibit No. 9110.)

The Committee received the report.

Student Achievement Resolution

The Committee continued the development of a resolution regarding student achievement which would capture the intent of the Board in considering the many steps in increasing student achievement. It is anticipated that the resolution once fully developed and approved by the Board would be distributed to further the understanding of the general public, school districts, public relations officers, USOE employees and local board of education. (For complete details, see General Exhibit No. 9111.)

The Committee would like to continue working on this resolution over the next three months.

State Board of Education

Strategic Planning

The Committee considered their former strategic plan objectives, including the objectives set by SB 154. The Committee would like their goal to be implementation of the Performance Plus Proposal. Also, to have Associate Superintendent Harrington and her staff continue implementation of the assignments/tasks from SB 154 as the funding and time becomes available to do that. The committee did not have time to consider action steps and time lines.

Law and Policy Committee

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

High Objective Uniform Statewide Standard of Evaluation (HOUSSE) for Teachers

After receiving input from teachers, principals, personnel directors, superintendents, and higher education deals, revisions have been made to the previously proposed High Objective Uniform State Standard of Evaluation (HOUSSE) for Utah teachers. The No Child Left Behind Act (NCLB) requires all teaching staff to be “highly qualified” in NCLB core subjects. For current secondary teachers, the legislation requires a major in each core subject or a passing score on an NCLB subject content test or competency according to a HOUSSE devised by the state. For current elementary teachers, the legislation requires a major in a NCLB core subject or a passing score on a rigorous academic test of elementary subject content knowledge or competency according to Utah’s HOUSSE proposal for early childhood/elementary teachers. Teachers under this definition were employed on or before the first day of school in 2002-2003. (For complete details of the High Objective Uniform Statewide Standard of Evaluation (HOUSSE) for Teachers, see General Exhibit No. 9112.)

Motion from the Committee that the Utah State Board of Education approve the concept of merging the current licensing requirements and the highly qualified standards. Further, that all veteran teachers meeting state licensing requirements are deemed to be highly qualified under current licensure. To renew the license and demonstrate that they continue to be highly qualified, each teacher must demonstrate content knowledge by accruing

200 points. Motion carried unanimously.

Utah Valley State College Teacher

Education Program Review

The program approval process is an essential step to ensure university/college educator preparation programs meet state preparation program standards. Program reviews are conducted every five years. The process includes an institution self-study and an On-Site Team visit to assess the institution's practices with state standards. The report contains commendations, recommendations, and suggestions to which a response from the institution is required within one year. Utah Valley State College completed the Self-Study Report and an On-Site Team completed the review. The College will now prepare a response to the review within a reasonable period of time but not to exceed one year from the date of the Board approval. (For complete details of the review, see General Exhibit No. 9113.)

Motion from the Committee that the Board approve both the Utah Valley State College Teachers Education Program Review, and the Southern Utah University Teacher Education Program Review. Motion carried unanimously.

Southern Utah University Teacher

Education Program Review

The program approval process is an essential step to ensure university/college educator preparation programs meet state preparation program standards. Program reviews are conducted every five years. The process includes an institution self-study and an On-Site Team visit to assess the institution's practices with state standards. The report contains commendations, recommendations, and suggestions to which a response from the institution is required within one year. Southern Utah University completed the Self-Study Report and an On-Site Team completed the review. The University will now prepare a response to the review within a reasonable period of time but not to exceed one year from the date of the Board approval. (For complete details of the review, see General Exhibit No. 9114.)

Pinnacle Canyon Charter

School Request to Expand

Pinnacle Canyon Charter School is approved for two grade levels, kindergarten through 8th grade in the 2003-04 school year. Pinnacle requests an amendment to their charter to add a 9th grade, bringing the school in line with Carbon and Emery School Districts' 7th-9th grade junior high structure. The Pinnacle Board also suggests that allowing the school to serve 9th graders would enable student to enter high school without a one-year transfer from Pinnacle into a junior high school. Current staff members at Pinnacle are secondary endorsed so they could provide a 9th grade curriculum. Pinnacle is also requesting an expansion that will allow class size to grow from 20-25 students per grade level and offset the impact the school faced this year with the implementation of the differentiated WPU. This request is for a total enrollment expansion of 140 students. (For complete details of the request, see General Exhibit No. 9115.)

Member Moss indicated that the Committee would like to receive more information from both the school district and Pinnacle Canyon, and therefore postponed action on this item.

State Board of Education Strategic Planning

The Committee did not have time to discuss this item.

Finance Committee

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

Remediation and Interventions for Student Success (RISS) Block Grant for FY 2005

On July 27, 2003, the Utah State Office of Education recommended that the Legislature create a new program called the Remediation and Interventions for Student Success (RISS) Block Grant. The new block grant would be composed of: Existing class size reduction funding, existing funding from the Interventions for Student Success Block and possible new sources of revenue. The purpose of the block grant would be to improve student academic success. (For complete details see General Exhibit No. 9116.)

The Committee received the information and informed the Board that this will be included in the budget recommendation.

Implementation Costs of Senate Bill 154

Senate Bill 154 requires the State Board “make recommendations to the Public Education Appropriations Subcommittee, including the amount and allocation of public education monies, based upon both new public education monies and the reallocation of monies required to develop and implement: (a) progress-based assessments, (b) a weighted competency unit, (c) a plan to assist students, teachers, schools, and districts that need remediation based upon (a) and (b), and (d) the reallocation of teaching resources from non-core electives into grades 1-3, 7-12 math, and 7-12 English.” (For complete details, see General Exhibit No. 9117.) Member Anderson noted that the final number for funding is \$392,907.287.

Motion from the Committee that the Board approve the estimated implementation costs for SB 154, No Child Left Behind and the Remediation and Interventions for Student Success Block Grant be approved and submitted for the fiscal year 2005 as the budget request to the governor and the legislature. It was noted that these are soft numbers and this will be brought back to the Board next month during the budget presentation. Motion carried unanimously.

South Summit School District

Authorization of Interfund Transfer

State law allows the State Board of Education to give approval for a district to move money between funds.

South Summit School District is asking permission to move approximately \$400,000 from their Building Reserve Fund to their Tort Liability Fund. Moving the money will allow the district to pay a court ordered tax refund to Amoco Rockmount Company without having to impose a judgment levy on district taxpayers. (For complete details of the request, see General Exhibit No. 9118.)

Motion from the Finance Committee that the Board approve the transfer of approximately \$400,000 from the South Summit School District's Building Reserve Fund to their Tort Liability Fund. Motion carried unanimously.

Guidelines for Developing a Rule Concerning the New Charter School Building Revolving Loan Fund

The Committee discussed the guidelines for the \$2 million fund the Board has been granted to assist charter schools with their capital expenses. The Committee developed a Charter School Revolving Loan Fund Program Description and Application Form which outlines the policy for the committee, at the present time, to deal with the allocation and approval of loans from the \$2 million fund. The Committee will be made up of the finance committee and a representative from the Governor's office. The Committee will make a recommendation to the Superintendent who would then approve the loan. Member Anderson reviewed the funding criteria and the criteria for a loan. (For complete details of the document, see General Exhibit No. 9119.)

The Committee adjusted the proposal that the assets purchased by the monies lent to charter schools remain an asset of the Utah State Board of Education.

Motion from the Committee that the document with the modification be accepted as a policy of the loan committee and authorize staff to develop an emergency rule. Motion carried unanimously.

State Board of Education Strategic Planning

There was not time for discussion of this item.

End of Committee Reports

Superintendent Laing introduced Marlo Wilcox, the new Human Resource Director.

Performance Plus - Fourth Draft

Member Teresa Theurer reviewed Draft Four of the Performance Plus document which includes the changes identified by the Board earlier in the meeting. (For complete details, see General Exhibit No. 9120.) On page 4, middle of the page, District prescribed electives (at least 2) the (at least 2) should be removed.

Superintendent Laing noted that it was understood that the document would be put into the same format as before with a different color cover. Also, a Power Point presentation will also be available for use at the public hearings.

Member Laurel Brown indicated that parents of special education students will be questioning what diploma their child will get. She clarified that the proposal is all for a "basic" diploma. She questioned where the

special education students will fit in and what diploma they will receive, whether it will be a basic diploma or a certificate of completion. Member Brown felt that the document needed to provide clarification of the diploma that will be received.

Superintendent Laing suggested that we change the wording to say that accommodations rather than exceptions will be made for some students and talk about what the law allows us to do to accommodate assessments. He indicated that students would have to demonstrate proficiency. If they have a disability that has qualified them for an accommodation and within the range of accommodations available they are able to demonstrate that proficiency they will receive the basic diploma. If they are unable to, they would receive the Certificate of Completion.

The Board agreed with the change regarding diplomas and with the revised document which included all of the modifications.

Executive Officer Report

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

Dr. Laing reported that he met with Representatives Pat Jones and Steve Mascaro, and Associate Superintendent Patrick Ogden. The representatives are proposing a revision of their bill that would increase revenue for public schools to approximately \$80 million. It has to do with adjusting the income tax deductions and brackets. This is an issue worth looking at because it does not adversely impact anyone, and is offset by the federal income tax adjustments.

Dr. Laing reported that he met with Jon Huntsman Jr. who is being touted as a candidate for Governor on the Republican side. He wanted to discuss education issues. Hopefully some good progress was made relative to tuition tax credits as being a desirable issue.

NAEP Results -- We recognized as an agency and an educational community that our writing was not keeping pace so we have done some things to strengthen both the curriculum, increased emphasis in professional development and the widespread use of the Six Traits Writing. However, he noted that it is important to recognize that writing to be done well needs interaction between the students and the teacher, so class size when it comes to writing classes becomes particularly crucial.

Letter from Mrs. Leavitt about Financial Literacy – Dr. Laing noted that the Board had received a letter from Mrs. Leavitt about Financial Literacy. He reported that the Financial Literacy Curriculum is being finished and it will be piloted this fall in a couple of sites. The determination of whether or not it will be a standalone class or something that could be included in existing courses is yet to be made. Our counsel would be that we ought to make it so it can be taught by as many teachers as possible so you don't need a special license to teach financial literacy.

Pat Chlouber Visit to District Superintendents – As mentioned by Chairman Burningham earlier in the meeting if Board Members want to participate in the visit by Mrs. Chlouber to the district superintendents on No Child

Left Behind, it was good to advise the superintendent if you are planning to attend.

Dr. Laing extended commendation to staff. We recently completed a post audit of payment of vouchers and warrants in the agency, and of the 469 documents that were selected they found zero findings.

Dr. Laing reported that the Safe to Learn group is proceeding on an initiative. The Board has not taken a position on this initiative.

Carol Lear, Coordinator, School Law and Legislation reported that the Safe to Worship/Safe to Learn Coalition would like to know if the Board would support the purpose and mission of the coalition.

To assure Utah schools are a safe environment for learning, schools deserve similar protection the state provides for houses of worship, courthouses and airports. Free from proximity to weapons carried by individuals unauthorized to protect others. The compelling requirement for student safety supercedes an adults preference for self-protection. The Safe Haven For Learning Coalition will work to provide appropriate protection for Utah students by placing a Safe Haven For Learning Initiative on the 2004 ballot and supervise its successful campaign to secure a discerning vote in favor of the initiative. We agree with the mission and goals of the Safe Haven Coalition by signing this form gives the Coalition permission to list us as a Coalition partner in printed materials and in advertising produced and distributed by the Coalition. We understand that our name will be used in the ad only in the efforts specific to Safe Haven for Learning Coalition.

It was agreed that Board Members could study the purpose and mission of the coalition and come back during the Board Chairman report for any action.

Dr. Laing reported that he had attended the Council of Chief State School Officers Summer Conference. The theme was high schools and the need to modify and reform high schools. The Performance Plus document is what is being considered critical of the needs across the nation. Of all the presenter that were there, whether they were educators, representatives of academic groups that study, etc. or representatives of business such as Business Roundtable, unanimously they said they felt the need was to ratchet up graduation requirements for all students so that all students when they came to the end of their secondary school careers had the option of going either into higher education or into post secondary training. They felt there was very little difference with regard to the basic skills that were required in math, language, writing, whether they went into higher education or into post secondary training. Dr. Laing reported that Utah is further along in this regard than many of them.

Public Hearings on Graduation Requirements – Dr. Laing noted that as Board members set up their public hearings, we will provide the power point and the projector, however, we need a screen or a blank wall to project onto. He indicated that as we receive notice of the public hearings we will assign staff to be in attendance where possible. Also we need to get the list out to the public.

Dr. Laing indicated that there is confusion between the public hearings and the summits. The Summits are the Governor's and are not intended to be open meetings for anyone to attend. They are designed to be meetings for teams to attend. The teams will be representative of almost everyone in the community. The public hearings are the

Board's and are specifically designed to present the concepts and field input from the public.

Dr. Laing reported that the small version of the Utah Code Annotated will not be published any more. Volume 2, which contains most of the education laws it is relatively expensive. If anyone would like a printed version please contact Twila by Monday. Dr. Laing noted that it is on line and it can be downloaded to a palm pilot.

Safe To Learn Coalition

Motion was made by Member David L. Moss and seconded by Member Teresa L. Theurer to add the name of the Utah State Board of Education to those supporting the Safe To Learn Initiative. Motion carried unanimously.

Board Chairman Report

Performance Based Requirements Statement

Motion was made by Member John C. Pingree and seconded by Member Laurel O. Brown to place the Statement from the Board relative to the Performance Based Requirements read by Member Debra Roberts back on the table for discussion. Motion carried unanimously.

Member Debra Roberts presented the following revised statement relative to Performance Based Requirements.

“As the Board works toward the implementation of competency-based graduation requirements, it is appropriate for us to reiterate our support for education of the whole child. This must include electives and experiences that incorporate cultural, artistic, and aesthetic experiences and should be embedded in the simultaneous teaching of sound decision-making, honesty, self-responsibility, teamwork, service, and citizenship. The needs of the individual child are our greatest challenge and priority. We support core requirements. This support does not sacrifice individual talents, capacities and goals. The new requirements support that viewpoint. However, as students examine their elective choices, a greater level of counseling will be required from within the school. As a Board, we are setting a minimum level of performance that allows many elective choices. We turn to local entities and, most of all, to parents to take responsibility for directing the education of our children within those parameters. Parents need to make a greater commitment than ever before to ensure the success of their students.”

Motion was made by Member Debra G. Roberts and seconded by Member John C. Pingree to adopt the statement read as a news release from the meeting.

Member Teresa Theurer commented that she agreed with the statement, but she has a concern that everything the statement says is said in the new proposal and she would like to see everyone read the proposal.

Member Roberts indicated that if the statement was adopted at the end it could encourage people to go to the web page and read the graduation requirements.

Member Mike Anderson commented that he felt the statement was a good leader for our public hearings.

Motion carried with Members Allen, Anderson, Barney, Beagley, Dalton, Haws, Morrill, Moss, Pingree, and Roberts voting in favor; Member Brown, Richards and Theurer voting against.

General Consent Calendar

Motion was made by Member David L. Moss and seconded by Member Linnea S. Barney to approve the

General Consent Calendar with the exception of Item C, Appropriate Licensing and Assignment of Teachers, R277-520 to be pulled for further modifications. Motion carried unanimously.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board of Education held June 6, 2003.

2. Contracts

The following contracts were approved by the Board:

(a) Utah Parent Information and Training Center. \$60,000. 7/1/03-6/30/04 - Amend. - Fed.

The Utah Parent Information Center is the only center in the State which serves as a statewide clearinghouse for parents with disabled children. UPC provides information, referral, training and support to parents.

(b) Art Access NSA Utah. \$40,000. 7/1/03-6/30/04 - Amend. - Fed.

To ensure integrated arts for students with disabilities. Train and recruit professional artists to provide direct service to students and provide inservice training to teachers, aides parents and administrators. Use "Start With the Arts" Curriculum for preschoolers learning basic skills through art.

(c) Washington County School District. \$14,641. 7/1/03-6/30/04. - Amend. - Fed.

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

(d) Kane County School District. \$7,903. 7/1/03-6/30/04. - Amend. Fed.

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

(e) Utah Education Network. \$24,000. 8/1/03-6/30/04. - Amend.

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

(f) Ann Pack. \$41,200. 10/1/03-9/30/04. - Amend. - Fed.

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

(g) Digital Media Consulting, LLC. \$15,000. 8/2/03-12/31/03.

To provide hosting, continued development and modifications of the interactive School LAND Trust Program website.

- (h) Rosanne Bowman. \$12,900. 16/6/02-6/30/04. Amend.
Provide training on Revised "I Can Read" Tutorials.
- (i) Jensen & Keddington, P.C. \$30,000. 7/1/03-9/30/04. - Amend. - Fed.
To conduct administrative reviews on described contract, attachment B.
- (j) Wisn, Smith, Racker & Prescott, LLP. \$30,000. 7/1/03-9/30/04. - Amend. - Fed.
To conduct administrative reviews on described contract, attachment B.
- (k) Department of Administrative Services. \$19,441.20. 7/1/03-6/30/04. - Amend. - Fed.
To renew the Operating and Maintenance Agreement between DFCM and the Utah State Office of Rehabilitation, Division of Services for the Deaf and Hard of Hearing, located at 5709 South 1500 West, Taylorsville, Utah.
- (l) Department of Administrative Services. \$37,715. 7/1/03-6/30/04. - Amend. - Fed.
To renew the Operating and Maintenance Agreement between DFCM and the Utah State Office of Rehabilitation, Provo Regional Center located at 150 East Center, Provo, Utah.
- (m) Utah Commission of Criminal and Juvenile Justice. \$3,000. 4/1/03-5/31/03 - RECEIVABLE
Provide funding for the Prevention Dimensions activity at a Salt Lake Stinger Baseball Game, May 1, 2003.
- (n) Department of Human Services. \$5,000. 4/1/03-5/31/03 - RECEIVABLE
Provide funding for the Prevention Dimensions activity at the Salt Lake Stinger Baseball game May 1, 2003.
- (o) Utah Department of Health. \$8,000. 4/1/03-5/31/03. RECEIVABLE
Provide funding for the Prevention Dimensions activity at the Salt Lake Stinger Baseball Game May 1, 2003.
- (p) Schmitt, Griffiths, Smith & Co. \$0. 7/1/03-6/30/04 - Amend.
Consulting/Auditing Services for Utah State Board of Education. To extend contract for an additional year – no additional money.
- (q) Dataimage. \$6,229. 8/1/03-6/30/04
To provide maintenance on Legato Imaging System.
- (R) Measured Progress. \$1,702,433. 7/1/03-2/28/05. - Fed.
Development of the Language Proficiency Assessment.

(For complete details of the Contracts, see General Exhibit No. 9121.)

3. Distribution of Funds for Charter Schools, R277-470

The 2003 Legislature changed the formula for calculating the amount of funding that charters receive in lieu of local property taxes. The amendment made to R277-470 updates it to reflect the legislative changes. The Board at its June 6, 2003 meeting made additional modifications and approved the rule on second reading including date changes reflected in the Charter School Application deadlines. A few minor non-substantive changes to the rule have been made since that time and are indicated by strike-outs and underlines. The Board approved R277-470, Distribution of Funds for Charter Schools on third and final reading. (For complete details, see General Exhibit No. 9122.)

4. Charter School Application

The Charter School Application and Deadlines has been revised with all minor changes suggested at the June 6, 2003 Board meeting. The Board reviewed and approved the Application and approve it on final reading. (For complete details, see General Exhibit No. 9123.)

5. Monthly Budget Report

The Monthly Budget Report provides information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education and the Utah State Office of Rehabilitation. (For complete details, see General Exhibit No. 9124.)

6. Ratification of Employment

Mary Ellen Kelly was ratified as an Education Specialist, Mathematics, in the Student Achievement and School Success Division.

Katherine Whittekiend be ratified as an Education Specialist, Federal Program Data in the Student Achievement and School Success Division.

7. List of Applicants for Licenses

A summary of the list of applicants for initial and renewal licenses was approved by the Board. (For complete details, see General Exhibit No. 9125.)

8. Claims Report

The Claims Reports for May 31, 2003 in the amount of \$137,265,707.58 and June 30, 2003 in the amount of \$164,708,984.29 were approved by the Board. (For complete details, see General Exhibit No. 9126.)

Meeting adjourned at 3:23 p.m.