

MINUTES

April 9, 2010

Minutes of the meeting of the State Board of Education held April 9, 2010, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 8:00 a.m. Chair Debra G. Roberts presided.

Members present were:

Chairman Debra G. Roberts
Vice Chairman Dixie L. Allen
Member Laurel O. Brown
Member Kim R. Burningham
Member Janet A. Cannon
Member Leslie B. Castle
Member Craig E. Coleman
Member David Crandall
Member Robert R. DePoe
Member Greg W. Haws
Member Douglas J. Holmes
Member Denis R. Morrill
Member Carol A. Murphy
Member C. Mark Openshaw
Member Tami Pyfer
Member David L. Thomas

Members Rosanita Cespedes, Michael Jensen, Tamara Lowe and Meghan Holbrook were excused.

Also present were:

Superintendent Larry K. Shumway
Deputy Superintendent Martell Menlove
Associate Superintendent Brenda Hales
Associate Superintendent Todd Hauber
Associate Superintendent Judy Park
Public Affairs Director, Mark Peterson
Don Uchida, Executive Director, USOR
Board Secretary Twila B. Affleck

Members of the Press:

Lisa Schencker, Salt Lake Tribune
Amy Stewart, Deseret Morning News
Rick Kempton, Noah Webster Academy
Jessie Kidd, Davinci Academy
Rand Henderson, Utah Connection Academy
Steve Noyce, Superintendent, Utah Schools for the Deaf and the Blind
Mark Cluff, Utah Association for Public Charter Schools
Jennifer Howell, Utah Schools for the Deaf and the Blind
Melani S. Austin, Utah Schools for the Deaf and the Blind

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Chair Debra Roberts called the meeting to order and excused Board Members Rosanita Cespedes, Michael Jensen, Tamara Lowe and Meghan Holbrook, .

Welcome

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

Board Vice Chair Dixie Allen welcomed everyone to the meeting and commented on how we may find ourselves in the political process. She shared quotes from Presidents James Madison, Thomas Jefferson and Lyndon B. Johnson. She stated that without the good job the State Board does along with all the other educational people in the state we would be lost. She expressed a hope that we can continue to do the good work.

Member Greg Haws shared an experience while they were in Washington, DC with the NASBE meetings, they were discussing the meaning of “rural.” Those from Utah felt that some of the folks from the East Coast maybe did not understand rural. When we are talking about rural we refer to isolated rural and pioneer rural. He had an opportunity of being in Blanding, Utah earlier in the week and was with a friend from there who works with the Ute Indian Tribe and he took him to their new offices built out on the Edge of the Cedar. This is a wonderful museum and there is a teepee built for their offices right on the edge. Inside they have a painted mural of a tribal council. At the cone of the teepee it was painted as you may be looking at the cosmos. At the very top there was a circular thing which looked like a wheel. The native gentleman explained that they used for the center price the wheel of a school bus. They picked the wheel of a school bus for a reason because the tribe has determined that the creation of their future centers around education. For them there will be no education unless there are school buses.

Best Practices

Dr. Sydney Dickson, Director, Educator Quality and Licensing shared the Utah Standards for Enhancing Professional Practice. She introduced Jessie Kidd, Davinci Academy and Rick Kempton, Noah Webster Academy Charter Schools who have implemented the Utah Professional Teacher Standards and shared how they have incorporated them into their schools for their teachers and leaders. (For complete details see General Exhibit No. 11151.)

Dr. Dickson noted that we will be working on the current standards to make sure they reflect the best practices.

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Public Participation/Comment

No requests were received.

The Board recessed into committee meetings.

The Board reconvened at 10:55 a.m.

Achievement Spotlight

The Board recognized Amber Barron of Riverton who was named one of two of Utah's top youth volunteers in the 2010 Prudential Spirit of Community Awards, a nationwide program conducted by Prudential Financial and the National Association of Secondary School Principals to honor outstanding community service by young people.

Ms. Barron was honored for establishing a MESA (Math Engineering Science Achievement) chapter at South Hills Middle School in the Jordan School District. After several months of lobbying, she persuaded her school and district to allocate some start-up money for the chapter. She kept the chapter going through a school wide recycling program and, because of her persistence, the chapter now has about 40 students that participate.

The Board presented Ms. Barron with an Excellence Certificate.

2010 Legislative Session Review

The 2010 General Legislative Session concluded March 11, 2010. The Board and USOE met regularly with legislators and educational stakeholders to advocate support for public education in the state of Utah. Our leadership and positions were seriously considered as legislative and budget decisions were made.

Associate Superintendent Todd Hauber presented a Summary of 2010 General Session Education Fund. (For complete details see General Exhibit No. 11152.)

Deputy Superintendent Martell Menlove presented a Report on Board Action on Proposed Legislation and a "Public Education 2010 General Session of the Utah Legislature." He also shared a timeline for the Board to amend or make new rules based upon the legislation.

(For complete details see General Exhibit No. 11153.)

The Board was informed of final actions taken, including budget, by the 2010 Legislature relative to public education. No action was required.

Utah Education Network

The Utah Education Network (UEN) is a consortium of public education partners, including the Utah System of Higher Education and its ten universities and colleges; the Utah

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State Office of Education, local school districts and the Utah Electronic High School and the state's library system. UEN recently received a \$13.5 million grant that will have a significant impact on plans to expand the fiber optic network to schools.

Mike Petersen, UEN Executive Director, presented information to the Board regarding the role of UEN and the plans for implementation of the recently awarded grant. (For complete details see General Exhibit No. 11154.)

No action was required.

Lunch

Chief Justice Christine Durham and Daniel J. Becker, State Court Administrator shared information on a new civics education project entitled *Our Courts*. This is a web-based civics resource, and is in use in a number of other states and has been extremely well received. (For complete details see General Exhibit No. 11155.) The link to the web site is www.ourcourts.org. They requested information on how to successfully get these materials to teachers in the state. It was felt that it may be possible to share this with the curriculum directors in their next meeting.

Utah Schools for the Deaf and the Blind (USDB) Update

As a result of the new leadership of Superintendent Steven Noyce, and in response to a second year of budget reductions to the USDB, several changes are occurring. Superintendent Noyce updated the Board on these changes including an outline of current activities and initiatives at USDB. (For complete details see General Exhibit No. 11156.)

No action was required.

Executive Session

Motion was made by Member Janet A. Cannon and seconded by Member Laurel O. Brown that the Board move into an executive session for the purpose of discussing personnel issues and potential or pending litigation. The Board was polled and by unanimous consent of those present the Board moved into an executive session at 1:25 p.m.

Motion was made by Member Laurel O. Brown and seconded by Member Janet A. Cannon to reconvene into open meeting. Motion carried. The Board reconvened at 2:45 p.m.

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Executive Session Actions

Utah Professional Practices Advisory Commission Recommendations

Motion was made by Member Janet A. Cannon and seconded by Member C. Mark Openshaw to accept the recommendation of the Utah Professional Practices Advisory Commission in Case No. 09-922 and permanently revoke the educator license of a former educator in the Carbon School District. Motion carried with Members Allen, Brown, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Murphy, Openshaw, Pyfer and Thomas voting in favor; Member Burningham absent (For complete details see General Exhibit No. 11157.)

Utah Instructional Materials Committee

Motion was made by Member Carol A. Murphy and seconded by Member C. Mark Openshaw to appoint Tony Aragon, Secondary Teacher; Susan B. Mork, Lay Citizen; and Maria Farrington, Lay Citizen to the Instructional Materials Committee for four year terms. Motion carried with Members Allen, Brown, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Murphy, Openshaw, Pyfer and Thomas voting in favor; Member Burningham absent.

Utah Schools for the Deaf and the Blind (USDB) Advisory Council

Motion was made by Member Carol A. Murphy and seconded by Member C. Mark Openshaw to appoint Marla Palmer, Parent of a Blind Student Served by USDB to the Utah Schools for the Deaf and the Blind Advisory Council, term to expire June 30, 2012. Motion carried with Members Allen, Brown, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Murphy, Openshaw, Pyfer and Thomas voting in favor; Member Burningham absent.

Board Standing Committee Reports

Law & Policy Committee

Board Member Janet A. Cannon, Chair, Law & Policy Committee presented the following recommendations from the Committee:

Timeline for Implementation of Recommendations
Based Upon “A Review of Professional Conduct
in Utah’s Public Schools” by Dr. Patti Harrington, Ed.D.

“A Review of Professional Conduct in Utah’s Public Schools” by Dr. Patti Harrington, Ed.D., was presented to the Board in March 2010. The report concluded with recommendations for reviewing and improving all Board and USOE practices related to educator licensing. Superintendent Shumway directed that a timeline be proposed to implement the

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recommendations of the report. Implementation of the recommendations may take as long as 18 months to two years.

The following were reviewed with the Law and Policy Committee:

- Recommendations from the report
- Board member participation in the implementation process
- Proposed timeline to implement the recommendations
- Assigned USOE specialist or director who will facilitate implementation of various recommendations

The Law and Policy Committee adopted the following four recommendations:

1. Support formation of a committee to review R277-515 and encourage Board Leadership to appoint Board members to serve on the committee.
 - a. Committee may include someone from school administration and teachers.
 - b. Committee will discuss ethical conduct training for teachers.
2. Practices and procedures for UPPAC to be future agenda item for Law and Policy Committee.
 - a. Discuss monthly UPPAC report to the Board (May be item for entire Board in closed session.)
3. Ethical conduct as it relates to licensure to be a future agenda item for the Law and Policy Committee.
4. Include ethical conduct training as an item on the joint Board of Regents Meeting in June. Encourage additional emphasis on ethical conduct as part of teacher pre-service training of teachers at colleges and universities.

Motion from the Committee that the Board approve the above recommendations adopted by the Committee. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer, and Thomas voting in favor; Member Murphy absent.

(For complete details see General Exhibit No. 11158.)

New Charter School Applicants for 2010-2011 and 2011-2012

The State Charter School Board recommends that Good Foundations Academy be approved to open in the 2010-2011 school year, and Aspire Online Charter School, Baer Canyon High School for Sports and Medical Science, and Utah Connections Academy be approved to

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open in the 2011-2012 school year. The Committee reviewed the new school applications. (For complete details see General Exhibit No. 11159.)

Good Foundations Academy

The Law and Policy Committee approved the recommendation and moves that the Board approve Good Foundations Academy to open in the 2010-2011 school year with 424 students; further, that staff work with them in setting a new time line for lotteries. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Aspire Online Charter School

The Law and Policy Committee approved the recommendation and moves that the Board approve Aspire Online Charter School opening in 2011-2012 with 500 students. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Baer Canyon High School for Sports and Medical Science

The Law and Policy Committee approved the recommendations and moves that the Board approve Baer Canyon High School for Sports and Medical Science to open in 2011-2012. It was noted that two members of the Law and Policy Committee opposed approval of the recommendation.

Member Denis Morrill commented that he was one on the committee that voted in opposition to the recommendation because it looked to him like a bail out of some private business that needed the rent on their building. Further, calling a high school a school for sports and medical science is very misleading, it is only a high school. Also, this would be a high school that can recruit from anywhere.

Marlies Burns, Executive Director, State Charter Schools clarified that the school is for sports medicine, physical therapy and possible medical sciences, nursing, etc. They have talked about approaching the Utah High School Activities Association or doing intermurals if students wanted to play on team type sports. She noted that Carolyn Ingles from Davis School District appeared before the State Charter School Board Application Committee and talked in great detail about students participating in sports activities and this being an option for students who cannot make the teams at their high schools.

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Member Leslie Castle commented that one of the things she did not like about it was the premises that this is somehow a school to start kids on a track to sports medicine, sports sciences, etc. It seems so illogical that a thousand students that somehow all are on a track to study physical therapy or sports medicine. She did not feel that there were that many options in higher education to continue that type of training.

Vice Chair Dixie Allen questioned if there was discussion in the committee meeting about the monthly rental of the building and where the money would come from.

Marlies Burns responded that charter schools receive wpu, local replacement funding as well as administrative costs. The rent would typically come from their local replacement funding.

Following further concerns and discussion relative to the purpose of the school, Vice Chairman Dixie L. Allen moved that the item be tabled until we know what the agreement is with the Utah High School Activities Association and a concern with the amount of rental of the facility. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer, and Thomas voting in favor; Member Murphy absent.

Utah Connections Academy

The Law and Policy Committee approved the recommendation and moves that the Board approve Utah Connections Academy opening in 2011-2012 school year with 350 students. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Murphy, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Reduction of Instructional Days for the 2010-2011 School Year

_____ In April of 2009, the State Board took action to provide LEAs additional flexibility in school calendars. Due to difficult financial circumstances, LEAs were allowed to reduce by up to five, the number of required (180 days) school days. This allowance was for the 2009-2010 school year only and was offered with certain stipulations. (For complete details see General Exhibit No. 11160.)

In the Utah School Superintendents Association meeting held on March 23, 2010, local school superintendents formally requested that the State Board grant flexibility in the 2010-2011 school calendar also. The request included that the stipulation on the reduction of quality teacher/teacher preparation days not be included in the requirements for a waiver for the 2010-2011 school year.

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The Committee considered a recommendation that an LEA (district or charter) be allowed to reduce the instruction days for the 2010-2011 school year by up to five days (a minimum of 175). A request for such a waiver must include documentation/explanation of the following:

- Administrative offices must also be closed on days when school is not held and administrative office employees must be treated in their employment in a similar manner as school employee so on those days when school is not held.
- Governing body of the LEA must take action in an open meeting to reduce the number of required school days.
 - ▶ Parents must be given an opportunity to comment on this decision.
 - ▶ The decision to reduce the number of days must include a discussion of which days will least impact instruction and learning.
- The total annual required hours of instruction (990 hours) may not be reduced by more than 5.5 hours for each day school is reduced.

The Law and Policy Committee approved the proposal for reduction of instruction days for the 2010-2011 school year only, and moves that the Board approve the proposal for reduction of instruction days for the 2010-2011 school year only and directed administration to implement the proposal. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Garfield School District (Boulder Elementary)
Request for Extension of Waiver from R277-419-3
Minimum School Days

In September of 2008, the Board granted Garfield School District (Boulder Elementary) a waiver from R277-419-3 *Minimum School Days* to operate a four-day school week for the 2008-2009 and 2009-2010 school years. In November of 2009, the Law and Policy Committee discussed the Boulder Elementary four-day week and directed Deputy Superintendent Menlove to notify them concerning the expectations of the Board if an extension were to be considered.

It was noted that all components of the November 13, 2009 letter have been addressed by Garfield School District the Law and Policy Committee recommends that the waiver be extended for three years. (For complete details see General Exhibit No. 11161.)

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Motion from the Committee that the Board grant the request from Garfield School District for an extension of the waiver from R277-419-3 *Minimum School Days* for Boulder Elementary to continue with a four-day week for the 2010-2011, 2011-1012 and 2012-2013 school years. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Finance and Operations Committee

Member Greg W. Haws, Chair of the Finance and Operations Committee presented the following recommendations from the Committee:

Charter School Building Subaccount, R277-470-17

In the February Board meeting the Charter School Revolving Loan Committee proposed changes to Board rule R277-470-17, *Charter School Building Subaccount*, to limit the inherent risk of making loans to pre-operational charter schools and to improve the review process of loan applications. In addition Senate Bill 188, *Charter School Amendments*, passed in the 2010 General Session of the Legislature, which changed the nomination process for members of the loan committee.

The proposed amendment will: (1) create a tiered distribution schedule; (2) limit loan amounts; (3) define the nomination process; (4) stagger committee member terms, and (5) clarify the loan recommendation process. (For complete details see General Exhibit No. 11162.)

The Committee made the following amendments: Page 2 beginning with line 53 and continuing to line 79. There is a finite amount of money that is available to be loaned and the purpose of this is to help charter schools with some of their startup costs and it was determined that the maximum amount of the loan would be \$300,000 that is determined roughly based on \$1,000 per pupil. The maximum would be a school that has at least 300 students. There was put into this a tier system. A concern from the committee that if all of the money was given up front or even up to a year before the school opened, if the school did not open the money has been spent.

The Finance and Operations Committee approved the amendments to R277-470-17 on first reading and moves that the Board approve R277-470-17, Charter School Building Subaccount as amended on second reading. Motion carried with Members Allen, Brown,

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Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Independent Living Assistive Technology
Policy Manual Revisions

The Independent Living Assistive Technology Policy Manual has previously been approved by the Board. There is a need for revision due to clarification on purchasing policies and the determination (appeals) process within the program.

The policy revisions are included in Chapters 9 and 10. Chapter 9 adds clarification of the procedure for review proceedings, appeals to the USOR Executive Director, and a Fair Hearing process. Chapter 10 provides additional limitations in purchase of services and products, aluminum ramp ownership changed to retrievable and redistributable, added policy and procedures regarding adding assistive technology to rental properties, additional requirements for adapting vehicles, and additional policy on purchase of porch lifts. (For complete details see General Exhibit No. 11163.)

The Finance and Operations Committee approved the changes to Chapters 9 and 10 of the Independent Living Assistive Technology Policy Manual and moves that the Board approve the changes to said chapters. Motion carried with Members Allen, Brown, Burningham, Cannon, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Murphy absent.

Equalization Process

Member David Thomas brought to the committee information on the equalization process and the feedback he has been given that the Board should act rather than react. If the Board does not act on this issue then the legislature probably will. The Committee felt that this is an issue that will take some serious study and that it be passed on to Board Leadership to consider acting upon this, either instructing the Finance and Operations Committee to deal with it or give it to the Superintendent and have him present a system.

Superintendent Shumway reported that this work has already begun to bring the board some options and putting together some groups to do some of this work. We expect we will have some recommendations in the near future. We have had some discussions in our meetings with local boards and superintendents that this is something that is not going to go away and is something we should be dealing with. If we don't deal with this assertively and put ourselves in

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the lead, what we will end up with is a revision to our state public education finance system with no one having an idea of what it is all about.

It was suggested that this be a part of a work session of the Board.

Deputy Superintendent Martell Menlove commented that in a meeting earlier this week with Representative Bigelow and Senator Hillyard it was intimated that there is another group of individuals who are already moving in this direction. It was suggested that we bring them in on the discussion with us.

Student Achievement & School Success Committee

Member Laurel O. Brown, Chair of the Student Achievement & School Success Committee presented the following recommendations from the Committee:

K-2 Science Core Curriculum

The Curriculum and Instruction section recently completed a revision of the Kindergarten through Second Grade Core Curriculum in Science. The Core was revised to give more explicit direction in Science for K-2 teachers in place of the very limited set of science objectives in the K-2 Integrated Core. Revisions have been made as requested by the Board on March 5, 2010. (For complete details see General Exhibit No. 11164.)

Following a review of the curriculum the Committee approved a request for public hearings during April 2010.

Motion from the Committee that the Board approve the K-2 Science Core Curriculum for public hearings during April 2010. Motion carried with Members Allen, Brown, Burningham, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Members Cannon and Murphy absent.

World-Class Instructional Design and Assessment (WIDA) English Language Proficiency (ELP) Standards

The Curriculum and Instruction section recently completed a review of the ELP Standards in Utah. It was determined, with input from statewide LEA Alternative Language Services Personnel, that the WIDA ELP Standards are more appropriately aligned to the current Utah Core Curriculum as well as the Common Core, while meeting the ongoing needs of educators and their students.

The Committee reviewed the WIDA ELP Standards. (For complete details see General Exhibit No. 11165.)

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The Committee approved a request for public hearings of the WIDA ELP Standards and moves that the Board approve the request for public hearings. Motion carried with Members Allen, Brown, Burningham, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Members Cannon and Murphy absent.

Instructional Materials Commission Operating Procedures, R277-469

This item was pulled from the agenda.

Workforce 2020

This item was pulled from the agenda.

Math Steering Committee Recommendation

The Mathematics Steering Committee Report was presented to the Board in November 2009.

A recommendation for Higher Education to define and align content expectations between higher education and secondary schools was included within the Math Steering Committee Report. A progress report regarding this recommendation was presented to the Committee. Drafts of Secondary and Career/College Ready Mathematics Alignment and STEM College Clusters were discussed. (For complete details see General Exhibit No. 11166.)

No action was required.

Executive Officer Report

Superintendent Larry K. Shumway presented the following items of information:

- Reported that when in Washington DC visiting congressional delegation one of the things talked about was a delegation letter to the Secretary of Education requesting a visit to Utah. The letter has been drafted and it is in Senator Hatch's office. We expect some movement on that sometime next week.
- International Teacher Program - We have 23 teachers here this year from China mostly teaching Chinese, in almost all of those cases at least part of their salary is paid by the Chinese government; We have 18 teachers from Spain, and 13 teachers from Mexico with specific language skills that are used in dual emersion programs; 3 teachers from France and at least six more next year, all salaries paid for by the ministry in France. This is a partnership with these countries that serves both well. We gain from international presence of these teachers and their language skills and the contribution their ministries pay toward their expenses. It

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is beneficial to the countries that are sending the teachers here because they gain the experience in the American system of public education. As much as we look with admiration at many systems of education in other countries, all of those countries are looking at us and wondering how they can be more like us. Our young people are creative, entrepreneurial, adventuresome, willing, and sometimes argumentative.

- Race to the Top - Summary of Points - Phase Final Results. We were 19th and now they have awarded two, so in the non-awarded we are 17th. The Secretary has indicated that they will award something on the order of 15 states in the next round. If we were to submit our application unamended it would be a competitive application. We feel we can make some modifications. He reviewed the Race to the Top Scoring where in the first three areas we are very competitive, above or near the averages. There are two areas where we think we have a great plan but perhaps did not communicate it as well as we could have. In turning around failing schools, the model that the application seems to have in mind is a model of state takeover of failing schools. We will probably lose 20 points there but it will not matter what we do because we are not going out to run the schools. The major change in the second phase is a hard ceiling on application amounts, and our hard ceiling is \$175 million. We applied for \$250 million in the first round. We are not as bad off as similar states.
- Senate Bill 150 requires the state board to set some standards on what it means to read on grade level. We have talked in the office of the idea of a Dash Board tied specifically to Promises to Keep. The number one mission element in Promises to Keep is *Insuring Literacy and Numeracy for All Children*, the challenge we have is to make sure we have a dash board dial that is giving us clear information on that, and we think that SB 150 will help us define that. We are having a conversation as we meet with superintendents over the next several weeks about how we will do this and we expect to bring something back to the Board soon with suggestions. It is crucial for us if we are going to have these mission elements, to make sure we have clear ways that we measure.
- Sunset Provisions on July 1, 2011 - Funding for Extended-day Kindergarten, State Instructional Materials Commission, and Performance-based Compensation will

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sunset in 2011. We will need to make sure as we put our budget together for the 2011 session and indicate that without changes these programs will go away.

- Monday, April 12 at 11:00 a.m. the Deputy Assistant Secretary Carl Harris will be visiting us. He will be meeting with leadership team and anyone on the Board is welcome to attend.
- Regional USBA and superintendent meetings - someone from the office has attended all of these and all but one has been attended by a board member. The feedback we have received is that this participation has been greatly appreciated, and it has been very positive. There is a growing opportunity to strengthen those relationship and a growing trust in the leadership the board is providing. He encouraged everyone to continue building those relationships.
- Assessment Consortium - We are part of this as part of the Race to the Top. Earlier this week Secretary Duncan announced RFP for \$350 million relative to assessment. Associate Superintendent Judy Park has been in the main leadership of a Consortium called Smarter Balanced Assessment. We will be participating in this as a co-composer. The focus is on the common core, part of the requirements of the RFP, the assessment system is required to focus on grades 3 - 8 and at least one high school test. The aim is to both on a formative and summative basis assess career and college readiness, and in an ideal if we are successful it would be an early assessment that signals for students and parents their career and college readiness status. Requirements in the RFP are that it measure both teacher, principal and school effectiveness. We are looking for implementation in 2014. One of the aims is to provide comparable data across states, but one of the outcomes we hope will be decreased costs for individual states. The requirements for proposals include that all students are tested including ELL and students with disabilities. One of the interesting requirements is that there be a higher ed element and if a student demonstrates career and college readiness through this assessment then higher ed institutions guarantee entrance without remediation. We will be working with the K-16 Alliance on that issues. We are leading this consortium because we have a commitment to computer adaptive testing, and this consortium is committed to computer adaptive testing and using technology to the maximum extent. Making sure that we have a system that measures growth as

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well as status. In the next couple of months we will be able to inform the Board more about this. The challenge for us that this is a consortium that will start with principles and then over the next couple of years encounter all the details of where the devil is. We will be committing to be part of this consortium based on principles, but as we go forward to development we will encounter rough spots where make sure that the consortium sticks to principles but sometimes one man's principles is another man's comma. However, if we are not part of this we can't be part of Race to the Top. We are in a strong position because we are in a leadership position on this with Oregon.

- Last year approximately 80% of testing was done on line and it continue to be a fiscal issue and a connectivity issue.

(For complete details see General Exhibit No. 11167.)

Board Chair Report

Chair Debra G. Roberts presented the following items of information:

Audit Committee Report - Natalie Grange shared a sample letter to Principals/Superintendents/Districts/Charters. She also reported on the Single Audit Report from the State Auditors and the Follow-Up from the State Office of Education.

- NASBE Focused Forum - As part of the NASBE Legislative Conference a Pre-Conference was on Expanding Effective Practices in Teaching and Leadership to Promote Student Learning. She was invited to attend this and shared one portion dealing with bringing educational quality to scale.
- While attending the NASBE Legislative Conference Legislative meetings met with two of the five congressional delegation, 3 meetings with staff. To have the superintendent with the Board was very effective. There are huge concerns with ESEA reauthorization.
- Reported that she attended the March Superintendents meeting and shared a copy of the Promises to Keep and Student Success.
- Governor's Educational Excellence Committee held its first meeting and we are hoping some positive things will come out of it. She shared a copy of Public Education Governance prepared by Member Dave Thomas. She indicated that she would like to use this and asked everyone to review it and provide comments.

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- Reported on a meeting she had with Senator Stephenson which was very positive. He asked for the actual numbers of computers being used for online testing. He also asked for a joint meeting with the Board and the legislative committees some time in August (probably the day after Interim). She suggested it be held at a local high school in the valley. We will take responsibility for that as well as the agenda for the meeting. This will be held in the morning. He would like us to showcase technology. He talked about innovation and creating more charter schools that serve certain populations, i.e. dropout, single gender, high performing, etc. This is something that should not be done at the state level but should be held at the district level with districts creating these types of schools, maybe not calling them charter schools but magnet schools.
- NASBE Board of Directors nominations – Asked if anyone was interested in the Board nominating them to the NASBE Board of Directors.
- Reported that last year’s voluntary compensation cut for Board Members was for one meeting. It was not clear as to whether it was for one year or ongoing. It was clarified that it was for one year. She further noted that HB 27 has made it necessary to make changes in the Bylaws relative to extra meeting pay and that will be brought to the Board next month.
- USBA Dinners - Encouraged Board members to attend the meetings in their areas. The next one April 14 in Vernal.
- Calendar was presented through June 25.

(For complete details see General Exhibit No. 11168.)

General Consent Calendar

Motion was made by Member Dave Crandall and seconded by Member Craig Coleman to approve the General Consent Calendar as presented. Motion carried Members Allen, Brown, Castle, Coleman, Crandall, Haws, Morrill, Openshaw, Pyfer and Thomas voting in favor; Member Burningham, Cannon and Murphy absent

1. Minutes of Previous Meetings

Minutes of the Meetings of the State Board of Education held February 25, and March 5, 2010.

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B. Contracts

The following contracts were approved by the Board:

- (a) HMB Information System Developers. \$348,400. 9/1/2009-9/1/2010 - Amend. - Fed.

The USOE has received Sole Source approval for HMB to build a new LEA consolidated application tool. This tool replaces the CUSAP. The course code for the tool is free, but customizations will be paid for by the USOE. This contract is for Phase I and Phase II.

- (b) Teachers-Teachers.com, Inc. \$115,808. 3/31/2009-3/30/2010 - Amend.

Membership to web based database forum where institutions seeking to hire teachers and administrators can search for employees that have posted resumes and qualifications, and job preferences.

- © College Board Examination Board. \$112,952. 3/16/10-3/15/11. - Fed.

To pay Advanced Place (AP) test registration fees for low-income students.

- (d) Mesa Systems, Inc. \$15,000. 5/1/2010-4/30/2011. Fed.

To renew for one year.

- (e) Valcom, Salt Lake City. \$573,456. 2/12/10-2/11/13.

To provide designated VMWARE Virtualization software.

- (f) Utah Association of Public Charter Schools. \$114,851. 4/15/10-4/14/11.

To provide training for new charter school directors at newly opening charter schools or directors new to an existing charter school. Training will occur for at least 6 months prior to the opening of school and will cover topics deemed important by the Utah State Office of Education.

- (g) Waterford Institute, Inc. \$1,615,050. 3/1/10-2/28/11.

Pilot program for a home-based education technology program to develop school readiness skills of preschool children (UPSTART Program)

(For complete details see General Exhibit No. 11169.)

April 9, 2010

3. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the school districts were approved by the State Board of Education as submitted. (For complete details see General Exhibit No. 11170.)

4. Educator Licensing Renewal, Timelines, and Required Fingerprint Background Checks, R277-501

The Utah Bureau of Criminal Identification (BCI) conducted a name check review of licensed educators in the summer of 2009. The name check revealed licensed educators with criminal offenses. The USOE proceeded to confirm the name check results with fingerprint checks. This amendment provides procedures for appropriate licensing consequences for license holders who have not responded to the USOE's fingerprint background check requirement in a timely manner.

Amendments to R277-501, Educator Licensing Renewal, Timelines, and Required Fingerprint Background Checks, R277-501 were approved by the Board on second reading at its March 5, 2010 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-501, Educator Licensing Renewal, Timelines, and Required Fingerprint Background Checks on third and final reading. (For complete details see General Exhibit No. 11171.)

5. Classroom Supplies Appropriation, R277-459

Teachers and legislators believe that funding provided under the legislative appropriation for classroom supplies and materials should be available for supplies and materials that protect the health and safety of teachers during the course of instruction, in addition to other commonly applied definitions of supplies and materials.

The amendment to the rule provides language to clarify that supplies and materials purchased to protect the health and safety of teachers for instructional purposes are acceptable purchases under the legislative appropriation and this rule. Some of the health and safety related uses may be for items that cannot practically be retained by the school. School districts and charter schools may have policies outlining appropriate uses for supplies and materials funding.

R277-459, Classroom Supplies Appropriation was approved by the Board on second reading at its March 5, 2010 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-459, Classroom Supplies Appropriation on third and final reading. (For complete details see General Exhibit No. 11172.)

April 9, 2010

6. Provo City School District Request for Variance from R277-419-3 A for Provo High and Timpview High Schools

State Board Rule R277-419-3A states that “School districts are required to conduct school for at least 990 instructional hours and 180 school days each school year. The Provo City School Board directed their two comprehensive high schools to unite with the community in creating a uniform school schedule for 2010-2011. The Board desires to foster greater collaboration between the teachers at Provo High and Timpview High Schools to impact the quality of instruction and the success of students within its city. The Board also wishes to facilitate the availability of preferred classes to students across the city by enhancing access through Dual Enrollment. District Administration is now working with school and community leadership to develop a uniform schedule for both high schools that includes a common collaboration time that focuses teachers on processes to improve the learning of all students. To facilitate this the Provo City School Board and Administration are requesting that Provo High and Timpview High Schools be approved for a 179 days for the 2010-2011 school year. The calendar for the other schools in the district will remain at 180 days. (For complete details see General Exhibit No. 11173.)

The Board approved the request from the Provo City School Board and Administration to allow the 179 day schedule for Provo High and Timpview High Schools for the 2010-2011 school year.

7. Administrative Rule Review

Under provisions of 63-45a-9 U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor non-substantive changes within these rules. The following rule be reviewed and approved:

R277-473 Testing Procedures

(For complete details see General Exhibit No. 11174.)

8. Monthly Budget Report

The Monthly Budget Report provides information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education, the Utah State Office of Rehabilitation and the Utah Schools for the Deaf and the Blind. (For complete details see General Exhibit No. 11175.)

9. Visually Handicapped Trust Fund Expenditures

The Division of Services for the Blind and Visually Impaired Advisory Council at their December 3, 2009 meeting unanimously approved the attached grants totaling \$6,996 to be paid out of the Visually Handicapped Trust Fund interest. (For complete details see General Exhibit No. 11176.)

April 9, 2010

The Board approved the expenditures from the Visually Handicapped Trust Fund interest.

10. List of Applicants for Licenses

The summary list of applicants for initial and renewal licenses was approved by the Board. (For complete details see General Exhibit No. 11177.)

11. Claims Report

The Claims Report in the amount of \$235,215,822.68 for February 28, 2010 was approved by the Board. (For complete details see General Exhibit No. 11178.)

Motion was made by Member Laurel O. Brown and seconded by Member C. Mark Openshaw to adjourn.

Meeting adjourned at 5:05 p.m.