

## MINUTES

April 4, 2003

Minutes of the meeting of the State Board of Education held April 4, 2003, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:20 a.m. Chairman Kim R. Burningham presided.

Members present were:

Chairman Kim R. Burningham  
Vice Chairman, Janet A. Cannon  
Member R. Michael Anderson  
Member Pamela Atkinson  
Member Linnea S. Barney  
Member Tim Beagley  
Member Laurel Brown  
Member Edward A. Dalton  
Member Greg W. Haws  
Member Denis R. Morrill  
Member John C. Pingree  
Member Joyce W. Richards  
Member Debra G. Roberts  
Member Sara V. Sinclair  
Member Teresa L. Theurer

Members Dixie Lee Allen and David L. Moss were excused.

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:

Jennifer Toomer-Cook, Deseret News  
Ronnie Lynn, Salt Lake Tribune  
Lisa Roskelley, Standard Examiner

Karen Bloomquist, Academic Exchange of America  
Jody Johnson, Academic Exchange of America  
Annick Aeberhard, Exchange Student  
Chad Harris, Governor's Office of Planning & Budget  
Soulee L.K.O. Stroud, Coalition of Minorities Advisory Committee  
J. Michael Clara, Coalition of Minorities Advisory Committee

Chairman Burningham shared an experience he had earlier in the week in a classroom regarding

competency based education. The students were large in number and it reminded him how much he enjoyed being in a classroom. At first they were upset, but as he began to explain the proposal, they came along and asked excellent questions. There are wonderful students and they are the purpose of everything we do. He commented that sometimes he gets discouraged because we are involved in a political arena. He hoped that we keep in mind that our purpose is for the students and what is best for them.

Chairman Burningham excused Board Members Dixie Allen and David Moss.

Board Member Edward A. Dalton lead the Board in the Pledge of Allegiance.

Board Vice Chair Janet A. Cannon offered the reverence.

Twila B. Affleck recorded the minutes.

### Work/Study Meeting Report

Chairman Burningham announced that at the work/study meeting last night the Board talked about strategic planning issues and competency and potential litigation in our executive session. There is no action at this point.

Relative to competency the agenda item will be presented later in the meeting by Member Teresa Theurer.

### Public Participation and Comments

Mr. Joe Andrade presented information on the Leonardo Project at Library Square by the Utah Science Center, Global Artways, Center for Documentary Arts, and Salt Lake City Public Library. (For complete details, see General Exhibit No. 9035.)

Ms. Karen Bloomquist presented information relative to her work with the Foreign Exchange Program and how the program works and the importance of it. She also shared her concerns about the decisions that would eliminate the long-held opportunity for foreign exchange students to attend Utah public schools.

Jody Johnson shared her experience as a host mother of foreign exchange students. She also shared a letter from a teacher at West Jordan High School. (For complete details, see General Exhibit No. 9036.)

Annick Aeberhard, a foreign exchange student from Switzerland reported on her experience as a foreign exchange student.

### Coalition of Minorities Advisory Committee (CMAC)

J. Michael Clara, CMAC Chairman presented the quarterly report from the Coalition of Minorities Advisory Committee. (For complete details, see General Exhibit No. 9037.) Mr. Clara clarified that the mission of CMAC is the same mission identified by the Board.

Mr. Clara commented on the letter in the Board agenda and indicated that CMAC will be reporting on both successful and unsuccessful programs and policies that help meet the needs of ethnic minority students. He suggested that in the future the wording of the letter be changed.

Mr. Clara voiced concern relative to undocumented students and suggested that the Board write a letter to

school districts relative to undocumented students being accepted in all programs in the schools.

Another issues of concern voiced by Mr. Clara was the lack of information to school districts relative to undocumented students being refused free or reduced school lunch because they do not have a social security card.

Soulee Stroud, past chairman of CMAC, presented information and recommendations from the CMAC Task Force on the MESA Program. The report included five task force recommendations. (1) Refocus the activities and services of the MESA program on student academic success. (2) Direct all Public Education MESA funds to districts to focus on student needs. (3) Focus MESA services on identified students with the goal of meeting specific academic needs. (4) Give funding priority to schools with quality programs and the highest concentrations of targeted students. (5) Conduct regular, formative program evaluations on the state and district level. (For complete details, see General Exhibit No. 9038.)

Mr. Clara presented a *Deseret News* article by Mike Martinez that is critical of the way minority advisory groups interact with governing boards. Mr. Clara indicated that the relationship between CMAC relationship and the Board did not fit the criteria that Mr. Martinez was critical of.

Mr. Clara expressed appreciation to the Board and the State Office of Education for the excellent working relationship with the Coalition of Minorities Advisory Committee.

#### Board Chairman Report

Member Teresa Theurer, Chairman of the Board's Curriculum Committee, reported that First Lady Jacqueline Leavitt made a presentation to the Curriculum Committee relative to a concern that she and others had on the possibility of having FHD majors being able to teach some of the classes in our school system, i.e. adult roles and child development classes. The Committee decided it would form a committee and study the issue. The committee was formed and included members of the State Office, the Governors Commission on Marriage, higher education staff and a high school principal. They mainly discussed how higher education fits into this because in order for FHD graduates to teach they need a teaching license. Right now the Board of Regents has a moratorium on any new programs. It was the conclusion of the committee that for this to go forward, higher education needs to move forward so that these graduates are able to obtain teaching licenses. Also discussed by the committee was a promotion for students to take these classes, and the importance of these classes in their future lives. Two committees were formed from the original committee. One will continue to work on promotion of adult roles and child development classes. The other will continue with the higher education portion and licensure issue. Mary Shumway and Renee Hyer will be working with these two committees.

Member Teresa Theurer invited the Board to attend a Healthy Kids Symposium on April 30 at the Primary Children's Medical Center. This will bring together lots of different organization to discuss the health of the children in our state and how we can coordinate those efforts for the best for our children. Bill Datema, a Professor from

Harvard will be there. Mr. Datema has done a great deal of research on physical education of children and academic achievement.

### Legislative Leadership Visit

Minority Leaders Senator Mike Dmitrich and Representative Brent Goodfellow met with the Board for informal discussion with the Board relative to the recently concluded legislative session. Both expressed concern with the funding proposal from the legislature. Eventually the legislature is going to have to face the fact that both public and higher education are underfunded and something has to be done. They also expressed that the Democrats were solidly against the tuition tax credit issue.

Chairman Burningham expressed appreciation for the stand on the tuition tax credit issue. He also expressed appreciation to Senator Dmitrich and Representative Goodfellow for taking the time to meet and discuss the various issues between public education and the legislature.

### Executive Session

Motion was made by Member R. Michael Anderson and seconded by Member Laurel L. Brown that the Board move into an executive session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present the Board moved into an executive session at 12:45 p.m.

Motion was made by Member Janet A. Cannon and seconded by Member Teresa Theurer to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 1:05 p.m.

### **Utah Technology Commission**

Motion was made by Member Janet A. Cannon and seconded by Member R. Michael Anderson to appoint Dick Siddoway to the Utah Technology Commission. Motion carried unanimously.

### **Utah Professional Practices Advisory Commission Recommendations**

Motion was made by Member Denis R. Morrill and seconded by Member Joyce W. Richards to adopt the recommendation of the hearing panel in Case No. 02-618 that the educator license of a former teacher in the Salt Lake City School District be suspended for at least four years from the date of State Board of Education action. Further, that prior to the educator seeking reinstatement he must receive professional counseling from an approved clinical psychologist. This results from a plea of no contest to a lewdness charge in July, 2002. The educator pled guilty to disorderly conduct in 1985 for similar conduct in a public park. It was noted that the hearing report was presented during the Executive Session. (For complete details of the recommendation, see General Exhibit No. 9039.)

### Board Chairman Report Cont.

Chairman Burningham noted that the 3R's organization will conduct a conference on May 10<sup>th</sup> beginning at 8:30 a.m. at the Northwest Middle School. He invited and encouraged Board Members to attend. Mr. Charles Haynes will be the featured speaker. Board Members should registration ahead of time. There is no charge for registration and

lunch will be provided. Executive Officer Report

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

Dr. Laing congratulated Board Members Janet Cannon and Dixie Allen on their appointment to the UCT Board of Directors by the Governor.

Dr. Laing distributed a copy of the Superintendent's Annual Report. He indicated that this is an abbreviated version and more information is available on line.

Dr. Laing reported that Associate Superintendent Pattie Harrington has completed training on the implementation of No Child Left Behind.

Dr. Harrington reported that they have held training sessions for three days for district leadership teams headed by their superintendents. Two weeks ago there was a No Child Left Behind full day seminar regarding what average yearly progress means, what a highly qualified teacher is, etc. On April 1, they held Rx for Student Achievement and talked about how student achievement is influenced positively by standards that are in place that talk about what children should know and be able to do at every grade level and in every subject. These standards would be informed by having diagnostic assessment throughout the school year and the need to intervene with students immediately, not after the end of the school year. She indicated that the feedback she has received has been very positive. She feels that the motivation and momentum is very strong to move into a standards/competency based environment. A further detailed plan will be presented in the Curriculum subcommittee next month.

Dr. Harrington reported that by the next Board Meeting there will be one common plan for all the monies that come through the state office so the district just has one thing to report to us on, with the exception of special education which has its own unique way of funding. The plan begins with demographic data and then moves to student achievement.

Workforce Investment Act – Blaine Petersen, Executive Director of the State Office of Rehabilitation reported on the Workforce Investment Act and its potential reauthorization this year. He indicated that the Rehabilitation Program is Title IV of that Act. The Act also has a lot of implications for adult education and applied technology education. The most critical change that has created a lot of problems is that there is a provision that would allow the Governor to take money off the top of adult education, vocational education and rehabilitation and use it to fund the infrastructure (buildings, utilities, etc) for One Stop Centers. In Utah, there is currently 43 One-Stop Centers. There are also concerns in the disability arena in the Act.

Graduation Requirements Ad Hoc

Committee Report

Board Member Teresa Theurer, Chairman of the Graduation Requirements Ad Hoc Committee expressed appreciation to the committee and Superintendent Laing. She then presented the committee's progress and

recommendations. (For complete details, see General Exhibit No. 9040.)

Superintendent Laing explained the new Section E, Districts and charter schools will maintain autonomy within requirements, which is an attempt to put forth a compromise that focuses on the basics, but allows districts autonomy.

Member Theurer noted that there is a concern about the time line and it has been determined that we hold off holding public hearings a little while to get further prepared to disseminate the proposal.

Member Pamela Atkinson questioned the involvement of banks relative to the financial literacy portion of the proposal. She suggested this would be a good area for business to help with this curriculum.

Member Atkinson voiced concern that there are students who are not going to be able to reach this level of proficiency without an enormous amount of resources and even then there will be some who cannot do this. She suggested that a group, including board members, the Office of Education and district personnel, that looks at alternatives for the student who perhaps may not make it so they are not considered failures. Every student needs to have a feeling of success.

Member Tim Beagley voiced concern with one sentence on line 90, "That is, students must successfully demonstrate competence in each of the areas of the required curriculum to be eligible to attempt the exit competencies." Some interpret this to say you have to show that you have completed all the preparatory work for all of the areas before you can take any of them. The other problem is that if you read it carefully it says you have to show competence before you can attempt to show the competence. He proposed a rewording as follows: "That is, students must successfully demonstrate adequate preparation in each of the areas of the required curriculum to be eligible to attempt exit competencies for that particular area."

Member Denis Morrill requested that rather than use the word "rubric" we find a more common word such as rule, scoring guide, evaluation criteria. It was agreed that "rubric" would be changed to requirements.

Member Sara Sinclair voiced a concern that without electives you may not get the parents involved in the schools. Chairman Burningham indicated that for good students or those who have taken the competency, they still have all the available time for electives, and perhaps if they move through the competencies quickly, even more time. However, it is true that electives will go down for one group, those that are not achieving the core. They may have to take a remedial class to bring them up. He felt that if they are not getting the basic core, that is what we are trying to do. Member Sinclair suggested that this issue be in the book on frequently asked questions.

Chairman Burningham commented that on the portion of the proposal regarding interventions for students will require significant additional funding. He felt that if the additional funding is not forthcoming for remediation, the program should not be done, because it will fail.

Member Linnea Barney suggested that we need to place funding in there for counseling. Superintendent

Laing suggested the following insertion beginning on line 186: The State Board of Education will continually advocate for the resources necessary to provide sufficient guidance counseling and critical interventions without which students not achieving essential levels of proficiency will never be able to do so. Also, add to this section that without the funding the program cannot be implemented.

Discussion ensued relative to the Graduation Requirements Chart and the confusion relative to reducing the number of requirements yet asking for additional funding. It was noted that it would be difficult to explain because all of the districts are on different schedules. It was agreed that the chart would be eliminated.

Member Theurer wanted to make sure that the Board understood that we would be changing our time line to use the additional months to continue to receive input and then holding the public comments in September and October with final Board action in November. This does not change any of the process. It was noted that the competency summit date has yet to be set.

Member Ed Dalton suggested that the information and thoughts provided by Member Dixie Allen be reviewed and possibly included in the document.

Member Ed Dalton commented that electives are what sometimes keeps children in school. He fears that as we prune the tree we will be increasing drop outs and failure.

Member Dalton also cautioned that the Board no create problems between big and little schools.

Member Dalton suggested that there be a section added indicating our expectation of what the learner will be able to do.

Chairman Burningham summarized the recommended changes identified by the Board.

Member Theurer suggested that the Board approve the proposal with changes mentioned with the understanding that there will still be additional refinements.

Member Pamela Atkinson commented that there are students who don't fit into this and we need to have a statement in the document indicating we will be discussing certain categories of students. Also we need to clearly define an alternative for those students who cannot meet these requirements.

Vice Chairman Janet Cannon suggested that in the frequently asked questions we define what this means to a student who cannot meet these criteria.

Motion was made by Member Debra G. Roberts and seconded by Member John C. Pingree to accept the updated draft with the changes provided, with permission to release the draft for continued review and to continue to receive comments. Motion carried unanimously.

### Board Standing Committee Reports

#### **Curriculum Committee**

Member Teresa L. Theurer Chairman of the Curriculum Committee presented the following

recommendations from the Committee:

### Secondary Science Core Curriculum

In February the Board received the Secondary Science Core Curriculum. The curriculum has been out for review at public hearings since that time. Revisions or modifications from the public hearings were reviewed with the Committee. Utah's Secondary Science Core Curriculum standards provide the content and process skills students should know and be able to do.

Member Theurer noted that the public hearings were not well attended and the committee recommended that for future public hearings a press release be prepared and also explore focus groups who would receive a copy of the curriculum.

The Committee made the additional modifications: Add a sentence on the title page of each grade "Science instruction should cultivate and build on students' curiosity and sense of wonder." Also added wording to make the document easier to read. (For complete details, see General Exhibit No. 9041.)

Following the review of the modifications and the curriculum as revised, and the further modifications made by the Committee approved the Secondary Science Core Curriculum and moves that the Board approve the Secondary Science Core Curriculum. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

### Proficiency Level Descriptors Revision

In the December Curriculum Committee meeting it was recommended that the current criterion-referenced test proficiency level descriptors be revisited by the original committee due to the prescriptive and predictive language in the original proficiency descriptors. The proficiency levels help teachers and parents better understand how students are performing relative to the Utah Core Curriculum. (For complete details of the revised proficiency level descriptors, see General Exhibit No. 9042.)

The Committee reviewed and approved the revised proficiency level descriptors and moves that the Board approve the proficiency level descriptors. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

### 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.

The plan was submitted to the U.S. Department of Education by the January 31, 2003 deadline. Louise Moulding, Evaluation and Assessment Director, presented an update on possible changes based on the peer review

visit and conversation with Undersecretary Hickock. (For complete details, see General Exhibit No. 9043.)

This was provided for information only.

### **Law & Policy Committee**

Member Denis R. Morrill, Vice Chairman of the Law & Policy Committee presented the following recommendations from the Committee:

#### Charter School Application and Deadline Revision

In the March Law & Policy Committee meeting discussion was had regarding possible information that should be included on the Charter School Application. In addition to criminal background checks, should the application be expanded to include information regarding the financial stability of the applying body? Also, other items that the Board would find of value in considering the application.

It has also been requested by the Charter School Association that the deadline for application be moved earlier in the year. This would allow the Board to review and accept or reject charter school applications earlier in the year, and allow successful charter school applicants more time to prepare for the upcoming school year.

(For complete details of the revised Charter School Application, including the deadline, see General Exhibit No. 9044.)

The Law and Policy Committee reviewed the suggested changes to the charter school application including an earlier deadline for applications. The Committee suggested clarifications and modifications to make the application more complete and helpful to guide people through the process. The Committee requested additional time prior to adoption.

#### Salt Lake Arts Academy Charter School Charter Amendments

Due, in part, to the new differentiated WPU for charter schools (1-6) and because the school plans for enrollment of 300 in two to three years, Salt Lake Arts Academy seeks approval to accept 112 students for school year 2003-2004 instead of 100 and approval of an ultimate enrollment of 300. (For complete details of the request, see General Exhibit No. 9045.)

The Law and Policy Committee considered and approved the proposed amendments for the Salt Lake Arts Academy to adjust their enrollment to 28 per grade instead of 25, and moves that the Board also approve the amendments with the understanding that the enrollment will come from names submitted in the lottery and not chose. Further, that the Board instruct the school as to whether these additional students must come from the sibling lottery or the single students lottery. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

#### Employment of Substitute Teachers.

## R277-508 Revision

This rule was pulled from the General Consent Calendar under Administrative Rule Review in the March Board meeting concerning R277-508-4C “Student teachers and aids may not be used as substitute teachers.”

This section of the rule has been amended deleting R277-508-4C thus allowing student teachers or paraprofessionals to be used as substitute teachers.

R277-508-5 D&E have been added to protect the integrity of the student teaching experience so that the student teacher is not taken out of their student teaching assignment and reassigned to cover another classroom simply for convenience. Also to allow for paraprofessionals to be used to substitute in classes consistent with school district or school policy. (For complete details of the revised rule, see General Exhibit No. 9046.)

The Committee reviewed the proposed revisions to R277-508 and approved the rule on first reading and moves that the Board approve R277-508, Employment of Substitute Teachers on second reading. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

### **Finance Committee**

Member John C. Pingree, Vice Chairman of the Finance Committee presented the following recommendations from the Committee:

#### Construction Management of School

##### Building Projects, R277-454

R277-454 specifies the standards local boards of education shall follow in using construction management for school construction projects. Construction materials purchased by school districts prior to December 31, 1995 were subject to sales tax unless the materials were installed or converted to real property by school employees. Beginning January 1, 1996, construction materials purchased by or on behalf of public school systems are exempt from sales tax so long as the construction materials are clearly identified and installed or converted to real property which is owned by the school district.

The amendment to R277-454 is to bring the rule into compliance with current statute 59-12-104(2)(a)(I). (For complete details of the amended rule, see General Exhibit No. 9047.)

The Finance Committee reviewed the amendments and approved R277-454 on first reading and moves that the Board approve R277-454, Construction Management of School Building Projects on second reading. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

#### Pupil Accounting, R277-419 Amendment

Two amendments were presented to R277-419, Pupil Accounting: (1) Change the requirement for visiting

homebound or hospitalized students from an average of 2 hours a week to a minimum of 2 hours a week promoting a consistent effort by the district to visit the student each week rather than less often for more time. (2) Allow enrollment in released time for an individual learning activity to be counted in student membership. Currently, districts cannot count in membership (and hence do not receive funding for) students participating in released time for non-religious purposes. This amendment places non-religious released time on par with released time for religious instruction. (For complete details of the amended rule, see General Exhibit No. 9048.)

The Finance Committee reviewed and approved the proposed amendments to R277-419 and moves that the Board approve R277-419, Pupil Accounting on second reading. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

#### Audit Management Letter Discussion

The Finance Committee reviewed the auditor's draft findings and recommendations. The agency responses along with corrective action plans were presented to the committee and discussed. The Committee received these reports as information as part of their involvement in the annual state financial and single audit process. (For complete details, see General Exhibit No. 9049.)

Motion from the Committee to accept the Audit Management Letter. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

#### Charter School Building Revolving Loan Fund

There is created a non-lapsing "School Building Revolving Account" administered within the Uniform School Fund by the State Superintendent of Public Instruction in accordance with the rules adopted by the State Board of Education. There is established within the School Building Revolving Account the Charter School Building Subaccount. The Committee developed guidelines for staff to follow in drafting a rule governing the new Charter School Building Revolving Loan Fund, and staff will prepare a rule for the May meeting.

End of Committee Reports

#### Executive Officer Report Cont.

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

Associate Superintendent Ray Timothy presented additional information relative to notification with regard to students whose legal citizenship is undocumented which was brought up by Michael Clara in the CMAC Quarterly Report. He reported that on the State Office of Education web site there is the same information referred to by Mr. Clara relative to undocumented students.

Dr. Laing reported that he and Carol Lear had reviewed the statute relative to lobbying by personnel of state agencies. It is clear that we cannot expend state monies for lobbying. However, any board member or employee, during course of their duties, can provide information germane to the scope of their duties. Dr. Laing indicated that there is a sensitivity about the amount of time employees of state agencies spend in the halls appearing to do little more than trying to coerce legislators one way or another. We have been criticized in the past, somewhat even threatened, because of the presence of some employees on a consistent basis.

Dr. Laing reported that within the last month he has spent a considerable amount of time in Washington, DC. Several from the office met with Undersecretary of Education, Dr. Eugene Hickock and reviewed our consolidated plan and some of the issues that we felt were particularly challenging for us. His comments and those of his staff were that they were anxious to identify areas where states were feeling the need for some flexibility and accommodation so they could help us.

He also attended the CCSSO Legislative Conference. They had the opportunity to meet with people from Department of Education and White House staff. He indicated that it was obvious that the White House staff were the ones with their hands on the steering wheel and the throttle. They reviewed all pieces of legislation that are up for reauthorization, They include the Workforce Improvement Act mentioned by Dr. Petersen earlier in the meeting, IDEA, Karl Perkins Act, and Higher Education Act. All of which have impact for us on the state. The attention of Congress is more focused on international affairs at the present time.

We have received a gift from Judy Stanfield from SLOC of all of the pins that were designed by students and produced for the Olympics. Because of the original design of the pin and the pin the collage is probably worth approximately \$3,000.

#### Board Chairman Report Cont.

Chairman Kim R. Burningham presented the following items:

He and Superintendent Laing have appointments with Speaker Stephens and President Mansell next week to determine what they think and how they feel about the meetings we have held in the past with leadership.

On April 18 a presentation will be given to the Board of Regents about competency and the things we are doing.

Our next Board leadership meeting will be on April 28<sup>th</sup> at 10:30 a.m.

He and Superintendent Laing are going to attend a national conference on April 23 and 24 sponsored by NASBE entitled State Action for Educational Leadership Project. They have invited the Chairs and the Chief Executive Officers to attend. It is being sponsored and our travel is being paid for by the Readers Digest Foundation.

Chairman Burningham announced that the NASBE Leadership will have next year a Utah person. Janet Cannon is unopposed to fill the position of Western Area Director. Chairman Burningham also noted that he has

named as one of two nominees for president elect for that organization. The other person is Gary Watters from Nevada. He requested that if there were any Board Members in a position to talk with other board members throughout the nation to lend him support for the position he would appreciate it.

Chairman Burningham commented that he felt the session with legislators was very good. We will continue to seek these types of interchanges. He reminded board members that their individual contracts with legislators are extremely important and valuable.

Carol Lear reported that the Utah Supreme Court ruled in Wendy Weaver case supporting the recommendation and subsequent action taken by the State Board, including the authority of the State Board.

Board Member Debra Roberts reported that the State History Day at Brigham Young University, Harmon Conference Center will be held on April 16<sup>th</sup>. She indicated this is a great thing to participate in.

### General Consent Calendar

Motion was made by Member Teresa L. Theurer and seconded by Member Edward A. Dalton to approve the General Consent Calendar as presented. Motion carried with Members Anderson, Barney, Brown, Cannon, Dalton, Haws, Morrill, Pingree, Richards, Roberts and Theurer voting in favor; Member Beagley absent.

1. Minutes of Previous Meeting

Minutes of the Meetings of the State Board of Education held February 28, 2003 and March 7, 2003.

2. Contracts

The following Contracts were approved:

(A) Los Angeles County Office of Education. \$30,000. 10/01/02-12/31/03 RECEIVABLE

To provide funding for Teams Distance Learning.

(B) Utah Governor's Council for People With Disabilities. \$35,000. 4/1/03-3/30/04 RECEIVABLE

To provide funds to employ one benefit counselor full time to work with SSI/SSDI referrals. - Fed.

(C) NOVA Evaluation. \$6,220. 4/1/03-10/31/03.

Review and redesign the USOR Consumer Satisfaction Process.

(D) Bach Harrison. \$48,503. 4/1/03-12/31/03.

Consumer satisfaction telephone survey as part of the required tri-annual USOR needs assessment.

(E) Utah State University (Dr. Guy Denton). \$40,249.97. 5/1/03-4/30/08 - Fed.

To extend the lease of office space for the Division of Rehabilitation Services, Vernal office

located at 1680 West Highway 40, Suite 1060 (Ashton Energy Building), Vernal, Utah.

(For complete details of the Contracts, see General Exhibit No. 9050.)

3. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the School Districts were approved. (For complete details, see General Exhibit No. 9051.)

4. Annual Assurance of Compliance by Local School Boards, R277-108

R277-108 was adopted by the Board in response to legislation passing the 2002 General Session of the Utah State Legislature that directed the school districts to take various actions but gave the Board no direct oversight. R277-108 requires the districts to submit a letter to the State Superintendent indicating the status of the district's compliance with various sections of the Utah code, and the dates upon which the local boards of education adopted the plans regarding expenditures of categorical funds, where appropriate and specified.

Amendments to R277-108 were reviewed and approved on second reading by the Board at its March 7, 2003 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-108, Annual Assurance of Compliance by Local School Boards on third and final reading. (For complete details, see General Exhibit No. 9052.)

5. Data Standards, Deadlines and Procedures, R277-484

The Board, through its chief executive officer, the State Superintendent of Public Instruction, is required to perform certain data collection related duties, such as organizing education data into an automated decision support system consistent with Utah Code 53A-1-301(2)(e). The purpose of R277-473 is to support the construction of the aforementioned decision support system and to compliment R277-473 on testing procedures by providing specific standards, deadlines, and procedures by which school districts and the USOE shall fulfill their respective responsibilities for the collection and reporting of non-assessment data essential to both school accountability and allocation of state MSP funds to school districts.

The Board reviewed and approved on second reading R277-484 at its March 7, 2003 meeting. There have been no substantive changes to the rule since that time. The Board approve R277-484, Data Standards, Deadlines and Procedures on third and final reading. (For complete details, see General Exhibit No. 9053.)

6. Ratification of Employment

Amy Spencer was ratified as an Educational Specialist, Special Education Assessment and Accountability in the Instructional Services Division.

Dmitry T. Feinstein was ratified as an Education Specialist, Youth in Custody in the Law, Legislation, and Educational Services Division.

7. 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. 9054.)

8. List of Applicants for Licenses

The list of applicants for initial and renewal licenses was approved by the Board. (For complete details, see General Exhibit No. 9055.)

9. Claims Report

The Claims Report in the amount of \$156,056,238.68 for January 31, 2003, was approved by the Board. (For complete details, see General Exhibit No. 9056.)

Meeting adjourned at 3:20 p.m.