

UTAH STATE BOARD OF EDUCATION
UTAH STATE BOARD FOR APPLIED TECHNOLOGY EDUCATION

MINUTES

March 5, 1999

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held March 5, 1999, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 9:15 a.m. Board Chairman John L. Watson presided.

Members present were:

Chairman, John L. Watson
Vice Chairman, Jill G. Kennedy
Member Bette O. Arial
Member Linnea S. Barney
Member Kim R. Burningham
Member Janet A. Cannon
Member Cheryl Ferrin
Member Lynn Haslem
Member Susan C. Henshaw
Member C. Grant Hurst
Member Boyd F. Jensen
Member Judy Larson
Member Denis R. Morrill
Member Joyce W. Richards
Member Marilyn Shields

Also present were:

Executive Officer Steven O. Laing
Deputy Superintendent Laurie A. Chivers
Interim Associate Superintendent Douglas F. Bates
Associate Superintendent Robert O. Brems
Associate Superintendent Jerry P. Peterson
Executive Director, USOR, Blaine Petersen
Public Information Officer, Eileen Rencher
Board Secretary Twila B. Affleck

Also present for portions of the Board meeting were:

Members of the Press:

Hilary Groutage, Salt Lake Tribune

Richard Tranter, Superintendent Murray School District
Dee Jensen, Murray High School
Mike Bouwhuis, Superintendent, Davis Applied Technology Center
Jay Greaves, Davis Applied Technology Center
Brent Peterson, Davis Applied Technology Center
Russell Galt, Davis Applied Technology Center
Billie Telford, Utah Eagle Forum

Staff, Utah State Office of Education:

Brett Moulding, Curriculum and Instruction
Carl Jensen, Curriculum and Instruction
Nola J. Miller, Curriculum and Instruction
Colleen Schreurs, Curriculum and Instruction
Dona Carling, Curriculum and Instruction
Vicky Smith, Curriculum and Instruction
Barbara Banks, Curriculum and Instruction
Hal Sanderson, Curriculum and Instruction
Barbara Lawrence, Director, Evaluation and Assessment, Curriculum and Instruction
Bonnie Morgan, Director, Curriculum and Instruction
Ron Stanfield, Planning and Project Services
Dawn Kay, Applied Technology Education Services
Connie Amos, Curriculum and Instruction

The Board repeated the Pledge of Allegiance.

Board Member Kim R. Burningham offered a reverence.

Board secretary Twila B. Affleck recorded the minutes.

Introduction of Staff

Associate Superintendent Jerry Peterson introduced the staff of the Evaluation and Assessment Section in the Curriculum and Instruction Division.

Executive Officer Report

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

Milken Awards Banquet -- The Milken Awards Banquet honoring four educators in Utah was held last night. Each of the four educators received \$25,000 from the Milken Foundation. There are now ten Milken educators in Utah. Dr. Laing expressed appreciation and commendation to Associate Superintendent Jerry Peterson and his staff for their work with this program.

"Take 2" -- Rod Decker of Channel 2 invited him to participate in the "Take 2" Program with Phyllis Sorensen of the UEA and Representative Ron Bigelow, Chairman of the House Education Standing Committee. The discussion was on legislative issues. The program will be aired on Channel 2 Sunday night at 11:00 p.m.

Barbara Lawrence, Coordinator, Assessment and Evaluation presented the **state-by-state results from National Assessment of Educational Progress, NAEP**. She indicated that for the first time the eighth grade was included in reading, and our eighth graders scored well above the national average. (For complete details, see General Exhibit No. 8095.) Dr. Lawrence noted that the report includes demographic information on the state that has a bearing on the results. Kids coming into the schools with greater needs, less preparation, and they are not getting what they need. These are indications that our educational system is having a difficult time adjusting to the needs of our current state population. She indicated that teachers need different instructional strategies. Also, class size is a significant issue because teachers have a more difficult time meeting the needs of the wide variety of students that are now in the classrooms.

Dr. Lawrence indicated that another pattern over the last three years is there are a number of teachers in

Utah who are teaching with only a Bachelors degree versus those with a Masters Degree or higher. This is significantly different from the nation. Eighty percent of our teachers teach with only a bachelors degree, whereas nationally only 57 percent teach with only a bachelors degree. She commented that we need to pay attention to how much training and what types of training our teachers have.

Chairman Watson commented that the majority of our students in the state of Utah are not impacted significantly with this. However, our minorities are at a greater risk. He further commented that the Board had identified priorities such as reading and others, which were sent to the legislature for funding, however, we received no funding for these types of things. These scores reflect that potentially we are not doing what we would like to do because we are not getting the funding we need.

Recognition

Vice Chairman Jill G. Kennedy recognized **Jan K. Turner for his service on the Davis Applied Technology Center Board** for the past ten years. Mr. Turner served as board president of the Davis ATC for seven years. He is an ardent supporter of applied technology education and the ATC system. He also serves on the Joint Liaison Committee representing business. He is a former teacher of history and debate at Davis High School. Vice Chairman Kennedy presented Mr. Turner with a Certificate of Recognition for his service.

Mr. Turner expressed appreciation to the Board for this honor. He stated that Applied Technology has been the most important thing he has ever been involved in. He commented on his service on a committees with Grant Hurst, Keith Checketts and Boyd Jensen and sometimes there were differences of opinion, but the local board was allowed to make the final decision. He complimented the Board for their advice and counsel but letting them grow. He in further stated that he felt the quality of people in applied technology and education are the very finest. He expressed appreciation for the friendship, confidence and advice.

Board Chairman Report

Chairman Watson expressed **appreciation to all the Board members and staff** for the many hours of time they have spent during the last 45 days at the Legislature. This was a very positive message from the Board. He thanked everyone for a job well done.

Chairman Watson reported that all Board members had received a memo relative to the **recognition of Doug Bates by the Freedom Foundation at Valley Forge, Utah Chapter, as one of their "Heroes"**. This is a very high recognition for Doug, there are very few that receive that honor.

Member Cheryl Ferrin commented on how impressed she was with the ceremony for the "Hero" Award by the Freedom Foundation.

Chairman Watson commented that one of the paragraphs Doug wrote was something we can all live by -- it was very dynamic in nature.

Board Member Boyd Jensen introduced **Dr. Al Zylstra, Principal, Crescent View Middle School, Jordan School District**.

Dr. Zylstra presented information on a program he has started in the middle school dealing with what he described as "impermeability" as the students' state of mind toward learning and helping them change this, and recognize their potential. He believes all children are social and prefer the company of other children, all children crave learning, and all children can learn.

Chairman Watson expressed appreciation to Dr. Zylstra for the information presented to the Board.

NASBE - Reauthorization of ESEA and Proposed Resolutions

Member Grant Hurst presented the two resolutions he would like to have considered by NASBE at their annual meeting this fall. He indicated he would be attending the NASBE Resolutions Committee meeting in Washington, DC next week and will present these for consideration at this time

Member Janet Cannon reported to the Board relative to major new education initiatives enacted for fiscal year 1999: Class Size Reduction, Reading Excellence Act, 21st Century Community Learning Center, Educational Technology, Safe and Drug Free Schools, Bilingual Education Professional Development, Improving Teacher Quality. She presented recommendations on a position from the State Board relative to the **Reauthorization of the Elementary and Secondary Education Act (ESEA)** which four Board Members will share with Utah's Congressional Delegation in Washington. (For complete details of the Proposed Resolutions and the Position Statement, see General Exhibit No. 8096.)

Member Susan Henshaw suggested a change in the last paragraph on the position paper relative to **Even Start**, where it says "our office" change to Our Board of Education.

Motion was made by Member Janet A. Cannon and seconded by Member Susan C. Henshaw that the Board prepare a letter to our congressional delegation thanking them for their work on **trust land trades** and the benefit that will be realized by our school children. The delegation going to Washington could carry the letter to each. Motion carried unanimously.

Motion was made by Member C. Grant Hurst and seconded by Member Linnea S. Barney to adopt the position from the Board relative to the Reauthorization of ESEA as amended by Member Henshaw, and to approve the proposed resolutions to be presented to NASBE's Resolutions Committee. Motion carried unanimously.

Charter School Application Approval

Clarifying information was presented relative to the Charter School Application of the New Stewart School. (For complete details, see General Exhibit No. 8097.)

Superintendent Laing noted that approval of the New Stewart School was recommended by the Board's Charter School Screening Committee, and the Board's Planning, Finance and Legislation Committee at the February Board meeting. At that time there were two issues the Board felt some concern over and asked for further clarification. One was the open selection of students; and the other was whether there was an attachment to the University of Utah. Materials were presented with assurances that indicate that the Charter School will select students on an open basis and a letter from the University of Utah clarifying the status of the school with them. Dr. Laing indicated he had been contacted by the Dean of the College of Education at the University of Utah assuring him that there was no involvement with the school at this time.

Discussion ensued relative to the issue of the school possibly becoming a lab school, what happens if it does not evolve into a lab school and the benefit if it eventually does become a lab school.

Dr. Nancy Winitzky, indicated that the New Stewart School had no involvement with the University of Utah at this time.

Superintendent Laing indicated that they have assured us that they are not at the present time considering the lab school. He further noted that these charters are for a three year period, and that would really stretch anyone to develop a school and work through the institutional problems or objections to become a lab school.

Discussion further ensued relative to the issue of open enrollment. The Board was reassured by Dr. Winitzky that it would be a balance between open enrollment and an outreach program.

Chairman Watson questioned how the charter school process will be monitored? Larry Horyna indicated that they would be monitored by staff at the State Office of Education.

Motion was made by Member Joyce W. Richards and seconded by Member Cheryl Ferrin to approve a charter for the New Stewart School, as well as startup funding in the amount of \$62,500 provided that the application is found in compliance with all regulations provided by law, rules and guidelines governing charter school applications. Motion carried unanimously.

Motion was made by Member C. Grant Hurst and seconded by Vice Chairman Jill G. Kennedy that the State Office staff monitor the selection process to make sure we don't allow this charter school to get into trouble. Motion carried unanimously.

Final Budget and Overall Budget Comparisons 1999-2000

Deputy Superintendent Laurie A. Chivers presented comparisons of the State Board's budget requests with final budget figures appropriated by the 1999 legislature. (For complete details, see General Exhibit No. 8098.) She indicated this will be a very difficult year for school districts because of the increases in insurance costs.

Member Boyd Jensen commented that he would like to see the money that has been allocated for Centennial Schools and Schools for the 21st Century directed to reading. He questioned if there were any measurements or accountability to see if these programs were beneficial? Superintendent Laing responded that there is an accountability component in the Centennial Schools Program. The proof of these programs will be known in the second and third years and if there are good outcomes, there will not be money to continue those programs. If there is not progress they will not receive the money.

Member Denis Morrill commented that he would like the Board to start working on legislators as soon as possible to help educate them relative to educational issues and our budget needs.

Superintendent Laing indicated that we work with the legislators all year through the legislative interim committees. We also need to look at a different approach, possibly focusing more narrowly on our issues.

Member Grant Hurst suggested that the Board needed to be more involved in the process. The Board needs to be present during the legislative meetings.

Member Kim Burningham commented that we also need to create public pressure to help change the minds of legislators. The Board needs to be public advocates in the press, in public meetings and everywhere on the issues we identify as our priorities. It was noted that the Board does not have money for such campaigns but they do have access to schools, the PTA and other forums to present the issues.

Superintendent Laing encouraged Board member to participate with local boards in their regional meetings which are being held around the state this month. Motion was made by Member C. Grant Hurst and seconded by Member Marilyn Shields to receive the report with commendation to staff for their diligent efforts. Motion carried unanimously.

Legislation for 1999-2000

Interim Associate Superintendent Douglas F. Bates presented a summary of legislation which passed during the 1999 legislative session. Dr. Bates reviewed specific bills as part of the report. Dr. Bates indicated that we were very successful with the non-fiscal legislation this year. (For complete details, see General Exhibit No. 8099.)

Motion was made by Member Judy Larson and seconded by Member Janet A. Cannon to receive the report with commendation to staff. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Kennedy, Larson, Morrill, Richards, and Shields voting in favor; Member Haslem absent.

Executive Session

Motion was made by Member Cheryl Ferrin and seconded by Member Susan C. Henshaw to move into executive session for the purpose of discussion of personnel issues and/or possible litigation. The Board was polled and by unanimous consent of those present, [Member Haslem absent] the Board moved into executive session during lunch at 12:50 p.m.

Motion was made by Member Marilyn Shields and seconded by Member Boyd F. Jensen to reconvene into open meeting. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Haslem and Kennedy absent.

The Board reconvened at 1:45 p.m.

Board Committee Reports

Planning, Finance and Legislation Committee

Member Janet A. Cannon, Chairman, Planning, Finance and Legislation Committee presented the following recommendations from the Committee:

Certification Committee Meeting

The Committee reviewed the recommendation from the **Utah Professional Practices Advisory Commission** in Case No. 99-455.

Motion from the Committee to adopt the Commissions recommendation for the acceptance of a stipulated agreement whereby Bert Cordell Hansen, a former teacher in Morgan School District, voluntarily surrenders his teaching certificate, in lieu of a hearing, for purposes of suspension by the State Board of Education. This suspension results from unprofessional conduct evidenced by his attempt to access several hundred inappropriate and objectionable Internet sites and his successful access of at least one site using school district equipment and computer systems. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Haslem and Kennedy absent.

The Committee reviewed the recommendations of the **State Advisory Committee on Teacher Education (SACTE)** for the **Proposed Distance Learning Endorsement and Standards**. These standards are necessary to provide qualified teachers for distance learning.

Motion from the Committee to approve the Distance Learning Endorsement and Standards. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Haslem and Kennedy absent.

The Committee reviewed the recommendations of the State Advisory Committee on Teacher Education (SACTE) for the **Proposed Advanced Reading Endorsement**. These standards stem from a grass roots effort by Utah school districts to obtain additional reading training for their teachers. Amendments were presented in Appendix B on the **Advanced Early Literacy Development** portion.

Motion from the Committee to approve the **Advanced Reading Endorsement** as amended. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Members Haslem and Kennedy absent..

The Committee reviewed the Requests for Temporary Authorizations.

Motion from the Committee to approve the Requests for Temporary Authorizations as presented. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Members Haslem and Kennedy absent..

(For complete details of the Certification Committee Agenda, see General Exhibit No. 8100.)

An Alternative Preparation For Teaching Program, Rule R277-503

Rule R277-503, An Alternative Preparation for Teaching Program has been amended to address needed changes in policies and procedures for implementation by the State Office of Education. (For complete details, see General Exhibit No. 8101.)

The Committee approved the rule on first reading and moves that the State Board of Education approve Rule R277-503, An Alternative Preparation for Teaching Program on second reading. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Members Haslem and Kennedy absent..

Curriculum and Instruction Committee

Member Kim R. Burningham, Chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

Alternative Language Services, Rule R277-716

The Alternative Language Services Rule is being amended to improve definitions, identify program elements and assurances, and eliminate unnecessary language. (For complete details, see General Exhibit No. 8102.)

The Committee approved the rule on first reading and moves that the State Board of Education approve Rule R277-716, Alternative Language Services on second reading. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Haslem, Henshaw, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Member Hurst opposed.

Murray High School for a Waiver Extension for High School Graduation Requirements

As part of its Centennial School Program, Murray High School received a waiver for high school graduation requirements. Measurable results have been observed in students' educational programs. Murray School District is requesting that the school be allowed to continue the graduation requirements waiver. (For complete details, see General Exhibit No. 8103.)

Motion from the Committee that the State Board of Education approve the graduation requirements waiver for Murray High School for a three year period beginning August 1999. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Members Haslem and Kennedy absent.

School Accreditation Process Review and Approval of School Accreditation

Staff reported on the accreditation process for Utah schools. Information was presented on schools and programs which have met the requirements for accreditation by the Northwest Association of Schools and Colleges or for accreditation by the State Board of Education for the 1998-99 school year. (For complete details, see General Exhibit No. 8104.)

Motion from the Committee that the State Board of Education approve accreditation report of the schools listed for the 1998-99 school year. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Members Haslem and Kennedy absent..

Applied Technology & Rehabilitation Committee

Member Joyce W. Richards, Chairman of the Applied Technology and Rehabilitation Committee presented the following recommendation from the committee:

Comprehensive Guidance Program, Rule R277-462

Minor revisions are proposed which will mitigate impact to school districts and secondary schools when enrollment changes cause funding shifts in the program. Proposed guidelines for what constitutes the makeup of a small group SEOP have also been drafted for inclusion in this rule. (For complete details see General Exhibit No. 8105.) Member Richards distributed amendments were made by the Committee. Under definitions, G. A Small group SEOP includes the following: (1) A small group may be equal to a classroom unit of approximately 30 students; and (2) The students' parents or guardians, regardless of small group size; (3) Groups smaller than classroom size shall be encouraged whenever possible. A second change under R277-462-3 (2) If at any time following a school's initial approval of its Comprehensive Guidance Program, the school's enrollment drops below the funding level approved for the school, the school may be held harmless for the change in enrollment for a maximum of two years following the decline in enrollment into the lower funding category, funds permitting. A third amendment under (4)(f) ~~[The establishment of the]~~ Compliance with both individual and small group ...

The Committee approved the rule on first reading and moves that the State Board of Education approve Rule R277-462, Comprehensive Guidance Program as amended on second reading.

Member Linnea Barney questioned if a group of 90 could qualify with any kind of interaction program because she felt this was too many.

Associate Superintendent Rob Brems indicated that the law indicates the State Board is to make the determination of the definition of a small group. Input was sought from a number of groups, the PTA, USBA, Comprehensive Guidance Select Committee and from this we found there are varying opinions. Some would like to have a one-on-one which is not practical. We have tried to find somewhere in the middle so this is a compromise. Motion carried with Members Arial, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Member Barney opposed; Members Haslem and Kennedy absent.

General Consent Calendar

Motion was made by Member Cheryl Ferrin and seconded by Member Marilyn Shields to approve the General Consent Calendar as presented. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Haslem and Kennedy absent.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board for Applied Technology Education and the State Board of Education held February 12, 1999.

2. Contracts

(A) Logan Human Services, L.C. \$122,196.55. 7/1/98-6/30/2002. - Fed.

To lease office space for the Division of Rehabilitation Services, Logan office, located at 115 West Golf Course Road, Logan, Utah.

(B) Bob Eaker. \$7,500. 2/22/99 - 2/26/99.

To secure consultant for Open Seminars, February 22 - February 26, 1999.

(C) Dr. Ralph P. Vander Heide. \$10,000. 3/1/99-2/28/2000. - Amend.

The Accreditation Consultant will assist the State Accreditation Committee chair with accreditation responsibilities.

(D) Utah State University. \$15,144.96. 11/1/98-1/30/99. - Fed.

Lease of Division of Rehabilitation Services, Utah Assistive Center for Assistive Technology located at 2056 South 1100 East, Salt Lake City, Utah.

(E) E & H Investments V, L.L.C. \$0. 12/01/98-2/28/02. - Amend. - Fed.

To change the lessor from Mountain America Credit Union to E & H Investments V, L.L.C., P. O. Box 45001, Salt Lake City, Utah. For the office space of Rehabilitation Services located at 660 South 200 East, Suite 400, Salt Lake City, Utah.

(F) Dr. John W. Bennion. \$5,600. 3/8/99-6/30/99 - Fed.

To provide consulting services to the Utah State Office of Education's Comprehensive School Reform & Demonstration program.

(For complete details of the Contracts see General Exhibit No. 8106.)

3. Administrative Rule Review

Under provisions of 63-46a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be a minor nonsubstantive changes within these rules. (For complete details see General Exhibit No. 8107.) The following rules were reviewed and approved:

R277-102 Adjudicative Proceedings

R277-425 Budgeting, Accounting, and Auditing for Utah School Districts

R277-455 Standards and Procedures for Building Plan Review

R277-601 Standards for Utah School Buses and Operations

R277-712 Advanced Placement Programs

R277-734 Standards and Procedures for Adult Education Section 353 Funds

4. List of Applicants for Certificates

A list of applicants for initial and renewal certificates for February, 1999. (For complete details, see General Exhibit No. 8108.)

5. Claims Report

The Claims Report in the amount of \$146,866,062.26 ending February 28, 1999.

(For complete details, see General Exhibit No. 8109.)

Utah State Board of Education Advisory Committee for Students with Disabilities (USBEACH)

Motion was made by Member Joyce W. Richards and seconded by Member Janet A. Cannon to appoint Marie L. Hyatt and Robert Cefalo to the Utah State Board of Education Advisory Committee for Students with Disabilities (USBEACH). Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Haslem and Kennedy absent.

Rehabilitation Services Council

Motion was made by Member Joyce W. Richards and seconded by Member Marilyn Shields to appoint Nan Gray to the Rehabilitation Services Council representing Special Education. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Haslem and Kennedy absent..

Appointment of Assistant Superintendent

Motion was made by Member Joyce W. Richards and seconded by Member Bette O. Arial to create the position of Assistant Superintendent. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Members Haslem and Kennedy absent.

Upon recommendation of Superintendent Laing, motion was made by Member Joyce W. Richards and seconded by Member Janet A. Cannon to appoint Gary L. Carlston, Assistant Superintendent in the Utah State Office of Education effective April 3, 1999. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Henshaw, Hurst, Jensen, Larson, Morrill, Richards, and Shields voting in favor; Member Haslem and Kennedy absent.

Chairman Watson expressed appreciation from the Board to Doug Bates for his service as interim associate superintendent. He commented that Doug is a ◦minute man◦, a great person who can accomplish great tasks and always step to the forefront.

Dr. Carlston expressed appreciation to Superintendent Laing and the Board for the opportunity and confidence they had in him for this position. He commented that he had enjoyed the opportunity of working in the Governor's office the past two years.

Motion was made by Member Boyd F. Jensen to adjourn.

Meeting adjourned at 1:50 p.m.
