

**UTAH STATE BOARD OF EDUCATION  
MEETING MINUTES**

October 4, 2013

A regular meeting of the Utah State Board of Education was held October 4, 2013 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair Debra Roberts conducted.

**Board Members present:**

|                                  |  |
|----------------------------------|--|
| Chair Debra G. Roberts           | Member Jennifer A. Johnson               |
| Vice Chair David L. Crandall     | Member Marlin Jensen (non-voting)        |
| Member Dixie L. Allen            | Member Jefferson Moss                    |
| Member Laura Belnap (non-voting) | Member James V. (Jim) Olsen (non voting) |
| Member Keith M. Buswell          | Member Tami W. Pyfer                     |
| Member Kim R. Burningham         | Member R. Dean Rowley (non-voting)       |
| Member Leslie B. Castle          | Member Isaiah (Ike) Spencer (non-voting) |
| Member Barbara W. Corry          | Member Teresa L. Theurer (non-voting)    |
| Member Heather Groom             | Member David L. Thomas                   |

**Board Members Excused:**

Member Michael Jensen  
Member C. Mark Openshaw

**Executive staff present:**

|                                 |   |
|---------------------------------|---|
| Martell Menlove, State Supt.    | Russell Thelin, USOR Executive Director |
| Brenda Hales, Deputy Supt.      | Joel Coleman, USDB Superintendent       |
| Judy Park, Associate Supt.      | Lorraine Austin, Board Secretary        |
| Bruce Williams, Associate Supt. |   |

**Others present:**

Jay Blain, UEA; Rich Nelson, Utah Technology Council; Kory Holdaway, UEA; Ronda Rose, Utah PTA; Deon Turley, Utah PTA; Lydia Nuttall, parent; Kristen Moulton, The Salt Lake Tribune; Kris Fawson, Utah Statewide Independent Living Center; D'Lynn Poll, Morgan School District; Jan Ferré, LCPD; Jim Johnston, SCORE; Steve Eliason, Utah House of Representatives

**Opening Business**

Chair Debra Roberts called the meeting to order at 8:15 a.m. Member Isaiah Spencer led

the Board in the Pledge of Allegiance. Members Michael Jensen and Mark Openshaw were excused.

#### Board Member Welcome Message

Member Kim Burningham welcomed the Board, and recited the poem *Opportunity*, by Edward R. Sill. He noted the opportunity Board members have, with the announcement of \$242 million surplus, to request more funding to for education needs, and outlined areas where this funding could make a difference.

#### Swearing in of Dan Griffiths

Mr. Dan Griffiths was appointed by Governor Gary Herbert and confirmed by the State Senate to represent District 6 on the Board, a position vacated by Joel Coleman. His term will run through December 2014.

Mr. Griffiths was administered the Oath of Office by Dr. Martell Menlove, State Superintendent of Public Instruction. He was introduced and expressed his excitement to serve on the Board.

#### Promises to Keep Highlight

Superintendent Martell Menlove noted that 25 years ago he served as the district superintendent in Rich School District. He recently visited Rich District and toured South Ridge Elementary and Rich High School in Randolph. He was impressed as he walked through the building with the commitment the citizens of Rich County have made to the schools and the children they serve. Great opportunities are being provided, particularly at the high school level, for those students to have a variety of courses made available to them through online classes and blended learning. He expressed how impressed he was at how education in Rich has moved forward in the last 25 years.

#### **Utah State Office of Rehabilitation Director Appointment**

Motion was made by Member Tami Pyfer and seconded by Member Keith Buswell that

the Board approve the appointment of Russell J. Thelin as the Executive Director of the Utah State Office of Rehabilitation.

Motion carried; Member Castle absent.

### **Public Participation**

Kristi Fink, Character Education Partnership - introduced a new position paper from the Character Education Partnership in Washington D.C., *Integrating Common Core and Character Education: Why It Is Essential and How It Can Be Done*. The paper makes the case that Common Core is good, but Common Core with character education is even better. She expressed hope that the Board would share the paper with schools and use it in other ways.

Sara Jones, Utah Education Association - invited the Board to the upcoming UEA Convention on October 17-18, and distributed information about the convention.

Ronda Rose, Utah PTA - reported that the focus of PTA for the next 2-3 years will be overcoming intergenerational poverty. She also informed of the PTA Advocacy Conference on October 23, and reported that PTA's legislative priorities will include overcoming intergenerational poverty, bullying and suicide, early education, juvenile justice, keeping marijuana illegal, and teen dating laws.

Richard Nelson, Utah Technology Council - distributed information and informed the Board that for the 4700 technologies companies that are part of the Utah Technology Council, the number one issue is a talent shortage. He spoke in support of Computer Science being recognized as a science and being added as a qualification to meet the science requirement.

Mr. Nelson also mentioned an offer by the company Pluralsight, to bring programming into Utah schools. Pluralsight is a local company in Layton, and has taken the program to several schools already. On behalf of the company, Mr. Nelson requested that the Board consider working with them.

### **General Consent Calendar**

Motion was made by Member Dixie Allen and seconded by Member Barbara Corry that the Board approve the General Consent Calendar.

Motion carried; Member Castle absent.

1. Minutes of Previous Meetings

Minutes of the State Board of Education meetings held August 22, 2013 and September 6, 2013 were approved.

2. Contracts

The Board approved the following contracts.

A. Imagine Learning, \$3,000,000, 11/1/2013 to 10/30/2014, Amend.

To continue to provide license of use for existing and new accounts within schools for use of the Imagine Learning software for ELL students and their families.

B. Davis County Schools Warehouse, \$200,000, 10/1/2013 to 9/30/2014, Amend.

For receipt and storage of USDA commodities.

C. Keddington & Christensen, LLC, \$329,310, 1/2/2014 to 1/1/2017, Fed., Amend.

To provide for audit requirements and comply with federal regulations. Amendment will implement the 3 to 1 year renewal option stated in the original contract.

D. A report of contracts expiring within the next six months was provided for Board information.

3. Code of Conduct

The Board adopted its Code of Conduct.

4. R277-494 Charter School and Online Student Participation in Extracurricular or Co-curricular School Activities

In its September 6, 2013 meeting, the Board approved continuation of R277-494 on first and second readings, consistent with the Utah Administrative Rulemaking Act five-year review requirement. The Board also approved amendments to the rule to change the definition of "charter school" to make it consistent with R277-470.

The Board approved amendments to and continuation of R277-494 *Charter School and Online Student Participation in Extracurricular or Co-curriculum School Activities* on third and final reading.

5. Expanded Eminence Request

Legacy Preparatory Academy requested an Expanded Eminence Authorization for Fred Sherman Lee for the 2013-2014 school year under Board rule R277-520-6. The Board approved the Expanded Eminence Authorization.

6. Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as submitted by school districts and charter schools.

7. List of Educator Licenses Processed

A summary of the total number of educator licenses and license areas processed in September 2013 was provided for Board information.

8. Monthly Budget Report

A monthly budget report was provided to give information to the Board in meeting its fiduciary responsibilities the Utah State Office of Education, Utah State Office of Rehabilitation, and Utah Schools for the Deaf and the Blind.

The Board recessed to committees at 8:55 a.m.

The full Board reconvened at 11:24 a.m.

### **Achievement Spotlight**

Deputy Superintendent Brenda Hales profiled Lydia Nuttall, the ideal of a local community member that makes a commitment to be involved and sticks with it. Lydia cares deeply about the children of her community in Morgan, and the state. She has brought her educational tool—*Forgotten American Stories*—to the Curriculum Committee to ask for feedback, and is working to self-publish the stories.

Ms. Nuttall was given a Certificate of Excellence by Vice Chair David Crandall and Superintendent Menlove.

Lydia expressed that she has thoroughly enjoyed getting to know the Board and staff and thanked them for their interest in her project.

### **USDB Annual Report**

USDB Superintendent Joel Coleman was welcomed to the meeting. He introduced Carolyn Lasater, USDB Associate Superintendent for the Blind, and Scott Jones, USDB Chief Financial Officer. He reported that Trena Roueche, the Associate Superintendent for the Deaf, is in Cedar City with deaf students participating in the Shakespeare Festival.

Superintendent Coleman reviewed an Executive Summary of the USDB Annual Report. He indicated that USDB has the premier deaf-blind program in the country, and just received another federal grant for the program. He outlined critical capital needs to improve USDB facilities, and asked for Board support.

Associate Superintendent Lasater reported on services for the Blind, and mentioned the great partnerships they have with adult services and private business.

Superintendent Coleman invited the Board to visit the USDB facilities.

### **Utah Schools for the Deaf and the Blind (USDB) and Utah State Office of Rehabilitation (USOR) Budget Requests**

USDB Chief Financial Officer Scott Johnson reviewed the USDB Budget request for FY 2015.

USOR Executive Director Russ Thelin reviewed the USOR budget request for FY 2015.

Superintendent Menlove commented that the USOR requests go to different appropriations committee than education requests, so they have traditionally not been prioritized along with the Board priorities. As USDB requests are considered along with Board requests, at some point the Board may need to consider where the USDB requests fit in with the Board's priorities.

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

Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board accept the UPPAC recommendation in Case No. 13-1121 to accept a stipulated

agreement for suspension of the educator's Level 1 Special Education and Title I Paraprofessional License. The educator may request a reinstatement hearing following satisfaction of all conditions in the Stipulated Agreement and completion of a criminal background check, no sooner than two (2) years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried, with Member Johnson opposed; Member Corry absent.

Motion was made by Member Tami Pyfer and seconded by Member Keith Buswell that the Board accept the UPPAC recommendation in Case No. 12-1072 and revoke the educator's Level 2 Secondary, School Counselor, and Administrative/Supervisory Education license. The educator may not request a reinstatement, consistent with Board Rule R277-517.

Motion carried; Member Corry absent.

Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board accept the UPPAC recommendation in Case No. 12-1099 and accept a Stipulated Agreement for suspension of the educator's Level 1 Elementary Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the Stipulated Agreement and completion of a criminal background check, no sooner than May 1, 2014, subject to Board approval. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Without objection, the motion was postponed and referred to Executive Session for discussion.

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board accept the UPPAC recommendation in Case No. 13-1127 to revoke the educator's Level 2 Secondary, School Counselor, and Administrative/Supervisory Education license. The educator may not request a reinstatement, consistent with Board Rule R277-517.

Motion carried, with Member Johnson opposed; Member Corry absent.

Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board accept the UPPAC recommendation in Case No. 13-1128 and accept a Stipulated Agreement for suspension of the educator's Level 2 Secondary and Career Technical Education license. The educator may request a reinstatement hearing following satisfaction of all

conditions in the Stipulated Agreement and completion of a criminal background check, no sooner than one (1) year from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried, with Members Castle and Crandall opposed; Member Corry absent.

Motion was made by Member Dixie Allen and seconded by Member Dan Griffiths that the Board accept the UPPAC recommendation in Case No. 13-1130 and accept a Stipulated Agreement for suspension of the educator's Level 2 Special Education license. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than three (3) years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Without objection, the motion was postponed and referred to Executive Session for discussion.

Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board accept the UPPAC recommendation in Case No. 13-1140 and accept a Stipulated Agreement for suspension of the educator's Level 1 Secondary Education license. The educator may request a reinstatement hearing following satisfaction of all conditions in the Stipulated Agreement and completion of a criminal background check, no sooner than two (2) years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion failed, with Members Allen, Burningham, Buswell, Moss and Roberts in favor, and Members Castle, Crandall, Groom, Johnson, Pyfer and Thomas opposed. Member Corry absent.

The case was referred to Executive Session for discussion.

Motion was made by Member Tami Pyfer and seconded by Member Jennifer Johnson that the Board accept the UPPAC recommendation in Case No. 12-1087 and suspend by default the educator's Level 2 Special Elementary Education license. The educator may request a reinstatement hearing following satisfaction of all conditions provided in the Default document and completion of a criminal background check, no sooner than five (5) years from the date of

Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried; Member Corry absent.

### **Conversation with Representative Eliason**

Representative Steve Eliason was welcomed to the meeting. He discussed the issue of other post employment benefits (OPEBs) related to school districts, and his concerns with possible liability. He referred to information sent to the Board earlier. He asked the Board for a recommendation on handling the issue, whether through legislation or something at the Board level. Member David Thomas responded that the Board's Accountability Committee met today and discussed this issue. The committee agreed that action needs to be taken and will suggest that a Board rule be written. The committee directed USOE staff to meet with school business officials and bring a plan back to the committee in November. Representative Eliason will be kept apprised of the work and will continue to work with the Board on the issue.

Representative Eliason thanked the Board for its support in the last legislative session of his suicide prevention bills, and distributed information about suicide. He is currently working on a bill to provide funding for trigger locks for parents, as over 80 percent of youth that take their lives with firearms use one that is in the home.

### **Executive Session**

Motion was made by Member Dixie Allen that the Board move into Executive Session for the purpose of discussing the character, competence and physical or mental health of individuals.

A voice vote was taken, and upon unanimous consent of those present, the Board moved into Executive Session, following lunch, at 1:30 p.m.

Those present in Executive Session included Board members Allen, Belnap, Burningham, Buswell, Castle, Corry, Crandall, Griffiths, Groom, Johnson, Pyfer, Roberts, Rowley, Theurer, Thomas; and Martell Menlove, Brenda Hales, Lorraine Austin, Kristina Kindl, Heidi Alder and Rachel Terry.

Motion was made by Member Dixie Allen and seconded by member Keith Buswell that the Board come out of Executive Session.

Motion carried. The Board reconvened in open session at 2:28 p.m.

### **Executive Session Items**

#### UPPAC Recommendations

Motion to accept the UPPAC recommendation in Case No. 13-1130 failed, with all opposed; Member Moss absent.

Motion to accept the UPPAC recommendation Case No. 12-1099 carried; Member Moss absent.

Motion was made by Member Tami Pyfer and seconded by Member Kim Burningham that the Board reconsider its previous action in Case No. 13-1140, and accept the UPPAC recommendation.

Motion carried, with Members Crandall and Johnson opposed; Member Moss absent.

#### Utah Instructional Materials Commission (UIMC) Appointment

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board appoint Superintendent Marshall Garret to serve on the UIMC with a term ending June 2017.

Motion carried; Member Moss absent.

#### Utah Education Network (UEN) Board Appointment

Motion was made by Member Tami Pyfer and seconded by Member Heather Groom that the Board appoint Superintendent Doug Wright to the UEN Board as a rural educator representative to serve the unexpired term of a former board member ending March 2014, and a subsequent term ending March 1, 2018.

Motion carried; Member Moss absent.

#### Utah State Rehabilitation Council (SRC) and Utah Statewide

Independent Living Council (USILC) Appointment

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board appoint Travis Morgan as the Utah VR121 program representative to both the SRC and USILC.

Motion carried; Member Moss absent.

Utah Statewide Independent Living Council Appointments

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board appoint the following to the Utah Statewide Independent Living Council: Andy Curry, representing AILU, for a term ending September 30, 2014; Matthew Huskinson, Kimberly Ann Lister, Natalie Gertsch and Sandra Hansen, representing individuals with a disability, for terms ending September 30, 2016; and John Woeste, as a non-voting member representing the DSU (designated state unit), for a term ending September 30, 2016.

Motion carried; Member Moss absent.

USDB Advisory Council Appointments

Motion was made by Member Tami Pyfer and seconded by Member Dixie Allen that the Board appoint Erika Smith and Dan Mathis to the USDB Advisory Council, representing individuals who are deaf or hard of hearing, for terms ending June 30, 2014.

Motion carried; Member Moss absent.

***R277-517 Board and Disciplinary Definitions and Actions***

Without objection, the report from the Instruction, Assessment and Technology Committee on R277-517 was moved up on the agenda.

Chair Roberts mentioned that several legal experts gave input during the Instruction Committee meeting, and recommended organizing a panel of legal experts that would provide the Board with reactions from different legal perspectives in its November meeting. The full Board would then later consider the rule for an extended period of time as a committee of the whole.

Member Castle objected to getting input from legal entities and interest groups that may be in conflict with what the Board and the Board's attorney have proposed, and asked that the panel not be convened. Others expressed that it would be helpful to gather information from multiple sources, and to give adequate time for the Board's attorney to respond.

Member Johnson asked that if a panel is organized, whoever speaks on the panel identifies who they represent.

Instruction Committee member Tami Pyfer reported that the Committee approved on first reading the following changes to R277-517 *Board and Disciplinary Definitions and Actions*.

- Deleted lines 13 and 14, beginning with "UPPAC."
- Deleted lines 39 and 40, beginning with "UPPAC."
- Approved lines 32-34, 46, 146, 308-310, 346-356, 368, and 393 as amended.
- Approved line 104 as amended, with the addition of, "Beginning on July 1, 2014, all educators prior to licensure or relicensure, shall be required . . ."
- Approved lines 407-410 as amended, with the addition: "Following final administrative action that results in suspension or revocation, UPPAC shall notify law enforcement of the final administrative action of suspension or revocation consistent with the public statement for the cause of the suspension or revocation . . ."

Motion from committee that the Board approve R277-517, as amended, on second reading.

Motion carried; Members Buswell and Moss absent.

Member Pyfer reported that the Committee considered the definition of "culpable" from Member Johnson's version of the rule. Board attorney Kristina Kindl indicated she would develop a definition of "culpable" for the purposes of rule. There is not a legally acceptable definition of "culpable," and if it is used as outlined to mean "having been found guilty," it could cause problems getting educators to stipulate that they are culpable of something. She will incorporate a section to encapsulate the idea that revocation can be warranted not only for a conviction, but also if an educator admits to or stipulates to a violation of educator standards or a violation of certain behaviors or misconduct, or if after a hearing there is a finding of such misconduct.

Member Pyfer reported that the committee began to discuss the issue of revocation and suspension for specific lengths of time being presumed appropriate or automatic given certain actions. One thing noted is that the Board can't put in rule what is outside of state statute, and must be careful in not writing rules that deny due process. The Board discussed this issue for a short time, and it was determined that more discussion will take place when the Board meets as a committee of the whole on the rule.

Member Thomas requested that Kristina Kindl research employment law and determine what could be considered taking away property interests.

### **Computer Adaptive Assessment System Update**

Associate Superintendent Judy Park reviewed information distributed to the Board, including a schedule of review workshop, the Parent Assessment Item Review Committee schedule, and a non-disclosure document the committee will be required to sign.

Superintendent Menlove suggested holding a policymaker debriefing session once the parent committee has finished its work, to give an opportunity for the committee to share with elected officials how they feel about the process. The meeting will be set for November 8, and all those participating will be required to sign a non-disclosure agreement.

Dr. Park reviewed the SAGE standard setting process and the timelines for determining performance level descriptors and labels, grade and content level performance level descriptors, the numeric reporting scale, and the stakeholders for standard setting.

### **Board Chair's Report**

#### Audit Report

There was no report from the Board Internal Auditor.

#### Chair's Report

Information was distributed and the following items reported.

- Vice Chair David Crandall reported on a meeting he and Member Pyfer attended regarding school grading with Senators Niederhauser, Adams and Stephenson, and Representative

Greg Hughes, among others. Legislators expressed at the meeting that the grading system should be set up so that every school could show continual improvement and obtain an “A” grade. It was also pointed out that since we know which schools are struggling, additional resources would be in line to help those schools. Senate President Niederhauser expressed his feeling that there was some difference between how the USOE calculated the grades and how the legislature anticipated they would be calculated. Associate Superintendent Judy Park responded that there was some confusion with the language in the legislation, and the USOE did its best to follow the statute. Superintendent Menlove also responded that he had sent a letter to President Niederhauser outlining the USOE’s interpretation of the legislation. USOE staff will run the data based on the legislature’s understanding of the statute. Member Griffiths suggested that representatives from economic development be included in school grading discussions.

- Human Resource Director David Rodemack introduced new employees Aaron Garrett, Dr. Jose Enriquez and Cathy Davis.
- In the last K-16 Alliance meeting, a motion was passed for the Alliance as an entity to submit a budget request on behalf of the Utah Data Alliance.
- Chair Roberts reported on the legislative Education Task Force and its stakeholder meeting to determine five key elements for education improvement. No consensus was reached in the meeting. She encouraged the Board to consider putting together its own stakeholder group. Chair Roberts drew attention to a Strategic Plan Framework from the Maine Department of Education discussed in the Task Force, and the request that it be reworked as a governance document for Utah. Also, a recommendation on counselors will come from the Speaker during the next legislative session.
- The Board will plan to host a breakfast on November 20 for the Education Interim Committee and legislative leadership to provide information on what has been learned from past CRT assessment data and the computer adaptive assessment system moving forward.

**Superintendent's Report**

Information was distributed and the following items reported.

- An update on revised school grades was reviewed. Dr. Menlove reported that he has directed staff to look at an accountability system without the constraint of S.B. 59.
- Associate Superintendent Judy Park reported on the Utah Data Alliance budget request.
- The Department of Human Resource Management (DHRM) gave a report to the Education Interim Committee regarding the Teacher Salary Supplement Program, and suggested that the responsibility for the program be shifted to the USOE. Superintendent Menlove agreed, contingent on Board approval. The change would have to be made legislatively.
- The STEM Action Center will make a report in the November Board meeting.
- The USOE has traditionally provided administrative leave to employees for two days to be chosen from the day after Thanksgiving, day before Christmas and day before New Year's. Superintendent Menlove indicated he plans to grant the leave this year, but will investigate possible other options for the future.
- Superintendent Menlove gave an update on a meeting with the Department of Facilities and Construction Management (DFCM) regarding a new USOE building. The building currently being used is owned by the state of Utah, and while there is enough space, it does not function well. He discussed the possibility of combining a building request with the USDB.

**Board Budget and Legislative Priorities**

Budget priorities for FY 15 (2014 Legislative Session) were established in the Board's September 2013 meeting. Since that time, it was announced that more monies are available for one-time needs. In light of the surplus, Board members discussed making additions to the Board's budget priority requests for the next legislative session.

Motion was made by Member David Thomas and seconded by Member Dixie Allen that the Board add \$20 million in one-time funding to the 1 to 1 device initiative request.

Motion to amend was made by Member David Crandall and seconded by Member Tami Pyfer that the Board add an additional \$20 million in one-time funding for the 1 to 1 device as

a separate item #7 on the one-time request list.

Motion to amend failed, with Members Crandall, Moss and Pyfer in favor; Members Buswell and Johnson absent.

Original motion passed, with Members Allen, Burningham, Castle, Corry, Griffiths, Groom, Pyfer, Roberts and Thomas in favor, and Members Crandall and Pyfer opposed; Members Buswell and Johnson absent.

Motion was made by Member Tami Pyfer and seconded by Member Leslie Castle that the Board add as a #7 priority for one-time funding, \$25 million for a USBE/USDB building.

Motion carried, with Member Burningham opposed; Members Buswell and Johnson absent.

## **Board Committee Reports**

### ACCOUNTABILITY AND FINANCE COMMITTEE

Committee Chair David Thomas reported on the following items from the committee.

#### LEA Other Post-retirement Benefits (OPEB)

During the August 28, 2013 meeting of the Public Education Appropriations Subcommittee, a survey done by the Legislative Fiscal Analyst concerning LEA Other Post Retirement Benefits (OPEB) was discussed. Several members of the Appropriations Committee expressed concern that some districts had not funded these liabilities, and it was requested that the State Board discuss whether a Board rule should be put into place concerning OPEB and Termination benefit liabilities incurred by LEAs.

A "Summary of School District Responses to LFA OPEB Questionnaire" reviewed by the Accountability Committee was distributed to Board members. The Committee directed staff to prepare a rule, and bring a proposal from the district school business officials to the November committee meeting.

#### Board Contract Approval Policy

In the Board's August 2, 2013 meeting, the committee granted temporary authority to the State Superintendent of Public Instruction or his designee to approve contracts in the amount of \$100,000 or less pending Board policy development. Additionally, a report of contracts expiring within the next 90 days was requested for each Board meeting.

The committee reviewed a policy developed by staff, and made the following amendments:

- Item 1, third line - change "designee" to "his/her designee."
- Item 2, first bullet point, second line - change "could be listed for" to "shall be listed for. . ."
- Add a second bullet under Item 2 to read, "All related party contracts of any denomination are subject to approval of the Board."

Motion from committee that the Board approve the policy as amended.

Motion carried; Member Buswell absent.

#### Taxing Entity Committee to the Redevelopment Agency of American Fork City Egg Farm Economic Development Project Area

The Egg Farm Economic Development Project Area was established by action of the American Fork Redevelopment Agency (RDA) on October 17, 2000. Because of the economic downturn and other factors beyond the control of the RDA, the project developed slower than the RDA and the developer anticipated, and the RDA is requesting to amend the original budget.

The committee discussed that the development is in a very successful economic development area, and as a result of the budget put in place, the actual amount of money collected has been in excess of the budgeted amount. The excess money has been funneled back to the entities without going through Truth in Taxation, which is problematic.

The Committee instructed the Board's representative to vote "no" on the proposed amendment from the Redevelopment Agency, but to vote "yes" on a new amendment that would include a 75/25 percent split of the monies that come in, a requirement to go through Truth in Taxation, and a cap on the increment of \$9.4 million.

Taxing Entity Committee Meeting Outcome

The outcome of the Taxing Entity Committee meeting for the Redevelopment Agency of North Salt Lake City held on August 8, 2013 was reported to the Committee.

Various ways a community development agency may create a project area plan

This item was referred to a future meeting.

## CURRICULUM, STANDARDS AND STUDENT SUCCESS COMMITTEE

Committee Chair Dixie Allen reported on the following items from the committee.

Online Education Survey Report

Utah Code 53A-1-410 directs the State Office of Education to select a vendor through a Request for Proposal process to create and pilot an online school survey system to assist in school improvement efforts and educator evaluation.

The USOE and Utah Education Policy Center presented the report, *School Surveys of Stakeholder Input* to the Committee.

R277-709 Education Programs Serving Youth in Custody

The committee reviewed proposed amendments to R277-709 to provide alignment and consistency with existing statute (53A-1-403) and Board rule (R277-484), including updating SEOP language, eliminating data sharing redundancies and reference to the Youth in Custody database, and amending the Coordinating Council membership.

The committee approved the changes on first reading, along with an additional amendment to change “Plan for college and career ready” to “SEOP/plan for college and career readiness” in all cases.

Motion from committee that the Board approve R277-709 *Education Programs Serving Youth in Custody*, as amended, on second reading.

Motion carried; Member Buswell absent.

R277-704 *Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports*

The committee reviewed R277-704 consistent with the Utah Administrative Rulemaking Act five-year review requirement, along with an amendment to change the definition of “SEOP” to “SEOP/plan for college and career readiness” throughout the rule.

The committee approved continuation of and amendments to R277-704 *Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports* on first reading, and moved that the Board approve continuation of and amendments to the rule on second reading.

Motion carried; Member Buswell absent.

Graduation Task Force Report

Under the direction of the Board, a task force was created to examine current required standards for graduation.

The Committee reviewed a summary and draft recommendations from the Graduation and Grading Task Force. The Committee directed staff to determine cost estimates for the proposals, gather feedback from throughout the state, and prioritize the overall implementation of the process.

Computer Literacy Task Force Report

Under the direction of the Board, a task force was created to examine current practices in preparing students to be computer literate, as well as examining the graduation requirement for .5 credit of Computer Literacy.

The Committee reviewed draft recommendations for changes to Digital Literacy requirements. The Committee directed staff to contact the Board of Regents with the proposal that Computer Science be included as part of the Regent’s Scholarship. In addition, the Committee directed staff to determine cost estimates for the proposals, gather feedback from throughout the state, and prioritize the overall implementation of the process.

The Committee also asked staff to get more information about Pluralsight.

Dropout Prevention Report

The Board has recognized the many concerns regarding dropouts and dropout prevention in Utah. The USOE has dedicated a half-time FTE to the issue of dropout prevention, and under this program coordinator's direction, a statewide Dropout Prevention Committee worked to produce the document, *Dropout Prevention in Utah: Strategies and Resources*.

The Committee received the report and thanked those involved.

## INSTRUCTION, ASSESSMENT AND TECHNOLOGY COMMITTEE

Committee Member Tami Pyfer reported on the following items from the committee.

R277-525 Special Educator Stipends

The Committee reviewed amendments to R277-525 that eliminate redundant reports and unnecessary data collection, and update terminology.

The Committee approved on first reading R277-525 *Special Educator Stipends*, as amended, and moved that the Board approve the rule, as amended, on second reading.

Motion carried; Member Buswell absent.

R277-497 School Grading System

The Committee reviewed amendments to R277-497 that clarify school grading indicators consistent with S.B. 271S3 *School Grading Amendments* (2013 Legislative Session) and provide definitions and terminology changes.

The Committee approved on first reading continuation of R277-497 *School Grading System*, and amendments to the rule, with the statement, "to perform our constitutional duty and make it consistent with state law," and moved that the Board approve continuation of and amendments to R277-497 on second reading.

Motion carried, with Member Burningham opposed; Member Buswell absent.

Utah Statute, Board Rules and Policies in regard to the Statewide Online Education Program

This item was referred to a future meeting.

Using Summative Test Scores in Student Grading

This item was referred to a future meeting.

**Adjournment**

Chair Roberts adjourned the meeting at 5:03 p.m.

Lorraine Austin, Board Secretary  
Minutes approved November 8, 2013