

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

February 7, 2014

A regular meeting of the Utah State Board of Education was held February 7, 2014 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

Chair David Crandall conducted.

Board Members present:

Chair David L. Crandall	Member Dan Griffiths
Vice Chair David L. Thomas	Member Heather Groom
Member Dixie L. Allen	Member Michael Jensen
Member Kim R. Burningham	Member Jennifer A. Johnson
Member Keith M. Buswell	Member Jefferson Moss
Member Leslie B. Castle	Member C. Mark Openshaw
Member Freddie Cooper (non-voting)	Member Debra G. Roberts
Member Barbara W. Corry	Member R. Dean Rowley (non-voting)
Member Kristin Elinkowski (non-voting)	Member Teresa L. Theurer (non-voting)

Board Members excused:

Member Marlin Jensen (non-voting)

Executive staff present:

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

Others present:

Tina Smith, UAPCS; Lydia Nuttall; Matt Bowman; Jan Ferré, LCPD; Janis Dubno, Utah Children; Natalie Grange, USOE; Emilie Wheeler, USBE; Roxana Orellana, USOE; Sydnee Dickson, USOE; Keith Lawrence, USOE; Tami Pyfer, Governor's Office.

Board Committee Meetings

The Board's Finance and Audit, Law and Licensing, and Standards and Assessment Committees met prior to the Board meeting, beginning at 7:45 a.m.

Opening Business/Recognitions

Chair David Crandall called the meeting to order at 10:30 a.m. Member Leslie Castle led those present in the Pledge of Allegiance.

Board Welcome Message

Member Dan Griffiths welcomed the Board. He shared a piece of neuroscience research that when an individual has a stress response, the person becomes disabled from thinking and the response is counterproductive to the response that is wanted. He invited Board members to become aware of when stress responses are happening to them, and find ways to reengage the thought process.

Recognition

Former Board member Tami Pyfer was recognized for her service to the Board from 2010 through 2013. Ms. Pyfer resigned her seat on the Board to take a position as the Governor's Education Director. Chair Crandall presented her with Utah school children's art work.

Public Participation

Matt Bowman - shared that he has been involved with distance education and online learning, and has been hired by several schools to work with their students through My Tech High. He expressed his belief that it is in the state's best interest to have strong personalized education system, and offered volunteer assistance to help the Board navigate distance education.

Claire Matheson, 9th grade student, American Preparatory Academy - voiced a concern of parents that the most effective people may not be teaching their children. She encouraged the Board to consider ways to remove poor teachers.

Kendall Andelin, Relational Data Corporation - indicated he is here regarding his petition for change in Board rule R277-484. During last month's Standards and Assessment Committee meeting the petitioners were asked to meet with Utah State Office of Education

(USOE) staff regarding the petition. They have done so, and believe the Board is working under a misperception of the petition. He indicated the petition is in response to changes in the Board rule and because the USOE internal technology staff has cut off access to the schools with which he works. He also voiced that the petitioner's proposals were not discussed, and asked that the Board grant them a hearing before making the decision.

Beverley Taylor Sorenson Arts Learning Program

The Beverley Taylor Sorenson Arts Learning Program supports arts learning across the state and relies on legislative funding as per Code 53A-17a-162. The legislation requires an annual outside evaluation, which was completed for 2012-2013 by the Utah Policy Center.

Cathy Jensen, USOE Educational Specialist, introduced James Sorenson. Mr. Sorenson gave an update on the Beverley Taylor Sorenson Arts Learning Program, showing a video and slide presentation. He asked for the Board's continued support of the program.

Several Board members expressed their feeling that the arts are an important part of education.

General Consent Calendar

MOTION was made by Member Dixie Allen and seconded by Member Mark Openshaw that the Board approve the General Consent Calendar.

Motion carried; Member Jensen absent.

Integrated Math Model Overview

Deputy Superintendent Brenda Hales introduced Diana Suddreth, the USOE STEM Coordinator. Ms. Suddreth gave an overview of secondary mathematics in Utah, and referenced quotes from Utah teachers regarding the math core. She also introduced Dr. Hugo Rossi, one of the authors of the 2007 Core and a mathematician from the University of Utah, and Christina Eischied, developer of the 7th and 8th grade textbook series.

Ms. Suddreth reported that as a result of Utah adopting an international model for mathematics, the math standards are now integrated. For that reason, the course names of Algebra, Geometry, and Algebra 2 were changed, as they would not have accurately reflected the integrated model. She noted, however, that even if the course names had not changed, the system has been changed and all the courses would have been more advanced. Utah now has what can be defined as a world class model for mathematics standards. Next year, the model will be full implemented by all districts.

Member Groom reported that she has received concerns from constituents that students are not allowed to accelerate under the new model. Ms. Suddreth responded that the model allows acceleration, but acknowledged that sometimes schools do not have the faculty in place to handle it. State Office of Education staff are working to find ways to help schools better provide for advancement of students. She also indicated that districts may implement policies more restrictive than the state policy, again, perhaps due to resources.

It was noted that a test has not been in place to assess the new math core, so it is too soon to determine the success of the model.

Chair Crandall suggested that staff work to clear up confusion between standards previously covered in courses such as pre-calculus, and make sure it is understood in which courses the standards are taught.

Utah Professional Practices Advisory Commission (UPPAC) Recommendations

MOTION was made by Member Dixie Allen and seconded by Member Barbara Corry that the Board accept the UPPAC recommendation in Case No. 13-1132 and suspend the educator's Level 2 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 four years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Member Openshaw requested discussion of the case, and without objection, the motion was postponed until after Executive Session.

Executive Session

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

Upon unanimous voice vote of the Members present, the Board moved into Executive Session, following lunch, at 12:35 p.m.

Those present in Executive Session included Members Allen, Burningham, Buswell, Castle, Corry, Crandall, Elinkowski, Griffiths, Groom, Jensen, Johnson, Moss, Openshaw, Rowley, Roberts, Theurer and Thomas; staff members Martell Menlove, Brenda Hales, Russ Thelin, Lorraine Austin, Heidi Alder, and Rachel Terry. Bill Evans from Attorney General's Office was also present.

MOTION was made by Member Johnson and seconded by Member Allen that the Board come out of Executive Session.

Motion carried. The Board reconvened in open meeting at 1:09 p.m.

Discussion with Legislators - Representatives Hughes and Eliason

Representative Greg Hughes was welcomed to the meeting. He discussed HB 96 *Utah School Readiness Initiative*. He invited Janice Dubno from Voices for Utah Children to give additional information.

Representative Steve Eliason was welcomed to the meeting. He discussed HB 23 *Suicide Prevention Revisions* and HB 206 *Driver License Testing Revisions*. He also discussed a bill on school district post-employment benefits that has not been numbered. He is waiting to see what happens with the Board rule on OPEBs.

Representative Eliason also mentioned legislation regarding the State Educational Sovereignty Act, Statewide Education Coordinating Committee, and HB 329 *Programs for Youth Protection*.

Election Procedures and Board Leadership Elections

Due to the resignation from the Board in January of Board Chair Tami Pyfer, a vacancy was created in the Board Chair position. The Board had election procedures outlined in its Policies and Procedures manual, but there was no process outlined for filling the vacancy of Board Chair when there are multiple vice chairs, as is currently the case.

Member Openshaw distributed suggested language for changes to the Policies and Procedures to address a Board Chair vacancy.

MOTION was made by Member Mark Openshaw and seconded by Member Jefferson Moss that section N under Election Procedures be amended to read as follows: "In the event that a vacancy occurs prior to the end of the term of the Chair, the Vice Chair shall assume the position of the Chair for the unexpired portion of the term. In the event of multiple Vice Chairs, the 1st Vice Chair shall assume the position of Chair for the unexpired portion of the term, and the 2nd Vice Chair shall assume the position of the 1st Vice Chair for the unexpired portion of the term. The Board shall use the procedures outlined under Election Procedures to elect a new Vice Chair."

Motion carried unanimously.

MOTION was made by Member Leslie Castle and seconded by Member Michael Jensen that the Board delay the election of the 2nd Vice Chair until the District 1 vacancy on the Board has been filled.

MOTION TO AMEND was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board elect the 2nd Vice Chair today.

Motion to amend carried, with Members Allen, Burningham, Buswell, Corry, Griffiths, Groom, Johnson, Moss, Roberts and Thomas in favor, and Members Castle, Crandall, Jensen, and Openshaw opposed.

Original motion as amended failed, with Members Allen, Burningham, Buswell, Corry, Groom, Roberts and Thomas in favor, and Members Castle, Crandall, Griffiths, Jensen, Johnson, Moss and Openshaw opposed.

It was noted that in the Policies and Procedures it is required to fill a Vice Chair vacancy within two months of the vacancy.

Legislative Items - State Board Elections

MOTION was made by Member Kim Burningham and seconded by Member Keith Buswell that the Board support the selection of State Board of Education members on a non-partisan basis.

Motion carried, with Member Johnson opposed.

MOTION was made by Member Burningham and seconded by Member Allen that the Board support selection of the State Board of Education through direct elections.

Motion carried, with Members Allen, Burningham, Buswell, Corry, Crandall, Groom, Jensen, Moss and Roberts in favor, and Members Castle, Griffiths, Johnson, Openshaw and Thomas opposed.

Executive Session Items

UPPAC Recommendations

Motion to approve the UPPAC recommendation in Case No. 13-1132 failed, with members Allen and Burningham in favor, and Members Buswell, Castle, Corry, Crandall, Griffiths, Groom, Jensen, Johnson, Moss, Openshaw and Thomas opposed; Member Roberts absent.

Superintendent's Report

Superintendent Menlove reported on the following:

- Legislative Audits - noted that two audits were recently released from the Utah Auditor General: *A Performance Audit of Utah High School Activities Association*, and *A Review of Best Practices in Utah School Districts*.

- U.S. Department of Education School Improvement Grant (SIG) - Utah is among seven states that were rewarded with continuation of SIG funds. The funding will allow continuation of successful turnaround programs in schools most at risk.
- H.R. Director Dave Rodemack introduced new employees Armando Venegas and Brandie Johnson.

USDB/SCSB Budget Priorities

Superintendent Menlove reported that it has been requested by the Public Education Appropriations Subcommittee that the budget requests from the Utah Schools for the Deaf and the Blind (USDB) and the State Charter School Board (SCSB) be prioritized as part of the Board's budget priorities. It was also requested that the overall amount of the request be reduced.

USDB Superintendent Joel Coleman reviewed the following USDB building blocks: Additional teacher positions - \$416,000; Student database - \$150,000; restoration of five professional development days - \$365,000. Two additional priorities—steps and lanes and a new building—have been taken care of outside of this process.

State Charter School Board member Kristin Elinkowski reviewed the SCSB's priorities: 1) Additional staff - \$590,000; 2) one-time start up grant, \$1.5 million; and 3) one-time addition to the charter school revolving loan fund - \$5 million.

Discussion with Legislator - Senator Adams

Senator Stuart Adams was welcomed to the meeting. He distributed and reviewed his *School Grading Revisions* bill. Some changes in the school grading system would include exempting alternative schools, new schools and students with IEPs. He also addressed the report card, indicating that the Board has the ability to do what they want with the report card, but that the criteria for determining grades could not be changed.

Superintendent Menlove thanked Senator Adams for working with the Board on school grading. He reported that the Board has done its best to implement the school grading statute and asked for Senator Adams' help in acknowledging it.

Legislative Items - 1 to 1 Device Initiative

Vice Chair David Thomas reviewed a structure developed for the 1 to 1 Device Initiative. Board leadership has been working with legislators to help craft the legislation. Chair Crandall related that a commitment for an ongoing investment seems to be in place. The one-time funding piece is available this year, but may not be available in future years.

MOTION was made by Member Thomas and seconded by Member Openshaw that the Board approve the structure of the 1 to 1 Device Initiative in concept, with the condition that any ongoing money not be taken from the education fund.

MOTION TO AMEND was made by Member Johnson and seconded by Member Thomas that the title of the Initiative be changed to the Public Education Modernization Initiative.

Concern was expressed that as there are two versions of legislation existing with different names, it may not be wise to choose one name over another, and that legislators already know the Board's name for the Initiative.

Without objection, the name was not changed.

Original motion carried, with Member Burningham abstaining; Member Roberts absent.

USBE Budget Priorities

Superintendent Menlove suggested the following changes in the Board's budget priorities.

Legislative Expectation

Reduce full funding of growth to \$41 million

Ongoing Funding

- #1 eliminate and fold into 1 to 1 Device Initiative
- #2 change to #1 and reduce to \$15 million
- #3 change to #2
- #3 insert USDB additional staff for \$200,000
- #4 insert State Charter School Board staff for \$300,000
- #5 (original item 4) reduce to \$4 million
- Original #6 roll into 1 to 1 Device Initiative
- #6 insert \$200,000 for USDB professional development
- #7 no change
- #8 no change
- #9 List as 1 to 1 Device Initiative

One-time

- #1 eliminate (incorporated with 1 to 1 Device Initiative)
- #2 move to #1 and note items incorporated in the \$50 million for
1 to 1 Device Initiative
- #2 insert \$150,000 for USDB database
- #3 insert \$1.5 million for State Charter School Board startup funds
- #4 move original #3 Educator Evaluation Implementation
- #5 move original #4 Innovative Transportation
- #6 insert \$2 million for additional charter school revolving loans
- #7 move original #5 Beverley Taylor Sorenson Arts Learning Program
- #8 move original #6 Teacher Supplies

The Board moved to other legislative items and standing committee reports while a draft of the recommendations was being prepared.

Legislative Items

Superintendent Menlove reviewed current education bills.

MOTION was made by Member Burningham and seconded by Member Openshaw that the Board support HB 96 *Utah School Readiness Initiative*.

Motion carried; Members Allen and Roberts absent.

Standing Committee Reports

STANDARDS AND ASSESSMENT COMMITTEE

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

Petition to Amend and Repeal R277-484-5 *Data Standards*

In December 2013, Superintendent Martell Menlove received a request from Nathan M. Andelin, President, Relational Data Corporation, to amend and repeal Board rule R277-484-5 *Data Standards*. In its January 2014 meeting, the Standards and Assessment Committee reviewed the petition submitted by Mr. Andelin, along with R277-484 and the USOE response to the petition. The Committee requested that Mr. Andelin meet with USOE staff regarding the issues, and that the item come back in February for further discussion and action.

The Committee received further recommendations by Associate Superintendent Judy Park after meeting with the petitioners as directed. The Committee voted deny the petition request.

MOTION from Committee that the Board deny the petition request to amend and repeal R277-484-5 *Data Standards*.

Motion carried; Member Roberts absent.

Statewide Online Education Program

Reference language specific to public education students can be found in 53A-11-102.5 and 53A-15-1202 through 12017. Beginning July 1, 2013, the law allowed private and home school students to enroll in the Statewide Online Education Program (SOEP) for up to three credits per year, and public education enrolled students to increase their enrollment in the SOEP for up to three credits per year. This change resulted in several issues that are not clearly resolved in the statutes.

The Committee discussed Utah Code and Board rules and policies regarding the Statewide Online Education Program and reviewed changes to statute proposed by USOE staff. Staff was directed to clarify some issues. An updated copy of the language was distributed to the Board.

MOTION from committee that approval be given for USOE staff to contact legislators regarding using the proposed language changes to 53A-15-1202-1208, as amended by the committee, in legislation to change the statute.

USOE Special Education Director Glenna Gallo reported that Senator Howard Stephenson is working on updating the language, but a bill is not in place yet. It was suggested that the senator be invited to talk with the Board about this item.

Motion carried; Member Roberts absent.

Graduation and Grading Task Force Report

Under the direction of the Board, a task force was created to examine current required standards for graduation. A presentation of the Graduation and Grading Task Force was made at the October 4, 2013 Board meeting. In follow up to the report, the USOE was charged with sharing the information with stakeholder groups and seeking feedback.

The Graduation and Grading Task Force shared a summary of the stakeholder input regarding the Task Force's draft recommendations with the Committee. The Committee received the report.

IDEA Part B Annual Performance Plan

Under the Individuals with Disabilities Education Improvement Act (IDEA), each state must report on its annual performance on the twenty compliance and performance indicators of the State Performance Plan (SPP). Information about the SPP was shared with the Committee.

The Committee received the report.

FINANCE AND AUDIT COMMITTEE

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

Audit Report

An Executive Summary was distributed and reviewed regarding Performance Audit 2013-02 Distance and Online Education Programs in Utah Schools. Concerns were voiced that currently rules and statutes center around students who are in actual seats, and that isn't always the case now. It has become problematic in terms of measuring Average Daily Membership (ADM) for funding.

The Committee tasked Associate Superintendent Bruce Williams with developing a framework for review over the next few months, with the intent to then hold stakeholder meetings to gather input.

The following audits from the Utah State Board of Education Internal Audit Section were made public: 1) Performance Audit 2013-02 *Distance and Online Education Programs in Utah Schools*; 2) Report No. 2013-32 *Monitoring of USOE Travel Expenditures, Fiscal Year 2013*.

Other audits were reviewed by the Committee from the State Auditor's Office: 1) Report No. 13-45 *Office of Education Minimum School Program*; 2) Report No. 13-46 *Utah State Office of Education UPSTART Program*.

R277-119 Discretionary Funds

The Committee reviewed new rule R277-119 *Discretionary Funds*, and the Utah State Board of Education Discretionary Funds Policy, developed at the direction of the Finance and Audit Committee. The rule and policy provide the standards and criteria for Board use of funds and review of expenditures from discretionary funds. Information about the discretionary fund was distributed.

The committee approved new rule R277-119 on first reading.

MOTION from Committee that the Board approve R277-119 *Discretionary Funds* on second reading.

Motion carried; Members Allen and Roberts absent.

The Committee made one change to the proposed Discretionary Funds policy, to strike section 4.

MOTION from committee that the Board adopt the Utah State Board of Education Discretionary Funds Policy, as amended.

Motion carried; Members Allen and Roberts absent.

R277-118 LEA Post-employment Benefits Plan

Due to the significant liability that exists in some school districts because of post-retirement benefits offered by the districts, new rule R277-118 was written. The rule provides procedures and criteria for LEAs with Other Post-employment Benefit Plans (OPEB) and existing retirement incentive plans.

The Committee approved new rule R277-118 on first reading.

MOTION from Committee that the Board approve R277-118 *LEA Post-employment Benefits Plan* on second reading.

Motion carried; Members Allen, Groom and Roberts absent.

Community Development Agency Information

USOE staff gave a presentation to the Committee regarding the types of project area plans that a community development agency may create. A copy of the presentation was distributed to the Board.

Taxing Entity Committee Meeting Outcomes

A report of the outcomes of the Taxing Entity Committee meeting for the Redevelopment Agency of Bluffdale City held December 9, 2013 was given. The Committee received the report.

Other

It was pointed out to some Board members that an organizational chart on the Utah Division of Finance website fails to list the Board, and lists public education under direction of the Governor. It was suggested that Board leadership send a letter asking for a correction.

USBE Budget Priorities - continued

A draft of Superintendent Menlove's recommended changes to the budget priorities was distributed.

MOTION was made by Member Openshaw and seconded by Member Johnson that the Board accept the update to its budget priorities as presented by Superintendent Menlove.

MOTION TO AMEND was made by Member Johnson and seconded by Member Castle that the USDB additional staff item for \$400,000 be moved to the Expectations category.

Motion to amend failed, with Members Groom, Johnson and Moss in favor, and Members Burningham, Buswell, Castle, Corry, Crandall, Griffiths, Jensen, Openshaw and Thomas opposed. Members Allen and Roberts absent.

MOTION TO AMEND was made by Member Burningham and seconded by Member Openshaw that the USDB additional staff item for \$200,000 be moved to the Expectations category.

MOTION TO AMEND THE AMENDMENT was made by Member Thomas and seconded by Member Moss that the USDB additional staff item be kept in #3 under the Ongoing category and increased to \$400,000.

Motion to amend the amendment carried, with Members Burningham and Corry opposed; Members Allen and Roberts absent.

It was suggested that a note under the Expectations category be added to explain why the amount of \$64 million was reduced.

Member Burningham expressed concern over removing the middle school math initiative, particularly the professional development, and stated that it is an area that has been

ignored for years and could benefit teachers considerably. It was suggested that a comment be added to the 1 to 1 Device Initiative to indicate that under the initiative, grants could be provided for professional development for math.

MOTION TO AMEND was made by Member Openshaw and seconded by Member Corry that an item for \$1 million for Core Academy be added under Ongoing as Item #6, and items 6, 7, 8 and 9 be shifted down and renumbered.

Motion to amend carried; Members Allen and Roberts absent. It was also suggested that the name be changed from Core Academy.

MOTION TO AMEND was made by Member Johnson and seconded by Member Thomas that the description under Ongoing #2–USOE/State Board staffing/program needs–be changed to delete “restores staff reductions,” and insert “legal counsel.”

Motion to amend carried; Members Allen and Roberts absent.

MOTION TO AMEND was made by Member Thomas and seconded by Member Burningham that under 1 to 1 Device Initiative, the funding be listed as “undefined,” the summary include wording that money monies for the program will come from the General Fund, and that the ranking number be removed.

Motion to amend carried; Members Allen and Roberts absent.

MOTION TO AMEND was made by Member Moss and seconded by Member Jensen that Ongoing priority #4–State Charter School Board–be increased to \$590,000.

Motion to amend carried, with Member Burningham opposed; Members Allen and Roberts absent.

Motion to approve the Board’s revised budget priorities, as amended, carried; Members Allen and Roberts absent.

Superintendent Menlove asked for latitude for Board leadership to make necessary adjustments as they are involved in appropriations meetings where additional requests are made prior to a Board meeting.

Superintendent Menlove noted after the vote that Ongoing priority #8–Concurrent Enrollment initiative–could be reduced by \$200,000. Without objection, the change was made.

Standing Committee Reports - continued

LAW AND LICENSING COMMITTEE

Committee Chair Mark Openshaw reported on the follow items from the Committee.

R277-400 School Emergency Response Plans

Amendments to R277-400 were proposed to the Board in its January 9, 2014 meeting. The Board approved the amendments and continuation of the rule on first and second reading. Since that time, additional changes were recommended following the USOE Safety and Security Conference, including requiring a “violence” drill early in the school year, requiring drills to be spread out appropriately throughout the school year, and giving LEAs/schools flexibility to schedule drills appropriate for the schools and their communities.

The Committee approved amendments to and continuation of R277-400 on second reading.

MOTION from Committee that the Board approve amendments to and continuation of R277-400 *School Emergency Response Plans* on third and final reading.

Motion carried; Members Allen and Roberts absent.

R277-709-11 Education Programs Serving Youth in Custody - Coordinating Council

Amended rule R277-709 received final approval by the Board on November 8, 2013 and was published in the December 1, 2013 *Utah State Bulletin*, subject to a 30-day comment period. During the comment period, the USOE received five comments about the proposed amended rule, most comments addressing the removal of “LEA.”

In response to the comments received from the public , proposed amendments were made to R277-709-11 to include representation from school district superintendents on the YIC Coordinating Council as well as the Division of Substance Abuse and Mental Health, which was inadvertently deleted from Council membership.

The Committee approved amendments to R277-709-11 on first reading.

MOTION from Committee that the Board approve R277-709-11 *Education Programs Serving Youth in Custody - Coordinating Council* on second reading.

Motion carried; Members Allen and Roberts absent.

R280-202 USOR Procedures for Individuals with the Most Severe Disabilities

The Committee reviewed R280-202 in accordance with the Utah Administrative Rulemaking Act five-year review requirements. The rule provides eligibility criteria for individuals with the most severe disabilities.

In addition, amendments were proposed to make changes in terminology consistent with federal law and regulations and to provide clarification for determination of eligibility.

The Committee approved continuation of and amendments to R280-202 on first reading.

MOTION from Committee that the Board approve continuation of and amendments to R280-202 *USOR Procedures for Individuals with the Most Severe Disabilities* on second reading.

Motion carried; Members Allen and Roberts absent.

R277-724 Criteria for Sponsors Recruiting Day Care Facilities In the Child and Adult Care Food Program

The Committee reviewed R277-724 in accordance with the Utah Administrative Rulemaking Act five-year review requirement. The rule provides eligibility criteria for new sponsors to recruit participants for child care centers and day care homes in unserved areas.

The Committee approved continuation of R277-724 on first reading.

MOTION from Committee that the Board approve R277-724 *Criteria for Sponsors Recruiting Day Care Facilities In the Child and Adult Care Food Program* on second reading.

Motion carried; Members Allen and Roberts absent.

R277-524 Paraprofessional/Paraeducator Programs, Assignments, and Qualifications

The committee reviewed R277-524 in accordance with the Utah Administrative Rulemaking Act five-year review requirement. The rule designates appropriate assignments and qualifications of paraprofessionals. In addition, amendments were proposed to remove language that is no longer applicable.

The Committee approved continuation of and amendments to R77-524 on first reading.

MOTION from Committee that the Board approve continuation of and amendments to R277-524 *Paraprofessional/Paraeducator Programs, Assignments, and Qualifications* on second reading.

Motion carried; Members Allen and Roberts absent.

R277-735 Corrections Education Programs

The committee reviewed R277-735 in accordance with the Utah Administrative Rulemaking Act five-year review requirement. The rule provides standards and procedures for providing services to inmates in corrections education programs.

In addition, amendments were proposed to bring the rule in tandem with R277-733 *Adult Education*, address the funding of corrections programs as a result of a legislative audit, and to allocate funds to the USOE to cover/support administrative expenses.

The Committee approved continuation of and amendments to R277-735 *Corrections Education Programs* on first reading.

MOTION from Committee that the Board approve continuation of and amendment to R277-735 on second reading.

Motion carried; Members Allen and Roberts absent.

R277-486 Professional Staff Cost Program

The committee reviewed R277-486 in accordance with the Utah Administrative Rulemaking Act five-year review requirement. The rule provides statutory or federal regulatory

percentages of licensed staff. In addition, amendments were proposed to correct citations in the rule.

The Committee approved continuation of and amendments to R277-486 on first reading.

MOTION from Committee that the Board approve continuation of and amendments to R277-486 *Professional Staff Cost Program* on second reading.

Motion carried; Members Allen and Roberts absent.

Aristotle Academy Report

In its January 2014 meeting, the Board considered amendments to Aristotle Academy's charter. The Board remanded a portion of the Academy governing board's request for an amendment to its charter regarding the Bridge Learning Program to the State Charter School Board (SCSB) for further review and possible action.

It was reported that the State Charter School Board took action in its January 17, 2014 meeting to place Aristotle Academy on Warning Status for failure to meet the goals in its charter agreement, and directed that a deadline of March 31, 2014 be given for complete compliance with the terms of the school's contractual agreement. The SCSB will consider the Aristotle Academy governing Board's compliance at its March 2014 meeting, and following that meeting, will report to the State Board of Education.

Board Member Closing Comments

Member Michael Jensen reported that the terms of all members of the USDB Advisory Council will expire in June. The Council has suggested staggering the terms. The appointments will be made through the regular Board appointment process, and the terms will be considered at that time.

Vice Chair David Thomas questioned whether the Board has taken a position on when during the year computer-adaptive testing must be done.

Chair Crandall indicated he also has questions about the computer-adaptive testing system, and Associate Superintendent Park will be setting up a meeting with him and the

Board's testing contractor, AIR. He also felt the Board needs to clarify its expectation for assessment.

Adjournment

MOTION was made by Member Openshaw and seconded by Member Groom that the meeting adjourn.

Motion carried. The meeting adjourned at 5:28 p.m.

Lorraine Austin, Board Secretary
Minutes approved March 7, 2014