

# UTAH STATE BOARD OF EDUCATION MINUTES

## December 16, 1996

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held December 16, 1996, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 9:10 a.m. Board Chairman Marlon O. Snow presided.

Members present were:

Chairman Marlon O. Snow  
Vice Chairman Linnea S. Barney  
Member Daryl C. Barrett  
Member Neola Brown  
Member Keith T. Checketts  
Member Katharine B. Garff  
Member Lynn Haslem  
Member C. Grant Hurst  
Member Boyd F. Jensen  
Member Milton Kendrick  
Member Kay McDonough  
Member Marilyn Shields  
Member Waynette Steel  
Member John L. Watson

Member Janet A. Cannon excused.

Also present were:

Executive Officer Scott W. Bean  
Deputy Superintendent Laurie A. Chivers  
Associate Superintendent Robert O. Brems  
Associate Superintendent Bruce T. Griffin  
Associate Superintendent Jerry P. Peterson  
Executive Director, USOR, Blaine Petersen  
Public Information Office, Eileen Rencher  
Board Secretary Twila B. Affleck

Also present for portions of the Board meeting were:

Members of the Press:

Marjorie Cortez, Deseret News  
Debbie Dujanovic, KTVX, Channel 4  
Kathy Kapos, Salt Lake Tribune

Beverly Mower, Citizen  
Dennis A. Mower, Superintendent, North Sanpete School District  
Ken Topham, Utah School Superintendents Association

Brent Thorne, Superintendent, Sevier School District  
Gene Jacobsen, Utah School Superintendents Association  
Steven O. Laing, Superintendent, Box Elder School District  
Ron Frandsen, Box Elder School District Board President  
Barbara Willie, Utah PTA  
Lee Robinson, Superintendent, Utah Schools for the Deaf and the Blind  
Cheryl Ferrin, New Board Member  
Joyce Richards, New Board Member  
Jill Kennedy, New Board Member  
Susan Henshaw, New Board Member  
Marlin G. Criddle, Citizen  
Fran Stultz, Governor's Office  
Corrine P. Hill, Governor's Office  
Con Rowley, Governor's Office

Members, State Office of Education Staff:

Linda Alder, Instructional Services  
Bonnie Morgan, Instructional Services  
Roger Mouritsen, Instructional Services  
Kent Mohlman, Auditor  
Margaret Bird, Agency Services  
Robert Petersen, Agency Services  
Jerald Mikesell, Agency Services  
Mary Shumway, Applied Technology Services

The Board repeated the Pledge of Allegiance.  
Board Member Katharine B. Garff offered a reverence.  
Board secretary Twila B. Affleck recorded the minutes.

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## **RECOGNITIONS**

### **KUTV - Channel 2**

Board Member Kay McDonough announced that the Board is recognizing the Salt Lake City CBS affiliate KUTV-Channel 2 for their special efforts and contributions to the Utah School-to- Careers initiative.

Board Member Marilyn Shields reported that about one year ago, KUTV-Channel 2 entered into a partnership with the Utah State Office of Education to develop a media campaign to create name recognition for School-to-Careers, to develop support from potential business partners, and to foster public awareness of the importance of the School-to-Careers program. Channel 2, in partnership with the State Office of Education, developed an informational video for use in sharing the School-to-Careers program with educators, employers, parents and students. This 11 minute video has been produced and distributed to schools across the state at no charge. In May KUTV produced a commercial featuring Governor Leavitt and Susan Furnis promoting the School-to-Careers program. The highlight of the KUTV partnership was the creation of an outstanding series of announcements featuring Bill Cosby visiting with Utah children about their dreams and goals in that very special and unique "Cosby" style. These efforts along with others on behalf of the School-to-Careers program have been made possible because of the tremendous generosity of KUTV-Channel 2.

Dave Phillips, General Manager and Karen Udy, KUTV, were presented with a plaque from the Board expressing appreciation and commendation for the great work and partnership.

Dave Phillips expressed appreciation to the Board and commented on the project and the program for school to

careers. He also expressed appreciation to the different sponsors of the programs.

## **Vocational Educator of the Year**

Board Member Waynette Steel reported that at the American Vocational Association Convention in Cincinnati, Ohio, Mary Monroe Shumway, Education Specialist at the Utah State Office of Education was named Outstanding Vocational Educator of the Year. She indicated that Ms. Shumway has been an educational specialist at the Utah State Office of Education since 1987. Through her efforts Utah was selected to receive a \$14 million grant to help facilitate the implementation of the School-to-Careers program in the public schools.

Ms. Shumway expressed appreciation to the Board and to her colleagues who have helped and promoted her in this effort. She expressed appreciation to her parents for their support.

## **Superintendent of the Year**

Chairman Marlon Snow announced and recognized Dennis A. Mower, Superintendent North Sanpete School District as Superintendent of the Year. Chairman Snow expressed appreciation to Superintendent Mower for his outstanding leadership and dedication to young people, and presented him with a plaque.

Superintendent Mower expressed appreciation for the honor. He indicated he has been a classroom teacher, counselor, vice principal, local school board member and superintendent.

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## **EXECUTIVE SESSION**

Motion was made by Member Boyd F. Jensen and seconded by Member John L. Watson to move into executive session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present, the Board moved into executive session at 9:38 a.m.

Motion was made by Member Keith T. Checketts and seconded by Member C. Grant Hurst to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 11:25 a.m.

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## **OPEN MEETING**

### **Appointments to Advisory Councils**

Motion was made by Member C. Grant Hurst and seconded by Member Boyd F. Jensen to appoint the following to the **Disability Determination Services Advisory Council**, Suzanne Blake as an alternate; To the **Governor's Committee for Employment of People with Disabilities Advisory Council**: Michael R. Ferguson, Dr. Judith L. Gooch, Curtis O. Johnson, Marta Macdonald, Joan Provost, Mike Palmer Schlappi, Daken S. Tanner, Dan Townsend, Steve Townsend, Dayna B. Williams, Pauline Williams, Kathleen Daley, Tom F. Davidson, and Michael A. Runge. And to the **Coalition of Minorities Advisory Committee (CMAC)** the following: Daymee Chan, Kathleen Christy, Anna Jane Arroyo, Ruben Jimenez, Robert Duran and Sal Jansson. Motion carried unanimously.

### **State Office of Education Appointments**

Superintendent Bean proposed that the Board appoint Barbara Lawrence as Coordinator Assessment and Evaluation, to replace Dave Nelson who is retiring.

Motion was made by Member C. Grant Hurst and seconded by Member Linnea S. Barney to appoint Barbara Lawrence, Coordinator Assessment and Evaluation. Motion carried unanimously.

Superintendent Bean proposed that Steve Laing, Superintendent Box Elder School District, be appointed associate superintendent to replace Bruce Griffin who is retiring.

Motion was made by Member Keith T. Checketts and seconded by Member John L. Watson to appoint Steven Laing as Associate Superintendent. Motion carried unanimously.

Ron Frandsen, President, Box Elder Board of Education congratulated the Board on their wisdom and judgment. Superintendent Laing is an outstanding individual.

Chairman Snow expressed appreciation to Dave Nelson and Bruce Griffin for their outstanding service in the State Office of Education.

## **Board Reorganization**

Motion was made by Member Linnea S. Barney and seconded by Member C. Grant Hurst to elect by acclamation, Katharine B. Garff as Chairman and John L. Watson as Vice Chairman for 1997. Motion carried unanimously, the newly elected board members participating in the election.

## **EXECUTIVE OFFICER REPORT**

State Superintendent Scott W. Bean presented the following items of information:

**2002 Olympics Committee** -- Met with Tom Welch and 2002 Olympics Committee and discussed plans for involving public education in the 2002 Winter Olympics. Their plans seem to be very positive for public education.

**Title I, Federal Programs** -- Met with different groups in looking at Title 1, federal programs. After the meeting it was agreed that we need to change the way we use those funds and start to look at some early childhood reading programs and numeric readiness programs. Superintendent Bean felt that if we do this seriously across the state we will have some very good things happen.

**Governor's Centennial Commission on Values** -- Attended this past month a press conference at the Governor's Mansion on Values. He indicated that Board Member, Daryl Barrett has been the co-chair of that Committee.

Member Barrett reported that this press conference was the culminating piece for the centennial year on values. There have been billboards, radio and television spots encouraging all families to engage in discussions of values.

**Navajo Mountain High School** -- There is a resolution on the Navajo Mountain High School situation with San Juan District. All parties associated with the federal court case have agreed to the resolution document. It requires certain things from each group, the major factor from the State Board of Education is \$2 million, which has been appropriated, to help with construction of that school. The major issue left is for the San Juan School District to approve a bond election. If they don't they will forfeit the funds.

**CCSSO Israel Trip** -- Superintendent Bean reported on his trip to Israel. He indicated that their school system is very different there. The trip was sponsored by the American Israel Friendship League. Their day would begin about 7:00 a.m. and conclude at 11:00 p.m. He indicated that students must pass a matriculation test at the end of high school in order to attend college. Students also learn three languages. Dr. Bean felt that these two items would be interesting to explore for our students.

Superintendent Bean expressed appreciation to the Board for the opportunity of participating in this trip.

# **BOARD CHAIRMAN REPORT**

## **Public Education Coalition Resolution on Book Cliffs Trust Lands**

At the request of Member Janet Cannon, Margaret Bird provided information relative to the Book Cliffs area and the potential acquisition of that school trust lands area for a wilderness area. The Public Education Coalition has requested that the Board participate in a Resolution opposing the consideration of the wilderness areas contiguous to the large block of school lands in the Book Cliffs area as one of the initial areas for wilderness discussion. (For complete details of the Resolution, see General Exhibit No. 7679.)

Motion was made by Member Keith T. Checketts and seconded by Member Daryl C. Barrett to go on record supporting the resolution with the Coalition. Motion carried unanimously.

## **Follow-Up Audit on ATC and ATCSR's**

Chairman Snow reported that the Audit Committee had received the Follow-up Audit of the ATC's and ATCSR's. Based upon the information presented by Mr. Mohlman, motion was made by Member C. Grant Hurst and seconded by Member Linnea S. Barney to approve the findings of the auditor with the added indication that letters be sent to the ATC's and ATCSR's relative to time accounting; and to release the auditor to others. (For complete details of the Audit, see General Exhibit No. 7680.) Motion carried unanimously.

# **EDUCATIONAL EQUITY TASK FORCE REPORT**

Associate Superintendent Bruce Griffin reported that the Educational Equity Task Force was organized two years ago to review the status of equity statewide. A contract was awarded to Dr. Vance Randall and Dr. Larry Walters, both professors at BYU, to conduct the two studies. The two studies examined the status of inter-district fiscal equity statewide and intradistrict equity. Mr. Griffin presented background on the gathering of the information for the studies.

Randy Rafael, Strategic Planning Specialist, presented the definitional parameters used in the studies.

Dr. Larry Walters presented the information Inter-district Fiscal Equity report [distribution of funding between the districts.] The report shows that the best and most equitable way to continue to improve equity across the 40 school districts is to increase the weighted pupil unit and not rely on specialized usage or designation of funding extra to that.

A report of the major findings and recommendations of the intradistrict study was presented by Dr. Vance Randall. (For complete details of the studies, see General Exhibit No. 7681.)

Recommendations: (1) All districts be encouraged to examine equity and resource allocation, and that they be provided with the technical support to do this. (2) Look at relationship of resources to student outcomes. (3) Look at impact of policies and practices on equity, for example the assignment of teachers to various schools. (4) Have a more longitudinal study conducted.

Associate Superintendent Bruce Griffin brought out three points that may be considered as the documents are examined by the State Office staff: There is now a software tool on the market for approximately \$2,500 that districts can use to evaluate what is going on in the district.

Secondly, if some findings are true, and this is only a one year study, we need to make sure we have teachers who have experiential training dealing with some of the more difficult problems in lower income and lower performing schools. We need to find incentives for teachers to stay in those environments.

Finally, the study indicates that general education funds seem to be lower in lower performing schools and higher in high performing schools. There is a question as to whether or not this difference has to do with using the categorical funds to offset monies that would come in under general education funds.

Motion was made by Member C. Grant Hurst and seconded by Member Lynn Haslem to accept the reports and submit them to the State Superintendent for further action. Motion carried unanimously.

## **COMMITTEE REPORT**

Member Linnea S. Barney, acting chair of the **Administration, Finance, Strategic Planning and Legislation Committee** presented the following recommendations from the Committee:

The Certification Committee reviewed the three recommendations from the **Professional Practices Advisory Committee**:

Case No. 96-399, the committee moves acceptance of a stipulated agreement whereby Jesse David Mitchell, a former administrator in the Duchesne School District, will voluntarily surrender his certification in lieu of a hearing, for purposes of having it revoked by the State Board of Education as a result of alleged unprofessional conduct. Motion carried unanimously.

Case No. 96-384, the committee moves that the certification of Lori Nichol, a former teacher in the Granite School District, be revoked as a result of unprofessional conduct. Motion carried unanimously.

Case No. 96-385 the committee moves that the certification of Raymond Bennett, a former teacher in the Iron School District be suspended for a minimum of two years, that he receive Commission- approved sexual harassment training and professional counseling, and that a Commission hearing for consideration of reinstatement of certificate, can be requested after these requirements have been met. This is as a result of unprofessional conduct. Motion carried unanimously.

The **Certification Committee** considered names for temporary authorizations from the districts. It was noted that the Committee requested districts to submit their lists by November 15 of each year. The committee was assured that all recommendation have been reviewed by staff. Motion from the Committee to approve the authorizations. Motion carried unanimously.

The **Certification Committee** discussed several questions and asked that staff review the following areas and bring a report back to the Board: (1) certification being tied to the paycheck. (2) Do we have staff necessary to audit districts and find out if they are meeting requirements of the state office? (3) It was noted that there were 143 requests for authorizations for reading and there was concern express for that, and whether these people have the background to teach reading. (4) Concern was that we should consider what other states around us have done in requiring a major or minor in teaching the subject.

Motion from the committee to approve the proposed special education standards. Motion carried unanimously.

(For complete details of the Certification Committee Agenda, see General Exhibit No. 7682.)

## **STUDENT ORGANIZATION RULE**

Doug Bates, Coordinator, School Law and Legislation presented the Student Organization Rule, R277-617. He reported that this rule has been sent to all attorneys on both sides of the issue. No one is overjoyed with it but feels that it does not contain anything that would lead to litigation. (For complete details of the Rule, see General Exhibit No. 7683.)

Member Daryl Barrett questioned if there had been an opportunity for middle school and high school personnel to review the rule. It was noted that the rule had been presented to the Utah School Superintendents Association for their review. Member Barrett requested that middle school and high school personnel have a chance to review the rule prior to the third reading.

Member Keith Checketts questioned under R277-167-3c relative to licensure. He noted that we have many provisions such as certified counselors and certified psychologists working in institutionally based settings who do these kinds of things legally, but a license is not required. Member Checketts felt this should be examined to make sure all the relevant provisions of statute have been noted.

Vice Chairman Linnea Barney questioned the revocation procedure. Dr. Bates indicated that under R277-617-3(K) this is addressed leaving the local authority to have the responsibility and protection of revocation.

Member Boyd Jensen commented that this was an impossible rule to draft, and expressed his appreciation for the skill and professionalism that has gone into this rule.

Motion was made by Member Lynn Haslem and seconded by Member Keith T. Checketts to approve Rule R277-617, Authorization of Student Clubs and Organizations, on second reading. Motion carried unanimously.

## **PROPOSED LEGISLATION FOR THE 1997 LEGISLATIVE SESSION**

Doug Bates, Coordinator, School Law and Legislation presented information on the legislation that has been filed relating to education. He indicated that the bills approved at the last board meeting are included in the agenda. (For complete details of the legislation presented, see General Exhibit No. 7684.)

Motion was made by Member Keith T. Checketts and seconded by Member C. Grant Hurst to receive the recommendations on legislation. Motion carried unanimously.

## **UTAH STATEWIDE TESTING PROGRAM**

David E. Nelson, Director, Evaluation and Assessment presented a report on the results from the 1996 Utah Statewide Testing Program. (For complete details, see General Exhibit No. 7685.)

Member Keith Checketts cautioned the Board to resist the temptation to begin to try to change our curriculum based on test scores. He indicated that these are simply indicators that are moderately good of what people are accomplishing.

Member Checketts questioned if there are other instruments being considered that may be more useful in guiding students. Dr. Nelson responded that there are some being considered and based upon legislation we may move to other areas.

Motion was made by Member Katharine B. Garff and seconded by Member Keith T. Checketts to receive the report with commendation. Motion carried unanimously.

## **FALL ENROLLMENT REPORT**

Patty Bowles, Specialist, Finance and Statistics, presented a report on fall enrollment and the projections for fiscal year 1997- 98. (For complete details, see General Exhibit No. 7686.)

Motion was made by Member C. Grant Hurst and seconded by Member Neola Brown to receive the report; that senior staff follow-up to look at the year 2010; and that we utilize the data in project area planning efforts. Motion carried unanimously.

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## **GENERAL CONSENT CALENDAR**

Motion was made by Member Keith T. Checketts and seconded by Member C. Grant Hurst to approve the General Consent Calendar as presented. Motion carried unanimously.

1. Minutes of the Meeting of the State Board for Applied Technology Education and the State Board of Education held November 1, 1996.

### 2. Contracts

The following contracts were approved by the Board:

(A) 140 North Ltd. C/o Tate-Brubaker. \$387,802.80. 7/1/96-6/30/01. - Fed. -

Amend.

Lease of Division of Rehabilitation Services Northern Ogden District Office located at 150 North Washington Boulevard, Ogden, Utah.

(B) Netel Education Systems. \$305,131. 6/1/96- 5/31/98. - Amend.

To pay for software maintenance and purchase program update software "School Lunch".

(C) Susan L. Fister. \$13,500. 11/13/96-5/30/97. - Fed.

The Federal Special Education Law, I.D.E.A. mandates that we provide a comprehensive system of personnel development. Consultant will develop and promote the B.E.S.T. Project (Behavioral Educational Strategies for Teachers) in rural and urban, elementary/middle/secondary model sites with regular education/resources/self-contained components. Training will be given to teachers/professional personnel in Utah's education system with follow up and evaluation of sites/and personnel skills to be provided.

(D) Mountain America Credit Union. \$407,425.20. 3/1/97-2/28/02. - Fed.

Lease of Division of Rehabilitation Services, Downtown District office located at 660 South 200 East, Suite 400, Salt Lake City, Utah.

(E) John H. Gill, Ph.D. \$60,486. 1/1/97-12/31/97. - Fed.

Professional and technical medical services for USOR/DDS.

(F) Margaret R. Moore, Ph.D. \$85,000. 1/1/97- 12/31/97. - Fed. - Amend.

Professional and technical medical services for USOR/DDS.

(G) Lois A. Huebner, Ph.D. \$24,000. 1/1/97- 12/31/97. - Fed. - Amend.

Professional and technical medical services for USOR/DDS.

(H) Pitney Bowes, Inc. \$28,692. 12/1/96- 12/1/2001. - Fed.

Rental of B7000 postage meter and 6090 Folder at 12 locations, all Division of Rehabilitation Offices. (See attached list)

(For complete details of the Contracts, see General Exhibit No. 7687.)

3. SBR/SBE Joint Liaison Committee Meeting Minutes

The Minutes of the Joint SBR/SBE Liaison Committee Meeting held November 18, 1996. (For complete details, see General Exhibit No. 7688.)

The State Board of Education approved the minutes of the Committee Meeting, and ratified the actions of the Joint Liaison Committee.

4. Proposed 1997 State Board of Education/State Board for Applied Technology Education

Meeting Schedule

A proposed meeting schedule for the State Board for Applied Technology Education and the State Board of Education for 1997. (For complete details, see General Exhibit No. 7689.)

5. Payroll Changes in the Utah State Office of Education and Utah State Office of

Rehabilitation

Payroll changes in the Utah State Office of Education and the Utah State Office of Rehabilitation. (For complete details, see General Exhibit No. 7690.)

6. List of Applicants for Certificates

A summary of the list of applicants for initial and renewal certificates for November, 1996. (For complete details, see General Exhibit No. 7691.)

7. Financial Statement and Claims Report

The Claims Report in the amount of \$143,939,059.62, and Financial Statement ending November 30, 1996. (For complete details, see General Exhibit No. 7692.)

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## **APPOINTMENT OF SECRETARY**

Motion was made by Member Keith T. Checketts and seconded by Member Marilyn Shields to appoint Twila B. Affleck as secretary to the Board. Motion carried unanimously.

## **RECOGNITIONS**

Chairman-elect Katharine Garff expressed appreciation from the Board for the great and outstanding service given by Board Members Daryl C. Barrett, Keith T. Checketts, Milton Kendrick and Marlon O. Snow. She presented each a school bell plaque.

Member Garff also presented a mounted gavel to outgoing Board Chairman Marlon O. Snow for his outstanding service as Board Chairman for 1995 and 1996.

Board Chairman Marlon O. Snow expressed appreciation on behalf of the Board to Bruce T. Griffin for his dedicated and outstanding service as associate superintendent in the State Office of Education, and presented him a school bell plaque.

Meeting adjourned at 2:10 p.m.

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