

UTAH STATE OFFICE OF EDUCATION MINUTES

MINUTES

March 14, 1997

Minutes of the meeting of the State Board for Applied Technology Education and the State Board of Education held March 14, 1997, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:40 a.m. Following a motion to elect a chairman pro tem, Marilyn Shields chaired the meeting.

Members present were:

Member Neola Brown
Member Cheryl Ferrin
Member Lynn Haslem
Member C. Grant Hurst
Member Susan C. Henshaw
Member Boyd F. Jensen
Member Jill Kennedy
Member Kay McDonough
Member Joyce W. Richards
Member Marilyn Shields
Member Waynette Steel

Chairman Katharine Garff, Vice Chairman John L. Watson and Members Linnea Barney and Janet Cannon were excused from the meeting.

Also present were:

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

Associate Superintendent Steven O. Laing was excused.

Also present for portions of the Board meeting were:

Members of the Press:

Jennefer Bolton, KTVX Channel 4
Marjorie Cortez, Deseret News
Kathy Kapos, Salt Lake Tribune
Marcos Oretz, KUTV Channel 2

Joseph DiLorenzo, Utah Schools for the Deaf and the Blind
Fran Stultz, Governor's Office

Corrine Hill, Governor's Office
Con Rowley, Governor's Office
Duane Hill, Citizen
Linda M. Parkinson, Utah PTA
Paula Plant, Utah PTA
Debbie Simpson, Utah Eagle Forum
Gayle Ruzicka, Utah Eagle Forum
Lee Stephens, Legislative Fiscal Analyst
Patty Rouse, Superintendent, Tintic School District
Nancy Livingston, Brigham Young University

Utah State Office of Education staff:

Jerry L. Evans, Instructional Services
Connie Love, Instructional Services
Barbara Lawrence, Instructional Services
Vicky Dahn, Instructional Services
Bonnie Morgan, Instructional Services
Jerald Mikesell, Agency Services
Barbara Banks, Instructional Services
Nathan A. Taggart, Agency Services

Superintendent Bean reported that Chairman Katharine Garff had been called away to a family emergency. John Watson has also been excused as has Member Grant Hurst for the first part of the meeting. He recommended that the Board, by motion, elect a chairman pro tem.

Motion was made by Member Boyd F. Jensen and seconded by Member Waynette Steel to elect Member Marilyn Shields as chairman pro tem. Motion carried with Members Brown, Ferrin, Haslem, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Member Hurst absent.

The Board repeated the Pledge of Allegiance.

Board Member Susan C. Henshaw offered a reverence.

Board secretary Twila B. Affleck recorded the minutes.

Chairman Pro Tem Steel excused Members Linnea Barney and Janet Cannon who were attending meetings in Washington, D.C.

RECOGNITIONS

The Board recognized Dr. Corrine P. Hill, Deputy for Education to the Governor of the State of Utah for her dedication and outstanding service. Chairman Pro Tem Shields presented Dr. Hill with a bell plaque in expression of appreciation for her service to public education.

Dr. Hill expressed appreciation for the recognition, honor and the bell plaque. She expressed appreciation to the Board for their service. She commented that next to the family, education makes the biggest difference in the lives of children. Dr. Hill expressed appreciation for the wonderful working relationship with the Superintendent and staff of the State Office of Education and the members of the Board.

EXECUTIVE OFFICER REPORT

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

Expressed appreciation to Dr. Hill on behalf of the staff. Dr. Bean commented that it was a pleasure to work

with Dr. Hill and expressed appreciation for her dedication to the education of children in the state of Utah.

Expressed appreciation to Board members for the contacts they made to their legislators during the legislative session. He indicated that Chairman Garff carried the load, which is normal in these situations. She was in contact with things very carefully and participated in a couple of press conferences, and represented the Board very well. The most critical was in the beginning there was the idea of a \$50 million base cut. This was changed immediately down to \$30 million cut, primarily because legislators received enough information about the negativeness of the initial proposal that they were willing to make changes there. One, for example, was in the capital outlay area of a \$5 million reduction. School districts use that capital outlay money for paying bond payments, and to reduce that could have had a very negative impact on the bond ratings and bonding capability of districts.

Dr. Bean also **expressed appreciation to the members of the Public Education Coalition.** He indicated that the PTA chairs that group and they were very active in promoting positive situations for education. The Coalition includes the Utah School Superintendents Association, Utah School Boards Association, Elementary and Secondary Principals and the Classified Employees Association. Waynette Steel represents the Board on the Coalition and attended the weekly meetings during the legislative session.

Dr. Bean **reported** that towards the end of the session things did not look too bright until after the **revenue projections** were received and then things were a little better. He had a chance to talk with Speaker Brown and President Beatie, and both were receptive to the recommendations we made and they appropriated almost \$10 million more. These appropriations addressed everything we recommended except one. That one item was the teacher inservice. We have \$1 million in on-going funds, but we had \$2 million that we received this year in one-time funding and that was not continued.

Veterans Day observance -- Had a visit with Terry Schow about Veterans Day observance in the schools. We need to do whatever we can to observe Veterans Day in a more positive way. There are some things we can indicate to the districts that they can do to help schools observe Veterans Day (which is not a school holiday) in a very positive and meaningful way to indicate the tremendous contributions veterans have made.

Superintendents Annual Report -- This report covers the activities of the past year. Because of the Centennial Year, we did something a little different in including a general history of education in the state. He expressed appreciation to Twila Van Leer who did the work on the history.

Dr. Bean also presented the Financial and Assessment segments of the Superintendent's Annual Report.. (All documents on file in the State Office of Education)

Regional School Board Meetings -- Reported that the Utah School Boards Association are holding regional meetings and encouraged Board Members to attend if possible.

Eileen Rencher, Coordinator, Public Relations, presented **a video on the electronic media including the SOAR commercials.** Mrs. Rencher introduced Jennefer Bolton producer of the 4 Utah Kids Program at Channel 4.

Member Boyd Jensen commented that the SOAR commercials were very professional and well done.

BOARD CHAIRMAN REPORT

Member Boyd Jensen complimented Superintendent Bean and staff for the successes we did have during the legislative session. He felt that things were handled very professionally and effectively.

National Assessment of Education Progress (NAEP)
Results for 1996 State-by-State
Mathematics Assessment

Barbara Lawrence, Director, Assessment and Testing, presented the recently released results from the 1996 State-by-State Assessment of Mathematics at grades four and eight. Dr. Lawrence presented the background relative to national assessment. She then compared the results from the 1996 test to the state's performance in 1992 as well as to other states and the nation. (For complete details, see General Exhibit No. 7720.) Dr. Lawrence indicated that this is not a commercial testing program, it is a national federally funded program.

Dr. Lawrence reported that Utah students at both grades four and eight had scores substantially higher than their peers nationally. She indicated that general copies of the entire report have not yet been received, and as soon as they are they will be mailed to the board.

Dr. Lawrence noted the participation rates in national assessment. She reported that Utah has an overall participation rate of approximately a 93%. Because of legislative mandate in our state, 100% of the schools selected participated. This condition does not exist across the nation. This means that this is a far more comprehensive sample of the students in the state of Utah than in some of the other states.

Superintendent Bean commented that Utah ranked 13th in both categories; however, what it doesn't show is that there are six states above us where it was noted in the report that they had questionable participation rates, and they were flagged for those questionable participation rates. Dr. Bean felt that since the rankings were so close, between the highest and what we have in Utah, if you take those six states out, we would rank very high.

Dr. Lawrence reported that the next tests will be in 1998 for reading at the fourth grade and reading and writing at the eighth grade.

Superintendent Bean commented that he is amazed that the children in the state do as well as they do when we have the lowest per pupil expenditures in the nation. He credited this to the teachers and educators and parents that they have an active interest in what children do and learn.

Motion was made by Member Waynette Steel and seconded by Member Susan Henshaw to receive the report. Motion carried with Members Brown, Ferrin, Haslem, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Member Hurst absent.

FINAL BUDGET APPROPRIATIONS FOR 1997 - 98

Laurie Chivers, Deputy Superintendent, presented the final appropriations for 1997-98 as passed by the 1997 legislature. The information included the Board request, the Governor's recommendations, and the final appropriations. (For complete details, see General Exhibit No. 7721.)

Superintendent Bean indicated that at least half of the departments in state government received reductions in their base budgets. Education was fortunate that we did not receive as drastic of cuts as did these other state agencies. We will be looking at staff who will be retiring or changing jobs to take care of our cut in the base budget. We do not anticipate any loss of employees, but will try to take care of it through attrition.

Member Grant Hurst commented on the issue of **alternative languages** and the fact that the Board may need to make an internal decision on this issue because there are some school districts that have their backs to the wall on this issue. He suggested that the Board put together a task force to look at how we deal with this and become pro active on the issue. He indicated that the loss of inservice funding will also impact this area.

Motion was made by Member C. Grant Hurst and seconded by Member Kay McDonough to request staff to form task force to look at the alternative language issue and the inservice issue to pro-actively examine what we do in regard to these issues. Motion carried unanimously.

Dr. Chivers stated that there has been a major focus to try to make our schools better during the last several years, i.e. **class size reduction, computers in the classrooms, textbooks, upgrading our media centers, a major focus to make our schools a better place to learn.** However, with this budget you see the end to that.

There are two possibilities; one is that it is just a stop off, or two, this a change in the trend.

Superintendent Bean indicated that the **Board did received a doubling of their salary**. He indicated that Member Cheryl Ferrin was responsible for the treat to the Board indicating the raise in pay for the Board. The Board expressed appreciation to Member Ferrin.

Motion was made by Member Lynn Haslem and seconded by Member Boyd F. Jensen to receive the report. Motion carried unanimously.

Member Grant Hurst commented that this is probably better than we could or should have hoped for, and we will go on battling this for the next five or six years. He felt that **the Board needs to make sure they keep a focus on working with their legislators** to make sure we educate them on what the educational needs are. He indicated that now is the time to go and make sure the legislators know who Board members are, and to make them aware of the educational issues.

Member Hurst expressed appreciation to the press on the fair and equitable way they have reported on where we are going and why.

Member Boyd Jensen indicated he had received exceptional cooperation from his legislators and for other Board members who had as well, they would write a letter of thanks to them.

It was noted that Chairman Garff had sent letters of appreciation to legislative leadership and committee chairs.

LEGISLATION

Doug Bates, Coordinator, School Law and Legislation presented the legislation which passed during the 1997 legislative session. As part of his report he reviewed and discussed specific bills. (For complete details, see General Exhibit No. 7722.) Dr. Bates indicated that the majority of the bills the Board supported were passed.

Discussion ensued relative to **SHB 341 on the Modified School Week Pilot Program** and what school districts would be involved. Superintendent Bean noted that the Modified School Week legislation included only those schools in Region 15, and it is not open to other schools or districts. It also requires all districts in that Region to agree to the requirements of the legislation to participate. Also, this is only for high schools and not middle or elementary schools. Dr. Bean further commented that the law is very specific and there is not a need for a rule relative to this pilot program.

Chairman Pro Tem Shields expressed appreciation to Doug Bates and other staff for all their efforts during the legislative session.

Member Neola Brown suggested that an official vote of the Board should be taken on **SB 40, Election of State School Board Members**. Superintendent Bean noted that during the legislative session this was presented to the Board on the Tracking Sheet and was recommended that the bill be opposed and the Board voted relative to that recommendation, to oppose the legislation.

Motion was made by Member Neola Brown and seconded by Member Kay McDonough to address the issue of SB 40 relative to an official Board position on this legislation. Motion carried with Members Brown, Ferrin, Haslem, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Member Hurst absent.

Member Lynn Haslem commented that if the Governor veto's the bill and we now change our position it would be disastrous. He suggested that a letter of affirmation or support for his veto would be in order.

Member Haslem further commented that this process has worked so much better than sometimes happened in the past when you get single issue candidates on the board. He felt that the current process provides an additional screening factor to the public election process.

Member Kay McDonough indicated that as she talked with legislators and others, their main concerns were that they felt it was not a democratic process.

Member Joyce Richards commented that there was a legislative committee that studied this issue prior to enactment of the process, and she felt the action of the legislature was simply a process to cut the Governor's powers.

Superintendent Bean commented that the legislative committee that initially recommended it took five or six months to study the issue. After discussion they decided that this process would serve the public the best way possible. He indicated that this still provides an opportunity for anyone who wants to run for the board to do so.

Member Jill Kennedy commented that the way the democratic process works is if the electorate is informed and candidates in other offices have greater opportunity to get their views out.

Member Neola Brown commented that the major concern is that it is undemocratic. She felt that either system can work with the right people. She felt that there were just as qualified people under the other system as we have under the selection system. There have always been good people on the Board.

Motion was made by Member Boyd Jensen and seconded by Member Susan Henshaw that the Board go on record in support of Superintendent Bean's position and oppose SB 40; and recommend that the Governor veto the bill. Motion carried with Members Ferrin, Halsem, Henshaw, Jensen, Kennedy, McDonough, Richards, and Shields voting in favor; Members Brown and Steel voting against; Member Hurst absent. Member Steel clarified her vote that it was because of the philosophical dimension that it gives the allusion you are electing a person when in fact it is a blend of processes.

COMMITTEE REPORTS

Applied Technology and Rehabilitation Committee

Member Lynn Haslem, Chairman of the Applied Technology and Rehabilitation Committee presented the following recommendations from the Committee:

Utah State Office of Rehabilitation 1996 Annual Report

The Utah State Office of Rehabilitation 1996 Annual Report was presented along with a Vocational Rehabilitation's Performance Report. (For complete details, see General Exhibit No. 7723.) Examples of people who had been recipients and beneficiaries of the vocational rehabilitation program were presented. Member Haslem encouraged the Board to review the Utah State Office of Rehabilitation 1996 Annual Report. This is one of the few programs in government where the return comes back very quickly. This is a service program to make a difference in the lives of people.

Motion from the Committee to receive the reports with commendation with a note of commendation to Bill Young for preparation of the report. Motion carried with Members Brown, Ferrin, Haslem, Henshaw, Jensen, Kennedy, Richards, and Steel voting in favor; Members Hurst and McDonough absent.

EXECUTIVE SESSION

Motion was made by Member Boyd F. Jensen and seconded by Member Cheryl Ferrin to move into executive session to discuss personnel issues. The Board was polled and by unanimous consent of those present [Member Hurst absent] the Board moved into executive session during lunch at 1:15 p.m.

Motion was made by Member Waynette Steel and seconded by Member Jill Kennedy to reconvene into open

meeting. Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

OPEN MEETING

The Board reconvened into open meeting at 1:50 p.m.

Adult Education Advisory Committee

Motion was made by Member Susan C. Henshaw and seconded by Member Waynette Steel to approve the recommendations to serve on the Adult Education Advisory Committee as presented. (For complete details, see General Exhibit No. 7724.) Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

BOARD COMMITTEE REPORTS CONTINUED

Administration, Finance, and Legislation Committee

Board Member Marilyn Shields, Chairman of the Administration, Finance and Legislation Committee presented the following recommendations from the Committee:

Student Enrollment Options, Rule R277-437

The rule is being amended to clarify its original intent. The changes will give school districts the power to maintain educational equity in their districts and also clarify the definition of an instructional station. (For complete details of the rule, see General Exhibit No. 7725.)

Motion from the Committee that the Board adopt the rule on first reading. Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

Centennial School Update

Larry Horyna, reported to the committee on the status of the Centennial School Program and its outlook for 1997-98. (For complete details, see General Exhibit No. 7726.)

Superintendent Bean reported that there will be a task force this summer that will consider charter schools and centennial schools. He indicated that the modified centennial schools are probably as much like charter schools as anything you will find around the country.

Member Boyd Jensen questioned if we have moved to a new level of performance? If so, how do we know.

Member Cheryl Ferrin noted that there is a Centennial Newsletter, and there will be a report by five centennial schools at the Superintendent's meeting. However, there has not been enough time to complete the evaluations. She felt that there was not enough information getting out telling what is going on.

Member Marilyn Shields indicated that one thing we can do as Board members is go out and talk about Centennial Schools, and also question the districts on why some of their schools are not included.

Member Kennedy requested a list of Centennial Schools.

Superintendent Bean commented that the goal with the centennial schools was first that there be more community participation in the schools and that would translate into student achievement. If that does not occur we need to

look at a different model.

Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Member Hurst absent.

Motion from the Committee to receive the report. Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

Curriculum & Instruction Committee

Member Waynette Steel, Chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

Forensics

Dennis Edmunds, President of the Forensics Association of Utah reported to the committee on the use of forensics/speech in Utah schools. (For complete details, see General Exhibit No. 7727.) Following the discussion, the Curriculum and Instruction Committee approved a motion to have staff work with the Forensics Association of Utah to conduct a pilot study utilizing forensics as a part of language arts instruction.

Motion from the Committee that the Board receive the report. Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

Core Assessment

Barbara Lawrence presented an overview of the state assessment programs with emphasis on the criterion-referenced program and the kinds of information it can provide. (For complete details, see General Exhibit No. 7728.)

Motion from the Committee to receive the report. Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

School Accreditation

This item was not discussed and moved to the April meeting.

GENERAL CONSENT CALENDAR

Motion was made by Member Waynette Steel and seconded by Member Boyd F. Jensen to approve the General Consent Calendar as presented. Motion carried with Members Brown, Ferrin, Henshaw, Jensen, Kennedy, McDonough, Richards, and Steel voting in favor; Members Haslem and Hurst absent.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board for Applied Technology Education and the State Board of Education held February 14, 1997.

2. Contracts

The following contracts were approved by the Board:

(a) San Juan School District. \$46,040. 3/1/97-2/28/02. - Amend. - Fed.

To extend lease of office space for the Division of Rehabilitation at 200 North Main, Blanding.

Utah.

(b) T.V. Specialists, Inc. \$24,195. 4/1/97-3/31/2000. - Fed.

To provide servicing and repair of closed circuit television (CCTV) read and write systems to blind and visually impaired Vocational Rehabilitation clients.

(c) NFSMI. \$15,942. 4/21/97-4/23/97. - Fed.

To develop a "Procurement Workshop" specific to the needs of the state and teach the workshop in April 1997.

(d) Utah State University. \$18,975. 5/1/97-4/30/2000. Amend. - Fed.

To extend the lease of office space for the Division of Rehabilitation Services, Vernal office located at 1680 West Highway 40, Vernal, Utah.

(For complete details of the Contracts, see General Exhibit No. 7729.)

3. SBR/SBE Joint Liaison Committee Meeting Minutes

Minutes of the Joint SBR/SBE Liaison Committee Meeting held January 14, 1997. (For complete details, see General Exhibit No. 7730.)

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

4. School Accreditation Approval

Approved the accreditation of the schools that have met the requirements set by the State Board for 1997 as presented. Each school has submitted a yearly report that has been carefully reviewed by the State Accreditation Committee. These schools meet the requirements governing school accreditation set forth by the Utah State Board of Education. (For complete details, see General Exhibit No. 7731.)

5. Special Education (Birth-Age 5) Certification Requirements, Rule R277-504.

Revisions in these certification requirements were necessary because of changes in federal and state law, innovative practices in the field, and increased knowledge in intervention procedures appropriate for use with young children. (For complete details, see General Exhibit No. 7732.) The Board approved the rules on third and final reading.

6. Certification Agenda

The Certification Agenda included recommendations for certification authorization requests. (For complete details, see General Exhibit No. 7733.) The Board approved the Certification Agenda.

7. Internal Auditor Salary Adjustment

The Board approved a two step increase for Kent Mohlman, Internal Auditor, increasing his salary from \$24.08 to \$25.43.

8. 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. 7734.)

9. List of Applicants for Certificates

A summary of the list of applicants for initial and renewal certificates. (For complete details, see General Exhibit No. 7735.)

10. Financial Statement and Claims Report

The Claims Report in the amount of \$130,152,248.94, and Financial Statement ending February 28, 1997. (For complete details, see General Exhibit No 7736.)

Member Cheryl Ferrin praised and commended Val Finlayson of the Utah Partnership for his participation in helping her with a school partnership presentation to the Logan Chamber of Commerce. Superintendent Bean commented that Mr. Finlayson would be happy to assist any Board Member with a partnership presentation.

Meeting adjourned at 2:10 p.m.
