

UTAH STATE BOARD OF EDUCATION

UTAH STATE BOARD FOR APPLIED TECHNOLOGY EDUCATION

MINUTES

December 5, 2000

Minutes of the meeting of the State Board for Applied Technology Education and State Board of Education held December 5, 2000, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 9:25 a.m. Board Chairman Jill G. Kennedy presided.

Members present were:

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

Member C. Grant Hurst was excused.

Also present were:

Executive Officer Steven O. Laing
Deputy Superintendent Gary L. Carlston
Associate Superintendent Robert O. Brems
Associate Superintendent Patrick Ogden
Associate Superintendent Jerry P. Peterson
Executive Director, USOR, Blaine Petersen
Public Information Officer, Eileen Rencher
Board Secretary Twila B. Affleck

Also present for portions of the Board meeting were:

Members of the Press:

Beth Dove, Standard Examiner
Jennefer Toomer-Cook, Deseret News
Rod Decker, KUTV
Bill Timpowsky, KUTV

John Jesse, Alpine School District

Susan Dayton, Utah PTA
Lee W. Robinson, Superintendent, Utah Schools for the Deaf and the Blind
Con Rowley, Governor's Office
Richard N. Jones, Superintendent, Uintah Basin Applied Technology Center
Bo Hall, Superintendent, Wasatch Front South Applied Technology Center
Larry Brice, Ogden-Weber Applied Technology Center
Mike Anderson, Member-Elect, State Board of Education
A. Earl McCain, Member-Elect, State Board of Education
Michael Kjar, Legislative Fiscal Analysts Office
Teresa Theurer, Member-Elect, State Board of Education
Dave Moss, Member-Elect, State Board of Education
Kathy Black, President, Salt Lake City Board of Education
Richard L. Maughan, Superintendent, Bridgerland Applied Technology Center
Brent A. Judd, Director, Southwest Applied Technology Center Service Region
Janice Coleman, Utah Legislative Auditor General's Office
Wayne Welsh, Utah Legislative Auditor General's Office
John Darrow, Utah Legislative Auditor General's Office
John Schaff, Utah Legislative Auditor General's Office
Susan Kuziak, Utah Education Association
Mike Bouwhuis, Superintendent, Davis Applied Technology Center
Laurel Brown, Member-Elect, State Board of Education

Utah State Office of Education Staff:

Patty Johansen, Agency Services
Pat O'Hara, Agency Services
Cathy Dudley, Agency Services
Linda Alder, Instructional Services
Bonnie Morgan, Instructional Services
Shelley Kelson, Instructional Services
Barbara Banks, Planning and Project Services
Tina Morandy, Planning and Project Services
Barbara Lawrence, Planning and Project Services
Angenette Pickett, Agency Services
Jacqueline Morasco, Instructional Services
Deb Spark, Instructional Services
Karen Kowalski, Instructional Services
Connie Tait, Instructional Services
Carolee Gunn, Planning and Project Services
Michael Taylor, Planning and Project Services
Mae Taylor, Instructional Services
Carol Lear, Planning and Project Services
Barbara Gardner, Planning and Project Services
Hal L. Sanderson, Planning and Project Services
Vicky Dahn, Instructional Services
Judy Boretsky, Planning and Project Services
Richard Gomez, Planning and Project Services

Chairman Kennedy excused Member Grant Hurst who has had knee surgery.

The Board repeated the Pledge of Allegiance.

Board Vice Chairman Kim R. Burningham offered the reverence.

Twila B. Affleck recorded the minutes.

Chairman Kennedy introduced newly-elected board members Earl McCain, Dave Moss, Mike Anderson and Teresa Theurer.

Teacher Job Action Statement

Chairman Kennedy announced that in light of the teacher job action today, the Board Executive Committee felt it was important for the Board to respond to it. She indicated that the Board had received via EMAIL a possible statement that the Board could make. Chairman Kennedy indicated that in response to the EMAIL, Member Morrill had prepared a revision to the statement.

Vice Chairman Kim Burningham read the EMAIL statement distributed December 4, 2000. Vice Chairman Burningham reviewed revision by Member Morrill and indicated that philosophically the two are quite compatible, however, Member Morrill's makes a stronger statement in last portion. (For complete details of the statements, see General Exhibit No. 8475.)

Member Denis Morrill commented that **as a State Board of Education our priority is to make sure children are educated.** It is uncomfortable for the Legislature and maybe for the Governor and us, but we have to do something, and waiting to fund all this out of growth, isn't going to happen. We need to come up with more funding from taxes or else business will be as usual.

Members Larson and Henshaw spoke in favor of the statement by Member Morrill. Member Henshaw stated that we "need to quit putting 'Band-Aids' on and do major surgery."

Member Greg Haws commented that he was not in support of the decision by the Utah teachers union. Further, he did not feel that the interests of the Utah teachers union and that of the State Board is not the same. He did not feel that this job action was in the best interest of the children.

Member Linnea Barney commented that the statement doesn't say anything about the job action, it is just a reinforcement of the stand that we realize that we need to do more. Our goal is to indicate that things need to be improved some how - business as usual doesn't do it.

Member Lynn Haslem commented that as the job action has been organized, it is too fragmented. He suggested that instead of telling the legislature there must be a tax increase, that the next to the bottom paragraph be less abrasive and we should add after tax increases, "or other long-term reliable sources of funding." The bottom line is a long-term solution.

Motion was made by Member Lynn Haslem and seconded by Member Cheryl Ferrin to add to the next to the bottom paragraph following tax increases "or other long-term reliable sources of funding" to the revised statement by Member Morrill.

Motion carried unanimously.

Member Judy Larson expressed her appreciation to the two board members for putting forth the effort in developing the statement.

Textbook Audit

Associate Superintendent Patrick Ogden reported that a Performance Audit of State Textbook Funding has been completed by the Office of Legislative Auditor General. He indicated that the audit was conducted to: 1) determine the need for additional textbooks in Utah school districts, and 2) determine how legislative textbook and supplies supplemental appropriations affected districts' textbook and supply expenditures. Mr. Ogden introduced Wayne Welsh, Legislative Auditor General, John M. Schaff, Audit Manager, Janice

Coleman, Audit Supervisor and John Darrow, Senior Staff Auditor.

Ms. Janice Coleman provided an overview of the audit findings and recommendations. (For complete details, see General Exhibit No. 8476.)

Member Denis Morrill questioned that if there has been supplanting, and now we distribute based on need, those who have supplanted most, get the most. Ms. Coleman responded that if supplanting has occurred, they will step in and bring everybody up to speed and from this point forward we are going to try to take action to insure that will not happen again.

Member Janet Cannon commented that the study seems to focus on textbooks, yet we know that the money is allocated for textbooks and supplies. She questioned the how they considered the need for supplies? Ms. Coleman responded that they were asked to come up with a projection on textbooks and how much money was needed for textbooks. They were asked not to consider supplies in the estimate of the amount of money needed. Mr. Schaff commented that as they have made the presentations to various legislative groups, they have been open about the fact that this audit has some limitations. To define textbooks without talking about consumables and software is difficult. Member Denis Morrill commented that coming from a local board position, he is worried about taking more autonomy from the local board.

Superintendent Laing responded from the State Office of Education that we appreciate the work of auditors in identifying the magnitude of the problem. We respectfully disagree, to some extent about the idea of supplanting. This has always been talked about, but we could not find anywhere it was actually specified, and districts have done some things to address their needs. We anticipate that perhaps in the future there will be a more detailed directive from the legislature about the way this should be handled. We recognize that our current funding reporting, both the annual financial reports that districts complete, as well as the program report, do not contain the specificity that the auditors and legislature are requesting. We will probably see, in the not too distant future, other requests for information around specific categorical appropriations that we will be unable to meet because of the way accounting in schools has been established over the years.

Dr. Laing continued that they referenced the 1996 audit, and the state board did make some adjustments in its rule following that requiring districts to spend 5 ½ percent on textbooks and supplies and there were further specificity put into the definition about what those funds could be used for. It seems clear, based on public perception, that we will have to define that more closely. We are currently working with the auditors as to what it takes to meet the needs for state textbooks. Also, recognizing that textbooks are going beyond just a hard bound covered book to electronic and software materials, etc.

Dr. Laing commented that while we are appreciative, and mostly in agreement, we feel there are some things that the board needs to deal with, particularly with the allocation of funds.

Motion was made by Member Denis R. Morrill and seconded by Member Bette O. Arial to receive the report. Motion carried unanimously.

Enrollment Changes and Projections

Associate Superintendent Patrick Ogden introduced Patty Johansen, Education Specialist, School Statistics who presented a report based on the October 1, 2000 censuses of students in all public and charter schools in the states. (For complete details, see General Exhibit No. 8477.)

Motion was made by Member Judy Larson and seconded by Member Susan C. Henshaw to receive the report. Motion carried unanimously.

Utah Statewide Testing Program Results, 2000

Barbara Lawrence, Coordinator, Evaluation and Assessment reported that the 1999 Utah Legislature passed legislation requiring a norm-referenced test be administered to students in Grades 3, 5, 8 and 11. This program uses the Stanford Achievement Test, Ninth Edition. Dr. Lawrence presented the statewide results of Utah's Core Assessment program and the Kindergarten Assessment program. (For complete details, see General Exhibit No. 8478.)

Dr. Lawrence noted that the norm-referenced test was administered in the third grade for the first time this year.

Dr. Lawrence reported that the legislation requires that all students at the specified grade level be tested. We do allow exemptions for students that are limited English proficient or special education. These are minimal and we have specific criteria for exemption. There is a report that the school principal needs to fill out to let us know the student's exemption, which includes the criteria for making the decisions. It is critical that these criteria be applied as uniformly as possible in order for the data to be comparable. She noted that the Limited English criteria indicates that a student should be included in the Statewide Testing Program unless the student has received less than two full years of instruction, primarily in English, and the student cannot demonstrate his/her knowledge of English without accommodation. In past years we have had generally participation rates at the district level ranging from 88 to 100 percent. Overall, statewide participation rates have tended to average 95 percent at grades 5 and 8 and 90 percent at grade 11.

Dr. Lawrence further reported that in the year 2000, 39 of the districts have participation rates that were very similar to those in previous years. However, Salt Lake City District this year chose to change their practices in exempting LEP students in a way that was inconsistent with the state requirements. This resulted in non-comparable data being provided from the Salt Lake District, both at the school and district level and also it has had an influence on our statewide data. Dr. Lawrence noted that the criteria that were used in the Salt Lake District exempted all students who had not reached the fluent competent level on IPT language proficiency tests regardless of how long the student had been in English instruction. This resulted in the exemption in some schools of up to 75 percent of the students at a grade level. Approximately 30 percent of the students were exempted overall in the district.

Deputy Superintendent Gary Carlston commented that the State Office has been working with Salt Lake City School District since we have learned of this and their intent was that they report a consistent cross the district, and they gave the IPT and then made the determination around the students performance on the IPT. As we have worked with the district, clearly there is a misunderstanding about what the criteria are, they thought they had some discretion that according to the criteria they don't. As we work with them with respect to their intent, they thought they had that discretion. Secondly, as Dr. Lawrence points out, it creates a data problem, and they are aware of that. We have talked to them about how we would report that problem in the state assessment book, an asterisk will indicate that this has occurred. Third, as we work with them, we are convinced that while they were trying to create consistency, they want to cooperate and in the future they will use the criteria that have been established by the state. We acknowledge that the data problem does exist, and we believe that in our conversations with the district, these issues have been resolved.

Dr. Lawrence continued her report on the test results for the SAT, Core Assessment Criterion Referenced Tests, and a summary of results from the Statewide Kindergarten Assessment Program.

Motion was made by Member Cheryl Ferrin and seconded by Member Marilyn Shields to receive the report with commendation. Motion carried unanimously.

Potential or Pending Legislation

Carol Lear, Coordinator, School Law and Legislation presented a summary of potential and pending education-related legislation. Dr. Lear indicated that the list is very preliminary and we do not have a lot

of details on these. (For complete details, see General Exhibit No. 8479.)

Member Denis Morrill voiced a concern and frustration that we need to make it clear to the legislature that if we get a mandate without the funding we are flat not going to do it.

Deputy Superintendent Gary Carlston noted that one other significant piece of legislation is on tax credit. Representative Swallow will be supporting tax credits for students going to private schools. His philosophy is that this will help take the burden off public schools. He clarified that it would not impact students currently in private schools.

The Board received the information presented.

Board Chairman Report

Chairman Kennedy introduced Nano Podolsky of the Salt Lake District who has been working with low income students and **CHIP (Children's Health Insurance Program)**. Ms. Podolsky gave an overview of what the Salt Lake City School District has done as an outreach program to make parents aware of this program for children. She reported that 19,710 children are enrolled in CHIP throughout the state. However, there are approximately 30,000 children who are eligible for this service. **She indicated that many parents do not believe there is a health insurance program for children that does not include a premium. The program is funded by federal dollars and the tobacco settlement.** Ms. Podolsky distributed material including the application for CHIPS. She indicated that grandparents and non-custodial parents can apply for this for children. She encouraged anyone interested to help get this information out to families who would qualify.

Ms. Podolsky noted that there will be a conference on December 18th at the Salt Lake City Marriott to help parents, employers and anyone else to become familiar with the program and its benefits.

Chairman Kennedy encouraged Board Members to help get the word out on the CHIP program to all of the school districts.

Applied Technology Education Task Force

Superintendent Steve Laing reported that the Applied Technology Education Task Force has concluded its work and has voted to recommend legislation that will affect programs presently offered under the governance of the Board. **The major changes indicated in the proposed legislation deal with restructuring regional applied technology education programs (including ATCs and ATCSRs) under a new state-level governance called the Joint Applied Technology Education Council (JATEC).** Other ATE functions presently under the Board's jurisdiction would remain as presently constituted. (For complete details of the report, see General Exhibit No. 8480.) He noted that the sponsor of the legislation will be Speaker Marty Stephens.

Dr. Laing reported that as the Task Force's actions were conveyed to the Education Interim Committee and the bill was discussed, they took comments from members of the audience. There were those who spoke in favor of the bill. Our response was that we could not be as supportive as others had been in expressing satisfaction of the legislation, because the State Board was clearly giving up some of its authority and something they felt very strongly about and were quite proud of being successful, particularly the programs at the ATCs. We had recognized the process and with regard to the principles we had sent forward from the last meeting, we were appreciative of their consideration. However, we noted that the Board has not yet taken a position on the legislation as prepared.

Dr. Laing further reported that this is going forward as a task force and interim committee bill.

Member Denis Morrill commented that the clear meaning of this is they started out not wanting to create a

third board, but they did. He noted a typographical error on lines 213 and 214 there is a one and it should be a five.

Member Janet Cannon voiced the following concerns:

Legislation draft line 173 - because Wasatch Front South does not have a facility yet and they have been housed in various public education facilities. She is concerned with the language that perhaps the Wasatch Front may be in danger in terms of trying to obtain housing. Superintendent Laing responded that Karen Derick, Chairman of the Wasatch Front South ATC Board spoke in favor of the legislation, and indicated they would be coming with a capital request. Dr. Laing noted that as the task force discussed this they wanted this considered, it did not exclude additional facilities, but they wanted the regional board to look around for existing facilities prior to requests for more money for new facilities.

Superintendent Bo Hall, Wasatch Front South, indicated that the task force is aware of the problem that exists for the Wasatch Front South ATC and they are committed to take a look at resolving that. He indicated that they would be going ahead with the plans they submitted to the Board earlier this year.

Legislation draft line 293 - concern regarding resolution of disputes coming from the different situations.

Legislation draft line 288 - they want to assure that some applied technology education providers allow open-entry and open-exit programs. Her definition of applied technology education is a competency-based open-entry/open-exit. The word "some" is the concern.

Chairman Kennedy indicated that the issue here is that most high school programs are not open-entry and open exit. Also the college programs are not and the applied technology centers are. This accommodates both.

Legislation draft line 293 indicates they want to develop strategies for applied technology education in rural areas. Her concern that there is a region along with Wasatch Front where there is a huge population and we do not have a center to provide these services. She felt it should state urban as well as rural areas.

Legislation draft line 274 with non-credit competencies to higher education credit. She would like to see competency and certificates rather than credit for degrees. This is "academic creep."

Superintendent Laing noted that there was quite a bit of discussion about it and there were some intense feelings from legislators on the task force that while all is true, on a personal level once an individual has completed a program, maybe he is employed by an employer in an upgraded position, and the employer indicates that an associate degree would possibly provide for a further upgrade for that person. The individual is told they need to start over because they can't get credit for what they have done under non-credit applied technology education. This is for the benefit of the individual to provide a means for them to convert or receive credit for training that has occurred under a true open-entry/open-exit competency based applied technology education scenario.

Member Cannon indicated her reason for voicing the concern is that she has seen Trade Tech and other scenarios go down in favor of the more academic programs. This leaves those interested in vocational training underserved.

Superintendent Laing responded that reflecting on the membership of JATEC, five State Board Members are represented as well as nine members from the regional boards, so they will also be supportive.

Member Marilyn Shields commented that this has been a very complex process. She commended the directors and superintendents for the input they had. She felt that higher education came up as a win/win situation. She also commended those who participated on the task force both from the board and the staff. She felt this is a workable document.

Member Linnea Barney commented that she realized as the process went on the hand writing was obviously on the wall that they were going to do something and there would be some kind of a third board. She felt we did a good job of trying to salvage some of these things. She further stated that she really hates this bill, it is stupid, it adds bureaucracy, it makes things more complicated, and it has the potential of doing some real damage. She felt that whatever position the Board takes, we need to allow board members who feel this way to say that we think it is wrong.

Member Joyce Richards commented that she agrees with Member Barney, we haven't solved the problem about the southwest and southeast regions. She felt that trying to align credit with non-credit, somewhere along the line they would lower the expectations of what one need to get an associate degree.

Member Denis Morrill commented that after sitting up there and listening to what was said on all sides he concluded that maybe it isn't working, if it were working we would have a Wasatch Front South ATC. However, we had public education and higher education who never could get it together. With this, they will have to get it together or someone else will be doing it.

Member Bette Arial commented that she agrees with Members Barney and Richards, but feels that the Southwest Region has enjoyed, appreciated and benefited because of the State Board and they recognize that. However, being optimistic, possibly a new board with representation from this board and the others might be able to break the strangle hold that seems to have existed.

Mike Bouwhuis, Superintendent, Davis Applied Technology Center commented on the legislation and the problems seen by the ATC Directors relative to the two systems of ATC and ATCSRs. There has been no single system over ATCs and ATCSRs. Local boards are supportive of this because they have wanted a stronger voice for years.

Bo Hall, Superintendent, Wasatch Front South ATC stated that the change of leadership at the Salt Lake Community College will bring a new era of collaboration and cooperation. There will be new opportunities available that have not been in the past. They are concerned about the future because it is unknown. He commented that they value their relationship with the Board. Dick Jones, Superintendent, Uintah Basin ATC encouraged the board to take action to get some degree of closure to move on.

Richard Maughan, Superintendent, Bridgerland ATC, commented that everything said, this makes us all very nervous. They have enjoyed the security with the State Board of Education. They intend to conduct business as usual as an ATC under the direction of the State Board until July. He agreed that this is moving forward, and we have attempted on different occasions in the past to lobby for different positions. However, if we have to leave, we have the best language in the bill possible. From Bridgerland's perspective we are in much better position with the direction and leadership of this Board. This bill has been advantageous to all of the regions across the state.

Member Denis Morrill commented that the Board should take action today relative to this because he is not sure we will know any more later than we do now. We can talk about it forever. From a perspective of one that has watched this, we have moderated and directed this somewhat.

Motion was made by Member Denis R. Morrill and seconded by Member Bette O. Arial that the State Board cautiously support the proposed legislation.

Member Bette Arial commented that we all feel pretty much the same way. This is where we need to get on board with this, and do whatever we do with enthusiasm. She felt we should go into this new committee with enthusiasm and hope and try to make a difference.

Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Haslem absent.

Board Committee Reports

Curriculum and Instruction Committee

Member Marilyn Shields, Chairman of the Curriculum and Instruction Committee presented the following recommendations from the Committee:

Textbook Commission Operating Procedures, Rule R277-469

There are several updates to Rule R277-469, Textbook Commission Operating Procedures in regard to policy and definitions. These changes are based upon recommendations from the State Textbook Commission, including the consolidation and clarification of adoption categories. (For complete details of the revised rule, see General Exhibit No. 8481.) Change in the reference under Definitions, item H R277-469 -5 include 17 Human Sexuality Instructional Materials.

The Committee approved the amendments to Rule R277-469, Textbook Commission Operating Procedures on first reading and moves that the Board approve the amendments to the rule on second reading. Motion carried with Members Arial, Barney, Cannon, Haws, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Burningham against; Members Ferrin, Haslem and Henshaw absent.

Vice Chairman Kim Burningham commented that this seems like we have made an autocratic organization. On page three we indicate that the "commission's determination of material categories for review purposes is final." Chairman Kennedy clarified that that is at the level of where the materials are reviewed, by which committee, it is not saying that the decision is by the commission. The Board is the final approval.

Education Programs Serving Youth in Custody, Rule R277-709

There were many concerns from the committee as this item was discussed and the committee tabled it until January.

Educator Licensing Committee

Member Linnea S. Barney, Chairman of the Educator Licensing Committee presented the following recommendations from the Committee:

Educator Licensing Committee Agenda

The Committee received a **report on the Visiting Teachers from Spain in Utah**. They are all doing an excellent job and they are all licensed in the areas they are teaching.

The Committee reviewed the **Letters of Authorization Requests**. She indicated that the reason there are so many is that the deadline for all of these to be in is November 15th. She noted that these teachers who lack whatever they need for a license in the areas they are teaching are making efforts to gain the credentials.

Motion from the Committee that the Board approve the Requests for Temporary Authorizations. Motion carried with Members Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards, and Shields voting in

favor; Members Arial and Haslem absent.

The Committee reviewed the **recommendations of the Utah Professional Practices Advisory Commission (UPPAC)** and recommends the following:

Case No. 98-443 - The Commission recommended reinstatement of the educator license of a former teacher in the Davis School District. The license was suspended on April 9, 1999, for unprofessional and inappropriate conduct by a teacher. The conduct occurred outside of the school setting. Motion from the Committee that the State Board of Education reinstate the educator license of a former teacher in the Davis School District. Motion carried with Members Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Arial and Haslem absent.

Case No. 00-511 - The Commission recommends acceptance of a stipulated agreement whereby a former teacher in Granite School District, voluntarily surrenders his license in lieu of a hearing for purposes of suspension by the State Board of Education for at least two years. The suspension results from a plea of no contest to possession of marijuana, a class A misdemeanor. The educator was sentenced to 365 days in jail which was suspended, 24 months probation to include counseling and random drug testing, 200 hours of community service, and a \$500 fine. The educator has agreed that he will satisfy requirements imposed by UPPAC prior to seeking reinstatement of his license. Motion from the Committee that the State Board accept the stipulated agreement whereby a former teacher in Granite School District, voluntarily surrenders his license in lieu of a hearing for purposes of suspension by the State Board of Education for at least two years. Motion carried with Members Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Members Arial and Haslem absent.

(For complete details of the Educator Licensing Committee Agenda, see General Exhibit No. 8482.)

Planning, Finance & Legislation Committee

Member Judy Larson, Chairman of the Planning, Finance & Legislation Committee presented the following recommendations from the Committee:

Redevelopment Agencies (RDAs)

Redevelopment projects divert approximately \$24 million a year from Utah's schools. The State Board of Education, through a representative on taxing agency committees has a vote in approving certain redevelopment projects. The committee discussed the appropriate level of State Board oversight over the RDA process and the guidelines the Board's representative should follow in reviewing and voting on RDA projects. (For complete details, see General Exhibit No. 8483.)

The Committee was so impressed with the review process they talked about the Board's role and monitoring of the redevelopment project that they presented a

Proposed Policy of the Utah State Board of Education on Redevelopment Authority and Tax Increment Financing.

Member Denis Morrill commented that we give up tax dollars to create problems for ourselves in bringing in more kids to educate.

Motion from the Committee that the Board accept the report and ask the office to come up with policy for the Board to adopt. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Haslem absent.

Incentive for Elementary Reading Performance Improvement -House Bill 75

The 1999 Legislature appropriated money to recognize and reward qualified elementary schools that demonstrate significant reading performance improvement with students in kindergarten through grade three. The bill specified that the cash awards are to be used for the purchase of books and other reading materials. **Due to the demands of the data reporting in relation to the limited monetary reward, only six schools submitted a complete application for the grant.** These six schools demonstrated a trend of improvement over the year on their reading scores. It is important to reward their concerted efforts to improve their students' reading performance. (For complete details, see General Exhibit No. 8484.)

Motion from the Committee that **the State Board of Education grant the HB 75 awards to Bellview (Jordan District), Columbia (Jordan District), Lapoint (Uintah District), Laverkin (Washington District) Oquirrh (Jordan District), and Woodruff (Logan District) Elementary Schools for their outstanding participation in the reading performance improvement program in the 1999-2000 school year.** Although the bill specified the selection of nine schools to each receive a \$1,000 award, it is further moved that the award money be divided among the six schools who submitted complete applications. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Haslem absent.

Member Larson explained that the next two items have to do with what they consider to be unique situations in requesting a four-day school week. The philosophy of the Committee is supportive of a five-day school week.

Uintah River (Charter) High School School Calendar Change

Uintah River High School is one of the eight charter schools within the state. **The school is situated on the Northern Ute Reservation and serves a student population that is primarily Native American.** The school is seeking permission to operate under a schedule that more nearly approximates the work-week of the parents and members of the tribe.

Currently, a pilot program of a four-day week is underway with high schools in Region XV, small high schools in one activity region of the state. **Legislation establishing that pilot contains language which emphasizes the importance of academic studies in a school calendar with reduced number of days.** That same section could appropriately guide the schedule as requested by the Uintah River High School. Also, since the purpose of charter schools is to enable experimentation and accommodation of parental requests, it would be appropriate to grant this request. (For complete details of the request, see General Exhibit No.

8485.)

Motion from the Committee that the State Board of Education approve the request of the Uintah River High School in Fort Duchesne, a charter school, to operate on a four-day week under the same conditions specified in Utah Code 53A-15-801, with specific evaluation along the way.

Member Janet Cannon indicated she would abstain from voting because hours are not good enough, that there needs to be 180 days. She did understand this is a unique situation.

Motion carried with Members Arial, Barney, Burningham, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Cannon abstained and Member Haslem absent.

Phelps Elementary School - School Calendar Change

Phelps Elementary school is a K-8 elementary/middle school configuration located on the border of Arizona and Utah. The neighboring schools in Colorado City, Arizona (the other half of the Hildale-Colorado City community) are currently on a four-day week schedule. This school was decimated by the withdrawal of students at the urging of local religious leaders. **In order to retain students and to provide a reasonable alternative for students in that community this schedule change would better facilitate meeting the unique needs of this area.** All standards relating to the 990 hours of required instruction will be followed and monitored. (For complete details of the request, see General Exhibit No. 8486.)

Motion from the Committee that the State Board of Education approve the change of calendar request of the Phelps Elementary School in the Washington County School District to allow them to operate on a four-day week schedule, with a review in two years.

Motion carried with Members Arial, Barney, Burningham, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Cannon abstained, and Member Haslem absent.

Member Linnea Barney reported that the **Licensing Committee** noted the time and efforts of the Utah Professional Practices Commission and requested that when those people leave that commission they receive a letter of thanks for their service.

Motion from the Committee that **letters of appreciation from the Board be written to members of the Utah Professional Practices Commission when their term has expired.** Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Haslem absent.

Executive Officer Report

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

Legislative Education Interim Committee - Dr. Laing reported that annually we are required to make reports to the Legislative Education Interim Committee. He distributed Executive Summaries of the reports that have been made this year. (For complete details, see General Exhibit No. 8487.)

Budget Presentation to the Governor - Dr. Laing reported that he and the Board executive committee

had an opportunity to meet with the Governor and his budget planning staff to convey the Board's budget priorities. This meeting went very well. The Governor seemed to be intrigued with regard to the increase in the weighted pupil unit and splitting some out for program development, etc. The Governor asked us to meet with his staff again and flush out some ideas on that. We have done this, and subsequently met with the Governor again to talk about this. Out of that arose a request to try to put it in writing. Dr. Laing distributed a conceptual white paper on restructuring school financing to more closely accommodate the goal we had of identifying both the growth of the system as well as nurturing the existing system. (For complete details see General Exhibit No. 8488.)

Appreciation to Board Members - Dr. Laing expressed appreciation to the members who will be leaving the board for their service to the children and the state. Further, expressed appreciation to those sitting in the audience who have been elected for their thoughtful service to the education system.

Jerry Peterson Retirement Announcement - Associate Superintendent Jerry Peterson announced that he will be retiring from the State Office of Education as of January 5, 2001. He stated that it has been a wonderful experience working with the Board and the staff at the State Office of Education. He indicated that this decision has come not without a lot of hesitancy. Chairman Kennedy stated that he will be sorely missed. She expressed appreciation from the Board for all that he has done. She wished him the best in his retirement.

Superintendent Laing noted that Jerry will be sorely missed. He expressed his appreciation for his perspective and calm reason with regard to the issues that come before us. Dr. Laing indicated that Jerry is considering the possibility of an assignment similar to that of a middle school principal.

Board Chairman Report

Chairman Kennedy expressed **appreciation to the Board Members who will be leaving** especially those that came on at the same time she did.

Chairman Kennedy explained why she had made a choice not to run for Board Chair again, it was a difficult decision to make. She stated that a week ago she and her husband met with President Monson and in July they will be some place Russian speaking. She indicated that it was her hope that she could continue with the Board through June.

Chairman Kennedy expressed her **support to Kim Burningham** who is running unopposed for Chairman of the Board. She feels he will bring a new dimension to the Board and our effectiveness in the legislature. She expressed her appreciation for his willingness to do this.

General Consent Calendar

Motion was made by Member Judy Larson and seconded by Member Bette O. Arial to approve the General Consent Calendar with change in minutes on page 15565 a figure from \$150 million to \$838,100. Further that the Board Meeting schedule for next year also be added and approved. Motion carried with Members Arial, Barney, Burningham, Cannon, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill, Richards and Shields voting in favor; Member Haslem absent.

1. Minutes of Previous Meeting

Minutes of the Meetings of the State Board of Education and State Board for Applied Technology Education and the State Board of Education held November 2 and November 14, 2000.

2. Contracts

(A) Sky Harbor Apartments. \$7,320. 1/01/01-12/31/01 - Amend.

Rental of this unit will provide housing for DSBVI students while attending the Training and Adjustment and Learning Maximum Independent Living Skills classes.

(B) Sky Harbor Apartments. \$7,320. 01/01/01-12/31/01. - Amend.

Rental of this unit will provide housing for DSBVI students while attending the Training and Adjustment and Learning Maximum Independent Living Skills classes.

(C) Sky Harbor Apartments. \$7,320. 01/01/01-12/31/01. - Amend.

Rental of this unit will provide housing for DSBVI students while attending the Training and Adjustment and Learning Maximum Independent Living Skills classes.

(D) Sky Harbor Apartments. \$7,320. 01/01/01-12/31/01. - Amend.

Rental of this unit will provide housing for DSBVI students while attending the Training and Adjustment and Learning Maximum Independent Living Skills classes.

(E) Main Street Investment, LLC. \$216,359.15. 01/01/01-12/31/05. - Fed.

To lease office space for the South Davis office located at 150 North Main Street, Suite 103, Bountiful, Utah.

(F) Salt Lake School District. \$2,143.07. 10/13/00-10/20/00.

To provide for the services of the principal of Northwest Middle School who acted as director of the Utah Principals Academy for the 1999-2000 school year.

(G) Child & Company. \$26,488. 01/01/01-9/30/01. - Amend. - Fed.

To provide services for the audit requirements in order to comply with federal regulations.

(H) Jensen & Keddington. \$23,679. 01/01/01 - 9/30/01.- Amend. - Fed.

To provide services for the audit requirements in order to comply with federal regulations.

(I) KUTV Channel 2. \$120,000. 10/20/00-10/20/01 - Amend. - Fed.

Development of seven television announcements; five to promote Utah's Applied Technology Centers (ATCs), and two to promote apprenticeship programs. The station will also produce a series of six new radio announcements; five to promote ATCs and one to promote apprenticeship programs. The contract will also provide television airtime for one year. The spots will be duplicated and sent to every Utah School - K-12.

(J) Commission on Volunteers. \$400,000 - 12/7/00-6/30/01 - RECEIVABLE - Amend. - Fed.

To provide program budget for the Americorp Grant.

(K) Research & Development Consultants. \$49,000. 01/01/01-12/31/01. - Amend. - Fed.

Federal regulations require an annual report from the LEAs to the SEA and from the SEA to the Secretary of Education. This report includes statistical information on services provided and an evaluation of the effectiveness of the programs funded. Also, evaluation and assessment services for special education. R&D Consultants will collect and produce the information required.

(L) Datametrics, Inc. \$127,400. 1/1/2001-12/31/2003.

Datametrics will continue to research recidivism rates for offenders chosen to be part of a special post-secondary education program authorized and funded by the U.S. Department of Education.

(For complete details of the Contracts, see General Exhibit No. 8489.)

3. Administrative Rule Review

Under provisions of 63-46a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor nonsubstantive changes within these rules. The following rules were reviewed and approved:

R277-100 Rulemaking Policy

R277-616 Education for Homeless and Emancipated Students and State Funding for Homeless and Economically Disadvantaged Ethnic Minority Students.

R277-711 Educational Programs for Gifted and Talented Students

(For complete details, see General Exhibit No. 8490.)

4. Ratification of Employment

Paul F. DeWitt was ratified as an Educational Specialist, School Law and Legislation, Planning and Project Services Division.

Nancy L. Giraldo was ratified as an Educational Specialist, Bilingual Education, Instructional Services Division.

Karen T. Kowalski was ratified as an Educational Specialist, Emotional Disturbances & Mental Health, Instructional Services Division.

5. Claims Report

The Claims Report in the amount of \$164,077,700.90 ending November 30, 2000 was approved. (For complete details, see General Exhibit No. 8491.)

6. Utah State Board of Education/Utah State Board for Applied Technology Education 2001 Meeting Schedule

The State Board of Education approved the meeting schedule for 2001. (For complete details, see General Exhibit No. 8492.)

Other Business

Member Judy Larson **requested that the Board receive more information and updates on areas that they are over** such as charter schools, the RDA issue that was discussed today and other areas such as these. She suggested that the Board receive copies of minutes of advisory groups or other was to be more informed about these things.

Deputy Superintendent Gary Carlston **clarified the reason we did not recommend strong action on the Salt Lake City test scores.** As we met with them, they indicated that their intent was to promote consistency. He noted that this is a controversial issue all across the country. They have come to agreement with us that there wasn't discretion that they thought there was and they will not do it again and we will follow-up with a letter from Superintendent Laing.

Executive Session

Motion was made by Member Susan C. Henshaw and seconded by Member Joyce W. Richards to moved into an Executive Session for the purpose of discussing personnel issues, acquisition of property, litigation, or other issues that may appropriately be discussed. The Board was polled and by unanimous consent of those present, the Board moved into an Executive Session at 1:45 p.m.

Motion was made by Member Cheryl Ferrin and seconded by Member Marilyn Shields to reconvene into open meeting. Motion carried.

Open Meeting

The Board reconvened at 2:20 p.m.

Coalition of Minorities Advisory Committee (CMAC)

Motion was made by Vice Chairman Kim R. Burningham and seconded by Member Greg W. Haws to appoint Ida Santos Mattingley, Cindy Miya, Veronica Thomas, Harry Conner, Richard Montano and Max Pakineau to the Coalition of Minorities Advisory Committee (CMAC), with their terms to expire December 2002. Motion carried with Members Arial, Barney, Burningham, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill and Richards voting in favor; Members Cannon, Haslem and Shields absent.

Disability Determination Services Advisory Council

Motion was made by Vice Chairman Kim R. Burningham and seconded by Member Bette O. Arial to appoint as an alternate C. Maggie Snyder to the Disability Determination Services Advisory Council. Motion carried with Members Arial, Barney, Burningham, Ferrin, Haws, Henshaw, Jensen, Larson, Morrill and Richards voting in favor; Members Cannon, Haslem and Shields absent.

State Board of Education Leadership

Motion was made by Member Linnea S. Barney and seconded by Member Bette O. Arial to elect by acclamation, Kim R. Burningham to serve as Chairman of the Board. Motion carried unanimously.

Motion was made by Member Joyce W. Richards and seconded by Member Marilyn Shields to elect by acclamation, Janet A. Cannon to serve as Vice Chairman of the Board. Motion carried unanimously.

Motion was made by Member Cheryl Ferrin and seconded by Member Bette O. Arial to reappoint Twila B. Affleck to serve as Secretary to the Board. Motion carried unanimously.

Motion was made by Member Bette O. Arial and seconded by Member Greg W. Haws to adjourn.

Meeting adjourned at 2:25 p.m.

Following the meeting the Board during their Holiday Social recognized outgoing Board Members Cheryl Ferrin, Lynn Haslem, Susan Henshaw, and Boyd F. Jensen. Each were presented a bell plaque. It was noted that Member Grant Hurst would be asked to come back for recognition at the January Board meeting.
