

MINUTES

October 1, 2004

Minutes of the meeting of the State Board of Education held October 1, 2004, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:25 a.m. At the request of Chairman Kim R. Burningham, Vice Chairman Janet A. Cannon presided.

Members present were:

Chairman Kim R. Burningham
Vice Chairman, Janet A. Cannon
Member Dixie L. Allen
Member R. Michael Anderson
Member Linnea S. Barney
Member Tim Beagley
Member Bonnie Jean Beesley
Member Laurel Brown
Member Greg W. Haws
Member David L. Moss
Member John C. Pingree
Member Joyce W. Richards
Member Debra G. Roberts
Member Sara V. Sinclair
Member Gary C. Swensen
Member Teresa L. Theurer

Member Edward A. Dalton was excused.

Also present were:

Executive Officer Patti Harrington
Associate Superintendent Christine Kearn
Associate Superintendent Patrick Ogden
Associate Superintendent Raymond Timothy
Executive Director, USOR, Blaine Petersen
Public Affairs Director Mark Peterson
Board Secretary Twila B. Affleck

Members of the Press:

Jennifer Toomer-Cook, Deseret Morning News
Amy K. Stewart, Standard Examiner
Charlene Lui, Chairman Coalition of Minorities Advisory Committee
Sue Carey, Utah PTA
Vicky S. Bell, Utah Schools for the Deaf and the Blind
Phil Geary, State Board Candidate District 1
Ben Leishman, Legislative Fiscal Analysts Office
Phillip Jeffery, Governor's Office of Planning and Budget
Jim Eldredge, Utah Education Association
Linda Rutledge, Superintendent, Utah Schools for the Deaf and the Blind
Robert Petersen, Chairman, Institutional Council, Utah Schools for the Deaf and the Blind

Members State Office of Education staff:

Richard Gomez, Law, Legislation and Educational Services

Judy DeWaal, Data & Business Services

Brent Huffman, Data & Business Services

Karl Wilson, Student Achievement and School Success

Board Member R. Michael Anderson lead the Board in the Pledge of Allegiance.

Board Member Linnea S. Barney offered the reverence.

Board Secretary Twila B. Affleck recorded the minutes.

Vice Chairman Janet Cannon excused Board Member Edward A. Dalton.

Vice Chairman Janet Cannon shared a “First Day of School” experience.

Vice Chairman Cannon introduced Phil Geary candidate for the Board in District 1.

Boardsmanship Development

Board Member David L. Moss shared information on Leveraging Federal Programs to Achieve Board Goals. The information included Frequent Debates Over Significance of Federal Government’s Role in Supporting Education; Certainties; and Developing Budgets. (For complete details, see General Exhibit No. 9410.)

Installation of New Board Member

Vice Chairman Cannon introduced Bonnie Jean Beesley as the new Board Member appointed by the Board of Regents. She indicated that Member Beesley will replace Member Jed H. Pitcher. Chairman Kim R. Burningham issued the Oath of Office to Member Beesley.

Coalition of Minorities Advisory

Committee (CMAC) Quarterly Report

Charlene Lui, Chairman of the Coalition of Minorities Advisory Committee (CMAC) presented its Quarterly Report to the Board. The report contained the following: Testing and Accommodations Concerns; and U-PASS Concerns, along with recommendations from the committee on both issues. (For complete details, see General Exhibit No. 9411.)

Ms. Lui also distributed a copy of the “*Voice of the Sea People*” A Pacific Islander American Perspective.

Vice Chairman Cannon expressed appreciation to Ms. Lui and CMAC for the recommendations.

Ms. Lui expressed appreciation to the Board for the service of Joyce Richards on the Coalition of

Minorities Advisory Committee.

Utah Performance Assessment

System for Schools (U-PASS)

U-PASS legislation calls for multiple types of testing to determine academic progress in the state as well as to provide for national comparisons. It further requires an identification of schools based upon performance, beginning

with the 2003-04 school year. Utah State Office of Education leadership has been meeting with various constituent work groups and a task force to frame the identification plan.

Associate Superintendent Christine Kearl, presented a progress report of the work of the groups. (For complete details, see General Exhibit No. 9412.)

Utah Schools for the Deaf and the Blind (USDB) Audit and Services Provided

An audit of the Utah Schools for the Deaf and the Blind was released during the 2004 legislative session which included recommendations.

Linda Rutledge, Superintendent, Utah Schools for the Deaf and the Blind and Karl Wilson, Director Special Needs, Utah State Office of Education provided an update of the progress that the Utah Schools for the Deaf and the Blind is making toward fulfilling the recommendations of the legislative audit. It was noted that this update will also be presented to the Education Interim Committee in October. (For complete details of the report, see General Exhibit No. 9413.)

Public Participation/Comment

No participation or comments were requested.

Executive Officer Report

State Superintendent Patti Harrington presented the following items of information:

Dr. Harrington distributed information she has sent to legislators to provide timely information, and to answer requests of legislators. (For complete details, see General Exhibit No. 9414.)

Dr. Harrington provided a list of visits she has made to schools and other education related meetings, legislative contacts made, and speaking assignments she has had in the last month. She provided a brief update on the FACT Council and the New Superintendent Orientation. (For complete details see General Exhibit No. 9415.)

Dr. Harrington reported that the No Child Left Behind budget will be combined with the USOE Budget, both under Associate Superintendent Patrick Ogden. It is intended that the resources for each of those items will be aligned around the chief goals of the agency.

Dr. Harrington reported that she has met with Lucille Stoddard, Interim Deputy Commissioner at the Board of Regents relating to the K-16 seamless education system. They talked about some common assessments that might be used, not only to signal ending the K-12 experience for children, but preparing them for college. She indicated that all of this is just in the discussion process. There is a test called Compass Test and she and others will review it to see how it might be used, if at all, in our system. They also discussed concurrent enrollment and the possibility of increasing it around the state.

Dr. Harrington reported that she and Dr. Stoddard also dialogued the possibility of a grant that will run

through the Commissioner's Office that would help increase our teacher supply, particularly in math, science and special education.

Dr. Harrington reported that there is a Workforce/Education Commission that has been started and headed by Senator Carlene Walker. There is some early dialogue about how we are going to insist upon a K-16 thrust in this state. We will be actively involved in that conversation. Following the elections, she will be visiting with Senator Walker.

Dr. Harrington reported that the Charter School Board is to report to the legislature this coming week and their report included three items: (1) introduction of the board; (2) an update on their work to date, how many applications they have approved; and (3) their mission, objectives and goals. They have not had the time to begin talking the third issue through. They have scheduled themselves for a national training in Philadelphia on that matter and she will attend that training with them. She has offered to help conduct or facilitate their strategic plan etc. if they so desire.

No Child Left Behind - Dr. Harrington reported that the Board has received or will shortly receive in the mail an update on No Child Left Behind and what is happening in our state. It is felt that it might be a timely thing to ask Representative Dayton to meet with the Board and dialogue on where she thinks this is headed this year and her take on the national scene.

Strategic Plan for the State Office of Education – Dr. Harrington reported that this is the work of some 40 people who attended the first meeting. The plan is now in very rough draft form and includes all of the feedback from the group. She reviewed the Strategic Plan. (For complete details, see General Exhibit No. 9416.) She indicated that the criteria is organized along the criteria used in Baldrige model used in business. Dr. Harrington requested any input from Board Members they would like to make.

Executive Session

Motion was made by Member Laurel O. Brown and seconded by Member R. Michael Anderson to move into an executive session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present the Board moved into an executive session at 12:25 p.m.

Motion was made by Member Laurel O. Brown and seconded by Member R. Michael Anderson to reconvene into open meeting. The Board reconvened at 1:20 p.m.

Utah Professional Practices Advisory Commission Recommendations

Motion was made by Member David L. Moss and seconded by Member John C. Pingree to accept the recommendation of the hearing panel and the Utah Professional Practices Advisory Commission in Case No. 04-682 that the educator license of an administrator in the Kane School District be suspended for 18 months from the date of State board of Education action. The suspension results from his falsification of information and records related to

classes he agreed to teach outside of his primary job assignment(s). It was noted that the hearing report was provided in Executive Session. Motion carried with Members Allen, Anderson, Barney, Brown, Burningham, Moss, Pingree, Richards, Roberts, Swensen and Theurer voting in favor; Member Haws absent. (For complete details of the recommendations, see General Exhibit No. 9417.) .

Deaf and Hard of Hearing Advisory Council

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Mary Beth Green to the Deaf and Hard of Hearing Advisory Council, term to expire 6/30/06. Motion carried with Members Allen, Anderson, Barney, Brown, Burningham, Moss, Pingree, Richards, Roberts, Swensen and Theurer voting in favor; Member Haws absent.

Utah Statewide Independent Living Council

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Lew Smith, Lester Ruesch, Vickie Brenchley, and Marilyn Mitchell; and to reappoint Rebecca Wassem to the Utah Statewide Independent Living Council, terms to expire 10/1/05. Motion carried unanimously.

Utah Interpreter Certification Board

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Erick Lynn, Cheri Hodson, Sonie Hovey and Trenton Marsh to the Utah Interpreter Certification Board, terms to expire 6/30/07. Motion carried unanimously.

Interpreter Certification Revocation

Motion was made by Member Teresa L. Theurer and seconded by Member John C. Pingree to revoke the interpreter certification in case No. 04-01 for a period of one year and until she completes 20 hours of pre-approved professional development before the allowed retesting. Revocation results from persons violation of three tenants of the Interpreter Code of Ethics. (For complete details of the recommendation see General Exhibit No. 9418.) Motion carried unanimously.

Board Standing Committee Reports

Finance Committee

Member R. Michael Anderson, Chairman of the Finance Committee presented the following recommendations from the Committee:

Salt Lake City Redevelopment

Project Re-Authorization

Salt Lake City Mayor Rocky Anderson presented to the committee the Salt Lake City Redevelopment Agency's proposal for a re-authorization and extension of the Central Business District redevelopment project originally started in 1971. The RDA is currently authorized to collect tax increment until 2015. The City is proposing

to extend the life of the project an additional 25 years to 2040. At \$21 million of tax increment a year, this single project makes up nearly a quarter of RDA tax increment financing in the state. Larry Newton, the State Board's representative on the taxing entity committee believes that re-authorization is not in the best financial interests of the state. Mr. Newton requested direction from the Board on how to vote on the re-authorization. (For complete details of the material, see General Exhibit No. 9419.)

Member Anderson reported that this includes an area of 262 acres in the downtown Salt Lake City area of which 162 acres is not affected, only 100 in question for extension of 25 more years. Salt Lake City RDA is requesting that the Board's representative, Larry Newton vote in favor of extending this RDA project another 25 years, making a total of 69 years from the time it started to the time it will sunset. There are a number of projects that were presented by Mayor Anderson that will benefit the entire community of Salt Lake. However, it does impact education and the dollars that will be coming to education.

Member Anderson reported that as a general rule we are opposed to RDA's because of what it does to the education dollar. However, it appears that there are a lot of benefits that come from RDA's for the community. They have offered to give to the taxing entities a larger portion of the funds than what would normally be received in order to get us to extend an extra 25 years.

Motion from the Committee that the Board direct its representative to the Taxing Entity Committee, Larry Newton, to work with Salt Lake City to come up with a proposal to maximize dollars for our school children while preserving the RDA ability to fund this project.

Member John Pingree clarified that right now education is receiving nothing and they are proposing that with this 25 year extension they are negotiating to give a percentage of the monies to the taxing entities now.

Member Greg Haws spoke against the action because he felt it was a breach of trust. In his area, the RDA has torn down the project and they have not paid off their bonds. He felt they too would be coming to the Board the same as Salt Lake City has done.

Member Pingree, commented that in Ogden there are some problems that are not necessarily the fault of the RDA. In Salt Lake City the RDA clearly has made a big difference in the ability of the center city to grow. The fact that they can put a little money in and get private developers to put money in has taken the valuation of the properties they are talking about from a \$37.4 million in 1974 to \$2.2 billion in 2004.

Member Haws argued that the schools have not received any monies for the increase in the valuation of this property. He stated that he has a deep and personal feeling about this and it would not be in our role as an advocate for schools and children to give away any more property tax dollars.

Member Mike Anderson clarified that this is a highly diversified RDA, it is not just one project but many. Secondly, they have an RDA area approved of 262 acres and we do receive tax revenues off the increases on the 162

acres, it is only the 100 acre area that we would be *postponing* for 25 more years. Right now we would not begin receiving monies until 2015. With the new proposal dollars would begin to flow in 2005.

Salt Lake City District Superintendent McKell Withers commented in the committee that he felt this new approach was the right one to take on this issue.

It was clarified that Larry Newton has the authority already from the Board to act. He has in the past voted against most RDA's if he feels it is not in the best interest of the children. He has also voted in favor of some.

Further discussion ensued relative to the prudence of supporting the request from the RDA.

Member Anderson restated the motion from the committee that the Board direct its representative to the taxing entity committee to work with Salt Lake City to come up with a proposal to maximize the dollars toward our school children while preserving the RDA's ability to fund this project. Member Anderson clarified that the Board's representative still has the authority to say yes or no.

Motion was made by Chairman Kim Burningham to divide the motion. There being no second the motion died. It was clarified that the motion could not be divided easily.

Substitute motion was made by Member John C. Pingree that the Board instruct its representative to the taxing entity committee to negotiate the very best deal he can get and that he come back to the board to see if we can support it prior to casting his vote.

Member Anderson indicated that this was the same motion from the committee with an amendment that prior to casting his vote he bring back the decision prior to his vote.

Associate Superintendent Patrick Ogden questioned what would happen if the Taxing Entity Committee meets prior to the next board meeting? It was clarified that the Board's representative would vote no.

Valda Tarbet, Deputy Director, Redevelopment Agency of Salt Lake City stated that they are discussing the extension at this time because effective 2008 tax year, the RDA will have no new dollars to invest the central business district. The only monies they will be able to use at that point would be for debt service, sports facilities, convention centers and recreational facilities. The balance of the money would return to the tax community. They are just asking the Board to work with them and invest with them in the central business district, because they believe they have shown in the past that they can provide twice the growth rate than you would typically see in the city. In the end it means more money for the children of the state of Utah. Ms. Tarbet reviewed the growth figures.

Motion failed with Members Allen, Barney, Beagley, Brown, Haws, Richards and Theurer voting in opposition; Members Anderson, Burningham, Moss, Pingree, Roberts, and Swensen voting in favor.

State School Fund Report

Chief Deputy State Treasurer, Robert Kirk presented the status of the State School Fund to the Committee. (For complete details, see General Exhibit No. 9420.)

The current value of the fund is approximately \$463 million. They have had some significant increases in growth over the past year and most of the money invested in items that mature in five to ten years.

Member John Pingree reported that Robert Kirk made a commitment to the Board that they will: (1) start doing semi-annual asset evaluation and redistribution of the funding so we are balanced. (2) That the balance will be based on market value rather than on cost as a basis. (3) They will set a criteria for an appropriate internal rate of return against which they will measure themselves.

Member Anderson reported that it appears our funds are being handled appropriately by the State Treasurers Office.

The Committee received the Treasurer's report.

Budget Priorities and Requests

Member Anderson reported that the Committee did not have time to discuss the magnitude of the final budget priorities and requests. Associate Superintendent Patrick Ogden reviewed the changes in the spread sheet just handed to the Board versus the one in the agenda packet. (For complete details of the budget priorities and requests see General Exhibit No. 9421.)

Member Anderson reported that the Committee would propose that the Board accept the spreadsheet as a preliminary draft of the budget for the State Board of Education as is with the priority list and the 5% wpu value.

Motion was made by Member John C. Pingree and seconded by Member David L. Moss that the Board accept the budget as proposed knowing there may be changes.

Members Mike Anderson and Debra Roberts spoke against the 5% increase in the WPU stating they felt the Board needs to be more realistic of what we can get or live with.

Member John Pingree responded that while it looks high it is very defensible. We have been underfunded for many years.

Chairman Burningham spoke in favor of adopting the motion including the 5% WPU increase. He indicated that it would make up for where we have been funded below inflation in the last several years. He indicated that there is some sympathy from some key legislators who are saying we need to catch-up a little on teacher salaries. Chairman Burningham voiced support for the items under Performance Plus, and U-PASS and UBSCT. Chairman Burningham distributed a copy of a letter from the Utah School Superintendents Association listing their top four priorities, but in general they support this recommended budget. (For complete details see General Exhibit No. 9422.)

Member Debra Roberts suggested we need to put a face to the numbers in front of the legislature, i.e the single mother teacher trying to support her family, the six year old who is struggling with reading, etc.

Motion to accept the budget carried unanimously.

RDA Mitigation Payments Report

The Committee did not have time for this item and requested it be put on a future agenda.

Law & Policy Committee

Member David L. Moss, Chairman of the Law & Policy Committee presented the following recommendations from the Committee:

University of Utah Teacher Education Program Review

The program approval process is an essential step to ensure university/college educator preparation programs meet state preparation program standards. Program reviews are conducted every five years. The process includes an institution self-study and a speciality area review team assessment comparing the institution's practices with national and state standards. The report contains commendation, recommendations, and suggestions. A response from the institution to recommendations is required within one year. (For complete details of the Program Review, see General Exhibit No. 9423.)

The Law and Policy Committee reviewed and approved the University of Utah Teacher Education Program Review and moves that the State Board approve the Program Review with a follow-up report from the university in one year. Motion carried with Members Allen, Anderson, Barney, Beagley, Brown, Burningham, Moss, Pingree, Richards, Roberts, Swensen and Theurer voting in favor; Member Haws absent.

Charter School Application and Approval Process

Prior to the establishment of the State Charter School Board, the Law & Policy Committee had revised and edited the charter school application and approval process. The State Charter School Board has reviewed that application and approval process and has additional recommendations for change. (For complete details of the charter school application and approval process and recommendations, see General Exhibit No. 9424.)

The Committee reviewed the recommendations of the State Charter School Board regarding the charter school application and approval process. They further defined the process the Board should follow in reviewing and taking action on State Charter School Board recommendations.

Member Moss noted the changes to the application and approval process.

Motion from the Committee that the Board adopt the process and the additions to the application. Motion carried unanimously.

Law & Policy Committee Goals

The Committee reviewed and discussed the Board Goals and established a timeline to facilitate the accomplishment of the goals. (For complete detail, see General Exhibit No. 9425.)

Vice Chairman Janet Cannon indicated that the Committee has completed several of the goals. She indicated that the committee would like to have a newly elected legislator and board member to come and visit with

the Board and to provide some type of training, particularly around the area of public school finance, and possibly Performance Plus. They would recommend that this take place following the Board retreat on November 16 from 6:00 p.m. to 8:00 p.m. Vice Chairman Cannon requested Board feedback relative to this schedule. If there are no concerns the committee will move forward.

Student Achievement Committee

Testing Procedures, R277-473

R277-473, Testing Procedures is amended to update the language to make the rule consistent with state law and current practice. The changes include: (1) Removing “Constructed response portions” from the definition and language; (2) Changing CRT assessment window; and (3) Adding new language regarding USOE responsibilities and school responsibilities for crisis indicators in state assessments. (For complete details of the rule, see General Exhibit No. 9426.)

The Committee reviewed and amended the rule as follows:

Line #55, 56 and 57 to read **All CRTs (elementary and secondary, English language arts, math, science) shall be given in a five week window beginning five weeks before the last Monday of the end of the course**. Line 64 - 67, on line 67 delete the words “or of the course.” Clarification on line 110, adding the word subtest(s). Line 219 add **business days** from the date of contact.

The Committee approved on first reading R277-473 as amended and moves that the State Board of Education approve R277-473, Testing Procedures on second reading. Motion carried unanimously.

Adult Education Programs, R277-733

The 2004 Legislature asked the Utah State Office of Education to develop a statewide fee schedule for adult education classes based upon a student’s ability to pay. The proposed rule links these fees to free/reduced lunch criteria and establishes a basic fee amount for classes as well as less expensive options for those who may qualify. (For complete details of the rule, see General Exhibit No. 9427.)

The Committee reviewed and approved R277-733 on first reading and moves that the State Board of Education approve R277-733, Adult Education Programs on second reading. Motion carried unanimously.

Communications Committee

The Committee met without Chairman Ed Dalton who was ill and excused from the meeting. Mark Petersen, Public Relations Director reported on the Communications Committee meeting. He distributed a list of discussion topics and asked that the Board choose four or five or if there are others write them at the bottom and to turn them into him by the end of the day. (For complete details, see General Exhibit No. 9428.).

Mr. Peterson reported that the Committee discussed the State of Education address to be given by the Chairman of the Board. There was some discussion as to when that should be. Committee members are split as to

whether it should be in November or December. He requested input from Board Members as to their preference.

Other

Member Bonnie Jean Beesley requested a personal privilege to make a comment on the State Office of Education Strategic Plan, page 8 item B. She suggested a couple of possible items to consider under D. Information and Analysis, Item #2, Develop Student Achievement Data Analysis Tools for use by educators and parents. She suggested adding to that to relate student achievement analysis to competencies necessary to succeed in post secondary education institutions and to communicate this to students and parents in a timely fashion.

General Consent Calendar

Motion was made by Member Tim Beagley and seconded by Member Teresa L. Theurer to approve the General Consent Calendar as presented.

Mike Anderson noted that under Tab D, Educator Licensing Requests for Temporary Authorizations, there was an omission that he would like to correct. Under the John Hancock Charter School, Alena Short it indicates she is underqualified and not enrolled in a program. She is enrolled at BYU.

Motion to approve with the above modification carried unanimously.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board of Education held September 3, 2004.

2. Contracts

The following Contracts were approved:

A. Russell Hartill. \$10,000. 10/01/04-9/30/05. Amend. Fed.

Appeal officer for disputed audits or reviews required by the United States Department of Agriculture for the Child and Adult Care Food Program (CACFP).

B. Davis County Schools Warehouse. \$150,000. 10/1/04-9/30/05

Receipt and storage of USDA Commodities.

C. Davis Freight Systems. \$250,000. 10/1/04-9/30/05

Transportation of USDA Commodities.

D. Western Regional Outreach Center & Consortia. \$6,569. 7/1/04-8/3/04 - Amend. #3. Fed.

RECEIVABLE

The Western Region Outreach Center and Consortia (WROCC) is funding a program to expand the array of educational opportunities available to students who are Deaf and Hard of Hearing in the western region. A full-time coordinator and part-time secretary will be retained based on WROCC funding to develop resources. The grant will be continued for one last month to tie up loose ends.

E. Utah Association for the Deaf, Inc. \$1,800. 11/1/04 - 10/31/05. RECEIVABLE

Provide space for the Utah Association for the Deaf (UAD) Bookstore for access to individuals who are Deaf, Hard of Hearing, or Speech Impaired needing equipment and information.

F. Uintah Basin Applied Technology College. \$95,340.25. 9/13/04-6/30/09 - Fed.

To provide a half-time secretary for the Uintah Basin Applied Technology College (UBATC)

(For complete details of the Contracts see General Exhibit No. 9429.)

3. Driver Education Programs for Utah Schools, R277-746

The Driver Education Programs for Utah Schools rule is amended to reflect the revision date change made to the Driver Education for Utah High Schools Manual from May 1999 to May 2004, and approved by the Board at its August 2004 meeting.

The Board approved the amendments to R277-746 on second reading at its September 3, 2004 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-746, Driver Education Programs for Utah Schools on third and final reading. (For complete details, see General Exhibit No. 9430.)

4. Educator Licensing Requests for Temporary Authorizations

The Board approved the requests for Temporary Authorizations as submitted by the School Districts. (For complete details, see General Exhibit No. 9431.)

5. Utah State Board of Education Proposed 2005 Meeting Schedule

The Board approved the proposed meeting schedule for the State Board of Education for 2005. (For complete details, see General Exhibit No. 9432.)

6. Utah School Boards Association Dues

The Board approved an invoice in the amount of \$1,500 for the Utah School Boards Association Dues for Fiscal Year 2005. (For complete details see General Exhibit No. 9433.)

7. Monthly Budget Report

The Monthly Budget Reports provide information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education, the Utah State Office of Rehabilitation and the Utah Schools for the Deaf and the Blind. (For complete details, see General Exhibit No. 9434.)

8. Visually Handicapped Trust Fund Expenditures

The Division of Services for the Blind and Visually Impaired Council unanimously approved the following grants to be paid out of the Visually Handicapped Trust Fund interest:

It was decided this year that the Ogden Association of the Blind and the Utah Council of the Blind will each receive \$3,625.00 each to divide between each of their various proposals as they see fit, keeping in mind that under basic guidelines of these grants, no more than \$2,750 may be used for any given proposal.

Utah Foundation for the Blind - \$1,000.00 - To help with the expanded adult goalball program.

Braille Resource Literacy Center - \$2,750.00 - To make Braille materials more widely available and increase the literacy of blind individuals

Ogden Association of the Blind - \$3,625.00 - Transportation Programs: The cab book program, the volunteer driver program, and the ride. To provide low-cost transportation to blind and visually impaired individuals in the northern Utah area.

Utah Council of the Blind - \$3,625.00 -

Braille Literacy – to make Braille materials specifically requested by individuals available and increase literacy among the blind.

Ceramics Classes – to provide ceramics classes in the Salt Lake City area which will assist blind and visually impaired individuals to increase their dexterity and skill in using their hands and their self-confidence and self-esteem.

Subsidized Cab Coupon Program – to provide low-cost transportation to blind and visually impaired individuals throughout the state (exclusive of the Ogden area)

9. List of Applicants for Licenses

The list of applicants for initial and renewal licenses was approved by the Board. (For complete details, see General Exhibit No. 9435.)

10. Claims Report

The Claims Report in the amount of \$170,289,981.01 for August 31, 2004 was approved by the Board. (For complete details, see General Exhibit No. 9436.)

Board Chairman Report

Chairman Kim R. Burningham presented the following items of information:

Chairman Burningham commended the Board on the debate on the RDA issue.

Utah High School Activities Association – Member Teresa Theurer has been assigned to represent the Board on the Utah High School Activities Association. She reported that this assignment has been very interesting. She indicated that because of this assignment she realizes that if we had been there all along we may not have had to deal with some of the issues we have had to deal with.

Member Theurer reported that one of the first things they dealt with was the changes in the classifications. This happens every four years. She indicated that this is an amazing process. She indicated that knowing what a school is going to do relative to enrollment in the next four years is huge in those decisions. Another issue they are dealing with is the Open Enrollment Policies. There are schools that do not have every sport offered and the students that lives close enough to a school that has football offered, and their school does not offer it. In the past the student was

required to leave their school and be enrolled in the school that offered football for the football season. For some this is a problem because it would mean they could not be involved in leadership, etc. The Board of Trustees has approved a pilot program that is going to allow for some of our rural students to be able to play with a football team from another school and attend the school where they live.

Member Theurer also reported that there have been many lively discussions regarding the transferability of students and sports.

Chairman Burningham commented that under Tab E of the General Consent Calendar just passed is a schedule of Board meetings for next year. He noted a couple of slight adjustments: Wednesday July 13 in Cedar City is in connection with the Rural School Association meeting. This is to allow those interest to attend the conference.

November 4 - in Logan, actually thinking November 3 and 4 so please add November 3 to your calendar.

Chairman Burningham commented that he felt that inviting guests into our lunches has been very profitable. He expressed disappointment that we did not have representation from Huntsman and Herbert today. He indicated he still thinks this is important and attempts are being made by the office to reschedule a visit with them for another time. Additionally, we are looking to have the charter school board and USBA Board of Directors.

Chairman Burningham noted that Board member relationships with their legislators extremely important. We are convinced that if you are effective in communicating with your legislators it is the best communication we can get. In seeking to improve that as one means Superintendent Harrington has prepared a letter that some may want to send to legislators offering your help. The Board agreed to go ahead and move forward with the letters after the election.

Calendar items: Tonight at the Embassy Suites there is a dinner to name the Teacher of the Year. This year O C Tanner has given a very nice gift to all the teachers from around the state.

Board elections and reorganization items. Election day is November 2nd. At that point we will have new members among us. Our next Board Meeting is November 5th. In advance of that he expressed deep appreciation to the Board Members who we know will not be returning: Linnea Barney, Joyce Richards, Dave Moss, and possibly Mike Anderson. He indicated that all have made a significant contribution.

Chairman Burningham commented that it is important that all existing board members get to know the new people. We have had some of the candidates who have attended on occasion. Extend ourselves get to know these people.

November 15 is the new board member orientation and then on November 16 is our Board retreat. Following the November 2nd election, Vice Chairman Cannon will be distributing information relative to Board leadership elections which will then take place in the December meeting.

U-PASS meetings continue regularly, if you want to drop into some of these meetings you are welcome.

The next one is October 6 at the State Office of Education.

Chairman Burningham reported that he had recently sent an email to the Board recently relative to a Kainga Malosi documentary. This is a group of high school students who have put together with a grant they have received, a documentary on the challenges of Pacific Islanders. This is wonderful and very well done. He suggested that we arrange a shortened version be presented to the Board.

Chairman Burningham noted that the Board's relationship with USBA is very important. Superintendent Harrington and others on the Board will be meeting with them on October 8 to talk about how we can relate together more fully.

October 14 is the Board leadership meeting and if anyone has items they would like leadership to discuss to please send them to him.

October 15 he will be involved in a town meeting panel where the Sutherland Institute together with the Fred Friendly Institute have organized this meeting to discuss various details of tuition tax credits.

October 20-23 NASBE Annual meeting in Orlando. Linnea Barney will be receiving the Distinguished Service Award and he will become President of that Organization. Chairman Burningham expressed appreciation to Superintendent Harrington for her participation in the conference as well.

October 28 and 29 - UEA Convention.

November 10 - Dialogue on Democracy the sponsors are the Offices of the Courts, Christine Durham has sent out the invitations. This focuses on civic engagement. He encouraged Board Member to attend if at all possible.

November 18-19 he will be attending training relative to his new assignment as the President of NASBE.

Motion was made by Member David L. Moss and seconded by Member Joyce W. Richards to adjourn.

Meeting adjourned 3:50 p.m.