

MINUTES

October 7, 2005

Minutes of the meeting of the State Board of Education held October 7, 2005, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 11:00 a.m. Chairman Kim R. Burningham presided.

Members present were:

Chairman Kim R. Burningham
Member Dixie L. Allen
Member Tim Beagley
Member Bonnie Jean Beesley
Member Laurel Brown
Member Mark Cluff
Member Bill Colbert
Member Edward A. Dalton
Member Thomas A. Gregory
Member Greg W. Haws
Member Randall A. Mackey
Member Debra G. Roberts
Member Richard Sadler
Member Sara Sinclair
Member Gary C. Swensen
Member Teresa L. Theurer

Vice Chairman Janet A. Cannon was excused.

Also present were:

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

Members of the Press:

Cecelia Baker, Salt Lake Tribune
Tanna Barry, Standard Examiner
Jennifer Toomer-Cook, Deseret Morning News
Karen Silver, Salt Lake Community Action Program
Vickie Ingram, Woods Cross High School
Carol Petersen, Woods Cross High School
Cyndee Miya, Coalition of Minorities Advisory Committee
Jackie Thompson, Davis School District
Ken Pierce, Alpine School District
Janet Canyon, Salt Lake City School District
Charlene Lui, Coalition of Minorities Advisory Committee
Joyce Guenon, Jordan School District
Bruce Gifford, Citizen

Barbara Gifford, Citizen
Kendal Gifford, Student
Brian Myers, Citizen
Carolyn Myers, Citizen
B J Myers, Student
Kohana Holly, Citizen
Jane S. Burks, Citizen
Larrison Blackgoat, Citizen
Kolenya Holly, Citizen
Keliah Holly, Citizen
Susie Holly, Citizen
Rochelle Dolin, Citizen
Toanna Dolin, Citizen
Mary Tull, The Leonardo
Dawn Girardelli, Salt Lake Community College.

Board Secretary Twila B. Affleck recorded the minutes.

Welcome and Student Achievement Spotlight

Board Member Greg W. Haws lead the Board in the Pledge of Allegiance.

Board Member Richard Sadler offered welcoming remarks using Abraham Lincoln's Second Inaugural Address. He suggested that as members of the Board we have great challenges just as Abraham Lincoln did and none are more important than the education of the children of Utah.

Chairman Burningham expressed gratitude that Superintendent Harrington was able to be with us today.

Superintendent Harrington expressed appreciation for the flowers, cards and well-wishes she had received during her recent illness.

Chairman Burningham excused Vice Chairman Janet Cannon and Associate Superintendent Ray Timothy.

The Board recognized Kendal B. Gifford and Brian J. Myers on receiving perfect ACT scores. Kendal is one of only 82 out of 365,000 students nationwide and 2 out of 6,000 Utah students to receive a perfect score in Jun 2005. He is a senior at Taylorsville High School and had taken the ACT once before and received a score of 33. He then took it again and received a perfect score.

Brian Myers is one of only 82 out of 365,000 students nationwide and 2 out of 6,000 Utah students to receive a perfect score in 2005. BJ is a senior at Woods Cross High School. He plays the piano, clarinet, and saxophone and is involved in the symphonic and jazz bands at Woods Cross High.

Both students were presented a Certificate of Achievement by the Board.

The Board recognized Crystal Willie and Koleyna Holly for being two of only 60 students nationwide to receive the prestigious Chief Manuelito Merit Scholarship awarded by the Navajo Nation for the 2005 school year.

Crystal Willie is a graduate of Orem High School and is currently a student at Southern Utah University, majoring in pre-med.

Kolenya Holly is a graduate of Whitehorse High School and is currently a student at the University of Arkansas attending the J. William Fullbright College of Arts and Science for Pre-Med.

Kolenya Holly was presented a Certificate of Achievement by the Board. Ms. Willie's certificate will be mailed to her.

Utah Performance Assessment System for Students (U-PASS) Plan

The Utah Performance Assessment System for Students (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. Assessment and Accountability staff have been meeting with various constituent work groups and a task force to frame the new identification plan for improving student achievement. The identification plan is now in final form.

Superintendent Harrington reported that this plan has had the scrutiny of many over the past year.

Judy Park, Director of Evaluation and Assessment presented the final identification plan for the Board's review and consideration, including changes between the new plan and the previously Board-approved plan. (For complete details, see General Exhibit No. 9713.)

Discussion and questions was had relative to the calculations of the subgroups and the total score of the school.

Motion was made by Member Richard Sadler and seconded by Member Edward A. Dalton to approve the revised U-PASS identification plan for increasing student achievement in Utah. Further, that there be a continuation of assessing of how this is working. Motion carried with Members Allen, Beagley, Brown, Colbert, Dalton, Gregory, Haws, Mackey, Roberts, Sadler, Swensen and Theurer voting in favor; Member Cluff opposed.

Executive Officer Report

Superintendent Harrington presented an Executive Summary and Report of Utah School District Symposium on School Facilities. She indicated that this report was prepared by Larry Shumway. Dr. Harrington noted that we hosted the symposium held in September focusing on five key issues. (For complete details, see General Exhibit No. 9714.)

Public Participation/Comment

Lynn Stoddard addressed the Board on "School Reform From the Bottom Up." (For complete details, see General Exhibit No. 9715.) He presented Four Points of Vital Attitudes for Authentic Reform Education.

Mr. Stoddard encouraged that one member of the Board attend the ASCD Conference next April.

Chairman Burningham noted that Mr. Stoddard has spoken with him a number of times and he has read his book and he is in agreement with the human qualities talked about.

Rochelle Dolim, a parent of three autistic children, asked for the Boards assistance in dealing with the Jordan School District who she alleged was failing autistic children.

Executive Session

Motion was made by Member Tim Beagley and seconded by Member Laurel O. Brown that the Board 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 during lunch at 1:15 p.m.

Motion was made by Member Gary C. Swensen and seconded by Member Richard Sadler that the Board reconvene into open meeting. Motion carried. The Board reconvened at 1:30 p.m.

Utah Professional Practices Advisory Commission Recommendations

Motion was made by Member Thomas A. Gregory and seconded by Member Debra G. Roberts to adopt the Commissions recommendation in Case No. 02-633 that the educator license of a former administrator in the Iron School District be reinstated. The license was previously suspended as a result of the administrator's conviction for attempted prescription fraud, a class A misdemeanor. It was noted that the hearing report was reviewed by the Board during the executive session. Motion carried with Members Allen, Brown, Cluff, Colbert, Dalton, Gregory, Mackey, Roberts, Sadler, Swensen and Theurer voting in favor; Members Beagley and Haws absent.

Motion was made by Member Thomas A. Gregory and seconded by Member Debra G. Roberts to adopt the Commissions recommendation in Case No. 03-653 that the educator license of a former teacher in the Alpine School District be reinstated. The license was previously suspended as a result of the educators accessing pornographic web sites on his school computer and storing numerous pornographic videotapes in the ceiling of the school. It was noted that the hearing report was reviewed by the Board during the executive session. Motion carried with Members Allen, Brown, Cluff, Colbert, Dalton, Gregory, mackey, Roberts, Sadler, Swensen and Theurer voting in favor; Members Beagley and Haws absent.

Motion was made by Member Thomas A. Gregory and seconded by Member Debra G. Roberts to adopt the Commissions recommendation in Case No. 05-738 and revoke the license for five years from the date of State Board of Education action based upon default against a former educator in the Jordan School District. This action is taken as a result of the educators' charge of one count of sexual abuse of a minor. The minor was not a student of the educator. Additionally, a memory chip loaded with pornography on a district-owned IPOD was found in his possession. The educator has not responded to either the complaint or notice of default despite numerous attempts to contact him. Motion carried with Members Allen, Beagley, Brown, Cluff, Colbert, Dalton, Gregory, Mackey, Roberts, Sadler, Swensen and Theurer voting in favor; Member Haws absent.

(For complete details of the Recommendations, see General Exhibit No. 9716)

The Leonardo - A Progress Report

Dr. Joe Andrade of the Utah Science Center Authority Board and Mary Tull Executive Director of The Leonardo Project presented a progress report on The Leonardo which is a one-of-a-kind Art, Culture and Science center located in the heart of Salt Lake City. The report included a current schedule and time table of The Leonardo and of its Utah Science Center component. Dr. Andrade also reported on the progress of The Leonardo on Wheels – Science and regional Intel Science Fairs. He noted that The Leonardo partner organizations include: Global Artway, Salt Lake City’s arts education program; the Center for Documentary Arts; and the brand new Utah Science Center. (For complete details of the report, see General Exhibit No. 9717.)

Member Bill Colbert, who represents the Board on the Utah Science Center Board encouraged every Board Member to see the Sebastiao Salgado exhibit at The Leonardo. Assessment of Education Progress (NAEP) Science Standards

Board Member Tim Beagley has been serving as the National Association of State Boards of Education (NASBE) representative on the Steering Committee for the development of the new Framework. He reported that starting in the year 2009, the National Assessment of Education Progress (NAEP) Science exam will be constructed on the basis of a new and updated Framework. The current Framework is 15 years old and many aspects of science education have changed since it was created. Since the creation of the previous NAEP Framework national standards have been released and states, including Utah, have revised standards to match the national standards.

Member Beagley summarized the development of the Framework for the NAEP 2009 Science exam. (For complete details, see General Exhibit No. 9718)

Challenger Learning Center for Utah

Born out of a tragedy that took the lives of the Challenger Space Shuttle 51-L crew members in January 1986, Challenger Learning Centers were created as a living memorial to the spirit of exploration and human development.

The Salt Lake Community College is the proposed statewide host to the Challenger Learning Center for Utah.

Dawn Girardelli, Coordinator, Business Education, Continuing Education, Salt Lake Community College, and Nadine Sharp presented the mission, purpose and function of the Challenger Learning Center for Utah and what the program offers for students and employees that encourage the study of science, math, research techniques, engineering, and aerospace. Including vital workplace skills such as problem-solving, communication, and team building. (For complete details of the proposed Challenger Learning Center for Utah, see General Exhibit No. 9719.)

Member Tim Beagley commented that he was able to visit this in Arizona and what a very real simulation this is for students who are participating. Also, the distance education component is very important in reaching every student in the state.

Meeting the Needs of Utah's Secondary
Students in Career and Technical Education

The State Board of Education is required to provide a report to the Governor and to the Legislature's Education Interim Committee by October 31 of each year detailing how the needs of secondary students are being met and what access they have to programs offered at the Utah College of Applied Technology (UCAT).

Mary Shumway, Director of Career and Technical Education presented a report of the school district Career and Technical Education programs. (For complete details, see General Exhibit No. 9720.)

Motion was made by Member Tim Beagley and seconded by Member Edward A. Dalton to accept the report. Motion carried unanimously.

Board Standing Committee Reports

Law & Policy Committee

Board Member Debra G. Roberts, Chairman of the Law & Policy Committee presented the following recommendations from the Committee:

School Counselors, School Psychologists, and
School Social Workers Certificates and
Programs, R277-506

The Committee pulled this item for further revisions and modifications.

Special Needs Scholarships - Funding
and Procedures, R277-602 - Amendments

The Special Needs Scholarship received 208 applications. Some applicants disagreed with elements of the administrative decisions. Utah State Office of Education staff believe that a limited appeals process is necessary and fair and have recommended amendments to the rule to address the appeals process. (For complete details of the rule, see General Exhibit No. 9721.)

The Law and Policy Committee made the following revisions to the rule to make it more clear to parents as they go through this process: R277-602-8(2) add the word "additional". (2) Appellants have no right to **additional** elements of due process beyond the specific provisions of this rule. Add **(3) Nothing in the appeals process established under R277-602-8 shall be construed to limit, replace or adversely affect parental appeal rights available under IDEA.**

The Law and Policy Committee reviewed the amendments to R277-602 and approved the rule on first reading. Motion from the Committee that the Board approve R277-602, Special Needs Scholarships - Funding and Procedures on second reading. Motion carried unanimously.

Charter Schools, R277-470 (Repeal and Reenact)

R277-470, Charter Schools, is proposed for repeal and reenactment because of numerous and significant

changes to the state law on charter schools in the past two years. Because the rule includes significant amendments to reflect the changes in the law, a repeal and reenact is the most effective and least confusing means of making the changes. The reenacted rule is limited primarily to timelines and the conversion process from locally chartered to Board chartered schools. (For complete details of both rules, see General Exhibit No. 9722.)

The Committee made the following changes: R277-470-3B(1) to read: **Upon receiving credible information of charter school financial deficiencies, the State Charter School Board shall immediately direct a review or audit, through the Board of the charter school, the State Charter School Board staff, the Board auditor, or by an independent auditor.** (Basically just changing the order.) R277-470-4E. **The Board shall hold existing traditional public schools converting to charter schools under Section 53A-1a-515(2) harmless for the conversion school year as directed by the Legislature.** R277-470-7B **A charter school that provides transportation to students shall comply with Utah law under Section 53-8-211.**

The Law and Policy Committee reviewed and approve the repeal and reenactment of R277-470, Charter Schools on first reading. Motion from the Committee that the Board approve the repeal and reenactment of R277-470 on second reading. Motion carried unanimously.

Utah Professional Teacher Standards

State Board Rule R277-522 The Entry Years Enhancement Program (EYE) requires entry level teachers to develop successful teaching skills and strategies in order to advance from a Level 1 to a Level 2 license. The most recent research shows that teacher standards are an essential educational tool for school districts to use to successfully mentor new teachers on teaching skills to promote the learning and achievement of students.

Utah State Office of Education staff have worked extensively with teachers, school and district level administrators, and representatives from teachers' association in developing the Utah Professional Teacher Standards. The standards are based on the Interstate New Teacher Assessment and Support Consortium (INTASC) Standards and follow current research and expert advice pertaining to best teaching practices. (For complete details of the standards, see General Exhibit No. 9723.)

The Law and Policy Committee reviewed and approved the Utah Professional Teacher Standards as one of the options (INTASC, district, and Utah Professional Teacher Standards). Motion from the Committee that the Board adopt the Utah Professional Teacher Standards as one of the options (INTASC, district, and Utah Professional Teacher Standards) recommended to school districts and charter schools to support and mentor new teachers in their districts as part of the EYE Program. Motion carried unanimously.

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 specialty area review team assess the institution's practices with national and state standards. The report contains commendations, recommendations, and suggestions to which a response from the institution is required within one year.

The University of Utah completed the Self-Study Report and the specialty area review team completed the report. The majority of the program areas were approved by the Board in the October 2004 Board Meeting. The Foreign Language/Spanish has now been completed. The University will now prepare a response to the review within a reasonable period of time but not to exceed one year from the date of the Board approval. (For complete details, see General Exhibit No. 9724.)

The Law and Policy Committee approved the University of Utah Teacher Education Program Review and moves that the Board approve the Review. Motion carried unanimously.

Utah State Office of Education Educational Technology Services Section Report

The Utah State Office of Education recently organized all instructional technology into the new Educational Technology Services Section of the Law, Legislation, and Education Services Division. Responsibilities include providing professional development support in the area of educational technology to districts and schools across the state, oversight of the Instructional Media Consortium, training and facilitating of distance learning (EDNET) throughout the state, and operating and maintaining the Electronic High School.

The Law and Policy Committee received an update regarding the new Educational Technology Services Section and its role in supporting the advanced use of educational technology in our state. The Committee recommended that this become a work/study item in the future.

Finance Committee

Board Member Tim Beagley, Chairman of the Finance Committee presented the following recommendations from the Committee:

State School Trust Fund Report

Chief Deputy State Treasurer, Robert Kirk presented the status of the State School Fund. Member Beagley gave a brief overview of the account and noted that the account has grown and is doing very well. The report was received as information. (For complete details, see General Exhibit No. 9725.)

Additional Budget Request: One-Time Funding for Library/Media Materials

Representative Tim Cosgrove and others made a presentation to the committee requesting the Board adopt a budget request for one-time funds for library and media materials in the amount of \$4 million. (For complete details of their request, see General Exhibit No. 9726.)

The Committee recommended an addition to the budget request as well as other changes as follows: Page 2, Line L, an addition of \$300,000 increase for the electronic high school. Line M, increase of \$2.3 million for concurrent enrollment. Line T, a new item for charter schools, facility lease aid in the amount of \$1,355,900. Under "One-Time Needs" addition for new library initiative in the amount of \$4 million. AI funding for the three early college high schools in the amount of \$2,100,000. Under Supplemental Requests AM - Charters - Change in-lieu-of Local Funding Formula, \$3,000,000. AN - Charters - Facility Lead Aid (pending) \$747,600.

Motion from the Committee to approve additional to the budget as it continues to change.

Member Haws noted that under On-Time Needs AH was to read: Library/Media/Literacy.

Motion carried unanimously.

Reinstatement of Out-of-State Applicant Review Fee and Approval of FY 2007 Fee

Schedule Request

In revising the fee schedule for educator licensing, the \$45 fee charged to out-of-state applicants was inadvertently omitted. The current cost to out-of-state applicants is now less than prior to July 1, 2005. The Board needs to adopt a proposed fee schedule to submit to the Governor and the Legislature for legislative approval in the upcoming session.

The Finance Committee reviewed the current fee schedule and approved the reinstatement of a review fee of \$50 for out-of-state applicants. The \$50 fee is comparable to the review fee charged to Alternative Route to Licensure applicants. (For complete details of the schedule, see General Exhibit No. 9727.)

Motion from the Committee that the Board approve the reinstatement of a \$50 review fee for out-of-state license applicants and the proposed FY 2007 fee schedule. Motion carried unanimously.

Special Education Legislative Task Force Update

Following the 2005 Utah legislative session, the Special Education Services Section received support from Superintendent Patti Harrington to convene a group of stakeholders that would provide input in preparation for the 2006 Legislature. Special Education staff have been meeting with the Special Education Legislative Task Force since early June. This group includes state legislators, Board Member Laurel Brown, local school district superintendents, principals, school district special education directors, regular and special education teachers, and parents. The task force is developing short and long-term recommendations that would help to enhance special education services for students with disabilities.

Karl Wilson, Director of Special Education and Board Member Laurel Brown provided a brief overview of the recommendations that the Special Education Legislative Task Force has considered. These recommendations are meant to address specific identified concerns and lead to improved special education services. This information will be helpful in assisting the Board to understand critical issues that affect students with disabilities that might be considered

during the 2006 legislature and subsequent legislative session. (For complete details of the recommendations see General Exhibit No. 9728.)

The report was received as information.

Annual Financial Review of the Utah State
Office of Education

The Finance Committee has requested to annually review the finances and budgets of the three organizations the State Board is responsible for: Utah State Office of Education, Utah State Office of Rehabilitation and Utah Schools for the Deaf and the Blind. The Committee reviewed the Utah State Office of Education and will review the Utah State Office of Rehabilitation and the Utah Schools for the Deaf and the Blind in the coming months. (For complete details of the information presented, see General Exhibit No. 9729.)

Review of Programs in the Minimum
School Program

The Finance Committee has expressed interest in studying the Minimum School Program for the purpose of identifying programs that can be consolidated or simplified. The Committee was informed of the programs within the Minimum School Program, their history and funding formulas with the goal of ultimately simplifying Utah school finance.

The Committee reviewed the information.

Update on the Legislative Task Force
on Tax Reform

The Legislative Task Force on Tax Reform is considering several proposals that would have a significant impact on school funding. The Committee reviewed the proposals that are before the Legislative Task Force on Tax Reform. (For complete details, see General Exhibit No. 9730.)

Curriculum Committee

Board Member Teresa L. Theurer Chairman of the Curriculum Committee presented the following recommendations from the Committee:

Secondary School Completion and Diplomas
R277-705, Amendment

R277-507, Secondary School Completion and Diplomas, is amended to provide standards and procedures for public school acceptance of student credit from nonpublic schools and programs. The changes also clarify the differences in diplomas and certificates of completion and the issuance of each. (For complete details of the amended rule, see General Exhibit No. 9731.)

The Committee made the following modifications to the rule:

R277-705-3F - Schools shall accept credits from supplemental education providers and other credit sources with written approval from the student’s principal or designee consistent with R277-705-3D prior to program enrollment.

R277-705-4 C. School districts or schools shall establish criteria for students to earn a certificate of completion that may be awarded to students who have completed their senior year, are exiting the school system, and have not met all state or district requirements for a diploma.

R277-705-8 Designation of Differentiated Diplomas and Certificates of Completion.

R277-705-1 Q “UBSCT Advisory Committee” means a committee that is advisory to the Board with membership appointed by the Board, including appropriate representation of special populations from the following:

The Curriculum Committee reviewed the amendments and approve R277-705 on first reading. Motion from the Committee that the Board approve the amendments to R277-705, Secondary School Completion and Diplomas on second reading.

Member Tom Gregory questioned why a high school student was removed from the UBSCT Advisory Committee? It was felt that the Committee might be reviewing parts of the test or test questions. Member Gregory spoke in favor of having a student represented on the Committee and requested further clarification as to why the student was taken out.

Member Richard Sadler questioned Lines 166, 167, 168 as to whether districts were denying credit if a student completed a course at the Electronic High School. It was clarified that some districts will not accept the credit, especially if they offer the course in their district. It was noted that the Electronic High School is an accredited institution.

Motion was made by Member Debra G. Roberts and seconded by Member Mark Cluff to remove the word “serious” on line 348. R277-705-6 D(5)(b) would then read: School districts shall determine acceptable reasons for student makeup eligibility which may include absence due to illness, absence due to a family emergency, or absence due to death of family member or close friend. Amendment carried unanimously.

Motion was made by Member Richard L. Sadler and seconded by Member Thomas A. Gregory to add one high school student, who has successfully passed all three UBSCT tests, to the UBSCT Committee.

Member Ed Dalton spoke against the motion because he felt the committee would be meeting during the day and it would not be appropriate to pull a student out of school to attend the meeting.

Member Bill Colbert spoke in opposition to the amendment until he can see why it was stricken in the first place.

Member Laurel Brown spoke against the amendment because of privacy issues that may be discussed by this committee which could cause some real liability issues.

Member Teresa Theurer spoke against the amendment because the committee is dealing with students who move into our schools after February of their senior year. She did not see a reason to have a student on the committee.

Member Richard Sadler suggested that if it is the issue of confidentiality then perhaps this could be amended further to suggest that when individual issues involving confidentiality are discussed then the high school student not be there.

Member Tom Gregory suggested that if we are concerned about the privacy of the student, it is not only appropriate to strike the high school student but also strike the business representation and CMAC member.

Amendment to reinsert one high school student as long as they have successfully passed all three UBSCT tests motion failed with Members Beagley, Roberts and Sadler voting in favor; Members Allen, Brown, Cluff, Colbert, Dalton, Gregory, Haws, Mackey, Swensen and Theurer voting against.

Motion was made by Member Thomas A. Gregory and seconded by Member Teresa L. Theurer to amend the rule to remove business representation, and the Coalition of Minorities Advisory Committee.

Member Debra Roberts requested that the motion be split.

Amendment to strike the CMAC member failed with Members Beagley, Gregory, Sadler and Theurer voting in favor; Members Allen, Brown, Cluff, Colbert, Dalton, Haws, Mackey, Roberts, and Swensen opposed.

Amendment to strike out the business representation carried unanimously.

Motion was made by Member Richard L. Sadler and seconded by Member Teresa L. Theurer to amend the rule on line 109 and remove the higher education representation.

Member Tim Beagley spoke against the motion because some will be looking at UBSCT passage as part of their program entrance.

Member Tom Gregory spoke against the motion only from the aspect that he would like to see higher education clarified.

Amendment failed with Members Brown, Haws and Sadler voting in favor; Members Allen, Beagley, Cluff, Colbert, Dalton, Gregory, Mackey, Roberts, Swensen and Theurer opposed.

Rule as amended carried unanimously.

Utah Pre-Kindergarten Guidelines

_____The Utah Pre-Kindergarten Guidelines were created in response to the Bush Administration's Early Childhood Initiative, "Good Start, Grow Smart." In 1993, the Utah State Office of Education, in collaboration with the Office of Child Care, commissioned Ann Austin of Utah State University to write the initial guidelines. The guidelines were completed in December 2004. In January 2005, steering and writing committees were formed to develop these

initial guidelines into the Pre-Kindergarten Guidelines. Copies of the completed guidelines were reviewed by focus groups across the state, teachers, administrators, the Office of Child Care, Public Health, the Utah Family Center, the PTA, Head Start, tribal education, the Coalition of Minorities Advisory Committee executive board, and Utah State Office of Education staff.

Staff presented the final draft of the Pre-Kindergarten Guidelines to the Committee and the Committee authorized staff to conduct public hearings and gather comments on the Pre-Kindergarten Guidelines. (For complete details, see General Exhibit No. 9732.) Following public hearings the comments will be reviewed and considered for revision of the Pre-Kindergarten Guidelines. The revised guidelines will be presented to the Board and recommended for approval in its December meeting.

Utah State Board of Education Resolution on School Attendance

In accordance with the Curriculum and Instruction Committee's Strategic Plan goal to, "Work in partnership with education stakeholders to create and implement a program to improve student attendance," and based on direction from the Committee, the document, Guidelines for School Attendance, was presented and approved in the September 2 Board meeting.

In order to convey how strongly the Board feels about school attendance, staff was directed to develop a Board resolution. The Utah State Board of Education Resolution on School Attendance has now been drafted and was presented to the Committee for review. (For complete details of the Resolution, see General Exhibit No. 9733.)

The Committee reviewed and approved the Resolution on School Attendance with minor revisions. Motion from the Committee that the Board approve the Resolution on School Attendance and request that it be shared with districts and maintained on the Curriculum web page at USOE. Motion carried unanimously.

Life Skills Document, Revised

The Life Skills document was produced in 1998 and reprinted in 2000 by the Utah State Office of Education.

The Life Skills document was distributed to Curriculum and Instruction Committee members in the August 2004 meeting. Committee members were given the opportunity to review the document during the month of August. In the September 2004 meeting they directed staff to make revisions to the document.

The Life Skills documents has now been revised and is up to date with current research and Board policy. The document is a product of a one-year revision process that involved Board members, district leaders, university administrators, teachers and USOE staff. (For complete details of the revised Life Skills Document, see General Exhibit No. 9734.)

A schedule for focus Groups and Public Hearings was distributed.

The Curriculum and Instruction Committee authorized the Curriculum Section to provide focus groups and public hearings on the Life Skills document. After review of the comments, the new Life Skills document will be presented to the Board in December.

Communications Committee

Chairman Burningham commented that the Communications Committee has done a great job with the newspaper insert. He expressed appreciation to Member Dalton and the members of the Communications Committee.

Member Ed Dalton reported on the newspaper insert project. He encouraged Board Members to read the insert in depth.

Member Dalton expressed appreciation to the *Deseret Morning News* and particularly Carolyn Dixon who manages the Newspapers in Education Program. Through this project the *Deseret Morning News* used it in their newspaper and distributed it to approximately 75,000 subscribers. It was also included in *The Salt Lake Tribune* to another 125,000 readers. Through the NIE Program, teachers from throughout the state ordered an additional 60,000 copies for use in classrooms. The State Board received a print overrun of 47,000 copies. A total of 307,000 were printed. Fourteen school districts ordered 15,100 to use within various ways in their school district. There are still about 32,000 copies at the State Office of Education.

Member Dalton presented a little background on the finance side of this project. If we can reach 300,000 people for about \$7 or \$8,000 this has been a pretty good communications public relations expenditure. He requested that with the 30,000 remaining copies that each Board Member take some to pass out in different ways as they visit throughout their districts.

Member Dalton further reported that in the same issue of the newspaper were articles on education such as “The Room To Read” and a full page dealing with a number of topics such as Character Education, and Choosing a College for Teenagers and Kids. They have offered us an additional 3 more C-3 spots.

Member Dalton reported that the Communications Committee met yesterday afternoon and discussed the Awareness Campaign on School Attendance.

The Committee continues to review how to share good things that are happening such as growth and achievement that we see through our testing. Mark Peterson will also continue to include a few short messages in the front of the Education News Roundup.

Member Dalton expressed appreciation to Mark Peterson, Debra Roberts, Tim Beagley and Gary Swensen for all their support and help.

Member Gary Swensen suggested to Board Member that they take a bundle of these inserts and as they visit doctors or dentists to take a couple of copies and leave them in these offices.

Member Dalton also reported that a week ago he was part of a delegation from Utah that went to

Washington, D.C. attended the Third Congressional Conference on Civics Learning. There was representations from all 50 states and six other countries to revisit, talk and motivate and cite one another about educating through democracy, the civic mission of schools and finding ways throughout Social Studies and through other disciplines to re-instill this notion of civic engagement of people in our country.

The group is putting together an action plan and one of the activities is the Dialogue on Democracy that is scheduled for November 17, 2005.

Member Dalton noted that in the new Life Skills Core document there was a special effort to integrate the civics theme throughout the curriculum. He indicated that Utah is not dragging behind – we are doing a lot and could be one of the top states in the country when it comes to civics education.

General Consent Calendar

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

1. Minutes of Previous Meeting

Minutes of the Meetings of the State Board of Education held September 1-2, 2005.

2. Contracts

The following contracts were approved:

A. COMSYS Services LLC. \$324,955. 9/2/05-9/2/06 - Amend. - Fed.

To establish a statewide student identifier and upgrade the Criterion Reference Testing System to more adequately meet the requirements of Utah Performance Assessment System for students (U-PASS) and no child left behind. (U-PASS)

B. Utah Department of Human Services. \$100,000. 7/1/05-6/30/06 RECEIVABLE

To provide funding for inservice training, curriculum development, materials for substance abuse prevention programs and other expenses associated with the substance abuse prevention specialist.

C. Utah Department of Human Services. \$220,000. 7/1/04-6/30/05 - RECEIVABLE

To provide funding for the tobacco survey and over-sampling awarded to Bach Harrison.

D. Bach Harrison LLC. \$155,913.50. 7/1/05 - 6/30/06. - Amend.

To provide⁴ over-sampling for the SHARP 2005 survey and completion of the survey for 2005. This will complete this project when all of the reports have been completed and submitted to USOE. There is an additional amount added to this contract to cover a payment made (15,193.50) in a prior period.

E. Utah Statewide Independent Living Council. \$133,260. 10/1/05-9/30/06 - Amend. - Fed.

To provide resources to the Independent Living Program in accordance with Title VII Part B and the State Plan for Independent Living.

F. NCS Pearson. \$5,000,000. 8/1/05-7/31/10.

To provide an agreement for purchase of scannable documents for use with the NCS scanner.

G. A.J. Boggs & Company. \$200,680. 10/1/05-9/30/07.

Provide project management services to support and coordinate acquisition and implementation of an integrated Child Nutrition Programs database system.

H. Xerox Corporation. \$239,186.28. 10/1/05-9/30/06 - Amend.

To lease 2 Docutech 6135 for the use in the print shop. (Extension of lease for one year.)

(For complete details of the Contracts, see General Exhibit No. 9735.)

3. Driver Education Endorsement, R277-507

The Driver Education Endorsement rule was revised to provide the opportunity for those educators holding a level 1, 2, or 3 license in the Areas of Concentration: Special Education and/or Counseling in addition to Secondary Education to hold the Driver Education Endorsement. The Board approved R277-507, Driver Education Endorsement on second reading at its September 2, 2005 meeting. There have been no other substantive changes to the rule since that time. The Board approved R277-507, Driver Education Endorsement on third and final reading. (For complete details of the rule see General Exhibit No. 9736.)

4. Administrative Rule Review

Under provisions of 63-45a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor non-substantive changes within this rule. The following rule was reviewed and approved:

R277-444 Distribution of Funds to Arts and Science Organizations

(For complete details, see General Exhibit No. 9737.)

5. Monthly Budget Report

The Monthly Budget Report provides 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. 9738.)

6. USBE Agenda & Strategic Planning Calendar 2005-2006

The Utah State Board of Education Agenda & Strategic Planning Calendar for 2005-06 was provided for information to the Board. (For complete details, see General Exhibit No. 9739.)

7. Ratification of Employment

Velma Church was ratified as an Educational Specialist in the Student Achievement and School Success

Division.

Thalea J. Longhurst was ratified as an Educational Specialist in the Student Achievement and School Success Division.

Pearl Raynes Phillipps was ratified as an Educational Specialist in the Student Achievement and School Success Division.

Rita Brock was ratified as an Educational Specialist in the Student Achievement and School Success Division.

8. State Superintendent Vehicle Allowance

The State Board of Education sets the compensation guidelines for the State Superintendent of Public Instruction. In accordance with state policy, the State Superintendent will receive a vehicle reimbursement of \$600 per month, effective October 1, 2005 in lieu of being provided a vehicle for her use.

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. 9740.)

10. Claims Report

The Claims Reports in the amounts of \$53,9767,750.71 and \$166,606,183.11 respectively, for June 30, 2005, and August 30, 2005 was approved by the Board. (For complete details, see General Exhibit No. 9741.)

Board Chairman Report

Chairman Burningham noted that the NASBE Annual Meeting next week will be held in Phoenix, Arizona. The amendment on No Child Left Behind to the Public Policy of NASBE will be presented from the Utah delegation. Chairman Burningham noted that forms have been distributed relative to participation on next years study groups. He encouraged that Utah have a member on each of these groups.

Chairman Burningham reported that he and Superintendent Harrington have had regular meetings with the Governor. Yesterday, he, Superintendent Harrington and Associate Superintendent Kearn met with the Governor. He indicated that he felt very good about the relationship with the Governor.

Chairman Burningham reported that they had discussed the K-16 Alliance and the Governor's response was that he had only one objection and that was that he wanted his name included as one of the members of the committee. They also discussed the Summit follow-up and what will be done. The Governor's Office has produced their tax reform plan in the last couple of days and the Governor was very interested in discussing that relative to what he was

trying to achieve. Chairman Burningham noted that Associate Superintendent Patrick Ogden had a pretty positive response after reviewing the plan. Associate Superintendent Ogden indicated that his primary point was that as all of this tax reform is being discussed it would be advantageous for us not to be seen as opposing any kind of tax reform simply because there might be a small price tag. In this particular case Governor Huntsman's recommendation may result in a tax reduction of \$14-20 million, but it looks like it a fair and equitable system that we may be foolish to oppose simply because of a short loss for public education. We still need to look at a lot more of the specifics of the plan. On first look, it brings more stability to the public education budget.

Associate Superintendent Chris Kearl commented on the Governor's concern for early literacy and his support for not just the K-3 initiative but for kindergarten and the need for student readiness.

Chairman Burningham reported that the Governor in the last two meetings has been very excited about the whole kindergarten issue. The Achievement Gap Group is also advocating for greater support for all-day kindergarten as a way to reach the needs of at risk groups. We don't know what the Governor will be proposing, but Chairman Burningham was very confident that when his budget comes out there will be some type of proposal to extend kindergarten to full-day for everyone or just for some. Chairman Burningham indicated that he had shared with the Governor that the Board would be supportive of enhancing the kindergarten program, but that it has a large price tag. However, this is not in our budget request.

Chairman Burningham distributed a graph of quick estimates of costs for various variations of adding kindergarten. (For complete details, see General Exhibit No. 9742.)

Chairman Burningham distributed a copy of a draft proposed resolution in support of full-day kindergarten. He encouraged passage of such a resolution for the general concept of this issue. (For complete details, see General Exhibit No. 9743.)

Member Bill Colbert expressed support for the concept, especially Title 1 schools or ESL students. He voiced concern, however, that there may be additional costs for facilities.

Member Randall Mackey spoke in favor of the resolution. He indicated he was in favor of full day kindergarten for all students and would like to see us take leadership on this to help Governor Huntsman make the right decision.

Member Gary Swensen questioned if in the discussion with Governor the Head Start program came up? Chairman Burningham indicated it had not. Member Swensen commented that he has been serving on the Achievement Gap Group and two legislators on that committee were enthused about using the Head Start programs as well as enhancing kindergarten.

Member Tom Gregory commented that he views kindergarten as an advocacy of parental responsibility. The move to longer kindergarten encourages the deterioration of parental involvement in the education of their

children. However, he can see the need for ELL students.

Member Debra Roberts spoke in support of all day kindergarten for those kids that need it, but felt the option should be left to parents.

Member Richard Sadler voiced concerned about the strategy of a resolution at this point particularly with the time that has been spent in developing our budget request then almost appearing to be political by jumping on the Governor's bandwagon especially after talking with legislators and suggesting the 4-6 math and funding for UBSCT.

Member Mark Cluff spoke in favor of passing resolution knowing benefits of those children that need it, however, like to have the parents decide.

Member Tim Beagley spoke in favor of the concept but proposed two things before a resolution is passed. It may not be the concept of a full-day kindergarten is what everyone needs, it may be that we should state it in some way as early childhood intervention. There may be districts that need to bring their ELL students in a couple of weeks before school starts, etc. Secondly, if years passed are any indication, this type of program will likely cost us all of our budget initiatives.

Carol Lear, Director, School Law, reminded the Board that the kindergarten year is not a required year in the code. Districts are required to offer it, but not it is not a compulsory education year until children are 6 years old.

Chairman Burningham commented that the resolution only indicates to expand, it does not advocate any observation.

Associate Superintendent Chris Kearl commented that we need to seize the moment. This is a rare opportunity for us to get support from the Governors office for this type of initiative. The students we are trying to target are those whose parents that are probably working two jobs and those children need this additional academic rigor.

Member Greg Haws commented that he would like to consult with a few of his constituents prior to taking any action.

Motion was made by Member Greg Haws and seconded by Member Dixie L. Allen to table this matter until next meeting. Motion carried with Members Allen, Beagley, Cluff, Colbert, Dalton, Gregory, Haws, Mathews, Roberts, Swensen and Theurer voting in favor; Members Brown and Sadler opposed.

Chairman Burningham reminded Board members to continue with their legislative contacts. Member Theurer voiced concern that there is some frustration that legislators have not responded to requests. Chairman Burningham urged them to not give up and to continue to call.

Chairman Burningham reported that he and Member Cluff and Associate Superintendent Chris Kearl had spent two days in Milwaukee along with some legislators and this has provided an opportunity to visit with them and we now have a greater ability to talk with them.

Chairman Burningham encouraged Board members to prepare reports on their visits with legislators. The Governor was impressed that we were visiting legislators and hoped we would have a report of those that may be of help to us during the legislative session.

Chairman Burningham noted that we try to meet with legislative leadership quarterly and we are currently trying to make those appointments. The Senate has asked us to try again in November. He noted that there is a meeting with Speaker Curtis on Wednesday, October 19.

Chairman Burningham further commented that one of the great values of the trip to Milwaukee was getting to know legislators. He reported that he, Mark Cluff and Chris Kearn left Monday as guests of Educational Excellence who was selling us on voucher programs. They toured some of the wonderful choice programs. By our own decision we stayed for an additional day and met with a representative who was opposed to choice schools and two board members who were opposed. They also visited with the newspaper who prepared a report on choice schools. They also visited a choice school and they were gracious and kind. On the issue of Tuition Tax Credits and vouchers we don't all see this the same. The three have put together a report with specific recommendations as a result of their experience. This will be submitted to others submitted by the three who were on the trip. (For complete details see General Exhibit No. 9744.)

Chairman Burningham reported that the Salt Lake Chamber of Commerce has formed an education committee. They have asked him to come for their first meeting. He would like to appoint a board member for future participation in this group.

November 3 and 4 meetings in Logan. November 3 strategic plan, Gary Carlston facilitator. November 4 regular board meeting.

Some board members have requested a visit to the Edith Bowen Lab School and Member Theurer has set that up for 9:00 a.m. on Thursday morning.

Upcoming Activities:

Tonight - Teacher of the Year Banquet at the Embassy Suites

Tomorrow night Cannon wedding

October 10 Chamber of Commerce Education Committee meeting

October 11 - 9:00 a.m. Administrative Rules Committee is looking at sharing of lists of memberships in charter schools. Also talking about community council action and whether they are working or not working.

October 12 - 15 NASBE in Phoenix

October 18 - Board Leadership Meeting

19 - Legislative Interim Committee meetings

Meeting with Speaker Curtis

20-21 UEA

26 - PTA USOE Summit on Reading at Utah Valley State College

27 - Regents meeting at UVSC

31 - Meeting of USBA all superintendents 5 or 6 legislators asked for us to respond after the legislators.

November 2 - Governor's review of education budget.

Motion was made by Member Teresa L. Theurer and seconded by Member Bill Colbert to adjourn.

Member Randall Mackey shared an excerpts from a booklet on religion in the schools.

Meeting adjourned at 4:53 p.m.