

## MINUTES

August 4, 2006

Minutes of the meeting of the State Board of Education held August 4, 2006, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:40 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 Tim Beagley  
Member Laurel O. Brown  
Member Mark Cluff  
Member Bill Colbert  
Member Edward A. Dalton  
Member Thomas Gregory  
Member Greg W. Haws  
Member Cyndee Miya  
Member Denis R. Morrill  
Member Josh M. Reid  
Member Debra G. Roberts  
Member Richard Sadler  
Member Teresa L. Theurer

Members Randall Mackey and Marlon O. Snow were excused.

### Also present were:

Superintendent Patti Harrington  
Deputy Superintendent Raymond Timothy  
Associate Superintendent Myron Cottam  
Associate Superintendent Patrick Ogden  
Executive Director, USOR, Don Uchida  
Public Affairs Director Mark Peterson  
Board Secretary Twila B. Affleck

### Members of the Press:

Cecelia Baker, Salt Lake Tribune  
Jennifer Toomer-Cook, Deseret Morning News  
Rod Decker, KUTV Channel 2  
Lynze Wardle, Standard Examiner  
Shannon Bubb, Student  
Vicki Simonsmeier, USU/USHA  
Marilyn Price-Larson, Speech Language Pathologist  
Mike Hovat, Citizen  
Richard Nelson, Utah Technology Council & Governor's Board for Economic Development  
Kris Fawson, Utah Statewide Independent Living Council  
Julie Christofferson, President-Elect, Utah Music Educators Assoc.  
Clinton M. Frohm, Music Specialist, Granit School District

Louise Moulding, Citizen  
Erin Moulding, Student  
Eric Smith, Utah Technology Council  
Steve Spencer, Twelve Horses  
Mel S. Lavitt, Governor's Board of Economic Development  
Scott Smith, Chairman, Utah State Charter School Board  
Linda Rutledge, Superintendent, Utah Schools for the Deaf and the Blind  
Jalizabeth Brown, Nebo School District/USU  
Dave Lambert, Washington School District  
Lisa Holmstead, Speech Language Pathologist, Salt Lake City School District  
Janine Radley, Speech Language Pathologist, Granite School District  
Debra Tabor, Utah PTA  
Rhonda Rose, Utah PTA  
Randy Parker, Utah Farm Bureau  
Helen Liodakis, Citizen  
Martin Frey, Citizen  
Brent Holt, Tooele School District  
David Wright, Citizen  
Lori McCabe, Citizen  
Sarah Cox, Citizen  
Katie Bailey, Citizen  
Janet Hubley, Citizen  
Dora N. Lawrence, Citizen  
Terry Lawrence, Citizen  
Samantha Lawrence, Citizen  
Shalie Barber, Citizen  
Lucille Stoddard, Utah System of Higher Education  
Cynthia Bioteau, Salt Lake Community College  
David Doty, Utah System of Higher Education  
Lauren Stimpson, Utah System of Higher Education  
Charlotte Starks, Coalition of Minorities Advisory Committee  
Eldon Budge, Thomas Edison Charter School - South  
Charlene Lui, Coalition of Minorities Advisory Committee  
Chas. Nelson, Uintah School District

Vice Chairman Janet Cannon shared information from 100 years ago. "What a difference 100 years makes!" She expressed appreciation to all staff at the Utah State Office of Education for their dedicated services to the children of Utah.

Vice Chairman Cannon introduced Josh Reid appointed by the Board of Regents to serve on the board. She indicated Mr. Reid was sworn into office yesterday.

### Welcome and Student Achievement Spotlight

Board Member Thomas Gregory lead the Board in the Pledge of Allegiance.

Board Member Laurel Brown offered opening remarks sharing information about time and time on task.

Quotes about time: Act as though we don't have all the time in the world. Loose an hour in the morning and you will spend all day looking for it. A poem, "Sun Dial on Campus" by Henry VanDyke.

Vice Chairman Cannon excused Board Member Randall Mackey and newly appointed Board of Regents Member Marlon O. Snow, both of whom had prior commitments before being appointed to the Board.

The Board recognized 13 Utah students who won prizes in both the Intel International Science and Engineering Fair (Intel ISEF) and the Science Talent Search in 2006. The Intel International Science and Engineering Fair is the world's largest pre-college celebration of science. It is held annually in May, and they bring together nearly 1,500 students from more than 40 nations to compete for scholarships, tuition grants, internships, scientific field trips and the grand prize: a \$50,000 college scholarship.

Since 1942, Science Service has made dreams come true through the Science Talent Search. It is America's oldest and most highly regarded pre-college science contest.

Students who were able to attend the meeting were: Andrew Allen Gilbert, Northern Utah Academy for Math, Engineering, and Science; Shannon Babb, American Fork High School; Lindsey Hubley, Woods Cross High School; Nicole Hovat, Carbon High School; Samantha K. Larwence, Christian Heritage High School; Megan Moulding, Fremont High School; Emmanouel Georgiou Liodakis, Hillcrest High School; and Charles Cumberland McGuire, West High School. Each student explained their science project and told of their plans for the future in using this experience. Each were presented a Certificate of Excellence from the Board.

#### Public Participation/Comment

##### **Graduation Requirements**

Dr. Cynthia Bioteau, President, Salt Lake Community College; Dr. David Doty and Dr. Lucille Stoddard, Utah System of Higher Education presented a resolution passed last week by the Utah State Board of Regents in support of the proposed new graduation requirements. They also shared a Memorandum on behalf of the Commissioner of Higher Education and the nine colleges and universities. (For complete details see General Exhibit No. 9951.)

Richard Nelson, Utah Technology Council, and Governor's Office of Economic Development presented a Resolution from the Utah Technology Council in full support of the Board's efforts in raising the graduation requirements. The resolution emphasizes that this is for all students. (For complete details see General Exhibit No. 9952.)

Erick Smith, a businessman in the technology area spoke in support of the increased graduation requirements and how the proposed basic skills and increased rigor will help their business.

Mel S. Lavitt, Governor's Board of Economic Development and also in the investment banking business. He referred to the "Flat World" by Thomas Freedman. He stated that students need to be well prepared to go into the workforce. Students need to be very well prepared when they graduate from high school to move from job to job.

Steve Spencer, representing a local technology company, reported that he receives at least two phone calls and emails every day asking him to move his development off shore. These are jobs he is being asked to move away

from the state. He stated that it is important that we get our children more educated, and he applauds the efforts not only in requiring more science, mathematic and English but in the broadening of it and making it relevant to the students and their parents.

Randy Parker, Utah Farm Bureau, stated that the Farm Bureau agrees with strengthening the graduation standards and the goal of increasing comprehension in math, English and science. What classes ultimately qualify under the new 4, 3, 3, is critical. It is important that the range of qualifying classes is not so narrow it lacks understanding of the end product. The Farm Bureau is concerned that there is a growing perception that anything less than a college bound track, a baccalaureate degree lacks societal values. Labor statistics show that 20 percent of jobs require a four year college degree where 65 percent of jobs require skills training. Career and technical education offer hands-on application of math, science and the theories involved. The curriculum standard needs to be broad based to prepare and challenge the college bound student while preparing the middle majority in math, science and language to be successful outside of a college track. Further, they hope the new requirements will not put a burden on rural schools and ultimately place rural students at a disadvantage.

Clint Frohm pointed out that fine art students achieve at a higher rate than peers that have no fine arts experience. This is demonstrated specifically in ACT scores. Succeeding two three and four years experience increases the difference in the scores of students with fine arts experience over students who do not have that experience. He commented that rigor does not equal more.

Julie Christoffersen, commented that as an arts community they fully support quality and rigor in the curriculum and they are doing things within their own area to enhance that. They fear, however, decisions are being based on two unproven assumptions: (1) quantity will equate to quality and (2) that additional time will equate to more rigor. It has been mentioned that in the senior year you have lots of room for electives, however, these are scope and sequence skill levels. She commended the Board for including the SEOP information, however, the ratio of counselors to students is 600 to 1 in a large high school. Technology is not the only employable field. Technology is and should be embedded in all curriculum.

Martin Frey, former director Economic Development for the State of Utah commented that excellence and increased rigor in our educational system is key to ensuring continued growth and economic development for our state. Studies have shown that if a community can increase its average educational level just one year, the economic activity in that area will increase over 15 percent. He has heard repeatedly from the businesses in our community that they need high school and/or college graduates with more analytical thinking skills and more effective writing skills. Many of the high school students are moving into more technical jobs where thinking and problem solving skills are crucial for their success. These are often the higher paying jobs in our economy. He fully supports, along with many of the industry leader, the Board's initiative.

David Wright Professor Mathematics at Brigham Young University, commented that the Department of Education has statistics that show that 75 percent of high school graduates go on within two years to attend a two year college or four year college. The level of earnings between high school and college graduates is increasing. We need to give our high school graduates an opportunity to succeed in college. Recently President Sederburg talked about what is going on at UVSC where two-thirds of the students are unprepared in mathematics. The average student at UVSC has the mathematical level of seventh grade mathematics. We need to do better in preparing students so they can go on to college. He supported the increase in math, science and English.

### **Speech Pathology Area**

Vicky Simonsmeier, a licensed, certified speech language pathologist as well a audiology, and has over twenty years experience, in schools, medical settings, and rehabilitation. She spoke against the proposal for communication disorder practitioners. She stated that there is discussion about the critical shortage of speech language pathologists in the state. However, changing the rule to water-down the degree required is not a positive solution. This would weaken the requirements and licensure for people working in schools serving children who have special handicapping conditions. The entry level position for speech pathologists in the schools is a masters level. Some may say that this is the highest level of education required – this is a misnomer, it is an entry level. To say that we can serve children with a bachelors level is equivalent to saying that someone in a pre-med program should write prescriptions. There are some very important issues for the board to understand as this topic comes forward, many of which are funding.

Marilyn Price-Larson, a certified speech language pathologist, also holds a Ph.D. She has worked in the school system for twenty-five years. She stated that while working in the schools she has had an opportunity of supervising graduate students who are doing the externship at the school level just prior to getting their masters degree. The proposal is a “sledgehammer” approach to the shortage of speech language pathologist. People with a bachelors degree in communication disorders have the equivalent of a liberal arts degree with a knowledge of human communication, its development and an overview of disorders. They do not have the adequate knowledge of assessment, diagnosis and treatment of communication disorders nor have they had any actual experience working with students with disorders. Therefore, she is against the proposal to lower the lower the standards.

Dave Labert, Washington County School District, Licensed, Certified Speech Language Pathologist encouraged the board to have the will to make a decision based on rigor and qualification by rejecting the notion of reducing the level of licensure requirements to serve our students.

### Board Standing Committee Reports

#### **Curriculum Committee**

Member Teresa Theurer, Chairman of the Curriculum Committee presented the following recommendations

from the Committee:

The Elementary and Secondary School  
Core Curriculum, R277-700

Based on Board discussion, study, and desire to increase the graduation requirements, as well as the call for greater rigor in the curriculum, R277-700, The Elementary and Secondary School Core Curriculum, is amended to increase the required units of credit in language arts, mathematics, and science, under R277-700-6, High School Requirements, as follows: Language Arts - 4 units of credit; Mathematics - 3 units of credit; and Science - 3 units of credit.

The Board directed staff to form an advisory committee of education stakeholders and Board members to study and make recommendations specific to increasing the graduation requirements. The most recent committee meeting resulted in recommendations for changes in the rule specific to the mathematics requirements and flexibility for students according to SEOPs. If passed, this rule would be effective for the graduating class of 2011.

The Committee discussed a Resolution which included a preface which was suggested that the study session yesterday. (For complete details, see General Exhibit No. 9953.)

The Committee reviewed R277-700, Elementary and Secondary School Core Curriculum and made one change on page 2, line 66 with a concern on a definition for the SEOP. Under Definitions Q. "SEOP" means student education occupation plan. A SEOP shall include: 1) a student's education occupation plans (grades 7-12) including job placement when appropriate; 2) all Board and local board graduation requirements; 3) evidence of parent, student, and school representative involvement annually; 4) attainment of approved workplace skill competencies; 5) post secondary goals and approved sequence of courses. (For complete details see General Exhibit No. 9954.)

The Committee approved the amendments to R277-700, Elementary and Secondary School Core Curriculum on second reading and moves that the Board approve the amendments to the rule on third reading. Motion carried unanimously.

Member Theurer presented changes to the Resolution made by the Committee and based on the discussion during the study meeting the day prior.

Under the first Whereas, second to last bullet changes to read: "Providing effective and timely interventions for struggling students, English Language Learners, and students with disabilities; and.

Under the third Whereas, first bullet reads: That increased rigor and graduation requirements will have real fiscal costs and other non-fiscal "opportunity costs;". The third bullet reads: "The costs of implementing new courses, teacher training, increased interventions, and remediation.

Under Therefore, first bullet reads: Implement a comprehensive list of broad courses, including career and technical education courses, that can be used to meet the increased graduation requirements.

The third square bullet after the seventh round bullet reads: Professional development to increase the

quality and rigor of instruction.

The seventh square bullet reads: “Opportunity costs” as a result of a reduction in the number of students enrolled in elective courses.

Motion from the Curriculum Committee that the Board approve the announcement and the resolution to accompany the rule.

Chairman Burningham and Member Colbert both stated that they hoped this would not diminish the arts in our education system. Chairman Burningham issued a challenge to those in the arts field that they personally make sure this does not diminish the arts opportunity for students. The mechanisms are there, but it will take effort to make sure these opportunities are not reduced.

Member Greg Haws called upon those who have spoken to the Board today and those that have encouraged the Board to do this that the job is not done and it will take an increased level of funding to make it work. This is a culmination of a process started many years ago that the Board called “Performance Plus.”

Member Tim Beagley commented on concerns for the implementation of these changes and the way it is done could have a profound effect on certain communities within our state. We have minority communities where the high school drop-out rate is already unacceptable. Also, he fully expects our friends in higher education to help us with minority teachers for those communities, and our friends in the business community to help us with partnerships. It is wonderful to raise the bar but now we need to help some students to get over it.

Member Debra Roberts expressed appreciation for the time it has taken to give us a better product, for making it palatable for the districts who will struggle with some of the requirements, and for the local control and the choice for parents.

Motion to approve the Announcement and Resolution carried unanimously.

Member Theurer reviewed the Courses meeting the criteria for graduation requirements beginning with the Class of 2011 which included the foundation courses plus the applied and advanced list. She stressed that this is not part of rule or resolution so it can be adjusted – this is not a final list. (For complete details, see General Exhibit No. 9955.)

Member Theurer expressed appreciation to the public and want them to know how much we need them in obtaining the funding support to make this successful. She noted that this will start next fall with the students who are entering the 9<sup>th</sup> grade.

#### Standards and Practices Regarding Genocide Education, Including Holocaust Education

Recently, Board members have been approached by constituents regarding the current standards and practices in Utah public schools regarding genocide education in general and the Holocaust in particular.

Utah schools provide a range of approaches and lesson on the topic at the elementary and secondary levels, primarily as a part of English language arts and social studies instruction.

Robert Austin, Social Studies Specialist, reported to the Committee on the programs currently in the curriculum and shared future opportunities regarding education about genocide, the Holocaust, and other related topics. (For complete details, see General Exhibit No. 9956.)

Member Theurer noted that the Holocaust Museum will be in Salt Lake City for a conference next June.

Member Richard Sadler commented that as we continue to look at balancing the curriculum we also need to make efforts to deal with the birth and development of Islam.

#### Concurrent Enrollment Joint Agreement and Quality Standards

The Board at its March 3, 2006 meeting directed staff to hold discussions and gain input relative to clarifying the funding, rigor, and accountability concerns of the concurrent enrollment program. Discussions have been held and input received and two documents have been drafted by the Utah State Office of Education Curriculum Section and the Utah State Board of Regents clarifying and establishing a course of action and understanding regarding the areas of concern.

Drafts of the “Joint Agreement of the Future of Concurrent Enrollment” and “Statement on Quality Standards” were presented to the Committee. (For complete details, see General Exhibit No. 9957.)

The Committee accepted the drafts as written except for page 4 under Technology Delivered Courses, to delete number 5 dealing with online concurrent enrollment courses.

Motion from the Committee that the Board accept the draft as written with the above deletion.

Member Tim Beagley questioned why we were being asked to accept it when there was a whole list of things that needed to be worked out.

Member Theurer indicated that the Concurrent Enrollment Task Force cannot move further without the agreement on the document by the two boards.

Superintendent Harrington clarified that the K-16 Alliance, of which the Concurrent Enrollment Task Force is a subset, are very anxious to setting the concurrent enrollment matter quickly and to work out the details. This is, in part, because we were on different sides of the argument during the legislative session. We are now anxious to make this agreement and let these details work themselves through.

Member Beagley commented that he did not feel that this addressed any of the problems we faced during the legislative session last year, it doesn't take into account current practices of on campus concurrent enrollment. He did not see any resolution and therefore he could see no reason to vote or to affirm something that isn't ready to be used.

Superintendent Harrington responded that they have talked about tuition based concurrent enrollment. It is not included because we have asked that it not be there. There are those that advocated it be the second position. If the first position of asking for more money from the legislature every year on an escalator for concurrent enrollment failed, then tuition from students would automatically kick in. This is not in the agreement because of our joint decision to not include it.

Member Richard Sadler questioned if there is a time frame when we may have definitive answers on fee questions which the preliminary draft is leading to.

Vice Chairman Janet Cannon responded that the public education side is not in agreement with fees and therefore it is not a part of our agreement.

Substitute motion was made by Member Tim Beagley and seconded by Member Richard Sadler that rather than approving an incomplete document the Board encourage the K-16 alliance to continue working on this, we appreciate the work done so far, but ask them to continue working on those issues, and bring it back in a more complete state.

Member Denis Morrill questioned what the motion would do to the progress of the Alliance. It appears that they decided to bite it off in chunks and they have take part of it, agreed to it and are now asking for support of that portion. He suggested we accept what they have done realizing that they will come back later with more.

Member Greg Haws commented that he sits on the K-16 Alliance and this is an effort to bring everyone along. He would hope that what we do today is not interpreted as going back but pushing forward.

Substitute motion failed with Members Allen, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Morrill, Roberts, and Theurer voting in against; Members Beagley and Sadler in favor.

Member Laurel Brown asked if it was clear that changes in legislation will come from both bodies rather than the K-16 alliance or does this give them authorization to form their own legislation.

Chairman Burningham responded that the K-16 Alliance has legislators who sit on it. Legislators are kept apprised. Further, this item is on the agenda for the Joint meeting scheduled in September.

Discussion ensued relative to the funding issues raised earlier as well as whether or not legislation was being developed by the two boards rather than coming from a legislator and then the boards having to react to that.

Superintendent Harrington requested that staff talk with Members Beagley and Sadler on their particular feelings.

Paul Puzey, Coordinator, Concurrent Enrollment reported that the allocation for concurrent enrollment that comes from the legislature will be divided in the State Office and a percentage of it will go to the Board of Regents and they will deal with the colleges and universities. This will save a major problem for our school districts and the funding as it exists right now will allow for no district to loose money.

Mr. Puzey in addressing some of the other concerns indicated that there is an increase in monitoring and reports rendered yearly on services delivered to the adjunct professors in the high schools. This really focus' on the creation of the concurrent enrollment task force and it gives them the authority to try to resolve these issues and then go back to both boards with recommendations.

Member Greg Haws called for previous question, seconded by Member Bill Colbert. Motion carried.

Motion on Joint Agreement Concurrent Enrollment and Standards carried with Members Allen, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Morrill, Roberts, Sadler and Theurer voting in favor; Member Beagley opposed.

Private School, Home School, Electronic High School (EHS), and Bureau of Indian Affairs (BIA) student Participation in Public School Achievement Tests, R277-604

Based on an increasing number of requests by private school and home school students to participate in public school achievement tests, R277-604, Private School, Home School, Electronic High School (EHS), and Bureau of Indian Affairs (BIA) Student Participation in Public School Achievement Tests, is developed to provide criteria and procedures for student participation.

The rule ensures the integrity, security, and orderly and manageable administrative process necessary for student participation in U-PASS. (For complete details, see General Exhibit No. 9958.)

The Committee amended the rule as follows: Under Definitions, D. "Public school achievement test, delete the word include norm referenced and, and add mean. Line 104, Home school student participation change (1) to read: Elementary-age home school students who desire to participate in U-PASS may do so only in the public school district in which the home school student's parent/legal guardian resides. Striking: Only if the student is enrolled in one or more Core program or course at the public school. Add (2) Secondary home school students who desire to participate in U-PASS may do so only in the public school district in which the home school student's parent/legal guardian resides only if the student is enrolled in one or more Core program(s) or course(s) at the resident public school.

The Curriculum Committee approved R277-604, Private School, Home School, Electronic High School (EHS), and Bureau of Indian Affairs (BIA) Student Participation in Public School Achievement Tests, with amendments noted above on first reading and moves that the Board approve the rule on second reading. Motion carried unanimously.

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

Education for Homeless and Emancipated Students and State Funding for Homeless and Economically Disadvantaged Ethnic Minority Students, R277-616, is amended to update the rule to align with new federal guidelines

regarding the education of homeless students. This process will meet one of the U.S. Department of Education's monitoring report findings. (For complete details, see General Exhibit No. 9959.)

The Committee modified the rule to include charter school after districts in approximately eight places.

The Curriculum Committee approved R277-616, Education for Homeless and Emancipated Students and State Funding for Homeless and Economically Disadvantaged Ethnic Minority Students with the addition of charter schools where appropriate on first reading and moves that the Board approve the rule on second reading. Motion carried unanimously.

#### 4-6 Mathematics Improvement

##### Program Update

\_\_\_\_\_The 2006 Legislature passed H.B. 181, and appropriated \$7,500,000 of non-lapsing one-time funding from the Uniform School Fund to fund proposals from school districts and charter schools to improve mathematics achievement test scores of students in grades four through six.

Qualifying proposals shall use professional development incentive bonuses, or a combination of professional development and incentive bonuses as strategies to improve mathematics achievement test scores of students in grades four through six.

The Math Improvement RFP resulted in 26 proposals. The proposals went to external evaluators and were ranked for funding.

Staff presented to the Committee the results of the RFP process and the results for the funded proposals. (For complete details see General Exhibit No. 9960.)

Member Theurer reported that this was an information item and no action was required. She expressed appreciation to Nicole Paulsen for her work on this project.

#### **Law and Policy Committee**

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

##### Information Concerning the Critical Shortage of Communication Disorders Specialists (Speech Language Pathologists)

Utah public schools have been experiencing a critical shortage of Communication Disorders Specialists (Speech Language Pathologists) for a number of years. The USOE Special Education Department has provided funding support to IHEs since 1995 to increase the number of qualified SLPs. These efforts have been helpful but have not resolved the critical shortage.

Utah IHEs have reported that they are graduating approximately 40 - 50 SLPs with a master's degree each year with approximately on-half seeking employment in the public school system. This does not meet the need for

SLPs in Utah public schools. Additionally, there is a national shortage of SLPs.

Considering Utah's projected population increases and the state/national critical shortage of SLPs, it is important to consider new directions in order to address the problem.

Current licensing regulations require the "highest requirements in the State applicable to a specific profession or discipline" which is a master's degree.

The Individuals with Disabilities Education Act (IDEA '04) encourages State Education Agencies (SEAs) to "...determine the appropriate qualifications for related services providers..." due to "...a shortage of the availability of related services for students with disabilities."

Information was presented to the Law and Policy Committee relative to the critical shortages. They discussed possible solutions in dealing with this shortage. (For complete details see General Exhibit No. 9961.)

Motion from the Committee to receive the report as information and to direct staff to move to create a committee that would report on the \$3 million spent over the last three years; also look at the slots in the graduate schools because part of the problem with the shortage is that as they go into the master degree programs there are not enough slots in the masters degree area. Also, to look at other ways of looking at this shortage, looking at the disparity in the ways that different districts handle the shortage; and look at working environment and retention factors. Further that the Committee be formed from various entities throughout the state and that a preliminary report be made in October. The reason for the short time frame is because if there is a need to look at funding issues, that would be the final cutoff date to put them into place.

Motion carried unanimously.

#### Charter Schools, R277-470

Charter Schools, R277-470 is being repealed and reenacted because of significant changes in the law and consequently in the rule. The reenacted rule reflects changes in legislation over the past several years and was approved by the Board with the exception of one issue and one section. The Board members directed that one section address expansion sites and the majority of Board members did not want "satellite sites" included in the rule. Section 11 addresses the issue of expansion sites.

The State Charter School Board had the opportunity to review this proposed section of the rule in its June and July meetings.

The Committee made the following changes to the rule: Line 25, add the words "at a single location." F. "Expansion means a proposed increase of students or grade level(s) in an operating charter school at a single location.

Throughout the document they changed the year from 2006-2007 school year to by the 2007-2008 school year.

Line2 284 and 295 add the words by and.

Member Roberts reported that the Board and the Charter School Board are comfortable with the changes on Expansion. However, we are not comfortable with the concept of Satellite Schools. The Committee decided to keep R277-470-11, Expansion for Approved Charter Schools, Section A will stay the same. We are taking from Section B, originally 2 and 3 are now changed to 4 and 5 and put up under A. Section B, crossed out everything after the words “expansion”, and all of Section C and D. The Committee requested that they be given two sections to the rule, one dealing with satellite concept, and how it will be included in the rule; the second will be no satellite concept, but possibly a “sister” school concept.

The Committee approved the repeal and reenactment of R277-470 a amended above on first reading and moves that the Board approve the repeal and reenactment of R277-470, Charter Schools, with changes noted above, on second reading. Motion carried unanimously.

#### Basic Skills Education Program (UBSCT Remediation)

The Basic Skills Education Program was created in HB 181 (S1) of the 2006 General Session of the Utah Legislature. It provides stipends for basic skills education services to students who have not passed the Utah Basic Skills Competency Test by the spring of their junior year.

Materials for the Basic Skills Education Program have been developed and disseminated to school district/charter schools and to potential private providers. Our effort to reach potential private providers included a mailing to every private school, and to all tutoring services listed in the DEX business telephone directory.

The basic procedures for the program are: 1) School districts/charter schools will notify parents of eligible students of the availability of the program. This notification will include a form for a parent to select services from the school district, or to choose to receive services from a private provider. A parent who chooses a private provider acknowledges that the school district will no longer be responsible for remediation services, and accepts responsibility for any fees charged by a private provider above the amount of the stipend. 2) Parents who choose a private provider give their choice form to that provider. If the parent chooses the school district for services, the district retains the choice form. 3) The provider delivers the services to the student. 4) The student attempts the UBSCT, and upon receipt of the results, provides those to the provider. 5) The provider submits the choice form and the passing UBSCT result to the USOE for payment. (For complete details of the Provider Application Procedures, see General Exhibit No. 9963.)

Interest has been expressed by several private providers. Because of the compressed time line in the rollout of the program, flexibility is being applied to all deadlines.

The Committee received the report as information. Expressed appreciation to Larry Shumway for his work on this issue.

#### Carson Smith Special Needs Scholarship Program Update

The applications for the 2006-2007 school year from schools and parents have been received. There are

twenty-six schools that will be eligible to enroll scholarship students this year, an increase of thirteen from last year. One hundred ninety-eight new parent applications have been received. One hundred twenty scholarships from last year will continue this year, for a total of about three hundred twenty scholarships. Current funding will be sufficient to fund the scholarship applications received to date.

The Committee received the report as information.

### **Finance Committee**

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

#### Pupil Accounting, R277-419

The motivation to revise this rule was two fold: First, to address the problem of gaps in accounting for student membership due to the growing number of nontraditional methods of instructional delivery and second, to resolve inconsistencies that have crept in over the years while trying to address exceptional situations.

The approach taken toward this task was also two fold: First to simplify wherever possible in order to interpret the rule more easily and second, to make explicit the connection between the statement of policy and its implementation in established data collection and reporting mechanisms. (For complete details of the rule see General Exhibit No. 9964.)

Notes provided a brief orientation to the proposed revisions for each of the seven sections of the rule.

The Finance Committee changed to Add E, under R277-419-4, Student Membership as follows: A school operated by an LEA under a Utah School for the Deaf and the Blind, IEP: (1) Students may only be counted in S1 membership and shall not have a S2 record; (2) the S2 record for these students shall only be submitted by the Utah Schools for the Deaf and the Blind.

The Finance Committee approved R277-419, Pupil Accounting on first reading as modified above, and moves that the Board approve the rule as amended on second reading. Motion carried unanimously.

#### Oversight of School Inspections, R277-471

Municipal and County building inspectors have expressed concern that school districts and charter school facilities are potentially being built without proper construction inspection oversight by the State Board of Education. When the issue was brought before the May 2006 Political Subdivisions Interim Committee, the Committee asked Larry Newton of the USOE and Jodi Hoffman of the League of Cities and Towns to work with an *ad hoc* committee of representatives from the education community, legislators, architects, the State Fire Marshal's office, and International Code Council, the League of Cities and Towns and municipalities to look at the issues and report back to the Interim Committee November 15, 2006 with recommendations. This administrative rule contains provisions recommended by the *ad hoc* committee. In addition, provisions of H.B. 172 "Local Land Use Provisions Relating to

Schools” have been incorporated into this rule.

Member Beagley noted that the Committee discussed the changes to the rule, however they did not feel comfortable with moving this onto the Board because of an issue on page 16 dealing with Inspection of Facilities Leased to Charter Schools. No action to be taken.

State Supported Voted Leeway, Local Board-Approved Leeway and Local Board Leeway for Reading Improvement Programs, R277-422

UCA 53A-17a-133, *State Supported Voted Leeway Program Authorized - Election Requirements – State Guarantee – Reconsideration of the Program*, was amended during the 2006 Legislative session. This amendment allows school districts to not have to comply with the advertisement (notice) requirements of the property tax law when increasing the voted leeway levy above the certified tax rate if an election to consider the leeway is held within four-years. This amendment brings the rule in compliance with the recent changes in the law. (For complete details see General Exhibit No. 9966.)

The Finance Committee approved R277-422, State Supported Voted Leeway, Local Board-Approved Leeway and Local Board Leeway for Reading Improvement Programs on first reading and moves that the Board approve it on second reading. Motion carried unanimously.

Foreign Exchange Student Cap, Senate Bill 5, Amendments to the Minimum School Program Budget

This past legislative session, state law was amended to once again allow foreign exchange students to be included in a school’s enrollment census for the purpose of receiving state funding. The total number of foreign exchange students eligible for state funding is capped at 328. This change, however, is effective beginning next school year (2007-2008). Until then, for purposes of state funding, schools may only count foreign exchange students when there is a one-for-one exchange with a Utah student. Schools are still encouraged to accept additional foreign exchange students but do so assuming the full cost of the student.

Senators Stephenson and Hale are anxious that schools once again welcome and enroll all interested foreign exchange students, regardless of their eligibility for state funding, and to admit these students this school year (2006-2007). Senator Stephenson has indicated he would support a supplemental appropriation (and presumably a change in the law) to cover the state funding for those students. Senator Hale will not be returning to the legislature next year and when she proposed the change in legislation did so without mentioning a supplemental appropriation.

The State Board is required to implement rules surrounding the implementation of the cap on the number of state funded foreign exchange students. It is anticipated that a proposed rule will be considered by the Board in a future meeting.

Board Members were informed of the status of the foreign exchange program. No action was required.

#### Distribution of Funds to Arts Organizations

The Legislature appropriated an increase in funding for the Fine Arts organizations of nine percent. Last meeting, the Board authorized a five percent across-the-board increase in funding for all eligible organizations. The Finance Committee instructed staff to further investigate legislative intent to determine if the remaining funding could be allocated on the basis of the assessment of plans done earlier by the USOE.

A memo from Senators Stephenson and Hale was presented indicating their intent that the entire increase be passed along to the art groups in the form of an across the board increase of nine percent. (For complete details see General Exhibit No. 9966.)

The Finance Committee approved the allocation of the remaining funding to the arts organizations as an across-the-board cost of living increase and moves the Board approve the same. Motion carried unanimously.

Member Beagley noted that they are in the process of figuring out how to use the assessment plan staff has put into place. They would like to, in the future, ask for a cost of living increase for all the POPS organization and for the establishment of an enhancement fund for the arts organizations similar to that which was given to the science organizations and that the distribution of those enhancement funds would then be used as a means to implement our assessment plan and to help these organizations grow in their organizational capacity.

#### Post Employment Benefit Study

Last year the Legislative Auditor General conducted a review of public education retirement benefits. Changes in Governmental Accounting Standards require public entities to recognize the liability of post employment benefits. The Auditor, after reviewing the benefits offered by public education, recommended that the USOE assess the full liability of all post employment benefits by June 2006. The USOE contracted with the consulting and actuarial firm Milliman Global to do the required study.

The information of the liability of post employment benefits of school districts and the State Office of Education was presented. (For complete details, see General Exhibit No. 9967.)

Under appendix E it indicates that a number of districts have put steps into place dealing with the issue. We are now figuring out the next steps.

#### Follow-up to Discussion with Governor Huntsman on Public Education Funding

The full Board discussed public education funding issues on Thursday, August 3, 2006. The Finance Committee weighed the proposals and ideas discussed with the Governor and have the following recommendations for consideration by the entire board.

Member Beagley reported that there is no action for the Board at this time. However, staff is in the process

of putting together a position statement and some plans of action for the September meeting for us to take to the Governor's Summit. No action at this time.

Member Beagley distributed a copy of the presentation of the Long Term Funding for Public Education presentation to the Board by the Governor's Office on August 3. (See General Exhibit No. 9949, August 3, 2006.)

#### Budget Request Preparation FY 2008

Budget requests are historically due to the Governor's Office of Planning and Budget at the end of September. While enrollment projections will not be available until November, it is important to begin communicating Public Education's funding needs to the Governor and Legislature as soon as possible.

Patrick Ogden shared a breakdown of Preliminary Underestimated Revenues. (For complete details see General Exhibit No. 9968.)

Member Beagley presented a draft of the budget request discussed by the committee (For complete details, see General Exhibit No. 9969.)

Member Beagley requested input from the Board on any additional items they would like added.

#### **Communications Committee**

Member Edward A. Dalton, Chairman of the Communications Committee presented the following activities of the committee:

Member Dalton provided an update on the Attendance Campaign. They are hoping that within a week the Governor will have taped the few sound bits they need for the radio spots.

They are moving forward to create a Proclamation and build support for 100% attendance day on Monday October 2. Additional fund raising still needs to be done.

Member Dalton reported that he has been involved with USBA on different activities on their Public Relations Committee and pre-conference program for their annual meeting in January.

Member Dalton reported that the USBA Delegate Assembly starts today and tomorrow. He requested that if there were any specific legislative items we should be correlating with USBA now would be the time to get them aligned.

Member Dalton reported that the Best Practices Project has created a preliminary nominating form and process to be used to identify these practices. Staff working on this and will revise it with their graphics people so we can hopefully begin to use it as school begins.

Member Dalton reported that he has enjoyed serving on the NASBE Communications Committee. That group has been exploring the development of a publication that can be used throughout the United States to help people understand public education better. Once it is in draft form, we can share it and consider how we might use it in Utah.

Member Dalton asked for further direction on the assignment received yesterday on the time on task issue.

### Executive Session

Motion was made by Member Mark Cluff and seconded by Member Denis R. Morrill 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 1:35 p.m.

Motion was made by Member Laurel O. Brown and seconded by Member Dixie L. Allen to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 2:05 p.m.

### **Utah Professional Practices Advisory Commission Recommendations**

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 98-441 and accept a stipulated agreement, including conditions of the agreement, whereby a former teacher in the Salt Lake City School District, voluntarily surrenders her educator license in lieu of a hearing for purposes of suspension of her license for three years from the date of formal action by the State Board of Education. The educator's suspension results from violating the terms of a prior UPPAC letter of reprimand in 1999, regarding her treatment of students. She received a reprimand for disciplining students in a manner inconsistent with professional standards. Despite the letter, the educator continued to discipline students in an overly harsh, inappropriate, and unprofessional manner. The educator had a physical altercation with a student despite a specific directive from her principal. Motion carried with Members Allen, Beagley, Brown, Burningham, Cluff, Colbert, Dalton, Gregory, Haws, Morrill, Sadler and Theurer voting in favor; Member Roberts absent.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 04-682 whereby the Commission concurs in the recommendation of the hearing panel following a hearing for consideration of reinstatement of license that the educator license of a former educator in the Kane School District, be reinstated. The license was previously suspended as a result of 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 during the executive session. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 04-721 and accept a stipulated agreement, including conditions of the agreement, whereby a former educator in the Jordan School District voluntarily surrenders his educator license in lieu of a hearing for purposes of suspension of his license for three years from the date of formal action by the State Board of Education. The suspension results from pursuing an unprofessional relationship with a minor. He has entered into a diversion agreement for 18 months in the Federal District Court for the District of Utah for charges related to his conduct with the female student. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the

Commission recommendation in Case No. 05-755 and accept a stipulated agreement, including conditions of the agreement, whereby a former educator in the Salt Lake City School District, voluntarily surrenders his educator license in lieu of a hearing for purposes of suspension of his license for 18 months from the date of formal action by the State board of Education. The suspension results from his arrest for an no contest plea to class B misdemeanor sexual solicitation. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 05-756 and accept a stipulated agreement, including conditions of the agreement, whereby a former educator in North Summit School District voluntarily surrenders his educator license in lieu of a hearing for purposes of suspension of his license for four years from the date of formal action by the State Board of Education. The suspension results from engaging in an inappropriate personal relationship with a student, including kissing, hugging, and other inappropriate sexual contact. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 06-764 and accept a stipulated agreement, including conditions of the agreement, whereby a former educator at Cottonwood Youth Academy, a private school, voluntarily surrenders his educator license in lieu of a hearing for purposes of revocation of his license for five years from the date of formal action by the State Board of Education. The revocation results from allegedly engaging in inappropriate sexual contact with students resulting in three class A misdemeanor sexual battery charges against him. Those charges will be reduced to one class B misdemeanor charge of simple assault. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 06-768 and accept a stipulated agreement, including conditions of the agreement, whereby a former educator in Cache School District voluntarily surrenders his educator license in lieu of a hearing for purposes of suspension of his license for four years from the date of formal action by the state Board of Education. The suspension results from engaging in an inappropriate sexual relationship with a student. Motion carried unanimously.

Motion was made by Member Denis R. Morrill and seconded by Member Thomas Gregory to adopt the Commission recommendation in Case No. 06-771 and revoke based upon default the license of a former educator at North Davis Preparatory Academy, a charter school. The action is taken because the educator violated standards of professional conduct by accessing inappropriate sexually-oriented web sites and material using the school computer system. Motion carried unanimously.

(For complete details see General Exhibit No. 9970.)

### **State Rehabilitation Council**

Motion was made by Member Richard Sadler and seconded by Member Tim Beagley to appoint Garth

Eldredge, Pamela Knighton, Jackie Preece and Reappoint Deborah Burt, Krystal Gray, Rollin Jones and Karl Smith to the State Rehabilitation Council. Terms to expire September 2009. Motion carried unanimously.

### **Governor's Committee on Employment of People with Disabilities**

Motion was made by Member Richard Sadler and seconded by Member Tim Beagley to appoint Stephen Maas to the Governor's Committee on Employment of People with Disabilities. Term to expire September 2009. Motion carried unanimously.

### **Utah Interpreter Certification Board**

Motion was made by Member Richard Sadler and seconded by Member Tim Beagley to appoint Donna Winkler, Holley Nelson-Greenland, Stephanie Webb, David Davenport, Christine Timothy, and Trenton Marsh to the Utah Interpreter Certification Board. Term to Expire June 2009. Motion carried unanimously.

### **Utah Schools for the Deaf and the Blind Institutional Council**

Motion was made by Member Richard Sadler and seconded by Member Tim to appoint Von Hortin (2008), Ron Gardner (2010), Linda Otte (2009), Marilyn Call (2010), Gwyneth Kenner (2010), Dennis Platt (2007), and Mary Ann Smail (2007) to the Utah Schools for the Deaf and the Blind Institutional Council, terms to expire noted in parenthesis. Motion carried unanimously.

### Charter School Amendment Recommendation

Deputy Superintendent Raymond Timothy reported that in its June Board meeting the State Charter School Board reviewed a request for an amendment to the charter for Thomas Edison South to change the number of Board Members and the Board Selection Process. (For complete details, see General Exhibit No. 9971.)

Motion was made by Member Teresa L. Theurer and seconded by Member Mark Cluff to approve the charter amendment for Thomas Edison - South to change the number of Board Members from seven to five and the Board Selection Process on a seven year rotation two board members elected by parents and three board members appointed. Motion carried unanimously.

### Coalition of Minorities Advisory

### Committee (CMAC) Semi-Annual Report

Cyndee Miya, Chairman of the Coalition of Minorities Advisory Committee (CMAC) introduced their executive committee: David Chavez, Charlotte Stark, Charlene Lui.

The Coalition of Minorities Advisory Committee (CMAC) expressed appreciation to the Board for the appointment of their Chair, Cyndee Miya to the State Board of Education. They then presented further recommendations for the Board's consideration. (For complete details, see General Exhibit No. 9972.)

### General Consent Calendar

Motion was made by Member Dixie L. Allen 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 Meeting of the State Board of Education held June 1, 2006.

2. Contracts

The following contracts were approved by the Board:

(a) Old Dominion Freight Line Inc. \$320,000. 8/1/06-7/31/07 - Amend.

Transportation of USDA dry and temperature controlled commodities to recipient agencies statewide.

(b) Educational Research & Training. \$88,000. 9/30/05-9/30/06 - Amend. - Fed.

Utah as a member of MAPAS Migrant Education Consortium and having a federally funded state Migrant Ed program is required to participate in the development of supplemental curriculum and assessment materials, a data driven decision making system, comprehensive needs assessment and verification of eligibility of migrant students within Utah.

(c) Payson I, L.C. \$179,360.07. 5/1/06-4/30/13. Amend. - Fed.

To lease office space for the Division of Rehabilitation Services located at 914 E 100 N., Payson, Utah.

(d) Majestic Investment Company. \$323,741. 2/1/07-1/31/08 - Amend. - Fed.

Lease of office space for Disability Determination Services located at 55 E 300 S, Salt Lake City, Utah.

(e) Utah Education Network. \$113,543. 7/1/06-6/30/07. - RECEIVABLE - Fed.

To provide funds to cover the salary, benefits, and program budgets for George Miller, Educational Specialist/EDNET.

(f) Complete Building Maintenance. \$4,428. 5/1/06-4/30/07. - Amend. - Fed.

Provide janitorial services for 1 year at Division of Rehabilitation Services located at 662 W. Price River Drive.

(g) The Scott Group, LLC. \$100,401.84. 7/1/06-6/30/07 - Amend. - Fed.

To lease the office space for the Division of Rehabilitation located at 150 N Washington Blvd., Ogden, Utah.

(h) State of Colorado. \$50,760. 5/15/06-5/14/08.

To provide diagnostic evaluation skills of 15 local participants of the newly established Interpreter Certification Advancement Network interpreter mentoring program, plus distance mentoring to six individuals in rural parts of Utah, per year.

- (i) MOAB, LLC. \$119,684.10. 3/1/06-2/28/08 - Amend. - Fed.

To lease the office space for the Division of Rehabilitation Services located at 660 S 200 E, Salt Lake City, Utah.

- (j) Optelec U.S. Inc. \$100,000. 6/8/06 - 10/31/07. Amend.

Provide services and products to blind and low vision individuals.

- (k) Department of Administrative Services (DFCM). \$144,864. 7/1/06-6/30/07. - Amend. - Fed.

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation, Division of Services located at 500 S 1595 W, Salt Lake City, UT.

- (l) Department of Administrative Services (DFCM). \$27,441. 7/1/06-6/30/07 - Amend. - Fed.

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation Division of Services for the Deaf and Hard of Hearing located at 5709 S 1500 W., Taylorsville, UT.

- (m) Department of Administrative Services (DFCM). \$37,715. 7/1/06-6/30/07. - Amend. - Fed.

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation Division of Services Provo Regional Center, located at 150 E Center, Provo, UT.

- (n) Logan Human Services. \$361,065.53. 6/30/06-6/30/12. - Amend. - Fed.

To lease office space for the Division of Rehabilitation Services Logan Office located at 115 West Golf Course Road, Logan, Utah.

- (o) Art Access/VSA Utah. \$40,000. 7/1/06-6/30/07. - Fed.

To ensure integrated arts for students with disabilities. Train and recruit professional artists to provide direct service to students and provide inservice training to teachers, aides parents and administrators. Use "Start With the Arts" Curriculum for preschoolers learning basic skills through art.

- (p) WestED. \$26,340. 10/1/05-3/1/07 - Amend. - Fed.

Amendment to this contract covers the costs of expert consultation from WestEd regarding the technical adequacy of Utah's English language proficiency assessment. (UALPPA)

- (q) University of Utah SRI. \$102,218. 7/1/06-6/30/07. - Amend. - Fed.

Evaluation of the Utah State Office of Education's Prevention Dimensions Program.

- (r) Boyer Madsen 7<sup>th</sup> East Partnership. \$39,741.60. 8/1/06-7/30/10.

Lease for Trust Lands.

(For complete details of the contracts see General Exhibit No. 9973.)

3. National Association of State Boards of Education Dues

The invoice for the National Association of State Boards of Education Dues for Fiscal Year 2007 in the amount of 20,802, and the NCOSEA Dues for School Year 2007 in the amount of \$130.00; and subscription to the Standard in the amount of \$20; for a total of \$20,952.00 was approved. (For complete details see General Exhibit No. 9974.)

4. Council of Chief State School Officers Dues

The invoice from the Council of Chief State School Officers dues in the amount of \$31,048 for Fiscal Year 2007 was approved by the Board. (For complete details see General Exhibit No. 9975.)

5. Utah School Boards Association Dues

The invoice for the Utah School Boards Association Dues for Fiscal Year 2007 in the amount of \$1,500.00 was approved by the Board. (For complete details see General Exhibit No. 9976.)

6. 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. 9977.)

7. Ratification of Employment

The following were ratified as Education Specialists in the divisions noted:

Aaron Brough - Assessment, Student Achievement and School Success  
Sharon K. Lay, Curriculum, Student Achievement and School Success  
Diana L. Suddreth, Curriculum, Student Achievement and School Success

The following were ratified as Educational Coordinators in the divisions noted:

Deborah L. Swensen, Evaluation & Assessment, Student Achievement and School Success  
Peggy Milligan - Special Programs, Student Achievement and School Success

8. Licensed Staff and Board Staff Salary Increase

As outlined in Utah Code (53A-1-302) it is the responsibility of the State Board of Education to establish the salary schedule for licensed staff of the State Office of Education, the superintendency, and the Executive Director of the Utah State Office of Rehabilitation.

The Board authorized a cost-of-living increase of 3.5% to all eligible licensed employees of USOE, administration, board staff, and the Executive Director of the Utah State Office of Rehabilitation, consistent with the legislative appropriation effective July 1, 2006. This increase is consistent with the cost-of-living increase provided by the legislature for non-licensed personnel.

The Board approved a 2.75% increase for the State Superintendent of Public Instruction; and a 2.75% increase for the Internal Auditor and the Board Secretary.

## 9. Advisory Committees - Notice of Vacancies

The Board received the following notice of vacancies on the respective State Board of Education Advisory Committees:

### **Division of Services for the Blind and Visually Impaired Advisory Council**

Blind and Visually Impaired Business Owners  
Blind and Visually Impaired Consumers  
Blind and Visually Impaired Students

## 10. List of Applicants for Licenses

A summary of the list of applicants for initial and renewal licenses was approved by the Board. (For complete details see General Exhibit No. 9978.)

## 11. Claims Report

The Claims Reports in the amount of \$188,756,156.19 and \$193,573,783.54 respectively for June 30, 2006, and July 31, 2006 were approved by the Board. (For complete details see General Exhibit No. 9979.)

## Executive Officer Report

Superintendent Patti Harrington reported on the following items of information:

Superintendent Harrington shared her Visits/Activities during the past month and a half.

The Utah Foundation is hosting a public dialog on education funding on September 7, 2006 in Salt Lake City. They have asked us to submit a paper and present “prescribed solutions” to the education “paradox” that is described in the Utah Foundation report of April 2006, *Paradox Lost*. She will be working closely with the Board leadership in finalizing that paper and presentation.

The Salt Lake School Districts is requesting support in designating time without students during the school year for individual kindergarten assessment.

Motion was made by Member Tim Beagley and seconded Member Dixie L. Allen to accept their request. Motion carried unanimously. (For complete details of their request see General Exhibit No. 9980.)

(For complete details of Superintendent Harrington’s report see General Exhibit No. 9981.)

## Board Chairman Report

Chairman Burningham reported that he had received statements from Sara Sinclair and Bonnie Jean Beesley indicating how much they appreciated working with the Board.

Chairman Burningham reported that he had prepared an op ed entitled “Tax Surplus Should Go To Education” which was produced and appeared in the *Deseret Morning News* today.

We have received communications from the Governor and he regretted that the meeting was cut short

yesterday, however they are still planning on another informal meeting at the Governor's mansion.

Chairman Burningham distributed a DRAFT Agenda for the Governor's Summit to be held on September 12, 2006.

#### NASBE

The NASBE Annual meetings will be held October 12 - 14 in Louisville, Kentucky. He requested that if Board members are interested in attending to please let Twila know by Monday. Prior to the NASBE Annual meeting they will be holding Policy Symposium on Wellness. It was agreed that Member Mark Cluff will attend that pre-conference symposium.

Chairman Burningham indicated that we will be notifying NASBE of our voting delegate. He will check to see if he has other responsibilities at that time and then let NASBE and the Board know the delegate. .

Chairman Burningham noted that Karabelle Pitzagatti has been elected president elect of NASBE.

Chairman Burningham distributed a Calendar of upcoming events. (For complete details see General Exhibit No. 9982.)

Chairman Burningham noted that the Board Leadership will be meeting on August 15. We are planning to expand it to include the chairs of the committees. We are planning that this will take place every three months. He requested that if anyone has other items for the leadership committee let him know.

Chairman Burningham noted that the Leadership Committee has set a date for a Board Social on the evening before our December 1 board meeting - November 30<sup>th</sup>, this will include spouses and new (if any) and old board members.

Member Edward Dalton requested that leadership consider taking the announcement and resolution on graduation requirements and putting it into a brochure format.

Chairman Burningham shared a memorandum from two senators regarding renewal of foreign exchange program. (For complete details see General Exhibit No. 9983.)

Motion was made by Member Edward A. Dalton to adjourn.

Meeting adjourned at 3:20 p.m.