

MINUTES

June 13, 2008

Minutes of the meeting of the State Board of Education held June 13, 2008, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:45 a.m. Vice Chairman Mark Cluff presided.

Members present were:

Vice Chairman Mark Cluff
Member Dixie L. Allen
Member Laurel O. Brown
Member Kim R. Burningham
Member Janet A. Cannon
Member Rosanita Cespedes
Member Bill Colbert
Member Thomas Gregory
Member Greg W. Haws
Member Michael G. Jensen
Member Charlene Lui
Member Randall A. Mackey
Member Denis R. Morrill
Member Debra G. Roberts
Member Teresa L. Theurer

Chairman Richard Sadler and Members Richard Moss and Josh Reid were excused.

Also present were:

Superintendent Patti Harrington
Deputy Superintendent Larry Shumway
Associate Superintendent Brenda Hales
Associate Superintendent Todd Hauber
Associate Superintendent Judy Park
Executive Director, USOR, Don Uchida
Public Affairs Director, Mark Peterson
Board Secretary Twila B. Affleck

Members of the Press:

Lisa Schencker, Salt Lake Tribune
Amy Stewart, Deseret Morning News
Beth Young, Standard Examiner
Duke Mossman, NUES
Glen Taylor, CUES
Holly Langton, Utah PTA
Valerie Quoma, Disability Law Center
Stephanie Berally, Disability Law Center
Trent Kaufman, Citizen
G. W. Leonard, Utah School Boards Association

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Welcome and Student Achievement Spotlight

_____ Vice Chairman Mark Cluff called the meeting to order. He excused Chairman Richard Sadler and Members Richard Moss and Josh Reid.

Vice Chairman Cluff reminded everyone that tomorrow is June 14, Flag Day, he asked that everyone think about the flag, that it represents our republic. He had an opportunity last week to take his family to Washington, DC, and as they toured the Library of Congress there is a statement that he loves: “The Foundation of the state is the education of its children.” He indicated he believes that wholeheartedly. This is why we are meeting today to make sure that foundation is strong and sure for the education of our children.

Board Member Denis R. Morrill lead the Board in the Pledge of Allegiance.

Board Member Laurel O. Brown offered opening remarks quoting from a recent *McKay Today* Magazine. The article is about “Indispensable Art - First Comes the Child” written by Carol Ann Goodson and Debra Escalante. The premise of the article is advocacy first for children and second for the use of art instruction to achieve a full education. She read a portion of the article and then commented that the Boards process of policymaking must entail the serious determination that each policy change will ensure that all the children are well. It is her simple and heartfelt personal prayer that in everything we do as a body we can ask, and how are the children? And, as a result of our decision we can honestly answer, all the children are well.

The Board recognized Jared T. Bruton, Duchesne High School, Uintah School District for his outstanding academic achievement in being selected as a 2008 Presidential Scholar. Associate Superintendent Brenda Hales indicated that there was another student who also received the award but requested they remain anonymous. She indicated that Jared’s parents are here today to receive this recognition because he is attending Boys State. She then shared the many accomplishments of this young man.

The Board presented Mr. & Mrs. Bruton with Jared’s Excellence Certificate.

Executive Officer Report

Superintendent Patti Harrington presented the following items of information:

Information Items:

- Tentative agenda for the Joint Education and Higher Education Meeting in Cedar City in July.

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- The first “SMART” session of the Governor’s 21st Century Workforce Initiative begins on Monday.
- Approximately 100 educators from across the state attended the Singapore Math discussion yesterday with another 30 or so representing the board and legislators. Professor Yeap Ban Har provided an excellent presentation and is a keen expert on the math program.
- USOE Leadership has met with SB 162 (Federal Education Agreement Requirements) sponsor, Senator Dayton and attorney Dee Larsen. We have clarified with them the intent of SB 162. However, the legislative analysts have suggested a different view. We are awaiting a meeting of the minds with the analysts and the sponsor and attorney before we can determine precisely how to plan for implementation.
- The selection team for the Electronic Management System met in May. Currently, the Superintendent is reviewing the financial statements of each bidder. An announcement of a selected bidder will be forthcoming in the next few days.

Discussion Items:

- May 21 Education Interim Committee Meeting
 - Superintendent Harrington shared a copy of a proposed Class Size Reduction legislation that has been crafted for the 2009 session. It talks about how districts and charter schools must comply with a number of students in a classroom in order to maintain and receive class size reduction funding. The office has not responded to this legislation, there is some early intent to take some action on this and she wanted the Board to have a copy of the proposed legislation.
 - Superintendent Harrington shared a copy of other proposed legislation dealing with grants for licensed teachers. There was a motion at the end of the meeting that Representative Holdaway and Senator Madsen will review and discuss the possible addition of ABCTE inclusion.
- UCAT Governance
 - Superintendent Harrington reported that the Higher Education Task Force has requested the Interim Commissioner Buhler and members of his staff to meet

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with members of the UCAT staff and USOE staff to talk about UCAT governance. The meeting was held last week and some summary thoughts were reached: 1) Regents should be governing agent; 2) Unique role must be preserved; 3) Some types of credit must be acceptable in degree-granting institutions; and 4) There must be a tightly knit system for K-16 to help students move into college and university work of some type.

Superintendent Harrington indicated that she is uncomfortable when she is put into a position of speaking for the board unilaterally. Therefore, she called Member Dixie Allen who is the Board's representative on the UCAT Board of Trustees and she shared an email summarizing Member Allen's thoughts. Member Allen commented on her views on the issue of UCAT governance and credit issues.

Member Teresa Theurer felt that there should be further discussion relative to the governance of UCAT being under the State Board of Education again.

Member Dixie Allen commented that the UCAT Board, given what they have been offered, would like to be under a separate board. No one has even mentioned the thought of putting them back under the State Board of Education, therefore it has never been an option.

Member Debra Roberts commented that the Board's involvement with UCAT needs to be along the lines of how they best serve secondary education students. Our focus should be with secondary education and we need to ask for help there.

Member Rosanita Cespedes commented that the Board needs to make a request as to what the Board wants from higher education as opposed to UCAT. We need to determine how we maximize the services higher ed provides with the resources available.

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Superintendent Harrington summarized the discussion that the Board is not supportive of UCAT going to the regents, or that it come back under the State Board of Education and if there are future meetings they include Board Leadership.

- Teacher Stipends

Deputy Superintendent Larry Shumway reported that we have the one time performance based compensation plans that are coming from LEA's due on July 1. The Board needs to have a mechanism in place to approve or not approve those plans in July. The requirements for the plans are pretty straight forward and in staff discussions the Board could have: 1) staff review of the plans; 2) the Board take it entirely; or 3) some combination of the two. We need something in the first half of July to approve those plans and notify districts of approval or not of their plans.

Vice Chairman Cluff indicated that the Board may need some judgment on these as the governing body. He indicated that the Board will be meeting in Cedar City in July and we could meet to take action on these plans at that time.

Member Debra Roberts suggested that the staff review the plans and make recommendations for the Board to take action on at the meeting in July in Cedar City.

It was agreed that staff will review the plans and make recommendations to the Board in July in Cedar City. Also, that the Board receive a copy of the plans electronically prior to the meeting.

- AYP Appeals (Math CRTs) -

Associate Superintendent Judy Park updated the Board on the approval request submitted to the U S Department of Education for changes in its Consolidated State Accountability Workbook.

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- **Differentiated Compensation Plan Update**
Deputy Superintendent Larry Shumway presented an update on the Differential Compensation Plan. He indicated that the group can see the distance they have traveled down the road from the beginning, but the end of the road keeps getting further away. We have encountered that there are enormous difficulties philosophically, in bringing everyone together to agree what might make sense; practically in finding things that can possibly work; and technically the detail of measurement. The next meeting we will be looking at data and how the data can support what we are doing. The Blue Ribbon Panel on Assessment may change the whole landscape partway through the whole process. Concurrent to our work the Legislative Interim Committee has five additional meetings. We will have held four meetings before they get to their next one. We hope our work will be valuable in forming the work of the Interim Committee.
- **National Mathematics Advisory Panel Final Report**
Associate Superintendent Brenda Hales presented information on the National Mathematics Advisory Panel's Final Report.
- **Governor's Blue Ribbon Panel on Assessment**
Superintendent Harrington updated the board on the work of the Governor's Blue Ribbon Panel on Assessment.
(For complete details see General Exhibit No. 10567.)

Board Chairman Report

Vice Chairman Mark Cluff presented the following items of information:

Vice Chairman Cluff commended Superintendent Harrington and Associate Superintendent Brenda Hales in the organization of the Singapore Math conference yesterday. He felt it was an excellent day which included a lot of information about the Singapore education system and their application of math.

The joint meetings with the Legislative Interim Committee and the Board of Regents will be held July 10 and 11 in Cedar City. He identified the schedule.

The NASBE Board and Committee meetings were held last week in Alexandria. The NASBE 50th Anniversary Gala will be held at that time and they are trying to get Bill Cosby to

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MC that event. Invitations have been sent to anyone who has been involved in NASBE and education.

The NASBE Nominations Committee met and there is an individual running for the Board of Directors from each of the four regions. He has been asked to run in the Western Region, however, this will depend upon his re-election in November. There are three candidates for President: Randy DeHoff, Colorado; Isis Castro, Virginia and Lowell Johnson from West Virginia.

The Board of Directors approved Salt Lake City as the site for the NASBE Annual Meeting in 2010.

The next Board Leadership meeting is July 16 at 8:30 a.m.

Member Randall Mackey reported that the last five years he has been involved in a program called Road to College. Salt Lake Community College has been involved with it and Harvard University does this around the country. The idea is that you get young people in the 7th and 8th grades interested in going to college, particularly minority students. He indicated that approximately 200 students participated with their parents. He spent an hour and a half with the parents, and during lunch he talked with the parents about issues relative to public education. There were three things that came up: (1) Tutoring in the schools - concerns with the cost factor; (2) Concurrent enrollment – concern that there are more classes offered on the eastside of the valley rather than the westside. When students sign up on the west side they are cancelled because there is not enough enrolled; and (3) Optional all-day kindergarten. He indicated that often times this is a group of people whose voice is not heard.

Vice Chairman Cluff reported that July 12 - 15 Children's Land Alliance Supporting Schools (CLASS) Conference in Boise, Idaho. He has the materials if anyone is interested in attending. If so, please also let Twila know.

State Board Selection and Nomination Committee:

Member Denis Morrill commented that it is absurd. He would love to see it applied to the legislators. He felt that the system worked well when it was in individual districts.

Member Randall Mackey commented that he was disappointed at the end result. However, the process is different than running for office and he would like to see the committee process continued but on a district by district basis.

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Member Tom Gregory commented that he believes the current process is flawed and it fails to respect the intent of the constitutional language requiring board members be elected. He would like a more direct election process.

Member Laurel Brown commented that she would like to see a direct election process.

Member Kim Burningham commented that in the last three decades we have had three different processes for nominating candidates for the State Board. One absolute is that the current system is absolutely the worst of all. Prior to this system it was left in local committees which put it under local control. He felt that the best way is to let the public decide with the non-partisan election by the public.

Member Janet Cannon commented that she prefers the previous system of a local committee. It has been her understanding that prior to the committee process there was a non-partisan election process and the big concern with that process was there was no kind of primary. A legislative task force was established to study the issue and they are the ones who came up with the local committee process.

Member Tom Gregory questioned if the Board was planning to put out a position statement along the lines of the comments. Vice Chairman Cluff indicated that leadership will discuss this in the next meeting.

Public Participation/Comment

Trent Kaufman, a candidate for the Board in District 8, addressed the Board as a parent relative to smaller class sizes in the state. He commented that the smaller class sizes allow students to have more meaningful and direct interaction with the teacher. He is also an education researcher. He noted that there was a fiasco in California a few years back when billions of dollars were spent in lower classes sizes in K-3 and to no real effect. It was a completely unstudied phenomena. However, there has been some great research that has shown an actual affect of any significance on class size and it was the Tennessee Star experiment in the 80's. It showed that there were higher graduation rates, better grades, higher likelihood to attend college from the students who participated.

Geoff Leonard, Utah School Employees Association addressed that Board on R277-526, Paraeducator to Teacher Scholarship Program, which is on the General Consent Calendar for third reading. He suggested a modification to the rule relative to one of the seats on the

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committee be given to a representative from the largest association in the state for paraeducators. Currently there is no representative of paraeducators on the committee and they believe this would be helpful for the committee and the Board. He provided a copy of the amendment to the rule. (For complete details see General Exhibit No. 10568.)

Executive Session

Motion was made by Member Randall A. Mackey and seconded by Member Michael Jensen to move into an executive session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present the Board moved into an executive session following lunch at 1:05 p.m.

Motion was made by Member Janet A. Cannon and seconded by Member Laurel O. Brown to reconvene into open meeting. Motion carried with Members Allen, Burningham, Cannon, Colbert, Gregory, Haws, ,Jensen, Mackey, Morrill and Roberts voting in favor; Member Theurer absent. The Board reconvened at 2:30 p.m.

Utah Professional Practices Commission Recommendations

Motion was made by Member Thomas Gregory and seconded by Member Laurel O. Brown to adopt the recommendation of the hearing panel and the Commission following a hearing in Case No. 05-746 and reinstate the license. The license was previously suspended as a result of the educator's possessing sexually-oriented videos, catalogs, and magazines in his classroom at a high school. Some of the materials were discovered by a student. The hearing report was reviewed in Executive Session. Motion carried with Members Allen, Brown, Burningham, Cannon, Colbert, Gregory, Haws, Jensen, Mackey, Morrill, and Roberts voting in favor; Member Theurer absent

Motion was made by Member Thomas Gregory and seconded by Member Laurel O. Brown to adopt the recommendation of the Commission in Case No. 07-843 and accept a stipulated agreement, including conditions of the agreement, whereby a former educator in Jordan School District voluntarily surrenders his educator license in lieu of a hearing for purposes of suspension for two years from the date of formal action by the State Board of Education. The educator must apply, have a reinstatement hearing, and the State Board of Education must determine that reinstatement is warranted. The educator's suspension results from his viewing inappropriate and pornographic materials using his school computer during class time. Some material was viewed by a student. Motion carried with Members Allen,

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Brown, Burningham, Cannon, Colbert, Gregory, Haws, Jensen, Mackey, Morrill, and Roberts voting in favor; Member Theurer absent.

(For complete details see General Exhibit No. 10569.)

Utah State Charter School Board

Motion was made by Member Greg W. Haws and seconded by Member Kim R. Burningham to send the names of Ron Draper and Carolyn White to the Governor for his selection for a member of the State Charter School Board.

Member Denis Morrill asked that the motion be separated

Motion to approve Carolyn White's name to be submitted to the Governor carried with Members Allen, Brown, Burningham, Cannon, Colbert, Gregory, Haws, Jensen, Mackey, Morrill and Roberts voting in favor; Member Theurer absent.

Motion to approve Ron Draper's name to be submitted to the Governor carried with Member Allen, Brown, Burningham, Cannon, Colbert, Gregory, Haws, Jensen, Mackey, Morrill and Roberts voting in favor; Member Theurer absent.

Charter School Revolving Loan Fund Committee

Motion was made by Member Denis R. Morrill and seconded by Member Dixie L. Allen to appoint Mack Brubacker and Richard Clark to serve on the State Charter School Revolving Loan Fund Committee. Motion carried with Members Allen, Brown, Burningham, Cannon, Colbert, Gregory, Haws, Jensen, Mackey, Morrill and Roberts voting in favor; Member Theurer absent.

Board Standing Committee Reports

Law & Policy Committee

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

School Community Councils, R277-491

This new rule is to provide direction to school districts and schools in establishing and maintaining school community councils whose primary focus is improving educational excellence through team decision making by elected representatives of parents, staff, and the principal. The new rule provides for school community council school/school administrator responsibilities; provisions for school community council member elections; and parent rights and responsibilities criteria. (For complete details see General Exhibit No. 10570.)

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The Committee reviewed the new rule R277-491 and there were concerns relative to some of the language and decided to take one more month for discussion on this rule. No action was taken and the rule will come back to the committee in August.

School Psychologists and School Social Workers Licenses and Programs, R277-506

In April 2006, the school counselor licensing section was removed from this rule and inserted into R277-502. Educator Licensing and Data Retention. The school counselor language would be more appropriate in R277-506. R277-502 was amended effective March 24, 2008, and the school counselor language was removed but was not inserted back into R277-506. This amendment corrects the oversight. (For complete details see General Exhibit No. 10571.)

The Committee reviewed the amendments to R277-506 and approved the rule on first reading and moves that the Board approve R277-506, School Psychologists and School Social Workers Licenses and Programs on second reading. Motion carried unanimously.

Charter Schools, R277-470

_____ Prior to the discussion on the rule the committee recognized that there are many employees that do a great job in supporting charter schools on a daily basis. Also, recognizing that there are some situations and some departments that are not doing a good getting data or other information to the charter schools.

Motion from the committee to ask the support of the full board that any information for charter schools needed from the Utah State Office of Education will be made available as soon as is feasibly possible to charter school personnel. Motion carried unanimously.

HB 160, Charter School Law Revisions, HB 472, Charter School Building and Enrollment Amendments, and SB 2, Minimum School Program Budget Amendments, 2008 Legislative Session added new law pertaining to charter schools in respect to accountability, enrollment deadlines and communication, and enrollment increases, respectively. The new legislation specifically:

- modifies the appointment procedures for the staff director of the State Charter School Board (53A-1a-501.7)
- modifies provisions relating to the purposes and status of charter schools (53A-1a-503)

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- requires the State School Board, in consultation with the State Charter School Board, to make rules relating to charter school accountability (53A-1a-519)
- modifies the reporting deadlines and requirements relating to students who have accepted enrollment in a charter school (53A-01a-506.50)
- modifies provisions related to the funding of charter schools (53A-1a-513)
- modifies the maximum authorized students (53A-1a-502.5)

The amended rule provides the above modifications and proposes standards, procedures, and timelines for the above mentioned accountability process. Additionally, it brings the rule in line with current practice of application deadlines. (For complete details see General Exhibit No. 10572.)

The Committee made a change under R277-470-1(L) changing the word charter school to satellite school.

The Committee reviewed and approved the amendments to R277-470 on first reading and moves that the Board approve R277-470, Charter Schools on second reading. Motion carried unanimously.

Charter School and Online Student Participation
in Extracurricular Activities, R277-494

The 2008 Legislature passed SB 36, Charter and Online Schools - Participation in Extracurricular Activities. The new statute requires that the Board shall make rules establishing fees for public charter schools and public online school students to participate in extracurricular activities at school district schools. To establish the schedule, data were collected and reviewed from a range of school districts (small to large, metro area to rural). These data are the basis for the fee schedule in the proposed rule. Adoption of the rule by August will provide the needed information and structure to facilitate participation by public school students in Fall 2008 activities. (For complete details see General Exhibit No. 10573.)

Member Roberts reported that we are under time pressure from statute to put this rule into place. Also, we recognize that we need input from the charter school community, the Utah High School Activities Association and others on this rule. There will be many changes to the rule between second and third reading in August. The Committee requested that those that

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would want changes they read through the rule carefully and contact Marlies Burns, Carol Lear or Larry Shumway by July 14.

The Committee made the following changes to the rule:

R277-494-3.A. Add: A charter or online school may allow student participation in activities designated under R277-494-1I.

R277-494-4.A. Add the Fee Schedule

R277-494-4.B. Add Charter and online students participating under this rule shall meet all eligibility requirements and timelines of the receiving schools.

R277-494-5. Add B. This rule shall be effective beginning with the 2008-09 school year.

The Committee reviewed the process and result of data collection related to setting an online and charter school participation fee schedule as well as the new rule. The Committee approve R277-494 on first reading and moves that the Board approve R277-494, Charter School and Online Student Participation in Extracurricular Activities on second reading, and that the rule come back to the committee for third reading. Motion carried unanimously.

Adjudicative Proceedings under the Vocational Rehabilitation Act, R280-150 (Repeal/Reenact)

This rule is being repealed/reenacted to eliminate duplicate processes and to specify standards and procedures for adjudication of disputes under the Vocational Rehabilitation Act. The Committee tabled the issue in May pending receipt of the policy manual chapter.

The Committee received the policy manual chapter following the May meeting. The Committee reviewed the repealed/reenacted Adjudicative Proceeds under the Vocational Rehabilitation Act, R280-150 and approved the repeal/reenacted rule on first reading and moves that the Board approve the repeal/reenact R280-150, Adjudicative Proceedings under the Vocational Rehabilitation Act on second reading. Motion carried unanimously. (For complete details see General Exhibit No. 10574.)

Request for Waiver of R277-419, Pupil Accounting

R277-418, School Professional Development Days Pilot Program was passed by the State Board of Education in response to HB 100 School Professional Development Days (2004 General Session). This rule allowed districts and charter schools to use instructional time for professional development in plans approved by the Board. Three districts and three charter

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schools participated in the optional program. The legislation contained a sunset provision of July 1, 2008. No action was taken in the 2008 Legislature to extend the program, which therefore lapses. The Board rule was repealed in the May 2008 meeting.

Garfield and Provo School Districts adopted school year calendars prior to becoming aware of the sunset of the program. Both districts requested a waiver to continue their programs of professional development for the 2008-2009 school year. (For complete details see General Exhibit No. 10575.)

The Committee approved the waiver requests of Garfield and Provo School Districts to continue their programs of professional development for the 2008-2009 school year. Motion carried with Members Allen, Brown, Burningham, Haws, Jensen, Mackey, Morrill, Roberts and Theurer voting in favor; Members Cannon, Colbert and Gregory opposed.

Class Size Reduction Waiver Request -
Edith Bowen Laboratory School

Utah Code 53A-17a-124.5 establishes appropriations for class size reduction in Utah schools. The program requires that LEAs use appropriated funds for class size reduction in grades K-2 unless the average class size in the LEA is below 18. If the class size is below 18, funds may be used for class size reduction in other grades. However, prior to this alternative use of funds, the LEA must request and receive a waiver from the State Board of Education.

The Board received a request from the Edith Bowen Laboratory School at Utah State University to use class size reduction funds for class size reduction in grades other than K-2. The school principal indicates in the request that the class size in grades K-2 is below 18 as required. The school proposes to pay for paraprofessionals in the upper elementary grades using these funds. (For complete details see General Exhibit No. 10576.)

The Committee approved the Class Size Reduction Waiver for Edith Bowen Laboratory School and moves that the Board approve the request as well. Motion carried unanimously.

Novice Teacher Study

Since June 2006, Dr. John Bennion has been leading a group to study the effects of teacher preparation programs on teacher effectiveness. A portion of the staff and financial support for the group's work has come from the Utah State Office of Education.

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The Committee received a report from Dr. Bennion on the progress of the Novice Teacher Study. (For complete details see General Exhibit No. 10577.)

No action was required.

Curriculum Committee

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

Gang Prevention and Intervention Programs in the Schools, R277-436

The Gang Prevention and Intervention Program provides funds for direct services to students in a comprehensive prevention approach.

The State Gang Prevention Intervention Steering Committee has recommended that R277-436 be amended to place a 10 percent cap on the amount of funds, LEAs can use for program administration oversight, professional development, and technical services.

The Committee reviewed the amendments to R277-436. It was reported that the amendment aligns policies with the intent of the program and is consistent with other administrative cost policies. (For complete details see General Exhibit No. 10578.)

The Committee approved R277-436, Gang Prevention and Intervention Programs in the Schools on first reading and moves that the Board approve R277-436 on second reading. Motion carried unanimously.

Highly Impacted Schools, R277-464

Highly Impacted Schools, R277-464 is amended to add new language that provides for:

- increased oversight of highly impacted schools funds applications;
- reallocation of funds from operating highly impacted schools within a school district to fund a newly designated highly impacted school and to allow for changes in the designation of a highly impacted school;
- application by a school district for a variance from the rule; and
- USOE oversight and monitoring for program compliance.

(For complete details see General Exhibit No.10579.)

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The Committee reviewed the amendments to R277-464 and approved Highly Impacted Schools, R277-464 on first reading and moves that the Board approve R277-464 on second reading. Motion carried unanimously.

English Language Learner Family Literacy Centers Program, R277-715

This new rule provides a formula to allocate funds appropriated by the 2008 Legislature in S.B. 2 in a fair and equitable manner for school districts and charter schools to provide for an English Language Learner Family Literacy Center. The new rule provides:

- criteria for proposals from school districts and charter schools;
- for USOE response to proposals;
- timelines for submission of proposals;
- a formula for distribution of funds; and
- accounting measures

The Committee made amendments to the rule in R277-715-3 A to include Participation in this program by school districts and charter schools is optional; submitted proposals for developing centers shall be consistent with: and Deleting B. In R277-715-4 C(1) add to the end for developing family literacy centers; and (2)(a) delete and final and replace with third party and add after charter school family literacy center.

The Committee approved the rule as amended on first reading and moves that the Board approve R277-715, English Language Learner Family Literacy Centers Program on second reading. (For complete details see General Exhibit No.10580.) Motion carried unanimously.

Adult Education Programs, R277-733

In September 2007, R277-733, Adult Education Programs, was repealed and reenacted. At that time, significant changes were made to align state and federal laws and state policies. Definitions, programs standards, fiscal procedures, pupil accounting, curriculum standards, and data management standards were all brought up to date. The amendments propose a few additional changes, primarily regarding earning credits, qualified instructors and adding an advisory council.

Local adult education directors and the Utah State Office of Education staff have worked together to propose the amendments. (For complete details see General Exhibit No. 10581.)

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The Committee amended the rule under definitions adding an M “English for Speakers of Other Languages (ESOL)” is an instructional program provided for non-native language speakers.” Then changing the lettering from there. Further the new V to read “Teaching of English to Speakers of Other Languages (TESOL)” means a credential for teachers of ESOL. Y to read “Utopia” means Utah Online Performance Indicators for Adult Education statewide database. Under R277-733-4 L delete Teaching of English to Speakers of Other Languages (TESOL) or English Language Learners (ESL) and replace with TESOL and ESOL. R277-733-7 I, delete last sentence to all adult education students enrolled in Utah adult education courses as of October 1, 2007. And S to read: Adult education shall provide a program that allows students to transition between sites in a seamless manner.

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

Standards and Procedures for Corrections
Education Programs Serving Inmates of
the Utah Department of Corrections, R277-735

This rule is being amended to align with state and federal law and to update procedures. The rule has been amended to align with new adult education definitions, program standards, fiscal procedures, pupil accounting, curriculum standards, and data management standards. (For complete details see General Exhibit No. 10582.)

A lot of the changes are the same as adult education rule so the wording is consistent.

The Committee reviewed the amendments to R277-735 and approved it on first reading and moves that the Board approve R277-735, Standards and Procedures for Corrections Education Programs Serving Inmates of the Utah Department of Corrections on second reading. Motion carried unanimously.

Governor’s Blue Ribbon Panel on
Assessment - Sevier School District
Pilot

During the May 29 study session of the Board the Board received information concerning recommendations from the Governor’s Blue Ribbon Panel on Assessment. The recommendations included a request for Sevier School District to pilot the recommendations in the 2008-09 school year. The pilot would require a waiver to exempt Sevier District from the

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current state law and federal law for mandated testing and allow Sevier to work with the Utah State Office of Education to pilot an adjusted U-PASS and AYP Accountability system. (For complete details see General Exhibit No. 10583.)

The Committee asked that the retention of students portion be removed, and to make sure that if we are requiring all students to take the test the fee is paid for all students, not just those in need. This will require a waiver from state and federal laws. It was clarified that we will pay for every students first attempt on the ACT. Further, this is a working document because this is a pilot program and the approval is not for funding or budgets.

Motion from the Committee that the Board approve the request for the Sevier School District pilot and request the waiver for state and federal laws. Motion carried unanimously.

Human Sexuality Instruction Forms

Utah law requires that parents of students in grade 7-12 receive notification of human sexuality course content prior to the beginning of instruction. A form developed by the USOE and utilized by all Utah school districts outlines content and allows parents several options for instruction. The form must be signed and returned to teachers before instruction may begin. The form is being modified to provide more clarity for parents and teachers.

In addition, in 2006 the Utah state Office of Education developed a form to determine district compliance with human sexuality rules regarding local committee review of instructional materials, professional development, and materials utilized in curriculum delivery. This form is being modified to more accurately reflect the current rule.

The Committee reviewed the modifications to the two forms currently used to support human sexuality instruction. Minor changes were made to the forms to include school district employees and charter schools. (For complete details see General Exhibit No. 10584.)

Motion from the Committee that the Board approve the modifications to the human sexuality instruction forms for implementation in the 2008-2009 school year. Motion carried unanimously.

Utah Schools for the Deaf and the Blind Legislative Workgroup Report

During the 2007 Utah legislative session, concerns were raised about the purpose and services of the Utah Schools for the Deaf and the Blind. H.B. 291 was proposed that would have broadened the scope of USDB to include services to students with disabilities who are not

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blind/visually impaired, deaf/hard of hearing, or deafblind. Although the bill did not pass in the legislature, a number of concerned legislators expressed a desire to have the statute reviewed to consider possible amendments.

In August 2007, a USDB legislative workgroup made up of stakeholders, began meeting to address the perceived need to amend Utah Code that governs the USDB. That legislative workgroup has considered key policy issues regarding the USDB that are to be recommended in draft language for statutory change in the 2009 legislative session.

Key issues that were shared with regard to policy recommendations from the USDB legislative workgroup were:

- Future administrative structure of USDB
- Eligibility and admissions to USDB
- Funding of USDB
- Relationships between USDB and local education agencies

(For complete details see General Exhibit No. 10585.)

The Committee reviewed the recommendations of the workgroup. The process is not completed and the Committee asked that an update be provided to them in July and that this come back to the Board when all of the information is available.

Performance Review of Interim
Superintendent of the Utah Schools
for the Deaf and the Blind

The Committee moved into an executive session to receive a report from the Utah Schools for the Deaf and the Blind Institutional Council relative to the performance of the Interim Superintendent, Tim Smith. The Committee then made a report to the full Board in its executive session.

Finance Committee

Member Greg W. Haws, Chairman of the Finance Committee presented the following recommendations from the Committee:

Classroom Supplies Appropriation, R277-459

For many years, the legislature has appropriated one-time funding for classroom supplies and materials of \$7.5 million. In the 2007 General Session, an additional amount of \$2.5 million was appropriated for first through fifth year teachers. R277-459 was revised in 2007 to reflect that change, to give direction and more clarification of the distribution of these funds.

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During the 2008 General Session, the legislature has continued this one-time funding. R277-459, Classroom Supplies Appropriations is amended to reflect the change showing (1) this appropriation came from SB 2, (2) to clarify the dates for CACTUS data, and (3) to clarify the distribution of funds for second through fifth year teachers. (For complete details see General Exhibit No. 10586.) The Committee had several questions regarding the allocation of funds and deferred it to the next meeting. No action was taken

Legal Compliance Auditing of Student Membership

The State Auditor's Office (Report 07-28 #6, January 18, 2008 found that:

- the USOE does not have policies and procedures for evaluating Independent Accountants' report of student membership (Aggregate Membership and Fall Enrollment).
- currently, adjustments are not made to ADM because the sample sizes used are not statistical sample sizes that would provide a basis to project the error to the population and adjust the total ADM.

And recommended that the USOE develop and the Board approve:

- criteria to apply when reviewing the auditors report.
- an acceptable error rate.
- procedures for adjusting the membership data should the error rate fall outside of the defined acceptable rate of error.

Proposed changes to R277-484, Data Standards were presented to the Committee in the May Board meeting and the Committee requested additional information before making a decision.

The Committee received information from and dialogued with representatives of the accounting firms which perform most of the audits and the SAO in order to clarify the costs and benefits of the proposed change in audit procedures and determined to maintain the status quo with the auditing of compliance with student membership. No action taken was taken.

Distribution of Funds from the School Trust Lands Account and Implementation of the School LAND Trust Program, R277-477

This rule is being amended to provide for more specific procedures for distribution of funds based on approval of School LAND Trust Plans. The amended rule also provides

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requirements for school business administrators in each school district and charter school to enter summary financial data on the School LAND Trust Program on the Program website.

The Committee made the following amendments:

R277-477-3.O to read: School LAND Trust funds shall be focused on the school's critical and academic needs.

R277-477-4 E. The USOE staff, shall read school plans and reports for compliance with the law.

R277-477-4G. Charter School and School business administrators in each school district.....

The Committee reviewed the amendments to R277-477 and approved it on first reading and moves that the Board approve R277-477 Distribution of Funds from the School Trust Lands Account and Implementation of the School LAND Trust Program as amended on second reading. (For complete details see General Exhibit No. 10587.)

Member Laurel Brown suggested another amendment to amend R277-477-3.O(5) to read: "Schools for individuals with disabilities may use funds as needed to directly.....

The Amendment was accepted by the Board.

Motion carried unanimously.

Hattie D. Munk Library Endowment Fund

On October 2, 2000, Hattie D. Munk established the Hattie D. Munk Library Endowment Fund. On June 7, 2007, Wells Fargo, trustee for the Hattie D. Munk Family Living Trust contacted the Utah State Office of Education about the fund and requested information necessary to comply with IRS regulations and where to send payments. The fund is to be used to provide support for libraries in middle and high schools especially to purchase and maintain reference materials. Georgia Loutensock, School Accreditation and Library Media Specialist at the Utah state Office of Education was given the task of purchasing books and distributing them to the libraries.

The Committee was apprised of the procedure for making expenditures with the regarding the Hattie D. Munk Library Endowment Fund and a report of the expenditures made to date. (For complete details see General Exhibit No. 10588.)

The Committee accepted the report as information.

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Monetary Issues Related to Legislative Priorities

The Board held a meeting on May 29, 2008 to coordinate and support the budget priorities that will meet the educational needs and purposes of school children in Utah. Priorities were identified at that time. Anticipated Board support priorities, these were only straw poll positions taken during the study session.

The Committee discussed the budget priorities and possible strategies for presentation in the 2009 legislative general session. It was noted that on the spreadsheet the last column indicates Board Priorities and that was changed to Anticipated Board Support/Priorities. (For complete details see General Exhibit No. 10589.)

Regional Service Centers Funding

Regional Service Centers began in 1966 through the Federal Elementary and Secondary Education (ESEA) Title III grants. The purpose of creating the centers was to create economies of scale for Utah's rural school districts and to try and provide educational equity with Utah's urban school districts.

During the 2001 general session the legislature removed funding for the centers and repealed 53A-17a-130 that had established the regional service centers in statute. The Utah State Office of Education has maintained financial support for the regional service centers, but does not have a funding mechanism to cover annual COLA's and other compensation package increases.

The Committee received information and discussed possible solutions regarding the Regional Service Centers' current funding mechanism. In addition, the Committee discussed several options of funding compensation packages for the Regional Service Centers. Funding mechanisms discussed were:

- a. Minimum School Program
- b. USOE Line Item
- c. New State Agency
- d. Contract Provider

(For complete details see General Exhibit No. 10590.)

There is a coalition that has come together that involves several legislators from rural areas. The intent is for these legislators to sponsor legislation that will put this back in the law authorizing this and then funding increases will be possible.

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The Committee asked that the Board support this in concept, noting that the real support will come from action once the bill is drafted.

Board Meeting

Vice Chairman Cluff read a Press Release from the office of Governor Jon M. Huntsman. "Utah Governor Jon Huntsman has announced the appointments of Teresa Theurer and Joel Wright as members of the Utah State Board of Regents today, replacing respectively, Sara Sinclair and Josh Reid.

General Consent Calendar

Motion was made by Member Laurel O. Brown and seconded by Member Dixie L. Allen to approve the General Consent Calendar as presented with the exception of Item K, Paraeducator to Teacher Scholarship Program. Motion carried with Members Allen, Brown, Burningham, Cannon, Colbert, Gregory, Jensen, Mackey, Morrill, Roberts and Theurer voting in favor; Member Haws absent.

1. Minutes of Previous Meeting

Minutes of the Meetings of the State Board of Education held May 9, 2008.

2. Contracts

The following contracts were approved by the Board:

(1) Richfield Station. \$107,315.68. 9/1/08-8/31/13. Amend. - Fed.

Lease for Division of Rehabilitation Services, Richfield Office located at 1100 South Highway 89, Richfield, Utah.

(2) Jensen & Keddington, P.C. \$7,485. 5/1/08-9/30/08. - Fed.

Financial compliance reviews of sponsoring organizations of family day care homes under the Child and Adult Care Food Program.

(3) Active Re-Entry. \$511,020. 7/1/08-6/30/09. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Eastern Utah Independent Living Rehabilitation District.

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- (4) Department of Administrative Services, DFCM. \$167,887.64. 7/1/08-6/30/09. - Amend. - Fed.

To begin the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation located at 950 East 24th Street, Ogden, Utah.

- (5) Department of Administrative Services, DFCM. \$124,027. 7/1/08-6/30/09. - Amend. - Fed.

To renew the operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation Division of Services for the Blind and Visually Impaired, located at 250 N 1950 W, Salt Lake City, Utah.

- (6) OPTIONS for Independence. \$472,097. 7/1/08-6/30/09. Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Northern Utah Independent Living Rehabilitation District.

- (7) Tri County Independent Living Center of Utah. \$492,449. 7/1/08-6/30/09

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in Morgan, Davis and Weber counties.

- (8) Utah Independent Living Center. \$499,213. 7/1/08-6/30/09 - Fed.

To Provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Wasatch Front and Utah Independent Living Rehabilitation District.

- (9) Central Utah Center for Independent Living. \$490,716. 7/1/08-6/30/09.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in Utah, Wasatch, Juab, and Sanpete counties.

- (10) Department of Administrative Services, DFCM. \$11,900. 7/1/08-6/30/09. - Amend. - Fed.

The operating and maintenance agreement between DFCM and the Utah State Office of Rehabilitation, Division of Rehabilitation Brigham City Office 275 W 100 S, Brigham City, UT.

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- (11) Department of Administrative Services, DFCM. \$164,864. 7/1/08-6/30/09. 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.

- (12) Department of Administrative Services, DFCM., \$126,630. 7/1/08-6/30/09. - 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.

- (13) Department of Administrative Services, DFCM. \$41,396. 7/1/08-6/30/09. - 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.

- (14) Red Rock Center for Independence. \$493,869. 7/1/08-6/30/09. - Fed.

To provide Independent Living and Assistive Technology services to individuals with severe disabilities residing in the Southern Utah Independent Living Rehabilitation District.

(For complete details see General Exhibit No. 10591.)

3. Legislative Supplemental Salary Adjustments, R277-110

The 2008 Legislature passed SB 2 , Section 18 regarding educator salary adjustments. The Statute authorizes the Board to make rules as necessary to administer this program. In 2007, the Board adopted R277-100, Legislative Supplemental Salary Adjustment to this purpose. The proposed amendment will conform to 2008 legislative changes. (1) included the \$1,700 salary adjusted appropriated by the 2008 Legislature; (2) clarifying the meaning of the term “most recent evaluation;” (3) clarifying that each year’s supplement becomes part of the educator salary; and (4) setting the date of November 15 for data submission required for disbursing funds. The Board approved R277-110, Legislative Supplemental Salary Adjustments on second reading at the May 9, 2008 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-110, Legislative supplemental Salary Adjustments on third and final reading. (For complete details see General Exhibit No. 10592.)

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4. USOE Internal Audit Procedures, R277-116, Section 1, Definitions

In March 2008 the Board Audit Committee reviewed R277-116, USOE Internal Audit Procedures. The review included identification of outdated language. The changes to the rule provide a current revision date for the Government Auditing Standards manual and an update to definitions.

The Board approved R277-116, USOE Internal Audit Procedures, R277-116, Section 1, Definitions on second reading at the May 9, 2008 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-116, USOE Internal Audit Procedure on third and final reading. (For complete details see General Exhibit No. 10593.)

5. Pupil Accounting, R277-419

The 2004 Legislature provided for a three year School Professional Development Pilot Program. Schools approved by the Board and participating in the pilot program were permitted to use a maximum of 22 hours of the 990 hours of student instruction time for professional development days. R277-419, Pupil Accounting, was amended in 2004 to include a variance from the required 990 hours of student instruction time. In October 2007, the Board was required to submit to the Education Interim Committee preliminary findings from the pilot program and a final report and recommendations for expansion of the program. The 2008 Legislature did not expand or continue the pilot program. Consequently, the provision for a variance from hour requirements for student instruction time is being removed from the rule.

Additional minor changes were also made to the rule: (1) References to "YICSIS" are deleted as this YIC Student Information System no longer exists; (2) Additional coding for the Data Clearinghouse added to identify high school completion status.

The Board approved R277-419, Pupil Accounting, on second reading at the May 9, 2008 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-419, Pupil Accounting on third and final reading. (For complete details see General Exhibit No. 10594.)

6. Student Enrollment Options, R277-437

In the 2007 Legislative session Senate Bill 122, Administrative Rule Reauthorization, effectively repealed State Board rule \$177-437, Student Enrollment Options as of May 1, 2007. The rule was subsequently re-written to implement the provisions of 53A-2-207 through 213 which direct the Board to develop rules for student enrollment options.

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The law directs the Board to “adopt rules defining school capacities and average daily membership thresholds for use in determining whether a school must be open for enrollment of nonresident students.” Nonresident students are defined by rule as those attending or seeking to attend a school other than the school of residence.

In the 2008 Legislative session, House Bill 349, Open Enrollment Revisions, codified enrollment language and changed definitions for school capacity thereby requiring a repeal of much of R277-437, Student Enrollment Options.

During the 2008 Legislative session House Bill 349 was passed requiring the following changes to R277-437, Student Enrollment Options:

- Provides for an early and late enrollment period during which a student may apply for enrollment in a school that is not the student’s school of residence;
- Establishes different open enrollment thresholds below which a school is open for enrollment of nonresident students;
- Modifies standards for accepting or rejecting an application for enrollment;
- Requires local school boards to post data on the school district websites regarding school capacity and applications for enrollment of nonresident student.

Further amendments were made to the rule at the May 9, 2008 Board meeting, and the Board approved R277-437, Student Enrollment Options on second reading. There have been no substantive changes to the rule since that time. The Board approved R277-437 on third and final reading. (For complete details see General Exhibit No. 10595.)

7. Instructional Materials Commission Operating Procedures, R277-469

The 2008 Legislature passed SB 2 that directs the Board to make rule amendments that establish the qualifications of the independent parties who may evaluate and map the alignment of the primary instructional materials. It also provides for the detailed summary of the evaluation to be placed on a public website.

Amendments were made to the rule at the May 9, 2008 Board meeting, and the Board approved R277-469 on second reading. There have been no substantive changes to the rule since that time. The Board approved R277-469, Instructional Materials Commission Operating Procedures on third and final reading. (For complete details see General Exhibit No. 10596.)

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8. Utah Science Technology and Research (USTAR), R277-492

The 2008 Legislature passed SB 2 that allocates funds (\$6,900,000) to provide for competitive grants awarded to charter schools and school districts to facilitate the implementation of the USTAR program. The intent of the program is to increase compensation for math and science teachers by extending the contract year for these teachers. Other intended benefits of the program are additional learning opportunities for students, increased capacity of school buildings, improved student readiness for college and the creation or improvement of STEM centers.

The Board approved R277-492, Utah Science Technology and Research on second reading at the May 9, 2008 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-492, Utah Science Technology and Research on third and final reading. (For complete details see General Exhibit No. 10597.)

9. Educator Licensing and Data Retention, R277-502

R277-502-6, Educator Licensing and Data Retention, is amended to implement the "Returning Educator Relicensure Initiative." The purpose of this initiative is to facilitate the return to the classroom of experienced educators whose professional licenses have lapsed. The program allows educator licenses to be renewed based on a plan developed with principals of schools that have hired returning educators.

The key changes to the rule are:

- clarification of requirements to complete a plan developed jointly with principals;
- clarification of testing requirements;
- clarification of mentoring requirements; and
- establishment of procedures for re-issuance of level 2 or level 3 licenses.

The Board approved R277-502 on second reading at the May 9, 2008 Board meeting. There have been no substantive changes to the rule since that time. The Board approved R277-502, Educator Licensing and Data Retention on third and final reading. (For complete details see General Exhibit No. 10598.)

10. Utah Educator Standards, R277-515-4

Utah Educator Standards, R277-515-4 is amended to provide two additional standards reflecting issues for educators to follow for maintaining a safe learning environment that should have been included in the rule when it was first enacted.

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The amendment to section R277-515-4, Educator Responsibility for Maintaining a Safe Learning Environment and Educational Standards were made to the rule at the May 9, 2008 Board meeting. There have been no substantive changes made to the rule since that time. The Board approved R277-515, Utah Educator Standards on third and final reading. (For complete details see General Exhibit No. 10599.)

11. Grants to Purchase or Retrofit Clean School Buses, R277-606

Due to interests expressed by parents and others, Representative Christine A. Johnson sponsored HB 146, School Bus Standards, which originally carried a misdemeanor and a \$100 fine for school bus drivers who idled school buses. The USOE, was, at the time, already working with Utah Clean Cities to develop curriculum and standards for idling reduction for Utah school bus drivers. Once Representative Johnson was made aware of the curriculum and forthcoming standards, the bill was substituted with the current language.

The Utah State Office of Education reported that the office will work with the Air Quality Board to implement an idling reduction program for all school bus drivers in the state and adopt idling reduction standards in the Utah Standards for Utah School Buses and Operations, 2008 edition. Further, the office will work with the Air Quality Board to use the appropriated \$100,000 to provide matching funds for grants awarded by the federal government or private sources to local school districts for the purchase or retrofit of clean school buses.

R277-606, Grants to Purchase or Retrofit Clean School Buses was approved by the Board on second reading at the May 9, 2008 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-606, Grants to Purchase or Retrofit Clean School Buses on third and final reading. (For complete details see General Exhibit No. 10600.)

12. International Baccalaureate Programs, R277-710

The 2008 Legislature passed SB 2, Section 53A-17a-120 and Section 31 that adds the International Baccalaureate Programs (IB) to the appropriations and programs associated with accelerated learning programs. The intent language specifies that at least \$100,000 be used for IB programs. The Board approved R277-710, International Baccalaureate Programs on second reading at the May 9, 2008 meeting. There have been no substantive changes to the rule since that time. The Board approved R277-710, International Baccalaureate Programs on third and final reading. (For complete details see General Exhibit No. 10601.)

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13. State Board of Education Administrative Rule Repeal

R277-451, The State School Building Program, is being repealed due to passage of SB 48, Equalization of School Capital Outlay Foundation. The Board Repealed R277-451, The State School Building Program. (For complete details see General Exhibit No. 10602.)

14. USBE Annual Calendar

The Utah State Board of Education Annual Calendar for 2008 is provided for information to the Board. (For complete details see General Exhibit No. 10603.)

15. 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. 10604.)

16. National Association of State Boards of Education (NASBE) Dues

An invoice for the National Association of State Boards of Education Dues for Fiscal Year 2009 in the amount of \$22,497.00, and the NCOSEA Dues for School Year 2008 in the amount of \$130.00; and subscription to the Standard in the amount of \$20; for a total of \$22,647.00 was approved by the Board. (For complete details see General Exhibit No. 10605.)

17. Utah School Boards Association Dues

An invoice for the Utah School Boards Association Dues for Fiscal Year 2009 in the amount of \$1,500.00 was approved by the Board. (For complete details see General Exhibit No. 10606.)

18. Council of Chief State School Officers Dues

An invoice for the Council of Chief State School Officers Dues for Fiscal Year 2009 in the amount of \$32,629 was approved by the Board. (For complete details see General Exhibit No. 10607.)

19. Ratifications

Randy Honaker was ratified as a Coordinator, Assessment, in the Data, Assessment and Accountability Division.

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Michael J. Sears was ratified as the Finance Director, Utah Schools for the Deaf and the Blind.

20. Utah State Instructional Materials Commission Recommendations

On May 29, 2008, the Utah State Instructional Materials Commission met and approved 1,236 titles for recommendation to the Board. The Commission also recommended that the Board accept the bids received from the publishers and direct staff to award contracts to the publishers to furnish instructional materials to the schools of Utah. The Board adopted the recommendations by the Utah State Instructional Materials Commission and directed staff to award contracts to the various publishers. (For complete details see General Exhibit No. 10608.)

21. State Charter School Board Recommendation

On May 21, 2008 the State Charter School Board unanimously approved to recommend to the State Board of Education that Thomas Edison Charter School's newly modified charter be accepted. Modifications included bringing the charter in line with it's new satellite school status. The Board approved the modified charter to the Thomas Edison Charter School.

22. 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. 10609.)

23. Claims Report

The Claims Report in the amount of \$231,303,469.22 for April 30, 2008 was approved by the Board. (For complete details see General Exhibit No. 10610.)

Paraeducator to Teacher Scholarship Program, R277-526

The Legislature in its 2008 session passed HB 66, Paraeducator to Teacher Scholarship Program and appropriated \$25,000 for scholarship awards. The statute requires that the Board make rules for the implementation of the program. Additionally, the Board is required to appoint a scholarship committee. R277-526, Paraeducator to Teacher Scholarship Programs has been prepared to fulfill these requirements.

Minor amendments were made to the rule at the May 9, 2008 Board meeting and the Board approved R277-526, Paraeducator to Teacher Scholarship Program on second reading. There have been no substantive changes to the rule since that time. (For complete details see General Exhibit No. 10611.)

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_____ Motion was made by Member Laurel O. Brown and seconded by Member Kim R. Burningham to amend the rule under R277-526-5(4) to read one representative of the largest membership association representing paraeducators in the state of Utah; (5) one additional representative designated by the Board consistent with Section 53A-6-802(4).

Motion carried with Members Allen, Brown, Burningham, Cannon, Colbert, Gregory, Jensen, Mackey, Morrill, Roberts and Theurer voting in favor; Member Haws absent.

Other Business

Motion was made by Member Debra Roberts and seconded by Member Teresa Theurer to adopt the following statement:

This Board decries the recent machinations of the selection process for the candidates for the State Board of Education. We would support either an open primary or a return to the district committees, but state that partisan elections and the present state selection committee are both detrimental to the oversight of the education of our children and that the current process subverts the Utah constitutional requirement that members of the State Board of Education be generally elected. Motion carried with Members Allen, Brown, Burningham, Cannon, Gregory, Jensen, Morrill, Roberts and Theurer voting in favor; Member Colbert opposed; Member Mackey abstained and Member Haws absent.

Motion was made by Member Debra Roberts and seconded by Member Teresa Theurer to adjourn.

Meeting adjourned at 3:50 p.m.