

UTAH STATE BOARD OF EDUCATION
MINUTES

February 4, 2011

The Charter, Communications, and Audit Standing Committees of the Board met February 3, 2011. All Board Members were present with the exception of Meghan Holbrook, James Olsen, and Isaiah Spencer.

Minutes of the meeting of the Utah State Board of Education held February 4, 2011, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 8:00 a.m. At the request of Chair Debra G. Roberts, Vice Chair Dixie L. Allen conducted.

Members present:

- Chair Debra G. Roberts
- Vice Chair Dixie L. Allen
- Member Tim Beagley
- Member Laurel O. Brown
- Member Kim R. Burningham
- Member Keith M. Buswell
- Member Janet A. Cannon
- Member Leslie B. Castle
- Member Craig E. Coleman
- Member Joel Coleman
- Member David L. Crandall
- Member Michael G. Jensen
- Member Tamara Lowe
- Member Carol A. Murphy
- Member James V. (Jim) Olsen
- Member C. Mark Openshaw
- Member Tami W. Pyfer
- Member David L. Thomas

Members Excused:

- Member Meghan Holbrook
- Member Isaiah "Ike" Spencer

Executive Staff:

- Larry K. Shumway, Chief Executive Officer/State Superintendent
- Don Uchida, USOR Executive Director
- Martell Menlove, USOE Deputy Superintendent
- Brenda Hales, USOE Associate Superintendent
- Todd Hauber, USOE Associate Superintendent
- Judy Park, USOE Associate Superintendent
- Lorraine Austin, Board Secretary

February 4, 2011

Member of the press:

Lisa Schenker, Salt Lake Tribune

Others:

Kris Kimball, UWF

Holly Langton, UTPS

Sarah Meier, Granite School Board

Heigi Mucha, UPDC

Peter Yeager, ETS

USOE staff:

Natalie Grange, Internal Auditor

Carol Lear, School Law

Lawrence Newton, School Finance

Mark Peterson, Public Relations

Elizabeth Ziegler, Social Media

Vice Chair Dixie L. Allen called the meeting to order. She took a point of personal privilege on behalf of herself and Chair Debra Roberts to thank the board members that have worked so hard to get information into the political process and to meet with their legislators, school districts, and communities. She also thanked Superintendent Larry Shumway, Deputy Superintendent Martell Menlove and USOE Associate Superintendents Todd Hauber, Judy Park, Brenda Hales, and the USOE staff for their work with the legislature.

The Pledge of Allegiance was given by Member David Crandall.

Welcome

Member Mark Openshaw welcomed the Board with an aviation story, then gave a prayer.

Best Practices

Associate Superintendent Brenda Hales reported that Utah's annual report on special education required by the federal government—320 total pages—was submitted in December. Utah was the only state that received a 100 percent clear report.

Carol Anderson, USOE Special Education Specialist for Emotional Disturbance and Mental Health Issues, explained that the Positive Behavioral Interventions and Supports (PBIS) program is a decision making framework that guides selection, integration, and implementation of the best evidence-based behavioral practices for improving important academic and behavior

February 4, 2011

outcomes for all students. Districts and charter schools are required by law that prior to taking disciplinary actions on a student, the district or charter school must have as part of its policy a plan to motivate and engage students for appropriate behaviors. The PBIS process was adopted in November 2007 by the Board of Education. Ms. Anderson gave a presentation about the program. [For complete details see General Exhibit No. 11402.]

Public Participation and Comment

Paula Hill, Alpine School Board Member, expressed her concern that the vote on the Vineyard Urban Renewal Project was taken in the midst of negotiations of terms, and that the terms given the developers were very generous, and will be at the expense of the school children and the taxpayers of Utah County. The only parties that can bring the issue back for consideration would be someone who voted “yes” for the current terms, which includes the State Board of Education representative. Ms. Hill invited the Board to consider directing its representative to bring this back to the table for negotiations of better terms.

Jared Carmen reported that the magnitude of the Vineyard deal is \$300 million over the space of 40 years. Two generations of school children will be bearing the burden of taxes that will be imposed on the residents of Alpine District to support this development project. He echoed Ms. Hill’s request for the State Board’s representative to go back to the Vineyard URA and ask if they would reconsider and come back to the negotiating table.

The Board recessed into committee meetings.

The Board reconvened at 10:12 a.m.

Achievement Spotlight

Associate Superintendent Brenda Hales honored Sara Bennett, the senior high school winner of the Dr. Martin Luther King, Jr. Essay Contest. The question asked of participants was, “What impact has Dr. Martin Luther King Jr.’s legacy of community service had on your vision for the future, and what can you do to be responsible in your community?” Ms. Bennett read her winning essay to the Board. Chair Debra Roberts presented Sarah with a Certificate of Excellence. Ms. Bennett’s parents and Woods Cross High School Principal Steven Park were acknowledged for being present. [For complete details see General Exhibit No. 11403.]

February 4, 2011

Executive Officer Report

Chief Executive Officer Larry K. Shumway commented that having a student like Sara read her essay reminds him of the optimistic spirit we should all have and gives him absolute faith in the future.

Dr. Shumway reported on the following:

- Board members were encouraged to attend legislative education committee meetings. Appreciation was expressed for those that have been able to be there, particularly Chair Debra Roberts. Dr. Shumway expressed his hope that the Board can continue to build relationships of cooperation and good faith with the Legislature, and reaffirmed his commitment to providing accurate information without spin or filtering.
- Public Schools Day at the Capitol was held on February 10.
- Elizabeth Ziegler, USOE Social Media Specialist, gave a quick overview of resources now available for those interested in public education, including the new UtahPublicEducation.org blog, Facebook, Twitter, and Flickr. Regular U-Tube videos and interviews will also take place.
- Board Members were encouraged to make nominations for the Huntsman Awards for Excellence in Education, now in its 25th year.
- Associate Superintendent Judy Park reviewed the Class Size Average and Pupil Ratios Report.
- Associate Superintendent Park reviewed the 3rd Grade ELA CRT Percent Proficient Report for 2005-2010.

[For complete details see General Exhibit No. 11404.]

Board Chair Report

Board Chair Debra G. Roberts acknowledged Member David Thomas's work with the legislature, and expressed appreciation for all those that have returned reports of visits with legislators.

Audit report: Natalie Grange, USOE Internal Auditor, reported on the completed review of the FY 2010 district and charter school financial statements and single audits. Follow-up

February 4, 2011

letters will be sent to boards and LEA management asking for their responses and plans to correct findings. There has been an improvement in findings from last year.

Ms. Grange distributed a report on the monitoring activities of the Phase I American Recovery and Reinvestment Act (ARRA) State Fiscal Stabilization Funds. A review was done based on federal requirements set forth in the grant, to determine if each LEA had sufficient documentation to support those expenditures. The auditors did not discover any questioned costs—items that are identified as using funds that aren't allowable for grant administration. Ms. Granger reviewed the findings. [For complete details see General Exhibit No. 11405.]

Chair Roberts reported on the following:

- A very positive meeting was held with UCAT representatives from local districts.
- The Governor's Commission on Education Excellence continues to meet. Associate Superintendents Judy Park and Brenda Hales gave a very impressive presentation on the Common Core at the last Commission meeting.
- Due to his work schedule, Member Joel Coleman will be unable to be the Board representative to the Coalition of Minorities Advisory Committee (CMAC). Member Kim Burningham has been appointed as the new Board representative to CMAC.
- Member Kim Burningham distributed and reviewed his research report, *Education: A Comparison of Florida and Utah*. He reminded the Board that Florida accompanied its reforms with a great deal of money, including incentives, and suggested that each of Florida's reforms should be looked at individually and on their own merit. Member David Thomas indicated he has done a side-by-side comparison between Utah and Florida on ATC scores; the trend in Utah is going up and the trend in Florida is going down. He will send that information to Board members.
- The 2011 NASBE Legislative Conference is on March 27-29, with study groups meeting March 29-30. Board Leadership will determine who will attend in its next meeting.
- The Board calendar was reviewed.

[For complete details see General Exhibit No. 11406.]

February 4, 2011

Board Standing Committee Reports

Charter Schools Committee

Committee Chair Carol A. Murphy reported on the following:

Role of the Charter Schools Committee

In January, the State Board of Education established the Charter Schools Committee as a standing committee of the Board. Charter requests, State Charter School Board recommendations, and other charter school concerns will generally be assigned to the newly established committee. Additionally, the Charter Schools Committee Chair will represent the State Board on the Charter School Board and the Charter Board representative on the State School Board will also serve on the Charter Schools Committee. Staff was directed to organize a review book to include all applicable laws and rules on charter schools for the committee, which will be used as a starting point for discussions.

Time Lines for Charter School Items

The Committee will be reviewing the time lines for bringing items from the State Charter School Board to the Charter Schools Committee and then to the full Board to make sure they are in compliance with State Board rules. The Committee will also be reviewing the current template outlining which charter issues should go to the full board, the standing committee, or be put on the consent calendar.

The Committee has asked Charter Schools Director Marlies Burns to share with all Board Members the State Charter School Board meeting agendas. The Committee has also asked that a special note be made to them if there are charter school issues on the Consent Calendar.

Since there is a backlog of charter school items needing action from the standing committee and the full board, the Charter Schools Committee will meet on March 3. [For complete details see General Exhibit No. 11407.]

February 4, 2011

Data, Assessment, and Accountability Committee

Committee Chair David L. Thomas reviewed the following items from the Data, Assessment, and Accountability Committee.

K-12 Pilot Statewide Implementation Costs

Information and cost projections were presented to the committee on implementing the current K-12 and high school pilot (NWEA, EXPLORE, PLAN and ACT) statewide. The projected cost of implementing these assessments is \$44 million a year, and includes costs for software licenses, technology infrastructure, testing stations, and professional development. If implemented, a three to one ratio of students to computers is the optimal level. It is estimated that 35,000 new computers would be needed every year. Districts are purchasing approximately 15,000 computers a year. The committee discussed developing a rule on technology to move the implementation forward. [For complete details see General Exhibit No. 11408.]

Member Joel Coleman suggested involving the Prosperity 2020 group in to help facilitate partnerships with the non-education community on technology. Member David Thomas suggested inviting Prosperity 2020 representatives to a board meeting to educate them on the issues surrounding technology in schools. Other suggestions were working with policymakers to create incentives for businesses helping schools with technology, working with district foundations that have a mechanism in place to accept donations, and working with neighboring states that are implementing the Common Core to determine whether there is a possibility of volume savings. The Board was also reminded that part of the problem with technology is having the manpower to maintain the systems.

Instruction, Support, and Technology Committee

Committee Chair Janet A. Cannon reported the following items from the Instruction, Support, and Technology Committee.

February 4, 2011

State Board of Education Bylaws Amendments

Proposed changes to the State Board of Education Bylaws were reviewed by the Committee.

Motion from the Committee that the Board approve its Bylaws with the following amendments:

- *Executive Sessions*, VII L 2 - add reasons identified in statute to go into closed meeting, and change letters to bullets. Eliminate item c, "Discussion regarding deployment of security personnel, devices or systems."
- Add Section VIII - *Board Committee Meetings and Procedures*. Some clarification of VIII 2a is needed regarding committee voting. Committee Chair Cannon requested that Carol Lear, USOE School Law Director, reword to make it clear what constitutes a quorum and majority vote. The changes will be placed on the Consent Calendar for approval in March.
- *Appointments*, IX C - add an updated version of NSBA's document, *Becoming a Better Board Member*, and place on the Consent Calendar for approval in March.
- *Appointments*, IX 2 - revise to: "Identify and interview screened candidates and forward a list of finalists to the Board." Under IX 3, reword to read, "Following the work of the Superintendent Selection Committee, the State Board shall recall final candidates for second interviews . . ."
- *Board Committees*, X C 1 - eliminate b (Public Education Job Enhancement Committee) and renumber.

Member Kim Burningham indicated he would like to see stronger definition of the role of the committee chair and vice chair. He will forward his ideas.

Motion to approve the changes as presented, with two items to come back on the Consent Calendar, carried. [For complete details see General Exhibit No. 11409.]

Promises to Keep Strategic Plan Time Line

Committee Chair Cannon reported that she and Committee Vice Chair Michael Jensen met with USOE staff and have developed a year-long calendar for reporting to the

February 4, 2011

Board on the teaching standards and teacher evaluation systems under the Promises to Keep Strategic Plan.

Standards, Curriculum, and Student Success Committee

Committee Chair Laurel O. Brown reported on the following items from the Committee.

Comprehensive Counseling and Guidance Program R277-462

In 2009, R277-462 Comprehensive Counseling and Guidance Program was modified to require USOE staff to gather information regarding counselor-to-student ratios, and annually report on this information to the State Board and the Legislature. LEAs not meeting the recommended ratio average of 1:350 are required to submit a plan outlining how they intend to meet this ratio in the future.

It was reported that a total of 27 school districts have met the guidelines, as did 26 charter schools. Provo School District has requested a waiver from the rule. It was determined that a waiver of the rule will won't be given, and the requirements for the plan will remain in place. Plans are also needed from Beaver and North Summit school districts.

Member Tami Pyfer asked if the Board could consider waiving this rule and others, as it did with the 180-day rule, due to the current budget situation. Committee Chair Brown responded that for R277-462, it seems unnecessary because there is no deadline to meet the ratio, rather it is a goal. [For complete details see General Exhibit No.11410.]

Early Intervention Programs for High Need Pre-K Children

USOE staff presented a report to the Committee on the early intervention programs for high need pre-K children. The State of Utah does not fund preschool, but does fund preschool for children three years old that are eligible for services under IDEA. In the 2009-2010 school year, there were over 8,600 children ages 3-5 involved in these programs statewide. There are 107 special education preschools and 49 Title I preschools. [For complete details see General Exhibit No. 11411.]

February 4, 2011

Communications Committee

Committee Chair Tami O. Pyfer reported on the following items from the Committee.

Committee Role

The Communications Committee reviewed its proposed role to identify critical issues on which all Board Members need to be unified and develop messages and materials for use in communication of these issues. The committee agreed to draft a strategy statement and bring it back to the Board, along with a calendar of activities, and methods and procedures to use in identifying and informing the public about critical issues.

Information Gathering

The Committee asked for USOE assistance in gathering information on the history of changes in elections, grading schools, and any other items of information in response to legislative bills HB264, SB59, SJR1, SJR9, and HJR15.

The Communications Committee will meet on March 3.

Discussion with Invited Legislator

Representative Craig Powell was welcomed to the meeting. He reviewed HJR 8 *Joint Resolution Regarding School Supplies*, which would change the Utah Constitution to allow schools and teachers to ask students to voluntarily provide schools supplies for their own use. The amendment he is proposing would allow elementary schools to ask for donations. There is some question on whether this would violate the Permanent Injunction issued in 1986 on school fees. Representative Powell will be going before the Constitutional Revision Commission on this issue. Board members expressed concerns that if supplies are donated, districts could cut back on funding for supplies, and there could be an expectation that the funding of schools has been deferred to parents. Representative Powell expressed that his intent is not for students or parents to be required to provide supplies, and he is committed to working with the State Board to improve resources.

February 4, 2011

Motion was made by Member David Thomas and seconded by Member Carol Murphy that the Board support the concept of HJR 8, whether by statute or constitutional amendment. Motion carried, with Member Leslie Castle opposed.

Representative Powell also reviewed HB 54 *Electronic Communications in Public Meetings*. Vice Chair Allen thanked Representative Powell for his participation.

Public Education Budget

Deputy Superintendent Martell Menlove reported that the Public Education Appropriations Subcommittee has met the goal requested by the Executive Appropriations Committee and reduced the public education budget by seven percent (\$216 million), with an additional reduction of \$91 million. Associate Superintendent Todd Hauber reviewed the Minimum School Program budget. The State Board has been asked by the Governor's Office of Planning and Budget to categorize the items that have been cut as: A—must not be cut, B—possible, or C—already implementing. The Board discussed at length various options for reducing the budget.

Motion was made by Chair Debra Roberts, and seconded by Member Michael Jensen that the Board consider budget reductions in \$20 million increments as follows: 1) the first \$20 million would include reductions in adult education, matching funds for school nurses, USTAR Centers, performance based compensation, extended-year for special educators, and the USOE; 2) the second \$20 million in reductions would come from the flexible allocation of the WPU distribution, recognizing that this decreases the absolute value of the WPU; and 3) for the third \$20 million, revenue from interest and dividends from the Permanent School Fund would be added to the budget.

Motion was made by Member Carol Murphy and seconded by Leslie Castle to divide the question, to vote separately on each \$20 million increment. The motion was divided by general consent.

The motion to consider the first \$20 million budget reduction from adult education, matching funds for school nurses, USTAR Centers, performance based compensation, extended-year for special educators, and the USOE was considered. Chair Roberts added a caveat that in

February 4, 2011

any of the reductions considered, the Board is not implying the program is not important. Motion carried, with Member Kim Burningham opposed.

Motion to consider the second \$20 million in budget reductions from the flexible allocation was considered.

Substitute motion was made by Member David Thomas, and seconded by Member Mark Openshaw, to consider taking the second \$20 million reduction from the Utah Schools for the Deaf and the Blind. It was noted that the services will still need to be provided, but may have to be delivered in a different way. Substitute motion carried, with Members Dixie Allen, Kim Burningham, Keith Buswell, Janet Cannon, Craig Coleman, Joel Coleman, David Crandall, Michael Jensen, Carol Murphy, Mark Openshaw, Debra Roberts, and David Thomas in favor, and Members Laurel Brown, Leslie Castle, and Tami Pyfer opposed.

Motion to consider adding revenue of \$20 million from the interest and dividend earnings from the Permanent School Fund was considered.

Substitute motion was made by Member Janet Cannon and seconded by Member Mark Openshaw that instead of utilizing revenues from the Permanent School Fund, the last \$20 million reduction would be considered from the flexible allocation. Substitute motion failed with Members Dixie Allen, Kim Burningham, Keith Buswell, Leslie Castle, Craig Coleman, Joel Coleman, David Crandall, Carol Murphy, and David Thomas opposed, and Members Laurel Brown, Janet Cannon, Michael Jensen, Mark Openshaw, Tami Pyfer, and Debra Roberts in favor.

Original motion carried, with Members Dixie Allen, Leslie Castle, Craig Coleman, Joel Coleman, David Crandall, Michael Jensen, Carol Murphy, Mark Openshaw, Tami Pyfer, Debra Roberts, and David Thomas in favor, and Members Kim Burningham, Laurel Brown, and Janet Cannon opposed.

Motion was made by Chair Debra Roberts and seconded by Tami Pyfer that to-and-from pupil transportation be categorized as an item that must not be cut. Motion carried, with Member Kim Burningham opposed.

Motion was made by Chair Debra Roberts and seconded by Member Craig Coleman that the funding for regional service centers be categorized as an item that must not be cut. Motion carried with Members Dixie Allen, Laurel Brown, Kim Burningham, Keith Buswell, Leslie

February 4, 2011

Castle, Craig Coleman, Joel Coleman, Michael Jensen, Mark Openshaw, Tami Pyfer, and Debra Roberts in favor, and Members Janet Cannon, David Crandall, Carol Murphy, and David Thomas opposed.

Motion was made by Member Laurel Brown and seconded by Member Leslie Castle that K-3 be categorized as an item that must not be cut. Motion carried, with Member Joel Coleman opposed.

Motion was made by Member Carol Murphy and seconded by Member Joel Coleman that the real value of the WPU be maintained. Motion carried unanimously.

Motion was made by Chair Debra Roberts and seconded by Member Joel Coleman that Educator Salary Adjustments funding be moved above the line. Motion carried with Members Dixie Allen, Laurel Brown, Janet Cannon, Leslie Castle, Craig Coleman, Joel Coleman, David Crandall, Michael Jensen, Mark Openshaw, Tami Pyfer, Debra Roberts, and David Thomas in favor, and Members Kim Burningham and Carol Murphy opposed.

Motion was made by Chair Debra Roberts and seconded by Member Carol Murphy that funding for students attending a UCAT campus be categorized as an item that must not be cut. Motion carried unanimously.

Motion was made by Chair Debra Roberts and seconded by Member Mark Openshaw that the Board, recognizing that the environment in which it is making these decisions is fluid, leave the list of considered reductions open to discussion, and reexamine the list in its legislative meeting on February 10, 2011. Motion carried unanimously.

[For complete details see General Exhibit No. 11412.]

2011 Legislative Session

Deputy Superintendent Martell Menlove reviewed current legislative bills.

Motion was made by Member Joel Coleman and seconded by Member Craig Coleman that the Board oppose SB 60 *Pilot Accountability Permit Program and Identity Related Amendments*.

Substitute motion was made by Chair Debra Roberts, seconded by Member Leslie Castle that the Board take no position, but request that Senator Luz Robles change the legislation to

February 4, 2011

move the responsibilities given to Utah State Office of Education in the bill to the Division of Workforce Services. Substitute motion carried, with Member David Thomas opposed.

Motion was made by Member Joel Coleman and seconded by Member Tami Pyfer that the Board oppose HJR15 *Joint Resolution Amending State Board of Education Provisions*. Motion carried unanimously.

Motion was by Member Carol Murphy and seconded by Member Janet Cannon that the Board support HB 264 *State Board of Education Member Election Process Amendments*. Motion carried with Members Dixie Allen, Laurel Brown, Kim Burningham, Keith Buswell, Janet Cannon, Leslie Castle, Michael Jensen, Carol Murphy, Mark Openshaw, Tami Pyfer, and Debra Roberts in favor, and Members Craig Coleman, Joel Coleman, David Crandall, and David Thomas opposed.

[For complete details see General Exhibit No. 11413.]

State Board Role in Taxing Entity Committees

Statute provides that the State Board of Education is entitled to representation on the taxing entity committees for redevelopment and similar agencies. Superintendent Larry Shumway drew attention to the statutes and guidelines put in place by the Board for its representative, and suggested the Board consider the specifics of how it wants to guide future representation on taxing entity and similar committees. It was reported that Larry Newton, USOE Director of Finance, has been the Board's taxing entity committee representative for the past 18 years. The Board last considered his appointment in 2001. Board members discussed the need to examine its practice and policy on Board taxing entity committee representation.

Mr. Newton gave background on the Vineyard Redevelopment Agency Taxing Entity Committee action to approve the Geneva Urban Renewal Project. The Alpine School District voted against the measure, but all other agencies, including the State Office of Education, voted for the measure.

Motion was made by Member Carol Murphy and seconded by Member Tami Pyfer that the Board direct Larry Newton to make a request to the Vineyard Taxing Entity to bring approval of the Geneva Urban Renewal Project back for reconsideration. It was made clear that 2/3

February 4, 2011

majority of the taxing entity committee must approve a reconsideration. Motion carried, with Member David Thomas opposed.

It was suggested that should the motion to reconsider prevail, the Board's representative come back to the Board for direction. USOE staff was also directed to develop a process to go through the Board's Data, Assessment, and Accountability Committee, to ensure that the Board feels adequately represented and informed on taxing agency matters.

Motion was made by Member Mark Openshaw and seconded by Member Laurel Brown that the Board appointed Larry Newton as its representative on the Vineyard Taxing Entity Committee.

Substitute motion was made by Member David Crandall and seconded by Member Joel Coleman that the Board seek legal guidance on how the Board should move forward on the reappointment of its representative. Substitute motion failed with Members Laurel Brown, Kim Burningham, Janet Cannon, Leslie Castle, Michael Jensen, Carol Murphy, Tami Pyfer, and David Thomas opposed, and Members Dixie Allen, Keith Buswell, Craig Coleman, Joel Coleman, David Crandall, Mark Openshaw, and Debra Roberts in favor.

Motion was made by Member Tami Pyfer and seconded by Member Laurel Brown that the Board reaffirm Larry Newton as its representative and Kathy Dudley as the alternate representative on taxing entity committees. Motion carried, with Members Keith Buswell and David Crandall opposed.

Superintendent Shumway informed the Board that he will be much more assertive in bringing information on a regular basis to the Board on these matters.

[For complete details see General Exhibit No. 11414.]

Executive Session

Motion was made by Member Kim Burningham and seconded by Member Tami Pyfer to move into an Executive Session for the purpose of discussing personnel issues, pending or potential litigation, and purchase, exchange, or lease of real property. A voice vote was taken, and motion carried unanimously. The Board moved into Executive Session at 3:45 p.m.

Motion was made by Member David Crandall and seconded by Member Mark Openshaw to reconvene into open meeting. Motion carried unanimously.

February 4, 2011

Meeting reconvened at 4:11 p.m.

Executive Session Action Items

Utah Professional Practices Advisory Commission Recommendations

Motion was made by Member Carol Murphy and seconded by Member Tami Pyfer that the Board accept the Commission recommendation in Case 10-965 and accept a stipulated agreement, including conditions of the agreement, whereby a former school psychologist in Washington School District voluntarily surrenders his educator license in lieu of a hearing. Motion carried unanimously.

Motion was made by Member Carol Murphy and seconded by Member Mark Openshaw that the Board accept the Commission recommendation in Case 10-966 to revoke based upon default against a former educator in Davis School District. Motion carried unanimously.

[For complete details see General Exhibit No. 11415.]

General Consent Calendar

Motion was made by Member Mark Openshaw and seconded by Member Tami Pyfer to approve the General Consent Calendar as presented. Motion carried unanimously

1. Minutes of Previous Meetings

Minutes of the Meeting of the Utah State Board of Education held January 6, 2011 were approved.

2. Contracts

The following contracts were approved.

A. Iron Data Solutions, Inc. \$25,000. 10/01/2010-9/30/2011

To provide maintenance for the computer program/system at DDS.

B. Jensen & Keddington, P.C. \$10,587.76. 10/01/10-9/30/2011 Amend.

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

February 4, 2011

C. Jensen & Keddington, P.C. \$116,468.28. 10/01/10-09/30/11 Amend.

To provide services for audit requirements and comply with Federal regulations.

D. State of Colorado on behalf of the Board of Trustees of the University of No. Colorado for the use and behalf of the National Center for Severe and Sensory Disabilities. \$401,607. 12/15-2010-12/14/2012

Evaluate ways to present graphics to students with print disabilities (students who can see, but can't read), and students who are blind/students with visual impairments for assessments.

[For complete details see General Exhibit No. 11416.]

3. Educator Licensing Requests for Temporary Authorizations

Requests for Temporary Authorizations as submitted by the school districts were approved. [For complete details see General Exhibit No. 11417.]

4. 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. 11418.]

5. Education Programs Serving Youth in Custody, R277-709-1

A proposal was made for comprehensive reconstitution of the composition of the Coordinating Council for Youth in Custody as recommended in a performance audit conducted by the Utah State Board of Education and the Utah Coordinating Council for Youth in Custody, along with semantic changes to reflect accurate titles of existing divisions. The changes will ensure greater compliance with existing statutory language [53A-1-403].

The Board approved the amendments to R277-709-1 Education Programs Serving Youth in Custody on second reading at its January 6, 2011 meeting. There were no substantive changes to the rule since that time. The Board approved the amendments to R277-709-1 Education Programs Serving Youth in Custody on third and final reading. [For complete details see General Exhibit No. 11419.]

February 4, 2011

6. Advisory Council Notice of Vacancy

There is a vacancy on the Utah Schools for the Deaf and the Blind Advisory Council, representing a member who is an adult blind individual.

7. Instructional Materials Commission Notice of Vacancy

There are three vacancies on the Instructional Materials Commission.

8. Ratification

The Board ratified the hiring of Jennifer Johnson Howell as a Specialist in the Special Education Section of the Student Services and Federal Programs Division.

9. List of Applicants for Licenses

The list of applicants for initial and renewal licenses was approved by the Board. [For complete details see Exhibit No. 11420.]

10. Claims Report

The Claims Report for December 31, 2010 in the amount of \$242,500,518.44 was approved by the Board. [For complete details see General Exhibit No. 11421.]

Motion was made by Member Michael Jensen and seconded by Member Kim Burningham to adjourn.

Meeting adjourned at 4:15 p.m.

Lorraine Austin, Secretary to the Board
Approved March 4, 2011