

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

May 9, 2014

A regular meeting of the Utah State Board of Education was held May 9, 2014 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

At the direction of the Chair, Vice Chair David Thomas conducted.

Board Members present:

Chair David L. Crandall	Member Dan Griffiths
Vice Chair David L. Thomas	Member Heather Groom
Member Dixie L. Allen	Member Michael Jensen
Member Kim R. Burningham	Member Jennifer A. Johnson
Member Keith M. Buswell	Member Jefferson Moss
Member Leslie B. Castle	Member C. Mark Openshaw
Member Freddie Cooper (non-voting)	Member Debra G. Roberts
Member Barbara W. Corry	Member Teresa L. Theurer (non-voting)
Member Kristin Elinkowski (non-voting)	Member Terryl Warner

Board Members excused:

Member Marlin Jensen (non-voting)
Member R. Dean Rowley (non-voting)

Executive and Board staff present:

Martell Menlove, State Supt.	Russ Thelin, USOR Executive Director
Brenda Hales, Deputy Supt.	Lorraine Austin, Board Secretary
Judy Park, Associate Supt.	Natalie Grange, Board Internal Auditor
Bruce Williams, Associate Supt.	Emilie Wheeler, Board Communications Specialist
Joel Coleman, USDB Superintendent	

Others present:

Deon Turley, Utah PTA; Lydia Nuttall, parent; Natalie Parker, Utah PTA; Kindell Graham, CSN Safe Bus; Jane Ferre, LCPD; Jay Blain, UEA; Murrell Martin, USOE; Jazcob Wright, GOMB; Kris Fawson, USILC/LCPD; Frank Strickland, H. Tech; Tina Smith, UAPCS; Nels Timm; Alicia Timm; Joylin Lincoln, parent.

Opening Business

Vice Chair David Thomas called the meeting to order at 11:06 a.m. Member Dixie Allen led those present in the Pledge of Allegiance.

Assistant Attorney General Boyd Hawkins, the new attorney for public education, was welcomed to the meeting.

The following changes to the agenda were noted: 1) item 1-C, Revenue Contracts, was changed to an action item; 2) Consent Calendar - item B, Budget Report, was added.

Board Member Message

Member Jennifer Johnson welcomed the Board. She gave a message in tribute to the Utah World Languages Program for public education, and expressed excitement at the commitment in Utah to learning multiple languages.

Achievement Spotlight

USOE Pupil Transportation Specialist Murrell Martin informed the Board about a partnership between the USOE's Transportation Advisory Committee and the Children's Safety Network (CSN). CSN has partnered with Utah in a pilot of CSN's Safe Bus program that will benefit all districts and charter schools in Utah. The program includes a public service announcement campaign promoting the value of safe school busing services and provision of a driver instructional program to supplement Utah's program. There are other optional services for which CSN can be contracted to help find corporate sponsors for additional equipment.

Ms. Kindell Graham from CSN expressed the organization's excitement about its collaboration with Utah. Vice Chair Thomas expressed the Board's appreciation for the partnership.

Public Participation

Paula Plant for Louis Cononelos, SITLA Board - read a statement from Mr. Cononelos regarding the presentation to teachers of DVDs on school trust lands, and expressing support of the proposed amendment to R277-477 regarding showing the DVD.

Frank Strickland, scientist - expressed his love for science and indicated he has been reading with interest the work to review the science standards for Utah. He expressed concern that Utah will adopt wholesale some of the national science standards. He also addressed one

area of concern in the earth science portion of the Science Core Standards.

Deon Turley, Utah PTA - invited Board members to the Utah PTA Convention being held at BYU next week. She expressed appreciation to USOE staff for agreeing to participate in the workshops.

Laura Black, representing a group based in Spanish Fork - expressed concerns of the group regarding the Common Core and the idea that someone outside of Utah is making decisions for the schools of Utah. She also expressed their feeling that participation in the waiver from NCLB is tied to outside mandates, and that Utah should stop accepting federal funding.

General Consent Calendar

MOTION was made by Member Johnson and seconded by Member Crandall that item A, April 4, 2014 minutes, be removed from the Consent Calendar.

Motion carried unanimously.

MOTION was made by Member Johnson and seconded by Member Moss that the report of contracts under \$100,000 be pulled from the Consent Calendar.

Motion carried unanimously.

MOTION was made by Member Johnson and seconded by Member Allen that the Board approve the Consent Calendar, as amended.

Motion carried unanimously.

A. REMOVED.

B. Monthly Budget Report

The monthly budget report was received.

C. Contracts

The Board approved the following contracts:

1. Old Dominion, \$330,000, 08/01/2014 to 07/31/2015

For transportation of USDA foods for the Child Nutrition Programs.

2. Amplify, \$800,000, 07/01/2014 to 06/30/2015, Amendment

The contract is amended to exercise the first of three available renewal options, to end the contract on June 30, 2015, and to clarify invoicing in the 2014-2015 contract.

3. Utah Independent Living Center, \$643,173, 07/01/2014 to 06/30/2015, Federal, Amendment

To provide Independent Living, Assistive Technology services, and Nursing Home Transition services to individuals with disabilities residing in the Wasatch Front of Utah Independent Living District.

4. Tri County Independent Living of Utah, \$588,271, 07/01/2014 to 06/30/2015, Federal, Amendment

To provide Independent Living, Assistive Technology services, and Nursing Home Transition services to individuals with disabilities residing in Morgan, Davis and Weber Counties.

5. Active Re-Entry, \$605,796, 07/01/2014 to 06/30/2015, Federal, Amendment

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

6. OPTIONS for Independence, \$540,803, 07/01/2014 to 06/30/2015, Federal, Amendment

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

7. Ability First Utah, \$602,087, 07/01/2014 to 06/30/2015, Federal, Amendment

To provide Independent Living, Assistive Technology services, and Nursing Home Transition services to individuals with disabilities residing in Utah, Juab, Sanpete, and Wasatch Counties.

8. Red Rock Center for Independence, \$602,208, 07/01/2014 to 06/30/2015,

Federal, Amendment

To provide Independent Living, Assistive Technology services, and Nursing Home Transition services to individuals with disabilities residing in the Southern Utah Independence Living Rehabilitation District.

9. DFCM/USOE Operating and Maintenance Agreement, \$410,669, 07/01/2014 to 06/30/2015

For operating and maintenance of the Board of Education building.

10. REMOVED

11. The Board received the following report: *Contracts with renewals within the next six months.*

D. Ratification of Hiring

The Board ratified the hiring of Jo Ellen Shaeffer, Assessment Director; and Jared Wright, Assessment Educational Specialist.

E. R280-150 Adjudicative Proceedings Under the Vocational Rehabilitation Act

The Board approved R280-150 *Adjudicative Proceedings Under the Vocational Rehabilitation Act*, as amended, and continued the rule, on third and final reading.

F. Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as submitted by school districts and charter schools.

G. List of Educator Licenses Processed

A summary of the total number of educator licenses and license areas processed in April 2014 was provided for Board information. The Board received the report.

State Superintendent Search Committee Report

Search Committee Chair Jefferson Moss reported that the Committee has met several times. An *Announcement of Position* sheet written by the Committee was distributed and reviewed. The intent is to begin review of applications at the end of July, but no closing date

will be stated.

Member Moss also reported that to cast as broad a net as possible, the Committee voted that a professional recruiting firm should be hired. Member Johnson was chair of a subcommittee that drafted an RFP to hire a recruiter. She reviewed the proposed RFP with the Board.

Committee Chair Moss also reviewed a marketing sheet and asked for input on other organizations to contact regarding the position.

MOTION was made by Member Johnson and seconded by Member Corry that the Board approve the *Announcement of Position*.

Member Johnson thanked Board Communications Specialist Emilie Wheeler for her work on the announcement. It was noted that the Board is invited to seek nominations and applicants.

Member Allen expressed concerns from the Northeastern Uniserve regarding the timing, with the fear that if the Board waits too long to hire a superintendent, some good candidates will not be available. Member Moss responded that the Committee discussed the issue of timing and was reminded that there was criticism after the last superintendent search due to the quick process.

Motion carried; Member Openshaw absent. Emilie Wheeler will publish the announcement.

MOTION was made by Member Moss and seconded by Member Johnson that the Board approve the RFP to hire a recruiter.

Member Johnson clarified that some of the dates in the RFP are placeholders. The concept is to have the RFP out 3-4 weeks, with the work of the recruiter completed in 2-3 months. Those dates may be changed, but the intent is that work will be completed by July 29.

MOTION TO AMEND was made by Member Burningham and seconded by Member Allen that the date for completion of work be moved to July 15.

Motion to amend carried, with Member Johnson opposed; Member Openshaw absent.

USOE Purchasing Agent Janice Christensen was invited to speak. She indicated that by

cutting the time to July 15, given the time it may take to publish the RFP, there may not be enough time for the recruiter to find valid candidates. She suggested moving the date back to July 29.

MOTION TO RECONSIDER the motion to move the date to July 15 was made by Member Castle, and seconded by Member Moss.

It was suggested that a special Board meeting may need to be called in August later than the regular Board meeting to facilitate interviewing the finalists. Member Allen reminded the Board that if a district superintendent is hired as the State Superintendent, that will cause some fallout in a district, and reiterated that it would be better to complete the process as quickly as possible.

Motion to reconsider carried.

Motion to change the date from July 29 to July 15 failed.

Motion to approve the RFP carried; Member Openshaw absent.

Member Johnson noted that technical changes may need to be made to the RFP by State Purchasing.

Some Board members questioned the decision to not have a deadline for submitting applications. It was reported that the Search Committee decided to follow the process set up by the Board of Regents in their searches for institution presidents, and the Committee felt not setting a date would provide greater flexibility. Member Theurer reported that it is a process that has worked well for the Regents.

Title I School Improvement Grants/ The University of Virginia Partnership for Leaders in Education

USOE Title I Director Karl Wilson facilitated a presentation regarding Title I School Improvement Grants and the University of Virginia-Darden School of Business/Curry School of Education Partnership for Leaders in Education program, and how those programs have helped turn around low-performing schools. He introduced several individuals that have had key roles including USOE Education Specialists Ann White and Dr. Rebecca Donaldson, and from Ogden District, Superintendent Brad Smith, Assistant Superintendent Sandy Coroles, and Principals Peggy Dooling-Baker and Jessica Bennington.

The programs have made an incredible difference for the Title I schools with the focus on strong leadership, high quality instruction for all students, and appropriate assessments that inform data-driven decision making.

Superintendent Brad Smith also discussed Ogden District's involvement with the University of Virginia program and the difference it has made for the district's schools.

Utah Council of Education Deans

The Board welcomed members of the Utah Council of Education Deans to the meeting. The Deans introduced themselves—John Shoell, University of Phoenix; Brenda Sabey, Dixie State University; Mary Anne Prater, Brigham Young University; Emily Lyman, Western Governors University; Parker Fawson, Utah Valley University; Deb Hill, Southern Utah University.

Vice Chair David Thomas indicated that one of the areas on which the Board has been concentrating is technology in the classroom. The Board has a concern that Utah teachers need to be able to use technology in the classroom, and not just as a replacement for textbooks. There has been talk of a possible technology endorsement for teaching. He asked what the colleges of education are doing to prepare teachers for using technology, and asked what the Board can do to help facilitate that process.

Members of the Council responded that preparation for the use of technology is constant. Because of the pace of change in resources and equipment the colleges concentrate on preparing students with the flexibility and pedagogical skills a teacher needs to look at the resources available and determine how those resources can best meet the needs of students. The importance of constant professional development on new technology was mentioned. It was also noted that technology is only one piece of preparation to ensure that teachers are equipped to deal with a rapidly evolving world. Communication and creativity are also necessary.

All the Deans reported they require course work specific to using technology to enhance instruction. Some technology courses are online so prospective teachers can experience those types of courses as a student.

The Deans were asked for feedback regarding possible changes to Board rule R277-504 *Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, Speech-Language Pathologist and Speech-Language Technician, and Preschool Special Education (Birth-Age 5) Licensure*. Council members responded that they have been working with USOE staff on the rule and are supportive of the proposed changes. The Deans feel confident that changes to the rule will reflect what is already in practice.

Board and Council Members discussed the teaching profession and what can be done to enhance the ability to attract people to the profession. Ideas included treating teachers as professionals and with respect for their training, knowledge and skills. The Council informed that they are making three commercials about teaching: 1) aimed at incoming students to get them thinking about the teaching profession; 2) regarding professional development and retooling; and 3) for individuals who have a degree in another field to consider becoming a teacher. They asked for ideas on dissemination of the commercials.

The Deans reported that challenges over the last decade include moving targets for the profession and the constant shift in the teacher evaluation process.

It was reported that Utah breaks demographic trends in that many of the students who obtain teaching degrees eventually teach. It would be helpful to have information about teachers who are leaving Utah. With the K-12 population increasing, there may not be enough teachers coming out of institutions to replace teachers who did not retire during the recession.

The Deans reported on entrance requirements. The requirements are different for every institution. The Deans expressed confidence in the quality of individuals being recommended for licensing.

Superintendent's Report

Superintendent Menlove and staff reported on the following.

- H.R. Director Dave Rodemack introduced new employees Tanya Merton, Jenna Mousley, and Jared Wright.
- Some public hearings will be scheduled based on action coming out of the Standards and Assessment Committee.

- Utah applied to be part of a grant for the USDE Turnaround Leaders Program Grant, but was not selected. Part of the reason for the rejection is Utah's improvement in low-performing schools, which is positive.
- The Superintendent will appear before the Administrative Rules Review Committee on May 12 on two items: 1) Charter school applications for USTAR grants; and 2) obtaining cost information related to the Student Information System. He is working with the Governor's Office of Management and Budget on SIS system data.
- The May 21 Education Interim Committee agenda was reviewed.
- Data was provided from the Utah Professional Practices Advisory Commission including numbers of cases, types of offenses, and case resolution. A summary of violation codes was also provided.
- It was announced that a recent letter from the U.S. Department of Education regarding the Utah Title I Audit indicated there are no compliance issues. This does not happen often, and the Title I Section was congratulated on its work.
- The Superintendent met with the State Fire Marshal about installing carbon monoxide devices in schools. It was suggested that the Board initiate the process by offering \$150,000 to districts and charters for initial purchase of the devices.
- A discussion of the ESEA flexibility waiver flexibility will be on the June Board meeting agenda. Utah will have 60 days from receipt of the Part B Monitoring Report from the Department of Education to submit a waiver request. The report has not been received. Superintendent Menlove has sent a letter to the Department regarding expiration of the waiver and has not received a reply. There has also been no reply regarding the request to add a Box C to the waiver.

Board Chair's Report

Chair David Crandall reported on the following.

- Assistant Attorney General Boyd Hawkins introduced himself.
- USOE Associate Superintendent Judy Park and Teaching and Learning Director Sydnee Dickson were recognized for their excellent presentations made to the Governor's

Education Excellence Commission.

- USDB Superintendent Joel Coleman notified Chair Crandall that he is in negotiations with the USDB teachers association. Generally negotiations are only done in odd-numbered years, so Superintendent Coleman was asked to go back to the teachers association to determine why they are negotiating this year.
- The contractor from Kirton-McKonkie has completed the UPPAC Report. The report will go back to the Board UPPAC Task Force for review.
- The Board Audit Committee will be meeting separately from regular Board meetings, probably two weeks after a Board meeting.
- An interim evaluation of Board employees has been done by the Board Evaluation Committee. All employees mentioned more feedback would be helpful.
- A meeting with John Cohen from AIR was held recently for Board members.
- Notice was given to the long-term calendar of Board meeting items, with a reminder that everything is subject to change. It was also noted that a Google calendar for Board members has been created.
- Chair Crandall, Superintendent Menlove, and Member Heather Groom recently met with the Governor and some legislators about Common Core issues and working together on messaging.

SAGE Assessment Performance Level Descriptors (PLDs)

Associate Superintendent Judy Park reported on the just-completed SAGE computer-adaptive assessment, and remarked that an important milestone was crossed when nearly every student was being tested at the same time. There have been concerns about the testing, and adjustments will be made. She emphasized that SAGE is a Utah test, developed in Utah.

Dr. Park gave a presentation about Proficiency Level Descriptors (PLDS) that have been developed for the SAGE assessments. A PLD is a description of what students know and are able to do by content area, grade, and proficiency level. The PLDS are tools to give teachers, parents, and students information on the skills and knowledge students demonstrate on state assessments.

PLDs have been created for English Language Arts—grades 3-11; Mathematics—grades 3-8, Math I, Math II, and Math III; and Science—grades 4-8, Earth Science, Biology, Physics, and Chemistry. The PLDS will be used in standard setting for the purpose of determining proficiency levels. The standards setting process is scheduled for August 11-15, 2014, and Board members were invited to participate.

There was some discussion that Level 1 may not accurately portray the performance level of a student. It was suggested that the language be changed to indicate that Level 1 includes a range of having no skills in an area up to the skill level specified.

MOTION was made by Member Allen and seconded by Member Corry that the Board approve the Performance Level Descriptors as presented.

Motion carried; Member Burningham absent.

Core Standards Revision Schedule

Standards and Assessment Committee Chair Dixie Allen reviewed the updated Core Revision Timeline presented earlier to the Committee. The Timeline was revised as a result of H.B. 342 *Power and Duties of the State Board of Education*, 2014 Legislative Session. The legislation requires the Board to convene a parent review committee for new core standards at least one year before adoption by the Board.

The Committee approved the Timeline with the following direction: 1) those areas not listed in H.B. 324 will be separated from the areas listed; 2) the timing of World Languages and Library Media Standards will be moved out by one block; and 3) staff will begin forming the parent committees.

MOTION from Committee that the Board approve the Core Standards Revision Timeline as amended by the Committee.

Chair Crandall asked if a priority was being given to mathematics as directed in the legislation. Deputy Superintendent Hales responded that the math revision has been moved up as much as she feels is educationally and pedagogically sound. Board members expressed the desire to have public involvement on mathematics sooner than scheduled. It was suggested that the parent committees be formed now and begin taking public comment,

perhaps having a meeting that is a public forum. The parent committee could act as a sounding board for current concerns and could bring substantive concerns to the Board.

MOTION TO AMEND was made by Member Crandall and seconded by Member Moss that the public review of elementary and secondary mathematics be moved to the 2014-15 school year.

Motion to amend carried.

Motion, as amended, carried; Member Burningham absent.

Standing Committee Reports

FINANCE COMMITTEE

Committee Chair Jennifer Johnson reported on the following items from the Committee.

Utah State Office of Education (USOE), Utah State Office of Rehabilitation (USOR) and Utah Schools for the Deaf and the Blind (USDB) Quarterly Budget Review

The Committee completed its budget review of the entities governed by the Board and gave direction to staff for changes to provide more information to the Board.

It was suggested that a budget workshop be part of a work/study session.

It was reported that USOR has offered the Board a tour of their offices throughout the state.

R277-113 LEA Fiscal Policies and Accountability

The Committee voted to postpone action on the rule until the June Board meeting.

Revenue Contracts/License Agreement with AIR and the State of Florida

The Committee discussed the license agreement for Utah SAGE test items and directed staff to write a policy to consider similar situations and clarify when the Board or Board leadership should become engaged in contract discussions.

The Committee reviewed the license agreement drafted by the Board's attorney between

the State of Utah and American Institutes for Research (AIR) regarding leasing SAGE assessment items to Florida. The Committee directed that clarifying language be added to identify that a public release or inadvertent release of any portion of the licensed materials during the term or within one year following the expiration of the Term does not only apply to the Florida Department of Education.

MOTION from Committee that the Board approve the license agreement, as amended.

Motion carried; Member Burningham absent.

R277-477 Distribution of Funds from the Interest and Dividend Account and Administration of the School LAND Trust Program

In the March and April Board meetings, the Committee reviewed amendments to R277-477 to reconcile existing rule to changes enacted in H.B. 168 *School and Institutional Trust Lands*, 2014 Legislative Session. The rule came back to the Committee in May for more consideration. The Committee made additional changes outlined on a distributed sheet, and approved amendments to the rule on second reading.

MOTION from Committee that the Board approve R277-477 *Distribution of Funds from the Interest and Dividend Account and Administration of the School LAND Trust Program*, as amended, on third and final reading.

Motion carried; Member Burningham absent.

R277-491 School Community Councils

In the March and April Board meetings, the Committee reviewed amendments to R277-491 to reconcile existing rule to changes enacted in H.B. 221 *School Community Council Revisions*, 2014 Legislative Session. The rule came back to the Committee in May for additional amendments. The Committee approved amendments to the rule on second reading.

MOTION from Committee that the Board approve R277-491 *School Community Councils* on third and final reading.

Motion carried; Member Burningham absent.

R277-480 Charter School Revolving Account

The Committee reviewed amendments to R277-480 as a result of requests from the Charter School Revolving Loan Committee and State Charter School Board. The Committee approved amendments to and continuation of the rule on first reading.

MOTION from Committee that the Board approve R277-480 *Charter School Revolving Account*, as amended, and continuation of the rule, on second reading.

Motion carried; Member Burningham absent.

R277-472 Charter School Student Enrollment and Transfers and School District Capacity Information

The Committee reviewed amendments to R277-472 to clarify the timeframe by which a charter school student must be enrolled in the student's school district of residence after a parent makes a formal application of admission.

The Committee approved amendments to R277-472, and continuation of the rule, on first reading.

MOTION from Committee that the Board approve R27-472 *Charter School Student Enrollment and Transfers and School District Capacity Information*, as amended, and continuation of the rule, on second reading.

Motion carried; Member Burningham absent.

Outcome of Taxing Entity Committee Meetings

The Committee heard a report of the March 31, 2014 meeting of the Mt. Pleasant Redevelopment Agency Taxing Entity Committee.

R277-719 Standards for Selling Foods Outside of the Reimbursable Meal in Schools

The Committee approved on first reading amendments to R277-719 that bring the rule into alignment with the Healthy, Hunger Free Kids Act of 2010 interim final rule.

MOTION from Committee that the Board approve R277-719 *Standards for Selling Foods Outside of the Reimbursable Meal in Schools*, as amended, on second reading.

Motion carried; Member Burningham absent.

Model Policy Recommendation Regarding Child Nutrition Program Charges

A draft model policy regarding Child Nutrition Program Charges was presented to the Committee in the April Board meeting. The Committee voted to distribute the model policy to local education agencies (LEAs) for discussion and feedback. The Committee reviewed the adjusted model policy that includes recommendations from the LEAs.

MOTION from Committee that the Board approve the Child Nutrition Program Charges Model Policy.

Motion carried; Member Burningham absent.

LAW AND LICENSING COMMITTEE

Committee Chair Mark Openshaw reported on the following items from the Committee.

American Preparatory Academy Charter Amendment Request

The Committee directed that the request be sent back to the State Charter School Board for further clarification on what will happen to Liberty Academy's charter and the school's assets and liabilities should American Preparatory Academy take over the school.

Washington Academy Charter Amendment

MOTION from Committee that the Board approve modifications to Washington Academy Charter School's charter to add 50 students in fall 2015 to accommodate the current enrollments through all grades served.

Motion carried unanimously.

Ranches Academy Charter Amendment

MOTION from Committee that the Board approve amendments to Ranches Academy's charter to open a satellite campus in Alpine School District in fall 2015, serving 364 students in K-6, with 728 total enrollment between both campuses.

Motion carried unanimously.

Roots Charter High School

MOTION from Committee that the Board accept the recommendation of the State Charter School Board and approve the charter agreement for Roots Charter High School, to open in fall 2015.

Motion carried unanimously.

R277-470 Charter School - General Provisions

The Committee approved on first reading amendments to R277-470 to provide additional flexibility for the use of mentoring funds.

MOTION from Committee that the Board approve R277-470 *Charter School - General Provisions*, as amended, on second reading.

Motion carried unanimously.

R277-481 Charter School Oversight, Monitoring and Appeals

The Committee directed that the rule be sent to the Board's attorney for review.

R277-482 Charter School Timelines and Approval Processes

The Committee directed that the rule be sent to the Board's attorney for review.

R277-462 Comprehensive Counseling and Guidance Program

The Committee approved amendments to R277-462 on first reading. Amendments were made to provide necessary program changes, new accreditation standards, legislative action and funding changes. The rule was also approved for continuation on first reading consistent with the Utah Administrative Rulemaking Act five-year review requirement.

MOTION from Committee that the Board approve R277-462 *Comprehensive Counseling and Guidance Program*, as amended, and continuation of the rule, on second reading.

Motion carried unanimously.

R277-516 Education Employee Required Reports of Arrests and required Background Check Policies for Non-licensed Employees

The Committee approved R277-516 for continuation, consistent with the Utah Administrative Rulemaking Act five-year review requirement, on first reading.

MOTION from Committee that the Board approve continuation of R277-516 *Education Employee Required Reports of Arrests and required Background Check Policies for Non-licensed Employees* on second reading.

Motion carried unanimously. It was noted that the rule will be examined at length in future meetings.

R277-714 Dissemination of Information About Juvenile Offenders

The Committee approved R277-714 for continuation, consistent with the Utah Administrative Rulemaking Act five-year review requirement, on first reading.

MOTION from Committee that the Board approve continuation of R277-714 *Dissemination of Information About Juvenile Offenders* on second reading.

Motion carried unanimously.

Conceptual Draft - R277-504 Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, Speech-Language Pathologist and Speech-Language Technician, and Preschool Special Education (Birth-Age 5) Licensure

The Committee discussed the conceptual draft of R277-504 and provided feedback to staff. They asked for additional Board review and input. It is expected the concepts will be discussed in the June Board study session, with changes to the rule to come to the Board in August.

It was noted that a discussion guide distributed in Committee will be sent to all Board members.

STANDARDS AND ASSESSMENT COMMITTEE

Committee Chair Dixie Allen reported on the following items from the Committee.

World Languages Core Standards

In April 2014, the revised World Languages K-12 Core Standards, along with public comment, were presented to the Board in preparation for approval. The standards were open to public comment for six months, including face-to-face meetings around the state.

The Committee reviewed the Standards in light of H.B. 342 *Power and Duties of the State Board of Education*, 2014 Legislative Session. Comment was made regarding the need for better communication to districts, parents and the public about Board activities. A Timeline of World Language K-12 Proficiency Based Standards was distributed to the Board.

MOTION from Committee that the Board approve the revised World Languages Core Standards for implementation in the 2014-2015 school year.

Motion carried; Member Burningham absent.

Library Media Standards Update

Staff at the State Office of Education reviewed the current library media core document with appropriate stakeholders and determined that changes were needed. A committee was formed to develop planned changes. The Committee reviewed the draft Utah Standards for Library Media Secondary (Grades 6-12).

MOTION from Committee that the Board give preliminary approval to the Library Media Secondary Standards and direct staff to move forward with sending the standards out for public comment. Also, that the timing of review for Library Media Standards be moved out one block on the Core Revision Timeline.

Motion carried; Member Burningham absent.

R277-710 *Intergenerational Poverty Interventions in Public Schools*

New rule R277-710 was written as a result of S.B. 43 *Intergenerational Poverty Interventions in Public Schools*, passed in the 2014 Legislative Session. The legislation provides additional education opportunities, outside of the regular school day, for students affected by intergenerational poverty. The Board is charged with the responsibility to allocate funds based on approved applications and with annual reporting to the Education Interim Committee.

The Committee reviewed R277-710 and approved it on first reading with the following amendments:

- Section 3, lines 45 and 50 - change "LEAs/schools" to read "LEAs with schools."
- Section 5, line 102 - change June 15 (a Sunday) to June 16.
- Section 5, line 108 - change June 22 (a Sunday) to June 23.

MOTION from Committee that the Board approve new rule R277-710 *Intergenerational Poverty Interventions in Public Schools*, as amended, on second reading.

Motion carried unanimously.

R277-463 Class Size Average and Pupil-teacher Ratio Reporting

The Committee approved continuation of R277-463 on first reading, consistent with the Utah Administrative Rulemaking Act five-year review requirement. The Board also approved amendments to the rule to update terminology on first reading.

MOTION from Committee that the Board approve R277-463 *Class Size Average and Pupil-teacher Ratio Reporting*, as amended, and continuation of the rule, on second reading.

Motion carried unanimously.

R277-602-3 Special Needs Scholarships–Funding and Procedures–Parent/Guardian Responsibilities

The Committee approved amendments to R277-602-3 on first reading. Amendments were made as a result of S.B. 240 *Carson Smith Scholarship Amendments*, passed during the 2014 Legislative Session.

MOTION from Committee that the Board approve R277-602-3 *Special Needs Scholarships–Funding and Procedures–Parent/Guardian Responsibilities*, as amended, on second reading.

Motion carried unanimously.

R277-800 Utah Schools for the Deaf and the Blind

The Committee approved continuation of R277-800, consistent with the Utah

Administrative Rulemaking Act five-year review requirement, on first reading.

MOTION from Committee that the Board approve continuation of R277-800 *Utah Schools for the Deaf and the Blind* on second reading.

Motion carried unanimously. The rule will be brought back for amendment in a future meeting.

Utah Professional Practices Advisory Commission (UPPAC) Recommendations

MOTION was made by Member Allen and seconded by Member Burningham that the Board accept the UPPAC recommendation in Case No. 13-1115 and suspend the educator's Level 1 Elementary and Title 1 Paraprofessional Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than three years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

It was noted that UPPAC previously recommended a suspension of one year, which was not accepted by the Board.

The case was referred to Executive Session for discussion.

MOTION was made by Member Allen and seconded by Member Burningham that the Board accept the UPPAC recommendation in Case No. 13-1130 and suspend the educator's Level 2 Special Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than five years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

It was noted that a previous UPPAC recommendation of suspension for three years was not accepted by the Board.

Motion carried unanimously.

MOTION was made by Member Allen and seconded by Member Burningham that the Board accept the UPPAC recommendation in Case No. 13-1180 and suspend the educator's Level 1 Secondary Education License. The educator may request a reinstatement hearing

following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than two years from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried unanimously.

MOTION was made by Member Allen and seconded by Member Burningham that the Board accept the UPPAC recommendation in Case No. 13-1181 and suspend the educator's Level 2 Career and Technical Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than one year from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

Motion carried unanimously.

Executive Session

MOTION was made by Member Allen and seconded by Member Burningham that the Board move into Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of individuals.

Upon voice vote of those voting members present, the Board moved into Executive Session at 4:28 p.m.

Those present in Executive Session included Members Allen, Burningham, Buswell, Castle, Cooper, Corry, Crandall, Elinkowski, Griffiths, Groom, Jensen, Johnson, Moss, Openshaw, Roberts, Theurer, Thomas, and Warner; and Martell Menlove, Brenda Hales, Lorraine Austin, Rachel Terry, Heidi Alder and Boyd Hawkins.

MOTION was made by Member Allen and seconded by Member Corry that the Board come out of Executive Session.

Motion carried. The Board reconvened in open meeting at 5:54 p.m.

Executive Session Items

UPPAC Recommendations

Previous motion to accept the UPPAC recommendation in Case No. 13-1115 carried, with

Members Allen, Burningham, Corry, Griffiths, Jensen, Moss, Thomas and Warner in favor, and Members Castle, Crandall, Groom and Johnson opposed. Members Buswell and Roberts absent.

MOTION was made by Member Corry and seconded by Member Allen that the Board accept the UPPAC recommendation in Case No. 13-1132 (reviewed in Executive Session) and suspend the educator's Level 2 Elementary Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than four years from the date of Board action. Any recommendation for reinstatement following a hearing is subject to Board approval.

Motion failed, with Members Allen, Burningham, Corry, Griffiths, Jensen and Thomas in favor, and Members Castle, Crandall, Groom, Johnson, Moss, Openshaw and Warner opposed. Members Buswell and Roberts absent.

MOTION was made by Member Johnson and seconded by Member Allen that the Board accept the UPPAC recommendation in Case No. 13-1154 and permanently revoke the educator's Level 1 Career and Technical Education License.

Motion carried; Members Buswell and Roberts absent.

Appointments

MOTION was made by Member Corry and seconded by Member Allen that the Board appoint Sue Okroy to the School Readiness Board.

Motion carried; Members Buswell and Roberts absent.

MOTION was made by Member Moss and seconded by Member Groom that the Board appoint Donald Lively, representing Deaf or Hard-of-Hearing individuals, and Ben Springer, representing individuals with an interest in and knowledge of the needs and education of deaf, blind or deafblind, to the USDB Advisory Council.

Motion carried; Members Buswell and Roberts absent.

MOTION was made by Member Griffiths and seconded by Member Allen that the Board appoint Cindy Nagasawa-Cruz to the Utah Education and Telehealth Network Board.

Motion carried; Members Buswell and Roberts absent.

MOTION was made by Member Moss and seconded by Member Allen that the Board appoint Faye Elaine Clausen and Robert Ferris, representing individuals with a disability, to the Utah Statewide Independent Living Council.

Motion carried; Members Buswell and Roberts absent.

MOTION was made by Member Corry and seconded by Member Allen that the Board appoint Deja Powell, representing the Division of Services for the Blind and Visually Impaired, and Sandy Terry, representing the Utah Department of Workforce Services, to the State Rehabilitation Council.

Motion carried; Members Buswell and Roberts absent.

Board Member Closing Comments

Member Warner distributed a checklist of Aggravating and Mitigating Circumstances that will be used by UPPAC in the future. UPPAC staff has taken information from the Utah "2013 Adult Sentencing and Release Guidelines, Form 2 Aggravating and Mitigating Circumstances," and applied those criminal guidelines to the civil arena for UPPAC.

Member Johnson encouraged Board members to participate in the opportunity to learn more about the budget in the upcoming budget workshop.

Member Burningham drew attention to Kids Count Policy Report, *Race for Results, building a path to opportunity for all children*, that was distributed in the Board packets.

Adjournment

MOTION was made by Member Groom that the meeting adjourn.

Motion carried. The meeting adjourned at 6:02 p.m.

Lorraine Austin, Board Secretary
Minutes approved June 6, 2014