

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

September 17-18, 2015

STUDY SESSION - September 17, 2015

A study session of the Utah State Board of Education was held September 17, 2015 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

Chair David Crandall called the meeting to order at 3:08 p.m.

Members attending included Chair David Crandall, First Vice Chair David Thomas, Second Vice Chair Jennifer Johnson, and Members Dixie Allen, Laura Belnap, Leslie Castle, Barbara Corry, Brittney Cummins, Linda Hansen, Mark Huntsman, Stan Lockhart (by phone), Jefferson Moss, Spencer Stokes, Terryl Warner and Joel Wright.

Others attending included Brad Smith, Sydnee Dickson, Scott Jones, Thalea Longhurst, Jerry Record - USOE; Lorraine Austin, Emilie Wheeler - USBE; Debbie Davis, Nate Johansen, Vonda Parriott, Dawn Benke, Barbie Faust - USBE Internal Audit; Joylin Lincoln; Jay Blain, Lisa Nentl-Bloom - UEA; John Dougall, State Auditor; Ben Leishman, Legislative Fiscal Analyst; Freddie Cooper, Edie Park, Jo-Ann Wong, Hiram Alba - CMAC; Jeremy Franklin, UEPC; Blake Hunsaker, Pluralsight; Chet Clinton, SINET/UTC; Jan Ferre, LCPD; Patti Harrington, USSA/USBA; Craig Frank, UCN/ECA

Finance Workshop

Associate Superintendent Scott Jones conducted a finance workshop on carryover and discretionary funds.

Education Technology—Moving Beyond Devices

Richard Culatta, Senior Advisor to the Secretary of Education on education technology, U.S. Department of Education, was welcomed to the meeting. He introduced Joseph South, Deputy Director for the Office of Technology, U.S. Department of Education. They gave a presentation on work in which the Office of Technology is engaging with state education

offices and school districts throughout the country.

Mr. Culatta explained that E-rate funding provides funding for schools to purchase internet services. In Utah, E-rate services are done through the Utah Education and Telehealth Network, and that is a great model. A major shift in the Office of Technology is to advocate for increased E-rate funding to allow entire schools to become connected.

Another focus of the Office of Technology is to get ahead of technology and develop a vision for how technology can empower students and change the role of parents. The Office is participating in an initiative to engage school leaders and states in a Future Ready Pledge. Information about the program can be found at <http://www.futurereadyschools.org>. The Office has also collected stories of educational technology innovation that can be found at www.Tech.ed.gov. Mr. Culatta invited the Board to review the Pledge program and encourage school district leaders to become engaged.

Adjourn to USDB Meeting

This portion of the meeting adjourned at 5:03 p.m. The Board reconvened as the governing Board of the Utah Schools for the Deaf and the Blind. Minutes of that meeting are under separate cover.

Public Education Needed Financial Improvements

Following the USDB Board meeting, the Board reconvened in study session and Vice Chair Jennifer Johnson made a presentation on needed financial improvements, particularly in two categories—financial grants management and state public education accounting.

Chair Crandall invited State Auditor John Dougall to provide an audit perspective. Mr. Dougall reported that the private sector is moving to managerial accounting, looking at key measures and how those principles are applied within the organization. He applauded the Board for its focus on resolving its financial issues.

Adjournment

The meeting adjourned at 6:50 p.m.

Following the meeting, the Finance, Law and Licensing, and Standards and Assessment Standing Committees met.

UTAH STATE BOARD OF EDUCATION MEETING - Friday, September 18, 2015

A regular meeting of the Utah State Board of Education was held September 18, 2015 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted. The meeting commenced at 8:00 a.m.

Board Members Present:

Chair David L. Crandall	Member Linda B. Hansen
1 st Vice Chair David L. Thomas	Member Mark Huntsman
2 nd Vice Chair Jennifer A. Johnson	Member Stan Lockhart
Member Dixie L. Allen	Member Jefferson Moss
Member Laura Belnap	Member Spencer F. Stokes
Member Leslie B. Castle	Member Terryl Warner
Member Barbara W. Corry	Member Joel Wright
Member Brittney Cummins	

Executive and Board Staff Present:

Brad Smith, State Superintendent	Lorraine Austin, Board Secretary
Sydnee Dickson, Deputy Supt.	Emilie Wheeler, Board Communications Specialist
Scott Jones, Associate Supt.	Debbie Davis, Board Internal Audit Director
Angela Stallings, Associate Supt.	Chris Lacombe, Assistant Attorney General
Rich Nye, Associate Supt.	Nicole Call, Assistant Attorney General
Joel Coleman, USDB Superintendent	
Darin Brush, USOR Executive Director	

Others Present:

Lisa Nentl-Bloom, Jay Blain, Utah Education Association; Andy Curry, Roads to Independence; Jo-Ann Wong, Coalition of Minorities Advisory Committee; Cindy Davis; Justin Jones, Prosperity 2020; Kris Fawson, Utah Statewide Independent Living Centers and LCPD; Leah Blevins, OLAG; Jan Ferre, LCPD; Karen Peterson, Governor's Office; Marilyn Call, USOR Division of Services for the Deaf and Hard of Hearing; Fawn Morgan, Jim Morgan, Gwen Knight - PALS; Ann Millner, Utah Senate

Opening Business

Chair David Crandall called the meeting to order at 8:00 a.m. Member Brittney Cummins led those present in the Pledge of Allegiance.

Board Member Welcome Message

Member Spencer Stokes welcomed the Board. He informed that yesterday was Constitution Day. He referenced a letter written to William T. Barry from the father of the U.S. Constitution, James Madison, and shared the following quote from Madison: "The liberal appropriations made by the legislature of Kentucky for a general system of education cannot be too much applauded. A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy, or perhaps, both. Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power which knowledge gives."

Introduction of New Employees

H.R. Director David Rodemack introduce new employees Dom Blanc and Daphne Price. Deputy Superintendent Sydnee Dickson's new assistant and secretary to the Law and Licensing Committee, Cheri Rieben, was also introduced.

Student Artwork

David Smith, Education Coordinator, acknowledged the student art work hung in the Board Room from Riverton High School.

Public Participation/Comment

Andy Curry, Executive Director for Roads to Independence - spoke regarding the request to renew RTI's contract coming before the Board today. He also asked for a reimbursement of the balance of the FY 2015 request and that reimbursements during the 90-day extension period be made as well. He indicated that allegations against the organization were presented in January and February, and those have been found to false and unsubstantiated, damaging the entity's reputation. He reported that RTI has conducted several audits and adhered to any request for information. He indicated RTI is ready to move forward and put the focus back on consumers.

Lisa Nentl-Bloom, UEA Executive Director - requested that the Board remove rules

R277-207 and R277-920 from the General Consent Calendar, as UEA feels there are still details that need to be determined. She expressed appreciation for the opportunity to provide comment.

General Consent Calendar

MOTION was made by Vice Chair Johnson and seconded by Member Stokes that the Board approve the General Consent Calendar. Member Wright absent.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Stokes that item C–R277-207 *Utah Professional Practices Advisory Commission (UPPAC) Disciplinary Presumptions*, and item F–R277-920 *Implementation of the School Turnaround and Leadership Development Act*, be removed from the Consent Calendar. Without objection those items were removed.
Motion carried; Member Wright absent.

General Consent Calendar

A. Minutes of Previous Meeting

Minutes of the Utah State Board of Education meeting held August 6-7, 2015 were approved.

B. Contract Reports

The Board received the report: *Contracts approved by State Superintendent or USOR Director (less than \$100,000)*.

C. R277-207 Utah Professional Practices Advisory Commission (UPPAC) Disciplinary Presumptions

In its August 7, 2015 meeting, the Board approved new rule R277-207 on second reading. The new rule provides disciplinary presumptions for UPPAC and the Board when considering whether to issue disciplinary letters or take actions following a UPPAC investigation.

This item was pulled from the Consent Calendar.

D. R277-417 Prohibiting LEAs and Third Party Providers from Offering Incentives or Reimbursements for Enrollment or Participation

In its August 7, 2015 meeting, the Board approved amendments to R277-417 on second reading. The amendments clarify for what LEAs may use public funds.

The Board approved R277-417 *Prohibiting LEAs and Third Party Providers from Offering Incentives or Reimbursements for Enrollment or Participation*, as amended, on third and final reading.

E. R277-616 Education for Homeless and Emancipated Students

In its August 7, 2015 meeting, the Board approved on second reading amendments to R277-616, and continuation of the rule consistent with the Utah Administrative Rulemaking Act five-year review requirement.

The Board approved continuation of R277-616 *Education for Homeless and Emancipated Students*, and amendments to the rule, on third and final reading.

F. R277-920 Implementation of the School Turnaround and Leadership Development Act

In its August 7, 2015 meeting, the Board approved new rule R277-920 on second reading. The rule was written to provide guidelines for implementing and administering the School Turnaround and Leadership Development Act.

This item was pulled off the Consent Calendar.

G. List of Educator Licenses Processed

A summary of the total number of educator licenses and license areas processed in August 2015 was provided for Board information.

H. NASBE Bylaws and Positions

Each year at its annual conference the National Association of State Boards of Education, of which the USBE is a member, provides the opportunity for member states to vote on changes to the NASBE Bylaws and policy positions of NASBE on various education issues.

The Board approved the amendments to NASBE Bylaws and NASBE's proposed position statements on school funding and teacher equity.

I. Ratification of Hiring

The Board ratified the appointment of Stacey Cummings as the USOR Deputy Director.

R277-920 Implementation of the School Turnaround and Leadership Development Act

Vice Chair Johnson indicated that the Utah Education Association has raised an issue regarding the RFP for school turnaround being run at the state level. Superintendent Brad Smith responded that the statute provides that the Board is to select a group of potential turnaround experts and that is the RFP process in which the office is engaged. Once that grouping of experts is selected, then the school turnaround committees, as is outlined in statute, will select from that predetermined menu. What is outlined in statute is reflected in the rule.

Motion was made by Vice Chair Thomas that the Board approve R277-207 and R277-920 on third and final reading. The motion did not move forward for lack of a second.

Member Moss questioned whether there is still some question if legislative intent is being followed in these rules. He suggested approving the rules contingent on clearing up any discrepancy in statute.

MOTION was made by Vice Chair Johnson and seconded by Member Stokes that the Board approve R277-920 *Implementation of the School Turnaround and Leadership Development Act* on third and final reading.

Vice Chair Johnson asked for clarification about whether the administration of the program is done by a third party or the State Office of Education. Superintendent Smith responded that the program as a whole is lodged at the State Office of Education under the Board's control. There is no direction in the statute that there is to be only one vendor. He reported that Senator Niederhauser agreed to the hiring of a manager for the school turnaround program as a whole; the RFP sets up a group of qualified vendors from whom individual school committees will choose a turnaround expert. There is also a leadership piece in the statute that has not yet been implemented; this is a piece that could be with a separate vendor, wholly independent of the turnaround experts. Superintendent Smith informed that the program is directly under his office and he is the employee responsible for the program.

Motion carried; Member Wright absent.

R277-207 Utah Professional Practices Advisory Commission (UPPAC) Disciplinary Presumptions

MOTION was made by Vice Chair Johnson and seconded by Member Moss that the Board send R277-207 *Utah Professional Practices Advisory Commission (UPPAC) Disciplinary Presumptions* back to committee for further work.

Member Warner reported that the Board voted last month to form a task force to review the rule and suggest revisions. Vice Chair Johnson suggested that the task force do its work prior to the Board finalizing the rule. Chair Crandall directed that the Law and Licensing Committee will act as the task force and could meet prior to the October Board meeting if it wishes. Member Castle expressed hope that the work could be done quickly.

Motion carried. Member Wright absent.

American Institutes for Research (AIR) Contract Novation

This item was referred to the Executive Session for discussion.

Monthly Budget Report

Associate Superintendent Scott Jones reviewed the monthly budget report. He reported that in the past in the Administration section, several units have been included. In the future Administration will be broken out into the particular units. There will be many other changes throughout the year that will be reflected in an automated dashboard.

Superintendent Jones reported that another focus is aligning the FTE counts with the individual budgets.

Legislative Audit of the Utah State Office of Rehabilitation and USOR Agency Plan Approval

During the 2015 Legislative Session, and as a result of the budget issues at the Utah State Office of Rehabilitation (USOR), the Social Services Appropriations Committee of the Legislature requested an audit of USOR. The scope of the audit includes: USOR's budget and financial management process, USOE and USOR oversight efforts, inadequacies, whether USOR belongs elsewhere in state government, and use of the money from the Visually Impaired Trust Fund. The audit was released September 8, 2015 and the presentation of the audit to the

Social Services Appropriations Subcommittee took place on September 11.

A copy of the audit, *A Performance Audit of USOR's Budget and Governance*, was distributed to the Board.

Darin Brush, USOR Executive Director, gave a presentation including a summary of the audit and USOR's response. He expressed appreciation to Leah Blevins who led the team from the Legislative Auditor General's office. He acknowledged that a fundamental failure in the system was that USOR was not modeling its caseload well and understanding what the expenses associated with those caseloads were. He reported that a projection model is now being built. He also reported on actions the agency has already taken to address the problems.

Executive Director Brush presented USOR's Agency Plan, which is a work plan. He also presented a proposed organizational chart and recommendations for additional positions.

Member Lockhart stated that he has not heard one compelling reason why USOR would be governed by the Board of Education. He asked where Mr. Brush felt it would be optimal for USOR to move. Mr. Brush responded with his concern that the higher touch needed for serving individuals with disabilities may not be as strong with a move to the Division of Workforce Services, and indicated Human Services might be a better match. Member Lockhart suggested looking at where the best outcomes with the lowest cost will take place, and stated that he doesn't feel USOR fits with the core mission of the Board for general control and supervision of public education. Executive Director Brush expressed concern about the burden of transition during a time when the problems are being fixed.

Superintendent Smith expressed that he, Darin Brush, and staff are committed to being faithful stewards for this Board, and are very sensitive to not get out in front of the Board when asked to supply a personal opinion or to take positions that may be contrary to positions taken by the Board. He also expressed that as long as USOR is under the Board he and Director Brush will do everything they can to make sure the agency runs appropriately. He also stated that he would not want the mission of fixing the USOR problems derailed by a transition.

Member Hansen noted that there has always been someone on the Board that understands the work of the USOR. She reported that the Board's Advisory Committee Review

Task Force has been looking at the USOR advisory committees and will facilitate reports from those committees to the Board. She expressed hope for the best services for disability communities. She commended Executive Director Brush for the job he is doing.

MOTION was made by Member Allen and seconded by Member Hansen that the Board approve USOR's Agency Plan as presented.

Motion carried unanimously.

Risk Mitigation Progress Report

A risk mitigation progress report was distributed and reviewed. Superintendent Smith noted that the report summarizes a great deal of action that has been taken by the Board this year. He indicated at this point there are things that have to happen to have accurate and appropriate financial data that will allow staff to compare and contrast it with performance data in order to direct appropriate attention to the cost benefit of what is being done. He emphasized that most of the work that has been done in the response to risk mitigation has fallen on Associate Superintendent Jones and his team, and the amount of work in which they are engaged is immense. The superintendency is working to spread the work throughout the agency.

Vice Chair Thomas asked about the progress of organizing written policies and procedures. Superintendent Smith responded that progress is being made, but recognized that it is very nuanced and will be a multi-year process.

Associate Superintendent Angela Stallings gave a report on changes that have been made to the rule writing process. She mentioned that there isn't currently a robust way for the Board to create policies, and indicated she will work on creating Board directed policies as part of the Bylaws.

Superintendent Stallings introduced Emily Skene, a contract attorney who has been drafting rules. In addition, Ben Rasmussen and Travis Rawlings from the State Office of Education are also assisting with rule writing. She also acknowledged the work of Kathy Akin, who does all the rule filing and was instrumental in making changes to the rules section of the website. Superintendent Stallings showed the changes that have been made to the website.

Superintendent Smith concluded by recognizing that the intent is to substantively address the risks identified, but secondly to recognize that risk allocation is another way of talking about policy decision making. He acknowledged that he has hired really good people and asked the Board to empower them to be their good stewards.

Member Castle commented that the Board has made all of these interventions in the last couple of years and has worked hard to get things on the right path. She suggested that this might be a time for the Board to allow equilibrium in the process and to relax and watch the trajectory by letting staff do their work.

Visually Impaired Trust Fund Grants

Stacey Cummings, USOR Deputy Director, and Steve Winn, Director of the Division of Services for the Blind and Visually Impaired (DSBVI) were welcomed to the meeting. Mr. Winn reviewed the grants from the Visually Impaired Trust Fund coming before the Board for approval. He explained that in 2013-2014 the grant applications were submitted, but for some reason did not come to the Board for approval. He has contacted the applying organizations and they still want the grants. Ms. Cummings noted that the activities for which the grants are given are not things the State Office of Rehabilitation is able to do, and the organizations are not asking for the grant to reimburse any services they are currently performing.

MOTION was made by Member Stokes and seconded by Member Hansen that the Board approve the grants from the Visually Impaired Trust Fund as presented: Braille Resource and Literacy Center - \$744; NFB, Braille Enrichment Through Literacy and Training - \$744; Red Rock Center for Independence - \$744; OAB, Transportation Services - \$744; and UCB - \$3,723.

Motion carried; Members Cummins and Lockhart absent.

Board Strategic Plan

Superintendent Smith distributed and reviewed a draft strategic plan based on feedback he received through several meetings held throughout the summer. He reported that the criteria of success will be embedded in each item. His expectation is that the plan will have a three- to four-year life span with the express understanding that it will be revisited in

three years.

Member Hansen suggested that the wording “make good on” in the first sentence be changed to “fulfill.”

Member Moss asked that the action steps be determined from a research-based approach, using what’s working. Superintendent Smith concurred, indicating that it is the plan. He also noted that many items are designed to foster local control. Member Moss also asked for an analysis as specific items in the plan are reviewed.

Member Cummins suggested that the action steps be better connected to the strategic priorities and overall goal. Superintendent Smith responded that he has deliberately pulled back from a larger document in order to allow the Board to determine its priorities and what outcomes they are anticipating.

Vice Chair Johnson and Member Cummins suggested changing “promise of educational achievement” to “offer of educational achievement” in the first sentence of the purpose.

Member Cummins asked for clarification of what the desired outcome is in the plan when grants are offered and suggested the grants need to be under a specific priority or goal.

Vice Chair Thomas suggested that the goal of having college and career ready students needs to be in the plan. Member Lockhart concurred, and asked for a profile of the high school graduate the Board wants. He expressed that the plan is a good start.

SFY 17 Budget Requests Prioritization

Associate Superintendent Jones informed the Board that the Governor’s Office of Management and Budget’s (GOMB) timeline for submitting agency budget priorities is October 14. He reviewed with the Board increased funding requests from the Board and staff.

USOE Ongoing Funding Requests

MOTION was made by Vice Chair Thomas and seconded by Member Stokes that the Board approve the following ongoing funding priorities:

Expectation - Full funding for growth

Expectation - WPU increase

1. Risk Mitigation FTE Increases - \$580,000
2. Structural Imbalance Fix (move costs currently paid from the discretionary fund to ongoing funds) - School Finance and FTE costs - \$155,000; Internal Audit budget - \$450,000
3. Technology Grant Program - \$70 million
4. Internal Staffing: board attorney - \$175,000; Internal Audit administrative secretary - \$85,000; Student Services Section director - \$120,000; contract attorney - \$35,000
5. Professional Development Grants - \$10 million
6. Optional Extended-day Kindergarten (OEK) Statewide - \$10 million

MOTION TO AMEND was made by Vice Chair Thomas that professional development be increased to \$30 million. Without objection the amendment was made.

MOTION TO AMEND was made by Member Stokes and seconded by Vice Chair Thomas that the Board add as #7 Increased Capacity of UCA and IDEA license (School Finance) - \$50,000

MOTION TO AMEND THE AMENDMENT was made by Vice Chair Johnson that Increased Capacity of UCA and IDEA license be added to #1 Risk Mitigation.

Without objection, the amendment was made.

Motion to amend carried unanimously.

Vice Chair Thomas clarified that his intention for the WPU increase is 1.5 percent.

MOTION TO AMEND was made by Vice Chair Thomas and seconded by Member Hansen that all other items on the list of proposed legislative funding requests, with the exception of the Carson Smith Scholarship and Professional Development (Teaching and Learning) be combined and added as #7 on the list.

MOTION TO AMEND THE AMENDMENT was made by Vice Chair Johnson and seconded by Member Corry to combine the following as priority #8: Carson Smith Scholarship - \$70,000; Special Education Intensive Services Fund - \$2,000,000; Special Education Add on WPU Value - \$5,328,871.

Motion to amend the amendment carried.

MOTION TO AMEND THE AMENDMENT was made by Member Belnap and seconded that the \$400,000 for Administrative Funding increase be moved from #7 and added to #5 Professional Development grants, and that \$500,000 for Professional Development (Teaching and Learning) be added to #5 for a total of \$31,000,000.

Motion to amend the amendment carried.

Motion to amend carried.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Corry that the Board move \$100,000 for Internal Audit out of Other to #1 Risk Mitigation.

Motion to amend carried.

MOTION TO AMEND was made by Member Huntsman and seconded by Member Castle that #6 OEK be moved to #3 on the list.

Motion to amend the amendment was made by Vice Chair Thomas to move #6 OEK to #5 on the list. Motion did not move forward for lack of a second.

Motion to amend carried with Members Allen, Belnap, Castle, Crandall, Cummins, Hansen, Huntsman, Stokes and Wright in favor and Members Corry, Johnson, Lockhart, Moss, Thomas, and Warner opposed.

MOTION TO AMEND was made by Member Stokes and seconded by Member Hansen that #8 Special Education be moved to #5 on the list.

Motion to amend carried with Members Allen, Castle, Cummins, Crandall, Hansen, Huntsman, Johnson, Moss and Stokes in favor and Members Belnap, Corry, Lockhart, Thomas, Warner and Wright opposed.

Motion to approve the priorities carried.

USOE One-time Funding Priorities

MOTION was made by Vice Chair Thomas and seconded by Vice Chair Johnson that the Board prioritize requests for one-time funding as:

1. Technology Grant Program - \$30 million
2. Enterprise Accounting System \$30 million
3. Feasibility Study for a New USBE/USOE building - \$1 million

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Vice Chair Thomas that the #2 priority—enterprise accounting system—be moved to #1. Without objection the motion was amended.

Motion carried.

USDB/USOR Funding Priorities

MOTION was made by Vice Chair Thomas and seconded by Member Huntsman that the Board prioritize requests for ongoing funds for the Utah Schools for the Deaf and the Blind as:

1. Teacher steps and lanes - \$460,000
2. Compensation increase for ASL interpreters and teachers' aides - \$300,000
3. USIMAC sustainability- \$600,000

Motion carried.

MOTION was made by Vice Chair Thomas and seconded by Member Stokes that Board prioritize requests for ongoing funding for the Utah State Office of Rehabilitation as:

1. Compliance Officer - \$150,000
2. Older Blind Specialist and Care Travel Instructor (2 FTE) - \$225,000
3. Increased Facility Expenses - \$60,000
4. Independent Living Assistive Technology Program - \$200,000
5. Hard of hearing Rural Outreach Program
6. Independent Living Center Services - \$300,000
7. Client Service Policy Coordinator - \$130,000
8. Direct Client Services - \$1,500,000

USOR Executive Director Darin Brush suggested the following order:

1. Increased Facility Expenses - \$60,000
2. Compliance Officer/Client Service Policy Coordinator - \$280,000
3. Independent Living Center Services - \$300,000

4. Older Blind Specialist and Care Travel Instructor - \$225,000
5. Hard of Hearing Rural Outreach Program
6. Independent Living Assistive Technology Program - \$200,000
7. Direct Client Services - \$1,500,000

MOTION TO AMEND was made by Vice Chair Thomas and seconded by Vice Chair Johnson that the order be amended as Executive Director Brush suggested.

Without objection the motion was amended.

Motion carried.

MOTION was made by Member Lockhart and seconded by Member Moss that any discrepancy between the Board's request and the Uniform School Fund (above what is estimated) be added into the Board's WPU request in addition to the Consumer Price Index (CPI) increase that the Board has listed.

Motion carried.

MOTION was made by Vice Chair Thomas and seconded by Vice Chair Johnson that the Board prioritize requests for one-time funding for USOR as:

1. Independent Living and Assistive Technology - \$500,000
2. Blind Business Opportunity Funding - \$240,000
3. Interpreter Filming Certification Requests - \$60,000
4. Public Relations - \$30,000

Motion carried.

MOTION was made by Vice Chair Thomas and seconded by Vice Chair Johnson that the Board move the USDB ongoing funding priority for teacher steps and lanes to an "expected" designation and move the other ongoing priorities up on the list; and to prioritize as the #1 request for one-time funding for USDB \$320,000 to upgrade USDB cottages and STEP building.

Motion carried; Member Lockhart absent.

Associate Superintendent Jones asked if the Board would like him to break out the priorities showing those for LEAs and those internal to the USOE. He was directed to do so.

Constitutional Change Concerning Redistribution of the State School Fund

Tim Donaldson, School Children's Trust Director, reported that Senator Ann Millner and Representative Mel Brown have agreed to sponsor legislation for the Board concerning the Permanent State School Fund distribution policy. He distributed a copy of the Board's Resolution No. 2015-2 *A Resolution Establishing the Official Position of the Utah State Board of Education Regarding an Amendment to the Utah Enabling Act Allowing Utah to Set the Distribution Policy for its Permanent School Fund*, and a summary of issues for a proposed Permanent State School Fund constitutional amendment. The proposal is that the language in the Utah Constitution should be amended to place a cap on the amount of money that can come out of the fund in any given year, equal to four percent of a rolling 12-quarter average of the fund's balance, and that the formula establishing exactly how the distribution will be calculated below that threshold would be put in statute. The results would provide a more stable and predictable amount of money each year, and increase the amount of funds available to schools.

Senator Ann Millner was welcomed to the meeting. She indicated that having come from higher education and understanding endowments and how they work it makes sense to her to have the Permanent State School Fund under the umbrella of an endowment and endowment policy. It will require a constitutional amendment to make the change. She and representative Brown will be running a constitutional resolution, and if passed by 2/3 majority in both the House and Senate, the amendment would be placed on the 2016 ballot.

Member Wright asked whether there is any opposition to the amendment. Senator Millner responded that it is more a matter of people understanding how it works, and noted that when she can explain it to people it makes sense. There is concern that the corpus of the Fund is not invaded. The intent is not to do that, but to allow greater growth in the Fund.

Member Moss asked what kind of flexibility the change will afford and what the parameters will be in terms of looking at alternate asset classes. Senator Millner responded that colleges and universities have been able, either through the Money Management Act or getting their own investment approaches approved, to take a much longer term horizon and be able to use more diversified investment options.

Peter Madsen, Chief Investment Officer for the Trust Fund office, was asked to respond.

Mr. Madsen concurred that diversification is important in portfolio management. The current policy that allows only dividends and interest to be distributed means a significant influence on the portfolio management with interest rates and dividends being one of the drivers; whereas, the best practice is to diversify and distribute a long-term, sustainable amount. In terms of a rational argument against this, it is more likely that people are resistant to changing the state constitution. He summarized that instead of having to decide between growth and income or be constricted in the way that tension is managed, those two concepts would be able to be brought together so they're not in conflict with one another.

Member Belnap questioned what the impact would be on funds being distributed to school community councils. Mr. Donaldson responded that currently distribution is approximately \$45 million a year. If the constitutional amendment were to pass, it is estimated that \$80 million would be distributed.

Vice Chair Thomas mentioned that another issue being discussed is whether Utah needs to have Congress amend the Enabling Act itself. Mr. Donaldson reported that at the time the Enabling Act was passed in 1894 it was the gold standard at the time for interest only to be distributed. The state constitution was amended in 1994 to allow both interest and dividends to be distributed, and the Attorney General determined at that time that the Enabling Act did not need to be changed because dividends did not exist at the time of the Enabling Act. If it is found that a change is needed, Senator Orrin Hatch and Representative Mia Love are prepared to run federal legislation.

Audit Committee Report

Committee Chair David Thomas reported on the following items from the Committee.

Release of Completed Audit Reports

USBE Internal Audit Director Debbie Davis and Internal Auditor Kevin John gave a presentation of the three audits requested for release by the Audit Committee: 1) *Utah State Board of Education Audit Brief 15-11 - Review of the Monthly Budget Report and Discretionary Funds Report*; 2) *Utah State Board of Education Audit Brief 15-12 - Utah State Board's Office of*

Education State Fleet Report; 3) Report No. 2015-01 - Review of USOE and USOR Accrual Process, Fiscal Year 2014.

MOTION was made by Vice Chair Thomas and seconded by Member Wright that the Board approve the release of the audits listed above.

Motion carried unanimously.

Internal Audit Charter

With the revision of rule R277-116 *Audit Procedure*, the Internal Audit Charter was also revised. To ensure efficiency when updates are required, because R277-116 and the Internal Audit Department Policy and Procedures Manual contain detailed information, the charter was scaled back and contains more summary and reference material.

Motion from Committee that the Board approve the Internal Audit Charter.

Motion carried unanimously.

Internal Audit Budget

Internal Audit Director Davis informed the Board about specific areas in the Internal Audit budget that need adjustment.

MOTION from Committee that the Board approve the revised Internal Audit budget for SFY 2016.

Motion carried unanimously.

Standing Committee Reports

STANDARDS AND ASSESSMENT COMMITTEE

Committee Chair Laura Belnap reported on the following items from the Committee.

Approval of Previous Meeting Minutes

The Committee approved the minutes of the August 6, 2015 Law and Licensing Committee.

R277-444 Distribution of Money to Arts and Science Organizations

The Committee reviewed additional amendments to R277-444 since the Board gave final approval to the rule in August 2015. The amendments include language that allows an organization to designate a city as the organization's fiscal agent under certain circumstances. The Committee approved amendments to R277-444 on second reading.

MOTION from Committee that the Board approve R277-444 *Distribution of Money to Arts and Science Organizations* on third and final reading.

Motion carried unanimously.

Elementary Mathematics Standards 90-day Review

The Committee reviewed the Elementary Mathematics Standards that have been revised based on the input of the Standards Review Committee, the Elementary Mathematics Steering Committee, and the Utah State Board of Education. After review, the Standards and Assessment Committee requested additional changes to remove the "shapes" portion from the standards.

MOTION from Committee that the Board approve the release of the draft Elementary Mathematics Standards, with the changes requested, for a 90-day public review.

Motion carried; Vice Chair Johnson absent.

Secondary Mathematics Standards 90-day Review Feedback

The draft Secondary Mathematics Standards were approved for 90-day public review in the Board's May 2015 meeting. The review period has concluded, and feedback from the public was provided to the Standards and Assessment Committee for review.

MOTION from Committee that the Board approve the Secondary Math Steering Committee moving forward to finalize revisions to the Secondary Mathematics Standards based on the public feedback and recommendations from the Standards and Assessment Committee.

MOTION TO AMEND was made by Member Stokes that the Executive Summary of the Standards include a comparison of changes made from the current standards to

the revised standards.

Without objection, the change was made.

Motion carried; Vice Chair Johnson absent.

Elementary Library Media Standards

The draft Elementary Library Media Standards were available for public comment April-July 2015. Public feedback was provided to the Committee for review. The Committee requested an additional change that on page 2, paragraph 1 all reference to a person be removed.

MOTION from Committee that the Board approve the Elementary Library Media Standards, as amended, and with the additional change requested.

Motion carried. Vice Chair Johnson absent.

R277-497 School Grading System

The Committee did not discuss the rule, pending discussion on a related issue in Executive Session.

R277-404 Requirements for Assessments of Student Achievement

Amendment to R477-404 were presented to provide opt out provisions consistent with legislation passed in the 2015 Legislative Session. The Committee made additional changes and directed that the updated rule be brought to the Board for discussion. An updated rule and Parental Exclusion from State Assessment Form were distributed to the Board.

Member Hansen asked whether students are opting out of graduation if they opt out of the state-required civics exam. Committee Chair Belnap replied that is the case.

Vice Chair Thomas noted that the online writing assessments for grades 3-11 referenced in line 122 are not required by statute, but are required by the Board. He questioned whether that clarification needs to be made. Committee Chair Belnap responded that the writing assessments are within the criteria for assessments for which students can opt out: a federally-mandated test; a state-mandated test; a test on a server at the State Office of

Education or on a server provided through the State Office of Education. Because the writing tests are on the SAGE platform, they fit the criteria.

MOTION from Committee that the Board approve on second reading R277-404 *Requirements for Assessments of Student Achievement*, as amended, and that the Board approve the 2015-2016 Parental Exclusion from State Assessment Form.

Motion carried unanimously.

R277-921 Strengthening College and Career Readiness Pilot Program

An updated copy of R277-9212 was distributed that includes changes from the Committee. The rule provides procedures and criteria for applying for and awarding college and career readiness grants and provides reporting requirements for grantees.

MOTION from Committee that the Board approve R277-921 *Strengthening College and Career Readiness Pilot Program*, as amended, on second reading.

Motion carried unanimously.

UPSTART Pilot Program Annual Report

The Committee reviewed the UPSTART Pilot Program Annual Report, which will be presented to the Education Interim Committee in October. The Committee directed staff to include a chart showing the costs.

Early Intervention Reading Software Annual Report

The Committee reviewed the Early Intervention Reading Software Report, which will be presented to the Education Interim Committee in October. There has been a request from a vendor for a rerun of the data. The Committee agreed to the rerun and directed that if the data changes the report, the report should be brought back to the Committee.

K-3 Reading Improvement Program Report

The Committee reviewed the K-3 Reading Improvement Program Report, which will be presented to the Education Interim Committee in October.

LAW AND LICENSING COMMITTEE

Committee Chair Leslie Castle reported on the following items from the Committee. Cybil Prideaux, the new assistant to Associate Superintendents Stallings and Nye, and secretary to the Law and Licensing Committee, was introduced.

Approval of Previous Meeting Minutes

The Committee approved the minutes of the August 6, 2015 meeting.

New School Approval - Athlos Academy of Utah

A recommendation from the State Charter School Board (SCSB) for the Board to approve the application of new school Athlos Academy came to the Board in April 2015. The Board identified specific concerns with the application and sent it back to the SCSB for further consideration. Staff has researched and reviewed data and addressed the concerns with the governing board members of Athlos, and the Athlos application has been forwarded to the Board for approval. The Committee heard information about changes and corrections that have been made.

MOTION from Committee that the Board approve the application for new charter school Athlos Academy, to open in the 2016-2017 school year.

Member Belnap asked for more information about concerns the committee discussed. Member Warner reported there were concerns in the last Board meeting about the school using pictures of a different school on its website, its governing board, and the financial company the school would be using.

Member Belnap indicated she still has real concerns about this charter.

Member Hansen reported that Marlies Burns, Executive Director for the State Charter School Board, conducted a thorough investigation of the proposed charter and indicated its website has been changed. Ms. Burns was invited to provide information about her investigation to the Board. She reported she and her staff reviewed many documents of the parent company, Athlos Academies, Inc., and schools with which they have had dealings in the areas of curriculum, facilities and financing. There was another company called the Charter

School Fund where the principals involved were the same as those that started Athlos Academies, Inc., and business was done under that name. When the parent company was created, that caused much of the confusion. Her staff reviewed every contract to make sure that either Athlos Academies, Inc. or Charter School Fund was mentioned in the contract, and the representation of what services they provided was an accurate reflection of the information they provided.

Member Warner mentioned that in the April meeting the Board received information that some schools for which Athlos purported they ran indicated they had no involvement with Athlos. Ms. Burns responded that in each instance staff was able to track that services were provided by Athlos, although they did always rise to the level of running the school.

Motion carried, with Members Allen, Corry, Crandall, Cummins, Hansen, Lockhart, Johnson, Thomas, and Stokes in favor, and Members Belnap, Castle, Huntsman, Moss, and Warner opposed. Member Wright abstained.

R277-533 District Educator Evaluation Systems

Rule R277-533 received final approval by the Board in August 2015. Since that time, additional concerns have been expressed and amendments were proposed that require school districts to report educator evaluation results in the aggregate as opposed to reporting individual educator results. An updated rule with Committee changes was distributed to the Board.

MOTION from Committee that the Board approve R277-533 on third and final reading.

Motion carried unanimously.

R277-100 Rulemaking Policy

Emily Skene, a contractor assisting with Board rule writing, distributed information about the Utah Administrative Rulemaking Process and made a presentation to the Board about rulemaking and policymaking procedures, reviewing what belongs in a rule as opposed to a policy.

Vice Chair Johnson requested that an estimate of the cost of implementing a rule be

included with the rule before it is approved. Superintendent Stallings responded that generally the cost doesn't include costs for LEAs. A broad statement is included when the rule is filed that the rule may affect costs for other entities. She indicated that if a hard number is available, that will be included when the rule comes before the Board.

Vice Chair Thomas mentioned that the fiscal notes on legislative bills pertain to the state budget, and asked if would be possible for a fiscal note to be similarly added to each Board rule on what the impact is for the Board. Even if there isn't funding attached, there is always a fiscal impact, such as staff time. Superintendent Stallings suggested the Board may not have clearly articulated in the past that when a new program is put in place by the legislature the agency involved will most likely need a person to manage that program. In that case an additional FTE should be requested. The Board needs to ask for an administrative cost on top of the money for the program. Perhaps a formula could be developed that would help the legislature understand what is needed to implement new programs. Vice Chair Thomas indicated that would be very helpful.

Member Lockhart suggested that whenever a rule is submitted for review, staff ask LEAs what they think it will cost them and provide the estimates with the rule.

MOTION from Committee that the Board direct staff to propose amendments to the Board Bylaws that would establish a policymaking procedure.

Motion carried; Member Wright absent.

The Committee approved on second reading R277-100, as amended in Version 2, and continuation of the rule.

MOTION from Committee that the Board approve on third and final reading R277-100 *Rulemaking Policy*, as amended in Version 2, and continuation of the rule.

Vice Chair Johnson noted that lines 62 and 63 are written to say "An LEA shall have electronic access," but they are not able to control access. Superintendent Stallings suggested the language could be amended to state that the Superintendent shall provide electronic access to LEAs and the public to the policy manuals.

Vice Chair Johnson noted that quite a bit of Section 6—Hearings gives direction to the Board, and wondered if this was necessary given the previous discussion of what should be

included in a rule. Ms. Skene responded that everything having to do just with the Board was taken out of the section; what remains are things that affect an outside party.

Motion carried; Members Lockhart and Wright absent.

R277-611 Certified Volunteer Instructors and Material Approval Requirements
and Process for Firearm Safety in the Public Schools

The Committee reviewed R277-611 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. Amendments were proposed to make the rule consistent with H.B. 124 *Education Background Check Amendments* (2015 Legislative Session). The Committee approved amendment to and continuation of R277-611 on first reading.

MOTION from Committee that the Board approve on second reading R77-611 *Certified Volunteer Instructors and Material Approval Requirements and Process for Firearm Safety in the Public Schools*, as amended, and continuation of the rule.

Motion carried; Members Lockhart and Wright absent.

R280-203 Certification Requirements for Interpreters/Transliterators for the Hearing Impaired

The Committee reviewed proposed amendments to R280-203 to make the rule consistent with the Policies and Procedures Governing Certification of Interpreters and Transliterators Manual and make other technical and conforming changes. The Committee approve R280-203 on second reading. An updated rule was distributed to Board.

MOTION from Committee that the Board approve R280-203 *Certification Requirements for Interpreters/Transliterators for the Hearing Impaired*, as amended, on third and final reading.

Motion carried unanimously.

Least Restrictive Behavior Interventions (LRBI) Technical Assistance Manual

The Committee was presented with an updated version of the LRBI Manual that references statute and Board rule and provides LEA staff with the information to use research-

based best practices to improve student discipline and conduct for all students.

MOTION from Committee that the Board approve the *Least Restrictive Behavior Interventions (LRBI) Technical Assistance Manual*.

Motion carried; Members Lockhart and Wright absent.

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

Rule R277-477 was approved for repeal/reenactment by the Board in its August 2015 meeting. Since that time, several Board members requested that further amendments to the rule be considered. The Committee reviewed amendments to the rule that require a School LAND Trust program approving entity to establish a timeline, including deadlines, for a school's council to submit a School LAND Trust plan to the approving entity. The changes also delete the majority of the current approved/unapproved expenditures list and replace the list with more general guidelines and requirements.

The Committee approved amendments to R277-477 on first reading. An updated rule was distributed to the Board.

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

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Moss that the date on line 135 be changed from May 1 to May 15.

Motion to amend carried.

Motion carried; Member Lockhart absent.

R277-606 Public School Student Dropout Recovery

Rule R277-606 was drafted in response to S.B. 116 *Public School Dropout Recovery* (2015 Legislative Session). The rule provides procedures and requirements for LEAs to develop a dropout recovery program. The rule was approved by the Board on second reading in its June 7, 2015 meeting, but needs further revision to amend the procedures for calculating

membership for eligible students participating in a dropout recovery program to exclude the option of counting a student in a charter school's October 1 count, among other changes.

The Committee reviewed the rule, including a Proposed Amendment #1, and failed to approve the amendments. The Committee recommended that the full Board review the rule.

Superintendent Stallings reviewed Proposed Amendment #1 and outlined options for the Board's approval of the rule. She noted that the problem the rule is trying to solve won't occur until fall of next year.

MOTION was made by Member Castle and seconded by Member Stokes that the Board approve R277-606 on third and final reading, and bring the rule back to a future meeting to discuss Proposed Amendment #1.

It was noted that this would allow for further discussion with the sponsor of the legislation.

MOTION TO AMEND was made by Vice Chair Thomas and seconded by Member Moss that the Board approve R277-606, with Proposed Amendment #1, on third and final reading.

Superintendent Stallings reported that there are parts of the rule that need to be implemented now and direction is needed as soon as possible.

Motion to amend failed, with Members Allen, Johnson, Moss and Thomas in favor, and Members Belnap, Castle, Corry, Cummins, Crandall, Hansen, Huntsman, Lockhart, Stokes, Warner and Wright opposed.

Motion carried unanimously.

R277-438 Dual Enrollment

The Committee reviewed proposed amendments to clarify a student's right to dual enroll simultaneously in a private or home school and a public school, and to distinguish "dual enrollment" from the statutory requirement to allow a home, private, charter, or online school student to participate in activities at another public school. The Committee approved amendments to R277-438 on first reading. An updated rule was distributed to the Board.

MOTION from Committee that the Board approve R277-438 *Dual Enrollment* on second

reading.

Motion carried unanimously.

R277-494 Charter School and Online Student Participation in Extracurricular or Co-curricular School Activities

The Committee reviewed proposed amendments to R277-494 to include provisions related to home and private school student participation in extracurricular or co-curricular activities. The Committee approved amendment to and continuation of R277-494 on first reading. An updated rule was distributed to the Board.

MOTION from Committee that the Board approve R277-494 *Charter School and Online Student Participation in Extracurricular or Co-curricular School Activities*, as amended, and continuation of the rule, on second reading.

Motion carried unanimously.

FINANCE COMMITTEE

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

Approval of Previous Meeting Minutes

Minutes of the August 6, 2015 Committee meeting were approved.

Taxing Entity Committee (TEC) to the Community Development and Renewal Agency of the City of Washington Terrace for the Southeast Urban Renewal Project Area - Plan Extension

The Washington Terrace Redevelopment Agency presented the Southeast Urban Renewal Project to the Committee. The Redevelopment Agency is seeking to extend the Project for an additional ten years.

MOTION from Committee that the Board instruct its Taxing Entity Committee representative to vote with the school district on the project extension.

Member Wright stated that though the area needs the development, he doesn't feel as

a Board member he represents the RDA, and sees it as reshuffling the debt and increasing taxes.

Member Stokes reported that he has toured the area and believes it fits into the code for blight. Member Huntsman also stated that he is very much in favor, and expressed confidence that the project will stimulate significant gains over time.

Motion carried, with Members Allen, Belnap, Castle, Corry, Crandall, Cummins, Hansen, Huntsman, Lockhart, Stokes and Thomas in favor, and Members Johnson, Moss and Wright opposed; Member Warner absent.

Section Budget Reports

The Committee heard budget reports from the USOE Information Technology Section, USOE ESEA and Special Programs Section, Agency Contracts, USOE School Law Section, and the Internal Audit Department. It was reported that a library of the information will be created for all Board members to view.

The Committee also reviewed the agency contract information form and suggestions for changes were made.

SFY 15 Carry Forward Amounts for SFY 16 Use

The Committee reviewed requests for the use of SFY 15 carry forward funds.

MOTION from Committee that the Board approve for the use of carryover funds all items on the SFY 16 discretionary request report excluding the National Repository of Online Courses and adding an item to cover the UCA grant for School Finance.

Motion carried; Member Warner absent.

MOTION was made by Vice Chair Johnson and seconded that the Board approve the use of carryover funds for the Internal Audit Department of \$16,000.

Motion carried; Member Warner absent.

The Board reviewed a request from Superintendent Smith for use of \$250,000 from the SFY 16 discretionary fund and \$400,000 in mineral lease funds.

MOTION was made by Member Corry and seconded by Member Allen that the Board

approve for use by the State Superintendent \$250,000 from the discretionary fund and \$400,000 from the mineral lease fund.

Superintendent Smith clarified that there isn't a current plan for use of those funds, but that has been roughly the amount of expenditures that have been needed in the past. He suggested an alternative would be to approve the discretionary amount with the requirement for Board leadership approval.

MOTION TO AMEND was made by Vice Chair Johnson and seconded that the Board approve \$100,000 discretionary funds for the use of the State Superintendent and none from the mineral lease fund.

Vice Chair Thomas indicated that it is difficult to use the mineral lease funds because of the strings attached to them, and wondered why none would be made available up front.

Motion to amend carried, with Members Belnap, Crandall, Cummins, Huntsman, Johnson, Lockhart, Moss, Stokes and Wright in favor, and Members Allen, Corry, Hansen, and Thomas opposed; Members Castle and Warner absent.

Motion as amended carried; Members Castle and Warner absent.

R277-119 Budgetary Procedures

The Committee postponed the discussion to a future meeting.

State Fiscal Year End Close Out Report

Jennifer Roth, USOR Financial Director, reported to the Committee that when the USOR closing package was submitted to State Finance, she received a copy of the email, but the package was not attached. Upon obtaining a copy of the closing package, she identified \$4.9 million of the \$6.3 million supplemental fund that was posted to the lapsing column, essentially giving that money back. She made the correction with State Finance.

Managerial Accountants and Federal Grants Compliance Officer Positions

The Committee received an update on the progress of hiring three managerial

accountants and one federal grants compliance officer.

It was reported that direction was given in the July and August Committee meetings for staff to find permanent funding for those positions. The action has been to use the AIR funding which is not permanent funding.

Legislative Intent Language Progress Report

The Committee reviewed the Concurrent Enrollment Quality Standards Report prepared for presentation to the legislative Education Interim Committee in October. The Committee also received an update on the progress of items identified in legislative intent language in H.B. 2 *Public Education Budget Amendments*.

Minimum School Program (MSP) Automation Project

The Committee received an update on the status of the MSP automation.

Finance Committee Requests for Data/Information

The Finance Committee reviewed information on FY 16 Title IIA formula allocations for LEAs. Information was distributed to the Board.

Superintendent's Report

Superintendent Brad Smith reported on the following.

- USOE staff has received and analyzed the data needed to designate schools as outlined in S.B. 235 *Education Modifications*. A list of those schools will be circulated to the Board and a copy of the letters that will be sent to those schools and school governing bodies. In the middle school and elementary categories there are 23 schools included in the bottom three percent, including six charter schools; of the charter schools one is a school serving a special population of students. It seems perhaps inappropriate to include that particular school in this grouping, so his proposal to the Board is to exclude them, which will allow for inclusion of two additional schools. The largest grouping of schools is from the Granite School

District. Four high schools are also on the list. A couple of virtual schools have been identified, which also seem inappropriate for this program. Under the statute, local boards are required to constitute school turnaround teams by October 1. That team is then required to select a turnaround expert from a group of approved providers.

- The USOE executive team, excepting Scott Jones, along with Ann White, ESEA and Special Programs Director and Glenna Gallo, Special Education Director, recently participated in the University of Virginia's school turnaround state education agency training.
- The USOE superintendency has been meeting with various stakeholder groups, and met earlier in the week with the Utah Schools Superintendents Association and reviewed education effectiveness programs, rulemaking, and other processes. Superintendent Smith also met with the Utah School Board's Association this week. In both instances, representatives from the Governor's office presented their view of the budget process and good discussions were had with them.
- Superintendent Smith explained that as the managerial accountants and compliance officer need to be in place as quickly as possible, money is being used for those hires from the sale or leasing of test of questions generated by SAGE. He recognized that it is not a wise practice to fund ongoing positions from one-time money, but it is being done intentionally and knowingly due to the urgency of the need. Those positions could be funded by identifying positions in the organization that could be eliminated. After discussion, it was deemed undesirable to fund the positions in that manner, but he was clear that should the legislature not fund those positions, his team will need to look at freeing up other positions in order to accommodate the managerial accountants and compliance officer. Those are high priority positions that will be viewed as permanent positions.
- Executive Director Brush provided notice yesterday that the USOR Disability Determination Services Division has been recognized by the national Social Security Administration for excellence in the performance of carrying out its duties.

Board Chair's Report

Board Chair David Crandall reported on the following:

- The Board has several task forces in progress, including the Digital Teaching and Learning Task Force and the Advisory Committee Review Task Force. The Advisory Committee Review Task Force has tasked USOE Teaching and Learning Director Diana Suddreth with bringing a rule to the Standards and Assessment Committee incorporating guidelines for the standards review committees.
- A Board task force on school grading has been newly formed, with Brittany Cummins as chair. She is working with Rich Nye, committee staff, to get some dates for a first meeting.
- Over the past couple of months Board leadership, the USOE superintendency, USDB Superintendent and USOR Executive Director have been meeting for reviews of section budgets. There has been some inconsistency in the reporting and transparency, and those issues are being resolved. A report will be produced for a more consistent review of the sections. Staff were thanked for their work on the budget.

Board Member Comments

Member Huntsman expressed appreciation to Superintendent Smith and his staff for all the work produced for the Board's benefit.

EXECUTIVE SESSION

MOTION was made by Vice Chair Johnson and seconded by Member Lockhart that the Board move into Executive Session for the purpose of discussing the character, professional competence, or mental or physical health of individuals and pending or reasonably imminent litigation.

Upon voice vote of the Members present, the Board moved into Executive Session at 4:10 p.m.

Those present included Members Allen, Belnap, Corry, Cummins, Crandall, Hansen, Huntsman, Johnson, Lockhart, Moss, Stokes, Thomas and Wright; and Brad Smith, Sydnee Dickson, Rich Nye, Scott Jones, Darin Brush, Stacey Cummings, Nicole Call, Chris Lacombe, Emilie Wheeler and Lorraine Austin.

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

Motion carried. The Board reconvened in open meeting at 5:35 p.m.

Executive Session Items

Utah Statewide Independent Living Council Appointments

This item was deferred to the next meeting.

Governor's Committee on Employment of People with Disabilities Appointment

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board appoint Randy Beddes to the Governor's Committee on Employment of People with Disabilities, representing business and industry, for a term ending August 2016.

Motion carried; Members Castle, Warner and Wright absent.

Roads to Independence (RTI) Contract

MOTION was made by Vice Chair Johnson and seconded by Vice Chair Thomas that the Board direct USOR staff to enter into a contract with Roads to Independence beginning October 1, 2015 through June 30, 2016 with the following stipulations:

1. The proposed contract includes \$4,093 in federal carryover money from the 2015 federal grant which ends September 30, 2015.
2. RTI agrees to only invoice USOR for RTI expenses incurred from the first day of the new contract extension, as outlined above, until the state fiscal year ends.
3. RTI will continue to work with USOR staff to improve its policies.
4. RTI will submit all required reports by assigned deadlines and submit monthly reimbursement requests to USOR.

Motion carried; Members Castle, Warner and Wright absent.

Public Educator Evaluation Requirements Committee Appointment

This item was deferred to the next meeting.

Licensing Actions and UPPAC Recommendations

No action was taken. The UPPAC Consent Calendar was deferred to the next meeting.

Adjournment

MOTION was made by Member Corry and seconded by Vice Chair Johnson that the meeting adjourn.

Motion carried. The meeting adjourned at 5:37 p.m.

Lorraine Austin, Board Secretary
Minutes approved October 9, 2015