

MINUTES

August 6, 2004

Minutes of the meeting of the State Board of Education held August 6, 2004, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:50 a.m. At the request of Chairman Kim R. Burningham, Vice Chairman Janet A. Cannon presided.

Members present were:

Chairman Kim R. Burningham
Vice Chairman, Janet A. Cannon
Member Dixie L. Allen
Member R. Michael Anderson
Member Linnea S. Barney
Member Tim Beagley
Member Laurel Brown
Member Edward A. Dalton
Member Greg W. Haws
Member David L. Moss
Member John C. Pingree
Member Joyce W. Richards
Member Debra G. Roberts
Member Sara V. Sinclair
Member Gary C. Swensen
Member Teresa L. Theurer

Member Jed H. Pitcher was excused.

Also present were:

Executive Officer Patti Harrington
Associate Superintendent Christine Kearn
Associate Superintendent Patrick Ogden
Associate Superintendent Raymond Timothy
Executive Director, USOR, Blaine Petersen
Public Affairs Director Mark Peterson
Board Secretary Twila B. Affleck

Members of the Press:

Tiffany Erickson, Deseret Morning News
Ronnie Lynn, Salt Lake Tribune
Amy K. Stewart, Standard Examiner
Nola Lodge-Hurford, Coalition of Minorities Advisory Committee
Janice Jones Schroader, Salt Lake City School District
Rick Young, Pearson Educational Measurement
Mary Russon, Hec Reading Horizon's
JoAnn Neilson, Utah PTA
Mark Cluff, Citizen
Cheryl Phipps, Utah PTA
Bill Thorne, Utah Court of Appeals

David Olsen, Grand County School District
David Armstrong, Superintendent, Carbon School District
Ron Ferguson, Superintendent, Grand County School District
John Andrews, Citizen
Ryan Anderson, Grand Education Association
Kay Chatterton, Utah Education Association
Royce Van Tassell, EdEx Utah
Teresa Carey, Moab Community School
Anne Peterson, State Charter School Governing Board
Brian Allen, State Charter School Governing Board

Utah State Office of Education Staff:

Carol Lear, Law Legislation and Education Services
Carol Ann Goodson, Student Achievement and School Success
Ken O'Brien, Student Achievement and School Success

Board Member Dixie Allen lead the Board in the Pledge of Allegiance.

Board Member Edward A. Dalton offered the reverence.

Board Secretary Twila B. Affleck recorded the minutes.

Vice Chairman Janet Cannon excused Board Member Jed Pitcher.

Vice Chairman Cannon shared a quote from Goethe relative to helping others become what they can become.

Introduction of Associate Superintendent

Superintendent Patti Harrington introduced Christine Kearn, Associate Superintendent over Student Achievement an Student Success Division. She indicated that Ms. Kearn is the former superintendent of the Rich School District.

Boardsmanship Development

Board Member Edward A. Dalton shared information on Developing Communication Strategies. (For complete details, see General Exhibit No. 9366.)

American Indian Tribal Sovereignty

In April 2004, the Board heard a report on the American Indian Education Plan. Several action steps were approved by the Board at that time and four were sent back to committee for revision. One action step needing revision suggested training for the Board regarding tribal sovereignty.

Tribal sovereignty is an issue cogent to revising the remaining action steps of the American Indian Plan.

Superintendent Patti Harrington introduced Judge William A. Thorne, Jr., who sits on the Utah Court of Appeals. Judge Thorne presented training for the Board on tribal sovereignty. (For complete details of the materials presented see General Exhibit No. 9367.)

Board Members questioned what they could do to help Indian children with their public education. Judge

Thorne suggested that they get the people involved around the table and talk. He shared an example of Tribal Judges and State Judges in trying to deal with legal issues. He indicated that two states Arizona and Washington followed the model and were successful. He indicated that kids need to feel valued for where they came from.

Judge Thorne further suggested that the Board include them in the process and then you will get the support.

The Board expressed appreciation to Judge Thorne for his presentation.

Professional Outreach in the Public

Schools (POPS) Funding

The POPS funding process was altered in the 2004 Utah State Legislative session in S.B. 1. The process now requires Utah State Board of Education action to make permanent the allocation of POPS funds once a group or organization has had three years of work supported and approved through the RFP process. The Board received a request from the Living Planet Aquarium for \$80,000 to expand outreach programming in the state. It has fulfilled its RFP obligation for three years. (For complete details of the information presented see General Exhibit No.9368.)

Carol Ann Goodson, Fine Arts Specialist and Ken O'Brien, Science Specialist presented information on the POPS program throughout the state.

The Board received the information relative to its statutory responsibility regarding the Professional Outreach in the Public Schools (POPS) funding and indicated the request will be considered with all other budget requests.

Working with the Legislature

Dr. Gary Carlston shared some thoughts he gathered in talking with legislators in his role as consultant in the State Superintendent search. (For complete details of the suggestions see General Exhibit No. 9369.)

The Board expressed appreciation to Dr. Carlston for the information presented.

Executive Session

Motion was made by Member R. Michael Anderson and seconded by Member Laurel O. Brown that the Board move into an executive session for the purpose of discussing personnel issues. The Board was polled and by unanimous consent of those present, the Board moved into an executive session during lunch at 1:00 p.m.

Motion was made by Member and seconded by Member Teresa L. Theurer and seconded by Member Gary L. Swensen to reconvene into open meeting. Motion carried unanimously. The Board reconvened at 2:45 p.m.

Utah Professional Practices Commission Recommendations

Motion was made by Member David L. Moss and seconded by Member Tim Beagley to accept the recommendation of the Commissions with conditions, in Case No. 97-414 that the educator license of a former teacher in Garfield School District, should be reinstated. The license was revoked on November 7, 1997, for sexual misconduct

with one student. It was noted that the hearing report was reviewed by the Board. Motion carried unanimously.

Motion was made by Member David L. Moss and seconded by Member Tim Beagley to accept the Commissions recommendation in Case No. 03-668 that the educator license of a former teacher in Jordan School District be revoked. The revocation results from the educators failure to disclose the suspension of a Washington education license and failure to provide truthful information on his licensing application in Utah. The educator chose not to contest the allegations against him at a scheduled hearing. It was noted that the hearing report was reviewed by the Board. Motion carried unanimously.

Motion was made by Member David L. Moss and seconded by Member Tim Beagley to accept the Commissions recommendation in Case No. 03-675 to accept a stipulated agreement, including conditions of the agreement, whereby a former teacher in Murray School District voluntarily surrenders her educator license in lieu of a hearing for purposes of suspension for two years from the date of formal action by the State Board of Education. The suspension results from employment at a junior high school while under the influence of alcohol. Motion carried unanimously.

Motion was made by Member David L. Moss and seconded by Member Tim Beagley to accept the Commission recommendation in Case No. 04-691 and accept a stipulated agreement, including conditions of the agreement, whereby a former teacher in Emery School District voluntarily surrenders his educator license in lieu of a hearing for purposes of revocation of his license for five years from the date of formal action by the State Board of Education. The revocation results from the educator's plea to one second degree felony for false or fraudulent insurance claim. The educator falsified information to the school district which had employed him. Motion carried unanimously.

(For complete details of the Professional Practices Commission Recommendations see General Exhibit No. 9370.)

Nominating Committee for the School and Institutional Trust Lands Board of Trustees

Motion was made by Member Laurel O. Brown and seconded by Member Tim Beagley to appoint Skip Nightingale to the Nominating Committee for the School and Institutional Trust Lands Board of Trustees, term to expire 3/22/08. Motion carried unanimously.

State Rehabilitation Council

Motion was made by Member Laurel O. Brown and seconded by Member Gary C. Swensen to appoint Kraig Stephens, Donna Gleaves, Delena Fish and Treva Toanhorse to the State Rehabilitation Council, terms to expire 9/07. Motion carried unanimously.

Utah Schools for the Deaf and the Blind Superintendent Appointment

Motion was made by Member Teresa L. Theurer and seconded by Member David L. Moss to appoint Linda

Rutledge as Superintendent of the Utah Schools for the Deaf and the Blind. Motion carried unanimously.

Performance Plus Implementation Schedule

Vice Chairman Janet Cannon announced that there is a meeting scheduled on Monday with the District Superintendents on the Performance Plus Implementation Schedule and the Board would like to receive the information from that meeting prior to discussing it. Therefore, this item will be postponed until the September meeting.

Public Participation/Comment

Ron Ferguson, Superintendent Grand School District commented on the declining population of their district and resources. Earlier it was indicated that one of the reasons that the recommendation for the Moab Community School was made was because of tenacity. He indicated that tenacity in and of itself is not sufficient reason to approve a charter, a substantive program needs to be in place. In Grand County School District there is a substantive program in place for their students.

He urged the Board to be an advocate for Grand County students and do the right thing.

Teresa Carey, Director of the proposed Moab Community Charter School commented that many children are thriving in the Grand District, however, many are not and the proposed charter school has designed a program for these students who are falling through the cracks. She reported that the Moab Community School opened last year as a private school without funding. They have a high percentage of at-risk students. She indicated that teachers have volunteered in the school because they did not have the funding to pay them. She further indicated that they have many students on a waiting list to attend the school.

Ms. Carey stated that the goal of the school is to serve the needs of the children in the community and they will not be able to sustain that as a private school for long. She urged the Board to approve the Moab Community School Charter application.

Board Standing Committee Reports

Law and Policy Committee

Member David L. Moss, Chairman of the Law and Policy Committee presented the following recommendations from the Committee:

Charter School Application Timeline

Waiver of R277-470

The Charter School Governing Board requested a waiver of the timelines outlined in R277-470 for charter school applications for this upcoming school year. The Charter School Board would like to be able to review the application process and timelines, review pending applications, and then make charter recommendations and suggested rule changes to the Board by the October or November Board meeting. (For complete details of the request see

General Exhibit No. 9371.)

The Committee reviewed the request of the Charter School Governing Board for a waiver of the application timeline of charter school applications for this year and moves that the State Board of Education approve the waiver of the application timeline of charter school applications for this year. Motion carried unanimously.

Charter School Application Approvals for
East Hollywood High School and
Moab Community School

On July 15, 2004, the State Charter School Board voted to recommend that the State Board of Education approve East Hollywood High School and Moab Community School's applications for charters to open at the beginning of the 2004-2005 school year.

Brian Allen, Chairman of the State Charter School Board reported that they are pleased with the appointment of Patricia Bradley as Executive Director of the Charter Schools Office and Jo Schmitt as her administrative assistant.

Mr. Allen provided some background relative to the Charter School Governing Board and history of the evolution of charter schools.

Mr. Allen reported that the State Charter School Board reviewed two applications, received presentations, public comment via letters, email and public hearing, and information from individuals in the State Office of Education, the State Charter School Board unanimously approved two charter requests; East Hollywood and Moab Community School. He presented information on their deliberations and information presented to the Charter School Board. (For complete details, see General Exhibit No. 9372.)

Mr. Allen, as chair of the State Charter School Board, respectfully and formally submitted to the Board its recommendation for approval of the charters for the East Hollywood Charter School and the Moab Community School and approval of their respective waivers of the 10 month waiting period rule.

Member Dave Moss, also a member of the State Charter School Board read an addendum to the statement made by Chairman Allen as follows: "Due to the legislative mandate, I am here in a somewhat altered capacity to ask you to ratify the recommendations of the Charter School Board. Although the vehicle for review and recommendation for charter applications is different, the question remains the same...' would the establishment of a particular charter school be truly beneficial to the children that would choose to attend?' That question is what drives my thought process. Although the legislature is looking closely at what will transpire today, my recommendations are my own. I believe that these are viable applications, if I felt differently, I would not support them. I have never been shy of withholding my support in the past, and I will not be shy to do the same in the future. Charter Schools are a viable alternative. If we don't learn to embrace them, we will face very unpleasant alternatives due to the cry for choice in this state." He indicated that Judge Thorne stated earlier that it is not always harmful to see things differently.

Motion from the Committee that the Board ratify the decision of the State Charter School Board and approve the East Hollywood High Charter School to begin opening in the 2004-2005 school year.

Member Mike Anderson questioned if this school was in Logan or Salt Lake City. It was clarified that the school is in Salt Lake City and Erick Lyndsey, the founder of Fast Forward Charter School in the Logan School District just wanted to start another school in Salt Lake City. He indicated that each school is independently governed by its own board and individually administered by its own principal, counselors, and faculty and staff. They are two separate schools, the only thing they have in common is that Mr. Lyndsey is the founder of both schools.

Member Teresa Theurer spoke in favor of the East Hollywood High Charter School indicating that Fast Forward has been a positive entity in the Logan School District.

Member Laurel Brown questioned what type of at risk students they are targeting and the staffing they will have available to deal with these students? Mr. Lyndsey responded that they are targeting students who have either dropped out of high school or who are failing in most of their classes in their existing placement. They are seriously at risk of completing their high school education. Mr. Lyndsey further indicated that the success of the Fast Forward Charter School in Logan has been to make certain that each of the employees hired has a strong background and training and passion for helping students who have or are struggling in their school experience. Many of the teachers, including the principal and guidance counselor have significant training in at-risk youth leadership and have also worked in Youth Corrections for a number of organizations who are focused in helping students who are in this population.

Member Brown further questioned what was in place at these schools in terms of licensed staff that are licensed in special education and have skills to provide the federal requirements for transition services and individual education plans for those students? Mr. Lyndsey responded that there will be a full-time special education teacher who is trained in IEP's and they will offer all special education services. That person has not been hired as yet, until they receive official notification of approval of the charter school. They have applications from teachers who are licensed in this area.

Motion to approve the Charter School Application of East Hollywood High Charter School carried unanimously.

Motion from the Law and Policy Committee that the Board ratify the decision of the Charter School Governing Board and approve the charter application for the Moab Community School for classes beginning school year 2004-2005.

Member Laurel Brown questioned who would be the administrator at the school. Ms. Carey responded that they have a two-fold process. They have a lead teacher that works to oversee the teachers work on evaluation, supervision and mentoring. This is a process that was developed with teachers within the community. She has worked

with licensure on the necessary qualifications for that person serving as the lead teacher. There is also an administrator that will oversee student discipline, interaction with parents, volunteers, coordinating, scheduling and legal issues. This is the role she current serves in. Patricia Bradley gave an explanation relative to the application as to who would be in charge of instruction and the administration of the school. She further indicated that the local governing board is in charge of the finances and the school has a bookkeeper who does the day to day financial transactions.

Member Laurel Brown questioned who is in place for the special needs students in terms of licensed special education staff. Ms. Carey responded that once they are approved they will be offering the position to a fully licensed special education teacher who will be on staff three days a week. Also, one of the regular classroom teacher applicants also has a special education licence.

Member Teresa Theurer questioned Ms. Carey with regard to reference in a letter she had written relative to tuition tax credits and that being an issue as to whether or not they became a charter school.

Ms. Carey indicated that this past year they have operated as a private school and have struggled financially. If they get approved as a charter school, they will remain a charter school. Without the approval they would need to go back to the private school as a means of choice.

Member Tim Beagley addressed the process of the recommendations from the Charter School Board. He stated that under the direction of Chairman Allen, the Charter School Board has been operating under some misconceptions. In particular, from his earlier comments, he addressed the statement that there are people on the State Board who have already made up their minds that they will never vote for a charter school. He was not sure if that was intended to offend the Board, or if it is just a misunderstanding. He indicated that the Board regularly approves charter schools and regularly does so in a unanimous fashion. He indicated he was personally offended by the statement. He further stated that whenever the Board has voted against charter schools it has been very agonizing decision for all on the Board.

Member Beagley commented on another misconception by the Charter Board relative to the process. He indicated that the author of the legislation visited with the Board as the process was unfolding. The Board specifically asked her if she intended for the State Board to simply approve of all the applications approved by the Charter School Board and she said no, it was her intention that the State Board have the final decision and should also look at all of the ramifications, including the application and effect it has on the school district.

Mr. Beagley indicated he was very impressed with the application and would personally vote in favor of approving the application.

Following further questions and discussion from board members relative to the charter school application and the functioning of the current private school, motion to approve the Moab Community Charter School carried with Members Anderson, Beagley, Burningham, Haws, Moss, Pingree, Richards, and Theurer voting in favor; Members

Allen, Barney, Brown, and Dalton opposed; Member Roberts abstained; and Member Swensen absent. Member Roberts explained her abstention was because of the funding issues in the rural areas. She stated that she is very much in support of charter schools.

School Professional Development Pilot Program Requests

House Bill 100 and Board Rule R277-418 School Professional Development Days Pilot Program allows schools and districts to use up to 22 hours of the 990 hours of required student instructional time for professional development. Schools must submit a proposed schedule of activities and school schedule variances to the local school community council for recommendation to the local board. Local boards are to submit accepted plans to the State Board for review and approval.

The Law and Policy Committee reviewed the Washington County School District, Center City Charter School, Northern Utah Academy for Math, Engineering, and Science (NUAMES) Charter School, and Pinnacle Canyon Academy Charter School requests for a School Professional Development Days Pilot Program. (For complete details of the requests see General Exhibit No. 9373.)

Member Moss indicated that the Committee voted on each one of the requests individually and approved each one individually with a caveat on NUAMES, that they supply a little better accountability, an explanation of their expected results and how they are going to acquire the student data.

Motion from the Committee that the Board approve the Washington County School District, Center City Charter School, Northern Utah Academy for Math, Engineering, and Science (NUAMES) Charter School [with caveat above], and Pinnacle Canyon Academy Charter School requests for a School Professional Development Days Pilot Program. Motion carried with Members Allen, Anderson, Barney, Beagley, Brown, Burningham, Dalton, Haws, Moss, Pingree, Richards, Roberts and Theurer voting in favor; Member Swensen absent.

Standards for ESL/Bilingual Dual Endorsement

For the past school year, a committee consisting of higher education professors, Navajo Nation members and educators, district administrators, teachers and USOE staff has been revising the ESL/Bilingual teaching endorsement. These revisions have now been finalized and recommendations were presented to the Law and Policy Committee as follows: (1) Language Proficiency (oral, reading and writing) in the language of instruction; (2) Methodology course to develop literacy; (3) Methodology course to teach content areas (language arts, math, science, etc.); and (4) Practicum or Field Experience. (For complete details of the standards, see General Exhibit No. 9374.)

The Law and Policy Committee received the report on the ESL/Bilingual Endorsement standards and directed staff to move forward with implementation of the recommendations.

No action was required by the Board.

Driver Education for Utah High Schools

Organization, Administration, and Standards Revision

The Core Curriculum for Driver Education has been revised to comply with current legislation, updated forms, and revised teaching strategies. The handbook, *Driver Education for Utah High schools Organization, Administration, and Standards*, reflects these changes as approved by a statewide steering committee, whose members represent various areas of driver education. (For complete details of the document, see General Exhibit No. 9375.)

The Committee made minor changes, page 3, Graduated Licensing, 1. Change last to read driver at least 21 years of age **or older**; and under Exceptions to this rule, 1, If accompanied by a licensed driver at least 21 years of age **or older**; and under Learner's Permit, 3, (*The permittee may drive only when accompanied in the front seat by a **driver 21 years or older** and when there are no other occupants are in the vehicle.*)

The Law and Policy Committee reviewed and approved the Core Curriculum for Driver Education as outlined in the handbook and moves that the Board approve the Core Curriculum for Driver Education as outlined in the handbook, *Driver Education for Utah High schools Organization, Administration, and Standards*. Motion carried with Members Allen, Anderson, Barney, Beagley, Brown, Burningham, Dalton, Haws, Moss, Pingree, Richards, Roberts, and Theurer voting in favor; Member Swensen.

Dixie State College Teacher Education Program Review

The program approval process is an essential step to ensure university/college educator preparation programs meet state preparation program standards. Program reviews are conducted every five years. The process includes an institution self-study and an On-Site Team visit to assess the institution's practices with state standards. The report contains commendations, recommendations, and suggestions to which a response from the institution is required within one year. Dixie State College completed the Self-Study Report and an On-Site Team completed the review. The College will now prepare a response to the review within a reasonable period of time but not to exceed one year from the date of the Board approval. (For complete details of the review, see General Exhibit No. 9376.)

The Law and Policy Committee reviewed and approved the Dixie State College Teacher Education Program Review and moves that the State Board approve the Program Review. Motion carried with Members Allen, Anderson, Barney, Beagley, Brown, Burningham, Dalton, Haws, Moss, Pingree, Richards, Roberts and Theurer voting in favor; Member Swensen absent.

Curriculum Committee

Prior to giving the report from the Curriculum Committee Member Theurer indicated that the letter from the Charter School Board was upsetting to her.

Motion was made by Member Teresa L. Theurer that a copy of the letter from charter school board be sent to Representative Marta Dillree to determine if the contents of the letter is legislative intent. There was not second to

the motion.

Superintendent Patti Harrington indicated she would review this issue with Representative Dillree. Dr. Harrington noted that this is the first time in working with the Charter School Board and there may be several ways to improve this process relative to who does what and at what point do we start checking. This will be clarified in the future.

Member Ed Dalton suggested that the Board have a meeting with the Charter School Governing Board.

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

Character Education in the Public Schools

The Board requested staff to review the extent of character education in the curriculum and consider the need for increased emphasis in this area. Staff reported on current elements of character education currently contained within the core curriculum. (For complete details, see General Exhibit No. 9377.)

The Committee received the report on character education elements in the core curriculum and how, as students progress through the system, these elements fuse with a civic education thrust.

No action required.

USU Center for the School of the Future

The Center for The School of the Future is a research center dedicated to improving the quality and effectiveness of education through identifying, researching, and developing proven educational practices and supporting their dissemination and adoption in local circumstances. To accomplish this, the Center has focused its efforts in the following areas:

Research - Research sets the stage for school improvement through identifying the underlying principles that make educational products and programs effective and through communicating those findings in such a way as to support educational practice.

Development and Dissemination - To assist schools in adopting effective practices, the Center seeks involvement in projects that support development and delivery of effective educational products and programs that can serve as models for school improvement.

Policy - The Center strives to provide policy makers, educators, families and communities with timely and reliable information that assists them in making well-informed decisions and points toward resources that support systematic improvement in education.

Dr. Richard P. West, Executive Director of the Center for The School of the Future report on their activities including the tuition tax study. (For complete details, see General Exhibit No. 9378.)

The Committee received the report as information.

Strategic Plan Goals

The Committee has been working to prioritize Strategic Plan goals and objectives which were identified as the Committee's responsibility. In May, Committee members asked staff to prioritize the goals to include timelines and indicate those goals which are ongoing for discussion in the June Committee meeting. The goals have now been prioritized and were discussed by the Committee. (For complete details of the goals see General Exhibit No. 9379.)

The Committee reviewed the goals and objectives and approved them for inclusion into the full Strategic Plan document.

Finance Committee

Member R. Michael Anderson, Chairman of the Finance Committee presented the following recommendations from the Committee:

State School Building Program, R277-451

Rule R277-451, The State School Building Program is amended to allow for the administration of the statutorily created enrollment growth component of the Capital Outlay Foundation Program (UCA 53A-21-103.5). Under the Enrollment Growth Program: (1) a district must be eligible to participate in the Capital Outlay Foundation Program and, (2) have a net increase in average net enrollment for the prior 3 years; and (3) Qualifying districts receive funding in the same proportion that the district's three-year average net enrollment bears to the total three-year net enrollment of all districts qualifying for the program. (For complete details of the rule, see General Exhibit No. 9380.)

The Finance Committee approved the amendments to R277-451, The State School Building Program on first reading and moves that the Board approve the amendments to the rule on second reading. Motion carried with Members Allen, Anderson, Barney, Beagley, Brown, Burningham, Dalton, Haws, Moss, Richards, Roberts and Theurer voting in favor; Members Pingree and Swensen absent.

Initial Review of FY 2006 Budget Requests

The Finance Committee reviewed the initial budget requests and began developing budget recommendations for the Board's consideration in its September meeting. (For complete details, see General Exhibit No. 9381.)

Communications Committee

Member Edward A. Dalton, Chairman of the Communications Committee presented a list of 22 activities the Communications Committee has identified. (For complete details, see General Exhibit No. 9382.) He suggested he meet with board leadership and get direction from them for concurrence on some of the issues, others we are proceeding on. Chairman Burningham indicated that both he and Vice Chairman Cannon will attend the next Communications Committee meeting.

Member Dalton commented that they may convene the communications committee for the purpose of strategizing communication activities related to the election process. Also, they will incorporate the list Gary Carlston presented earlier.

Member Dalton reviewed the 22 items presented by the Communications Committee.

General Consent Calendar

Motion was made by Member David L. Moss and seconded by Member Tim Beagley to approve the General Consent Calendar as presented.

1. Minutes of Previous Meeting

Minutes of the Meeting of the State Board of Education held June 15, 2004.

2. Contracts

A. Art Access/VSA Utah. \$40,000. 7/1/04-6/30/05. - Amend. - Fed.

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

B. University of Utah SRI. \$92,465.77. 7/1/04-6/30/05 - Amend.

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

C. Utah Department of Health. \$8,000. 4/27/04-4/27/04 RECEIVABLE

To provide funding to assist in co-sponsoring the Prevention Dimensions Day at Stingers Baseball Game on April 27, 2004.

D. Andrew Odoardi. \$10,000. 7/1/04-7/31/05

The Accreditation Consultant will assist with Accreditation responsibilities.

E. Ralph P. Vander Heide. \$7,500. 7/1/04-7/31/05.

The Accreditation Consultant will assist with Accreditation responsibilities.

G. iAssessment. \$130,000. 8/1/04-7/31/05 - Fed.

Licensed software for program and grant management.

H. Tom Stone. \$13,771.80. 6/1/4-5/31/07. Fed.

To lease office space for the Division of Rehabilitation Services office located at 175 North Main Street, Suite B3, Heber, Utah 84032.

I. Utah Education Network. \$24,000. 7/1/04-6/30/05

To pay EDNET site/system fees associated with USOE-originated video conferences.

- J. Ken C. Kelter & Keven F. Kelter. \$674,464.80. 7/1/04-6/31/09. - Fed.

To lease office space for the Division of Rehabilitation Services office located at 926 West Baxter Place, South Jordan, Utah.

- K. Kane County School District. \$7,982. 7/1/04-6/30/05. - Amend.

To provide funding for a Transition Facilitator to provide for transition services to Special Education and 504 Students in the Kane County School District. This target population is comprised primarily of Vocational Rehabilitation clients and potential Vocational Rehabilitation clients.

- L. Department of Administrative Services. \$77,027. 7/1/04-6/30/05 - Amend.

To renew the Operating and Maintenance Agreement between DFCM and the Utah State Office of Rehabilitation, Division of Services for the Blind and Visually Impaired, located at 250 North 1950 West, Salt Lake City, Utah.

- M. Department of Administrative Services. \$19,441.20. 7/1/04-6/30/05. - Amend.

To renew Operating and Maintenance Agreement between DFCM and the Utah State Office of Rehabilitation, Division of Services for the Deaf and Hard of Hearing, located at 5709 South 1500 West, Taylorsville, Utah.

- N. Department of Administrative Services. \$37,715. 6/1/04-6/30/05. - Amend. - Fed.

To renew the Operating and Maintenance Agreement between DFCM and the Utah State Office of Rehabilitation, Provo Regional Center located at 150 East Center, Provo, Utah.

- O. University of Utah. \$11,715. 8/1/04-3/31/05 - Fed.

Conduct a participant survey of the Older Blind Program.

- P. Scott Meyer. \$8,280.00. 7/1/04-6/30/07 - Amend. - Fed.

Janitorial services for three years, from July 1, 2004 through June 30, 2007 for the Division of Rehabilitation Services office located at 212 North Main, Blanding, Utah.

- Q. Department of Administrative Services. \$124,864. 7/1/04-6/30/05 - Amend. - Fed.

To renew the Operation and Maintenance Agreement between DFCM and the Utah State Office of Rehabilitation, Division of Rehabilitation Services located at 1595 West 500 South, Salt Lake City, Utah.

- R. Utah Statewide Independent Living Council. \$109,760. 10/1/04-9/30/05. - Amend. - Fed.

To provide resources to the Independent Living Program in accordance with Title VII Part B and the State Plan for Independent Living.

S. Utah Parent Information and Training Center. \$60,000. 7/1/04-6/30/05. - Fed.

The Utah Parent Information Center is the only center in the State which serves as a statewide clearinghouse for parents with disabled children. UPC provides information, referral, training and support to parents.

T. Cognos, Corp. \$237,500. 9/1/04-2/27/06. - Fed.

To provide technical support for data analysis and reporting software.

(For complete details of the contracts see General Exhibit No. 9383.)

3. Administrative Rule Review

Under provisions of 63-45a-9, U.C.A. 1953, all administrative rules shall be reviewed every five years. There may be minor non-substantive changes within these rules. The following rules were reviewed and approved:

R277-609	Standards for School District Discipline Plans
R277-800	Administration of the Utah School for the Deaf and the Utah School for the Blind
R280-150	Adjudicative Proceedings Under the Vocational Rehabilitation Act

(For complete details of the rules, see General Exhibit No. 9384.)

4. Monthly Budget Report

The Monthly Budget Reports provided information to the Board in meeting its fiduciary responsibilities toward the Utah State Office of Education, the Utah State Office of Rehabilitation and the Utah Schools for the Deaf and the Blind. (For complete details, see General Exhibit No. 9385.)

5. Ratification of Employment

Brenda S. Hedden was ratified as an Educational Specialist, in the Student Achievement and School Success Division.

Jerry Record was ratified as a Media Production Specialist in the Law Legislation and Ed Services Division.

6. Associate Superintendent Appointment

Christine Kearl was appointed Associate Superintendent in the State Office of Education on the salary schedule and with the benefit package currently in place.

7. List of Applicants for Licenses

The list of applicants for initial and renewal licenses was approved by the Board. (For complete details, see General Exhibit No. 9386.)

8. Claims Report

The Claims Report in the amount of \$163,535,584.34 for June 30, 2004 was approved by the Board. (For complete details, see General Exhibit No. 9387.)

Executive Officer Report

Superintendent Patti Harrington presented the following items of information:

Utah State Office of Education Service Awards – Superintendent Harrington presented service awards to John Brandt, 25 years of service (\$500.00) and Twila Affleck, 20 years of service (\$400.00). She noted that service awards will be presented to the following individuals in the Utah State Office of Education: Ten Years (\$200.00): Marjorie Jensen, Brett Moulding, Scott Snelson, Kathleen Olson, Steven Walker, Vonell Hayes, Laura Oscarson-Wilde, Diane DeMan, Yuriko Murakami, and Aleta Hansen. Fifteen Years (\$300.00): Janet Golavar, Rebecca Donovan, Randy Raphael, Robert Anderson, Dale Stephens, Rebecca Andrews, Shane Johnson and Kathy Akin; Twenty-five Years (\$500.00): Max Kieffer and Camille Barnes. Thirty Years (\$600.00) Janice Christensen. Retired: Denece Stock, Sharon Cortese and Shirley Hancock.

Dr. Harrington indicated that she just received a Performance Plus Tire, however, does not know who it came from. Thank you to whomever.

Dr. Harrington noted the following personnel changes in the State Office of Education: Christine Kearn, Associate Superintendent, Judy Park, Director of Evaluation and Assessment, Patricia Bradley, Director of Charter Schools and Linda Rutledge, Superintendent of the Utah Schools for the Deaf and the Blind.

Dr. Harrington updated the Board on the following:

- Assessment delays which were due primarily to printing problems..
- H B 115, Carson Smith.
- Utah Schools for the Deaf and the Blind.
- S B 154 RFP
- SIGNAL Grant award.

Dr. Harrington reported that she has begun a careful review for understanding of budgeting processes and beginning to align resources around some chief goals.

Dr. Harrington reported that we have developed a workplace climate survey which will be a baseline for another chief goal of improving workplace climate.

Dr. Harrington reported that she has provided written updates to legislators regarding major USOE actions.

Dr. Harrington shared her meetings and visits during the months of June and July.

Dr. Harrington reported that it is Utah's turn to design the back of the quarter. The Governor has asked that our children have an option of submitting two or three of the five that will be submitted to the mint for their consideration. The artwork will be the ideas of the children and then professionals from the mint will do the artwork. There will be a big initiative coming through the State Office to help kids understand Utah history, geography and all

the things that would be vital for them to understand what signifies Utah.

Dr. Harrington reported that she attended the Council of Chief State School Officers meeting in Boston and noted that it was interesting hear that 30 of the 50 chiefs have turned over in the last three years.

(For complete details of Dr. Harrington's report see General Exhibit No. 9388.)

Associate Superintendent Ray Timothy reported in the discussions of Performance Plus some of the real concerns have focused on the high school level. He has had the opportunity to take two teams to high school leadership summits. The Phoenix summit was the most productive in that the team sat down and talked about some issues. He shared some of the concerns. He indicated that the perception is that Utah is being reformed to death. That U-PASS, Performance Plus and NCLB are not connected. There has been a feeling of no or limited opportunity for input and also a feeling for a need for greater involvement by those at the high school level, and a need for development of leadership training in a more formal program. They came up with the next steps to: (1) Expand representation of groups that we have taken to include superintendents legislators, business and industry, teachers, principals, both rural and urban, vocational education teachers, applied technology education, commissioner's office, state and local board representation, regional service centers, and Board of Regents. (2) Share the research that has been done on what effective practice is at the high school level. (3) Plan and hold a Utah High School Leadership Summit.

Dr. Timothy distributed a copy of a CD with topics discussed at the regional summits. Member Dixie Allen shared a synopsis of the Phoenix Summit. (For complete details see General Exhibit No. 9389.)

Board Chairman Report

Chairman Kim R. Burningham presented the following items of information:

Expressed appreciation to Superintendent Patti Harrington for her excellent hard work over the past two months.

Member Ed Dalton reported that the Utah School Boards Association will begin tonight their delegate assembly to identify their legislative priorities. He indicated that the Board needs to be working together with them. He will get the information from this meeting to the Board.

Chairman Burningham reminded that Board that on November 16 we have invited Brenda Welburn, Executive Director of NASBE to be with the Board in a Boardsmanship training. This is after the election so all board members will be included.

Superintendent Evaluation Process – Chairman Burningham reported that the Board had requested a year to year evaluation of the Superintendent. We have initiated that process which will include a recommendation to the Board. He will work on that particular assignment along with Board Members Sara Sinclair and Debra Roberts.

Chairman Burningham made the following statement relative to the State Board Selection Process. “The State Board of Education is very much aware of the current uproar regarding the Board of Education candidate

selection process. Although we make no judgments about the announced finalists [we do not know some of them] it appears that those 2004 candidates have been chosen by a process that ignores the public will and relies on determination by special interests. We have seen editorials by both of the major newspapers in the state, we have read news articles, the PTA has been leading out in a lot of their concerns about the issue, we have received telephone calls of wide spread concern we have heard and are learning more and more about the particular issue. The State Board's greatest concern through all of this is that we achieve the best good for all of the young people in the State of Utah in accordance with a clear will of Utah's parents. Because the existing selection process may well ignore the public will, we call for a careful reexamination of the State Board selection process to assure the needs of the public are met and the children of the state are well served. Therefore, we invite publically [and we will make contacts] to invite our colleagues in the legislature to join with us in a pro-active discussion leading to some legislative remedy. I will be more specific by saying, we would like to see a bill filed amending the existing statute in relationship to the selection of Board of Education candidates in the 2005 legislative session. We will do all in our power to try to improve a difficult situation, that is a problem that needs to see improvement."

Personal Privilege Requested by Member Mike Anderson

Member Anderson stated that in view of the tremendous amount of interest in District 12, selection of candidates to run for the State Board of Education, the number of phone calls from colleagues in the business field [bankers, contractors, manufacturers, retail people], a number of educators who have contacted him and the Board's kindness in expressing their regrets that he has not been selected to run for office this fall. As a formal candidate, he announced that he will run a write-in campaign this fall for the State Board of Education, District 12.

Motion to adjourn was made by Member Greg W Haws.

Meeting adjourned at 4:55 p.m.