

MINUTES

July 10, 2008

Minutes of the meeting of the State Board of Education held July 10, 2008, at Southern Utah University, Cedar City, Utah. Meeting commenced at 2:15 p.m. Chairman Richard Sadler presided.

Members present were:

Chairman Richard Sadler
Vice Chairman Mark Cluff
Member Dixie L. Allen
Member Laurel O. Brown
Member Kim R. Burningham
Member Janet A. Cannon
Member Bill Colbert
Member Michael G. Jensen
Member Charlene Lui
Member Randall A. Mackey
Member Denis R. Morrill
Member Debra G. Roberts
Member Teresa L. Theurer

Members Thomas Gregory, Greg W. Haws, and Richard Moss were excused; Board of Regent Members Rosanita Cespedes and Josh Reid were attending Regent meetings at the same hour and were excused.

Also present were:

Superintendent Patti Harrington
Deputy Superintendent Larry Shumway
Associate Superintendent Brenda Hales
Associate Superintendent Todd Hauber
Associate Superintendent Judy Park
Board Secretary Twila B. Affleck

Members of the Press:

Lisa Schencker, Salt Lake Tribune
Amy Stewart, Deseret Morning News
Robert DePoe, Coalition of Minorities Advisory Committee

One-time Performance-based Compensation Plans

Utah Statue enacted in the 2008 General Session of the Utah Legislature in SB 281 (53A-17a-148(5)) sets a statutory deadline for the submission by LEAs of one-time performance-based compensation plans. "To receive al allocation under Subsection (5)(a), an education entity shall submit prior to July 1k, 2008, a written performance-based compensation plan to the State

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Board of Education that conforms to guidelines established by the State Board of Education in rule.”

Eighty-five plans were received by the July 1, 2008 deadline. At the Board’s direction a team from the State Office of Education reviewed the LEA plans. In some cases, the scheduling of school district board meetings or charter school governing board meetings will be such that the plan will not receive the local board approval (required in State Board rule) until after the statutory deadline for submission. In such cases, the plans still must be submitted prior to the deadline with a letter of explanation. These plans will be accepted and a letter indicating governing board approval may be sent after the deadline.

Deputy Superintendent Larry Shumway presented a summary of the one-time performance-based compensation plans.

Dr. Shumway reported that the review team determined that the nature of the plans should be experimental and broad based to allow all types of plans to be implemented. He presented examples of the plans.

Considerable discussion was had and comments were made by board members as to whether to approve all plans in keeping with the spirit of the law. Some felt if they approved that plans they were asked to exercise some discretion. Some complained that the money would not be enough to make a difference in schools where all employees will be eligible for performance pay.

Motion was made by Member Debra G. Roberts and seconded by Member Dixie Allen the Board recognizes the intent for this statute to be experimental in nature, but also recognizes its responsibility to forward well thought out plans, the Board would approve the following plans for the districts and charter schools identified as meeting the criteria; and on a provisional basis approve the plans of the charter schools and districts pending approval of their local or governing boards by September 1, 2008. Further, excluding the plans that have not taken the time to develop a well-thought out plan.

Amendment to the motion was offered by Member Kim Burningham and seconded by Member Mark Cluff to add to the motion that for those plans identified as having insufficient detail they would be given until September 1 to resubmit and be reconsidered as well as those pending local board approval. Amendment carried unanimously.

Motion as amended carried with Members Allen, Brown, Burningham, Cannon, Cluff, Jensen, Mackey, Morrill, Roberts and Theurer voting in favor; Member Colbert opposed

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indicating he felt higher standards should be held for the plans, with some means of measurement.

The Plans given final approval: CBA Center, Carbon School District, C.S. Lewis Academy, Duchesne School District, Garfield School District, Gateway Preparatory Academy, George Washington Academy, Granite School District, Iron School District, Jordan School District, Juab School District, Lakeview Academy, Liberty Academy, Lincoln Academy, Logan School District, Millard School District, Mountainville Academy, Nebo School District, North Summit School District, Ogden School District, Ogden Preparatory Academy, Open Classroom, Park City School District, Pinnacle Canyon Academy, Provo School District, Renaissance Academy, Rich School District, Salt Lake City School District, Salt Lake Center for Science Education, Salt Lake Arts Academy, Sevier School District, South Sanpete School District, Thomas Edison - North, Thomas Edison - South, Tooele School District, Wasatch School District, and Wasatch Peak Academy.

Provisional Approval was given to: Alpine School District, American Leadership Academy, American Preparatory Academy, Beaver School District, Box Elder School District, Cache School District, Canyon Rim Academy, Channing Hall, City Academy, Davis School District, Dual Immersion Academy, East Hollywood High School, Edith Bowen Laboratory School, Emery School District, Etheos Academy, Fast Forward High School, Freedom Academy, Gateway Preparatory Academy, George Washington Academy, Grand School District, InTech Collegiate High school, Legacy Preparatory Academy, Lincoln Academy, Merit Academy, Morgan School District, Murray School District, North Davis Preparatory Academy, North Sanpete School District, North Star Academy, Odyssey Charter School, Pinnacle Canyon Academy, Piute School District, Quest Academy, Reagan Academy, San Juan School District, South Summit School District, Success Academy, Summit Academy, Syracuse Arts Academy, Utah County Academy of Sciences, Utah Schools for the Deaf and the Blind, Utah Virtual Academy, Walden School of Liberal Arts, Washington School District, and Wayne School District.

Request for more information on the plans: Kane School District, Legacy Preparatory Academy, Noah Webster Academy, Odyssey Charter School, Paradigm High School, Providence Hall, Venture Academy, and Weber School District.

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Motion was made by Member Janet A. Cannon and seconded by Member Randall A. Mackey that the Utah State Office of Education staff will develop an evaluation filter and guideline that will provide feedback information to evaluate the outcomes of this experiment. Further, that there is a next step providing best practices. Motion carried unanimously.

(For complete details of the materials presented see General Exhibit No. 10612.)

21st Century Work Force Report

Chairman Sadler reported that during the leadership meeting with the Governor they discussed the use of Superintendent Harrington's time and how it is more directed toward public education. The Governor reluctantly accepted our recommendation and Superintendent Harrington will resign from the Board of Regents.

Chairman Sadler further reported that they discussed with the Governor the 21st Century Work Force reports (also discussed earlier today) with remarks from Members Janet Cannon and Dixie Allen [through the use of her email] with direct suggestions that some things appear to not be in line with what the Governor himself had suggested, particularly in terms of governance as well as other issues. The Governor assured us that he had no motives other than to find out where we ought to be going and what we ought to be doing and that on occasion folks who represented themselves as representing him might not represent him well. He encouraged us to stay involved, but suggested that if we felt there were problems we need not be involved.

Discussion ensued relative to whether or not the Board should remain involved in the process.

Many members felt the Board should be involved especially if staff is involved. Also, there needs to be further education representation including local superintendents, teachers and local board members.

It was suggested that Members Allen and Cannon write a letter indicating the things that their committee agreed on and not what is included in the reports from the committee.

Concern was expressed that staff not over-commit to working on projects from these committees and they need to have the approval of the State Superintendent prior to doing so.

Chairman Sadler expressed appreciation to Members Allen and Cannon relative to sharing with the Board what was happening in their committee meetings.

Other Business

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Chairman Sadler reminded the Board of their 9:00 a.m. meeting at the Iron Springs Elementary School with the Legislative Education Interim Committee.

Vice Chairman Mark Cluff reported that at the last Board meeting the Board approved two individuals to be recommended to the Governor to serve on the State Charter School Board. At the beginning of the process there was four names submitted to the Board and those names were submitted to the Governor and he selected one of those names as a member of the State Charter School Board. The two names we submitted will also be used to fill other spots on the Charter School Board. The individual selected from the group of four was Tim Beagley.

Motion was made by Member Janet A. Cannon and seconded by Member Bill Colbert to adjourn.

Meeting adjourned at 3:55 p.m.