

MINUTES

February 20, 2009

Minutes of the legislative meeting of the State Board of Education held January 20, 2009, at the Utah State Office of Education, Salt Lake City, Utah. Meeting commenced at 10:10 a.m. Janet A. Cannon, Chairman of the Law and Policy Committee presided

Members present were:

Chairman Debra G. Roberts
Vice Chairman Dixie L. Allen
Member Laurel O. Brown
Member Kim R. Burningham
Member Janet A. Cannon
Member Leslie B. Castle
Member David L. Crandall
Member Denis R. Morrill
Member David L. Thomas

Members Rosanita Cespedes, Greg W. Haws, Meghan Holbrook, Michael Jensen, Shelly Locke, Charlene Lui, Richard Moss, Carol A. Murphy, and C. Mark Openshaw were excused.

Also present were:

Superintendent Patti Harrington
Deputy Superintendent Larry Shumway
Associate Superintendent Brenda Hales
Associate Superintendent Todd Hauber
Associate Superintendent Judy Park
Public Relations Director, Mark Peterson
Board Secretary, Twila B. Affleck

Members of the Press:

Amy Stewart, Deseret Morning News
Steve Peterson, Utah School Superintendents Association and Utah School Boards Association
Holly Langton, Utah PTA
Dawn Frandsen, Citizen
Ray Timothy, Superintendent, Park City School District
Duke Mossman, Director, Northeastern Utah Educational Services (NUES)
Marilyn Simister, State PTA
Joel Briscoe, Davis Education Association

State Office of Education Staff:

Mary Beth Clark, Student Achievement and School Success
Marlies Burns, State Charter Schools
LesLee Snelson, Law, Legislation and Educational Services
Paula Plant, School Children's Trust
Syd Dixon, Law, Legislation and Educational Services

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Member Janet A. Cannon welcomed everyone to the meeting.

Discussion and Public Comment on Bills

SB 199 Equal Recognition of School Parent Groups (Bramble)

Holly Langton, Utah PTA commented on the bill that parents voices just need to be heard and the PTA is supportive of that. They do, however, have a conflict with lines 56-58. She shared talking points on the bill.

Dawn Frandsen a parent from Provo spoke in favor of the bill. She indicated that there is only one parent group at her school and she would like equal access without having to purchase (pay a fee) her ability to vote.

Ray Timothy, Superintendent Park City School District reported that in Park City they have both PTO's and PTA's and these groups work very well together, including working with school community councils. He commented that when appointments are being made to advisory groups they try to get good representations, not just the PTA. He did not see the need for this bill because in Park City there is not a problem and he felt it could be worked out as well within the districts and schools without the legislation.

Marilyn Simister, Utah PTA President commented that the PTA feels this legislation is against them because of the dues issue. She indicated that the dues on the average are \$5. The PTA is all about networking so parents understand the issues and know how to work with teachers. The PTA is not against parent groups such as PTO's or other organizations, they just feel it is discriminatory to say you can't have a parent organization that requires dues. They feel bill will take away PTA all together and eliminate parent voice in 70% of the schools.

Chairman Debra Roberts suggested a compromise position of offering scholarships rather than fee waivers for the dues.

Steve Peterson, Executive Director representing Utah School Superintendents and School Board Members spoke against the legislation stating that the PTA has done a great deal of good for many years. He commented that there is a need for more volunteers in the schools and this bill will hinder that participation.

Mary Ann Christiansen, commented that she has had great experiences with PTA, serving as a PTA president twice. She spoke in support of the bill indicating that dues are an issue and some women lack the funds to participate in PTA and find themselves in the outer circle.

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Board Discussion

Vice Chairman Dixie Allen commented that line 56 really does eliminate the PTA. She suggested adding the words “work solely in conjunction with.” It was noted that Senator Bramble is open to amendments.

Senator Bramble commented that it is easy to amend the bill on lines 56-59. However, the challenge you have as a board is under what circumstances should public schools be used by other groups to raise money for their purposes. He indicated that as sponsor of the bill he is open to finding the common ground.

Motion was made by Member Kim R. Burningham that the State Board oppose the bill as currently written, but would support the bill if lines 56 to the end of the paragraph were deleted. Motion died for lack of a second.

Further discussion ensued relative to the rewording of line 51 through 58 relative to one organization exclusively, and that parent groups offer scholarships for those that cannot afford the dues.

Motion was made by Member Dave L. Thomas and seconded by Vice Chairman Dixie Allen to support the bill if the changes talked about are made, i.e. line 51, school may not work exclusively with, and Lines 58 take out waivers required payment and replace it with provide the scholarship.

Member Laurel Brown voiced concern on taking a position on the bill until Senator Bramble and the PTA have had a chance to work more on the bill. She did not like the perception that the Board does not support the PTA and what they do.

Member Thomas stated that it may be appropriate to hold off because the bill is still going through the legislative process.

Members Thomas and Allen withdrew their motion.

HB 66 (S1) *Property Tax Amendments* (Newbold)

Deputy Superintendent Larry Shumway shared the changes that would occur if HB 66 were to pass along with the percentage of change it would result in for various districts. These would be in addition to the budget reductions coming forth. This bill is magnified on extremes and the variation in wpu’s disappears when you get to 400 students.

Ray Timothy, Superintendent Park City School District commented that Representative Newbold had made the statement that it shouldn’t matter where you live in the

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state of Utah you should have an opportunity to an equal education. He indicated that the bill is not an equalization bill it because it severely and negatively, impacts 19 school districts financially. It creates winners and losers. Some have referred to it as a Robin Hood bill, but this is not the case. He urged the board to oppose the bill the same as USBA, USSA, League of Cities and Towns, and Counties have done.

Duke Mossman, Director of the Northeast Regional Service Center urged that board to oppose the bill indicated that the nine districts in his region would be severely affected by this approach.

Member Denis Morrill commented that this is not an equalization across the state. Currently the poor districts are wrapped up with wpu's because they need the money.

Motion was made by Member Denis R. Morrill and seconded by Vice Chairman Dixie Allen to oppose the bill.

Member Kim Burningham commented that when he was a member of the legislature some 15 years ago he sponsored an equalization bill that they called the Robin Hood bill. He would like to see equalization, not only in Utah but across the nation, but this is the wrong time to do such. He spoke in favor of the motion to oppose at this time but to do so in a better economy.

Motion carried unanimously.

SB 48 Teacher Licensure Amendments (Buttars)

Joel Briscoe, Davis Education Association, public school teacher for 27 years, and a former member of the Salt Lake City School Board commented that the UEA supports alternative means for people to become teachers, especially the ARL. He explained currently you can teach while you are obtaining the necessary requirements for licensure. They are concerned that the ARL program will be watered down or go away if this legislation is passed.

Motion was made by Vice Chairman Dixie L. Allen and seconded by Member Kim R. Burningham to oppose the legislation for several reasons, but mostly because it is the Board's responsibility to license teachers and we are doing that effectively.

Motion failed with Members Allen, Brown, Burningham, Cannon, Castle, Morrill and Roberts voting in favor; Member Crandall and Thomas opposed.

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HB 334 *Writing Assessment and Instruction* (Newbold)

Superintendent Harrington explained the bill and indicated it would move writing assessment from grades 6-9 to grades 5-8. She reported that the Panel on Assessment supports this bill.

Duke Mossman, NUES reported that seven schools in his area are using direct access writing and encourage support of the bill.

Motion was made by Vice Chairman Dixie L. Allen and seconded by Chairman Debra G. Roberts to support the bill with the hopes that everyone gets what they need to do the job. Motion carried unanimously.

Trust Lands Bills

(i) SB 68 *Mining Protection Amendments* (Killpack)

(ii) HB 283 (S1) *Illegal Use of Off-Highway Vehicles* (Noel)

(iii) HCR 6 *Concurrent Resolution Expressing Opposition to Congressional Efforts to Expand the Jurisdiction of the Clean Water Act* (Brown)

Paula Plant, School Children's Trust summarized the three bills.

Larry Shumway noted that all three of these bills have passed the committee and passed the House unanimously.

Motion was made by Member Laurel O. Brown and seconded by Vice Chairman Dixie L. Allen that the Board support all 3 bills. Motion carried unanimously.

Superintendent Harrington reviewed HB 149 and indicated that Superintendent Brent Thorne has been working diligently on this, and it has passed.

Motion was made by Chairman Debra G. Roberts and seconded by Vice Chairman Dixie L. Allen that the Board send a letter to Representative Noel and Superintendent Thorne expressing our appreciation for the bill and their support. Motion carried unanimously.

Legislative Presentation

HB 260 (S1) *School Employee Termination Amendments* (Wimmer)

Deputy Superintendent Larry Shumway explained the original bill prior to the substitute and then the changes made in the substitute.

Revenue and Federal Stimulus Update

Associate Superintendent Todd Hauber shared information on the Ongoing Revenue Estimates.

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Associate Superintendent Hauber explained that there are two parts, the full estimated amount is about \$53.6 billion for state stabilization, out of that a percent split between education 81.1% including higher education the balance is for the Governor to use. The split of 81.1% based on the amount of reduction that took place. For the state of Utah \$392.6 million is available for public and higher education and the balance for other areas. He then explained the other funding areas.

Mr. Hauber reported that there is a meeting this afternoon in the Governor's Office of Planning and Budget for all of us to begin discussing the allocations.

The Governor has to request the money and in order to do this he needs to provide assurances and the assurances will follow the letter of the law.

Legislative Presentation Cont.

SJR 13 - *Teacher Performance Pay* (Poulson)

Representative Marie Poulson shared what prompted her to sponsor the resolution. She indicated that she is a former educator and she knows educators are committed to positive reform in education and that educators chose this profession because they want their students to be successful and are constantly working to improve instruction.

Representative Poulson acknowledged that this is not the year for the legislature to fund this type of performance pay, but it is important to take a good look at goals and procedures for performance pay. She highlighted some of the positives about the resolution.

It was noted that this resolution passed the committee the other day and it is on the Consent Calendar next week.

Vice Chairman Dixie Allen commented that after her service on the Differentiated Compensation Workgroup she applauds this effort.

Motion was made by Member Kim R. Burningham and seconded by Member Laurel O. Brown to support HJR 13. Motion carried unanimously.

Other

SB 159 (S1) - *Math Education Initiative* (Stephenson)

Chris Kearn, Governor's Education Director, and Aaron Bertram Chairman of the Mathematics Department at the University of Utah reported that a portion of SB 159 included the Math for America Program. Chris Kearn explained the reasoning behind inclusion of the Math for America Program in SB 159 and requested that the Board lift its cap of financial support for

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the legislation to include additional support for the Math for America Program. She also shared a letter from the Governor in support of such an action.

Member Dave Thomas commented that he has talked with Senator Stephenson about this and he wants to include the Math for America, but does not want to lose the State Board's support for his bill.

Aaron Bertam, Chairman of the Department of Mathematics, University of Utah explained the Math for America program. He indicated that Utah is well poised for this matching grant.

Ms. Kearl commented that they were not asking for the full \$750,000 maybe just up to \$200,000.

Member Denis Morrill voiced concern that this is the first time the Board has heard about the Math for American in the bill and when Senator Stephenson presented the bill he did not indicate its inclusion.

Discussion ensued relative to how the Board might lower amounts in other areas they have supported to include this amount in their capped amount of \$1 million. Further, that the Board would need more information about this program as well as the Park City Math Institute and its effectiveness in training math teachers.

No action was taken by the Board.

(For complete details of the materials presented see General Exhibit No. 10836.)

Motion was made by Vice Chairman Dixie L. Allen and seconded by Member Laurel O. Brown to adjourn. Meeting adjourned at 1:20 p.m.