# SPECIAL MEETING OF THE UTAH STATE BOARD OF EDUCATION

## August 22, 2013

A special meeting of the Utah State Board of Education was held August 22, 2013 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair Debra G. Roberts conducted.

## **Board Members present:**

Chair Debra G. Roberts
Vice Chair David L. Crandall
Member Dixie L. Allen
Member Laura Belnap (non-voting)
Member Keith M. Buswell
Member Kim R. Burningham
Member Barbara W. Corry
Member Heather Groom

Member Michael Jensen
Member Jennifer A. Johnson
Member C. Mark Openshaw
Member Tami W. Pyfer
Member R. Dean Rowley (non-voting)
Member Teresa L. Theurer (non-voting)
Member David L. Thomas

#### **Board Members Excused:**

Member Leslie B. Castle Member Marlin Jensen (non-voting) Member Jefferson Moss Member James V. (Jim) Olsen (non voting) Member Isaiah (Ike) Spencer (non-voting)

## **Executive staff present:**

Martell Menlove, State Superintendent Brenda Hales, Deputy Superintendent Judy Park, Associate Superintendent Don Uchida, USOR Executive Director Lorraine Austin, Board Secretary

## Others present:

Carol Ruddell; Kris Fawson, Utah Statewide Independent Living Council; Patti Harrington, USBA/USSA; Jan Ferré, LCPD; Kelly Boehmer, Division of Services for the Deaf and Hard of Hearing (DSDHH); Robin Traver, DSDHH; Jenlin Duke, DSDHH; Brett Atkinson, DSDHH; Kim Thornberry, DSDHH; Joni Hill, DSDHH; McKell Withers, USSA; Max Roth, KSTU Fox 13; Bryan Uhr, KSTU Fox 13; Eleanor B. McConlen, DSDHH; Jan Blain, UEA.

### **Opening Business**

Chair Debra Roberts called the meeting to order at 4:10 p.m. Member Dixie Allen led the Board in the Pledge of Allegiance.

Member Kim Burningham distributed information about the Board Code of Conduct which will be discussed in September.

Motion was made by Member Tami Pyfer and seconded by Member Michael Jensen that the Utah State Office of Rehabilitation presentation be moved to first on the agenda in consideration of those present for that item.

Motion carried.

## **Utah State Office of Rehabilitation (USOR)**

USOR Executive Director Don Uchida reviewed information about USOR with the Board. He reported that the Utah State Office of Rehabilitation has been successful under the Board of Education since 1921, and asked the Board to support USOR remaining under the jurisdiction of the State Board of Education.

### **USBE Legislative Goal on School Grading**

Superintendent Martell Menlove reported that prior to the last Board meeting, he and several Board members met with Governor Herbert regarding grading schools. At the request of the Governor, a document regarding school grading was created and presented in the August Board meeting. No action was taken at that time.

Since that meeting, the Utah Public Education Coalition met on school grading and adopted a document, using some of the items from the document prepared for the Board. Dixie Allen, the Board's representative to the Coalition, informed the Coalition that the Board had discussed the issue, but has taken no position. She did not vote on the Coalition document. Superintendent Menlove distributed a copy of the Coalition document and questioned whether the Board wished to take its own position on school grading.

Dr. Menlove reported that consistent with statute, school grades will be released on September 3. Board members voiced that it might be better to wait to take a position until after the grades are released.

Superintendent Menlove also shared a letter he sent to Senate President Niederhauser on July 19, 2013 where reported how the Board is interpreting the law, and indicated that if he

received further direction from the legislature on how to interpret the law, the Board would entertain a discussion. He also noted in the letter that the Board is implementing the law, but there are concerns, and they would like to be involved in continuing discussions. It is his understanding that there will be no action by the Legislature before September 1, and concerns will most likely not be addressed until the 2014 legislative session.

Motion was made by Member Jennifer Johnson and seconded by Member Heather Groom that the school grading item be tabled indefinitely.

Motion passed, with Members Buswell, Crandall, Groom, Jensen, Johnson, Openshaw, Pyfer, Thomas in favor, and Members Allen, Burningham, Corry and Roberts opposed.

## **Board Strategic Plan for 2013-2014**

Deputy Superintendent Brenda Hales reviewed a goals planning tool and individual goals sheets developed for the Board. The Board thanked Ms. Hales for her work.

Motion was made by Member Jennifer Johnson and seconded by Member Heather Groom that Proposed Goal #18—Utah State Office of Rehabilitation, be tabled, and that in the search for the new USOR Executive Director, other stakeholders, including the Division of Workforce Services and the Department of Human Services, be invited to give feedback and participate.

Motion carried.

Motion was made by Member David Thomas and seconded by Member Mark Openshaw that the Board accept all the changes on pages 1-7 of the Planning Tool, and move forward all the objectives in 2011-2013 to Intermediate Objectives for 2013-2014, except those that have already been accomplished. In addition, to change the word "develop" to "support" on page 3, B-2, and to change item C-1 on page 6 to the "successful" category.

Member Jennifer Johnson moved and Member Tami Pyfer seconded, that the motion be divided per page.

Motion to divide carried, with Members Openshaw and Thomas opposed.

<u>Page 1</u> - Motion was amended by Member Jennifer Johnson that the wording in the mission statement be changed from "Ensuring literacy and numeracy" to "Providing access to literacy."

Motion failed, with member Johnson in favor and all others opposed.

Motion to accept page 1 and move all but the successful objectives to 2013-2014 Intermediate Objectives carried.

<u>Page 2</u> - Amended motion was made by Member Heather Groom and seconded by Member Dixie Allen that Long Term Goal B be deleted, and the language of Long Term Goal A be changed to ". . . 90% of students will be taught and led by effective <u>or highly effective</u>, qualified educators." In addition, to add to the objectives that LEAs will require that teachers are licensed and compliant with licensing requirements.

Motion to amend the amendment was made by Member Tami Pyfer that the wording be changed to ". . . 90% of students will be taught and led by effective or highly effective, qualified, and ethical educators."

Member Corry spoke against the motion as she felt the first part has to do with education standards and the term "ethical" cannot be measured by standards of highly qualified teachers.

Motion to amend the amendment failed, with Members Allen, Buswell, Groom, Pyfer and Thomas in favor, and Members Burningham, Corry, Crandall, Jensen, Johnson and Openshaw opposed.

Motion to amend was made by Member Kim Burningham that item B remain under the Long Term Goals, that item B under Performance Measures be deleted, and that item A be reworded as suggested in the original amendment.

Motion to amend carried.

Motion to amend was made by Member Barbara Corry and seconded by Member Tami Pyfer that an Objective B be added, "To complete the RFP process and implement the recommendations."

Motion to amend carried.

Motion carried.

<u>Page 3</u> - Amended motion was made by member David Crandall and seconded by Member Mark Openshaw that Long Term Goal A be reworded to say: "Between 2010 and 2020, all content areas . . ."

Motion to amend carried.

Amended motion was made by Member David Thomas and seconded by Member Keith Buswell to move page 3 Long Term Goal B to page 2 and make it Long Term Goal C.

Motion to amend carried.

Motion carried.

<u>Page 4</u> - Amended motion was made by Member David Crandall and seconded by Member Keith Buswell that Long Term Goal C be changed to: "<u>Support the goal that by 2020, 66% of Utah graduates will receive a post-secondary certification or degree."</u>

Motion to amend carried.

Amended motion was made by Member David Crandall and seconded by Member David Thomas that Performance Measure C be changed to: "Postsecondary graduation rates, including attendance and federal graduation rate formula."

Motion to amend carried.

Motion carried.

Page 5 - Motion to accept carried.

<u>Page 6</u> - Motion was made by Member David Thomas that the entire page be removed as the Long Term goal has been accomplished.

Motion carried.

 $\underline{\text{Page 7}}$  - Without objection, the word "of" will be replaced with "on" under Performance Measures B, and the  $3^{\text{rd}}$  item under Performance Measures will be changed to C.

Motion to adopt carried.

### **Proposed Individual Goals/Activities/Actions**

<u>Proposal One</u> - Motion was made by Member David Thomas and seconded by Member Mark Openshaw that Proposal One be adopted with a change in Objective 1b to read: "Promote extended-day kindergarten, before- and after-school programs, and/or summer school."

Amended motion was made by Member Dixie Allen and seconded by Member Kim Burningham that in Objective 1b, the wording "and/or extended year programs" replace "and/or summer school."

Member Allen amended her motion and Member Burningham seconded to change Objective 1 to read as follows:

- a) Pre-school options as appropriate.
- b) More time/resources for lowest performing students.
- c) Promote and expand extended-day kindergarten programs.

Motion to amend carried.

Motion carried.

<u>Proposal Two</u> - Motion was made by Member David Thomas and seconded by Member Mark Openshaw to adopt Proposal Two.

Motion carried.

Proposal Three - It was noted that the Mission Area was changed to Mission Area 2.

Motion was made by Member David Thomas and seconded by Member Mark Openshaw that Proposal Three be adopted, with the addition of "e) required funding for tech support."

Motion carried.

<u>Proposal Four</u> - Motion was made by Member Tami Pyfer and seconded by Member Michael Jensen that the Board adopt Proposal Four, with the additional wording at the end of the first sentence under New Objective, "... including, but not limited to ..."

Motion carried.

<u>Proposal Five</u> - This goal was previously tabled. Associate Superintendent Judy Park reported on the current plan to release both the school grades required by state statute and results from the Utah Comprehensive Assessment System (UCAS) at the same time.

Motion was made by Member David Thomas and seconded by Member Tami Pyfer that the release of UCAS information be delayed until two weeks after the school grades required by statute are released.

The motion was tabled to allow for Dr. Park to gather information to help inform the decision.

<u>Proposal Six</u> - Motion was made by Member Jennifer Johnson and seconded by Member Kim Burningham that Proposal Six be adopted.

Member Pyfer distributed and read a statement from Member Leslie Castle expressing her feelings that increasing the WPU and fully, transparently funding growth must be the top Board priorities.

Motion carried.

<u>Proposal Seven</u> - Motion was made by Member Barbara Corry and seconded by Member Dixie Allen that the Board adopt Proposal Seven.

Motion carried, with Member Thomas opposed.

<u>Proposal Eight</u> - Motion was made by Member Tami Pyfer and seconded by Member Jennifer Johnson that the Board adopt Proposal Eight, with the words "the value of" deleted from the first sentence.

With no objection, the language in the goal will be changed from "Common Core" to "Utah Core Standards."

Motion carried.

#### **Release of School Grades**

The motion to delay release of UCAS data was taken off the table.

Associate Superintendent Park reported that the federal NCLB waiver requires release of UCAS data by October 1.

October 1. From a technical standpoint, the school grading and UCAS system are completely separate, so could be released separately. However, the LEAs are currently planning a strategy that after the data is released, they will be able to talk about the differences of the two systems. There is the risk that if released separately, UCAS results may lose any public recognition. She also pointed out that UCAS is not the gold standard for accountability, but was developed as a result of state law.

The Board discussed some advantages and disadvantages about releasing the data separately, including: The impact of school grading will be stronger if school grades are released first, and there could be a public outcry that may have an influence on future legislation; the complexity of the school grading problems might be more evident if all the information is released at once; schools receiving poor grades are depending on UCAS data to help them with

their public and may be more helpful to parents; issuing both reports at the same time may soften the impact of the school grade; releasing the data at the same time might appear the Board is soft on accountability.

Without objection, Member Thomas amended his motion to extend the release of UCAS data to October 1 to be consistent with the waiver requirement.

Motion carried, with Members Buswell, Corry, Crandall, Groom, Jensen, Johnson, Openshaw, Pyfer and Thomas in favor, and Members Allen and Burningham opposed.

## **Proposed Individual Goals/Activities/Actions continued**

<u>Proposal Nine</u> - Motion was made by Member Jennifer Johnson and seconded by Member Heather Groom that the Board adopt Proposal Nine with the following changes: 1) add objective #1c) "Seek legislative authority to protect student data when risks arise;" 2) make sure the Board's data resolution is in a prominent place on the website.

Member Johnson amended her motion as follows: 1) Add a new Long Term goal - "Secure and protect sensitive personal data of students and teachers;" 2) add objective 1c - "Seek legislative authority to protect student data when risks arise;" 3) add an objective 2 regarding protecting against inappropriate release of teacher (she gave latitude to USOE staff to reword as needed); 4) place the Board's data resolution in a prominent place on the website.

Motion carried.

<u>Proposals Ten and Eleven</u> - Motion was made by Member Jennifer Johnson and seconded by member Dixie Allen that the Board adopt Proposals Ten and Eleven.

Motion carried.

<u>Proposal Twelve</u> - Motion was made by Member Tami Pyfer and seconded by Member Jennifer Johnson that the Board adopt Proposal Twelve.

Motion carried.

<u>Proposal Thirteen</u> - Superintendent Menlove reported that he has an appointment with state director of facilities to gather information about the process for obtaining a new building.

Motion was made by Member Jennifer Johnson and seconded by Member Keith Buswell that the goal be changed to: "Secure adequate funding for Board business."

Motion carried.

Motion was made by Member Dixie Allen and seconded by Member Michael Jensen that the Board adopt Proposal Thirteen as amended.

Motion carried, with Member Burningham opposed.

<u>Proposal Fourteen</u> - Motion was made by Member Tami Pyfer and seconded by Member Jennifer Johnson that the Board adopt Proposal Fourteen with the wording of the goal changed to: "100% of educators will meet the minimum ethical standards as defined by Board rule."

Motion carried.

<u>Proposal Fifteen</u> - Motion was made by Member Jennifer Johnson that the Board adopt Proposal Fifteen.

Motion carried.

<u>Proposal Sixteen</u> - Motion was made by Member Dixie Allen and seconded by Member Kim Burningham that the Board adopt Proposal Sixteen.

Amended motion was made by Member Jennifer Johnson and seconded by Member Keith Buswell that Proposal Sixteen be adopted, with the addition under Objective #1 of legal and auditing staff.

Motion to amend carried, with Members Allen and Burningham opposed.

Without objection, "USOE" was deleted from Objective #1.

Motion carried.

<u>Proposal Seventeen</u> - Motion was made by Member Keith Buswell and seconded by Member Mark Openshaw that the Board adopt Proposal Seventeen.

Motion carried.

<u>Proposal Eighteen</u> - This goal was previously tabled.

<u>Proposal Nineteen</u> - Motion was made by Member Jennifer Johnson and seconded by Member Kim Burningham that the Board request a report from the USOE showing the vendor legislation that has been sought and passed for the last few years, and outlining the impact.

Motion carried.

## Adjournment

Motion was made by Member Michael Jensen and seconded by Member Jennifer Johnson that the meeting adjourn.

Motion carried. The meeting adjourned at 8:56 p.m.

Lorraine Austin, Board Secretary

Minutes approved October 4, 2013