

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

October 9-10, 2014

OCTOBER 9, 2014 SPECIAL MEETING

A special meeting of the Utah State Board of Education was held October 9, 2014 for the purpose of conducting interviews of finalists for the State Superintendent of Public Instruction position. The meeting was held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted.

Members present included Dixie Allen, Kim Burningham, Keith Buswell, Leslie Castle, Freddie Cooper, Barbara Corry, David Crandall, Dan Griffiths, Heather Groom, Michael Jensen, Jennifer Johnson, Steven Moore, Jefferson Moss, Mark Openshaw, Debra Roberts, Dean Rowley, David Thomas, and Terryl Warner. Members Kristin Elinkowski, Marlin Jensen and Teresa Theurer were excused.

Executive and Board staff present included Joel Coleman, Sydnee Dickson, Bruce Williams, Judy Park, Lorraine Austin, Emilie Wheeler, Roxana Orellana, Russ Thelin, Keith Lawrence, Carol Lear, and Rachel Terry.

Others present included Sharon Gallagher-Fishbaugh, Utah Education Association; Sarah Jones, Utah Education Association; Tami Pyfer, Governor's Office; Williams Evans, Attorney General's office; LeAnn Wood; Morgan Jacobsen, Deseret News; Patrick Garcia, Salt Lake City School District; Craig Pitts, Jim Bridger Elementary; Grant Cannon; Juan Alfaro; Paula Miller, educator; Brooke Deardorff, educator; Ray Terry, Beaver School District; Kris Fawson, Utah State Independent Living Center; Jay Blain, Utah Education Association; Jenny McKenna, Utah Education Association; Bruce Northcott, Daggett School District.

Chair David Crandall called the meeting to order at 3:30 p.m.

Interviews

Human Resources Director David Rodemack gave instructions about the interview process.

Finalists for the position of State Superintendent of Public Instruction were interviewed

by the Board in the following order: Mr. Richard Crandall, Mr. Brad Smith, Dr. John Barge, and Dr. Martin Bates. Each candidate was interviewed for one hour. The interviews were open to the public.

Executive Session

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

Upon voice vote of voting members present, the Board moved into Executive Session at 8:51 p.m.

Those present in Executive Session included Board Members Allen, Burningham, Buswell, Castle, Cooper, Corry, Crandall, Griffiths, Groom, Jensen, Johnson, Moore, Moss, Openshaw, Roberts, Rowley, Thomas, and Warner. Also present were Interim Superintendent Joel Coleman, Deputy Superintendent Sydnee Dickson, H.R. Director David Rodemack, Assistant Attorney General William Evans, Board Communications Specialist Emilie Wheeler and Board Secretary Lorraine Austin.

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

Motion carried. The Board reconvened in open meeting at 11:00 p.m.

MOTION was made by Member Openshaw and seconded by Member Jensen that the meeting adjourn.

Motion carried. The meeting adjourned at 11:00 p.m.

OCTOBER 10, 2014 BOARD MEETING

A regular meeting of the Utah State Board of Education was held October 10, 2014 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted.

Board Members present:

Chair David L. Crandall	Member Heather Groom
Vice Chair David L. Thomas	Member Michael Jensen
Member Dixie L. Allen	Member Jennifer A. Johnson
Member Kim R. Burningham	Member Steven R. Moore
Member Keith M. Buswell	Member Jefferson Moss
Member Leslie B. Castle	Member C. Mark Openshaw
Member Freddie Cooper (non-voting)	Member Debra G. Roberts
Member Barbara W. Corry	Member R. Dean Rowley (non-voting)
Member Kristin Elinkowski (non-voting)	Member Terryl Warner
Member Dan Griffiths	

Members excused:

Member Marlin Jensen (non-voting)
Member Teresa L. Theurer (non-voting)

Executive and Board staff present:

Joel Coleman, Interim State Supt.	Lorraine Austin, Board Secretary
Sydnee Dickson, Interim Deputy Supt.	Emilie Wheeler, Board Communications Specialist
Judy Park, Associate Supt.	
Bruce Williams, Associate Supt.	
Russ Thelin, USOR Executive Director	

Others present:

Debi Tabor and Tracy Miller, Utah PTA; Tina Smith, UAPCS; John Woeste, Utah State Office of Rehabilitation; Karen Atkinson and Jenny Snedaker, Decoding Dyslexia UT; Kris Fawson, Utah State Independent Living Center; Ray Terry, Beaver School District.

Opening Business

Chair David Crandall called the meeting to order at 10:00 a.m. Member Barbara Corry led those present in the Pledge of Allegiance.

Board Member Message

Member Steven Moore welcomed the Board. He read an article from different points of view on the aspect of change, and encouraged Board members to walk in someone else's shoes.

Introduction of new employees

H.R. Director Dave Rodemack introduced new USOE employees Adam Little, Christine Marx, Sean Perkins, Paula Weyland, and Donna Pignanelli.

Acknowledgment of Student Art

Deputy Superintendent Sydnee Dickson drew attention to the art work posted in the room from Washington Elementary School, Dilworth Elementary School and Horizonte Learning Center.

Utah State Office of Rehabilitation Recognition

Superintendent Coleman reported that recently the Utah State Office of Rehabilitation was honored with the inaugural Utah Ethical Leadership award for the government category from the Eccles School of Management at the University of Utah. USOR Executive Director Russ Thelin reported that there were eight criteria on which the finalists were judged: integrity, trust, accountability, transparency, fairness, respect, rule of law, and viability. Mr. Thelin recognized staff present from USOR, and they were applauded by the Board.

Executive Session

MOTION was made by Member Johnson and seconded by Member Allen that the Board move into Executive Session for the purpose of discussing the character, professional competence and physical or mental health of individuals.

Upon voice vote of the voting members present, the Board moved into Executive Session at 10:20 a.m.

Individuals present in Executive Session included Board Members Allen, Burningham, Buswell, Castle, Cooper, Corry, Crandall, Elinkowski, Griffiths, Groom, Jensen, Johnson, Moore, Moss, Openshaw, Roberts, Rowley, Thomas and Warner; and Joel Coleman, Sydnee Dickson, Dave Rodemack, William Evans, Emilie Wheeler and Lorraine Austin.

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

Motion carried. The Board reconvened in open session at 11:33 a.m.

Public Participation

Kerrie Atkinson, Decoding Dyslexia Utah - reported that October has been declared Utah and National Dyslexia Awareness Month. She read a Resolution from Governor Herbert. Ribbons were distributed and she encouraged Board members to wear them on October 15, take a photo, and send it to them. Photos of elected officials from national, state and local levels wearing the ribbons will be posted. She also encouraged the Board to support a stipend for the Reading Intervention Endorsement.

Sarah Jones, Utah Education Association - reported that the UEA Convention will be held October 16-17, 2014. She highlighted some of the events and invited Board members to participate in the convention.

Debi Tabor, Utah PTA - thanked the Board for using children's art work in the Board room, and thanked the Board for recognizing the effect that art has on education.

School Children's Trust Annual Report

Tim Donaldson, Director of the USOE School Children's Trust Section presented the 2014 Annual Report of the School Trust.

It was noted that there is an issue with respect to the two percent cap that may need to be addressed by legislation. Mr. Donaldson also indicated that an Attorney General opinion is pending regarding whether School Trust funds can be invested in private equity.

General Consent Calendar

MOTION was made by Member Buswell and seconded by Member Johnson that the Board approve the Consent Calendar.

Motion carried unanimously.

A. Minutes of Previous Meetings

Minutes of the State Board of Education meetings held September 4-5, 2014 were approved as written.

B. Monthly Budget Report

The Board received the monthly budget report.

C. Contracts

The Board approved the following contract:

1. Utah Association of Public Charter Schools, \$590,659, 10/15/2014 to 06/30/2017

The purpose of the contract is to provide a mentoring program for the governing boards and key administrators of Utah's new and operational charter schools as described in UCA 53A-1a-513 and R277-470.

D. Contract Reports

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

E. NASBE Bylaws and Public Education Positions

The Board approved proposed amendments to the Bylaws of the National Association of State Boards of Education (NASBE) and NASBE's Public Education Positions to provide direction to its voting delegate to NASBE.

F. Expanded Eminence Authorization

The Board granted expanded eminence authorization to Stephen Batchelor, Davis School District; Maria Heredia, Wasatch School District; and Maren Christensen, Paradigm High School.

G. R277-700 *The Elementary and Secondary School Core Curriculum*

In its September 5, 2014 meeting, the Board approved amendments to R277-700 on second reading. The rule was amended to provide for Computer Science to be used as a Core Science credit and for other Board-approved courses to be counted toward the required .5 Computer Technology credit.

The Board approved R277-700 *The Elementary and Secondary School Core Curriculum*, as amended, on third and final reading.

H. Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as submitted by school districts and charter schools.

I. List of Educator Licenses Processed

The Board received the report summarizing the total number of educator licenses and license areas processed in September 2014.

Utah State Office of Education Draft Risk Mitigation Plan

Superintendent Coleman reported that the draft USOE Risk Mitigation Plan was heard earlier in the Finance Committee. Associate Superintendent Bruce Williams summarized the document and addressed resources that are needed to complete the plan. Superintendent Coleman added that part of the reason the USOE is facing risks is because of federal and state education program requirements and the increased number of local education agencies that it serves. The three-year plan is a draft that will have updates.

Member Johnson reported that the Risk Mitigation Plan will be presented at the next legislative Education Interim Committee meeting. Embedded in the plan are requests for additional funding. She also indicated there are six additional risk issues to which the Board needs to respond.

Associate Superintendent Williams reported that the Utah State Office of Rehabilitation has followed up with its own Risk Mitigation Plan. Copies will be sent to the Board.

Member Elinkowski expressed concern about the perception that the risks are due to increased number of charter schools. Superintendent Williams responded that there are costs

to the USOE associated with the increase in local education agencies (LEAs) as staff is required to serve more agencies without an increase in funding. Superintendent Coleman also responded that all LEAs need monitoring, technical support and oversight required by state and federal regulations. Superintendent Williams also emphasized that the increase in these service needs are only a small part of the overall plan.

Member Johnson informed and Superintendent Coleman concurred that the greatest risk identified is the automation of the Minimum School Program. Superintendent Coleman indicated that the risks haven't been prioritized and asked for Board guidance in the prioritization.

Utah Professional Practices Advisory Commission (UPPAC) Recommendations

MOTION was made by Member Allen and seconded by Member Jensen that the Board accept the UPPAC recommendation in Case No. 11-1047 and reinstate the educator's Level 2 Secondary Education License.

Motion carried, with Member Johnson opposed; Member Griffiths absent.

MOTION was made by Member Allen and seconded by Member Jensen that the Board accept the UPPAC recommendation in Case No. 12-1109 and reinstate the educator's Level 2 School Counselor and Administrative/Supervisory Education License.

The case was referred to Executive Session for discussion.

MOTION was made by Member Allen and seconded by Member Corry that the Board accept the UPPAC recommendation in Case No. 13-1171 and suspend the educator's Level 1 Secondary Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the hearing report and completion of a criminal background check, no sooner than one (1) year from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

The case was referred to Executive Session for discussion.

MOTION was made by Member Allen and seconded by Member Corry that the Board accept the UPPAC recommendation in Case No. 13-1178 and suspend the educator's Level 2 Secondary and Career and Technical Education License. The educator may request a

reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than one (1) year from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

The case was referred to Executive Session for discussion.

MOTION was made by Member Allen and seconded by Member Corry that the Board accept the UPPAC recommendation in Case No. 14-1183 and suspend the educator's Level 2 Elementary and Administrative/Supervisory Education License. The educator may request a reinstatement hearing following satisfaction of all conditions in the stipulated agreement and completion of a criminal background check, no sooner than six (6) months from the date of Board action. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

The case was referred to Executive Session for discussion.

MOTION was made by Member Allen and seconded by Member Corry that the Board accept the UPPAC recommendation in Case No. 13-1165 and suspend the educator's Level 2 Secondary Education License. The educator may request a reinstatement hearing following satisfaction of a criminal background check, no sooner than the termination of his plea in abeyance by the court. Any UPPAC recommendation for reinstatement following a hearing is subject to Board approval.

The case was referred to Executive Session for discussion.

Executive Session

MOTION was made by Member Johnson and seconded by Member Buswell that the Board move into Executive Session for the purpose of discussing the character, professional competence and physical or mental health of individuals.

Upon voice vote of the voting members present, the Board moved into Executive Session at 12:37 p.m.

Individuals present in Executive Session included Board Members Allen, Burningham, Buswell, Castle, Cooper, Corry, Crandall, Elinkowski, Griffiths, Groom, Jensen, Johnson, Moore,

Moss, Openshaw, Roberts, Rowley, Thomas and Warner; and Joel Coleman, Sydnee Dickson, William Evans, Emilie Wheeler and Lorraine Austin.

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

Motion carried. The Board reconvened in open session at 3:32 p.m.

State Superintendent Position

Motion was made by Member Moss and seconded by Member Griffiths that the Board extend an offer of employment to Brad Smith for the position of State Superintendent of Public Instruction.

Motion carried, with Members Castle, Crandall, Griffiths, Groom, Jensen, Johnson, Moss, and Openshaw in favor, and Members Allen, Burningham, Buswell, Corry, Roberts, Thomas and Warner opposed.

Board Legislative Priorities

Vice Chair Thomas reviewed the Board legislative priorities, pointing out that suggested funding has been added. He noted that the Risk Mitigation and ESEA waiver items will be removed from the one-time funding category.

Deputy Superintendent Dickson discussed the professional learning items, which are designated on separate lines. She recommended the item be combined, including a grant portion to LEAs.

MOTION was made by Member Griffiths and seconded by Member Allen that the Board combine ongoing Targeted Professional Development and Professional Development determined by LEAs and one-time Professional Development into one item titled Targeted Professional Learning Initiative, and make it the #3 ongoing priority at \$30 million.

Motion carried; Members Crandall, Johnson, and Roberts absent.

MOTION was made by Member Burningham and seconded by Chair Crandall that the Graduation Initiative be split into two separate items of Digital Literacy and Counselors.

Motion carried; Members Johnson and Roberts absent.

MOTION was made by Member Buswell and seconded by Member Burningham that the Board request \$15 million for Graduation Initiative/Counselors.

It was noted that the intent would be to ask for \$15 million this year and \$10 million next year.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Griffiths and seconded by Member Jensen that the Board request \$10 million for Graduation Initiative/K-12 Digital Literacy.

It was clarified that this is separate from the Technology Initiative.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Burningham and seconded by Member Openshaw that the Board request \$25 million in ongoing and \$50 million in one-time funding for the Technology Initiative.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Burningham and seconded by Member Jensen that the Board add a \$6 million ongoing request for At-Risk Programs, prioritized after the Graduation Initiative items.

Member Cooper reported that programs such as MESA, the family literacy program, and highly impacted funding, once funded at \$30 million, have consistently been cut. Funds for those programs have gone to districts as a block, but districts have cut many of those programs. She reported that the Board's advisory committee, the Coalition of Minorities Advisory Committee (CMAC), desires that funding be restored for those programs.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Burningham and seconded by Member Griffiths that \$10 million in one-time funds for Capital Equalization be added.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Corry and seconded by Member Castle that \$20 million one-time funds for a Transportation Initiative be added.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Griffiths and seconded by Member Castle that the Risk

Mitigation item be increased by \$260,000 for additional audit needs, for a total of \$960,000.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Openshaw and seconded by Member Jensen that \$5 million for a Principal Initiative be added as #5 on the one-time list.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Openshaw and seconded by Member Buswell that \$5 million for Professional Development/At-Risk Math (focused on students at risk for math achievement) be added as #6 on the one-time list.

Motion carried; Members Allen, Johnson and Roberts absent.

MOTION was made by Member Groom that \$300,000 for Dual Immersion Growth be added as #8 on the ongoing list.

Motion carried; Members Allen, Johnson and Roberts absent.

Utah Schools for the Deaf and the Blind (USDB) Funding Request

USDB Superintendent Coleman reviewed and updated the USDB budget request. He noted that the amount requested for the USDB building will change.

MOTION was made by Member Moss and seconded by Member Griffiths that the Board approve the USDB funding priorities as follows: Ongoing priorities—1) Teacher Steps/Lanes - \$466,000; 2) Staffing \$280,000; 3) USIMAC FTE - \$350,000. One-time priorities—1) USDB building - \$15 million; USIMAC Braille Machine - \$288,000.

Motion carried; Members Allen, Johnson and Roberts absent.

Utah State Office of Rehabilitation (USOR) Funding Request

USOR Executive Director Russ Thelin reviewed and updated the USOR budget request.

MOTION was made by Member Griffiths and seconded by Member Buswell that the Board approve the USOR funding priorities as follows: Ongoing priorities—1) Independent Living Services to Youth with Disabilities - \$275,000; 2) Vocational Rehabilitation Transition Services - \$160,500; 3) Sensory Impairment Specialist and Rural Outreach - \$118,000; 4) Independent Living and Assistive Technology - \$100,000. One-time priorities—

1) Independent Living and Assistive Technology - \$400,000.

Motion carried; Members Allen, Johnson and Roberts absent.

Legislation

Vice Chair Thomas asked for input on changes that are needed in legislation. Member Griffiths asked that the School Trust issues be addressed. School grading was also added to the list.

Education First Discussion

Due to time constraints, representatives from Education First will be invited back to the November Board meeting to discuss its five-year education plan. Board members were invited to the rollout of the plan on October 28.

Accountability Update and School Grading Direction

Chair Crandall reviewed the motion passed in the October meeting that Board leadership and staff meet with legislative leadership regarding options for school grading. He reported that they met with Senate President Niederhauser and others last week regarding school grading expectations and the option the Board would like to present to the legislative Executive Appropriations Committee.

Associate Superintendent Judy Park further reported that the timeline for preparing data reports was discussed, and it was acknowledged that there isn't time to do what was envisioned regarding coordination between the Board and Executive Appropriations. President Niederhauser stated his expectation that the grade distribution will be the same this year as it was last year. He committed to working with the Board to develop legislation to allow for SAGE data to be used as a baseline.

The Board will present its school grading plan to the Executive Appropriations at its next meeting.

MOTION was made by Member Griffiths and seconded by Member Moss that the Board present to the Executive Appropriation Committee the plan that school grading this year will

be calculated to result in the same distribution of grades as last year.

Motion carried; Members Allen, Johnson and Roberts absent.

Dr. Park reported that school grades should be ready for release by December 15.

Elementary and Secondary Education Act (ESEA) Waiver

Superintendent Park reported that Utah just received the ESEA waiver extension for which it applied. The U.S. Department of Education has contacted the office regarding two further amendments that may be requested: 1) waiver of the requirement to include growth in Utah's UCAS accountability system; and 2) allowance for Utah to reset its Annual Measurable Objectives (AMOs).

MOTION was made by Member Openshaw and seconded by Member Jensen that staff be given the direction to proceed with submitting a request for the two additional amendments.

Motion carried; Members Allen, Johnson and Roberts absent.

Dr. Park reported that staff have been working with the Governor's office on the Governor's PACE Education Report Card. A December release is anticipated. The goal is to have that report linked to the USOE accountability reports.

MyOptions Charter Amendment Request

Member Openshaw reminded the Board that the request for a charter amendment from MyOptions was approved by the Law and Licensing Committee last month, but was not approved by the full Board.

Member Elinkowski informed that the request is an acceleration of the school's growth model by one year.

MOTION was forwarded from the Law and Licensing Committee that the Board approve the charter amendment request from MyOption to accelerate its growth model and add grades 9-12 in its first year of operation, as well as the 100 students allocated to those grades, and to add 50 new students, bringing the total enrollment in year one to 550 students.

Motion carried, with Member Groom abstaining; Members Allen, Johnson and Roberts absent.

Board Standing Committee ReportsAUDIT COMMITTEE

Committee Chair David Thomas reported that the committee spent a great deal of time discussing the risk assessment, with the direction that staff develop a risk mitigation plan.

FINANCE COMMITTEE

Committee Vice Chair Dan Griffiths reported on the following items from the Committee.

FY 15 USOE Compensation Adjustment Plan

Staff reviewed with the Committee the proposed USOE employment compensation plan.

MOTION from committee that the Board approve the FY 15 USOE Compensation Adjustment Plan as presented.

Motion carried; Members Allen, Johnson and Roberts absent.

FY 15 USOE Proposed Budget Amendment and Quarterly Budget Review

As a result of expected approval of the USOE compensation plan, the FY 15 budget was amended.

MOTION from Committee that the Board approve the FY 15 USOE budget as amended.

Motion carried; Members Allen, Johnson and Roberts absent.

R277-419-9 Pupil Accounting - Provisions for Maintaining Student Membership and Enrollment Documentation and Documentation of Student Education Services Provided by Third Party Vendors

Rule R277-419-9 was approved by the Board as an emergency filing, effective June 9, 2014. The proposed rule will supersede the emergency filing. The new section provides guidance for student membership and enrollment documentation to LEAs with nontraditional programs and those that use third party vendors for educational services.

The Committee reviewed the rule and made additional amendments outlined on a

distributed sheet.

The Committee approved R277-419-9, as amended, on second reading.

MOTION from Committee that the Board approved R277-419-9 *Pupil Accounting - Provisions for Maintaining Student Membership and Enrollment Documentation and Documentation of Student Education Services Provided by Third Party Vendors*, as amended, on third and final reading.

Member Griffiths discussed that the rule is designed to deal with specific cases of fraud or abuse outlined in the online distance education audit, and to provide the USOE the ability to address specific concerns. The rule will most likely need additional revisions. It was requested that ideas for changes be forwarded to Superintendent Coleman and Board legal counsel Chris Lacombe.

Motion carried; Members Allen, Crandall, Johnson and Roberts absent.

Draft USOE Risk Mitigation Plan

At the request of the Board, USOE executive staff prepared a Risk Mitigation Plan in response to a draft risk assessment conducted by the internal auditors. The Committee reviewed the Risk Assessment Plan.

In response to the Plan, the Committee approved the reallocation of \$100,000 to the discretionary fund for an additional auditor, with Vice Chair Thomas opposed.

MOTION from Committee that the Board approve reallocation of \$100,000 to the discretionary fund for an additional auditor.

Motion carried, with Member Thomas opposed; Members Allen, Crandall, Johnson and Roberts absent.

Final FY14 Budget and Actual Expenditures

The Committee received the report.

USOE Budget Practices and Procedures

This item was postponed to the November meeting.

LAW AND LICENSING COMMITTEE

Committee Chair Mark Openshaw reported on the following items from the Committee.

Charter School Revolving Account Loans

The Board is charged with approving loans to charter schools specifically to pay for the costs of planning expenses, constructing or renovating charter school buildings, equipment and supplies, or other start-up or expansion expenses.

The Committee reviewed and approved recommendations from the Charter School Revolving Account Committee for loans to nine schools.

MOTION from Committee that the Board approve the following loans: Athenian Academy - \$300,000; GreenWood - \$170,000; MyOptions - \$200,000; Roots Charter High School - \$186,200; Terra Academy - \$210,550; Dixie Montessori Academy - \$150,000; Esperanza Elementary - \$217,363; Utah Military Academy - \$300,000; and Winter Sports School - \$100,000.

Motion carried; Members Allen, Crandall, Johnson and Roberts absent.

Smart School Technology Program Report

An annual report to the legislature of the Smart School Technology Program is required.

The Committee received the Year Two report of the Smart School Technology Project in anticipation of a report to the legislative Education Interim Committee.

Civic and Character Education Report

An annual report to the legislature regarding the methods used and results being achieved to instruct and prepare students to become informed and responsible citizens through an integrated curriculum is required.

The Committee received the report in anticipation of its presentation to the legislative Education Interim Committee.

K-3 Reading Report

An annual report to the Legislature is requested of information on student learning gains in reading, the percentage of third grade students reading on grade level, the progress of schools and school districts in meeting the goals of their K-3 Uniform Growth Plans, and the correlation between third grade students reading on grade level and results of the third grade language arts scores on computer adaptive tests.

The Committee received the report. Additional information, *Financial Expenditure Summary for K-3 Reading Improvement Program*, was distributed to the Board.

General Financial Literacy Curriculum Standards

The Committee reviewed proposed changes to the General Financial Literacy Standards. The changes address college attendance, student loans, scholarships, the Free Application for Federal Student Aid, and technology that relates to banking, savings, and financial products.

MOTION from Committee that the Board approve the draft General Financial Literacy Standards with the understanding that final approval will be discussed in the November Board meeting after public comment and teacher input have been gathered.

Motion carried; Members Allen, Johnson and Roberts absent.

STANDARDS AND ASSESSMENT COMMITTEE

Committee Vice Chair Barbara Cory reported on the following items from the Committee.

R277-468 Parent/LEA Committee Review of Public Education Instructional Materials and Complaints

In its September meeting, the Standards and Assessment Committee requested that a rule be drafted regarding parental involvement on curriculum and material review committees.

The Committee reviewed the proposed rule and asked that information be gathered on what districts are already doing before moving forward with the rule.

Implementation of H.B. 286 Child Sexual Abuse Prevention

It was reported that Members Johnson and Warner serve on a task force formed in response to H.B. 286 from the 2014 legislative session. The legislation mandates that the Board will approve instructional material for sexual abuse prevention.

The Committee asked to be updated monthly on the work of the task force.

R280-203 Certification Requirements for Interpreters for the Hearing Impaired

The Board approved R280-203 as amended and continued the rule on first and second reading on June 6, 2014. Board members expressed concerns about the appeals procedures in the rule and pulled the rule from the Consent Calendar. The Board's legal counsel reviewed the rule and suggests the addition of language in R280-203-5 to address the concerns.

The Committee approved R280-203, as amended, on second reading.

The Committee requested that the manual for interpreters be updated and brought back to the committee.

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

Motion carried; Members Allen, Johnson and Roberts absent.

R277-487 Public School Data Confidentiality and Disclosure

The Committee reviewed proposed amendments to R277-487 to provide procedures for data governance structures and process as well as publicly available student data privacy provisions. The rule also provides high-quality practices and support to safeguard student data by focusing on transparency, governance and data protection procedures.

An updated rule was distributed.

The Committee approved amendments to and continuation of R277-487 on first reading.

MOTION from Committee that the Board approve R277-487 *Public School Data Confidentiality and Disclosure* for amendment and continuation on second reading.

Motion carried; Members Allen, Johnson and Roberts absent.

It was noted that more discussion is needed on whether the chief privacy officer outlined in the rule will be a new hire or an existing employee.

Report on Title III Visit and Findings by the U.S. Department of Education

The U.S. Department of Education's Student Achievement and School Accountability Office reviewed the USOE Title III program in April. A time line for corrective action has been ongoing since that visit. Title III staff gave a report to the Committee of how the findings are being addressed.

The Committee received the report. A progress report will be given to the committee next April.

Policy on Leasing Assessment Items

The proposed Student Assessment for Growth and Excellence Policy on leasing assessment items was distributed.

Chair Crandall explained that the Board's contractor for computer-adaptive testing, AIR, has approached the USOE to provide licensing agreements with other states for use of Utah assessment items. Such an agreement was recently completed with Florida. As states making the request may be engaged in RFP processes, the Board will not always be able to discuss the agreement in open meeting. The Policy will provide a mechanism for staff to be able to extend the option of using test items with the permission of Board leadership.

MOTION from Committee that the Board direct its attorney to expand the licensing agreement with AIR for use in other states upon notification and approval of Board leadership.

Vice Chair Thomas suggested a change on page 2, line 3 of the policy to read "the Board authorizes" instead of "may authorize."

Dr. Park also suggested changing the first line to "licensing agreement" rather than "template."

The changes will be made.

Motion carried; Members Allen, Johnson and Roberts absent.

Introduction of Brad Smith

Brad Smith was welcomed to the meeting. He expressed excitement to serve in the position of State Superintendent and indicated his readiness to “roll up his sleeves.”

Executive Session

MOTION was moved by Member Griffiths and seconded by Member Openshaw that the Board move into Executive Session for the purpose of discussing the character, professional competence or physical or mental health of individuals and pending litigation.

Upon voice vote of the voting members present, the Board moved into Executive Session at 5:45 p.m.

Individuals present in Executive Session included Members Burningham, Buswell, Castle, Corry, Cooper, Crandall, Griffiths, Groom, Jensen, Moss, Openshaw, Thomas and Warner; and Joel Coleman, Sydnee Dickson, William Evans, Rachel Terry, and Lorraine Austin.

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

Motion carried. The Board reconvened in open session at 6:27 p.m.

Executive Session Items

The Board readdressed the motions made earlier in Cases 12-1109, 13-1171, 13-1178, 14-1183, and 13-1165.

MOTION to accept the UPPAC recommendation in Case No. 12-1109 failed, with Members Burningham, Buswell, Corry, Jensen and Thomas in favor; Members Castle, Crandall, Groom, Moss, Openshaw and Warner opposed; Members Allen, Griffiths, Johnson and Roberts absent.

MOTION TO AMEND was made by Member Warner and seconded by Member Castle that the suspension in Case No. 13-1171 be increased from one (1) year to two (2) years to be more in line with the suspension for internet pornography.

Motion to amend carried, with Member Corry opposed; Members Allen, Griffiths,

Johnson and Roberts absent.

AMENDED MOTION to suspend in Case No. 13-1171 carried, with Members Burningham, Buswell, Castle, Crandall, Groom, Jensen, Moss, Thomas and Warner in favor; Members Corry and Openshaw opposed; Members Allen, Griffiths, Johnson and Roberts absent.

MOTION TO AMEND was made by Member Castle and seconded by Member Warner that the suspension in Case No. 13-1178 be increased from one (1) year to two (2) years because of the pattern of repeated incidences.

Motion to amend failed, with Members Castle, Groom, Jensen, Moss, Openshaw and Warner in favor; Members Buswell, Burningham, Corry, Crandall and Thomas opposed; Members Allen, Griffiths, Johnson and Roberts absent.

MOTION to accept the UPPAC recommendation in Case No. 13-1178 failed, with Members Buswell, Burningham, Corry, Jensen and Thomas in favor; Members Castle, Crandall, Groom, Moss, Openshaw and Warner opposed; Members Allen, Griffiths, Johnson and Roberts absent.

MOTION TO AMEND was made by Member Castle and seconded by Member Moss that the suspension in Case No. 14-1183 be increased from six (6) months to two (2) years to be more in line with the UPPAC presumptions.

Motion to amend carried, with Members Castle, Corry, Crandall, Jensen, Moss, Openshaw, Thomas and Warner in favor; Members Buswell, Burningham and Groom opposed.

AMENDED MOTION to suspend in Case No. 14-1183 carried, with Member Buswell opposed; Members Allen, Griffiths, Johnson and Roberts absent.

MOTION to accept the UPPAC recommendation in Case No. 13-1165 carried; Members Allen, Griffiths, Johnson and Roberts absent.

The following action was taken on additional cases reviewed in Executive Session.

MOTION was made by Member Buswell and seconded by Member Openshaw that the Board accept the UPPAC recommendation in Case No. 14-1187 and revoke th educator's Level 2 Career and Technical Education license.

Motion carried; Members Allen, Griffiths, Johnson and Roberts absent.

MOTION was by Member Buswell and seconded by Member Jensen that the Board

accept the UPPAC recommendation in Case No. 04-712 and reinstate the educator's Level 2 Career and Technical Education and Special Education License.

Motion carried; Members Allen, Griffiths, Johnson and Roberts absent.

Adjournment

MOTION was made by Member Burningham and seconded by Member Jensen that the meeting adjourn.

Motion carried. The meeting adjourned at 6:35 p.m.

Lorraine Austin, Board Secretary
Minutes approved November 7, 2014