

**MINUTES OF THE
EDUCATION INTERIM COMMITTEE**

November 15, 2000 - 2:15 p.m. - Room 303 State Capitol

Members Present:

Sen. David H. Steele, Senate Chair
Rep. Lloyd Frandsen, House Chair
Sen. Ron Allen
Sen. Karen Hale
Sen. Howard A. Stephenson
Rep. Jeff Alexander
Rep. Ron Bigelow
Rep. Duane Bourdeaux
Rep. Judy Ann Buffmire
Rep. Fred J. Fife III
Rep. James R. Gowans
Rep. David L. Hogue
Rep. Bradley T. Johnson
Rep. Keele Johnson
Rep. Evan L. Olsen
Rep. Tammy J. Rowan
Rep. LaWanna "Lou" Shurtliff
Rep. Nora B. Stephens
Rep. Matt Throckmorton
Rep. Bill Wright

Members Excused:

Sen. Dan Eastman

Staff Present:

Mr. J. Wayne Lewis,
Research Analyst
Mr. James L. Wilson,
Associate General Counsel
Ms. Wendy L. Bangerter,
Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call To Order - Rep. Frandsen called the meeting to order at 2:20 p.m. He shared his concerns about the formation of education policy. He said issues of little consequences often are given more attention than those that may be the root cause of the issue that first received attention. Many issues that don't attack the root cause of the real problems tend to be recycled onto the committee's agenda. He encouraged the committee to acknowledge and address central problems rather than spending time on easier issues that do not make a significant difference.

Sen. Steele shared data from the State Board of Education's five-year budget projections and the impact those projections will have on public education without changing the tax structure or identifying new resources to increase revenue. He also encouraged the committee to address larger problems, and avoid spending valuable time on less meaningful issues.

Committee Business - Acknowledgments and Reports - Sen. Steele explained that Governor Leavitt declared November 15, 2000 as Technology Day in Education and encouraged committee members to be aware of technology displays located throughout the Capitol Building.

Utah Education Network (UEN) Progress Report - Mr. Steve Hess and Mr. George Brown of the Utah Education Network explained that the UEN provides technology services to public and higher education, primarily through distance learning. Through the Internet, UEN has many avenues of service, including the electronic Pioneer Online library. Mr. Hess said UEN is in partnership with public and higher education, business, industry and government. It receives a \$6.5 million appropriation through the higher education appropriation committee and is governed by both the State Board of Regents and the State Board of Education. The University of Utah campus is home base for UEN, where it is affiliated with television stations KULC, KUED, EDNET, and UtahLINK. He listed four initiatives for UEN: 1) network capacity and reliability; 2) digital TV conversion; 3) Pioneer Online Library expansion; and 4) satellite system. He reviewed the FY 2002 budget requests to include: \$3,136,602 for increased traffic and mission-critical applications support; \$2,200,000 for digital television conversion; and \$310,000 for Pioneer Library additions.

Education Technology Initiative (ETI) - Ms. Vicki Dawn distributed the Education Technology Initiative (ETI) report. She explained when UEN brings technology into schools, the ETI is responsible for computers in school technology. She expressed appreciation to the legislature for its support since the inception of the ETI in 1990.

Mr. James Wilson, Associate General Counsel, said two more task forces are required to report to the Education Interim Committee but are scheduled to meet after the final committee meeting on November 27th. Since they will make several proposals to the committee, he suggested the committee may want to consider a new meeting date. The decision was made to meet Thursday, Nov. 30th, at 9:00 a.m.

2. School Boards and School Superintendents Legislative Package - Mr. Steve Peterson, Executive Director of the Utah School Superintendent's Association, Ms. Linda Ogden, President of Utah School Boards Association, and Ms. Karen Derrick, Legislative Committee Chair, Utah School Board's Association, reviewed the USBA/USSA 2001 legislative program. They emphasized the value of education and anticipate the legislature will act to ensure Utah children receive their educational birthright. They said it was the desire of public education to increase student performance, but emphasized that additional funding will be required. They encouraged the legislature to increase funding so school districts can improve student achievement; ensure equity; promote school safety; and recognize, support, and preserve locally elected school board control and authority.

Mr. Jerry Peterson, State Office of Education, expressed appreciation for legislative support of public education. Since districts have different needs, he described a block grant program to provide flexible funding for districts to meet specific needs. He said recommendations allowing more districts to participate in capital outlay funding were developed in a study prepared by the State Office of Education. He said class-size reduction funds during the past several years have been a great asset to districts, and would be an appropriate category for block-grant funding.

3. Strategic Planning for Public and Higher Education Committee Report and Proposed Legislation on Teacher Quality - Sen. David Steele and Rep. Lloyd Frandsen reviewed an overview of proposed legislation on teacher quality. Sen. Steele asked committee members to review the proposed legislation and be prepared to take action at the final meeting.

4. Comprehensive Elementary Reading Programs Proposals to the 2001 General Session - Rep. Lloyd Frandsen reviewed recommendations to fully implement the Comprehensive Elementary Reading Program presented in the last committee meeting. He explained that the state statutory reading goal proposed that all students read on or above grade level by the end of third grade. Rep. Frandsen said \$1 million has been recommended in the State Board Budget to provide 56 hours of professional development in reading for one thousand kindergarten through 3rd grade teachers. However, \$5 million more will provide 56 hours (7 days) of professional development in reading for 6,000 kindergarten through third-grade teachers and ensure reaching the state's reading goal. He explained that \$6 million would include materials and travel expenses sometimes covered by local districts.

Rep Frandsen explained that a statewide reading panel currently provides oversight for reading program quality. He recommended using university expertise to train reading teachers, and the training program be consistent among the seven different university programs. He recommended all reading programs implement best practices, and that the existing panel membership be expanded to include parents and individuals who are knowledgeable in reading, research, phonic awareness, special education, and language diversity. He suggested drafting a letter to the State Board of Education directing them to accept the recommendation for expanding the reading panel.

MOTION: Rep. Frandsen moved that the committee recommend to the Education Appropriations Subcommittee that it appropriate \$5 million to the Comprehensive Elementary Reading Program to achieve the state reading goal, along with a notation that this program is endorsed by the Education Interim Committee as a priority item.

SUBSTITUTE MOTION: Rep. Wright moved that the committee recommend, as a high priority, that the elementary reading program be fully funded, with an explanation of the program logistics but should not include the \$5 million as the funding proposal. The motion passed with Senators Allen and Hale and Representatives Frandsen, Bourdeaux, Buffmire, Fife, Gowans, and Shurtliff voting in opposition.

MOTION: Sen. Hale moved that staff draft a letter to the State Board of Education directing them to adopt the reading panel recommendations proposed by Rep. Frandsen. The motion passed unanimously with Representatives Stephens and Throckmorton absent for the vote.

5. Learning Standards and Accountability Task Force Report and Proposed Legislation - Sen. Howard Stephenson discussed the efforts of the Task Force on Learning Standards and Accountability during the 2000 interim period. He said the main focus during this

interim had been on the best ways to report data from tests. He noted that the task force received a great deal of public input. He reviewed the proposed legislation, "Utah Performance Assessment for Students Amendments;" and explained that it provides for the disaggregation of information with respect to race, ethnicity, gender, limited English proficiency, and free or reduced-price school lunch students. This data will hold the system accountable for all students, even those hardest to educate. The bill establishes a deadline of 2003-4 for the State School Board to confer with the Education Interim Committee for time line modifications. Sen. Stephenson said professional development programs are anticipated, and a school performance report will require that a written report with critical data will be published and mailed to parents. Other performance data will be made available electronically.

Sen. Stephenson reviewed the report card system for both elementary and middle schools. Provisions of the bill require that 2003-2004 testing results are given to teachers early. Teachers like to receive test results by the end of the school year. He explained that the proposed legislation does not prohibit social promotion; but does require a conscientious evaluation, using assessments as a measurement of student achievement of mastery or near mastery of a topic. He emphasized that this kind of reporting will help districts identify needs and know specifically what to address when requesting more funding. Rep. Frandsen requested committee members share their concerns about the legislation with Sen. Stephenson or Rep. Alexander before the next meeting. Sen. Stephenson noted that the proposed legislation was unanimously supported by all task force members in attendance at its last meeting.

6. Charter Schools Proposed Legislation - Mr. Wilson reviewed the differences between the two bills which are before the committee. He noted that both pieces have removed the pilot program clauses. Legislation introduced by Sen. Stephenson proposes to increase the number of charter schools which may be created each year.

Mr. Laing said charter schools is a pilot program and policies directing all their activities are not fixed. It is the view of State Office of Education and the Board of Education that eliminating the stigma of "pilot status" would allow charter schools an opportunity to demonstrate their ability to provide educational services specified in their charter. He said the board will not support more charter schools until the schools have had time to prove themselves. The board and the state office feel it is important to complete the three-year pilot time period before authorizing expansion for more charters.

Ms. Linda Ogden reviewed a resolution from the Utah School Boards Association recommending that following the 2003-4 school year, an independent study and evaluation take place before removing the pilot designation or authorizing more charter schools. The School Boards Association recommends that the pilot program designation expire before expanding the number of new schools. The association also recommends, following the pilot period, that charter schools be administered and authorized by local districts, as initially intended.

Ms. Marguerite Driessen, Professor at BYU's College of Law, expressed concern over resistance to expanding the program. She spoke in favor of removing the limitation on the number of charter schools allowed. She distributed information suggesting how much more funding school districts would have if they supported charter schools and reduced the number of students in public schools.

Ms. Judy Arnold, a parent from Cedar Hills, Utah, said 53 studies on charter schools have been completed. She believes that funds will not be taken from existing public schools since only a portion of the weighted pupil unit (WPU) would be used; and that amount would follow the student attending the charter school, leaving the balance for local districts. Charter schools help over crowding and are for students with special needs or interests.

Sen. Steele explained that eliminating the word "pilot" from the bill would not remove charter school evaluations. He explained that his proposed bill permits charter schools to continue and receive evaluation. Removing the pilot program designation would help with recruiting, with parental support, and with the willingness of prospective teachers to accept a job at a charter school knowing it is not a temporary position.

Sen. Stephenson said his proposed bill contains all elements of the other bill, but increases the number of charter schools by 4 each year and provides for an additional one-half of the local portion of funding to place them on par with regular public schools. He noted that a student in a charter school receives the total WPU, but only 1/2 of the local funding. He said charter schools receive only 3/4 of the amount received by a regular public school, but accomplishes more by way of smaller class size.

Committee members asked clarifying questions. Members of the audience were permitted to speak to the proposed bills. Ms. Stephanie Anderson, Highland, Mr. And Mrs. Jim Peterson, Cache Valley, Ms. Debbie Besselievre, Cedar Hills, Mr. Ken Holmstead, Linden, spoke in favor of continuing charter schools and expanding the number of charter schools allowed.

Ms. Karen Derrick, SLC School District, Ms. Bonnie Palmer, Utah Schools Boards Association, and others spoke against meeting the needs of some at the expense of meeting the needs of select others through charter schools.

7. Adjournment

MOTION: Rep. Rowan moved to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 5:35 p.m.