

**MINUTES OF THE  
EDUCATION INTERIM COMMITTEE**

Wednesday, August 15, 2012 – 2:00 p.m. – Room 30 House Building

**Members Present:**

Sen. Howard A. Stephenson, Senate Chair  
Rep. Francis D. Gibson, House Chair  
Sen. Lyle W. Hillyard  
Sen. Karen W. Morgan  
Sen. Wayne L. Niederhauser  
Sen. Aaron Osmond  
Sen. Jerry W. Stevenson  
Rep. Johnny Anderson  
Rep. Patrice M. Arent  
Rep. LaVar Christensen  
Rep. Steven Eliason  
Rep. John G. Mathis  
Rep. Kay L. McIff  
Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold

Rep. Jim Nielson  
Rep. Val L. Peterson  
Rep. Marie H. Poulson  
Rep. Kenneth W. Sumsion

**Members Absent:**

Sen. Daniel W. Thatcher  
Rep. Gregory H. Hughes  
Rep. Bill Wright

**Staff Present:**

Ms. Allison M. Nicholson, Policy Analyst  
Ms. Constance C. Steffen, Policy Analyst  
Ms. Angela Oakes Stallings, Associate General Counsel  
Ms. Debra Hale, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Gibson called the meeting to order at 2:26 p.m.

Ms. Steffen distributed to committee members an education policy brief entitled "Student Assessment and School Accountability in Utah." She explained that the brief was prepared to provide committee members an overview of the state's student assessment and school accountability systems, including recent changes to those systems and further changes the committee and the Legislature may consider in the coming months.

**MOTION:** Sen. Osmond moved to approve the minutes of the June 20, 2012 meeting. The motion passed unanimously. Sen. Hillyard and Rep. McIff were absent for the vote.

**2. Elementary and Secondary Education Act (ESEA) Flexibility Waiver**

Dr. Larry Shumway, State Superintendent, explained that to fulfill the state's educational priorities, the State Board of Education requested and received a waiver from certain requirements of the Elementary and Secondary Education Act (ESEA) also known as No Child Left Behind.

Dr. Judy Park, Associate Superintendent, Utah State Office of Education, distributed handouts entitled "Utah ESEA Flexibility" and "Utah Comprehensive Accountability System" (also included in the mailing packet), which describe the components of the waiver. She noted that the waiver requires the state to implement measures that it has been working on for a couple of years, including: 1) college- and career-readiness standards; 2) an accountability system; 3) educator evaluation; and 4) a reduction of duplicative and burdensome reporting requirements. Dr. Park further explained that the accountability system that will be implemented was developed as directed by the school grading bill passed by the Legislature in 2011.

She said that the accountability system will replace the federal AYP (annual yearly progress) system and the former state U-PASS accountability system.

### **3. Utah Data Alliance (UDA) and the State Longitudinal Data System**

Dr. Shumway described the UDA as a group of agencies working collaboratively to provide information to policymakers. He noted that there are concerns which he shares regarding the accuracy, use, and security of the data and added that personally identifiable information or nonaggregated data will not be shared outside the state.

Dr. John Brandt, Director, UDA, introduced Dr. Andrea Rorrer, Director, Utah Education Policy Center, who gave a presentation on the UDA and distributed a handout entitled "Utah Data Alliance." Dr. Rorrer emphasized that individual or personally identifiable data are not available outside the UDA environment. She added that UDA coordinates and conducts research and analyses to answer questions about the success of policies, programs, and services at all levels of education and career training. She said that the integrated, longitudinal data system is a shared data repository which contains multiple points of data spanning Pre-K to the workforce.

### **4. Report on Utah's Core Standards and Participation in the Smarter Balanced Assessment Consortium**

Dr. Shumway stated that the State Board of Education will be issuing a request for proposals for an assessment system and, to avoid any conflict of interest, the board withdrew from the Smarter Balanced Assessment Consortium. He asserted the board is open for suggestions on how to improve the core standards and informed the committee of an online portal the public can use to submit suggestions for modifying the core standards.

### **5. Common Core**

Mr. James Stergios, Executive Director, Pioneer Institute, Boston, Massachusetts, submitted his written testimony to the committee, which presents four concerns regarding the Common Core national standards and assessments.

Mr. Ted Rebarber, CEO, AccountabilityWorks, Bethesda, Maryland, stressed his concerns regarding: 1) the low level of the college-readiness standards of the Common Core in the subjects of reading, English, and math; 2) the implementation of the national standard assessments of the Common Core and how it limits the state's ability to innovate; and 3) the steady pattern of federal encroachment in education.

Ms. Stallings clarified that a state is not required to adopt the Common Core to obtain an ESEA flexibility waiver. Although Utah's approved request for an ESEA flexibility waiver notes that Utah has adopted the Common Core, the state may modify the standards and either seek to amend the terms of its flexibility request or abandon the flexibility request.

Ms. Stallings explained that Utah is most likely allowed to modify the Common Core for the following reasons: 1) the National Governor's Center for Best Practices and the Council of Chief State School Officers have granted a public license for use of the Common Core standards in whole or in part for

purposes that support the Common Core State Standards Initiative; 2) under the terms of an agreement to adopt the Common Core, a state may supplement the Common Core standards up to 15 percent; and 3) representatives of the Common Core State Initiative have indicated that there is no plan to prohibit a state from modifying the Common Core.

Dr. Shumway and Ms. Debra Roberts, Chair, State Board of Education, were asked to address their plans for the review and consideration of changes to the core standards. Dr. Shumway stated that the suggested changes to the core received through the online portal could be made available to the committee.

Ms. Roberts asserted the State Board of Education will continuously question its current standards, assessments, and professional development and work to improve its standards and policies to meet the educational needs of the state's students, their parents, and their educators. She clarified that the RFP (Request for Proposals) for assessments will result in a contract between the board and the assessment vendor it hires, not a contract between the board and the federal government. If core standards change, the assessments will change.

Sen. Stephenson distributed written comments on the Common Core submitted by Dr. Sandra Stotsky and Mr. David N. Cox. He also distributed an excerpt from *Controlling Education from the Top - Why Common Core is Bad for America* entitled "Exhibit B - Statement of Ze'ev Wurman regarding Common Core Mathematics Standards - April 18, 2012." Utahns Against Common Core distributed a handout, "Common Core Math & English Language Arts Standards."

## **6. Other Items/Adjourn**

**MOTION:** Rep. Peterson moved to adjourn the meeting. The motion passed unanimously, with Sen. Hillyard, Sen. Morgan, Sen. Niederhauser, Sen. Stevenson, Rep. Arent, Rep. McIff, Rep. Moss, Rep. Newbold, Rep. Poulson, and Rep. Sumsion absent for the vote.

Chair Gibson adjourned the meeting at 5:34 p.m.