

UTAH STATE BOARD OF EDUCATION MEETING MINUTES
June 11, 2020

A special meeting of the Utah State Board of Education was held June 11, 2020. The meeting was held electronically via videoconference due to the COVID-19 pandemic. The meeting was streamed live to the public. Chair Mark Huntsman presided.

Members Present:

Chair Mark Huntsman
Vice Chair Brittney Cummins
Member Laura Belnap
Member Michelle Boulter
Member Janet A. Cannon
Member Cindy Davis
Member Jennie Earl

Member Jennifer Graviet
Member Scott L. Hansen
Member Mike Haynes
Member Carol Barlow Lear
Member Marsh R. Marsh
Member Shawn E. Newell
Member Laurieann Thorpe

Members Absent:

Member Scott B. Neilson

Executive Staff Present:

Sydnee Dickson, State Superintendent
Scott Jones, Deputy Superintendent
Patty Norman, Deputy Superintendent
Angie Stallings, Deputy Superintendent

Minutes taken by:

Lorraine Austin, Board Secretary

Others Present:

Bryan Quesenberry, Michelle Beus—Assistant Attorneys General; Patricia Doxey—Leavitt Group; Lincoln Fillmore—Utah State Senate; Darin Nielsen, Debbie Davis, Jill Curry, Kathleen Britton, Kathy Helgesen, Leah Voorhies, Sarah Young, Tiffany Stanley, Whitney Phillips, Jerry Record, Alex Farah, Jeff Van Hulten, Corby Eason, Cathy Jensen—USBE staff

Opening Business

Chair Mark Huntsman called the meeting to order at 1:05 p.m. He announced that a meeting of the Board has been called for June 18, 2020.

General Consent Calendar

Member Earl requested that items 2.2—Data Sharing Agreement Request and 2.3—United Way Co-sponsorship be pulled.

MOTION was made by Member Marsh and seconded that the Board approve the General Consent Calendar, as amended.

Motion carried.

Consent Calendar

2.1 Approval of Meeting Minutes

Minutes of the Board's May 28, 2020 meeting were approved.

2.2 Data-Sharing Agreement Request

This item was pulled for further discussion.

2.3 Co-sponsorship with United Way

This item was pulled for further discussion.

Item 2.2 Data-sharing Agreement

Member Earl expressed a concern that in the requested data-sharing agreement with the Division of Workforce Services, data is being transferred without the knowledge of the individual who signed up for the program, and that she would like to have families notified first.

Kathleen Britton, USB E Director of Child Nutrition Services, provided information that federal law requires that it be stated on the application when signing up for the program that the data may be shared with other USDA programs and the individual is giving authorization to do so.

MOTION was made by Member Earl and seconded that the Board approve the Interagency Data-sharing Agreement between the Utah State Board of Education and the Department of Workforce Services, as requested.

Motion carried, with Members Boulter and Earl opposed.

Item 2.3 United Way Co-sponsorship

Tiffany Stanley, Chief of Staff, provided clarification concerning the co-sponsorship with United Way to, among other things, encourage students to read over the summer. Resources are being curated through Promise Partnership—a group that includes school districts.

Senator Fillmore Resolution

Senator Lincoln Fillmore presented a resolution he is sponsoring to honor the graduating class of 2020. The resolution will be presented to the Utah Legislature in a special session next week.

Board members provided feedback on the resolution, recommending that the last paragraph encouraging schools to hold graduation ceremonies be changed, as most local education agencies (LEAs) have already held ceremonies in some form. Senator Fillmore suggested that the paragraph could be changed to congratulate LEAs on what they have done.

MOTION was made by Member Cummins and seconded that the Board support Concurrent Resolution Honoring the Graduating Class of 2020 with the suggested changes to lines 51-53.

Motion carried unanimously.

USB E Guidance Document

Superintendent Sydnee Dickson reported that a group including staff and several Board members have engaged with local and state health department representatives to talk about the way forward to provide recommendations for LEAs as they look at reopening schools. General guidelines have been embedded in the Governor's Utah Leads Plan, but more clarification is needed on how the Board fits into that space.

Tiffany Stanley, Chief of Staff, reviewed a document that outlines a proposed process and timeline for moving forward as expeditiously as possible to reopen schools. She reviewed key roles of the Governor's office, Utah Department of Health, local health departments, State Board of Education, local education agencies, and individual schools to inform the process. She also reported that it has been recommended the Board work with a cross-functional group to

propose amendments to the existing phased guidelines in the Utah Leads plan, that would come to the Board next week for approval.

Patricia Doxey from the Leavitt Group provided an overview of a proposed principles-based approach to establishing a framework and minimum requirements looking through a lens of how the virus behaves and complexity that school environments have, in order to mitigate risk.

MOTION was made by Member Cummins and seconded that the Board approve the process and timeline for clarifying and establishing minimum requirements for K-12 schools to operate under the Utah Leads Together Phased Guidelines.

MOTION was made by Member Hansen and seconded to amend the process document under the State Board of Education role to add the words, “minimum requirements” to read: “provide minimum requirements, guidance and recommendations to LEAs on operationalizing requirements.”

It was noted that the word “requirements” is not used anywhere else in the document. Ms. Stanley suggested that the word “guidelines” could be changed to “requirements” throughout the document.

Some members expressed concern that the Board establish requirements when that is under the Governor’s purview by executive order.

MOTION TO AMEND THE AMENDMENT was made by Member Davis and seconded to add “communicate” to the amendment to read: “communicate minimum requirements, and provide guidance . . .”

Amendment to the amendment carried.

Amendment, as amended carried.

Motion, as amended, carried unanimously; Members Belnap and Hansen absent.

Requests for Statutory Changes

Deputy Superintendent Stallings and Program Analyst Jill Curry reviewed requests staff have identified for potential changes to state statute.

MOTION was made by Member Thorpe and seconded that the Board direct staff to work with legislators on potential amendments to Utah Code, including:

- 1) Amend Section 53F-8-303 to allow school districts to use revenue generated by the Capital Levy to fund the school district's general fund for fiscal year 2021.
- 2) Amend provisions in Sections 53E-4-307.5, 53F-5-214, and 53F-5-215 (related to 2020 HB 114) due to budget cuts, including suspending or delaying the requirement for the Board to approve, and LEAs to administer, a benchmark assessment to assess the mathematics competency of students in kindergarten and grades 1 through 3.
- 3) Amend Sections 53E-4-307 and 53F-4-201 (related to 2020 SB 73) due to budget cuts, including suspending or delaying the requirement for the Board to approve, and LEAs to voluntarily administer, a benchmark reading assessment system for students in grades 4 through 6.
- 4) Amend Section 53G-9-802 to waive the requirement for the 2020-21 school year for an LEA to enter into a contract with a third party to provide dropout prevention and recovery services under certain circumstances.

Motion carried unanimously; Member Hansen absent.

Waivers from Board Rule

Deputy Superintendent Stallings reviewed proposed waivers to Board rule.

MOTION was made by Member Cannon and seconded that due to pending budget adjustments to the fiscal year 2021 budget, the State Board of Education waives the requirement in subsection R277-490-4(4) that the Board designate an LEA or a consortium for Beverley Taylor Sorenson Elementary Arts Learning Program funding no later than June 1 annually and extends the deadline for staff to notify an LEA or consortium of their eligibility for Program funds to no later than July 15, 2020.

Motion carried unanimously.

Deputy Superintendent Stallings provided an update on the work staff is doing to consider the 180-day and 990-hour requirement in R277-419.

Board members asked to be provided data, as it becomes available, on the results of the online learning in the spring and what may be needed to improve the online learning experience for both students and teachers.

Adjournment

The meeting adjourned at 3:45 p.m.

[For additional information on items from the meeting, see General Exhibit No. 20-16.]

Lorraine Austin, Board Secretary
Minutes approved June 25, 2020