

UTAH STATE BOARD OF EDUCATION MEETING MINUTES
June 18, 2020

A special meeting of the Utah State Board of Education was held June 18, 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 Mark R. Marsh
Member Scott B. Neilson
Member Shawn E. Newell
Member Laurieann Thorpe

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:

Michelle Beus, Bryan Quesenberry—Assistant Attorneys General; Tiffany Stanley, Melissa Cano, Darin Nielsen, Jerry Record, Alex Farah, David Sallay, Kathy Helgesen, Jeffrey Van Hulten, Ben Rasmussen, Kathleen Britton, Zac Christensen

Opening Business

Chair Mark Huntsman called the meeting to order at 2:05 p.m. He announced that a special meeting of the Board has been called for June 25, 2020 to approve the fiscal year 2021 budgets.

Executive Session

MOTION was made by Member Belnap and seconded that the Board go into executive session for the purpose of discussing strategy on pending or reasonably imminent litigation.

Upon voice vote of Members Belnap, Boulter, Cannon, Cummins, Davis, Earl, Graviet, Hansen, Haynes, Huntsman, Lear, Marsh, Newell and Thorpe, the Board went into closed executive session at 2:10 p.m.

Those present included the Members above, Member Neilson, and Sydnee Dickson, Bryan Quesenberry, Michelle Beus, Debbie Davis, Lorraine Austin, Patty Norman, Scott Jones, Angie Stallings, and Jeff Van Hulten.

MOTION was made by Member Marsh and seconded that the Board come out of executive session.

Motion carried. The Board reconvened in open meeting at 2:47 p.m.

Requirements and Recommendations for Reopening Schools

Superintendent Sydnee Dickson provided an overview of work done with many stakeholders since the last Board meeting to develop a proposal for requirements and recommendations for reopening K12 schools to forward to the Governor.

Tiffany Stanley, Chief of Staff, reported on the process followed to develop the recommendations and presented the document, *School Reopening Plans*, for Board feedback. Board members reviewed the document and made the following recommendations for changes.

Plan Requirements Section:

- 3rd paragraph – put more emphasis on the statement (move to first under the requirements); change the statement to read: “Plans must be approved by local school board or charter school governing board in an open and public meeting and made available to the public on the local education agency’s website and each school’s website by August 1, 2020.”

Communication and Training Section:

- 1st bullet under Recommended (*Appoint a point of contact available for questions or specific concerns*) - move to State Required.

Accommodating Individual Circumstances Section:

- 2nd bullet under State Required – change to read: *Take reasonable steps to minimize and mitigate risk for employees who identify as high-risk as outlined in the Utah Leads Together Plan and by ADA.*
- 1st bullet under Recommended – add “to the extent of resources available” to the end of the sentence.

Enhanced Environment Hygiene & Safety Section:

- 3rd bullet under Recommended – add “at least daily.”
- 1st bullet under Recommended (*Make hand sanitizer, etc.*) - move to State Required.
- 2nd bullet under State Required - add, “(e.g. masks or shields) . . .”
- Add a bullet under Recommended to read: *Assist local health department should they require contact tracing.*

School Schedules Section:

- 1st bullet under Recommended – add, “and alternative childcare arrangements.”

School Setting – Classrooms:

- 1st bullet under Recommended (*Staff wear face coverings, etc.*) – delete as it is already in the general school category.
- 3rd bullet under Recommended (*Implement remote or other learning options, etc.*) – delete as it is also in the high-risk section.
- 4th bullet under Recommended (*Assign seats and/or small groups to support contact tracing*) – move to Enhanced Environment Hygiene & Safety Section and reword as: *Work with local health department to support contact tracing; OR Assist local health department should they require contact tracing.*

MOTION was made by Member Cummins and seconded that the Board:

1) Approve the proposed LEA school reopening plan requirements with the recommended amendments as written, with two exceptions:

- Under the Enhanced Environment Hygiene & Safety section, strike the wording, “Work with local health department to support contact tracing; OR” and move the language: “Assist local health departments should they require contact tracing,” to the Recommended section;
- Under the Accommodating Individual Circumstances section, change the wording in the 2nd bullet to read: “Take reasonable steps to minimize and mitigate risk for employees who identify as high-risk as outlined in the Utah Leads Together Plan and by ADA;”

2) Request that the Governor replace the current K12 school requirements in the Utah Leads Together “Color-Coded Phased Guidelines” under the yellow and green risk phases with a reference to the LEA school reopening plan requirements document.

MOTION to amend was made by Member Belnap and seconded to strike the proposed wording, “in the Utah Leads Together Plan and” under the Accommodating Individual Circumstances Section, to read: “Take reasonable steps to minimize and mitigate risk for employees who identify as high-risk as defined by ADA.”

MOTION was made by Member Hansen and seconded that action on the motion be postponed and the meeting extended for further discussion.

Motion to postpone failed, with Members Boulter, Cannon, Davis, Earl, Hansen, Lear and Newell in favor, and Members Belnap, Cummins, Gravier, Haynes, Huntsman, Marsh, Neilson, and Thorpe opposed.

MOTION to amend the amendment was made by Member Cummins and seconded to strike the words “as outlined by ADA,” to read, “Take reasonable steps to minimize and mitigate risk for employees who identify as high-risk.”

Amendment to the amendment carried unanimously.

Amendment, as amended, carried unanimously.

MOTION to amend was made by Member Davis and seconded to add the statement to the document: “Requirements are in place as long as the Governor’s Executive Order is in effect.”

Amendment carried unanimously.

MOTION to amend was made by Member Belnap and seconded to add:

1) require LEAs to use a USBE planning template as a mechanism to support and ensure LEAs apply a principles-based, problem-solving framework as a way to assess and mitigate risk from COVID-19; and 2) require LEAs to submit the template to USBE as an assurance by August 1, 2020.

Amendment carried, with Members Boulter and Earl opposed, and Member Davis abstaining.

MOTION to amend was made by Member Boulter and seconded that under the Transportation section the language, "Assign seating to support contact tracing," be moved from Required to Recommended.

Amendment carried, with Members Belnap, Boulter, Cummins, Davis, Earl, Graviet, Haynes, Huntsman, Marsh, Neilson, Newell, in favor, and Members Hansen, Lear and Thorpe opposed; Member Cannon absent.

Motion, as amended—*that the Board: 1) Approve the proposed LEA school reopening plan requirements, as amended; and 2) request that the Governor replace the current K12 school requirements in the Utah Leads Together "Color-Coded Phased Guidelines" under the yellow and green risk phases with a reference to the LEA school reopening plan requirements document*—carried 10-4. Members Belnap, Cummins, Davis, Graviet, Haynes, Huntsman, Neilson, Newell, Marsh and Thorpe in favor, and Members Boulter, Earl, Hansen and Lear opposed; Member Cannon absent.

Adjournment

The meeting adjourned at 6:30 p.m.

[For additional information on items from the meeting, see General Exhibit No 20-17.]

Lorraine Austin, Board Secretary
Minutes approved June 25, 2020