

**UTAH STATE BOARD OF EDUCATION
LEGISLATIVE MEETING**

February 16, 2012

Minutes of the State Board of Education Legislative meeting held February 16, 2012 at the Utah State Office of Education, Salt Lake City, Utah. Chair Debra Roberts presided.

Board Members Present:

Member Dixie Allen
Member Kim Burningham
Member Leslie Castle
Member David Crandall

Member James Olsen
Member Mark Openshaw
Member Tami Pyfer
Member Debra Roberts

Members Participating Electronically:

Member Laurel Brown
Member Keith Buswell
Member Joel Coleman

USOE Staff Present:

Larry Shumway, State Superintendent
Martell Menlove, Deputy Supt.
Brenda Hales, Associate Superintendent
Todd Hauber, Associate Superintendent
Natalie Grange, Internal Auditor
Carol Lear, Director, School Law
Larry Newton, Finance Director
Elizabeth Ziegler, Social Media Director

Chair Debra Roberts called the meeting to order at 12:13 p.m.

Board Priority Bills

Deputy Superintendent Martell Menlove updated the Board on its priority bills and the following action was taken.

HB 230 Utah Schools for the Deaf and the Blind Amendments - Recommendations from the Board's USDB Task Force and USDB Committee have been included in the bill, with the exception of the membership of the USDB Advisory Council. Member Joel Coleman and other board members expressed their disappointment that the change hadn't been made, because it was significant.

Motion was made by Member Joel Coleman and seconded by Member Janet Cannon that the Board continue to support HB 230, but direct Dr. Menlove to take the concerns voiced back to Representatives Seelig and Handy. Motion carried.

Budget Discussion

Superintendent Larry Shumway reported on actions from the Education Appropriations Subcommittee meeting held on February 15. Fourteen of the sixteen Board priorities were listed as a committee priority. The restoration of at-risk funding and high cost special education items were not included.

After the budget priority list was approved, the Appropriations Subcommittee moved to a discussion of two handouts that were distributed at the meeting. The handouts were not noticed or available to the public prior to the meeting, and no opportunity was given for input from USOE staff or the public. The first handout contained budget motions; the second included proposed statutory/intent language. The concepts were approved with the indication that committee chairs, in consultation with staff, would prepare intent language and then incorporate that language into legislation that will be forthcoming. All items on the intent language handout, with the exception of #1 regarding public education and higher education course delivery alignment, were accepted. This now provides basis for intent language on some major concepts to be written and incorporated into legislation. If the intent language is rolled into the general budget bill that is usually passed near the end of the session, it may not get much public scrutiny. [For complete details, see General Exhibit 11846.]

Motion was made by Vice Chair Dixie Allen and seconded by Member Janet Cannon that the Board write a letter to legislative leadership, and make it available to the press, expressing concerns about the process that was followed and questioning whether the process was outside the legislature's regular procedures. Motion carried.

Member Joel Coleman left the meeting at 1:00 p.m.

Presentations from LegislatorsRepresentative Ken Ivory and Representative Roger Barrus

Representative Ivory distributed information regarding HB 148 *Transfer of Public Lands Act* and discussed the legislation. He indicated the most critical aspect of the bill is to set a deadline. The goal is to create a governing partnership relationship. Representative Barrus discussed HJR003 *Joint Resolution of Federal Transfer of Public Lands*. [For complete details, see General Exhibit 11847.]

Member Keith Buswell left the meeting at 1:35 p.m.

Senator Ben McAdams - SB54 Amendments Related to Education Funding

Senator McAdams outlined three changes that his bill would put into statute to provide additional funding for public education: 1) revise personal deductions - take inflation out of the personal exemption; 2) freeze minimum basic levy (.0016) as long as it is below the funding floor; and 3) as new revenues come into the general fund, another 30 percent of sales tax growth dedicated to education would be added.

Actions on Legislation

SB 175 School Grading Amendments - Motion was made by Member Kim Burningham and seconded by Member Dixie Allen that the Board support SB 175. Motion carried; members Buswell and J. Coleman absent.

SB 54 Amendments Related to Education Funding - Motion was made by Member Janet Cannon and seconded by Member Kim Burningham that the Board support SB 54. Motion carried; Members Buswell, J. Coleman, and Crandall absent.

SB 67 Teacher Effectiveness and Outcomes Based Compensation - Motion was made by Vice Chair Dixie Allen and seconded by Member Janet Cannon that the Board put a position of "hold" on the bill. Motion carried; Members Buswell, J. Coleman absent.

HB 148 *Transfer of Public Lands Act and Related Study* - Motion was made by Member Kim Burningham and seconded by Vice Chair Dixie Allen that the Board support the concept in HB 148. Motion carried; Members Buswell, J. Coleman, and Pyfer absent.

HB 370 *Education on Free Enterprise System* - Motion was made by Vice Chair Dixie Allen and seconded by Member Kim Burningham that the Board oppose HB 370 as unnecessary. Motion carried; Members Buswell and J. Coleman absent.

Motion was made by Member David Crandall and seconded by Vice Chair Dixie Allen that the meeting adjourn. The meeting adjourned at 2:00 p.m.

Lorraine Austin, Secretary to the Board

Approved April 13, 2012