

**UTAH STATE BOARD OF EDUCATION
LEGISLATIVE MEETING MINUTES**

February 27, 2014

A legislative meeting of the Utah State Board of Education was held February 27, 2014 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted.

Members present:

Chair David L. Crandall
Vice Chair David L. Thomas
Member Dixie L. Allen
Member Kim R. Burningham
Member Keith M. Buswell
Member Leslie B. Castle

Member Barbara W. Corry
Member Kristin Elinkowski (non-voting)
Member Dan Griffiths
Member Heather Groom
Member Jennifer Johnson
Member Jefferson Moss

Members excused:

Member Freddie Cooper (non-voting)
Member Marlin Jensen (non-voting)
Member Michael Jensen

Member C. Mark Openshaw
Member R. Dean Rowley (non-voting)
Member Teresa L. Theurer (non-voting)

Executive staff present:

Martell Menlove, State Superintendent
Brenda Hales, Deputy Superintendent
Judy Park, Associate Superintendent

Bruce Williams, Associate Superintendent
Lorraine Austin, Board Secretary

Others present:

Sharon Gallagher-Fishbaugh, UEA; Jennifer Boehme, Jordan Education Association; Tom Nedreberg, UEA; Jan Ferre, LCPD; Hilaree Stephens, Northern UniServ; Laura Belnap, Utah Online School K-12; Emilie Wheeler, USBE; Michelle Davis, USOE; Aaron Brough, USOE; Roxana Orellana, USOE; Patty Murphy, USOE; Natalie Grange, USBE; Mary Shumway, USOE; Sydnee Dickson, USOE; Heidi Alder, USOE; Keith Lawrence, USOE; Pat Rusk.

Call to Order

Chair David Crandall called the meeting to order at 12:03 p.m.

Legislation

Superintendent Martell Menlove updated the Board on legislation, and reported that the updated revenue projections will be announced tomorrow.

School Land Trust legislation was discussed. Legislation would give the Board authority to both hire and fire the School Children's Trust Section Director. Concern was expressed that the Superintendent maintain some supervision of the Director. Member Roberts requested that if the legislation passes, the Board put the Superintendent's role in rule.

Discussion with Legislator

Representative Jacob Anderegg was welcomed to the meeting. He gave a presentation and distributed information about centralizing technology infrastructure and support for schools through the state Division of Technology Services (DTS). He extended an invitation for the Board to work with him in the future to put together a plan.

He also expressed concerns about the security of student data and invited the Board to give him input on his bill, HB 169 *Student Privacy Act*. Superintendent Menlove responded that the Board is also very concerned with student data security. He indicated that most of the data collected is required by state or federal law.

Action on Legislation

MOTION was made by Member Corry and seconded by Member Roberts that the Board support HB 168 *School and Institutional Trust Lands and Funds Management Provisions*.

Motion carried; Member Griffiths absent.

MOTION was made by Member Thomas and seconded by Member Moss that the Board support SB 219 *Public Education Utah Professional Practices Advisory Commission*, only if lines 42 (after "as defined by board rule") through 47, having to do with the specific makeup of the Commission, are removed.

Motion carried, with Members Castle, Crandall, Griffiths, Groom, Johnson, Moss, Openshaw and Thomas in favor, and Members Allen, Burningham, Buswell, Corry and Roberts opposed.

ESEA Flexibility Waiver Extension Request

Superintendent Menlove distributed information about federal ESEA Flexibility Waiver Extension requests. The USOE has not received the Part B monitoring report from the U.S. Department of Education, and a request cannot be made until the report is received. Once the report is received, Utah would need to apply for a waiver extension within 60 days. Dr. Menlove committed that the request will be brought to the Board prior to asking for a waiver extension. He will also include updates of contacts with the Department in his Superintendent's Report to the Board.

Utah Public Education Coalition Participation

Chair Crandall indicated that Board members have expressed some concerns about the Board's participation, membership and role with the Utah Public Education Coalition, of which it is a member, along with the State Office of Education.

Superintendent Menlove gave some background about the Coalition, which has met on a regular basis since 1980. He expressed discomfort with the Coalition giving equal voting status to USOE members and Board members on the Coalition. The Coalition's Rules of Inclusion were distributed and reviewed.

He felt Coalition members recognized that the various members of the Coalition have different background and makeup and the Board is the only member that is constitutionally recognized. He also voiced the benefits of participating on the Coalition, and asked that if the Board chooses to alter its formal membership, they don't alter the ability of the Superintendent and Board members to attend and participate in the discussions.

Chair Crandall outlined other issues for which he has concerns, including how membership is determined and using public funds to staff the Coalition. He suggested obtaining an opinion from the Attorney General on the legality of the Board's participation.

Several members spoke in favor of the Board continuing its participation on the Coalition and the importance of keeping the lines of communication open, whether a voting member or not.

Superintendent Menlove clarified that the legislative bill tracking sheet distributed to Coalition members is a USOE document, and does not belong to the Coalition. It is done as a service to the Board and the public.

Adjournment

Motion was made by Member Johnson and seconded by Member Allen that the meeting adjourn.

Motion carried. The meeting adjourned at 2:05 p.m.

Lorraine Austin, Board Secretary
Minutes approved April 4, 2014