

UTAH STATE BOARD OF EDUCATION
Meeting Minutes

January 12, 2023, Board Meeting
9:00 AM. – 5:30 PM.

A regular Utah State Board of Education meeting was held on January 12, 2023. Chair Moss presided. As authorized by Utah Code 52-4, this meeting was held at the state board offices, 250 E. 500 S, Salt Lake City, Utah. The public can view the meeting through live YouTube streaming.

Members Present

Chair James Moss	Member Carol Barlow Lear
First Vice-Chair Molly Hart	Member Matt Hymas
Member Christina Boggess	Member Kristan Norton
Member Brent J. Strate	Member LeAnn Wood
Member Sarah Reale	
Member Cindy Davis	Member Carol Barlow Lear
Member Emily Green	Member Joseph Kerry

Members Present Online:

Second Vice-Chair Jennie Earl
Member Randy Boothe
Member Natalie Cline

Executive Staff Present

Sydnee Dickson, State Superintendent
Patty Norman, Deputy Superintendent
Scott Jones, Deputy Superintendent
Angie Stallings, Deputy Superintendent
Leah Voorhies, Assistant Superintendent
Darin Nielsen, Assistant Superintendent

Minutes were taken by:

Cybil Child, Executive Assistant

Others Present

Amanda Reale, Mike Green, Susan Patten, Carly Empey, Lexi Cunningham, Stacey Mollinett, Corey Fairholm, Mara Hammer, Debbie Davis, Rapunzel Stiltskin, Tracey Vandeventer, and Jay Blain.

[Opening Business](#)

Chair Moss called the meeting to order and roll call at 9:00 AM.

Oath of Office

Utah Lieutenant Governor Deidre Henderson and Brittney Cummins, Governor's Senior Advisor for Education, joined the board meeting for the swearing-in of the board members. Lieutenant Governor Deidre Henderson read the Oath of Office with Members Christina Boggess, Emily Green, Joseph Kerry, Carol Barlow Lear, Sarah Reale, LeAnn Wood, and Jennie Earl.

Board Member Message

Board Member Randy Boothe shared a welcome message.

Education Highlight

Kelsey James, Board's Communications Coordinator, lead the monthly education highlight.

[Utah Schools for the Deaf and the Blind \(USDB\)](#)

Monthly Budget Update as of November 30, 2022

Mr. Empey provided board members with a monthly budget update as of November 30, 2022.

USDB Overview

Superintendent Coleman, Associate Superintendent Tanner and Associate Superintendent Patten provided the board members with an overview of USDB services.

USDB Superintendent's Report

Superintendent Coleman provided an update to board members on USDB events.

USBE Superintendent's Report

Acknowledgment of Student Artwork

Rachel Colledge, USBE Education Specialist for Fine Arts, Music, and Theatre, presented the student artwork.

Employee Recognition

State Superintendent recognized Melissa Cowder, as the January Employee of the Month.

Superintendent's Report

Superintendent Dickson presented her monthly report.

General Consent Calendar

Member Cline requested that items 5.2 Contracts/Agreements for Approval and 5.2.1 More Rigorous Interventions for Low Performance Comprehensive Support and Improvement (CSI) schools pulled from the consent calendar.

MOTION was made by Member Hymas and seconded by Member Lear to approve the consent calendar, minus Items 5.2 and 5.2.1.

The **motion** passed unanimously.

MOTION was made by Member Kerry and seconded by Member Boggess to postpone the approval of contracts/agreements for approval to be brought back to January 19, 2023, board meeting.

The **motion** failed with Members Cline, Kerry, and Boggess in favor and Members Boothe, Davis, Green, Hart, Hymas, Lear, Moss, Norton, Reale, and Wood opposed.

MOTION was made by Member Hymas and seconded by Member Lear to approve the consent calendar 5.2 and 5.2.1.

The **motion** carried with Members Boothe, Davis, Earl, Hart, Hymas, Lear, Moss, Norton, Reale, Strate, and Wood in favor and Members Boggess, Cline, Green, and Kerry opposed.

5.1 Contracts/Agreements for Review

The Board reviewed the contracts/agreements for review.

5.2 Contracts/Agreements for Approval

5.2.2 More Rigorous Interventions for Low Performance Comprehensive Support and Improvement (CSI) schools

The Board approved the recommendations of the state review panel to engage in more rigorous interventions for schools that do not qualify for exiting Comprehensive School Improvement status.

5.3 Approval of Meeting Minutes

The Board approved the minutes as presented.

[Monthly Budget Report](#)

Monthly Budget Report

Scott Jones, Deputy Superintendent of Operations, and Deborah Jacobson, Assistant Superintendent of Operations, presented the Board of education's monthly budget report. In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education is provided a report on the status of funds for their internal budgets.

Discretionary Funds Report

Scott Jones, Deputy Superintendent of Operations, and Deborah Jacobson, Assistant Superintendent of Operations, presented the Board of education discretionary fund report. Per the Money Management Act and the Budgetary Procedures Act the Utah State Board of Education is provided with a status of the funds. Deborah Jacobson, Assistant Superintendent, updated the Board on the FY2021 P-12 Discretionary Funds account.

Federal COVID-19 Relief Funding Update

Sara Harward updated federal COVID-19 relief funding status to support Utah K-12 schools and communities. The update will include the status of reimbursements to the field and a report on existing COVID-19 relief funding state projects.

[2023 General Session Legislation Preparation](#)

Requests for Statutory Changes

MOTION was made by Member Boggess and seconded by Member Green that the Board rescinds the previously approved requests for statutory change numbered 4 School Accountability System Redesign, 9 USBE Mission and Vision Alignment, 12 Utah School Safety Collaborative (USSC), and 14 Teacher Evaluation.

MOTION TO DIVIDE was made by Member Green and Member Kerry.

The **motion** passed unanimously.

MOTION was made by Member Boggess and seconded by Member Green that the Board rescinds the previously approved requests for statutory change number 4 School

Accountability System Redesign.

The **motion** failed with Members Boggess, Cline, Earl, Green, and Kerry in favor and Members Boothe, Davis, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood opposed.

MOTION was made by Member Boggess and seconded by Member Green that the Board rescinds the previously approved requests for statutory change number 9 USBE Mission and Vision Alignment.

The **motion** failed with Members Boggess, Cline, and Kerry in favor and Members Boothe, Davis, Earl, Green, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood opposed.

MOTION was made by Member Boggess and seconded by Member Green that the Board rescinds the previously approved requests for statutory change number 12 Utah School Safety Collaborative (USSC).

The **motion** failed with Members Boggess, Cline, Earl, Green, Hart, Kerry, and Moss in favor and Members Boothe, Davis, Hymas, Lear, Norton, Reale, Strate, and Wood opposed.

MOTION TO CALL THE QUESTION was made by Member Reale and seconded by Member Lear. The **motion** carried with Members Kerry and Boggess abstaining.

MOTION was made by Member Boggess and seconded by Member Green that the Board rescinds the previously approved requests for statutory change number 14 Teacher Evaluation.

MOTION TO AMEND was made by Member Davis and seconded by Member Strate that the Board amends the existing request by requesting the enactment of a voluntary pilot of a new educator evaluation that includes LEAs designated by the Board and one principal-directed goal.

MOTION TO POSTPONE was made by Member Davis and seconded by Member Lear that the Board postpones on request for statutory change number 14 Teacher Evaluation until the February Board meeting.

The **motion to postpone** carried with Members Boothe, Davis, Earl, Green, Hart, Kerry, Lear, Norton, Reale, Strate, and Wood in favor, and Members Boggess, Cline, and Hymas opposed.

Small District and Charter School Funding

Small District and Charter School Base Funding business case

MOTION was made by Member Davis and seconded by Member Earl that the Board requests an increase in the Small District and Charter School Base Funding business case of \$8.6 Million by an additional \$3,293,005 MM to be distributed to charter schools with 2,000 or less students.

The **motion** carried with Members Cline, Davis, Earl, Green, Hart, Hymas, Kerry, and Moss in favor, and Members Norton, Strate, Boggess, Boothe, Lear, Reale, and Wood opposed.

Finance Committee Report/Recommendations

Request for Use of Board Discretionary Funds

MOTION that the Board approves using \$150,000 in the State portion of the Board discretionary funds to enhance security methods at the USBE office, starting with physical security, for one year.

The **motion** carried with Member Cline opposed.

R277-100, Definitions for Utah State Board of Education Rules (Amendment)

MOTION that the Board approves R277-100, Definitions for Utah State Board of Education Rules, Draft 1, on the second and final reading.

The **motion** carried with Members Boggess, Cline, and Earl opposed.

State Fiscal Year 2022 Carry Forward Balance Status and Approval for ULEAD

MOTION that the Board approves the ULEAD spending plan for the unencumbered state fiscal year 2022 carry forward balances.

The **motion** carried with Members Boggess, Cline, and Green opposed.

School Construction Timeline and Review and Approval of the School Construction Resource Manual

MOTION that the Board approves the timeline for implementing the Governor's recommendations and the resource manual update as required by rule.

MOTION TO POSTPONE was made by Member Cline and seconded by Member

Bogges that the resource manual is postponed until all the links work, and there is a guarantee that those documents incorporated by reference will remain the same.

The **motion** failed.

The **motion** passed unanimously.

[Law and Licensing Committee Report/Recommendations](#)

R277-518, Career and Technical Education Licenses (Repeal)

MOTION that the Board repeal R277-518, Career and Technical Education Licenses, on the second and final reading.

The **motion** passed unanimously.

R277-610, Released-Time Classes and Public Schools (Continuation)

MOTION that the Board continues R277-610, Released-Time Classes, and Public Schools, on the second and final reading.

The **motion** passed unanimously.

[Standards and Assessment Committee Report/Recommendations](#)

Social Studies RFP Update

MOTION that the Board approves staff to begin the process of developing the steps to enter into an Interagency Agreement (IAA) with a Utah LEA or consortium of LEAs to produce the PreK-6 social studies curriculum aligned to the revised standards, including the details of the questions discussed in the Standards and Assessment Committee December 2, 2022.

MOTION TO AMEND made by Member Hart and seconded by Member Kerry that the Board Leadership assign two Board members to the committee that will refine the scope of work for the Interagency Agreement (IAA).

MOTION TO AMEND THE AMENDMENT was made by Member Davis and seconded by Member Lear that the Board assigns three Board members to the committee that will refine the scope of work for the Interagency Agreement (IAA).

MOTION TO AMEND THE AMENDMENT TO THE AMENDMENT was made by Member Davis and seconded by Member Strate to appoint Member Norton and that the Board Leadership assign two Board members to the committee that will refine the

scope of work for the Interagency Agreement (IAA).

The motion carried with Members Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, and Wood and with Members Boggess, Green, Boothe, and Cline.

MOTION, AS AMENDED, that the Board Leadership assigns two Board members to the committee that will refine the scope of work for the Interagency Agreement (IAA).

The **motion** failed with Members Hart, Hymas, Kerry, Moss, and Wood in favor and Members Boggess, Boothe, Cline, Davis, Earl, Green, Lear, Norton, Reale, and Strate opposed.

MOTION that the Board approves staff to begin the process of developing the steps to enter into an Interagency Agreement (IAA) with a Utah LEA or consortium of LEAs to produce the PreK-6 social studies curriculum aligned to the revised standards, including the details of the questions discussed in the Standards and Assessment Committee December 2, 2022.

MOTION TO AMEND was made by Member Davis and seconded by Member Lear that the Board amends the motion to limit the scope of work to only the standards approved by the Board.

The **motion** carried with Members Boothe, Cline, Davis, Green, Hart, Hymas, Kerry, Lear, Moss, Norton, Reale, Strate, and Wood in favor and Member Boggess opposed. Member Earl was absent.

MOTION, AS AMENDED, that the Board approves staff to begin the process of developing the steps to enter into an Interagency Agreement (IAA) with a Utah LEA or consortium of LEAs to produce the PreK-6 social studies curriculum aligned to the revised standards, including the details of the questions discussed in the Standards and Assessment Committee December 2, 2022, and the Board limits the scope of work to only the standards approved by the Board.

The **motion** carried with Members Boothe, Davis, Green, Hart, Hymas, Lear, Moss, Norton, Reale, Strate, and Wood in favor and Members Boggess, Cline, and Kerry opposed. Member Earl was absent.

R277-719, Standards for Selling Food Outside of the Reimbursable Meal in Schools
(Continuation)

MOTION that the Board continues R277-719 on the second and final reading.

The **motion** passed unanimously.

Executive Session

The motion was made by Chair Moss and seconded by Member Boggess that the Board moves into executive session for the purpose of 1) discussing the purchase, exchange, or lease of real property; 2) discussing the character and professional competence, or physical or mental health of individuals; and 3) strategy on pending or reasonably imminent litigation.

Upon voice vote of Members Boggess, Boothe, Cline, Davis, Earl, Green, Hart, Hymas, Kerry, Lear, Moss, Norton, Reale, Strate, and Wood, the Board went into closed session at 6:34 p.m.

Upon voice vote of all Members, the Board went into closed session.

Those present included the Members above, Scott Jones, Sydnee Dickson, Angie Stallings, Kelsey James, Cybil Child, Ben Rasmussen, and Bryan Quesenberry.

Executive Session Action Items

MOTION was made by Member Boothe and seconded by Member Lear that the Board comes out of executive session.

Motion carried. The Board reconvened in an open meeting at 7:59 P.M.

Executive Session Action Items**Educator Licenses**

MOTION was made by Member Norton and seconded by Member Hymas that the Board approves the UPPAC consent calendar recommendations.

The **motion** passed unanimously. Member Kerry and Earl were absent.

MOTION was made by Member Norton and seconded by Member Hart that the Board accepts the recommendation of UPPAC in

- Case No. 21-1853
The motion carried with Members Kerry and Earl were absent.
- Case No. 22-1869
The motion carried with Members Kerry and Earl were absent.
- Case No. 22-1885
The motion passed unanimously. Members Kerry and Earl were absent.
- Case No. 22-1896
The motion passed unanimously. Members Kerry and Earl were absent.

Committee Appointments**Assessment and Accountability Policy Advisory Committee (AAPAC)**

MOTION was made by Member Norton and seconded by Member Hart that the Board appoints the following individuals:

- France Barral – Salt Lake City, representing the parent vacancy for a four-year term.

The motion carried with Member Boggess opposed.

- Laura Reina, representing an assessment director for a four-year term
The motion passed unanimously.

Audit Committee Appointments

MOTION was made by Vic chair Hart and seconded by Chair Moss that the Board appoints the following board members to the audit committee:

- Chair Hart
- Vice chair Reale
- Matt Hymas
- Jennie Earl
- Carol Lear

The **motion** passed unanimously.

Adjournment

The meeting was adjourned at 8:04 pm.

Minutes were taken by Cybil Child, Board Secretary.

Minutes pending approval

DRAFT