

UTAH STATE BOARD OF EDUCATION LEGISLATIVE MEETING MINUTES

March 2, 2017

A legislative meeting of the Utah State Board of Education was held March 2, 2017 at the Utah State Capitol Complex, Senate Building E210 and Senate Building E115 (Olmsted Room), Salt Lake City, Utah. Chair Mark Huntsman conducted.

Board Members Present:

Chair Mark Huntsman	Member Lisa Cummins
1 st Vice Chair Terry Warner	Member Jennifer Gravier
2 nd Vice Chair Brittney Cummins	Member Linda B. Hansen
3 rd Vice Chair Alisa Ellis	Member Carol Barlow Lear
Member Laura Belnap	Member Scott B. Neilson
Member Michelle Boulter	Member Kathleen Riebe
Member Janet Cannon	Member Joel Wright

Board Members Excused:

Member Spencer F. Stokes

Executive Staff Present:

Sydnee Dickson, State Superintendent	Lorraine Austin, Board Secretary
Scott Jones, Deputy Superintendent	Emilie Wheeler, Communications Specialist
Rich Nye, Deputy Superintendent	
Angie Stallings, Deputy Superintendent	

Others Present:

Bryan Quesenberry, Michael Bell, David Thomas–Attorney General’s Office; Erin Preston; Marjorie Cortez–Deseret News; Ben Wood–Salt Lake Tribune; Diana Suddreth, Thalea Longhurst, Brent Page, Debbie Davis–USBE staff; Kim Frank, Craig Frank–Utah Charter Network; Trish Trammell–Academica West; Davi Johnson–Sutherland Institute; Jerry Allen; Shannon Dulaney–Iron County School District; Mary Nielson–Juab School Board; Nancy Tingey–Utah School Boards Association; Terry Shoemaker–Utah School Superintendents Association; Gaylia Tanner–Utah PTA; Ron White; Tami Pyfer, Karen Peterson–Governor’s Office; Marisa Wright; JJ Grant–Southeast Educational Service Center; Jay Blain–Utah Education Association; Chris Godfrey–Utah School Employees Association

Call to Order

Chair Mark Huntsman called the meeting to order at 12:10 p.m.

Report on Franklin Discovery Charter School

Dean Brockbank, State Charter School Board Member, and Jennifer Lambert, State Charter School Board (SCSB) Executive Director were welcomed to the meeting. They gave an overview of issues surrounding Franklin Discovery Charter School. Mr. Brockbank reported that the SCSB held three meetings last week to discuss concerns with the Franklin Discovery Academy, including student safety, financial propriety, and teacher licensure. On February 25 the SCSB voted unanimously to place the school on a formal probation through June 2017 to address those issues. As part of the probation it is required that the school hire a mentor, approved by the SCSB, to assist the school to work through the probationary process. Written and verbal reports to the SCSB will be required each month beginning in March.

Director Lambert expressed appreciation for the support of the Board and the Board's staff through this process. A team of USBE and SCSB staff went to the school last Friday to begin investigating the concerns.

Chair Huntsman complimented Director Lambert and the Charter Board for the quick response and for SCSB and USBE staff for their collaboration. The purpose of staff visiting the school was to gather information and present that information to the Charter Board so the board could make an informed decision. All was done with student safety the paramount concern.

Deputy Superintendent Jones provided more information about the findings of staff and indicated those concerns are outlined in a probation letter that was sent to the school today.

It was noted that Board Member Joel Wright is the school's legal counsel.

Board members questioned what the State Board of Education can do about a charter school where student safety is a concern, given the Board's constitutional charge for general control and supervision over public education.

Assistant Attorney General David Thomas referenced 53A-1a, Sections 509 and 510,

which give the charter authorizer authority if there is breach of the charter agreement to take direct action as outlined. The State Board of Education has authority to exercise rules that the authorizers must follow.

Review of Legislation

The Board reviewed S.B. 78 Second Substitute, Teacher Pedagogical Assessment.

MOTION was made by Member Riebe and seconded by Member Lear that the Board oppose S.B. 78.

Motion failed, with Members Boulter, Cannon, L. Cummins, Gravier, and Riebe in favor and Members Belnap, B. Cummins, Ellis, Hansen, Huntsman, Neilson, Warner and Wright opposed.

MOTION was made by Member Lear and seconded by Member Ellis that the Board take no position on S.B. 78 and ask Senator Millner to table the bill this year, and invite the senator to work with the Board's Licensing Task Force on the issues in the bill.

Motion carried 11-3, with Members Boulter, Cannon, L. Cummins, Ellis, Gravier, Hansen, Lear, Neilson, Riebe, Warner and Wright in favor, and Members Belnap, B. Cummins and Huntsman opposed.

The Board reviewed H.B. 397, Teacher Loan Program, H.B. 413, Public School Membership in Associations, and S.B. 234, School Turnaround Amendments.

Executive Session

MOTION was made by Member Belnap and seconded by Member Wright that the Board move into closed Executive Session for the purpose of discussing: 1) pending and reasonably imminent litigation; and 2) the character, professional competence and physical or mental health of individuals.

Upon voice vote of Members Belnap, Boulter, Cannon, B. Cummins, L. Cummins, Ellis, Gravier, Hansen, Huntsman, Lear, Neilson, Riebe, Warner and Wright, the Board moved into the Olmsted Room for executive session at 2:01 p.m.

Those present in Executive Session included the Board members listed above, and

Sydnee Dickson, Scott Jones, Angie Stallings, Lorraine Austin, Emilie Wheeler, Bryan Quesenberry, David Thomas, and Michelle Watts.

MOTION was made by Member Cannon and seconded by Member Riebe that the Board come out of Executive Session.

Motion carried. The Board reconvened in open meeting at 3:51 p.m.

Adjournment

MOTION was made by Member L. Cummins and seconded that the meeting adjourn.

Motion carried. The meeting adjourned at 3:51. p.m.

Lorraine Austin, Board Secretary
Minutes approved March 9, 2017