

## UTAH STATE BOARD OF EDUCATION SPECIAL MEETING MINUTES

September 22, 2020

A special meeting of the Utah State Board of Education was held September 22, 2020. Due to the COVID-19 pandemic, Board members participated via videoconference. 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 Shawn E. Newell  
Member Laurieann Thorpe

### Members Absent:

Member Scott B. Neilson

### 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; Debbie Davis, Jennifer Thronsen, Kathy Helgesen, Malia McIlvenna, Thalea Longhurst, Tami Gear, Jerry Record, Jeff Van Hulsten, Aaron Brough, Leah Voorhies, Jake Houtrouw, Jared Felt, Patrick Lee, Wendi Morton, Zac Christensen, Dale Frost, Darin Nielsen, Deborah Jacobson—USBE staff

### Opening Business

Chair Mark Huntsman called the meeting to order at 3:42 p.m. In accordance with the Utah Open and Public Meetings Act, the Chair read the following statement: *This meeting is being held electronically without an anchor location to reduce the risk to health and safety from COVID-19 by limiting the frequency of in-person meetings.*

### **Enrollment Counts**

Deputy Superintendent Scott Jones thanked the staff of local education agencies for a job well done to submit the September 9 early enrollment counts. Deputy Jones gave a presentation of the enrollment count estimates for Utah districts and charter schools for the 2020-2021 school year. As part of the presentation he reviewed a timeline for obtaining the counts and the data needed for decision-making on funding distribution, along with key considerations. He reminded the Board that there is a provision in statute for Board action if there is a loss in student enrollment of more than four percent.

### **State Fiscal Year 2020 Closing and Carryforward Balances**

A motion was brought forward from an item discussed in the Finance Committee's September 4, 2020 meeting for use of carryforward balances from fiscal year 2020.

**MOTION** from Committee that the Board approve the carryforward balance amounts and proposals as presented in the SFY2020 closing and carryforward spend plans.

It was suggested that an internal policy be created to outline standards, requirements, and restrictions for the spend plans.

Motion carried unanimously.

### **USB E/Alpine School District Settlement Agreement**

In May of 2020, USB E denied a request from the Alpine School District for state and federal intensive services funds for special education students in the district. Believing the costs were justified, Alpine District appealed the decision. To resolve the matter, the Board and Alpine District agreed to mediation.

Assistant Attorney General Bryan Quesenberry reported that since the Board's last meeting where the matter was discussed, a settlement agreed upon by both sides has been prepared and is ready for Board consideration.

**MOTION** was made by Member Davis and seconded that the Board accept and approve the proposed settlement agreement with Alpine School District.

Member concerns were raised that no evidence was provided if students would be denied special education services if a settlement is not made, and that Alpine's combined carryforward was substantial.

It was also suggested that the Board and staff review what caused the discrepancy and take any corrective actions necessary to prevent similar situations in the future.

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

### **Adjournment**

The meeting adjourned at 5:08 p.m.

[For additional information on items from the meeting, see General Exhibit No. 20-24.]

Lorraine Austin, Board Secretary  
Minutes approved October 1, 2020