

**UTAH STATE BOARD OF EDUCATION/UTAH SCHOOLS
FOR THE DEAF AND THE BLIND GOVERNING BOARD
MEETING MINUTES**

August 5, 2021

A regular meeting of the Utah State Board of Education/Utah Schools for the Deaf and the Blind Governing Board was held on August 5, 2021, at 250 E. 500 S., Salt Lake City, Utah. The meeting was held electronically and streamed to the public. Member Chair Huntsman presided.

Members Present

Chair Mark **Huntsman**
First Vice Chair Laura **Belnap**
Second Vice Chair Cindy **Davis**
Member Randy **Boothe**
Member Janet A. **Cannon**
Member Natalie **Cline**
Member Jennie **Earl**
Member Scott B. **Hansen**

Member Molly **Hart**
Member Stacey **Hutchings**
Member Matt **Hymas**
Member Carol Barlow **Lear**
Member James **Moss Jr.**
Member Kristan **Norton**
Member Brent J. **Strate**

Executive Staff Present

Sydnee Dickson, State Superintendent
Patty Norman, Deputy Superintendent
Angie Stallings, Deputy Superintendent
Deborah Jacobson, Assistant Superintendent
Leah Voorhies, Assistant Superintendent
Darin Nielsen, Assistant Superintendent
Jeffrey Van Hulten, Director of Public Affairs
Michelle Beus, Assistant Attorney General
Bryan Quesenberry, Assistant Attorney General
Joel Coleman, USDB Superintendent

Minutes taken by:

Cybil Child, Board Secretary

Others Present

Michleene Johnson
Sarah Young

Patrick Lee
Steve Henderson

Rita Brock
Michelle Watts

Tony Zani	Tracy Vandeventer	Dee W Grey
Zachary Christensen	Dale Frost	David Sallay
Erica Horsley	Jerry Record	Ben Rasmussen
Shelly Truelson	Tom Aushermon	Summer Lewis
Leslie Flynn	Candice Vogel	Ellie Vogel
Nikki Wolthuis	France Barral	Lisa Davis
Jessica Fiveash	Stacy Orawice	Tyler Poil
Douglas Forsgien	Royce Van Tassel	Gary Harter
Debbie Deem	Teryl Young	Solenne Songer
Rebecca Songer	Chris Horrocks	Deanne Katetauoz
Lori Hawthorne	Catherine Findlay	Sophia Anderson
Tyler Dastiari	Cory Kanth	Gina James
Dan Bazan	Brian Garreth	Alena Ericksen
Harmony Vanderhorst	Michael Anderson	Leisha Nolen
Emily Daily	Christina Boggess	Dr. Michael Andersen
Melissa Moore	James Sullivan	Kevin Leinbach
Laurel Fetzer	Al Jackson	Alena Ericksen
Alena Ericksen	Kelly Jones	Kierstin Glenn

Opening Business

Chair Huntsman called the meeting to order at 9:10 a.m.

Pledge of Allegiance

Member Lear started the pledge.

Board Member Message

Member Brent Strate gave the welcome message.

Employee Recognition

Michelle Watts, H.R. Director, introduced new USBE employees.

State Superintendent Sydnee Dickson recognized Cassidy Johnson, the August Employee of the Month.

President's Volunteer Service Award

Alan Griffin, USBE Education Specialist, introduced the President's Volunteer Service Award to Ellie Vogel. She spent 100 plus hours in volunteer service to earn the President's Volunteer Service Award.

Chair Huntsman passed the gavel to Vice Chair Belnap.

Purple Star Schools

Ben Rasmussen, Utah Military Interstate Children's Commission (MIC3) Commissioner, introduced the participating schools that were recognized for their achievements and shared background about the Purple Star Schools. With the adoption of recent amendments to R277-929, Utah has joined a growing number of states who are recognizing Purple Star Schools.

Purple Star Schools are schools that have established procedures to facilitate the transition when military families move into the area. These include a dedicated point of contact, student support to welcome the new student, staff training, and other steps to orient the family to the school. USBE, in conjunction with the Utah Department of Veterans and Military Affairs, recognized and presented an award to Utah's first group of Purple Star Schools.

Student Artwork

Cathy Jensen, USBE Education Specialist for Fine Arts, Music, Theatre presented the student artwork that was purchased from the 2021 Utah High School Art Show.

Vice Chair Belnap passed the gavel to Chair Huntsman.

Public Comment

Dee W Grey – a trans non-binary Utah parent, spoke about concerns with the new board rule R277-328, Educational Equity in Schools not allowing teachers to teach about empathy, cultural awareness, inclusion, and diversity.

Emily Daily – Legislative Advisor for Utah Parents United, spoke about a board rule presentation held in the Jordan School District and her concerns with the staff who presented and the language in the new rule. She supports Member Cline's suggested amendments.

Christina Boggess – speaking as an individual and a taxpayer, she expressed she has years of education with critical race theory and ample instruction on the theorem and how to install and apply it. She believes the board failed with board rule R277-328, Educational Equity in Schools because the pages of public comments stated to clarify the language in the rule so that it will not be misconstrued to give license to community members the ability to attack the credibility and livelihood of educators. She distrusts the Utah public education system.

Dr. Michael Andersen spoke about his concerns with his path to get a Utah educator license. He shared the steps he has taken to be approved through the program and has extenuating circumstances. He asked the board to reconsider his petition for a license.

Melissa Moore – a Utah parent, spoke about her concerns with the Utah public education system and against the new board rule R277-328, Educational Equity in Schools. Because of her concerns, she now homeschools her three children.

Laurel Fetzer – speaking as a parent, shared her concerns about critical race theory, equity, intersectionality, and comprehensive sexuality education.

James Sullivan – shared his concerns and spoke against critical race theory as a conservation black man in America.

Sophia Anderson – speaking as a parent, spoke against critical race theory in the public education system.

Kevin Leinbach – a parent and an educator, shared that he has never seen any racism in schools, nor seen teachers who lack education or training. He does not believe Utah needs critical race theory training because Utah schools do not condone racism and support Member Cline's proposed amendments.

Al Jackson – spoke in support of Board Member Cline's proposed amendments to the board rule R277-328, Educational Equity in Schools. He implored the board to focus resources on the actual development of the student, which will, in turn, allow that child to be an agent of their uplift through skill development innovation and relentless practice.

Alena Ericksen – with Restore Liberty and Freedom Coalition, spoke about upholding their constitutional commitments and in consideration of medical mandates, we as the parents have the rights and we will not waive those rights. To mirror the Declaration of Independence –

we have the people to alter or abolish our government for our welfare and in the Utah Constitution is says, and they have the right to alter or return the government.

Kelly Jones – speaking as a teacher and a parent, she is concerned with the approval of the new board rule R277-328, Educational Equity in Schools.

Kierstin Glenn spoke on behalf of the new board rule R277-328, Educational Equity in Schools. She requested that more emphasis be placed on involving parents, education, and training.

Harmony Vanderhorst – Utah Parents United representative from Southern Utah, she spoke about teacher accountability, the importance of tracking rogue educators, and requested changes to board rule R277-328, Educational Equity in Schools.

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

FY21 Financial Statement Status Closeout Report

Joel Coleman, USDB Superintendent, and Carl Empey, Finance Director gave a brief update on year-end closure.

2021-2023 USDB/USDBEA Negotiated Agreement Review and Approval

Joel Coleman presented the negotiated agreement that is reviewed every two years between Utah Schools for the Deaf and the Blind and the Utah Schools for the Deaf and the Blind Education Association for discussion with the Board.

MOTION was made by Member Hansen and seconded by Member Cannon that the Board approves the 2021-23 USDB/USDBEA negotiated agreement.

Motion passed unanimously.

Name for St. George USDB campus

Michelle Tanner, Associate Superintendent of the Deaf presented information about a potential new name for the USDB St. George campus. USDB requested that the new name be called “James Randles,” because he was the one man in this area who first started a “Deaf

Group” which became the “Deaf Branch” and now the Red Cliffs 7th Branch. He also was instrumental in getting interpreters in classrooms instead of signing aids. He passed in 2019.

MOTION was made by Member Cannon and seconded by Member Boothe that the Board approves the recommended name for the USDB St. George campus.

Motion carried with Member Moss not present.

USDB Advisory Council Bylaws Amendment Request

Joel Coleman presented the Board with a request to approve their amendments to the advisory council bylaws. The amendments include changes to the terms of appointment. The term of appointment for each member shall be two years and members may serve no more than three consecutive terms, except for a member who is willing to serve an additional term if a qualified replacement cannot be found.

MOTION was made by Member Hymas and seconded by Member Strate that the Board approves the recommended changes in the USDB advisory council bylaws.

Motion carried with Member Moss not present.

Superintendency Report

Joel Coleman reported that the USDB received social media coverage with five million one hundred and twenty-nine thousand readers and viewers, which earned a substantial income through the media coverage. They are remodeling several facilities and are about a third of the way completed. He invited board members to join them in their new employee orientation on August 10 and on August 11 at the opening institute day.

Chair Huntsman presented Superintendent Coleman with a service award for his 10 years of service with the State of Utah.

State Superintendent's Report

Superintendent Dickson reported on the following topics:

- i. USBE has a Continuity of Operations and Emergency Plan in place in case of emergencies, such as earthquakes.
- ii. The Strategic Plan and the goal that USBE has around effective educators and leaders. She spoke about “Strategy 2D: Changing the Perception of Teaching as a Profession” and the action steps taken to achieve these goals.
- iii. Utah Portrait of Graduate Model Rubrics Development.
- iv. Utah Rural Schools Conference brought more than 700 educators and USBE had 35 employees who participated by leading breakout sessions. It was a weekend full of fun, laughter, and an array of educational resources.

General Consent Calendar

MOTION was made by Member Belnap and seconded by Member Cannon that the Board approves the General Consent Calendar.

Motion carried with Member Cline opposed.

GENERAL CONSENT CALENDAR

5.1 Approval of Meeting Minutes

The Board approved the minutes of its June 3, June 22, June 29, and July 22, 2021, meetings.

5.2 Contracts/Agreements for Approval

The Board approved contracts/agreements of over \$100,000 with the following entities

5.3 Paraeducator to Teacher Scholarship FY 2022 Recipients

5.4 Grants for Approval - Child Nutrition Non-Competitive Technology Innovation Grant

The Board approved these Digital Teaching and Learning (Cohort 7) plans as recommended by the Digital Teaching and Learning Advisory Committee.

5.5 School Turnaround: State Review Panel Recommendations for Exit Status of Nine Schools

The Board approved the recommendations of the Utah Instructional Materials Commission from the spring 2021 review and directed staff to award contracts to the various publishers to furnish instructional materials to the schools of Utah.

5.6 Distribution of SFY22 Funds for Professional Outreach Program in the Schools and Arts Subsidy

The Board approved Holt Elementary School's Turnaround Plan.

5.7 Contracts/Agreements for Review

The Board was provided with a list of contracts/agreements under \$100,000.

Monthly Budget Items

Discretionary Funds

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

Sarah Young, Director of Strategic Initiatives, addressed the Board with a general update related to the finances about the American Rescue Plan (ARP) ESSER State Plan, and a request related to the ARP ESSER State Administrative Fund in terms of supporting a very small project with the Utah Grants Management System to help reduce some of the reporting burdens on local education agencies (LEAs).

Chair Huntsman passed the gavel to Vice Chair Belnap.

Scribe Contract Renewal

Naomi Watkins, Secondary ELA Specialist, and Rick Gaisford, Education Technology Specialist gave background information about the request to approve the contract extension for Scribe. In 2020-2021, USBE approved ESSER I fund to be used to purchase a statewide contract for the educational software, Scribe. Scribe is collaborative research, writing, and close reading platform that affords teachers and students with interactive tools to communicate and achieve core standards. The current contract is set to expire at the end of September. To avoid disruption of service and support educators in implementation, staff would like to request to extend the contract for an additional two years using ESSER II funds.

Chris Sweeney, Social Studies Specialist from Carbon County School District shared the same enthusiasm for the Scible program, shared real-time examples of how it is beneficial for students and teachers, and shared how his team is looking forward to using the Scribe tool this coming year.

MOTION was made by Member Cannon and seconded by Member Boothe that the Board approves a two-year statewide contract extension for Scribe for \$1.5 million.

Motion passed unanimously.

Vice Chair Belnap passed the gavel to Vice Chair Davis.

[Utah Department of Health \(USOH\) Disease Plan for Schools](#)

Dr. Leisha Nolen, State Epidemiologist presented the UDOH COVID-19 Disease Plan for Schools, which guides local officials on safe and healthy school operations for the 2021-22 school year.

2022 Legislative Session Preparation

SFY 23 Legislative Session Funding Request Process Overview

Dale Frost, Fiscal Analyst, and Deborah Jacobson, Assistant Superintendent of Operations explained an update with the budgeting processes per Title 63J, The Budgetary Procedures Act.

2022 Legislative Session Requests for Statutory Changes

Angie Stallings, Deputy Superintendent discussed two legislative requests. The first request she spoke about was Farm to fork is a win for students, farmers, and healthy communities. However, Utah has struggled to implement robust farm to fork programming statewide in part due to a lack of state-level support. Research shows that state agency positions dedicated to a farm to fork have higher participation in farm to fork activities. This bill will create and fund farm to fork staff positions at UDOH and UDAF and formalize the farm to fork FTE currently allocated at USBE. The bill will also formalize our state farm-to-school network, the Utah Farm to Fork Task Force, and provide an operating budget for the task force.

The second request was to change the current June 2022 dates of the truancy moratorium to June 2021.

MOTION was made by Member Lear and seconded by Member Hart that the Board directs staff to work with legislators on potential amendments to Utah Code as proposed.

Motion passed unanimously.

Standards and Assessment Committee Report/Recommendations

Committee Chair Scott Hansen reported on the following items from the April 9, 2021, Committee meeting. Information on items not reported will be included in the Board meeting exhibits.

Alternate Achievement Standards Review Process for Student with Significant Cognitive Disabilities

MOTION from Committee that the Board approves the Alternate Achievement Standards Revision process, Draft 1.

Motion passed unanimously.

School Counselor-to-Student Ratios Plans

MOTION from Committee that the Board approves the School Counselor-to-Student Ration Plans, as amended, submitted by LEAs who do not meet the 1:350 ratio requirements.

Motion passed unanimously.

USB E Recommended Resources

MOTION from the Committee that the Board approves the Resource Vetting Process, as amended.

Motion carried with Member Cline opposed.

Vice Chair Davis handed the gavel to Vice Chair Belnap

[R277-328, EDUCATIONAL EQUITY IN SCHOOLS, Educational Equity in Schools](#)

Hearing Record

Ben Rasmussen, Director of Law and Professional Practices presented the Board with a record of the hearing.

MOTION was made by Member Cannon and seconded that the Board accepts the hearing record as presented.

Motion passed unanimously.

Board rule R277-328, EDUCATIONAL EQUITY IN SCHOOLS, Educational Equity in Schools

MOTION was made by Member Strate and seconded by Member Moss that the Board directs staff to file an effective date of notice for R277-328, Educational Equity in Schools with the Office of Administrative Rules on August 9, 2021.

Motion carried with Member Cline opposed.

MOTION was made by Member Hymas and seconded that the Board adds an item to executive session pursuant to the urgent notice provision in Utah Code 52-4-202(5), to add an item to the executive meeting agenda and the Board's open meeting agenda after the executive meeting regarding the potential purchase of the real estate.

Motion passed unanimously.

Executive Session

The motion was made by Member Cannon and second by Member Boothe 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, professional competence, or physical or mental health of individuals; and 3) strategy on pending or reasonably imminent litigation.

Upon voice vote of Members Belnap, Boothe, Cannon, Cline, Davis, Earl, Hansen, Hart, Hutchings, Hymas, Lear, Moss, Norton, the Board went into closed session at 4:10 p.m.

Those present included the Members above and Cybil Child, Ben Rasmussen, Bryan Quesenberry, Patty Norman, Michelle Beus, Jeff Van Hulten, Deborah Jacobson, Angie Stallings, and Sydnee Dickson.

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

Motion carried unanimously. The Board reconvened in an open session at 5:11 p.m.

Executive Session Action Items

Educator Licenses

MOTION was made by Member Norton and seconded by Member Davis that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 17-1461.

Motion passed unanimously

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 19-1683.

Motion carried with Member Lear recused.

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 20-1718.

Motion carried with Member Earl opposed.

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 19-1721.

Motion passed unanimously.

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 20-1742.

Motion passed unanimously.

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 20-1759.

Motion passed unanimously.

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 20-1762.

Motion passed unanimously

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 20-1791.

Motion passed unanimously

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 21-1805.

Motion passed unanimously.

MOTION was made by Member Norton and seconded that the Board accepts the recommendation of the Utah Professional Practices Advisory Commission (UPPAC) in Case No. 21-1809.

Motion carried with Members Cline, Earl, Davis, Belnap, and Hart opposed.

MOTION was made by Member Norton and seconded that the Board accepts the UPPAC Consent Calendar.

Motion passed unanimously.

Advisory Committee Appointments

Utah Special Education Advisory Panel (USEAP)

MOTION was made by Member Norton and seconded by Member Boothe that the Board reappoints Gina Troop to the Utah Special Education Advisory Panel (USEAP), representing individuals with disabilities and/or parents of students with disabilities, for a three-year term.

Utah Schools for the Deaf and the Blind Advisory Council

MOTION was made by Member Norton and seconded by Member Davis that the Board appoints the following individuals to the USDB Advisory Council, for two-year terms:

- John Clements and Aunilie Hathaway as representatives who are blind or visually impaired;
- Jenn Hayes as a representative who is deaf or hard of hearing;
- Hillary Fisher as a representative who is a parent of a deaf student;
- Ray Wright representing persons with an interest in or knowledge of deaf, blind or deafblind;
- Jill Weiss as a non-voting representative of teachers of the deaf or hard of hearing.

Motion passed unanimously

Utah Schools for the Deaf and the Blind Purchase of Property

MOTION was made by Member Hymas and seconded by Member Boothe that the Board approves the expenditure of over \$100,000 for the purchase of a certain real property.

Motion passed unanimously

[Board Chair's Report](#)

The Board Chair's report was presented by Vice Chair Belnap. A recap of the report included the special education team hosted the annual Utah Institute on Special Education Law that has been running for over 30 years. 1,200 hundred individuals registered for the free and virtual convening.

The student support team hosted the 2021 Utah Virtual Systems conference. The theme was "Aligning Supports to Create a Culture of Wellness and Educational Equity for Each Student".

The special education team facilitated a day-long Annual Performance Report (APR) Summit at which almost 200 special education stakeholders gathered virtually to review five years of Utah's special education compliance and outcomes data to choose the targets for

which Utah will be held accountable to the U.S. Department of Education Office of Special Education Programs (OSEP) for the coming five years.

And, for the past six years our Special Education Staff, under the direction of Dr. Leah Voorhies, has been working to support schools and districts in improving compliance with IDEA and outcomes for students with disabilities. The year our review from the Federal Office of Special Education programs gave us the feedback we have been working for, Utah meets requirements! We increased our score from 63.75 to 82.5 this past year, which shows tremendous effort on the part of our Special Education Department and our LEAs.

Board Member Comments

Member Cannon reminded board members about the training opportunities with the National Association of State Boards of Education (NASBE).

Member Strate shared that it was a great opportunity to communicate and see things from new perspectives while attending the Superintendent's Association meetings in Cache County School District.

Board Member Earl shared that she enjoyed her experience at the Utah Rural Schools Association (URSA) conference. She sensed it was a great opportunity for educators and it gave them a moment to exhale from the year.

Adjournment

The meeting adjourned at 5:36 p.m.

Cybil Child, Board Secretary
Minutes approved September 2, 2021.