

## UTAH STATE BOARD OF EDUCATION

### Meeting Minutes

March 10, 2022

9:00 AM. – 5:00 PM.

A regular meeting of the Utah State Board of Education was held on March 10, 2022, at 250 E 500 S, Salt Lake City, Utah. Chair Mark Huntsman presided. The public could watch the meeting through the YouTube media channel.

#### **Members Present**

Chair Mark **Huntsman**

First Vice-Chair Laura **Belnap**

Second Vice-Chair Cindy **Davis**

Member Randy **Boothe**

Member Janet A. **Cannon**

Member Jennie **Earl**

Member Stacey **Hutchings**

Member Molly **Hart**

Member Carol Barlow **Lear**

Member James **Moss Jr.**

Member Kristin **Norton**

Member Brent J. **Strate**

Member Natalie **Cline**

Member Scott B. **Hansen**

Member Matt **Hymas**

#### **Executive Staff Present**

Sydnee Dickson, State Superintendent

Patty Norman, Deputy Superintendent

Angie Stallings, Deputy Superintendent

Scott Jones, Deputy Superintendent

Leah Voorhies, Assistant Superintendent

Darin Nielsen, Assistant Superintendent

Deborah Jacobsen, Assistant Superintendent

Jeffrey Van Hulten, Policy Advisor

Sarah Young, Chief of Staff

#### **Minutes taken by:**

Cybil Child, Executive Assistant

## **Others Present**

Lexi Cunningham, Heidi Matthews, Genevra Prothero, Bernadette Brockman, Kelly Strebel, Monica Wilbur, Becky Hope, Kelly Jones, Jessie Koltz, Holly Bell, Cathy Jensen, Nicole Ferguson, Kelly Yates, Nathan Auck, Jerry Rogers, Sam Urie, Ben Rasmussen, Sara Wiebke, and Sara Harward.

## **Opening Business**

Chair Mark Huntsman called the meeting to order and roll call at 9:04 AM.

## **Board Member Message**

Board Member Natalie Cline shared a welcome message.

## **Education Highlight**

Ryan Bartlett, Director of Strategic Communications, introduced two Salt Lake City teachers honored with Presidential Awards for Excellence in Mathematics and Science Teaching. Heidi Boogert from Highland Park Elementary School and Jennifer Carver Hunter from Mountain View Elementary were those teachers recognized.

## **Public Comment for USBE**

Heidi Matthews, a teacher, serving as the Utah Education Association (UEA) president, shared that the current UEA Vice President, Renee Pinckney, has been elected to be the next UEA president. Brandon Baca will be the next vice president. They will take office in the middle of July.

Genevra Prothero is a mother of a son who attends school in the Davis School District and a parent on the SEL committee at her son's school. She spoke about Social Emotional Learning (SEL) day "Employees and students acquire and effectively apply personal and social attitudes, behaviors, and skills necessary to lead happy and fulfilling lives." - District SEL Vision Statement. She states she is a parent and co-founder of Elevate Public Education Utah.

Lexi Cunningham is the President of the Utah School Superintendents Association

(USSA). She thanked the board members for a successful legislative session, appreciation for working together, and commitment to public education.

Juliet Reynolds spoke about her concerns about the Anti - LGBTQIA legislation. She requested that the USBE make a public statement to let Utah students know they matter and are supported.

Monica Wilbur asked the Board what steps they are taking to comply with the April 2021 State Audit findings of the alignment with the USBE Strategic Plan and Utah State Code?

Kelly Jones is a parent, teacher, and advocate with GLSEN of Northern Utah. In her statement, she shared that she believes underrepresented students' lives and learning have been impacted by recent legislation across the country.

Bernadette Brockman stated we need both sides to come to the table for open and honest communication that is conducive to our children's learning environment. She requests returning to the approach of academic excellence.

Jessie Koltz is an educator, instructor, supervisor, school and community counselor, and program director of the professional school counseling program at Utah State University. Jessie spoke about her support of Board Rule R277-301, Educator Licensing, moving towards having licensed educators service school counselors. She advocated for counselors in training to hold an associate license, at minimum, while completing their program of study.

Becky Hope uninvited everyone to the Social Emotional Learning (SEL) Celebration in Davis School District because she believes it is not a celebration but a push for critical race theory (CRT), which will destroy public education.

## [Superintendent's Report](#)

### Employee Recognition

State Superintendent Sydnee Dickson recognized Melissa Preziosi, the March Employee of the Month.

## New Employee Introductions

Michelle Watts, Human Resource Director, introduced the new Utah State Board of Education employees. Jennifer Mortensen, Colton Williams, Kyle (Sungmin) Black, Amber Wright, Tabitha Pacheco, Benji Carrier, Hannah Gerris, Brendan McGinn, Leslie Means, Andrew Grove, Emily Smith, Ashley Arbuckle, Toni Peterson, and Shauntella Cota.

## Acknowledgment of Student Artwork

Cathy Jensen, USBE Education Specialist for Fine Arts, Music, Theatre, presented the student artwork.

## Superintendent's Report

USBE State Superintendent Sydnee Dickson spoke about the success of the legislative session. Then she talked about Utah's Dual Language Immersion conference and her visit to Taylorsville High - Dual Language Bridge Program. Dual Language Immersion offers a rich bilingual experience for young learners when their minds are developmentally best to acquire a second language. The program aligns with the USBE Portrait of a Graduate through autonomy, communication, mastery, and academic mastery.

## General Consent Calendar

### 1. Approval of Meeting Minutes

The Board approved the minutes of the following meetings:

- January 13, 2022
- February 3, 2022
- February 4, 2022
- February 24, 2022

## 2. Grants for Approval

That Board approved the Assessment and Accountability program to apply for the "Competitive Grants for State Assessments" Grant.

## 3. Contracts/Agreements for Approval

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

## 4. Contracts/Agreements for Review

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

## 5. Educator Licensing Annual Report

## 6. Special Education Annual Performance Report (APR)

**MOTION** was made by Member Lear and seconded by Member Boothe that the Board approves the General Consent Calendar, excluding 4.2: Grants for approval, 4.3: Contracts/Agreements for Review - WestEd, and 4.5: Educator licensing annual report.

Motion passed unanimously.

## **Consent Calendar items pulled by board members for further discussion.**

## 5. Educator Licensing Annual Report

## 2. Grants for Approval

**MOTION** was made by Member Davis and seconded by Member Lear that the Board approves the Assessment and Accountability program to apply for the "Competitive Grants for State Assessments" Grant.

Motion carried with Members Lear, Boothe, Cannon, Davis, Hansen, Hart, Huntsman, Norton, and Strate in favor, and Member Moss, Cline, Belnap, and Earl opposed.

## 3. Contracts/Agreements for Approval

**MOTION** was made by Member Cannon and seconded by Member Lear that the Board approved contracts/agreements of over \$100,000 with the following entities.

**MOTION TO AMEND** made by Member Earl and seconded by Member Cline to pull the WestEd and Panorama Education, Inc contracts.

Motion carried with Members Cannon and Lear opposed.

Motion passed unanimously.

**MOTION** was made by Member Davis and seconded by Member Hansen that the Board sends the contract back to staff to add clarification to the scope of work.

**MOTION WITHDRAWN** by Member Davis.

**MOTION** was made by Member Hansen and seconded by Member Cannon that the Board approves the WestEd contract.

Motion carried with Members Moss, Boothe, Cannon, Hansen, Hart, Hutchings, Moss, Norton, and Strate in favor, and Member Cline, Earl, Hymas, and Belnap opposed.

**MOTION** was made by Member Cannon and seconded by Member Strate that the Board approves the Panorama Education, Inc contract.

Motion carried with Members Boothe, Cannon, Davis, Hansen, Hutchings, Hymas, Lear, Moss, Norton, and Strate in favor, and Members, Hart, Cline, Belnap, and Earl opposed.

## **[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. Deborah Jacobson, Assistant Superintendent, updated the Board on the FY2021 P-12 Discretionary Funds account. Per the Money Management Act and the Budgetary Procedures Act the Utah State Board of Education is provided with a status of the funds.

## Federal COVID-19 Relief Funding Update

Sara Harward, CARES Specialist, and Sarah Young, Chief of Staff, provided a monthly updates on the status of federal COVID-19 relief funding to support Utah K-12 schools and communities. The update included the status of reimbursements to the field and a report on existing COVID-19 relief funding state projects.

## [2022 Legislative Session](#)

### 2022 Legislative Session Budget

Scott Jones, Deputy Superintendent of Operations, updated the Board's budget. 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.

## [2022 Legislation](#)

### Veto Request Consideration

**MOTION** was made by Member Hansen and seconded by Member Strate that the Board requests the Governor to veto Senate Bill 211, Income Tax Refund Amendments.

Motion carried with Members Belnap, Boothe, Cannon, Davis, Hart, Hansen, Hymas, Lear, Norton, Strate in favor, and Members Cline, Earl, Hutchings, and Moss opposed.

## Board Chair's Report

Chair Huntsman spoke about the seasons of preparation.

## Board Member Comments

Member Lear spoke about potentially amending the Board By-laws by adding a stipend for the Board Chair position.

Member Boothe shared his appreciation for the board leadership's efforts and time for everything they do for Utah education and gratitude to the team of board members and the Utah State Board of Education employees.

Member Hutchings shared her incredible experience with the Davis School District – Catalyst School and their willingness to collaborate and share with the growth of students.

Member Belnap gave accurate information about the Portrait of the Graduate. The Board work began redesigning course requirements for the middle school in 2016. Upon completing the changes in 2017, there was a consensus from the Board that they should move purposefully to determine the next steps to address high school graduation requirements. The Portrait of a Graduate was implemented when the Board asked, "What does a diploma mean in the state of Utah?" It was created through work done by a task force composed of board members, which she chaired, and the USBE staff members. The Board relied on the staff to provide statewide surveys and feedback from educators, students, parents, and other community members. Several in-person discussions were with parents, students, and educators, and the document was approved in a full board meeting on May 2, 2019. Since 2019, the agency has advocated empowering parents, teachers, and students to be the voice in the community.

Member Strate shared his appreciation for all the institutional knowledge among the board members and all the members who have served for many years on the USBE.

Member Davis read something from Abraham Lincoln reflecting on George Washington's words.

Chair Huntsman passed the gavel to Vice-Chair Davis.



### Board Policy 2001, Board Member Compensation

**MOTION** was made by Member Cannon and seconded by Member Boothe that the Board approves Board Policy 2001, Draft 1 on final reading.

Motion passed unanimously.

### Finance Committee Report/Recommendations

#### R277-479, Funding for Charter School Students With Disabilities on an IEP

**MOTION** was made by Member Moss and seconded that the Board continues and approves R277-479, Draft 2, on the second and final reading.

Motion passed unanimously.

### Outstanding LEA Financial Statements

**MOTION** was made by Member Moss and seconded that the Board directs staff to send a formal letter to the LEAs that have not submitted their audited financial statements and/or not submitted accurate information to the Utah Public Education Financial System (UPEFS) as of the March 2022 board meeting and that the letter places those LEAs on an immediate Corrective Action Plan (CAP). This includes notifying them of the withholding of the LEA's allotment beginning with their March 2022 allotment and until the LEA has submitted their audited financial statements and those audited financial statements match or reconcile with previous submissions to the UPEFS.

### **CALL THE PREVIOUS QUESTION**

Previous Question Motion passed unanimously.

Motion carried. Member Hymas abstained.

## Law and Licensing Committee Report/Recommendations

### R277-406, Early Learning Program and Benchmark Assessments

**MOTION** was made by Member Lear and seconded that the Board approves R277-406, Early Learning Program and Benchmark Assessments, Draft 1, on second and final reading.

Motion passed unanimously.

### R277-801, Services for Students who are Deaf, Hard of Hearing, Blind, Visually Impaired, and Deaf-Blind

**MOTION** was made by Member Lear and seconded that the Board continues and approves R277-801, Services for Students who are Deaf, Hard of Hearing, Blind, Visually Impaired, and Deaf-Blind, Draft 3, on second and final reading.

Motion carried with Member Hymas opposed.

### R277-915, Work-based Learning Programs

**MOTION** was made by Member Lear and seconded that the Board continues and approves R277-915, Work-based Learning Programs, Draft 4, on second, and final reading.

Motion passed unanimously.

### Board Policy 2004, Board Member Communications

**MOTION** was made by Member Lear and seconded that the Board approves Board Policy 2004, Board Member Communications, Draft 4, on second, and final reading.

**MOTION TO AMEND** was made by Member Earl and seconded by Member Cline to Strike all of (1) External Advocacy and (2) Additional Board Member Ethical Responsibilities and insert and keep all of 2(a) and keep the Title 67 part of (b).

Motion failed with Members Cline, Earl, Hart, Hutchings, and Moss in favor, and Members Belnap, Boothe, Cannon, Davis, Hansen, Huntsman, Hymas, Lear, Norton, and Strate opposed.

**MOTION TO AMEND** made by Member Moss and seconded by Member Hutchings to amend Draft 4 by inserting in line 57 (d) "communication which is classified by board staff as private" or as "and strike "are private controlled, or."

**SUBSTITUTE AMENDMENT** was made by Member Hansen and seconded by Member Lear to strike section (3)(d) and amend (3)(e).

Substitute motion passed unanimously.

**MOTION TO AMEND** by Member Earl and seconded by Member Cline to add the following language "Board members may speak, write, debate, listen, challenge, and learn while maintaining civility and mutual respect."

Motion to amend passed unanimously.

Motion passed unanimously.

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

#### P-12 English Language Arts Draft Standards Presented for Consideration of Public Release

**MOTION** was made by Member Hansen and seconded that the Board approves the P-12 English Language Arts draft standards for release for 90 days of public comment.

Motion passed unanimously.

#### Request for Prek-6 Social Studies Curriculum RFI

**MOTION** was made by Member Hansen and seconded that the Board approves staff to enter into the RFI process to explore partnering with an entity to create a Social Studies curriculum for grades PreK-6.

Motion carried with Member Belnap opposed.

Training: Framework for Educational Equity, R277-328

**MOTION** was made by Member Hansen and seconded that the Board approves the training framework for Educational Equity modules in response to the requirements of R277-328, as amended, for final approval.

Motion carried with Members Boothe, Cannon, Davis, Hansen, Huntsman, Lear, Norton, and Strate in favor, and Members Belnap, Cline, Earl, Hart, Hutchings, Hymas, Moss in favor.

**MOTION** was made by Member Hart and seconded by Member Norton that the Board reconsiders its action on agenda item 6.3 to recommend that the Governor veto SB 211.

Motion carried with Members Belnap, Boothe, Cline, Davis, Earl, Hart, Huntsman, Hutchings, Moss, Norton, and Strate in favor, and Members Cannon, Hansen, and Lear opposed.

**MOTION** was made by Member Hart and seconded by Member Norton that the Board withdraws the Board's earlier recommendation that the Governor veto SB 211, Income Tax Fund Amendments.

Motion carried with Members Belnap, Boothe, Cline, Davis, Earl, Hart, Huntsman, Hutchings, Hymas, Moss, Norton, and Strate in favor, and Members Hansen, Lear, Strate, and Davis opposed.

Vice-Chair Member Davis passed the gavel to Chair Huntsman.

[Executive Session](#)

Executive Session

**MOTION** was made by Member Huntsman and seconded by Member Boothe that the Board go into executive session for the purpose of discussing the character, professional competence, or physical or mental health of individuals and pending or reasonably imminent litigation.

**MOTION** was made by Member Cannon and seconded by Member Boothe that the

Board comes out of executive session.

Motion passed unanimously.

### Executive Session Action Items

#### Educator Licenses

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

Motion carried, with Member Hart abstained.

**MOTION** was made by Member Norton and seconded by Member Strate that the Board accepts the recommendation of UPPAC in Case No. 18-1536.

Motion unanimously.

**MOTION** was made by Member Norton and seconded by Member Cline that the Board accepts the recommendation of UPPAC in Case No. 21-1814.

Motion carried, with Member Belanp opposed.

**MOTION** was made by Member Norton and seconded by Member Strate that the Board accepts the recommendation of UPPAC in Case No. 21-1842.

Motion carried, with Member Belnap opposed.

**MOTION** was made by Member Norton and seconded by Member Boothe that the Board accepts the recommendation of UPPAC in Case No. 21-89.

Motion passed unanimously.

#### **Adjournment**

The meeting adjourned at 5:57 PM.

Cybil Child, Board Secretary  
Minutes approved May 5, 2022.