

## UTAH STATE BOARD OF EDUCATION (USBE)

### LEGISLATIVE MEETING MINUTES

**Date:** February 24, 2023

**Time:** 3:00 PM

A Utah State Board of Education legislative meeting was held on February 24, 2023. Chair James Moss presided. As authorized by Utah Code 52-4, this meeting was held at the Utah State Capitol Complex Senate Committee Room 210 Salt Lake City, UT 84114. The public can hear the audio of the meeting through live YouTube streaming.

#### **Members Present:**

Chair James Moss

Second Vice Chair Jennie Earl

Member Christina Boggess

Member Randy Boothe

Member LeAnn Wood

Member Natalie Cline

Member Matt Hymas

Member Carol Barlow Lear

Member Cindy Davis

Member Brent J. Strate

Member Sarah Reale

#### **Members Present Online:**

Member Emily Green

First Vice Chair Molly Hart

Member Joseph Kerry

Member Kristan Norton

#### **Executive Staff Present:**

Sydnee Dickson, State Superintendent

Scott Jones, Deputy Superintendent

Angie Stallings, Deputy Superintendent

Patty Norman, Deputy Superintendent

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

Vanessa Barnes, Executive Assistant

#### **Others Present:**

USBE staff Bryan Quesenberry, Ashley Biehl, Vanessa Barnes, and Liz Bernfield. Teri Rhodes, USBA; Linda Hanks, USBA; Lexi Cunningham, USSA; Sara Jones, UEA; Ben Hasley, Granite School District; Todd Hauber, UASBO; Jacob Wright, GOPB; Bryan Schott, SL Tribune; Brittney Cummins, Governor's Office; Rich Nye, Granite School District; Marianne B. Allen, USBA/Wasatch School District; Jared Reynolds, Granite School District; Camille Kundson, Tooele County; and Daniel Olsson, Private Citizen.

## Opening Business

Chair Moss called the meeting to order at 3:00 p.m. He welcomed the public and board members to the legislative meeting.

## Utah State Constitution

### Constitutional Earmark and Statutory Language Updates

Board Chair James Moss provided an update on the ongoing Legislative discussions of potential amendments to the public education income tax earmark in Article XIII, Section 5.

**MOTION** was made by Member Earl and seconded that the Board supports February 24, 2023, Legislative proposed constitutional language showing below:

Final Constitutional Language Motion as Approved on 2-16-23:

That the Board recommends that the Legislature maintain Article X of the Constitution as is and amend the Constitution in Article XIII as follows:

"The Legislature shall fund the minimum school program and the public education system support that includes public education funding stabilization, enrollment growth, and an inflationary index from overall state revenues to protect public education funding levels, and prioritizes public education funding increases during periods of economic growth."

Final Statutory Motion as approved on 2-16-23:

That the Board recommends that the Legislature:

- 1) provide a WPU value of \$6,000 or more per student by the fiscal year 2027;
- 2) fund at least a 10% increase to the value of the WPU for FY24 and inflationary growth plus a minimum of 4% during times of economic growth before increasing funding to any other subcommittee budget or line item education

appropriation;

3) continue HB 357;

4) set aside sufficient funds per year to ensure sustainment of public education funding to prior year funding levels for up to ten years when there are periods of recession, negative growth, and/or declines in personal income averages; and to reallocate any decline in the number of WPU, to the value of the WPU for the fiscal year 2026-2035;

5) restrict the number of public education bills in each session by setting an early deadline for public education bills or by limiting the number allowed to be reviewed and prioritizing WPU funding over grants and line item appropriations; and

6) tie a percent increase in personal income to an increase in public education funding and provide inflationary factors to certified tax rates.

**SUBSTITUTE MOTION** was made by Member Lear and seconded by the Board:

1. opposes the SJR 10;
2. takes no position on alternate language for Article XIII and requests Board leadership communicate to Legislators that the proposed language is in the right direction; and
3. requests that the Legislature appropriate an additional 4% WPU (for a total of 10% WPU for the 2023-24 school year).

**MOTION TO AMEND** was made by Member Davis and seconded to add "and requests Board leadership communicate to Legislators that the proposed language is in the right direction" to the end of #2.

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

**MOTION TO DIVIDE** items one through three was made by Member Wood. The motion carried with Member Hymas opposed.

**FIRST DIVIDED MOTION:**

That the Board opposes the SJR 10 (as of February 24, 2023).  
The motion passed unanimously.

**SECOND DIVIDED MOTION:**

That the Board takes no position on alternate language for Article XIII and requests that Board leadership communicate to Legislators that the proposed language is in the right direction.

**SUBSTITUTE MOTION** was made by Member Strate and seconded that the Board supports the constitutional draft language on February 24, 2023, version of the Legislative "Income Tax Earmark Modification Proposal."

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

**THIRD DIVIDED MOTION:**

That the Board requests that the Legislature appropriates an additional 4% WPU (for a total of 10% WPU for the 2023-24 school year).

**MOTION TO AMEND** was made by Member Davis and seconded to include: "in addition to current PEA recommendations,"

The motion to amend passed unanimously.

**Final Motion:**

That the Board:

1. opposes the SJR 10 (as of February 24, 2023);
2. supports the constitutional draft language in the February 24, 2023, version of the Legislative "Income Tax Earmark Modification Proposal"; and
3. requests that the Legislature appropriate, in addition to current PEA recommendations, an additional 4% WPU (for a total of 10% WPU for the 2023-24 school year).

**ADJOURNMENT**

The meeting adjourned at 3:46 p.m.

Cybil Prideaux, Board Executive Assistant  
The minutes were approved on April 6, 2023.