



**Utah State Board of Education
Meeting Minutes**

[April 4, 2024, Board Meeting](#)

9:00 AM. – 6:30 PM.

A regular Utah State Board of Education meeting was held on April 4, 2024. Chair Moss presided. As Utah Code 52-4 authorized, this meeting was held at the state board offices, 250 E. 500 S, Salt Lake City, Utah. The public can view the discussion through live YouTube streaming.

Members Present

Board Chair James Moss
First Vice-Chair Molly Hart
Second Vice-Chair Jennie Earl
Member Kristan Norton
Member Natalie Cline
Member LeAnn Wood
Member Sarah Reale
Member Cindy Davis

Member Carol Barlow Lear
Member Matt Hymas
Member Christina Boggess
Member Randy Boothe
Member Brent J. Strate
Member Emily Green
Member Joseph Kerry

Executive Staff Present

Sydnee Dickson, State Superintendent
Sarah Young, Chief of Staff
Patty Norman, Deputy Superintendent
Scott Jones, Deputy Superintendent
Angie Stallings, Deputy Superintendent
Kelsey James, Board Communications Coordinator

Minutes were taken by:

Cybil Prideaux, Executive Assistant

Public Participants

Jason Young, Jessica Thayne, Sidney Thene, Samantha Sute, Annissa Mansfield, Jane Beneken, Boggie Thacker, Mark Thacker, Rauni Guffey, Piper Riddle, Rene Edwards, Joylin Lincoln, Kellie Yates, Stephanie Morgan, and Sarah Erb.

Chair Moss called the meeting to order at 9:07 AM.

1. Opening Business

1.1. Pledge of Allegiance

1.2. Board Member Message

- Chair James Moss shared the April message.

1.3. Education Highlight

Board Communications Coordinator Kelsey James introduced the United States Senate Youth (USSY) education highlights.

Joanna Sorenson, Elementary Social Studies Specialist, introduced the USSY students: Diya Oommen, West High School, and Noah Canada, Park City High School.

2. Public Comment for USBE

The public is welcome to send written comments to publiccomment@schools.utah.gov.

2.1. INFORMATION: Public Comment

- Public comments are limited to 2 minutes per person.
- A comment can express support or dissent for regulatory action.
- Individuals should not use public comment to complain about personnel issues or attack or defame an individual.
- Speakers making highly detailed or complex comments should also consider providing the board with a written outline of their words.
- Please remember that children may hear your comments. Be thoughtful and professional.
- Keep your comments appropriate for a general audience. If you have material with explicit language or content, submit such material in writing to the Board at publiccomments@schools.utah.gov

<u>Public Comment</u>	<u>Topic</u>
Sid Thayne	4-day school week for Altamont schools
Judy Petersen	Support of the school counseling program rule - R277-462
Sharon Smith	Altamont High School/Elementary School 4-day waiver
Julie Seeley	Altamont High School/Elementary School 4-day waiver
Representative Christine Watkins	Altamont High School/Elementary School 4-day waiver
Curtis Linton	The support of R277-328, Equal Opportunity in Education.
Annissa Maxfield	4-day week waiver for Altamont High School, in Duchesne County School District
Samantha Suter	4-day week waiver for Altamont High School, in Duchesne County School District
Piper Riddle, Executive Director Northeastern Utah Educational Services	RESA Early Learning Coach request
Michelle Glaittli	
Mark Thacker	Altamont High School/Elementary School 4-day waiver
Corey Fairholm	Positive things happening in the schools
Jon Butler M.Ed.	Support for Board Rule R277-462, R277-464, and the K-12 Comprehensive School Counseling Program Components.
Monica Wilbur	Spoke against on Science of Reading

3. Superintendent's Report

3.1. INFORMATION: Acknowledgment of Student Artwork

Laurie Baefsky, DMA Coordinator, Fine Arts, and Lisa Cluff, BTA Representative, presented the monthly student artwork.

3.2. INFORMATION: Employee Recognition

Superintendent Dickson introduced Aliese Fry as the employee of the month.

3.3 INFORMATION: Superintendent's Report

Superintendent Dickson shared her monthly report, focusing on the component Embody Strong Moral and Social Values. On March 13th, I had the opportunity to visit Clearfield High School, a school that truly embodies and exemplifies the principles of inclusivity and good sportsmanship.

4. Finance Committee Report/Recommendations (Items duplicated from the March 8, 2024, meeting)

Committee Chair Kristan Norton introduced the committee motions for the Board.

4.1. INFORMATION: March 8, 2024, Summary of Actions

4.2. INFORMATION: Public Comment

4.3. ACTION: Update to the LEA Annual Assurances Document

MOTION was made by Member Norton that the Board approves FY25 LEA Annual Assurances Document Draft 3 and requests staff review the assurances document to determine whether there are items in the yellow/orange categories that could be removed and/or added based on public input, levels of risk, and new legislation passed during the 2024 Session.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member Strate that the Board approves FY25 Annual Assurances Document Draft 4 and requests staff review the assurances document to determine whether there are items in the yellow/orange categories that could be removed and/or added based on public input, levels of risk, and new legislation passed during the 2024 General Session.

The substitute motion carried with Members Boggess and Green opposed. Member Cline abstained.

4.4. ACTION: R277-108, Annual Assurance of Compliance by Local School Boards (Amendment)

MOTION was made by Member Norton that the Board approves R277-108, Annual Assurance of Compliance by Local School Boards (Amendment) Draft 1, on the second and final reading.

The motion carried with Members Green and Boggess opposed.

4.5. ACTION: Board Discretionary Funds Repurpose and New Requests

MOTION was made by Member Norton that the Board approve repurposing the remaining discretionary funds (approximately \$23,000) from the parking gate upgrade to purchase furnishings for the break room and basement office remodel.

The motion passed unanimously.

MOTION was made by Member Norton that the Board approve repurposing funding set aside for John Hancock Charter School for \$2,140,000 and utilize \$360,000 of tax delay funding for the San Juan School District broadband infrastructure.

The motion carried with Members Boggess, Kerry, and Cline opposed.

MOTION was made by Member Norton that the Board approve utilizing \$20,000 from FY2024 state discretionary funds and \$25,000 ongoing funds from the Board's budget to sustain the Pingboard subscription for FY2025 and beyond.

The motion carried with Member Cline opposed.

MOTION was made by Member Norton that the Board approve allocating \$300,000 of the remaining tax delay fund balance for use by the Regional

Education Service Agencies (RESA) for the continuation of literacy coaches for the fiscal year 2025. The RESA boards are meeting on March 19. They will provide the board details on the intended use of these funds for decision-making purposes and long-term funding solutions during the April 2024 Utah State Board of Education meeting.

The motion carried with Member Cline opposed.

4.6. DISCUSSION: Measuring the Results of Appropriations for Specific Programs

4.7. ACTION: Tooele County School District FY 2024 Mid-Year Update Finalization

MOTION was made by Member Norton that the Board approve the Utah State Legislature's Executive Appropriations Committee action to provide \$10 million to the Tooele County School District.

The motion passed unanimously.

4.8. ACTION: Review of 2024 General Session of the Utah Legislature Funding Outcomes and Determination of the Process for the 2025 General Session

MOTION was made by Member Norton that the Board approve the creation of funding requests to facilitate the preparation and presentation of budget proposals by USB E staff. These proposals will be presented to the entire board starting in the August 2024 board meeting.

The motion carried with Member Kerry opposed.

4.9. INFORMATION: Recognition of Progress, Achievements, or Improvements

4.9.1. ACTION: Program Monthly Report (PMR) on the Utah Schools Information Management System

4.9.2. INFORMATION: Program Monthly Report (PMR) on Utah Grants

4.10. INFORMATION: Requests for Data and Information

4.11. INFORMATION: Review of the Utah Legislature 2024 General Session Compensation Bill

5. Law and Licensing Committee Report/Recommendations – (Items duplicated from the March 8, 2024, meeting.)

Committee Chair Matt Hymas introduced the committee motions for the Board.

5.1. INFORMATION: March 8, 2024, Summary of Actions

5.2. INFORMATION: Public Comment

5.3. INFORMATION: Recognition of Progress, Achievements, or Improvements

Chair Moss passed the gavel to Vice chair Hart.

5.4. ACTION: Annual Training Draft Schedule and Prioritization for Development

MOTION was made by Member Hymas that the Board approve Draft 2 of the annual training draft schedule and prioritization with a discussion on funding.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board adds the following to the end of the motion: “and that any training materials used to be made available in their entirety on the USBE website, including a recording, with the local district providing a public-facing link to all USBE training.”

The motion failed with Member Cline and Green in favor.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess That the Board adds the following to the end of the motion: “and that the Board makes all training modules available to Board members for viewing.”

CALL THE QUESTION by Member Davis and seconded by Member Lear.

The motion carried with Members Cline, Boggess, Green and Kerry opposed.

The motion to amend failed with Member Cline, Green, Boggess, and Kerry in favor.

The final motion carried with Member Cline opposed. Member Boggess and Green abstained.

MOTION was made by Member Boggess and seconded by Member Hymas that the Board approve the use of \$720,000 from federal mineral lease funds to fund creation.

The motion carried with Members Cline and Kerry opposed. Members Boggess and Earl abstained.

5.5. ACTION: Academy for Math, Engineering, & Science (AMES) Waiver Request

MOTION was made by Member Hymas that the Board approve the Academy for Math Engineering, & Science (AMES)'s request for a waiver renewal from R277-700-6(13)&(15).

SUBSTITUTE MOTION That the Board accepts the waiver requests from AMES, UCAS, and Intech Collegiate Academy. (This motion will support items 5.5, 5.6 and 5.7)

The motion carried with Members Boggess and Green opposed.

5.6. ACTION: Utah County Academy of Sciences (UCAS) Waiver Request

MOTION was made by Member Hymas that the Board approve the Utah County Academy of Science's request for a waiver renewal from R277-700-6(13)&(15) and R277-419(4).

The motion carried in Item 5.5 with Members Boggess and Green opposed.

5.7. ACTION: InTech Collegiate Academy (InTech) Waiver Request

MOTION was made by Member Hymas that the Board approve InTech Collegiate Academy's request for a waiver renewal from R277-700-6(13)&(15).

The motion carried in Item 5.5 with Members Boggess and Green opposed.

5.8. ACTION: Itineris Early College High School (Itineris) Waiver Request

MOTION was made by Member Hymas that the Board approve Itineris Early College High School's request for a waiver renewal from R277-419-4(1)(a) and R277-700-6(13)&(15).

The motion passed unanimously.

5.9. ACTION: Duchesne School District (DCSD) - Altamont Elementary and High School Waiver Request

MOTION was made by Member Hymas that the Board approve Duchesne School District - Altamont Elementary and High School's request for a waiver from R277-419(4).

The motion carried with Members Earl, Green, Kerry, and Moss opposed. Member Boggess abstained.

5.10. DISCUSSION: R277-115, Local Education Agency (LEA) Supervision and Monitoring Requirements of Third Party Providers and Contracts (Amendment & Continuation)

5.11. ACTION: R277-631, Student Toilet Training Requirements (New)

MOTION was made by Member Hymas that the Board approve R277-631, Student Toilet Training Requirements, Draft 2, on the second and final reading.

The motion passed unanimously. Member Cline abstained.

5.12. ACTION: R277-700, The Elementary and Secondary General Core (Amendment)

MOTION was made by Member Hymas that the Board approve R277-700, The Elementary and Secondary General Core, Draft 1, on the second and final reading.

The motion passed unanimously.

5.13. ACTION: Research Data Sharing Agreement with the Department of Health and Human Services (USBE230081RA) *No motion for the Board*

6. Monthly Budget Report

Deputy Scott Jones and Assistant Superintendent Deborah Jacobson lead the monthly budget discussion.

6.1. INFORMATION: Monthly Budget Report

In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education receives a report on the status of funds in its internal budgets.

6.2. INFORMATION: Discretionary Funds Report

The Utah State Board of Education maintains a Discretionary Funds account. In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education is provided with the status of the funds. This is a perpetual action item to facilitate motions by board members to utilize available funds in a consistent and allowable manner.

7. Break

8. Standards and Assessment Committee Report/Recommendations – (Items duplicated from the March 8, 2024, meeting.)

Committee Chair Randy Boothe introduced the committee motions for the Board.

8.1. INFORMATION: March 8, 2024, Summary of Actions

8.2. INFORMATION: Recognition of Progress, Achievements, or Improvements

8.3. INFORMATION: Public Comment

8.4. ACTION: Supplemental Standards for English Language Arts

MOTION was made by Member Boothe that the Board approve the supplemental standards for English Language Arts as amended.

The motion carried with Members Boggess and Green opposed. Member Cline abstained.

8.5. ACTION: Utah K-12 Comprehensive School Counseling Program Components (incorporated by reference in R277-462)

MOTION was made by Member Boothe that the Board approve the Utah K-12 Comprehensive School Counseling Program Components, Draft 2.

MOTION TO AMEND was made by Member Earl and seconded by Member Kerry that the Board amend the components document to add the following bullet point to the “Collaborative Classroom Instruction”:

MOTION TO AMEND THE AMENDMENT was made by Member Davis and seconded by Member Strate that the Board amend the amendment as follows: School Counseling practices shall be based on evidence-informed approaches shown to benefit students.

The motion failed with Members Moss, Hart, Kerry, Earl, Green, Hymas, and Boggess opposed.

Member Cline was absent from the meeting.

MOTION TO AMEND was made by Member Lear and seconded by Member Strate that the Board amend the amendment as follows:

- School Counseling practices shall be based on evidence-informed approaches to benefit students and shall avoid

practices shown through evidence-informed research to harm students.

The motion passed unanimously.

MOTION TO AMEND, AS AMENDED, was made by Member Earl and seconded by Member Kerry that the Board amend the components document to add the following bullet point to the “Collaborative Classroom Instruction”:

The motion, as amended, passed unanimously.

The final motion carried with Member Boggess opposed.

8.6. ACTION: R277-462, School Counseling Program (Amendment)

MOTION was made by Member Boothe that the Board approves R277-462, School Counseling Program, Draft 3, on the second and final reading.

The motion carried with Member Boggess opposed.

8.7. ACTION: School Counselor Services Document (incorporated by reference in R277-464)

MOTION was made by Member Boothe that the Board approve the School Counselor Services Document, Draft 3.

The motion carried with Member Boggess opposed.

8.8. ACTION: R277-464, School Counselor Direct and Indirect Services (Amendment)

MOTION was made by Member Boothe that the Board approves R277-464, School Counselor Direct and Indirect Services, Draft 2, on second and final reading.

The motion carried with Member Boggess opposed.

8.9. ACTION: R277-404 Requirements for Assessments of Student Achievement (Amendment)

MOTION was made by Member Boothe that the Board approves R277-404, Requirements for Assessments of Student Achievement, Draft 1, on the second and final reading.

See the vote below.

8.9.1 ACTION: Testing Ethics Policy for Utah Educators (Amendment)

MOTION was made by Member Boothe that the Board approve the Testing Ethics Policy for Utah Educators.

MOTION TO AMEND was made by Member Kerry and seconded by Member Hymas that the board amend the Testing Ethics Policy for Utah Educators explicitly adding language regarding 53G-10-205 by adding language to acknowledge a student's right to refrain, as follows:

"An LEA shall honor parent or student requests to excuse a student from taking an assessment in accordance with the requirements of Utah Code 53G-6-803, 53G-10-205 and Board Rule 277-404."

The motion carried with Member Lear opposed.

Member Cline returned to the meeting.

The final motion, as amended, passed unanimously.

Chair Moss was absent from the meeting.

R277-404 Requirements for Assessments of Student Achievement (Amendment)

MOTION was made by Member Boothe that the Board approves R277-404, Requirements for Assessments of Student Achievement, Draft 1, on the second and final reading.

The motion passed unanimously.

9. R277-406, Early Learning Program and Benchmark Assessments

9.1. ACTION: Science of Reading Curriculum Checklist

MOTION was made by Member Earl and seconded by Member Hymas that the Board approves the Science of Reading Curriculum Checklist document incorporated by reference to Board rule R277-406.

The motion carried with Members Cline and Boggess opposed.

MOTION was made by Member Green and seconded by Member Boggess that the Board discuss the Science of Reading requirements and the Science of Reading Curriculum checklist with the Science of Reading panel during the June study session.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board include experts invited by board members who can provide diverse perspectives on the body of research during the June study session.

The motion to amend failed, with Members Green, Cline, and Boggess in favor.

The motion passed unanimously.

9.2 ACTION: Evaluation Criteria for ELA Evidence-Based Curriculum

MOTION was made by Member Earl and seconded by Member Strate that the Board approves the Evaluation Criteria for ELA Evidence-Based Curriculum document incorporated by reference to Board rule R277-406.

The motion carried with Members Green, Boggess and Cline opposed.

9.3 ACTION: R277-406, Early Learning Program and Benchmark Assessments (Amendment)

MOTION was made by Member Strate and seconded by Member Davis, who said that the Board approves R277-406, Early Learning Program and Benchmark Assessments, and Draft 7 on the second and final reading.

MOTION TO AMEND was made by Member Earl and seconded by Member Hymas that the Board amends Draft 7 as follows:

1. Amend beginning at Line 161 to read: (b) an assurance that: (i) the LEA has adopted high-quality instructional materials and intervention programs aligned with the effective research around the science of reading and

The motion carried with Member Cline opposed. Member Boggess abstained.

MOTION TO AMEND was Member Cline and seconded by Member Boggess that the Board strike the following language from the above motion, high-quality instructional from line 162.

The motion to amend failed, with Members Boggess, Green, and Cline in favor. Member Kerry was absent.

CALL THE QUESTION was made by Member Norton and seconded by Member Strate.

The motion carried with Members Hymas, Boggess, and Cline opposed.

The final motion, as amended, carried with Green, Boggess, and Cline opposed.

10. General Consent Calendar

Member Boggess requested to pull 10.1 and 10.3 from the consent calendar for further discussion.

MOTION was made by Member Cline and seconded by Member Boothe to approve the remainder of the consent calendar items, minus the pulled items.

- ACTION: Approve Included Schools for STEM Designation
- ACTION: 2025 Board Meeting Schedule

The motion passed unanimously. Members Moss, Norton, and Davis were absent.

MOTION was made by Member Boggess and seconded by Member Boothe that the Board approve the meeting minutes.

The motion passed unanimously. Member Davis was absent.

10.1. ACTION: Contracts/Agreements for Approval

10.1.1 ACTION: Approve Included Schools for STEM Designation

The Board approved the 11 schools for the indicated levels of STEM Designation recommended by the STEM Action Center.

10.2. INFORMATION: Contracts/Agreements for Review

10.3. ACTION: Approval of Meeting Minutes

10.4. ACTION: 2025 Board Meeting Schedule

The Board approved the meeting schedule for 2025, as presented.

MOTION was made by Member Boggess that the Board does not approve the Cambium Assessment Inc. contract.

- Agreement Number: USBE220001CT Amd. 3
- Contractor: Cambium Assessment Inc.

The motion failed with Members Earl, Green, Boggess, Hymas, and Cline in favor.

MOTION was made by Member Lear and seconded by Member Strate that the Board approve the Cambium Assessment Inc. contract.

- Agreement Number: USBE220001CT Amd. 3
- Contractor: Cambium Assessment Inc.

The motion carried with Members Cline, Boggess, Hymas, Green, Kerry, and Earl opposed.

11. Executive Session (closed in accordance with the Utah Open and Public Meetings Act)

11.1. ACTION: Executive Session

The motion was made by Member Boggess and seconded by Member Hymas 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 and professional competence or physical or mental health of individuals; and 3) strategy on pending or reasonably imminent litigation.

Upon voice vote of Members Boggess, Boothe, Cline, Davis, Earl, Green, Hart, Lear, Norton, Reale, Strate, Hymas, and Wood, the Board went into closed session at 5:32 PM. Member Kerry opposed.

Upon voice vote of all Members, the Board went into closed session.

Those present included the above members: Sydnee Dickson, Cybil Prideaux, Kelsey James, Michelle Beus, Scott Jones, Jared Felt, Matt Ferris, Angie Stallings, Patrick Hawkins, and Ashley Biehl.

MOTION was made by Member Earl and seconded by Member Kerry that the Board comes out of executive session at 6:02 PM.

Motion carried.

The below items were postponed until April 5, 2024.

12. Executive Session Action Items

12.1. ACTION: Educator Licenses

12.2. ACTION: Committee Appointments

13. Board Chair's Report – 5:00 to 5:15 PM

14. Board Member Comments – 5:15 to 5:30 PM

15. Adjournment - 5:30 PM, HARD STOP

MOTION was made by Member Earl and seconded that the Board adjourn.

The motion passed unanimously. The meeting adjourned at 6:04 PM.

The executive assistant took the meeting minutes.
The minutes were approved May 2, 2024.