

UTAH STATE BOARD OF EDUCATION MEETING SUMMARY OF ACTIONS

December 8-9, 2016

Board Members Present: Chair David Crandall, First Vice Chair David Thomas, Second Vice Chair Jennifer Johnson, Dixie Allen, Laura Belnap, Leslie Castle, Barbara Corry, Brittney Cummins, Linda Hansen, Mark Huntsman, Jefferson Moss, Spencer Stokes, Terryl Warner, Joel Wright.

All votes were unanimous with those present unless noted otherwise. Board rules can be accessed at <http://schools.utah.gov/law/Administrative-Rules.aspx>.

- The Board approved the minutes of the November 3, 2016 meeting of the Utah State Board of Education acting as the Governing Board of the Utah Schools for the Deaf and the Blind, as amended.
- The Board approved the General Consent Calendar with R277-409, the ACT contract and the Shmoop contract removed.
 - The Board approved the minutes of its November 3-4, 2016 meeting.
 - An interagency agreement between the USBE and Department of Workforce Services to provide expansion of high quality school readiness programs was approved.
 - The Board accepted the grant award to update the CNPWeb.
 - The Board approved the federal-state agreement between the USBE, Food and Nutrition Service, and U.S. Department of Agriculture.
 - The Board adopted the recommendations of the Utah Instructional Materials Commission.
 - The Board approved the following rules on third and final reading: R277-212 *UPPAC Hearing Procedures and Reports*; R277-106 *UPPAC Appointment Process*; R277-210 *Utah Professional Practices Advisory Commission (UPPAC)*; R277-526 *Paraeducator to Teacher Scholarship Program*; R277-425 *Budgeting, Accounting, and Auditing for Utah Local Education Agencies* (repeal); R277-602 *Special Needs Scholarship--Funding and Procedures*; R277-752 *Special Education Intensive Needs Fund Formula*; R277-211-6 *Utah Professional Practices Advisory Commission (UPPAC), Rule of Procedure: Notification of Educators, Complaints and Final Disciplinary Actions--Proposed Consent to Discipline*; R277-

521 National Board Certification Reimbursement; R277-113 LEA Fiscal Policies and Accountability.

- The Board approved temporary authorizations for licensure as requested by local education agencies (LEAs).
- The ACT contract was approved with the understanding that ACT needs to improve accommodations in the first year, and that a clause allowing opting out of the contract after year one is included.
- The Shmoop contract was approved, with direction that the Board will consider whether the funds used for the contract could be repurposed in the future.
- The Board approved R277-409 *Public School Membership in Associations* on third and final reading, with Members Allen, Castle, Cummins, Crandall, Johnson, Moss, Stokes, Thomas and Wright in favor and Members Belnap, Corry, Hansen, Huntsman and Warner opposed.
- The Board took the following actions on Utah Professional Practices Advisory Commission (UPPAC) cases:
 - Accepted the stipulated agreement in Case No. 15-1301 and suspended the individual's Level 1 Elementary Education license for no less than five years.
 - Accepted the hearing report in Case No. 15-1302 and suspended the individual's Level 2 Secondary Education License for a period of no less than one year from the date of Board action. Members Cummins and Johnson opposed.
 - Adopted the Default Order in Case No. 15-1289 and permanently revoked the individual's Level 2 Secondary Education License.
 - Accepted the UPPAC recommendation in Case No. 15-1286 and issued a letter of reprimand on the educator's Level 2 Special Education License to be in place for no less than two years from the date of Board action. Members Belnap and Johnson opposed.
 - Granted the educator's request in Case No. 11-997 to remove the reprimand flag from the CACTUS file. Member Johnson opposed.
 - Granted the educator's request in Case No. KP to remove the reprimand flag from the CACTUS file. Member Johnson opposed.
- The Board approved the UPPAC Consent Calendar.
- The Board appointed the following to the Student Data Governance Group: Whitney Phillips, Aaron Brough, Assistant Attorney General Dave Thomas, Ben Rasmussen, and Jared

Hill; the Board appointed the following to the Student Data Governance User Group: Platte Neilson, Paul Lewis, Robert Dale, Holly Allen, Kevin Chapman, Jeremy Cox, Whitney Phillips.

- The Board appointed to the Utah Special Education Advisory Panel Rebecca K. Smith and Michelle Sanchez.
- The Board took the following actions on recommendations from the Charter School Task Force:
 - Accepted recommendation 1 to begin preparing changes to Board rule.
 - Accepted recommendation 2 to request changes to legislation. Members Allen, Castle, Corry, Crandall, Cummins, Johnson, Moss, Stokes, Thomas, and Wright in favor and Members Belnap, Hansen, Huntsman and Warner opposed.
 - Accepted recommendation 3 to prepare a memorandum of understanding to clarify roles of USBE staff and SCSB staff.
- The Board approved setting aside \$1 million from statewide for the ERP.
- The Board adopted the Interagency Agreement between the USBE and the Utah Division of Occupational and Professional Licensing.
- The Board adopted Board Policy 1002 *Rulemaking Procedures*.
- The Board adopted Resolution 2016-5 *A Resolution Establishing the Official Position of the Utah State Board of Education on Principles for a New Accountability System*, as amended.
- The Board approved moving the USDB Utah County building request to #1 on its legislative priorities one-time funding list.
- The Board approved changes to its Audit Plan.
- The Board approved distributing the School Land Trust funds to LEAs on a monthly basis, beginning July 2017. Member Belnap opposed.
- The Board approved distributing the School Land Trust funds as part of the Minimum School Program automation.
- The Board gave direction to its representative to the Taxing Entity Committee to vote in favor of modifying the TEC resolution on the ATK Economic Development Project Area in Clearfield.
- The Board gave direction to its representative of the Taxing Entity Committee to vote in favor of amending the budget of the West Forest Street EDA in Brigham City. Member Johnson opposed.

- The Board approved R277-114 *Corrective Action and Withdrawal or Reduction of Program Funds*, as amended, on second and final reading and directed staff to file the rule with Administrative Rules.
- The Board approved new rule R277-801 *Services to Students with Sensory Disabilities*, as amended, on second reading.
- The Board approved recommending that the legislature appropriate funding from educator licensing fees for the educator ethics exam.
- The Board approved and continued R277-915 *Work-based Learning Programs for Interns*, as amended, on third and final reading.
- The Board approved Board Policy 1004 *Advisory Groups*.
- The Board approved Board Policy 3001 *Appointment, Evaluation and Termination of Deputy, Associate and Assistant Superintendents*, as revised.
- The Board approved new rule R277-717 *High School Course Grading Requirements* on second reading.
- The Board gave provisional approval to the 61 full Digital Teaching and Learning Qualified Grant plans with the caveat that the Board must approve the final work product of each plan prior to the money being awarded.
- The Board approved the revised Secondary Social Studies Standards.
- The Board directed staff to prepare a calendar for items needing Board approval.
- The Board directed staff to prepare a rubric for students to receive competency-based credit for digital studies and a rubric for teachers to develop digital studies courses.
- The Board directed staff to bring to the Board a three-year budget for school turnaround that includes home visits.
- The Board approved loans from the Charter Revolving Account of \$300,000 each for Bonneville Academy and Ivy Preparatory Academy.
- The Board approved maintaining the Career and Technical Education (CTE) Perkins Grant Maintenance of Effort for FY 2015, FY 2016, and FY 2017 in order to reduce the local contributions in FY 2018.
- The Board directed staff to do the following to cover the estimated \$1.5 million shortfall: Consult with the Department of Education to determine if the \$400,000 Indirect Cost Pool carryforward can be used; use \$300,000 in the recent reduction in force; look at reductions in programs or staff in sections; and as a last resort, use the \$350,000 in licensing fees.

- The Board approved funding charter schools that have enrolled over the cap and for the associated administrative caps, for this fiscal year only.
- The Board directed staff to prepare a resolution to request no less than \$20 million of the potential \$32.3 million allocated from the Volkswagen settlement to be used for the replacement of LEA diesel buses.
- The Board members-elect and continuing Board members elected the following to Board leadership positions for 2017: Mark Huntsman, Chair; Terryl Warner, First Vice Chair; Brittney Cummins, Second Vice Chair; Alisa Ellis, Third Vice Chair.
- The Board approved R277-417 *Prohibiting LEAs and Third Party Providers from Offering Incentives or Reimbursements for Enrollment or Participation*, as amended, on second reading.
- The Board approved and continued R277-702 *Procedures for the Utah High School Completion Diploma*, as amended, on second reading.
- The Board approved new rule R277-118 *Board of Education Revolving Door Restrictions*, Revision 2, on second reading.
- The Board approved Board Policy 1005 *Pre-separation and Pre-retirement Restrictions*.