

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

October 12, 2017

A regular meeting of the Utah State Board of Education was held October 12, 2017 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair Mark Huntsman presided.

Members Present:

Chair Mark Huntsman	Member Jennifer Graviet
1 st Vice Chair Terryl Warner	Member Linda B. Hansen
2 nd Vice Chair Brittney Cummins	Member Carol Barlow Lear
3 rd Vice Chair Alisa Ellis	Member Scott Neilson
Member Laura Belnap	Member Kathleen Riebe
Member Michelle Boulter	Member Spencer F. Stokes
Member Janet A. Cannon	Member Joel Wright
Member Lisa Cummins	

Executive Staff Present:

Sydnee Dickson, State Superintendent	Emilie Wheeler, Public Information Officer
Scott Jones, Deputy Superintendent	
Patty Norman, Deputy Superintendent	Lorraine Austin, Board Secretary
Angie Stallings, Deputy Superintendent	

Others Present:

Cayme Olsen, Brittany Jolley—Ogden School District; Mike Spencer—Juab School District; Cade Douglas, Debbie Morgan—Sevier School District; Monty Eyink, Rachel Rolf—Salt Lake City School District; Meghan Zarnetske—Park City School District; Rhonda Rhodes—Utah Music Educators Association; Jennifer Kalm, Julia Cluff, LeAnn Wood—Utah PTA; Gwen Creel-Erickson, Ava Erickson, Elissa Alen, Lindsey Alen—YES! Ambassadors; Annie Barton—Rowland Hall; Marti Woolford—Utahns Against Hunger; Rich Young—Pearson; Murray Meszaros—USB E staff; Terry Shoemaker—Utah School Superintendents Association/Utah School Boards Association; Ansley Funes—Miss Utah County; Jay Blain, Heidi Matthews—Utah Education Association; Julie Ward—Dixie Montessori Academy; Marisa Wright; Darin Nielsen; Shelli Nielsen; Crystal Young-Otterstrom—Utah Cultural Alliance; Melanie Garcia—Utah Schools for the Deaf and the Blind Education Association

Call to Order

Chair Mark Huntsman called the meeting to order at 8:03 a.m.

Executive Session

MOTION was made by Vice Chair Ellis and seconded by Member Cannon that the Board move into Executive Session for the purpose of discussing the character, professional competence or physical or mental health of individuals.

Upon voice vote of Members Belnap, Boulter, Cannon, Ellis, Graviet, Hansen, Huntsman, Riebe and Wright the Board moved into Executive Session at 8:04 a.m.

Those present included the Board Members above and Members B. Cummins, L. Cummins, Lear, Neilson and Warner; and Sydnee Dickson, Scott Jones, Angie Stallings, Patty Norman, Bryan Quesenberry, Emilie Wheeler and Lorraine Austin.

MOTION was made by Member Belnap and seconded by Member Neilson that the Board come out of Executive Session.

Motion carried. The Board convened in open meeting at 9:10 a.m.

Opening Business

Chair Huntsman called the meeting to order at 9:15 a.m. Member Janet Cannon led those present in the Pledge of Allegiance.

Board Member Message

Vice Chair Brittney Cummins gave a message regarding the tendency to look at people from only one perspective and making judgments not on who people really are, but how we take them to be. She shared her gratitude for the opportunity to work with all board members, who are all very different people, but have good intentions and want what is best for the students in Utah, and shared her gratitude for staff, the amazing people who participate in meetings, and constituents who call. She also expressed hope that we can see people for who they are and the intention they have.

Introduction of New Employees

New employees Wendy Gael, Val Murdock, and Kamille Sheikh introduced themselves.

Acknowledgment of Student Art Work

Education Specialist Cathy Jensen discussed the art work hanging in the Board Room from Lone Peak Elementary, Willow Springs Elementary, and Hawthorne Academy.

Education Highlight

Ricky Scott, USBE Science Specialist, and Joleigh Honey, USBE Mathematics and STEM Specialist, introduced the four finalists for the Presidential Award in Mathematics and Science Teaching—Debbie Morgan, South Sevier High School; Rachel Rolfe, Hillside Middle School; Mike Spencer, Juab High School; and Meghan Zarnetske, Treasure Mountain Jr. High. The award is the highest award in the nation for those teachers and two awardees from Utah will be selected. The finalists addressed the Board and recognized supportive administrators and teachers.

Public Comment

YES! Ambassadors (Youth Examples of Self Advocacy) students – informed the Board that Governor Herbert has named October as Dyslexia Awareness Month in Utah, and spoke about dyslexia. A handout was distributed.

Tammy Olson – shared her support, as an educator and parent, for writing and adapting new science standards for K-5 and 9-12. More STEM opportunities are needed for students, and the current standards set a low expectation when students are capable of much more. She, along with other teachers, has begun teaching science using a three-dimensional approach, in anticipation of updated standards. The purpose behind the shift in teaching is not due to new science discoveries or content changes, but is rather based on new research and understanding of how students learn. She urged the Board to move forward with the process.

Roger Snow – spoke in support of the adoption of new science standards for K-5 and 9-12 to match what has been done in grades 6-8. When teachers move to a phenomenon-based model they tap into the natural instincts of children which is to question and investigate. The existing K-5 and 9-12 standards do not encourage teachers to progress down that road with

their students, but are focused on memorization of algorithms and facts rather than progressing towards deeper understanding of the phenomenon. We need to educate them on critical problem solving skills and allow them to take risks.

Brittany Jolley – offered her recommendation for the Board to move forward with K-5 and high school level science standards. By adopting new standards the Board would acknowledge there is a better way to engage students in science learning so they can become scientists and not just students studying science. She has worked with a very progressive district that has started making changes in science teaching at the elementary level, and she has seen the benefits of students learning to think critically and apply science to real world scenarios. Changes in the standards will allow students to become more career and college ready and foster a love for science.

Rhonda Rhodes, Utah Music Educators Association – invited Board members to the all-state choir concert on October 14. The choir has representation from high schools throughout the state. A concert program was distributed.

Heidi Matthews, Utah Education Association President – questioned whether the conversation concerning R277-700 would be happening if funding wasn't such an issue in Utah and there wasn't such difficulty in rural districts to find teachers in certain subjects. She suggested that instead of changing the rules about the standards, the state invest in a statewide teacher pipeline so that districts, particularly in rural Utah, can grow their own educators and be able to support a rich curriculum for all students. She asked the Board to delay the rule.

Jennifer Kalm, Individual Development Commissioner, Utah PTA – spoke regarding R277-700. PTA opposes efforts that too narrowly define academic rigor solely based on language arts, math, and science. She spoke on behalf of the student whose only exposure to arts, music and theater may be through a required art class, for the student with emotional struggles who may hear something in health class that encourages the student to reach out for help, for the student who would much rather be sitting in front of a video, but gets some much needed physical activity because of the requirement to take a PE class, and for the student whose parents may be unavailable or unable to guide the student to classes that will open the

him to a world of new possibilities. PTA recognizes this rule gives local districts the ability to require the courses outlined in the rule, but believes the Board has the ability to craft the rule in a way that gives consistency, clarity and flexibility. PTA asked that the Board make a change to the rule.

Superintendent Cade Douglas, Sevier District – spoke on behalf of his fellow superintendents in southern Utah, and others, about the CANVAS learning management system. They are fully supportive of the Board’s support for Utah Education and Telehealth Network (UETN) continuing to purchase CANVAS for the entire state. It is the system higher education uses as well and the one most districts have chosen. The system is particularly helpful for students that have enrolled in concurrent enrollment classes.

Ansley Funes, Miss Utah County – informed that her platform is on education and the desire to encourage and inspire students to get involved in academics and extracurricular activities. Students can become educated learners through being FIT (focused, intelligent, and thriving). She expressed the desire to partner with schools to spread this message.

General Consent Calendar

Member L. Cummins requested that item 4.3—Hamilton Education Program Memorandum of Understanding with Gilder Lehrman, item 4.8—Equity Conference, and item 4.10—Temporary Authorizations be pulled from the Consent Calendar.

MOTION was made by member Belnap and seconded by Vice Chair Warner that the Board approve the Consent Calendar, as amended.

Motion carried.

Consent Calendar

4.1 Approval of Minutes

The Board approved the minutes of its September 7-8, 2017 meetings.

4.2 Contract and Agreement for Approval

The Board approved contracts and agreements over \$100,000 with the following: Imagine Learning; NCS Pearson, Inc.; Amplify Education; Division of Juvenile Justice Services; Utah Restaurant Association.

4.3 Contracts and Agreements for Review

The Board was provided with contracts and agreements under \$100,000 for review with the following: Design Type Service; Division of Juvenile Justice Services; Utah Education Policy Center; Gilder Lehrman, Department of Heritage Arts, Salt Lake County.

4.4 Per Diem Rates

The Board adopted the travel per diem rates for FY2018 established by the Director of the Division of Finance.

4.5 New FY 2018 Plans for Digital Teaching and Learning Qualified Grant

The Board approved full Digital Teaching and Learning grants to George Washington Academy, North Star Academy, Ogden City School District, Success Academy, and Wasatch Peak Academy. The Board also approved a Digital Teaching and Learning planning grant for Bonneville Academy.

4.6 R277-419 Pupil Accounting

The Board approved R277-419 *Pupil Accounting*, as amended, on third and final reading.

4.7 Equity Conference

This item was removed for further discussion.

4.8 NASBE Bylaws and Positions

The Board accepted amendments to the National Association of State Board of Education Bylaws and Positions.

4.9 Data Requests with No Personally Identifiable Information or Student Level Data

The Board approved data requests from Utahns Against Hunger and The University of Utah.

4.10 Temporary Authorizations for Licensure

This item was removed for further discussion.

Memorandum of Understanding for the Hamilton Education Program between the Gilder Lehrman Institute of American History, Utah Department of Heritage and Arts, Utah State Board of Education, Broadway Across America, and Salt Lake County

Member L. Cummins spoke to the reason she pulled this item from the Consent Calendar. Gilder Lehrman is providing an opportunity for Utah students to see the musical, *Hamilton*, when it comes to Salt Lake. She expressed concern about the historical accuracy of the production and from where student tickets will be paid.

It was clarified that the Gilder Lehrman Foundation is paying the bulk of the cost and the Utah Legislature appropriated \$350,000 as well. Schools are also being asked to pay \$10 per eligible student.

Tamara Burnside, USBE Arts Specialist, distributed and reviewed a handout about the Hamilton Education Program for 11th grade students. It was noted that a parental release form will be required for students to participate.

MOTION was made by Member Stokes and seconded by Vice Chair Warner that the Board approve the Hamilton Education Program Memorandum of Understanding.

Motion carried, with Members Boulter, L. Cummins and Wright opposed.

Equity Conference

Member L. Cummins spoke to the reason she had this item pulled from the Consent Calendar. She requested clarity on what will be included in the conference.

Momi Tu-ua, USBE Equity Specialist, responded that local education agencies and schools have requested the conference and topics have been chosen from a survey of LEAs and recommendations from the Board's Advisory Committee on Equity of Educational Services for Students. She highlighted some of the topics.

MOTION was made by Member Lear and seconded by Member L. Cummins that the Board support the conference.

Motion carried unanimously.

Temporary Authorizations for Licenses

Member L. Cummins spoke to why she pulled this item from the Consent Calendar. She voiced concern about the high number of teachers that are unlicensed and still going through programs, and the impact it might have on students.

Diana Suddreth, USBE Director of Teaching and Learning, explained that the letters of authorization are requested by LEAs when they are unable to fill a position with a qualified teacher. The teachers with temporary authorizations are generally working towards licensure, and if not, are replaced when a qualified individual is available.

MOTION was made by Member Lear and seconded by Member Neilson that the Board approve the letters of authorization as submitted.

Motion carried unanimously.

Monthly Budget Report

Deputy Superintendent Scott Jones and Finance Director Deborah Jacobsen presented the monthly budget report.

FY 2019 Budget Request

Chair Huntsman asked Terry Shoemaker, Executive Director of the Utah School Boards Association, to join the conversation.

MOTION was made by Vice Chair Ellis and seconded by Member Riebe that the Board approve the FY2019 budget priorities as outlined in the State Fiscal Year Funding Guidance document prepared by Chair Huntsman.

MOTION TO AMEND was made by Member B. Cummins and seconded by Member Riebe that the Board remove item #19, Standards Revision for English/ Language Arts and Mathematics, from the list.

Board member comments included that the public and Governor Herbert have asked the Board to revise the standards; in the past the public was told no money was

associated with changes to the standards; blaming the failure on the lack of teacher development is not true; many teachers participating in SAGE testing are using the standards and prefer they not be rewritten; this should be a legislative decision.

Motion to amend carried, with members Belnap, Cannon, B. Cummins, Graviat, Hansen, Huntsman, Lear, Riebe, Stokes and Warner in favor, and Members Boulter, L. Cummins, Ellis, Neilson and Wright opposed.

MOTION TO AMEND was made by Vice Chair B. Cummins and seconded by Member Riebe that the Board remove item #11, Dual Language Immersion Assessment, from the list.

Board member comments included that while the Dual Language Immersion program is strong in elementary school, it is not carried through junior high and high school, and more money shouldn't be spent in elementary school until the program is more focused.

Motion carried, with Member Belnap opposed.

MOTION TO AMEND was made by Vice Chair B. Cummins and seconded by Member Belnap that the WPU increase be split with a 2.5 percent increase to maintain programs and a minimum 3 percent additional request to meet district and charter school priorities.

Superintendent Terry Shoemaker cautioned that a joint council of the Utah Schools Boards Association/Utah School Superintendents Association/Utah Association of School Business Officials tried this approach last year and it was very confusing.

Motion to amend failed, with all opposed.

MOTION TO AMEND was made by Member Stokes and seconded by Member Belnap that the Board divide its priorities into four categories: 1) a combination of WPU and growth; 2) a breakout of the Utah Schools for the Deaf and the Blind (USDB) budget; 3) a breakout of the USBE budget; 4) a separate category for all the regional services.

Members voiced concern that last year all but two Board priorities were funded and by changing the way the funding request is presented, the Board is giving up its opportunity to set priorities; in the end, the legislature will still want to know the

Board's priorities within the categories. Concern was also expressed that some items don't belong in the WPU.

Member Stokes spoke to his motion, suggesting that to debate items appropriated by formula doesn't make sense, and by shifting to the categories, the legislature would give the Board more control to divide the money and provide more local control.

Motion to amend carried, with Members Belnap, Boulter, L. Cummins, Ellis, Neilson, Riebe, Stokes, Warner and Wright in favor, and Members Cannon, B. Cummins, Graviet, Hansen, Huntsman and Lear opposed.

Motion as amended—to approve the list as presented with the Dual Language Immersion Assessment and Standards Revision for ELA and Math removed and to put the list into categories as outlined—carried unanimously.

Dixie Montessori Expansion Request

Deputy Superintendent Angie Stallings and Jennifer Lambert, Executive Director for the State Charter School Board, reviewed the request from Dixie Montessori Academy's (DMA) governing board for an expansion of student membership. For the 2016-17 school year, DMA was authorized to enroll 410 students; however, DMA exceeded its authorized enrollment by enrolling 426 students. DMA is now seeking a request to increase its total enrollment to 435 students.

The Board considered the request in its September 8, 2017 meeting and did not approve the expansion. At the request of several Board members, the Board is reconsidering the request.

Director Lambert explained that the school is requesting authorization to help manage the student Average Daily Members (ADM) funding. The intent is not to go over in the ADM, but to have some flexibility to enroll a little bit over the 410 they currently have to help manage the ADM. She noted that the State Charter School Board is holding schools to their charters, but wants to allow them that buffer.

Board members expressed concerns that other schools have been told they cannot go over their cap, and that Dixie Montessori is a failing school. It was conversely noted that school grades are not considered by all to be the best measure of a school and that parents with students in a charter school are aware of what is happening and have the choice whether to keep their children in the school.

Motion failed, with Members Boulter, B. Cummins, L. Cummins, Ellis, Stokes and Wright in favor, and Members Belnap, Cannon, Gravier, Hansen, Huntsman, Lear, Neilson, Riebe and Warner opposed.

Executive Session

MOTION was made by Member Cannon and seconded by Member Belnap that the Board go into Executive Session for the purpose of discussing pending or reasonably imminent litigation.

Upon voice vote of Members Belnap, Boulter, Cannon, B. Cummins, L. Cummins, Ellis, Gravier, Hansen, Huntsman, Lear, Neilson, Riebe, Warner and Wright, the Board moved into Executive Session at 1:18 p.m.

Those present included all Board members above and Sydnee Dickson, Bryan Quesenberry, Emilie Wheeler and Lorraine Austin.

MOTION was made by Member Riebe and seconded by Member Belnap that the Board come out of Executive Session.

Motion carried. The Board reconvened in open session at 1:35 p.m.

MOTION was made by Member Riebe and seconded that the Board go back into Executive Session for the purpose of discussing pending or reasonably imminent litigation.

Upon voice vote of Members Belnap, Boulter, Cannon, B. Cummins, L. Cummins, Ellis, Gravier, Hansen, Lear, Riebe, Warner and Wright, the Board moved into Executive Session at 1:40 p.m.

Those present include the Board members above and Chair Huntsman, Sydney Dickson, Patty Norman, Scott Jones, Brad Cummings, Bryan Quesenberry, Lorraine Austin and Emilie Wheeler.

MOTION was made By Member Riebe and seconded by Member L. Cummins that the Board come out of Executive Session.

Motion carried. The Board reconvened in open session at 1:55 p.m.

Executive Session Items

Ratification of Assistant Superintendent Appointment

Superintendent Dickson presented the name of Darin Nielsen for the appointment of Assistant Superintendent of Student Learning.

MOTION was made by Member Belnap and seconded by Member L. Cummins that the Board ratify the appointment of Darin Nielsen.

Motion carried; Member Stokes absent. Mr. Nielsen addressed the Board.

Appointment to ACEESS

MOTION was made by Member Belnap and seconded by Member Lear that the Board appoint Judith Hilman to its Advisory Committee for Equity of Educational Services for Students (ACEESS) as an at-large representative with expertise or experience serving students who are at risk for under-achievement.

Motion carried; Member Stokes absent.

Licensing Actions and UPPAC Consent Calendar

MOTION was made by Member Belnap and seconded by Member Cannon that the Board accept the remand order in Utah Professional Advisory Commission (UPPAC) Case No. 17-1410.

It was voiced that if the case is remanded the Board should hear the case itself.

Motion carried, with Members Graviet and Lear opposed; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board accept the UPPAC recommendation in Case No. 17-1383 to issue a letter of reprimand consistent with the terms of the Consent to Discipline.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board accept the recommendation in UPPAC Case No. 17-1386 to issue a letter of reprimand consistent with terms of the Consent to Discipline.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board accept the UPPAC recommendation in Case No. 16-1347 to issue a letter of reprimand consistent with the terms of the Consent to Discipline.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board accept the UPPAC recommendation in Case No. 16-1357 to suspend the individual's Level 2 Elementary Education license for a period of no less than three years consistent with the Consent to Discipline.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board accept the UPPAC recommendation in Case No. 16-1353 to suspend the individual's Level 2 Special Education license for a period of no less than one year consistent with the Hearing Report.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board accept the UPPAC recommendation in Case No. 16-1341 to suspend the individual's Level 2 Secondary Education and Career and Technical Education license for a period of no less than one year consistent with the Hearing Report.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Hansen that the Board approve the UPPAC Consent Calendar.

Motion carried; Member Stokes absent.

MOTION was made by Member Lear and seconded by Member Graviet that the Board accept the UPPAC recommendation in Case No. 16-1375 to suspend the individual's Level 2 Secondary Education license for a period of no less than five years.

Member Lear spoke to the motion by reiterating that in this case UPPAC made a sound recommendation and she feels the Board should accept it or hear directly from the educator.

Motion failed, with Members Cannon, Lear and Riebe in favor, and Members Belnap, Boulter, B. Cummins, L. Cummins, Ellis, Graviet, Hansen, Huntsman, Neilson, Warner and Wright opposed; Member Stokes absent.

School Children's Trust Section Update

Interim School Children's Trust Section Director Paula Plant made a presentation to the Board regarding the School Children's Trust Program distribution, USBE Trust Advisory Committee, and work of the Trust Lands Administration and School Children's Trust Section.

Board members expressed appreciation to Ms. Plant for her work and the work of her section.

Audit Committee Report/Action

Audit Committee Chair Terry Warner reported on the September 2017 Audit Committee meeting. No action was taken by the committee, but the committee has begun the work of evaluating the USBE list of emerging risks.

Internal Audit Director Debbie Davis gave the Board an update on School Fees audit.

Board members raised a concern from the districts regarding multiple audits being conducted simultaneously.

FY19 Budget Priorities Request

Deputy Superintendent Scott Jones distributed a handout with the changes made to the budget priorities request earlier in the day.

USBA Executive Director Terry Shoemaker was invited to comment. He pointed out that there is a movement to consolidate or eliminate items below the line and put that money into the WPU, and that move would have the net effect of inflating the WPU and over time eliminating some programs. The legislature has lumped items together in a block grant in the past, which created significant issues and problems for local school districts during the

downturn in the economy. He suggested enrollment should be separated from the WPU. He also commented that if items aren't considered individually it could give the impression those items shouldn't be considered on their own merits.

Board members discussed issues with the new budget request format, including the expectation for the Board to prioritize the items despite the Board's recommendation; not building on the success of last year, despite better preparation; difficulty in determining what to combine, cut or trim; confusion with the new format. Others responded that the priority items are still included and the format make a difference as to what is appropriated to public education.

MOTION was made by Member Riebe and seconded by member Cannon that the Board categorize K-3 Reading as #1 and Pupil Transportation Funding To/From as #2 under Programs for LEAs.

Motion carried.

MOTION was made by Member Riebe and seconded by Member Ellis that the Board prioritize NESS funding as #3 under Programs for LEAs.

Motion carried.

MOTION was made by Member Hansen and seconded by Member Cannon that the Board prioritize Teacher Supplies as #4, the Beverley Taylor Sorenson Arts Learning Program as #5, and Counseling and Trauma Informed Practices as #6.

The motion was divided.

Motion to prioritize Teacher Supplies #4 was discussed. Several members expressed their preference to have that money in the WPU to be used at LEA discretion. Others mentioned that this money is very significant to stakeholders.

Motion carried, with Member B. Cummins and Neilson opposed.

Motion to move the Beverley Taylor Sorenson Arts Learning Program to #5 was considered.

Motion carried, with Members Cannon, L. Cummins, Ellis, Graviet, Hansen, Huntsman, Lear, Neilson, Riebe and Wright in favor, and Members Belnap, Boulter, B. Cummins, Stokes and Warner opposed.

Motion to move Elementary Counseling and Trauma Informed Practice to #6 was considered.

Information was provided that this is not a curriculum, but an understanding by adults of how trauma affects the brain. Teachers do not become interventionists and don't collect data from the practice.

Motion carried; Member Stokes absent.

MOTION was made by Member Riebe and seconded by Member Cannon that Regional Service Centers be prioritized as #7.

Motion carried; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member Riebe that the Board move ICEE/POPS funding to #8 and Digital Teaching and Learning to #9.

Motion carried unanimously.

MOTION was made by Member Belnap and seconded by Member Boulter that the Board remove CANVAS LMS K-12 from the budget priorities list.

Staff reported that the process for purchasing CANVAS for all LEAs is run by the Utah Education and Telehealth Network. There is considerable cost savings in doing a statewide model.

Board members discussed whether using CANVAS should be a local decision. It was noted that CANVAS is used in higher education as well, and suggested that with all LEAs using the program, more equity for students is available.

Sevier School District Superintendent Cade Douglas was asked to respond. He indicated district superintendents are in support of the program and would like the state to continue to pay for CANVAS. The superintendents voted in favor of asking the Board to add this request to its priorities list.

Motion failed, with Members Belnap, Boulter, L. Cummins, Ellis and Wright in favor and all others opposed.

Finance Committee Report/Action

Committee Vice Chair Joel Wright reported on the following items from the October 11, 2017 Finance Committee meeting.

Risk Premium Increases to Local Education Agencies

The Committee received a report from the Utah Division of Risk Management.

Significant Year End Accruals

Staff reviewed with the Committee the requirement to book an accrual for expenses related to community-based organizations and higher education for awards from federal programs where the reimbursement request came in after fiscal year end.

MOTION from Committee that the Board approve booking the \$8,116,709 accrual and the submission to State Finance.

Motion carried.

SFY 17 Carry Forward Amounts by Section and Program

The Committee reviewed carry forward balances calculated as part of the year-end closing package, and proposals for use of the carry forward funds.

MOTION from Committee that the Board approve the use of the carry forward balances in accordance with the section spend plans.

Motion carried.

Superintendent's Report

Superintendent Sydnee Dickson made a presentation on the Back to School Road Trip she recently took.

Eliminating Barriers to Educational Excellence Task Force

Task Force Chair Alisa Ellis reported that the Board's Eliminating Barriers Task Force has been meeting regularly and has sent out two surveys—one to the education community and one to the public at large—asking for input. The Task Force is in the process of reviewing the

comments. The group has identified an issue with the funding stream for driver education that needs to be changed in statute.

MOTION from the Task Force that the Board support the existing work of staff on the driver education funding issue and direct staff to work with the legislature to amend Utah Code 53A-13-202 *Driver Education Funding – reimbursement of school districts for driver education class expenses – Limitations – Excess funds – Student fees*, and other related provisions to: 1) eliminate the reimbursement cap; 2) reduce reporting burdens on the LEAs; 3) distribute more money to LEAs from the money the Board receives from the Automobile Drivers Education Tax Account; and 4) move the guidelines regulating the program into Board rule as opposed to Utah Code.

Motion carried unanimously.

R277-700 The Elementary and Secondary School General Core

R277-700 Hearing Report

The Board held a hearing on Administrative Rule R277-700 *The Elementary and Secondary School General Core* on September 20, 2017. The Hearing Officer, Assistant Attorney General David Thomas, provided the Board with a Hearing Officer Report of the hearing.

MOTION was made by Member Belnap and seconded by Member L. Cummins that the Board accept the Hearing Officer Report.

Motion carried.

R277-700 – Next Steps

MOTION was made by Vice Chair B. Cummins and seconded by Member Riebe that the Board direct staff not to file a notice of effective date for R277-700 with the Office of Administrative Rules and to send R277-700 back to the Standards and Assessment Committee for further review and consideration.

Motion failed 7-8, with Members Cannon, B. Cummins, Graviet, Lear, Riebe, Stokes and Warner in favor, and Members Belnap, Boulter, L. Cummins, Ellis, Hansen, Huntsman, Neilson and Wright opposed.

MOTION was made by Vice Chair B. Cummins and seconded by Vice Chair Warner that the Board adopt R277-700 Revision 1 and direct staff to file Revision 1 with the Office of Administrative Rules.

Revision 1 of the rule was distributed.

Vice Chair B. Cummins spoke to the motion by indicating that if Revision 1 is approved the rule would still go out for public comment. The intent of the revision is to require the courses listed, but add the provision that an LEA may integrate courses and/or establish alternate methods for students to demonstrate competency. The intent of the amendment is to maintain flexibility and give LEAs the opportunity to give credit for mastery of content areas demonstrated in various ways. Members discussed the following:

- The change would keep the classes in place, but provide flexibility for parents who don't want their children to participate in the classes.
- More discussion of the compromise is needed as it is a major change.
- The change could affect rural districts that are already cash-strapped and force them to offer classes for very few students.
- Flexibility would lie in the creativity of the local board or district.
- The delay would give the Board the opportunity to receive recommendations from its Graduation Requirements Task Force.
- The proposed change is a result of listening to the Board's constituents.
- The determination of competency is a concern and takes choice away from parents.

It was noted that a clerical correction needs to be made to line 136 of Revision 1 to change "at least two" to "at least one."

Motion failed, with Members B. Cummins, Cannon, Gravier, Lear and Warner in favor and all others opposed.

MOTION was made by Member Neilson and seconded by Member Cannon that the Board reconsider its actions on the motion to direct staff not to file a notice of effective date for R277-700 with the Office of Administrative Rules and to send R277-700 back to the Standards and Assessment Committee for further review and consideration.

Without objection the motion was reconsidered.

Motion carried, with Members Belnap, Cannon, B. Cummins, L. Cummins, Gravier, Hansen, Huntsman, Lear, Neilson, Riebe, Stokes and Warner in favor, and Members Boulter, Ellis and Wright opposed.

Utah Data Research Center and Data Elements

Deputy Superintendent Scott Jones addressed a concern expressed by some Board members that there hasn't been enough transparency with the Statewide Longitudinal Data System (SLDS). He reviewed a summary assessing the state's work on the SLDS grant. He noted that the state is in compliance, but is behind in the implementation. He reported that data elements have been shared with the other partners, but no data has been sent, and a process will take place where he will work with the Board's Data Privacy Officer to screen data requests before any data is sent.

School Accountability Report Card Design

This item was deferred.

2018 Board Meeting Schedule

MOTION was made by Member Warner and seconded by Member Gravier that the Board accept the 2018 USBE Meeting Schedule.

MOTION TO AMEND was made by Member Wright and seconded by Member Hansen that the Board hold no meeting in April and add a committee meeting to July.

MOTION TO AMEND THE AMENDMENT was made by Member Belnap and seconded by Member Stokes that the meeting on March 1-2 be moved to March 15-16 and the meeting on April 5-6 be moved to April 12-13.

Motion to amend the amendment carried, with Members Cannon and Neilson opposed.

MOTION TO AMEND THE AMENDMENT was made by Member Cannon and seconded by Member Stokes that no meeting be held in July.

Motion to amend the amendment carried, with Members Belnap, Ellis and Neilson opposed.

Motion to amend, to change the March and April meetings to March 15-16 and April 12-13 and hold no meetings in July, carried; Member Neilson opposed.

Motion carried; Member Neilson opposed.

Adjournment

MOTION was made by Member Riebe and seconded by Member Neilson that the meeting adjourn.

Motion carried. The meeting adjourned at 5:40 p.m.

Lorraine Austin, Board Secretary
Minutes approved November 2, 2017