

**UTAH STATE BOARD OF EDUCATION MEETING MINUTES**  
**February 7-8, 2019**

**BOARD LEGISLATIVE MEETING / STUDY SESSION**

A legislative meeting and study session of the Utah State Board of Education was held February 7, 2019 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  
Vice Chair Brittney Cummins  
Member Laura Belnap  
Member Michelle Boulter  
Member Janet A. Cannon  
Member Lisa Cummins  
Member Cindy Davis  
Member Jennie Earl

Member Alisa Ellis  
Member Jennifer Graviet  
Member Linda B. Hansen  
Member Scott L. Hansen  
Member Carol Barlow Lear  
Member Scott B. Neilson  
Member Shawn E. Newell

**Executive Staff Present:**

Sydnee Dickson, State Superintendent  
Scott Jones, Deputy Superintendent  
Angie Stallings, Deputy Superintendent  
Patty Norman, Deputy Superintendent

**Minutes taken by:**

Lorraine Austin, Board Secretary

**Others Present:**

Vincent Bates—Weber State University; Tami Pyfer—Governor’s Office; Becky Dunn—Washington School District; Mary Nielsen—Utah School Boards Association; Karen Shuman—Utah PTA; Steve Wrigley—Canyons School District; Jay Blain—Utah Education Association; Michelle Draper, Brandon Watts, Alisa Ensign—Utah Schools for the Deaf and the Blind; Lori Ruth, Shellee Marlar—USDB Education Association; Bryan Quesenberry—Attorney General’s Office; Jerry Record, Jeff Van Hulten, Keith Lawrence, Ysaac Amarillas, Corby Eason, Leah Voorhies, Darin Nielsen—USBE staff

Chair Huntsman called the meeting to order at 12:05 p.m. He thanked Board members for their commitment to public education and all they are doing on the Hill, and recognized staff for their preparation and execution during the legislative session.

**Swearing in of Shawn Newell**

Chair Huntsman administered the Oath of Office to Shawn Newell. Mr. Newell was appointed by the Governor to fill the seat in District 10 vacated by Kathleen Riebe.

**USBE Legislative/Budget Priorities**

Jennifer Thronsen, Pre-K12 Literacy and Library Media Coordinator, reviewed requests for appropriations for the Interventions for Reading Difficulties Program in S.B. 37 Interventions for Reading Difficulties Sunset Amendments, and High Quality School Readiness in a Preschool Program Amendments bill.

Christy Walker, School and Student Safety Specialist made a presentation regarding H.B. 120 School and Student Safety Assessment.

Deputy Superintendent Angie Stallings reviewed CTE skill certification assessments and indicated the Law and Licensing Committee discussed having staff work with a legislator on a bill that would exempt CTE skill certifications from opt out.

**MOTION** was made by Member Lear and seconded that the discussion on CTE skill certification be referred to a Board standing committee and that the Board not pursue legislation at this time.

Motion carried unanimously.

**MOTION** was made by Member L. Hansen and seconded that the Board support H.B. 120 Student and School Safety Assessment.

Motion carried 11-3, with Members Belnap, Cannon, B. Cummins, Davis, Earl, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell in favor, and Members Boulter, L. Cummins and Ellis opposed; Member Neilson absent.

**MOTION** was made by Member L. Hansen and seconded that the Board add \$350,000 to support S.B. 37 Interventions for Reading Difficulties Sunset Amendments to the Board's FY20 Budget Priorities list.

Motion carried 12-2, with members Belnap, Boulter, Cannon, B. Cummins, Davis, Earl, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell in favor, and Members L. Cummins and Ellis opposed; Member Neilson absent.

**MOTION** was made by Member Davis and seconded that the Board support H.B. 198 Education Accountability Amendments, and request that the sponsor amend the bill to remove the requirement for the Board to publish a summative rating.

Motion carried 12-2, with Members Boulter, Cannon, B. Cummins, L. Cummins, Davis, Earl, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell in favor, and Members Belnap and Ellis opposed; Member Neilson absent.

**MOTION** was made by Member Lear and seconded that the Board support H.B. 208 Safe Routes to School Program.

Motion carried 11-3, with Members Belnap, Cannon, B. Cummins, L. Cummins, Davis, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell in favor, and Members Boulter, Earl and Ellis opposed; Member Neilson absent.

**MOTION** was made by Member Lear and seconded that the Board support the concept of H.B. 71 Health Education Amendments.

**MOTION** was made by Member Belnap and seconded that this item be postponed until the legislative portion of the Board's meeting on February 8.

Motion carried, with Member S. Hansen opposed.

[For additional details, see General Exhibit No. 19-30.]

### **Study Session – Educator Licensing**

Travis Rawlings, Coordinator of Educator Licensing, made a presentation to the Board on educator licensing in Utah and reviewed the timeline for changes to the current system. He reminded that last year the Board sought changes to statute to allow for a three-tier licensing system, and reviewed the rules that need to be revised in conjunction with the change.

[For additional details, see General Exhibit No. 19-31.]

### **Adjournment**

The meeting adjourned at 3:10 p.m.

**STATE BOARD MEETING**

A regular meeting of the Utah State Board of Education was held February 8, 2019 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  
Vice Chair Brittney Cummins  
Member Laura Belnap  
Member Michelle Boulter  
Member Janet A. Cannon  
Member Lisa Cummins  
Member Cindy Davis  
Member Jennie Earl

Member Alisa Ellis  
Member Jennifer Graviet  
Member Linda B. Hansen  
Member Scott L. Hansen  
Member Carol Barlow Lear  
Member Scott B. Neilson  
Member Shawn E. Newell

**Executive Staff Present:**

Sydnee Dickson, State Superintendent  
Scott Jones, Deputy Superintendent  
Angie Stallings, Deputy Superintendent

Patty Norman, Deputy Superintendent  
Lorraine Austin, Board Secretary

**Others Present:**

Kelly Bush—Kearns Metro Township; Paula Larsen, Roger Snow—Kearns Community Council; Laura Grzymkowski, Holly Petersson—Ed Direction; Daelin Pitt—Tooele School District; Debby Llewelyn—Utah Association of Public Charter Schools; Sarah Kelly, Jen Brown, Melissa McKay—parents; Vincent Bates—Weber State University; Elizabeth Hinkson—Utah Department of Health; Nancy Tingey, Mont Millerberg, Kathryn McCarrie, Jim Briscoe—Canyons School Board/District; Eric Robins, Bryan Storrs, Jared Gibson, Matt Edvik, Carly Coles, Evette Mendisabal, Sue Talmadge, Alaina Hendricks, Leslie Harris, Jason Bennion, Brian Jackson—Entheos Academy; Chip Watts—Midvale Elementary; Andrea Rorrer—Utah Education Policy Center; Jennifer Lambert—State Charter School Board; Bryan Quesenberry—Attorney General’s Office; Leah Voorhies, Darin Nielsen, Max Lang, Leslie Evans, Sarah Young, Jerry Record, Jeff Van Hulten, Keith Lawrence, Kevin John, Zac Christensen, Fay Tan, Kathleen Britton, Emilie Wheeler—USBE staff

Chair Huntsman called the meeting to order at 8:05 a.m.

**Executive Session**

**MOTION** was made by Member Belnap and seconded that the Board go 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, B. Cummins Davis, Earl, Ellis, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell the Board moved into closed Executive Session at 8:06 a.m.

Those present included the Members above, Members Lisa Cummins and Scott Neilson, and Ben Rasmussen, Bryan Quesenberry, Emilie Wheeler, and Lorraine Austin.

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

Motion carried unanimously. The Board came out of Executive Session at 9:15 a.m.

**Opening Business**

The Board reconvened in open meeting at 9:24 a.m. Member Laura Belnap led those present in the Pledge of Allegiance.

**Board Member Message**

Member Carol Lear welcomed the Board. She played a clip from the film, *To Kill a Mockingbird*. She emphasized the power of words over the power of mob violence, guns, bigotry or hate, and most importantly, that words can and should be used powerfully for good, to disperse angry people, to protect a family member or friend and to be kind.

**Employee Recognition**

Superintendent Sydnee Dickson reported on the USBE Employee of the Month, Cory Kanth.

Karen Heaton from H.R. facilitated the introductions of new USBE employees Jodi McGill and Sydney Young.

### Acknowledgment of Student Artwork

Tamara Burnside, Beverley Taylor Sorenson Arts Specialist, informed the Board about the artwork hanging in the Board room from Davis, Ogden, and Weber School Districts, Syracuse Arts Academy, Red Mountain Elementary, Enoch Elementary, Helen M. Knight Elementary, South Summit Elementary, Farnsworth Elementary, Horace Mann Elementary, Mountain View Elementary, and Cedar Ridge Elementary. The works included art created for a graphic novel celebrating the 150<sup>th</sup> anniversary of the transcontinental railroad.

### Education Highlight

Member Linda Hansen introduced Cora Stewart from Anna Smith Elementary in Wendover, a 4<sup>th</sup> grade student that took first place in Utah and fourth place nationally for Math Kangaroo last year and was in the top 40 percent for the Math Olympiad (for grades 4-6) as a 3<sup>rd</sup> grader.

Cora gave information about the competitions. She presented a math problem to Board members and showed them how to solve it. Board members applauded her for representing Utah so well.

### **Public Comment**

Kelly Bush, Mayor of Kearns Metro Township – addressed the closure of Oquirrh Hills Elementary in Granite School District. She voiced that the process followed has left the public questioning the transparency of elected officials and has placed a stigma on a community and children who attend the school. She expressed her feeling that Granite District abused the law and asked that the truth be told.

Vincent Bates, Weber State University educator – expressed that attempts to address teacher shortages by making it easier to become a teacher are compromising quality, and stated that relegating teacher preparation to local education agencies (LEAs) is not a viable long-term solution. He indicated that if the Board approves its rule R277-304 today, the clinical experience will not be effective.

Sarah Kelly, former teacher and current PTO president - thanked the Board for offering vocal support for H.B. 198 Education Accountability Amendments. She asked the Board to offer even more support before this bill is heard on the floor of the Legislature, as letter grading often impacts a school's ability to improve. The current dashboard is a welcome, and hopefully, permanent change.

Jen Brown – mentioned her experience to protect children, including running Safe Internet for Utah kids. She is concerned that in the proposed Health Standards revision children as young as second grade will be taught proper anatomical terms. She referenced the book, *Good Pictures, Bad Pictures*, which doesn't use those terms, and asked the Board to be cognizant of how important the age of innocence is. She distributed an abstract of the article, *Exploring the Relationship Between Erotic Disruption During the Latency Period and the Use of Sexually Explicit Material, Online Sexual Behaviors, and Sexual Dysfunctions in Young Adulthood*.

Melissa McKay – expressed that proposed changes in H.B. 237 Personal Electronic Device Use in Public School aren't sufficient to address the serious cell phone misuse in schools. She suggested that without meaningful in-school training for teachers and students, in-school use won't be reduced. She urged the Board to work on this in rule or support Representative Pulsipher in strengthening the bill.

[For additional details, see General Exhibit No. 19-32.]

### **Legislative Policy/Statutory Priorities**

Representative Jefferson Moss and Tami Pyfer, Governor's Education Advisor, were welcomed. They reported on changes proposed to the Financial Literacy section of statute in H.B. 286 Financial and Economic Literacy Education Amendments. Travis Cook, USBE Specialist for Career Connections Financial Literacy, gave some background about the program and noted that Utah is the only A+ state in the nation when it comes to Financial Literacy. Information on Utah's Financial Literacy background was distributed.

Superintendent Dickson noted that Representative Knotwell had been at this meeting to discuss H.B. 227 Utah Computer Science Grant Act, but was called back to the Capitol. Kimberly

Carlisle, Director of Talent Ready Utah, and Brandon Jacobsen, USBE, reviewed the bill, which includes the Board's recommendations for providing funding to local education agencies.

Deputy Superintendent Stallings reviewed S.B. 112 Public Education Information System Uniformity Act and H.B. 250 School Fee Revisions.

**MOTION** was made by Member Belnap and seconded that the Board support S.B. 112 Public Education Information Systems Uniformity Act.

It was clarified that the bill governs the Board's internal systems and makes the systems interoperable with LEAs, but doesn't have anything to do with data sharing with other agencies. Benefits include systems that are more aligned, better able to communicate and are easier to secure.

Motion carried, with Member Ellis opposed.

**MOTION** was made by Member Belnap and seconded that the Board support 1<sup>st</sup> Substitute H.B. 250 School Fee Revisions.

Motion carried unanimously.

**MOTION** was made by Member Cannon and seconded that the Board support H. B. 286 Financial and Economic Literacy Education Amendments.

Motion carried unanimously.

The motion postponed in the Board's February 7 meeting to support H.B. 71 Health Education Amendments was addressed. Without objection, Member Lear withdrew the motion.

**MOTION** was made by Member L. Hansen and seconded that the Board oppose H.B. 242 State Board of Education Revisions.

Concerns were expressed about the large geographic area a board member would have to represent should the bill pass and that in the transition about half the state would be without representation for two years.

Motion carried 12-3, with Members Boulter, Cannon, L. Cummins, Davis, Earl, Ellis, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell in favor, and Members Belnap, B. Cummins and Neilson opposed.

Policy Analyst Jeffrey Van Hulten reviewed H.B. 237 Personal Electronic Device Use in Public Schools in conjunction with rule R277-495 *Required Policies for Electronic Devices* that is before the Board today.

[For additional details, see General Exhibit No. 19-33.]

### **General Consent Calendar**

**MOTION** was made by Member B. Cummins and seconded that the Board approve the General Consent Calendar.

Without objection, items 4.2 Contracts for Approval, 4.3 Contracts for Review, and 4.7 Request to Apply for Assessment Grant, were pulled for further discussion.

Motion to approve the Consent Calendar, as amended, carried unanimously.

#### GENERAL CONSENT CALENDAR

##### 4.1 Approval of Meeting Minutes

The Board approved the minutes of its January 9-10 and January 31, 2019 meetings. [For additional details, see General Exhibit No. 19-34.]

##### 4.2 Contracts for Approval

This item was pulled for further discussion.

##### 4.3 Contracts for Review

This item was pulled for further discussion.

##### 4.4 Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as requested by local education agencies (LEAs). [For additional details, see General Exhibit No. 19-35.]

##### 4.5 R277-117 Utah State Board of Education Protected Documents

The Board repealed R277-117 on second and final reading. [For additional details, see General Exhibit No. 19-36.]

#### 4.6 President's Volunteer Service Award

The Board approved staff applying for the Board to become a certifying organization for the President's Volunteer Service Award. [For additional details, see General Exhibit No. 19-37.]

#### 4.7 Request to Apply for Assessment Grant

This item was pulled for further discussion.

#### 4.8 School Breakfast Leadership Institute Grant

The Board approved staff applying for the No Kid Hungry Grant from the School Breakfast Leadership Institute. [For additional details, see General Exhibit No. 19-38.]

#### 4.9 Concurrent Enrollment Report

The Board was provided with the required annual Concurrent Enrollment Report to the Legislature. [For additional details, see General Exhibit No. 19-39.]

#### 4.10 K-3 Reading Improvement Program Report

The Board was provided with the required annual K-3 Reading Improvement Program Report to the Legislature. [For additional details, see General Exhibit No. 19-40.]

#### 4.11 List of Educator Licenses

The Board was provided with a list of educator licenses processed in December 2018. [For additional details, see General Exhibit No. 19-41.]

#### 4.2 Contracts for Approval [For additional details, see General Exhibit No. 19-42.]

Zac Christensen, Director of Purchasing, reviewed the process followed to award the contracts to Waterford and Penna Powers.

**MOTION** was made by Member Cannon and seconded that the Board approve contracts over \$100,000 as presented.

Motion carried unanimously.

#### 4.3 Contracts for Review [For additional details, see General Exhibit No. 19-43.]

Zac Christensen clarified that the contract with Utah State University is for an amendment that is under the \$100,000 threshold requiring Board approval.

#### 4.7 Request to Apply for Assessment Grant

Associate Superintendent Darin Nielsen provided information about the grant from the U.S. Department of Education under the Competitive Grants for State Assessments program. Staff have until the end of February to issue a letter of intent to apply. If the grant is awarded, the Board will have to give approval to accept the grant.

**MOTION** was made by Member B. Cummins and seconded that the Board approve staff submitting an application for the Assessment Grant.

Motion carried, with Member L. Cummins opposed.

[For additional details, see General Exhibit No. 19-44.]

### **Executive Session Action Items**

#### Action on Educator Licenses

**MOTION** was made by Member Belnap and seconded that the Board accept the Utah Professional Practices Advisory Commission (UPPAC) recommendation in Case No. 17-1438 and suspend the individual's Level 2 Secondary Education license for a period of not less than three years.

Motion carried unanimously.

**MOTION** was made by Member Belnap and seconded that the Board accept the UPPAC recommendation in Case No. 18-1517 to issue of letter of reprimand to be in place not less than two years.

Motion carried unanimously.

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

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-45.]

#### Utah Special Education Advisory Panel (USEAP) Appointment

**MOTION** was made by Member Belnap and seconded that the Board appoint Michelle Searle to the Utah Special Education Advisory Panel, representing private schools, to finish a vacated term ending June 2019 and for an additional term ending June 30, 2023.

Motion carried unanimously.

#### Utah Instructional Materials Commission (UIMC) Appointments

**MOTION** was made by Member Belnap and seconded the Board appoint the following individuals to the Utah Instructional Materials Commission for four-year terms: Catherine Voutaz, representing lay citizens, and Mark Nance, representing elementary teachers.

#### **Monthly Budget Report**

Deputy Superintendent Scott Jones presented the monthly budget report and Discretionary Fund report.

[For additional details, see General Exhibit No. 19-46.]

#### **FY20 Board Budget Priorities**

Deputy Superintendent Jones reviewed the Board's FY20 budget priorities in comparison with the Governor's priorities.

**MOTION** was made by Member B. Cummins and seconded that the Board add to its priority list \$7,150,000 ongoing for computer science.

A concern was expressed with the funding being switched from the General Fund to the Education Fund.

Motion carried, with Members Belnap, Cannon, B. Cummins, Davis, Graviet, L. Hansen, S. Hansen, Huntsman, Lear, Neilson and Newell in favor, and Members Boulter, L. Cummins, Earl and Ellis opposed.

**MOTION** was made by Member B. Cummins and seconded that the Board remove the school nurses priority from its list of budget priorities.

Member Cummins spoke to her motion, indicating that LEAs will have flexibility within the school safety request to hire school nurses, should they need.

Concerns were expressed that far too many teachers and aides are asked to take care of nursing duties and that nurses are so crucial that a separate request is needed for them.

Motion carried, with Members Belnap, Boulter, B. Cummins, L. Cummins, Earl, Ellis, L. Hansen, S. Hansen, Huntsman, Neilson and Newell in favor, and Members Cannon, Davis, Gravier and Lear opposed.

[For additional details, see General Exhibit No. 19-47.]

### **Audit Committee Report**

Committee Chair Brittney Cummins reported on the January 17, 2019 Audit Committee meeting.

#### Prioritization of Assurances Audit

**MOTION** from Committee that the Board prioritize the Assurances Audit to be added to the Audit Plan after the Opt-out Audit.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-48.]

### **Law and Licensing Committee Report**

Committee Chair Alisa Ellis reported on the following items from the January 10, 2019 Committee meeting. Information on items not presented to the Board will be included in the exhibits to the committee meeting summary.

[For additional details, see General Exhibit No. 19-49.]

### External Data Requests

**MOTION** from committee that the Board approve the data requests from Allegra Wilson, NYU School of Medicine, and Kelly Lewis, University of Massachusetts Lowell.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-50.]

### R277-100 Definitions for Utah State Board of Education (Board) Rules

The Committee reviewed amendments to R277-100 to add definitions that will apply to newly-proposed reporting requirements in proposed rule R277-483 as well as apply consistent definitions for application throughout Board rule. The Committee approved Draft 2, with an amendment to remove the “Alternative School” definition, on first reading.

**MOTION** from Committee that the Board approve R277-100 *Definitions for Utah State Board of Education (Board) Rules*, Draft 3, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-51.]

### **Standards and Assessment Committee Report**

Committee Chair Jennifer Gravier reported on the following items from the January 9, 2019 Committee meeting. Information on items not presented to the Board will be included in the exhibits to the committee meeting summary.

[For additional details, see General Exhibit No. 19-52.]

### R277-495 Required Policies for Electronic Devices in Public Schools

The Committee reviewed proposed amendments to R277-495 and made additional amendments. The rule requires LEAs to have a policy on electronic device use for private use devices in or on school property and LEA owned devices that are provided by the school. The Committee made additional changes and approved R277-495, Draft 3, as amended, on first reading.

**MOTION** from Committee that the Board approve R277-495 *Required Policies for Electronic Devices in Public Schools*, Draft 4, on second and final reading.

**MOTION TO AMEND** was made by Member L. Hansen and seconded that the language contained in *Linda Hansen Amendment 1*, be incorporated into Draft 4.

Member Hansen reported that this language coordinates with H.B. 237 Personal Electronic Device Use in Public Schools discussed earlier.

Motion to amend the amendment was made by Member Davis and seconded that the last three lines of the Linda Hansen amendment be removed.

Motion to amend the amendment failed, with Members Belnap, Cannon, Davis, Graviet, Lear and Newell in favor, and all others opposed.

Amendment to add the language to Draft 4 carried, with Member Lear opposed.

Motion to approve R277-495, Draft 4, as amended, carried unanimously.

[For additional details, see General Exhibit No. 19-53.]

#### R277-486 Professional Staff Cost Program

The Committee reviewed R277-486, Draft 1, in conjunction with the five-year rule review requirement. The Committee made an additional change to the rule, and approved [and continued] Draft 1, as amended, on first reading.

**MOTION** from Committee that the Board approve and continue R277-486 *Professional Staff Cost Program*, Draft 2, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-54.]

#### R277-400 School Facility Emergency and Safety

The Committee reviewed amendments to R277-400, which establishes general criteria for both Emergency Preparedness and Emergency Response Plans required of schools and local education agencies in the event of an emergency. The Committee made additional changes and approved [and continued] Draft 1 of the rule, as amended, on first reading.

**MOTION** from Committee that the Board approve and continue R277-400 *School Facility Emergency and Safety, Draft 2*, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-55.]

R277-528 Use of Public Education Job Enhancement Program (PEJEP) Funds

Staff informed the Committee that R277-528 is scheduled to sunset July 1, 2020, but is still necessary because there are five teachers left in the program. The Committee added an amendment and approved [and continued] Draft 1 of the rule, as amended, on first reading.

**MOTION** from Committee that the Board approve and continue R277-528 *Use of Public Education Job Enhancement Program (PEJEP) Funds, Draft 2*, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-56.]

R277-704 Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports

The Committee reviewed proposed amendments to the rule as a result of a state audit, and approved Draft 1 on first reading.

**MOTION** from Committee that the Board approve R277-704 *Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports, Draft 1*, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-57.]

**Cohort 1 Turnaround Schools Recommendations**

Deputy Superintendent Patty Norman reviewed the status of schools under Cohort 1 of the State School Turnaround program. Cohort 1 schools were identified in the 2015-16 school year based on one year of data. To exit School Turnaround the schools had to improve at least one letter grade, and 19 of the 21 schools exited. The three schools that did not meet the exit

criteria are subject to Board action—Oquirrh Hills, Midvale Elementary and Entheos Academy Magna.

In accordance with Board rule R277-920-8(7), a state review panel, with representation as required by the rule, was formed and met on January 15, 2019 to make recommendations for the Board with regards to the Cohort 1 schools that did not successfully meet the exit criteria for School Turnaround under the requirements of rule R277-920-8(1)(a). The Board was provided with the recommendations from the panel.

[For additional details, see General Exhibit No. 19-58.]

#### Midvale Elementary School, Canyons School District

Canyons Board President Nancy Tingey addressed the Board, indicating that the Canyons Board supports the recommendations of the State Review Panel. Ms. Tingey emphasized that Midvale Elementary is a vital part of Canyons District, and the board, district administration and school personnel have been intensely focused on improving the school.

Mont Millerberg, Canyons Board Member, also read a statement reiterating the strong support for the school. He noted there are factors outside of the school that create some barriers to learning—a homeless shelter, high poverty rate, and a large number of residents who speak a language other than English at home. Canyons used nearly \$60 million of a \$250 million bond to build the new school in Midvale.

Information about Midvale Elementary was distributed. Chip Watts, Principal of Midvale Elementary, addressed the Board. He expressed that though the school hasn't exited turnaround, he believes the reason has finally been identified as to why the first turnaround efforts didn't work and the plan the Canyons Board approved in the 2018-19 school year is being effective and there are some amazing things happening at the school. He expressed hope that the State Board would accept the recommendations of the Review Panel and allow the school to continue moving forward with its plan.

Dr. Max Lang, ESEA Programs Specialist, and Leslie Evans, Federal and State Turnaround Specialist, presented the State Review Panel recommendations:

1. Midvale Elementary School will participate in a new comprehensive needs assessment (CNA) and root cause analysis (RNA). The USBE will contract with an external provider to complete this work. The panel requests the Board authorize the use of state school turnaround funds for this purpose.
2. Midvale Elementary will update the current school improvement plan (SIP) to address the results of the CNA/RCA.
3. Midvale Elementary School will align the proposed Midvale Restructuring Plan with the results from the CNA/RCA. Midvale Elementary School will update the Midvale Restructuring Plan to include specific details 1) regarding a timeline of implementation for the actions and strategies proposed, 2) details defining the proposed professional development that the “interventionists” and “behavior assistants” will receive in order to be effective, and 3) include in the SIP how the district will sustain the increase in personnel at Midvale Elementary School.
4. Midvale Elementary School will demonstrate that after two years they meet School Turnaround exit criteria using 2019-2020 school year test data results applying the 2014-2015 state accountability criteria (i.e., indicators, measures and threshold scores) that were used to identify the school for School Turnaround. Further, after two years Midvale Elementary School must not be identified in the bottom three percent based on the indicators, measures and threshold scores as defined in the current state accountability system. If it does not meet these exit criteria, the state review panel will recommend to the State Board that the school implement more rigorous actions pursuant to Rule (R277-920-8).

Chair Huntsman announced that he has a conflict of interest concerning Midvale Elementary so won't vote; he asked Vice Chair Cummins to lead the discussion.

Board members questioned whether a new needs assessment and root cause analysis is necessary as an analysis by the Utah Education Policy Center was done last year. Principal Watts indicated he would like to continue working with UEPC, but will accept any assistance that will help the school to move forward.

**MOTION** was made by Member Cannon and seconded that the Board accept the recommendation from the State Review Panel concerning Midvale Elementary School.

There was some discussion about considering a year delay of recommendation #1 for a needs assessment. Jim Briscoe, Canyons District Superintendent, responded that it would be better to move forward than delay.

Several Board members reported that they have met with Principal Watts and are confident in his leadership and plan for the school, and are impressed with the turnaround that is happening under his leadership and the impact it is having on the community. .

Board members questioned whether if the needs assessment is not necessary, funding would be removed. Dr. Lang responded that the root cause analysis and assessment are paid for by the State Board.

There were also questions on whether the Board can direct money for turnaround to the school. Deputy Superintendent Stallings responded that funds provided are to contract with a school turnaround expert and for needs identified in the school turnaround plan. Dr. Lang pointed out that the Utah Education Policy Center was not on the list of approved turnaround experts for Cohort 1. He reported that the last needs assessment was when the school was identified. Since 2016 the state has gone through an extensive process to update the tools to conduct a needs analysis and improve the rigor of the tools and resources provided to the school. Dr. Lang suggested that the current version of the assessment and root cause analysis would provide valuable information to the school.

Member Belnap expressed concern that the trajectory of the school did not happen faster.

Motion to accept the recommendations of the Review Panel carried, with Member Belnap opposed; Member Huntsman abstained.

Additional concerns were expressed that the school has found something that works, but an additional \$50,000 has to be spent on a new needs assessment.

[For additional details, see General Exhibit No. 19-59.]

#### Entheos Charter Academy (Magna)

Member Lear disclosed that she has a conflict of interest concerning Entheos so won't be participating in the discussion or voting.

Jennifer Lambert, State Charter School Board (SCSB) Executive Director, addressed the Board. She reported that SCSB was very thoughtful about the recommendations. The SCSB visited the school, sent a survey to all teachers and parents and held a parent meeting. The

SCSB found that this school is very much wanted by the community, and that school has been making changes; however, the changes were too late to be counted into last year's accountability report.

The SCSB recommends the school be given two additional years in Turnaround. In addition, SCSB has placed Entheos on warning, with a number of terms including making changes to its governing board and conducting a needs assessment (pending USBE action). The State Charter School Board supports the State Review Panel recommendations.

Eric Robins, Entheos Academy Executive Director, Bryan Storrs, Director of Entheos Magna, and Jared Gibson, Entheos Board Chair, were introduced.

Leslie Evans, Federal and State Turnaround Specialist, clarified 1) that the Review Panel is not recommending school closure, and 2) because the school did not qualify for an extension under the provisions of R277-920-8, the USBE contract with the turnaround expert that provided services to Entheos Magna was terminated on October 1, 2018 and the vendor will not receive the last 50 percent of its contract. Ms. Evans read the Review Panel recommendations.

1. Entheos Academy Charter (Magna) will participate in a new comprehensive needs assessment (CNA) and root cause analysis (RNA). The USBE will contract with an external provider to complete this work. The panel requests the Board authorize the use of state school turnaround funds for this purpose.
2. Entheos Academy Charter (Magna) will update the current school improvement plan (SIP) to address the results of the CNA/RCA.
3. Entheos Academy Charter (Magna) will update the current SIP to address the charter authorizer corrective action plan.
4. The state review panel will meet with the charter authorizer after Entheos Academy Charter (Magna) has updated the SIP to review the SIP and ensure all required elements from the CNA/RCA and charter authorizer corrective plan are addressed.
5. Entheos Academy Charter (Magna) will demonstrate that after two years they meet School Turnaround exit criteria using 2019-2020 school year test data results applying the 2014-2015 state accountability criteria (i.e., indicators, measures and threshold scores) that were used to identify the school for School

Turnaround. Further, after two years Entheos Academy Charter (Magna) not be identified in the bottom three percent based on the indicators, measures and threshold scores as defined in the current state accountability system. If the school does not meet these exit criteria, the state review panel will recommend to the State Board that the school close.

It was questioned what is being done differently in the Entheos Kearns campus—which was not in turnaround—than at the Magna campus.

Eric Robins responded that both schools are very similar academically and in curriculum, but the process has been slower with Magna. He indicated that school administration is committed to making changes and have created more structure; in addition, the i-Ready program has been implemented and a new math curriculum is being considered.

Members L. Hansen and Ellis expressed support for keeping the school open, but along with other Board members, asked to hear the plan from Entheos administration for moving the school forward. It was noted that Entheos must report at every meeting of the State Charter School Board.

Matt Edvik, Entheos Director of Teacher Improvement, reviewed school improvement documentation provide to the State Charter School Board. He addressed teacher turnover at Entheos Magna, and reported that over the last two years the retention rate has improved from 45 percent to 78 percent. Administration is meeting with teachers weekly. He also addressed questions from Board members concerning the decline in academic achievement and indicated that with the i-Ready program students are improving in math and reading and are poised to make a lot of gains.

**MOTION** was made by Member L. Hansen and seconded that the Board adopt the State Review Panel recommendations for Entheos Academy Magna.

Disappointment was expressed that more information wasn't provide regarding accountability, with the hope that there is a high expectation for achievement from Entheos' governing board. Jared Gibson, Entheos Board Chair, responded that the governing board does have that expectation and appreciates the guidance from the State Charter School Board. The

governing board is very proud of the fact that Entheos is the only charter school in the Magna area and look forward to the school's success.

**MOTION TO AMEND**, was made by Member S. Hansen that the Academy come back to the State Board of Education in one year for an interim review.

Motion to amend carried, with Member Lear abstaining.

Motion to amend was made by Member S. Hansen that at the interim review, the Board have the opportunity to take action as allowed by statute.

It was noted that the turnaround data on the school might not be available in a year. It was also unclear as to what the process will be for the schools not exiting turnaround at this point.

Motion to amend failed, with Members Davis, Gravier, S. Hansen, Neilson and Newell in favor and all others opposed; Member Lear abstained.

Motion, as amended—to accept the Review Panel's recommendations with an interim review in one year carried—carried, with Member Belnap opposed; Member Lear abstained.

Information on the salaries of administration and teachers at the school was requested by Board members.

[For additional details, see General Exhibit No. 19-60.]

### Oquirrh Hills Elementary

A letter from the Granite School Board President to the State Superintendent of Public Instruction was provided to the Board, clarifying that the Granite School District took action to close Oquirrh Hills Elementary in keeping with its authority under state law, which had the effect of "rendering the turn-around law inapplicable."

Board members expressed concerns with the opportunity for public involvement in the school closure decision.

Vice Chair Cummins read the following statement:

*There has been some misinformation about the reason for the Oquirrh Hills Elementary closure in Granite School District. Specifically, some sources have said that the school was "forced" to close due to failing to exit the state school turnaround program. This is not correct.*

*It is true that Oquirrh Hills Elementary did not exit the state turnaround program this year, however under state law, Granite School District then had the option of recommending an action to the Utah State Board of Education, which would have then made the final decision on how to handle the school's failure to exit. Prior to the date it was required to make its recommendation to USBE, the Granite School Board chose to close the school under its own authority and independent from the turnaround program.*

*This eliminated the ability of USBE to act at all and took Oquirrh Hill's future out of the state's hands. Our position is that it is incorrect to say the school "closed under" the turnaround program or that turnaround is the direct reason for the closure.*

*In short, I would like the students at Oquirrh Hill's elementary school to know that the school was not closed due to any fault of theirs.*

The Board's attorney, Assistant Attorney General Bryan Quesenberry, clarified that there is no parameter in the turnaround statute that allows the Board to intervene to prevent a district from closing a school that is in the turnaround process.

It was noted that there are two competing statutes—the turnaround statute which gives the Board authority to take action concerning schools under turnaround and the statute that gives school districts plenary authority to change boundaries and close schools.

Members asked that staff look into language that would be needed to close any gaps in the two statutes that prevent the State Board from giving direction concerning schools in turnaround.

[For additional details, see General Exhibit No. 19-61.]

### **Finance Committee Report**

Committee Chair Laura Belnap reported on the following items from the January 9, January 18, and January 30, 2019 Committee meetings. Information on items not presented to the Board will be included in the exhibits to the committee meeting summaries.

[For additional details, see General Exhibit No. 19-62.]

R277-117 Utah State Board of Education Protected Documents

This rule was placed on the Consent Calendar for repeal. [For additional details, see General Exhibit No. 19-36.]

Teacher Supplies and Materials Work Group Scope and Membership

**MOTION** from Committee that the Board approve the recommended scope of work and participant groups for the Teacher Supplies and Materials Work Group.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-63.]

Data Request Change for Educators in Charter Schools

The Committee was appraised of a funding adjustment needed to fix a USBE error resulting in Monticello Academy receiving incorrect funding.

**MOTION** from Committee that the Board direct staff to make the adjustments to the data request change for educators in charter schools.

Motion carried.

[For additional details, see General Exhibit No. 19-64.]

R277-483 LEA Reporting and Accounting Requirements

The Committee reviewed new rule R277-483 created to address federal reporting requirements under the Every Student Succeeds Act. The Committee approved Draft 2 of the rule on first reading.

**MOTION** from Committee that the Board approve R277-483 *LEA Reporting and Accounting Requirements*, Draft 2, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-65.]

### R277-407 School Fees

Member Belnap thanked members of the School Fees Task Force and staff for their work to prepare the school fees rule. She reported that a running FAQ document will be available to receive questions throughout the year.

In its January 9, January 18 and January 30 meetings, the Committee reviewed the rule and made additional amendments. In its January 30 meeting, the Committee approved R277-407, Draft 5, as amended, on first reading.

**MOTION** from Committee that the Board approve R277-407, Draft 6, on second and final reading.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-66.]

### **High School Graduation Credits Review Task Force Report**

Task Force Chair Laura Belnap reported that the Graduation Credits Task Force has been meeting for the past two years and thanked the present and former Board members on the committee, and staff, for their work.

Sarah Young, USBE Executive Coordinator, presented the work of the Task Force framed as Utah's Talent Map, including the Portrait of a Graduate and standards for mastery, autonomy and purpose. She indicated that parallel work in the competency area is also being done, and the work is connected to the Board's Strategic Plan. The next step will be for the Board to approve sending the framework out for public comment.

[For additional details, see General Exhibit No. 19-67.]

### **2019 USBE Meeting Schedule**

The Board reconsidered its schedule of meetings for 2019, considering an Option 2 calendar that mirrors the 2018 schedule. In Option 2, the Board would meet in its regular Board meeting on Thursday and hold its standing committees, USDB Board meeting, and study sessions on Friday.

**MOTION** was made by Member Ellis and seconded that the Board adopt Option 2 for its 2019 schedule of meetings.

**MOTION TO AMEND** was made by Member Davis and seconded that the meeting times be set to begin at 10:00 a.m. on Thursdays and 9:00 a.m. on Fridays.

Motion to amend carried, with Members Belnap, B. Cummins, L. Cummins, Davis, Earl, Ellis, Graviet, L. Hansen, S. Hansen, Huntsman, Lear and Newell in favor, and Members Boulter, Cannon and Neilson opposed.

The motion as amended carried, with Member B. Cummins opposed.

**MOTION** was made by Member L. Hansen and seconded that the Board remove the July meeting.

Motion carried, with Member Cannon opposed.

[For additional details, see General Exhibit No. 19-68.]

### **Board Chair's Report**

Chair Huntsman thanked Board members for their work during the legislative session and expressed appreciation for members making clear they are not representing the Board when giving personal opinions.

### **Adjournment**

**MOTION** was made by Member S. Hansen and seconded that the meeting adjourn. Motion carried. The meeting adjourned at 8:15 p.m.

Lorraine Austin, Board Secretary  
Minutes approved March 7, 2019