

**UTAH STATE BOARD OF EDUCATION MEETING MINUTES**  
**June 7-8, 2018**

**BOARD MEETING – June 7**

A regular meeting of the Utah State Board of Education was held June 7, 2018 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair Mark Huntsman presided.

**Board Members Present**

Chair Mark Huntsman	Member Linda B. Hansen (by phone)
First Vice Chair Brittney Cummins	Member Carol Barlow Lear
Second Vice Chair Alisa Ellis	Member Scott B. Neilson
Member Michelle Boulter	Member Kathleen Riebe
Member Janet A. Cannon	Member Spencer F. Stokes
Member Lisa Cummins	Member Terryl Warner
Member Jennifer Graviet	Member Joel Wright

**Board Members Absent**

Member Laura Belnap

**Executive Staff Present**

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

**Minutes taken by:**

Lorraine Austin, Board Secretary

**Others Present:**

Rich Young—Pearson; Tom Ness—Waterford Institute; Bryan Quesenberry—Assistant Attorney General; Lisa Nentl-Bloom, Jay Blain, Chase Clyde—Utah Education Association; Joylin Lincoln; Jennie Earl; Emilie Wheeler, Darin Nielsen, Natalie Grange, Leah Voorhies, Deborah Jacobsen, Whitney Phillips, Fay Tan, Debbie Davis, Keith Lawrence, Michael Iwasaki, Zac Christensen, David Vasquez, Heather Waite Grover, Shawnda Moss, Lenard Brooks—USBE staff

**Call to Order**

Chair Mark Huntsman called the meeting to order at 8:08 a.m.

**Executive Session**

**MOTION** was made by Member B. Cummins 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 Boulter, Cannon, B. Cummins L. Cummins, Ellis, Graviet, Huntsman, Lear and Riebe the Board went into Executive Session at 8:09 a.m.

Those present included the Board members above and Members Neilson, Stokes and Warner, and Sydnee Dickson, Ben Rasmussen, Emilie Wheeler and Lorraine Austin.

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

Motion carried. The Board came out of Executive Session at 9:12 a.m.

**Opening Business**

The Board reconvened at 9:26 a.m. Member Lisa Cummins led those present in the Pledge of Allegiance.

**Board Member Message**

Member Janet Cannon engaged Board members in a lighthearted State Board Quiz designed to help determine whether they do simple things in an overly complicated way, think through the repercussions of previous actions, and test their memory and whether they learn quickly. She wished all a happy summer.

**Introduction of New Employees**

New employees Lenard Brooks, Shawnda Moss, Heather Weight Grover, David Vasquez, Rhett Larsen, Holly Bell, and Mike Iwasaki introduced themselves to the Board.

**Education Highlight**

Superintendent Sydnee Dickson commented that spending time with students and watching their creativity has been a highlight of her career. She recounted the recent opportunity for students to attend the production of Hamilton and participate in an

accompanying educational piece based on their willingness to perform in front of their peers; she noted that due to the experience, the students' understanding of history has been heightened and renewed. A video of students performing was shown. USBE Arts Specialists Tamara Burnside and Cathy Jensen were thanked for their work with the students, and Board Member Spencer Stokes was acknowledged and thanked for his role in making the opportunity possible.

### **Executive Session Action Items**

#### Actions on Educator Licenses

**MOTION** was made by Member Lear and seconded that the Board accept the Utah Professional Practices Advisory Commission (UPPAC) recommendation in Case No. 17-1445 to issue a letter of reprimand in accordance with the Consent to Discipline.

Motion carried, with Member Neilson opposed; Members Hansen and Stokes absent.

**MOTION** was made by Member Lear and seconded 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 not less than six years consistent with the Hearing Report.

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

**MOTION** was made by Member Lear and seconded that the Board accept the UPPAC recommendation in Case No. 17-1403 to issue a letter of reprimand consistent with the Consent to Discipline.

Motion carried; Members Hansen and Stokes absent.

**MOTION** was made by Member Lear and seconded that the Board accept the UPPAC recommendation in Case No. 17-1420 to suspend the educator's Level 2 Career and Technical Education and Secondary Education license for no less than two years, consistent with the Consent to Discipline.

Motion carried; Members Hansen and Stokes absent.

**MOTION** was made by Member Lear and seconded that the Board accept the UPPAC recommendation in Case No. 17-1443 to issue a letter of reprimand in accordance with the Consent to Discipline.

Motion carried, with Members Neilson and Wright opposed; Members Hansen and Stokes absent.

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

Motion carried; Members Hansen and Stokes absent.

[For additional details, see General Exhibit No. 18-208.]

#### NASBE Board of Directors Nomination

**MOTION** was made by Member Warner and seconded that the Board forward Member Janet Cannon's name to the National Association of State Boards of Education for consideration for membership on the NASBE Board of Directors.

Motion carried; Member Stokes absent.

#### State Charter School Board Nomination

**MOTION** was made by Member Wright and seconded that the Board forward David Thomas's name to the Governor for consideration for appointment to the State Charter School Board.

Motion failed, with Members Boulter, Neilson and Wright in favor and all others opposed; Member Stokes absent.

**MOTION** was made by Member Warner and seconded that the Board forward Erin Preston's name to the Governor for consideration for appointment to the State Charter School Board.

Member Lear disclosed that Ms. Preston is her law partner. Member Wright expressed concern that Ms. Preston represents a wide variety of charters.

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

**MOTION** was made by Member B. Cummins and seconded that the Board forward Rich Kaufusi's name to the Governor for consideration for appointment to the State Charter School Board.

Motion carried, with Member Lear opposed; Member Stokes absent.

**MOTION** was made by Member Cannon and seconded that the Board forward Bryan Bowles' name to the Governor for consideration for appointment to the State Charter School Board.

Motion carried, with Member Wright opposed; Member Stokes absent.

#### Advisory Committee on Equity of Educational Services for Students (ACEESS) Appointments

**MOTION** was made by Member B. Cummins and seconded that the Board reappoint Jennifer Mayer Glenn (representing Hispanic/Latino Americans), Rozanna Benally-Sagg (representing American Indians), Afa Palu (representing Pacific Islander Americans), Karalee Atkinson and Alexx Goeller (representing individuals with expertise or experience serving students who are at risk for under achievement) for second terms on ACEESS; and appoint Claustina Mahon Reynolds (representing African American/Blacks) and Kalina Potts (representing individuals with expertise or experience serving students who are at risk for under achievement) to ACEESS for first terms.

Motion carried; Member Stokes absent.

#### **Public Comment**

Lisa Nentl-Bloom, Utah Education Association Executive Director – announced she is leaving for another job and indicated she has been reflecting on the work we do and what is important to us. She voiced her appreciation for the progress that has been made with the Board collaborating with stakeholders and receiving input. She referenced a letter sent to the Board last night by UEA President Heidi Matthews regarding the licensure rules, specifically the LEA-specific license. She asked for due diligence to ensure that students have the best teacher

in the classroom possible. She expressed her great appreciation for being able to work with Board members over the last four years and thanked them for their service. Chair Huntsman expressed appreciation to her for her advocacy of UEA, passion and patience with the Board.

Wendy Hart, representing herself and Paula Hill – spoke concerning the denial of Utah’s ESSA plan the Board will be discussing. She asked the Board to defend Utah’s current opt out provision. She stated that the right of parents to direct their own child’s education is protected in Utah law; that right is not granted by the State of Utah, but merely protected by Utah laws. As such, those rights are not rights elected officials can choose to remove at the request of the U.S. government. ESSA is a voluntary grant program from the federal government that has no legal right to require parents to not opt their children out of SAGE testing. With a single vote of the Board, parents could be deprived of their parental rights. She asked the Board to stand strong and tell the U.S. Department of Education it must reconsider.

### **General Consent Calendar**

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

Motion carried; Member Stokes absent.

### **General Consent Calendar**

#### 5.1 Approval of Minutes

The Board approved the minutes of its May 3-4, 2018 meetings. [For additional details, see General Exhibit No. 18-209.]

#### 5.2 Contracts for Approval

The Board approved contracts over \$100,000 with the following: American Institutes for Research (AIR); Waterford; Lexia Learning Systems LLC; Waterford Institute, Inc.; Imagine Learning; Guidesoft dba Knowledge Services; U.S. Foods Inc.; Brigham Young University; NCS Pearson. [For additional details, see General Exhibit No. 18-210.]

### 5.3 Contracts for Review

The Board was provided with information for review of contracts under \$100,000 with the following: Dynamic Internet Solutions; Charter Business Services, Inc. dba Red Apple Financial; Utah Association of Public Charter Schools; University of Minnesota—Check & Connect; Waterford; Canyons School District; Panara State Secretary of Science, Technology and Higher Education, Brazil; Senat von Berlin; Academie de Poitiers, France; Confucius Institute Headquarters; The Summit Group; Utah Restaurant Association; Utah State Human Capital Alliance; Waterford; Heidi M. Mucha; Academic and Behavior Support Services; University of Utah Reading Clinic; Crafted Leadership LLC; Dawn Teuscher; Katelyn Pyfer; Utah Department of Human Services/Division of Child and Family Services/Division of Juvenile Justice Services/DHS System of Care/Utah Juvenile Court; CompuNet, Inc.; EduTech Services, Inc.; NCS Pearson, Inc. [For additional details, see General Exhibit No. 18-210.]

### 5.4 USHE Concurrent Enrollment Math Multiple Measures Pilot

The Board approved a data-sharing agreement with the Utah System of Higher Education to support a concurrent enrollment math multiple measures pilot. [For additional details, see General Exhibit No. 18-211.]

### 5.5 Spring Instructional Materials Review

The Board approved titles for Career and Technical Education as recommended by the Utah Instructional Materials Commission during its 2018 spring instructional materials review. [For additional details, see General Exhibit No. 18-212.]

### 5.6 List of Educator Licenses Processed

The Board received a list of educator licenses processed in April 2018. [For additional details, see General Exhibit No. 18-213.]

## **FY 2018 Child and Adult Care Food Program Meal Service Training Grants for State Agencies Grant Application**

Deputy Superintendent Scott Jones explained that due to time constraints, the application process for the grant has already begun prior to approval by the Board.

**MOTION** was made by Member B. Cummins and seconded that the Board ratify the submission of the application for the Child and Adult Care Meal Service Training Grant.

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

Child Nutrition Programs Director Kathleen Britton informed that the grant will give the opportunity to provide training to preschool teachers and home day care providers and centers so they learn to serve healthier meals to preschoolers. [For additional details, see General Exhibit No. 18-214.]

### **Monthly Budget Report**

Deputy Superintendent Scott Jones reported that year end closing procedures have started for the fiscal year ending June 30.

Superintendent Jones briefed the Board on its discretionary account. Recommendations on the use of these unrestricted funds will be presented to the Finance Committee along with plans for federal mineral lease monies.

Superintendent Jones updated the Board on building improvements.

[For additional details, see General Exhibit No. 18-215.]

### **Audit Committee Report**

Audit Committee Chair Alisa Ellis reported on the May Audit Committee meeting and indicated there were no specific recommendations for the Board at this time.

Auditor Director Debbie Davis shared that the Audit Department is working on a communication plan that was discussed by the committee. She also reported that Internal Audit staff have met with the Board's ACEESS advisory committee and had great feedback from them. Ms. Davis also reported that planning for the CACTUS system audit has taken place in April and May.

### **Computer Science Task Force Recommendations**

Superintendent Dickson reported on the work of the Board's Computer Science Task Force and reviewed the vision statement for computer science. Task Force members looked at

the courses currently offered in K-12 schools and were surprised by the number of offerings in place; they concluded that what is missing is a seamless and systemic approach targeted at computer science skills.

Dr. Dickson reviewed the strategic priorities recommended by the Task Force to accomplish the vision: 1) Develop and implement statewide K-12 framework for computer science; 2) start early by engaging students at the elementary level; 3) develop a statewide strategy to communicate the value of computer science; 4) build capacity among educators at pre-service and inservice levels; 5) improve upon current course requirements to scaffold computer science learning K-12; 6) ensure students can access a majority of the 19 computer science courses currently offered (33 including IT courses), regardless of geography.

Brandon Jacobsen, Career and Technical Education Specialist, reported that there are currently fourteen endorsements for teachers around computer science, but that number is being dropped to six. CTE staff is also working with the industry and curriculum providers to provide training for teachers that aren't in a computer science discipline in order for them to get an endorsement.

Ashley Higgs, Career and Technical Education Specialist, reported on the keyboard proficiency requirement for grade 5, and that for that grade, proficiency has been defined as being able to key by touch, with the goal to teach students proper technique and how to maneuver around a device correctly.

Board members gave the following input: There should be an emphasis in embedding these skills and creating portfolios—not just being computer savvy; functioning and reasoning must not be displaced; the Board needs to be cautious about requiring things the districts and parents don't want; concerns about equity—access for all students—need to be addressed early; a more in-depth discussion is needed on health concerns over the use of technology.

Task Force Member Brittney Cummins informed that the Task Force focus is on a K-12 framework that will get students prepared to create using technology—not just consume. She clarified that the conversation about K-5 was about teaching skills, such as computation and logic, that don't require a computer.

Task Force Member Linda Hansen reported that the Task Force considered that all jobs are going to have some computer elements eventually and embedding computer science and technology into our school system will prepare students for work.

Superintendent Dickson mentioned that coupled with these recommendations is the great forward movement of the Digital Teaching and Learning Initiative and grant funds. Educational Specialist Sarah Young shared information about technology infrastructure in school districts.

**MOTION** was made by Member Riebe and seconded that the Board accept the recommendations of the Computer Science Task Force.

Motion carried; Member Stokes absent.

[For additional details, see General Exhibit No. 18-216.]

### **Finance Committee Report/Recommendations**

Committee Chair Joel Wright reported on the following items from the May 4, 2018 Finance Committee meeting. [For additional details, see General Exhibit No. 18-217.]

#### Section Budget Review

The Committee reviewed the Utah Professional Practices Advisory Commission budget. [For additional details, see General Exhibit No. 18-218.]

#### Board Member Compensation

**MOTION** from Committee that the Board approve Board Policy 2001, Board Member Salary, as amended.

**MOTION TO AMEND** was made by Member Ellis and seconded that Section 7 be removed from the policy.

Motion to amend carried, with Member Lear opposed and Member Wright abstaining.

Motion, as amended, carried.

**MOTION** from Committee that the Board approve Board Policy 2001 Attachment 1, Draft 2.

**MOTION TO AMEND** was made by Member B. Cummins and seconded that the eligible for meeting pay wording be removed from all meetings that do not say, "Created by Board motion," in the reference column.

Vice Chair Cummins expressed worry that the Board is overstepping its authority for paying for meetings that are not Board organized.

Motion to amend failed, with Members B. Cummins and Ellis opposed.

Motion carried, with Members B. Cummins and Hansen opposed. [For additional details, see General Exhibit No. 18-219.]

#### Facility Improvement and IT Infrastructure Update

**MOTION** from Committee that the Board direct staff, in order to stay on track with the building improvement schedule, to combine building access upgrades and parking lot security, and authorize \$165,000 of the \$240,000 in additional funds to accomplish said direction.

Motion carried unanimously. [For additional details, see General Exhibit No. 18-220.]

#### Non-LEA Monitoring Report

**MOTION** from Committee that the Board approve the Non-LEA Monitoring Report.

Motion carried. [For additional details, see General Exhibit No. 18-221.]

#### Kairos Charter School Closure and Revolving Loan Balance

This item was deferred to the June meeting.

#### Early Intervention Grant Awards for Charter Schools

**MOTION** from Committee that the Board approve the Early Intervention Grant awards for charter schools as submitted: Esperanza School \$90,000; Guadalupe Academy \$60,000; American Preparatory Academy \$150,000; Endeavor Hall \$90,000; Ogden Preparatory Academy \$120,000; Wallace Stegner Academy \$90,000; American Leadership Academy \$30,000; Freedom

Preparatory Academy \$155,128.43; The Center for Creativity, Learning, and Discovery \$45,000; Jefferson Academy \$8,650; Dixie Montessori Academy \$30,000.

Member B. Cummins declared a conflict of interest as she is on the Governing Board of Rowland Hall.

Motion carried, with Member B. Cummins abstaining. [For additional details, see General Exhibit No. 18-222.]

### **Assessment Update/Pearson Contract**

Deputy Superintendent Patty Norman and Assistant Superintendent Darin Nielsen reviewed options for approving the Pearson Contract for grades 9-10 assessments.

Superintendent Nielsen reported that the Pearson proposal is a hybrid between USBE assessment items and items from ACT's item bank, with approximately fifty percent from each.

Superintendent Nielsen reviewed optional items identified by staff that the Board may be interested in providing that aren't required in legislation: 1) benchmark assessments; 2) trans-adaptive summative tests; and 3) additional item development.

**MOTION** was made by Member B. Cummins and seconded that the Board approve the Pearson contract for the 9-10 assessment.

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

**MOTION** was made by Member B. Cummins and seconded that the Board execute the trans-adaptive option as included in the contract.

Motion carried; Member Ellis absent.

**MOTION** was made by Member Cannon and seconded that the Board execute the benchmark option as included in the contract.

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

Assistant Superintendent Nielsen gave a presentation to the Board on the history of statewide assessments, legislative context, and a communications plan for the grades 3-8 state standards assessment system—RISE (Readiness Improvement Success Empowerment).

Some members expressed concern that in rebranding it will appear that the assessment has changed when it has not, and parent rights to opt out aren't being respected. Dr. Neilson indicated that the differences between SAGE and RISE will be highlighted.

Other members reminded that the platform had to be replaced, that a large percentage of the test questions were written by individuals in Utah for Utah students, and that a group of Utah parents peer reviewed the questions.

Information was requested concerning the percentage of test questions that will be used from the SAGE assessment and how many questions will be used from other states, AIR, and Questar. It was clarified that the test items used this fall will be items from the AIR test bank that Utah owns, a percentage of which are from Utah. More information will be provided.

[For additional details, see General Exhibit No. 18-223.]

### **Statewide School Safety Report and Proposal**

Member Warner reported that the Utah School Safety Commission, of which she is a member, has been reviewing a number of issues and ideas for school safety and met with the Governor earlier today to talk about some of the ideas and what would be needed in legislation.

Member Warner also made a presentation about the Indiana School Safety Specialist Academy that she attended along with Superintendent Sydnee Dickson and Deputy Superintendent Patty Norman. She noted that in Indiana every school has a school safety officer, and there is a mandatory training every year for those officers. Superintendent Dickson added that the Indiana Department of Education has a very comprehensive website for school safety.

Member Warner reviewed that the Board has a number of school safety responsibilities outlined in 52 statutes or rules. There are also a number of statewide school safety initiatives that are being discussed.

**MOTION** was made by Member Warner and seconded that the Board direct staff to seek input and establish a framework for a Statewide School Safety Plan for Board consideration.

Ideas put forth by Members included working with law enforcement and all associated agencies together to make a plan that could be radiated to every district; coordinate with statewide resources such as the Emergency Management Resource Center; work with the Fire Marshal to account for the international fire code and federal law in securing schools when considering a plan; include school safety in the Board's strategic plan; consider whether plans should be largely state mandated or locally driven; include every element, including guns, in the discussion; address physical, emotional, professional and technology safety, and within each area involve all necessary parties including the state fire marshal, sheriff's offices, the State Board and local boards; develop a framework of resources and place information on one localized site; provide recommendations to all local education agencies with a timeline to implement the recommendations, then audit how they have met safety needs; include emotional needs in the discussion.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-224.]

### **Law and Licensing Committee Report/Recommendations**

Committee Vice Chair Terry Warner reported on the following items from the May 4, 2018 Law and Licensing Committee meeting. [For additional details, see General Exhibit No. 18-225.]

### **Parent/Guardian Consent Form for Sex Education Instruction**

Changes in H.B. 286 (2018 Legislative Session) required the current Parent/Guardian Consent Form be updated to match the amended 53G-10-403. R277-474 requires Board approval for the parental notification form and timelines for use by LEAs.

**MOTION** from Committee that the Board approve the updated Parent/Guardian Consent Form for Sex Education Instruction.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-226.]

#### Update Related to H.B. 313 Public School Revisions

H.B. 313, Public School Revisions, was passed during the 2018 Legislative Session. The legislation requires the Board to adopt rules establishing minimum standards for a charter school application or charter school compliance. Staff presented information proposing a timeline of when new rules related to 2018 HB 313 will be proposed and effective. [For additional details, see General Exhibit No. 18-227.]

#### R277-470 Charter Schools – General Provisions

The Committee reviewed R277-470 in accordance with the five-year review requirement in the Administrative Rulemaking Act. The Committee approved amendment to and continuation of R277-470 Draft 1 on first reading.

**MOTION** from Committee that the Board approve and continue R277-470 *Charter Schools – General Provisions*, Draft 1, on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-228.]

#### R277-481 Charter School Oversight, Monitoring and Appeals

The Committee reviewed R277-481 in accordance with the five-year review rule in the Utah Administrative Rulemaking Act. The Committee approved amendment to and continuation of R277-481 Draft 3 on first reading.

**MOTION** from Committee that the Board approve and continue R277-481 *Charter School Oversight, Monitoring and Appeals*, Draft 3, on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-229.]

R277-525 Special Educator Stipends

The Committee reviewed R277-525 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. The Committee approved and continued R277-525 Draft 1 on first reading.

**MOTION** from Committee that the Board approve and continue R277-525 *Special Educator Stipends*, Draft 1, on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-230.]

R277-617 Smart School Technology Program

The Committee reviewed R277-617 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. The Committee approved amendment to and continuation of R277-617 Draft 1 on first reading.

**MOTION** from Committee that the Board approve and continue R277-617 *Smart School Technology Program*, Draft 1, on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-231.]

R277-411 School District Sponsored School Seminars on Youth Protection-Related Issues

The Committee reviewed R277-411 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. Staff explained that though the program is still in place, the provisions of the rule are no longer necessary. The Committee approved repeal of the rule in its entirety on first reading.

**MOTION** from Committee that the Board repeal R277-411 *School District Sponsored School Seminars on Youth Protection-Related Issues* in its entirety on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-232.]

R277-619 Student Leadership Skills Development

The Committee reviewed R277-619 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. The Committee approved amendment to and continuation of R277-619 Draft 1 on first reading.

**MOTION** from Committee that the Board approve and continue R277-619 *Student Leadership Skills Development*, Draft 1, on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-233.]

Board Policy 2003 – Board Resolutions

New Board Policy 2003 was developed to clarify what is and what is not a Board resolution, what a resolution means, and for how long resolutions are in effect. It was noted that resolutions were used to create Board advisory committees, and recommended those resolutions be changed to Board policy.

**MOTION** from Committee that the Board adopt Board Policy 2003, Board Resolutions, Draft 2.

Motion carried; Member Ellis absent.

**MOTION** from Committee that the Board adopt the following resolutions as Board policies:

- Board Resolution 2016-1 Advisory Committee on Equity of Education Services for Students (ACEESS)
- Board Resolution 2016-2 Assessment and Accountability Policy Advisory Committee (AAPAC)
- Board Resolution 2016-3 Utah Special Education Advisory Panel (USEAP)
- Board Resolution 2016-4 Trust Advisory Committee (TAC)
- Board Resolution 2017-1 Student Data Governance Advisory Group (SDGAG)
- Board Resolution 2017-2 Student Data User Advisory Group (SDUAG)
- Board Resolution 2017-3 Student Data Policy Advisory Group (SDPAG)

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-234.]

R277-463 Class Size Average and Pupil-Teacher Ratio Reporting

Staff reviewed technical amendments to update and correct statutory references in R277-463. The Committee approved and continued R277-463 Draft 1 on first reading.

**MOTION** from Committee that the Board approve and continue R277-463 *Class Size Average and Pupil-Teacher Ratio Reporting*, Draft 1, on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-235.]

A request was made for staff to address the numbers in the report to better reflect actual numbers of students in classrooms.

Board Bylaws

The Committee reviewed suggested changes from the Board counsel relating to concerns of recording or live streaming meetings by personal devices and to designate the streamed video as the official video. The Committee made amendments to the proposed language.

**MOTION** from Committee that the Board approve Board Bylaws Article VIII, Section P, Draft 2.

Clarification was given that the Committee made an amendment to the proposed language so that Board members' access to their constituents wouldn't be limited by restricting Board members' ability to record or live stream a discussion.

Assistant Attorney General Bryan Quesenberry responded that the idea for the restriction was to engender greater civility, fairness, and self-governance among the Board Members. It was suggested that this might be a better discussion for a Board Code of Conduct.

Motion carried; Member Ellis absent.

**MOTION** from Committee that the Board approve Bylaws Article IX, Sections F and G, Draft 2.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-236.]

The Committee asked that the Code of Conduct be placed on a future agenda.

### Teacher Leader Report

The Committee received information concerning plans to create a teacher leader program model. [For additional details, see General Exhibit No. 18-237.]

### Data Sharing Agreement External Request – Westat

The Data Sharing Agreement request from Westat came before the Committee in its March meeting and was not recommended. Since that time, the request has been further reviewed by USBE staff and the request was brought before the committee for consideration.

**MOTION** from Committee that the Board approve the data-sharing agreement with Westat.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-238.]

### **Every Student Succeeds Act (ESSA) Plan Waiver**

Superintendent Dickson reported that Utah is one of four states that hasn't had its ESSA Plan approved. The Board voted to have only one accountability plan rather than two, and the sticking point is that accountability plan. There were also some technical requests that staff is addressing. It was explained that ESSA calls for 95 percent participation rate on a statewide assessment and Utah is currently at 94 percent. In addition, Utah statute conflicts with the 95 percent requirement, and there may be conflicting language in the federal statute as well. Utah submitted a request for a waiver from the 95 percent provision, and the waiver request was rejected. Staff are continuing to work with the U.S. Department of Education for a solution.

Dr. Dickson and staff are proposing that Utah request a one-year reprieve from the 95 percent participation rate requirement to allow the Board to work with legislators to try and resolve the conflict.

**MOTION** was made by Member Stokes and seconded that the Board authorize the Superintendent and Board Chair to request a one-year exemption from the 95 percent participation rate requirement in ESSA.

Members questioned whether Utah will lose anything or forego funding with this provision. Dr. Dickson responded that the Department has mentioned if a plan isn't passed by July 1 funding could be in jeopardy. The proposal will be made in order to get the plan approved. Staff have stood firm that the Utah plan is what's best for the state, while keeping in mind the accountability for the federal funds Utah is receiving.

Other members expressed discomfort in gambling with funds for the most vulnerable students with the fewest advocates.

Motion carried, with Member Riebe opposed; Member Ellis absent. [For additional details, see General Exhibit No. 18-239.]

### **Standards and Assessment Committee Report/Recommendations**

Committee Chair Janet Cannon reported on the following items from the May 4, 2018 Standards and Assessment Committee meeting. [For additional details, see General Exhibit No. 18-240.]

#### R277-403 Student Reading Proficiency and Notice to Parents

The Committee reviewed a recommendation from staff that R277-403 be repealed because its components have been moved into R277-406. The Committee approved repeal of the rule on first reading.

**MOTION** from Committee that the Board repeal R277-403 on second and final reading.

Motion carried; Member Ellis absent. [For additional details, see General Exhibit No. 18-241.]

#### R277-406 K-3 Reading Improvement Program and the State Reading Goal

The Committee reviewed R277-406 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. It was noted that provisions from R277-403 have

been included in the rule. The Committee approved and continued R277-406 Draft 1 on first reading.

**MOTION** from Committee that the Board approve and continue R277-406 *Reading Improvement Program and the State Reading Goal*, Draft 1, on second and final reading.

Motion carried; Members Ellis and Stokes absent. [For additional details, see General Exhibit No. 18-242.]

#### Driver Education Law and Policy Manual

The Driver Education Law and Policy Manual is incorporated by reference in R277-746. The rule was continued in March by the Board, but changes to the manual were needed. The Committee reviewed amendments to the Manual.

**MOTION** from Committee that the Board approve the updated Driver Education Law and Policy Manual.

Motion carried; Members L. Cummins, Ellis and Stokes absent. [For additional details, see General Exhibit No. 18-243.]

#### Digital Teaching and Learning Qualified Grant Report

The Committee received information on the grant program. [For additional details, see General Exhibit No. 18-244.]

#### Digital Teaching and Learning Qualified Grant (R277-922) – Timeline for Reapplication

The Committee received information on the timeline for the Digital Teaching and Learning Qualified Grant which indicates where the program is regarding implementation and proposes a date for starting a reapplication phase at the end of three years.

**MOTION** from Committee that the Board approve the three-year timeline for cohort one, Digital Teaching and Learning Qualified Grant.

Motion carried; Members Ellis, Lear, Riebe and Stokes absent. [For additional details, see General Exhibit No. 18-245.]

### Health Standards Update

The Committee received a report on the progress of the writing phase of the health standards. [For additional details, see General Exhibit No. 18-246.]

### R277-492 Utah Science Technology and Research Initiative (USTAR) Centers Program

The Committee reviewed R277-492 in accordance with the five-year review requirement in the Utah Administrative Rulemaking Act. The Committee approved and continued R277-492 Draft 1 on first reading.

Motion from Committee that the Board approve and continue R277-492 *Utah Science Technology and Research Initiative (USTAR) Centers Program*, Draft 1, on second and final reading.

Motion carried; Members Ellis, Lear and Stokes absent. [For additional details, see General Exhibit No. 18-247.]

### R277-497 School Grading System

In its April meeting, the committee reviewed R277-497 Draft 1, which is being amended to reflect changes in Utah Code Title 53E, Chapter 5, Part 2, School Accountability System. The Committee asked that additional changes be made and those have been incorporated into Draft 2 of the rule. The Committee approved R277-497 Draft 2 on first reading.

**MOTION** from Committee that the Board approve R277-497 *School Grading System*, Draft 2, on second and final reading.

Motion carried; Members Ellis, Lear and Stokes absent. [For additional details, see General Exhibit No. 18-248.]

### **Board Strategic Plan**

In anticipation of the Board's strategic planning meeting in July, Superintendent Dickson gave an update to the Board on the work on the strategic plan through the presentation, *Strategic Planning: Improving on Education Elevated*. [For additional details, see General Exhibit No. 18-249.]

**2019 USBE Calendar of Meetings**

The Board reviewed a proposed calendar of meeting dates for 2019 and options for meeting days and times.

**MOTION** was made by Member B. Cummins and seconded that the Board adopt Option 2 of the proposed meeting times.

In Option 2, the study session, USDB Board meeting, and standing committees will take place on the afternoon and evening before the main board meeting, with a hard stop at 9:00 p.m. In this model, standing committee reports would be made the following month.

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

**MOTION** was made by Member B. Cummins and seconded that the Board approve the 2019 calendar as presented and add a July 11 meeting for the purpose of handling consent calendar items that are urgent as well as strategic planning.

Motion carried; Members Ellis, Stokes and Warner absent. [For additional details, see General Exhibit No. 18-250.]

**Board Member Conference Reports**

Member Lisa Cummins reported on the National Data Summit she attended that was sponsored by the Data Quality Campaign. One point highlighted is that behind every data point is a student, teacher and community and we need to be careful with this data and be more effective in communicating data, both bad and good.

Member Brittney Cummins reported on an education exploration experience she and Member Belnap attended in Finland that was organized by Utah Valley University. The purpose was to look at teacher preparation in such a way that teachers have more clinical experience during teacher preparation time. Member Cummins presented a list of general observations, including things that could be incorporated into Utah programs, and indicated Education Dean Parker Fawson at UVU is very interested in implementing a pilot.

### **Superintendent's Report**

Superintendent Dickson reported on the following:

- The annual Quality Counts report focuses on per pupil spending. Utah is still last, even when adjusted for regional cost of living. Utah did rise above Nevada and South Dakota on equitable funding formula.
- Upcoming conferences on mental health, civics, System of Support and teacher leadership were noted. The Council of Chief State School Officers is also meeting in Utah.
- The annual employee recognition lunch was held earlier this week and appreciation given for the time these employees have spent working for education.

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

Chair Huntsman expressed appreciation for the support of HR Director Dana Powers, who is retiring in July.

Chair Huntsman announced that the School Fees Task Force will begin meeting in June.

### **Executive Session**

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

Upon voice vote of Members Boulter, Cannon, B. Cummins, L. Cummins, Graviet, Huntsman, Neilson, Riebe and Wright, the Board went in Executive Session at 5:15 p.m.

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

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

Motion carried. The Board came out of the closed meeting at 5:26 p.m.

**MOTION** was made by Member Neilson and seconded that the Board go into Executive Session for the purpose of discussing the character, competence, or physical or mental health of individuals.

Upon voice vote of members Boulter, Cannon, B. Cummins, L. Cummins, Huntsman, Neilson, Riebe and Wright, the Board moved into Executive Session at 5:27 p.m.

Those present included the members above and Dana Powers.

### **Adjournment**

The meeting adjourned at 6:13 p.m.

**USBE STUDY SESSION – June 8**

A study session of the Utah State Board of Education was held June 8, 2018 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair Mark Huntsman presided.

Members present included Chair Mark Huntsman, First Vice Chair Brittney Cummins, Second Vice Chair Alisa Ellis, and Michelle Boulter, Janet Cannon, Lisa Cummins, Jennifer Graviet, Carol Lear, Spencer Stokes and Terryl Warner.

Others present included Sydnee Dickson, Patty Norman, Angie Stallings, Emilie Wheeler, Lorraine Austin, Debbie Davis, Amy Hanson—USBE staff; Sara Jones, Tracey Watson—UEA; Jennie Earl.

**Call to Order**

Chair Mark Huntsman called the meeting to order at 1:47 p.m.

**Teacher Retention**

Superintendent Sydnee Dickson introduced Dr. Andrea Rorrer from the Utah Education Policy Center. Dr. Rorrer gave the presentation, *Reasons for Staying, Leaving, and Returning*, developed in collaboration with staff from the State Board of Education and State Board of Regents and those working with the Network for Transforming Educator Preparation (NTEP). The presentation addressed teacher turnover and gave an analysis of a survey of teachers that was sent out last fall to determine any leave patterns. [For additional details, see General Exhibit No. 18-251.]

Appreciation was expressed to Dr. Rorrer for her report.

**Internal Audit**

Internal Audit Director Debbie Davis gave the presentation, *The USBE's Strategic Super Sweet Spot*. She also distributed an information packet about the internal audit department. [For additional details, see General Exhibit No. 18-252.]

Appreciation was expressed to Director Davis and her staff.

**Adjournment**

The meeting adjourned at 3:37 p.m.

Lorraine Austin, Board Secretary  
Minutes approved July 16, 2018