

**UTAH STATE BOARD OF EDUCATION MEETING
SUMMARY OF ACTIONS**

February 9-10, 2017

Board Members Present: Chair Mark Huntsman, First Vice Chair Terryl Warner, Second Vice Chair Brittney Cummins, Third Vice Chair Alisa Ellis, Laura Belnap, Michelle Boulter, Janet Cannon, Lisa Cummins, Jennifer Graviet, Linda Hansen, Carol Barlow Lear, Scott Neilson, Kathleen Riebe, Spencer Stokes.

All votes were unanimous with those present unless noted otherwise.

The Board approved the Utah Schools for the Deaf and the Blind (USDB) Consent Calendar as follows:

- The Board approved the minutes of the January 12, 2017 USDB Board meeting.
- The Board approved USDB Resolution Agreement Case No. 08-16-1319 with the U.S. Department of Education, Office of Civil Rights.
- The Board granted an LEA-specific, competency-based license to Wade Hester, a school counselor at USDB.
- The Board voted to support H.B. 92 Physical Restraint in Schools, and H. B. 168 Kindergarten Supplemental Enrichment Program.
- The Board voted to oppose earmarking of education fund money for any use other than public education.
- The Board voted to oppose H.B. 136 Board of Education Revisions.
- The Board took the following actions on educator licenses.
 - Adopted the Utah Professional Practices Advisory Commission (UPPAC) recommendation in Case No. 16-1339 to issue a letter of reprimand in the educator's CACTUS file to be in place no less than two years from the date of Board action.
 - Adopted the UPPAC recommendation in Case No. 16-1321 to issue a letter of reprimand on the educator's Level 1 Career and Technical Education License to be in place not less than two years from the date of Board action.
 - Directed the UPPAC Executive Secretary to prepare findings in Case No. 14-1241 concerning revocation.

- Adopted the UPPAC recommendation in Case No. 17-7 to clear the criminal background review.
- Adopted the UPPAC recommendation in Case No. 07-815 to reinstate the individual's Level 2 Administrative/Supervisory (K-12), Secondary Education (6-12) License.
- Adopted the UPPAC recommendation in Case No. 16-1329 to issue a letter of reprimand on the educator's Level 1 Speech Language Pathologist License, to be in place not less than two years from the date of Board action.
- Directed that in Case No. 16-1345 the UPPAC Executive Secretary prepare a letter of reprimand on the educator's Level 1 Elementary Education License, including the requirements as outlined in the Consent to Discipline. Members Boulter, Cannon, L. Cummins, Ellis, Hansen, Huntsman, Neilson, Stokes and Warner in favor, and Members Belnap, B. Cummins, Graviat, Lear and Riebe opposed.
- Approved the UPPAC Consent Calendar.
- The Board appointed Kevin Chapman to its Student Data Policy Advisory Group.
- The Board appointed Rob Myers and Jan Ferré to its Advisory Committee for Equity of Educational Services for Students (ACEESS), for two-year terms.
- The Board delayed the implementation of R277-409 *Public School Membership in Associations* and will consider the rule in its March meeting.
- The Board accepted the R277-409 Hearing Record.
- The Board took action on its Consent Calendar as follows:
 - Approved the minutes of its January 26 and February 2, 2017 Legislative meetings.
 - Approved an amendment to the Evaluation and Training Institute contract.
 - Approved an interagency agreement with the Utah Education Policy Center.
 - Received the report of contracts under \$100,000, with the UNI contract removed for further legal review of the terms and conditions.
 - Approved requesting a waiver of the federal Title 1, Part D funding ratio in order to serve increased number of eligible students.
 - Approved temporary authorizations for licenses as requested.

- Consented to accepting donations from the Feed the Children organization to be redistributed to LEA McKinney-Vento liaisons.
- Waived requirements for the College and Career Awareness and Digital Literacy courses for Canyons District, as requested.
- Approved supporting a research study being prepared for the State Division of Services for People with Disabilities that would investigate attitudes and barriers regarding post-high-school opportunities for students with disabilities in the state of Utah.
- The Board approved amendment to an information-sharing Memorandum of Understanding between the Utah State Board of Education, Utah Department of Workforce Services, and Utah Department of Health concerning Medicaid funds.
- The Board approved amendment to an information-sharing Memorandum of Understanding between the Utah Department of Workforce Services and Utah State Board of Education Child Nutrition Services concerning benefits under the Food Stamp Act and/or TANF funded programs.
- The Board voted to support H.B. 223, Elementary School Counselor Pilot Program, with Members Belnap, Cannon, B. Cummins, Gravier, Hansen, Huntsman, Lear, Riebe and Warner in favor, and Members Boulter, L. Cummins, Ellis and Neilson opposed.
- The Board approved requesting an increase in the licensing fee schedule, as proposed, and directed its staff to work with the legislative fiscal analysts to request that the Executive Appropriations Committee amend the fee bill accordingly. In addition, the Law and Licensing Committee will study the matter to determine alternatives to raising the fees. Members Belnap, Boulter, Cannon, B. Cummins, L. Cummins, Ellis, Hansen, Huntsman Neilson and Warner in favor, and Members Gravier, Lear and Riebe opposed.
- The Board approved amending its Audit Plan to add a priority audit of allegations received regarding comingling of public education funds at three local education agencies.
- The Board approved the charter application for Advantage Arts Academy to open in fall 2018.
- The Board approved the charter application for Capstone Classical Academy to open in fall 2018.
- The Board approved the application for one replication campus of the Northern Utah Academy of Math, Engineering, and Science (NUAMES) to open in fall 2018.
- The Board repealed R277-483 *Persistently Dangerous Schools* on second reading.

- The Board approved waivers from the 180-day requirement in R277-419 for InTech Collegiate High School, Thomas Edison Charter Schools (North and South campuses), Cache School District, Logan School District, Box Elder School District, and Park City School District. Member Cannon opposed.
- The Board approved continuation of R277-615 *Standards and Procedures for Student Searches*, and amendment to the rule, on second reading.
- The Board approved continuation of R277-519 *Educator Inservice Procedures and Credit*, and amendment to the rule, on second and final reading and directed staff to file the rule with the Office of Administrative Rules.
- The Board approved R277-211-6 *Proposed Consent to Discipline*, as amended, on second reading.
- The Board approved continuation of R277-612 *Foreign Exchange Students*, and amendment to the rule, on second reading.
- The Board approved expansion of Monticello Academy to increase grades served from K-10 to K-12 in fall 2017.
- The Board approved expansion of Excelsior Academy to increase the total number of students served to 1,215 beginning in fall 2018.
- The Board approved using \$32,498 from the Board's internal budget to pay for the Board's shortfall in the Indirect Cost Pool (ICP).
- The Board approved using \$276,169.94 of the Board's unrestricted fund to pay the remaining ICP shortfall in the event the Legislative Fiscal Analyst does not allow the Board to use other funding options.
- The Board postponed making R277-118 *Board of Education Conflict of Interest Avoidance* effective in order to provide more time to review potential legal conflicts with state law.
- The Board approved amendments to Board Policy 1005, Pre-separation or Pre-retirement Restrictions.
- The Board approved sending a certified letter to the Governing Board of Wasatch Peak Academy expressing concern for the school's continued non-compliance as outlined in a Child Nutrition Program audit.
- The Board approved continuation of R277-479 *Charter School Special Education Student Funding Formula* on second reading.

- The Board directed staff to review R277-410 *Accreditation of Schools* and make appropriate revisions including removal of references to Northwest and AdvancEd and procedures specific to either entity, and bring back to the Standards and Assessment Committee.
- The Board approved opening the Pre-K Standards for revision, with Members Belnap, B. Cummins, Gravier, Hansen, Huntsman, Lear, Neilson, Riebe, Stokes and Warner in favor, and Members Boulter, L. Cummins and Ellis opposed.
- The Board approved the use of a common kindergarten entry and exit assessment contingent on funding being secured for the project, with Members Belnap, B. Cummins, Gravier, Hansen, Huntsman, Lear, Neilson, Riebe and Warner in favor, and Members Boulter, L. Cummins and Ellis opposed.
- A motion to make the currently required College and Career Literacy class an elective failed, with Members Belnap, Neilson, Stokes and Warner in favor, and Members Boulter, B. Cummins, L. Cummins, Ellis, Gravier, Hansen, Huntsman, Lear and Riebe opposed.
- A motion to make the currently required Digital Literacy class an elective failed, with Members Belnap, Neilson, Stokes and Warner in favor, and Members Boulter, B. Cummins, L. Cummins, Ellis, Gravier, Hansen, Huntsman, Lear and Riebe opposed.
- The Board approved a list of competencies for Digital Studies, as presented.