

**UTAH STATE BOARD OF EDUCATION
LEGISLATIVE MEETING MINUTES**

February 23, 2012

Minutes of the Utah State Board of Education Legislative Meeting held February 23, 2012 at the Utah State Office of Education, Salt Lake City, Utah. Vice Chair Dixie Allen conducted.

Members Attending:

Vice Chair Dixie Allen
Member Kim Burningham
Member Janet Cannon
Member Leslie Castle
Member David Crandall
Member Mark Openshaw
Member David Thomas

Members Participating Electronically:

Chair Debra Roberts
Member Laurel Brown (joined at 12:30)
Member Tami Pyfer (joined at 12:37)

USOE Staff present:

Larry Shumway, State Superintendent
Martell Menlove, Deputy Superintendent
Brenda Hales, Associate Superintendent
Judy Park, Associate Superintendent
Todd Hauber, Associate Superintendent
Carol Lear, School Law Director
Larry Newton, School Finance Director
Natalie Grange, Internal Auditor
Elizabeth Ziegler, Social Media Director

Vice Chair Dixie Allen called the meeting to order at 12:12 p.m.

Education Appropriations Subcommittee Discussion

Deputy Superintendent Menlove reported that as directed in the February 9 Board Legislative Meeting, Board leadership wrote a letter to legislative leadership and the Education Appropriations Subcommittee expressing concerns about the process followed at the subcommittee meeting held on February 8. Letters were also sent from the Utah School Boards Association, Utah Education Association, and the Utah PTA. [For complete details, see General Exhibit No. 11848.]

The Executive Appropriations Committee has decided to put items from the Public Education Appropriations Subcommittee into one of three categories: 1) an appropriation to be included in the funding bill; 2) part of conforming language typically included in the funding bill; and 3) concepts yet to be included in an existing or new bill that will need opportunities for response.

Budget Priorities

Superintendent Larry Shumway reviewed February 2012 revenue estimates. Allocations to public education have not been made yet.

Tim Leffel, Davis District Finance Director and representative for the joint legislative committee of the Utah School Superintendent Association (USSA), Utah School Boards Association (USBA), and Utah Association of School Business Officials (UASBO), spoke regarding the budget. He expressed that State Board of Education priorities will be a key factor in how those monies are allocated, and reiterated that what the Board does today in prioritizing funding is absolutely critical. He reported that in the Governor's budget recommendations, a one percent compensation increase plus coverage of the retirement rate increase is proposed for public employees. UASBO has figured that to cover a similar compensation increase and increased retirement costs for districts, the WPU would need to be increased by 2.16 percent. Mr. Leffel put forth a request from USSA/USBA/ UASBO that the Board increase its WPU request to 2.16 percent, a total increase of \$46.2 million.

Mr. Leffel informed the Board that the number one priority for USSA/USBA/UASBO is growth, followed by the WPU increase, then technology for Computer Adaptive Testing.

Motion was made by Member David Thomas and seconded by Member Mark Openshaw that, using the document, *FY2013 Budget Increase Discussion - 2/14/2012*, the Board move WPU Funded Programs from the #3 priority to the #5 priority, and move Partial Restoration of At-Risk Funding to #3 and College Readiness Test to #4.

Member Thomas felt the Board's priority bills should be the first three funding priorities. It was questioned whether At-Risk Funding should be left on the list, as it is not on the priority list from the Education Appropriations Subcommittee. The Board was reminded that it was a priority of the Board's Coalition of Minorities Advisory Committee.

Member Thomas amended his motion, seconded by Member Openshaw, to remove Partial Restoration of At-Risk Funding from the priority list, move College and Career Readiness Test to the #3 priority, move WPU Funded Programs to the #4 priority and increase it by \$4 million taken from At-Risk Funding.

Member Thomas amended the amended motion, seconded by Member Openshaw, that in addition to the other changes in the previous motion, the Board increase WPU Funded Programs to 2.16 percent, taking \$4 million from At-Risk Funding and the remainder from #16 Other Committee Items.

Motion failed, with Members Allen, Brown, Cannon, Crandall, Openshaw, Roberts and Thomas in favor, and Members Burningham, Castle and Pyfer opposed.

Motion was made by Member David Crandall and seconded by Member David Thomas that the Board adopt the Board priority list as outlined on *FY2013 Budget Increase Discussion - 2/14/2012*, with the exception of moving College Readiness Test to the #3 priority and WPU Funded Programs to the #4 priority, and increasing WPU Funded programs by \$4 million taken from #16 Other Committee Items.

Motion carried, with Member Pyfer opposed. [For complete details, see General Exhibit No. 11849.]

Member Thomas left meeting at 1:39 p.m.

Utah Education Network (UEN) Board

HB53 1st substitute changed the governance structure of UEN, and requires appointment of four individuals to the Utah Education Network Board by the State Board of Education. The following recommendations from staff were presented: Clark Baron, NUAMES Charter School; Brenda Hales, USOE Associate Superintendent; Glen Taylor, CUES Regional Service Center; and Barry Walker, Superintendent, South Summit School District.

Motion was made by Member Kim Burningham and seconded by Member Debra Roberts that the Board appoint the four recommended individuals as Utah Education Network Board Members.

Member Cannon questioned whether a State Board of Education member should also be appointed to the UEN Board. Associate Superintendent Hales responded that the law also provides for an advisory committee, and the Board may want to participate on that committee.

Motion failed, with Members Allen, Brown, Burningham, Castle, Openshaw, Pyfer and Roberts in favor, and Members Cannon and Crandall opposed. The Board asked for more time to consider the recommendations.

Education-related Bills

Deputy Superintendent Menlove reviewed education-related bills. The following actions were taken.

HB 367 Trust Lands Amendments - the Board had previously taken a position of “support the concept” for this bill. Motion was made by Member Janet Cannon and seconded by Member Mark Openshaw that the Board change its position to support. Motion carried; Members Brown, Pyfer absent.

SB 31 Classroom Size Amendments - Motion was made by Member Janet Cannon and seconded by Member Laurel Brown that the board support the concept of lowering class sizes in SB 31, but add a comment saying that low class size is preferable, but a significant input of money is necessary to implement this bill without adversely affecting the grades beyond 1-3.

Motion failed, with Members Brown, Cannon, Pyfer and Roberts in favor, and Members Castle, Crandall, Openshaw and Thomas opposed.

SJR 22 Joint Resolution on State Spending Limitations - Motion was made by Member Kim Burningham and seconded by Member David Crandall that the Board oppose SJR 22. Motion carried; Member Thomas absent.

Member Leslie Castle indicated she would like to reconsider the budget priorities to give USSA/USBA/UASBO what they asked for in regards to the WPU increase. No further action was taken.

Adjournment

Motion to adjourn was made by Member Cannon and seconded by Member Openshaw. Meeting adjourned at 2:00 p.m.

Lorraine Austin, Secretary to the Board

Minutes approved April 13, 2012