

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

August 11-12, 2016

STUDY SESSION - Thursday, August 11, 2016

A study session of the Utah State Board of Education was held August 11, 2016 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted. The meeting commenced at 3:07 p.m.

Board Members present included Chair David Crandall, 1st Vice Chair David Thomas, 2nd Vice Chair Jennifer Johnson, Dixie Allen, Laura Belnap, Leslie Castle, Barbara Corry, Brittney Cummins, Linda Hansen, Mark Huntsman, Stan Lockhart, Jefferson Moss, Terry Warner, and Joel Wright.

Other presented included Sydnee Dickson, Rich Nye, Jerry Record, Nicole Call, Bryan Quesenberry, Lorraine Austin—Board staff; Marian Howe-Taylor, Alexx Goeller—USBE Advisory Committee on Equity of Educational Services for Students; Denis Willmore; Lisa Nentl-Bloom, Jay Blain—Utah Utah Education Association; Cheryl Phipps, Utah PTA; Lisa DeFrame, parent/teacher; Allyson Goldstein, Office of Legislative Research and General Counsel; Terry Shoemaker, Utah School Superintendents Association/School Boards Association; Christine Cooke, Sutherland Institute; Jan Ferré, Legislative Coalition for People with Disabilities; Craig Frank, Utah Charter Network.

Every Student Succeeds Act (ESSA)

Deputy Superintendent Rich Nye distributed an overview of the Every Student Succeeds Act State Plan. The packet represents the minimum requirements for a state to submit a plan. Superintendent Nye reported that the Board has submitted comments to the Department of Education regarding the regulations.

Dr. Nye reviewed the five overarching required components of the plan and reported that March 6, 2017 is the first date a plan could be submitted. He also gave information about workgroups for ESSA, and indicated staff have identified stakeholders for participation.

Board members asked questions about the requirements. Chair Crandall noted that there is an action item on the Board's August 12 agenda for the Board to give staff direction on the transition to ESSA.

The meeting adjourned at 4:00 p.m.

UTAH STATE BOARD OF EDUCATION MEETING - Friday, August 12, 2016

A meeting of the Utah State Board of Education was held August 12, 2016 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair David Crandall conducted. The meeting commenced at 8:00 a.m.

Board Members Present:

Chair David L. Crandall	Member Linda B. Hansen
1 st Vice Chair David L. Thomas	Member Mark Huntsman
2 nd Vice Chair Jennifer A. Johnson	Member Stan Lockhart
Member Dixie L. Allen	Member Jefferson Moss
Member Laura Belnap	Member Spencer F. Stokes
Member Leslie B. Castle	Member Terryl Warner
Member Barbara Corry	Member Joel Wright
Member Brittney Cummins	

Executive and Board Staff Present:

Sydnee Dickson, State Superintendent	Darin Brush, USOR Executive Director
Scott Jones, Deputy Supt.	Lorraine Austin, Board Secretary
Rich Nye, Deputy Supt.	Emilie Wheeler, Communications Specialist
Angie Stallings, Associate Supt.	
Joel Coleman, USDB Superintendent	

Others Present:

Braquel Jackson—USBE staff; Lisa Nentl-Bloom, Jay Blain, Heidi Matthews, Tracy Watson—Utah Education Association; Jan Clark; Chris Godfrey, Utah School Employees Association; Tina Smith, Utah Association of Public Charter Schools; Brad Asay, American Federation of Teachers-Utah; Richard Snelgrove; Brooke Wilson, Utah Statewide Independent Living Council; Aaron Peterson, South Summit School District; Craig Frank, Utah Charter Network/ECA; Dirk Burton, West Jordan City; Allison Nicholson, Utah Education Policy Center; Karen Peterson, Governor's Office; Christine Cooke, Sutherland Institute; Rick Nielsen, Nebo School District; Jonathan English, San Juan School District; Lane Farr, Office of the Legislative Auditor.

Executive Session

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

Upon voice vote of the Members present the Board moved into Executive Session at 8:10 a.m.

Those present in Executive Session included Board Members Allen, Belnap, Castle, Corry, Crandall, Cummins, Hansen, Huntsman, Johnson, Lockhart, Moss, Stokes, Thomas, Warner, and Wright; and Sydnee Dickson, Angie Stallings, Ben Rasmussen, Nicole Call, Bryan Quesenberry, David Jones, Emilie Wheeler, and Lorraine Austin.

MOTION was made by Member Stokes and seconded by Vice Chair Thomas that the Board come out of Executive Session.

Motion carried. The Board came out of Executive Session at 8:45 a.m.

Opening Business

Chair David Crandall called the meeting to order at 9:02 a.m. Member Moss led those present in the Pledge of Allegiance.

Swearing In of State Superintendent

Chair Crandall administered the Oath of Office to State Superintendent of Public Instruction Sydnee Dickson.

Dr. Dickson voiced that she has felt an outpouring of support since being named the Superintendent. She gave particular thanks to her husband, Jim, who was in the audience and Jan Taylor Clark who had a great influence on her life and worked with her when she became a teacher. She also thanked Board members for their great support, tutoring and mentorship.

Board Member Message

Member Leslie Castle reported on a recent visit she took to the Denver Museum of Nature and Science. As she was looking at the exhibits she came upon a plaque quoting Charles Darwin referencing the term, "survival of the fittest," which is not the strongest or the most intelligent, but the species that has the greatest propensity to adapt to a new and ever changing environment. She noted that the quote has come to apply not only to biological organisms and systems, but also to philosophical ideas, business models and social structure.

Member Castle expressed curiosity at the sentimentality of teachers concerning how they were trained and the skepticism from teachers towards those from other professions that want to join the teaching profession. She voiced that there are many well-trained, passionate workforce professionals who want to be teachers for the same reasons as those who went into the teaching profession—because it's a stimulating, passion-filled, challenging, noble profession.

Introduction of New Employees

H.R. Director Dave Rodemack introduced new employees Ann Neal, Katie Nitka, Jared Hill, Bill Burch, and Ashley Higgs.

Recognitions

History Fair

Robert Austin, USBE Social Studies Specialist, pointed out the displays in the hallway and board room from the Utah History Day. He thanked Member Terryl Warner who was instrumental in getting funding for the program and making sure it is on firm ground. Wendy Rex-Atzet, History Day Coordinator, was introduced and gave information about the program. Benefits to students include learning about history, learning how to do historical research, and developing writing and oral communications skills. Students also use their creativity through creating web sites, documentaries, and scripts.

Jacob Sentence, a student who has competed in the History Day program, was introduced. He reported on the project he completed and about the skills he developed through the program and its positive impact on him.

Mr. Austin also acknowledged other student participants in the audience. It was noted that information about Utah History Day is on the Web at <https://heritage.utah.gov/>.

Student Art Work

Cathy Jensen, Fine Arts Specialist, informed the Board about the student art work hanging in the Board Room that includes material from the PTA Reflections Contest.

Public Comment

Heidi Matthews, President, Utah Education Association - commented that on July 26 this room was charged with educators voices for the hearing on the Academic Pathway to Teaching (APT) rule. She expressed her fear that some voices were heard, but not listened to, and expressed that while APT will be appropriate in some circumstances it would also allow an inexperienced, unqualified individual that is not prepared to teach in front of a classroom. This is an issue of social justice where some will have qualified teachers and some will not. She asked the Board to share with her the data that supports that lowering the standards to become a teacher results in high quality instruction.

Aaron Peterson, Special Education Director, South Sanpete School District - distributed the handout, *Patterns of Strengths and Weaknesses—Why PSW needs to be included into the Utah State Board of Education Rules*. He expressed his passion about the Special Education rules which are being revised and vocalized his support for the Board to strongly consider adopting the pattern of strengths and weaknesses area outlined in the handout. It is an alternative method that is needed, that matches the federal definition of a learning disability, and doesn't exclude students with a cognitive disorder.

Howard Stephenson, Utah Taxpayers Association - distributed a handout about West Jordan's Discus deal—the Pioneer Technology District EDA. In this project no property tax will be paid for twenty years, and the project will use up limited water and electrical resources and use land that could be taxed. Senator Stephenson pled with the Board to do what they can to ensure that the school portion of the tax increment is the last to be called on. This proposal takes equally from the school district, the state school levy, the West Jordan property tax rate, and the county. He suggested taking only 50 percent from the school district and 100 percent from the other entities.

Executive Session Items

Utah Education Association Lawsuit Settlement

MOTION was made by Vice Chair Thomas and seconded by Member Lockhart that the Board approve the settlement agreement in *Utah Education Association v. Utah State Board of Education, Case No. 150908947*.

Vice Chair Johnson voiced her reservation about a piece of the settlement for alleged sexual misconduct against a student, where other students could be involved, but recognizes the Board has a bounded jurisdiction over these matters.

Motion carried, with Members Corry, Crandall, Cummins, Hansen, Lockhart, Moss, Stokes, Thomas, Warner and Wright in favor, and Members Belnap, Castle, Huntsman, and Johnson opposed. Member Allen abstained.

General Consent Calendar

MOTION was made by Vice Chair Johnson and seconded by Member Huntsman that the Board approve the General Consent Calendar.

Vice Chair Johnson noted that in Finance Committee a change in the budget for the TANF grant was made.

Member Belnap referred to item V-3 regarding the takeover of Liberty Academy (now APA-Salem) by American Preparatory Academy, and questioned if the bonding agency knew about the agreement and if the Board has received written confirmation that the bonding agency is aware. Finance Director Natalie Grange reviewed that the Board accepted the transfer agreement between the two schools in June and the Liberty Academy charter was terminated on July 1. Staff has received phone calls from the USDA, who had a loan guaranteed against Liberty Academy, and USDA has worked out a preliminary arrangement with the bonding entity and the bond holder to work through some legal issues.

Member Belnap asked if there are processes in place to make sure this doesn't happen again. Ms. Grange reported that staff is currently working on a policy and rule in conjunction with the State Charter School Board and legal counsel. The terms approved by the Board did not require anything in writing from the bond holders.

Member Warner reported that she asked the school about the bond when this was discussed in the Law and Licensing Committee and was told everything was all right. She

expressed distress at learning differently. Deputy Superintendent Jones pointed out that this situation was a first and this creates an opportunity now to learn and improve; a rule needs to be put in place regarding these types of acquisitions, with more controls.

Member Belnap asked for confirmation that the heads of the schools gave misinformation to the Law and Licensing Committee. Ms. Grange responded that American Preparatory Academy staff reported to her their interpretation that the question asked in Law and Licensing Committee was if they had contacted the bonding entity; they had, in fact, contacted the bonding agency with notice that they were thinking of taking over the school, and this is what they felt they communicated to the Committee; when the takeover was approved, though, official notice was not given.

Member Warner asked if all the bond holders have now been notified about the change and Ms. Grange responded that they have. There are still some legal questions regarding whether the school has the authority to lease to another entity without the consent of the bond holder. Deputy Superintendent Jones acknowledged that this was a new scenario and staff should have checked the data given by a third party. In the future the information will be corroborated.

Member Warner suggested that the Board's legal counsel review the situation and determine how to proceed.

MOTION TO AMEND was made by Member Belnap and seconded by Member Warner that the Board remove item V-3 from the Consent Calendar for further discussion.

Motion to amend carried, with Member Wright opposed.

Member Lockhart questioned the contract with I4 Solutions and the cost of redesigning the Board's Web site. Brent Page, IT Director, noted that two Web site are being merged; in addition, the Web sites are not up to ADA standards, and the over 17,000 pages must be compliant within four months. Deputy Superintendent Jones also indicated the cost includes training for staff on compliance. Member Lockhart questioned whether there were strategies available that were not considered and expressed his feeling that the cost is exorbitant.

Member Lockhart also questioned the contract with The Summit Group to provide public relations services for Special Education. Glenna Gallo, Special Education Director, responded that a number of strategies have been identified in the State Systemic Improvement Plan. There is a pervasive attitude to not have high expectations for students with disabilities, and additional assistance is needed to raise expectations. This is the first time such an approach has been taken and it is an allowable expense under the federal Individuals with Disabilities Education Act (IDEA). This route would not have been taken except the need is so substantial.

Member Lockhart also referenced the two Memorandums of Understanding (MOUs) with the Department of Human Services and questioned the Board's involvement in substance abuse prevention.

Without objection, the motion was amended to remove the MOUs from the Consent Calendar.

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

Monthly Budget Report

Deputy Superintendent Scott Jones, Internal Accounting Director Deborah Jacobsen, and Finance Director Natalie Grange gave the monthly budget report. It was noted that the September budget report will encompass July, and this report will focus on closure activities for SFY 16.

Ms. Jacobsen reported that currently all transactions are closed for FY 16 and the carryover numbers are being confirmed. This year the carryover in line items will not be swept, and the Board will need to make decisions on where that money can best be utilized.

Ms. Grange reported that this is the first year the fiscal programs have been reconciled. She also reported that the FY 15 closing package has been validated.

Superintendent Jones reported that the budget has been checked several times which has not happened in the past. He also pointed out that the Board is at a decision point concerning federal mineral lease monies and the decline in the amount.

Hearing Record on R277-511 *Academic Pathway to Teaching (APT) Level 1 License*

Hearing Officer Ben Rasmussen addressed his report of the Board's hearing on Administrative Rule R277-511 on July 26, 2016 and submitted it to the Board for consideration.

MOTION was made by Vice Chair Johnson and seconded by Terryl Warner that the Board accept the report.

Member Lockhart indicated his support of the motion, but asked that a more comprehensive review of competency measures within this license and all Board-issued licenses be done. He also expressed the desire for the Board to be more involved with the Network for Transforming Educator Preparation (NTEP).

Vice Chair Thomas commented on the narrative Board members have heard that appears to underlie much of the opposition to the Academic Pathway to Teaching (APT), that teachers licensed through alternative routes are less effective than traditionally trained teachers. He voiced concern because the research he has done of scholarly studies shows that is not the case and it is important to dispel that false narrative. He pointed out that APT is a change in a policy lever that is important and dramatic and allows more local control. Vice Chair Thomas also expressed that this isn't an attack on traditional mechanisms by which teachers are trained, but adds an additional route to licensure which is more in keeping with the intent of the legislature for what alternative routes to licensure were supposed to be. The current ARL program has become a delayed traditional approach.

Member Lockhart commented that he was attentive to what people said at the hearing concerning the Alternative Route to Licensure (ARL) program needing to become more meaningful. He also would like to see competency standards for mentor teachers and getting those teacher leaders more money.

Motion carried unanimously.

MOTION was made by Member Cummins and seconded by Vice Chair Thomas that the Board direct that R277-511 *Academic Pathway to Teaching (APT) Level 1 License* be made effective today, and that the rule be brought back next month with the following amendments:

- The words "master teacher" be changed to "teacher leader" throughout the rule.

- Section 4(1) and Section 5(1) - a line be added to each section that an APT applicant must be hired by a sponsoring LEA to receive an APT license.
- Section 6(2) - add “by preparing a comprehensive three-year plan that would be kept on record by the LEAs.”

MOTION was made by Member Castle and seconded by Vice Chair Johnson that the question be divided. Without objection, the motion was divided.

The question of whether the rule will become effective today was addressed.

Member Hansen reported that the rural superintendents from which she has heard are anxious for the rule and have applicants ready for the APT program. The program will assist them in staffing positions that are difficult to fill.

Member Wright commented that this is a critical step and he is proud of the Board for taking it. He believes in the ability of local education agencies to make decisions. He commended Cindy Phillips and Leslie Castle for their work on the program.

Superintendent Dickson expressed appreciation for all the voices that came to the table during these discussions. She pointed out that there is a communications issue as there is a notion that through APT schools will be flooded with under-qualified teachers and that the teachers next door to their classrooms will have to train them. There are many types of licenses available and she suggested the need to rethink and redo, including looking at how to support mentoring.

Motion carried unanimously.

The motion to bring the rule back with proposed amendments in next Board meeting was addressed.

Member Hansen indicated if the motion fails she will bring a motion to form a task force and address the rule changes then.

Member Cummins stated she agrees with the task force, but thinks there are things that need to be changed immediately. She is supportive of a sponsoring LEA hiring an individual prior to that individual getting an APR license.

Member Castle voiced her objection to a sponsoring LEA, and expressed her feeling that APT should be an alternate license that happens before a teacher is in the classroom.

Member Stokes called the question, seconded by Jennifer. Motion carried.

Motion to bring R277-511 back next month with changes carried, with Members Allen, Belnap, Corry, Crandall, Cummins, Hansen, Huntsman, Lockhart, Moss, Stokes, Thomas, Warner and Wright in favor, and Member Castle and Johnson opposed.

MOTION was made by Member Hansen and seconded by Vice Chair Johnson that the Board create a task force of five members that would review all licensing programs in a comprehensive, systemic way.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Moss that the Law and Licensing Committee be designated as the task force.

Member Hansen noted that there may be other Board members that want to work on this task force that aren't on Law and Licensing. Member Belnap also commented that the standing committees have so much to do that she likes the idea of a separate task force.

Motion to amend failed, with Members Huntsman, Johnson, Moss, Thomas, and Wright in favor and Members Allen, Belnap, Castle, Corry, Crandall, Cummins, Hansen, Lockhart, Stokes, and Warner opposed.

Motion to create a task force carried unanimously.

Utah State Office of Rehabilitation (USOR) Executive Director's Report

USOR Executive Director Darin Brush reported on USOR's transition to the Division of Workforce Services (DWS), Order of Selection and USOR's budget. He reported that he has met with Deputy Superintendent Jones concerning getting an MOU in place between the Board and DWS to address things that were not anticipated. The MOU will come to the Board next month.

Director Brush announced that all clients in the Severely Disabled category are coming off the waiting list before the end of the calendar year. This is possible because of the budget tools that are now in place.

Director Brush reported that the intent was for USOR to apply for \$6 million in federal reallocation funding, but as the agency has watched its budget the number has dropped to

\$2 million.

MOTION was made by Vice Chair Johnson and seconded by Member Lockhart that the Board approve USOR applying for \$2 million in federal reallocation funds.

Motion carried.

Every Student Succeeds Act (ESSA)

Deputy Superintendent Rich Nye noted that the Board has received an overview of the proposed ESSA regulations. A next step would be to begin the formation of the committees to be working on the submission of the required state plan, with the understanding that given the nearly 20,000 comments received on the proposed regulations by the U.S. Department of education the regulations may change. The workgroups can focus on components of the plan and organization of what is being done.

Another step would be to create a consolidated state plan team consisting of the Governor or his designee, legislators, USBE members, and members of the Board's executive staff.

MOTION was made by Vice Chair Thomas and seconded by Member Warner that the Board direct the Superintendent to begin the formation of workgroups to give input to the ESSA state plan.

Motion carried.

Board Strategic Plan Amendments

Emilie Wheeler, USBE Communications Specialist, reviewed changes made to the Board's Strategic Plan.

MOTION was made by Vice Chair Johnson and seconded by Member Belnap that the Board approve the Strategic Plan, as amended.

Motion carried unanimously.

MOTION was forwarded from the Finance Committee that the Board direct staff to provide more detail to the Strategic Plan with specific action steps and timelines.

Motion carried unanimously.

Chair Crandall left the meeting and turned the gavel over to Vice Chair Thomas.

State Fiscal Year (SFY) 2018 Funding Priorities

The Board discussed its legislative priorities for SFY 18.

MOTION was made by Vice Chair Johnson and seconded by Member Warner that the Board request full enrollment growth as an expectation.

Motion carried; Members Crandall and Moss absent.

Member Cummins expressed discomfort with the process of making a priorities list without data linking the budget priorities to Board's strategic priorities.

Motion was made by Member Warner and seconded by Member Hansen that the Board add professional development and mentoring funds to its priority list.

Member Belnap expressed her hope that the Board will stop dividing funding and allow LEAs to determine the use of the monies. Member Moss also expressed concern over continuing the same process as in the past and asked for research-based data on what will increase student achievement.

Member Warner withdrew her motion.

MOTION was made by Vice Chair Johnson and seconded by Member Moss that the Board add to its priority list a placeholder for a two percent increase in the WPU.

MOTION TO AMEND was made by Member Hansen and seconded by Member Warner that the amount be increased to four percent.

MOTION TO AMEND THE AMENDMENT was made by Member Belnap and seconded by Vice Chair Johnson that a placeholder without an amount be added to the list.

Member Castle questioned whether WPU funds become a bargaining chip for teacher salaries and asked if there is a better way for districts to receive funding to avoid this situation. She asked for a response from district superintendents present.

Superintendent Rick Nielsen, Nebo School District, was invited to respond. He stated that for districts the WPU is the place to have money allocated and that is their starting point. As they negotiate with their employee associations it is up to each individual district to help their employees understand the distribution of those funds and the costs the district incurs that have to be met from the WPU. He stated that a 2-1/2 percent increase is required to just to maintain business as usual. Anything additional allows them to do other things. He informed that the Utah School Superintendents Association is still working on its request concerning the WPU and other initiatives and will have more precise recommendations soon.

Superintendent Scott Rogers, Tooele School District, responded that LEAs submit data to the Board and it would be fairly easy to look at the salary matrices to determine the average; for his district it is 2.25 percent and for others it is more. He suggested the Board consider the teacher shortage issue.

Member Stokes called the question, seconded by Vice Chair Johnson. Without objection, debate was ended.

Motion to amend the amendment to have a placeholder for the WPU without an amount carried, with Members Allen, Belnap, Corry, Cummins, Huntsman, Lockhart, Stokes, Thomas, and Wright in favor and Members Castle, Hansen, Johnson, Moss, and Warner opposed; Member Crandall absent.

Motion to amend the motion from a two percent increase to a placeholder carried, with Members Allen, Belnap, Castle, Corry, Cummins, Hansen, Huntsman, Lockhart, Stokes, Warner, and Wright in favor, and Members Johnson, Moss, and Thomas opposed; Member Crandall absent.

Main motion as amended, to put on the priority list an increase to the WPU as a placeholder, failed 7-7 with Members Allen, Belnap, Corry, Cummins, Huntsman, Thomas, and Wright in favor and Members Castle, Hansen, Johnson, Lockhart, Moss, Stokes, and Warner opposed; Member Crandall absent.

MOTION was made by Member Lockhart and seconded by Member Moss that Board leadership meet with the superintendency to look at funding priorities from the last legislative session, update the list and marry it with the Board's strategic plan, and at the same time direct staff to build a basic cost benefit model that can be used for every line item, and present the information to the Board in its September meeting.

Member Lockhart asked that the information include how many students will be affected, what the cost will be, and the rate of change that is expected as a result of the expenditure. He indicated that items where this information isn't available should have justification of why they should be priorities. The Board's priorities should be intentional, evidence based and data driven.

Motion carried; Member Crandall absent.

Member Stokes asked Superintendent Dickson to talk with superintendents throughout the state and take into account those things they believe should be priorities as well. Member Belnap also asked that the Superintendent talk with the charter schools associations.

Aspire Student Information System

Vice Chair Thomas reminded the Board that in its last meeting the Board voted not to make any changes to the Aspire system until after the audit on the system is completed. However, as that will take some time, Nebo District Superintendent Rick Nielsen was invited to discuss the system. Superintendent Nielsen reported on conversations that have occurred among Aspire users in the week's since the Board's June 2016 meeting. The idea was posed at that time about the possibility of Aspire being turned over to a consortium of districts and charter schools made up of Aspire users. There has been a significant amount of communication related to this issue including a formal meeting among the five largest school districts that are using Aspire—Box Elder, Tooele, Ogden, Wasatch, and Nebo, with Nebo being the largest user. They have also made additional effort to seek input and perspectives from all Aspire users. In summary, district users maintain the position that Aspire should remain a service of the State Board and that no fee should be charged for its use for the following reasons.

- Aspire is the tool that is provided by the state to help districts and charters meet data and reporting requirements that are established by the Board and Legislature.
- Aspire is an efficient use of taxpayer dollars.
- Most districts and charters have integrated other programs into the Aspire system, such as food services, special education services, and transportation; moving to another SIS system will require substantial investments of time and resources.
- Aspire has a focus on Utah students. It is a great home-grown product that has been developed fundamentally by users working with Aspire programmers at the Board's office. It is designed to meet the reporting requirements for Utah.

Superintendent Nielsen acknowledged that there are concerns that continuing to retain Aspire as a no-fee service of the Board could introduce issues of inequity. From the districts' points of view equity is not an issue. All LEAs have equal access to use Aspire and no LEA was forced to not use Aspire.

Superintendent Nielsen also reported that Aspire users have had detailed discussions about what would likely need to occur before any decision could be made regarding the feasibility of a consortium of LEAs assuming responsibility for Aspire. He offered that Nebo, along with other districts, would be willing to take the lead in doing an analysis on the feasibility. The considerations that would likely be required for a successful consortium initiative include: 1) acquisition of the code; 2) retention of at least some of the programmers who have been working on Aspire; 3) determination of a suitable location, and 4) receipt and analysis of the Aspire audit. All would have to be in place. In addition, once the audit has been received it is likely RFPs would need to be done for other vendors to determine financial comparability, and a guaranteed annual per student fee maximum for a set number of years would have to be in place. Finally, if all of those things make sense financially and structurally they would need agreements from a majority of current users, including most of the large districts, to remain with the program for a set number of years.

Superintendent Nielsen noted that this evaluation process would likely take several months and has no definitive outcome. He expressed hope that these insights will help the Board make the best decision they can. He also gave his opinion that if a district such as Nebo

were to pull out of the system he doesn't believe an aggregate of charters and the smallest districts could pull it off and provide the level of services necessary.

Royce Van Tassell, Executive Director of the Utah Association of Public Charter Schools, was invited to comment. Mr. Van Tassell stated that the association has discussed it and it appears clear to them that the Legislature has a very specific direction in which they want this to go. The Association is comfortable with the Legislature's direction.

Craig Frank, Utah Charter Network Board member, was invited to comment. He indicated that the Charter Network's position is the same as the district superintendents. Removing the system from its current position would create an unfunded mandate.

Terry Shoemaker, Executive Director of the Utah School Superintendents Association (USSA), was invited to speak. He stated that USSA has been engaged in the discussions and has asked Superintendent Nielsen to represent USSA on this issue. He asked the Board to think of the very smallest districts that don't have the resources larger districts have. It is a daunting, problem to them.

USBE Advisory Committee Review Task Force Resolution

Task Force Chair Linda Hansen reported that the Task Force continues to review committees under the Board's governance or staffed by Board employees. The Committee recently reviewed the Policy Advisory Committee for assessment and directed staff to create a resolution to formalize the committee.

MOTION from the Task Force that the Board adopt Utah State Board of Education Resolution No. 2016-2, Assessment and Accountability Policy Advisory Committee (AAPAC).

Motion carried; Member Crandall absent.

Board Policies

MOTION was made by Vice Chair Johnson and seconded by Member Moss that the Board adopt Board Policy 1002, Rulemaking Procedures.

Motion carried; Member Crandall absent.

MOTION was made by Vice Chair Johnson and seconded by Member Belnap that the Board adopt Board Policy 2001, Board Member Compensation.

Motion carried; Member Crandall absent.

MOTION was made by Vice Chair Thomas and seconded by Member Belnap that the Board adopt Board Policy 3001, Appointment, Evaluation and Termination of Deputy, Associate and Assistant Superintendents.

Motion carried; Member Crandall absent.

Standing Committee Reports

AUDIT COMMITTEE

Vice Chair Johnson reminded Board members that every month the Board receives a confidential Audit Committee report. She also indicated that any Board member may attend Audit Committee, but needs to notify the Internal Audit Director in advance to ensure that open meeting law requirements are followed.

LAW AND LICENSING COMMITTEE

Committee Chair Leslie Castle reported on the following items from the Committee.

Previous Meeting Minutes

The Committee approved the minutes of its June 9, 2016 meeting.

Taxing Entity Committee (TEC) to the Economic Development Area for Pioneer Technology District EDA (New EDA)

The Committee discussed the Redevelopment Agency of West Jordan's proposal to create a new Economic Development Area and seek approval of the Pioneer Technology District.

MOTION from Committee that the Board direct its representative to the TEC to vote in favor of approving the new EDA.

Member Castle clarified that she did not vote in favor of the direction in committee.

Richard Snelgrove, an at-large member of the Salt Lake County Council, was invited to speak. He informed that the problem the County Council has with this Facebook project is the enormous hit of \$240 million to the taxpayers. The return will come in twenty years, but this is property that would be developed anyway. There are also concerns about the small number of jobs created and the water use commitment.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Cummins that the Board direct its representative to seek for better terms—that public education take the last tax withholding for the schools as described by Senator Stephenson earlier in the meeting. In addition, if the terms of the proposal change the Board’s representative would abstain from voting and bring the information to the Board for direction.

Vice Chair Johnson clarified that she means any material change.

Member Stokes asked for clarification that the motion directs the representative to vote in favor if the schools are held harmless, but vote no or abstain if that isn’t the case. Vice Chair Johnson agreed.

MOTION TO AMEND THE AMENDMENT was made by Member Hansen and seconded by Member Belnap that the Board direct its representative to vote in the same way as Jordan School District.

Board members questions whether the proposal could still change. Mark Pellis, West Jordan City Manager, was invited to respond. He indicated that the facts received from the County are incorrect; there will be 50 jobs per building, making 300 total jobs that will be created. He was emphatic that the proposal will not change between now and when it comes to a vote.

Deputy Superintendent Scott Jones and Finance Director Natalie Grange suggested that while there may be no change to the terms, it doesn’t mean they can’t be changed before the vote. Ms. Grange also noted that Jordan School District has not yet made a decision on how it will vote.

Vice Chair Johnson spoke against the amendment, indicating that the Board is not in the position of seeking a bond and she believes that may influence Jordan District.

Member Stokes agreed, stating that the Board has its own set of responsibilities and the Board abdicates its responsibilities when it just follows along. This vote is controversial because the Board's vote could make the difference on whether the proposal is approved. The original motions strengthens the ability to negotiate.

Motion to amend the amendment failed, with Members Allen, Belnap, and Hansen in favor and Members Castle, Corry, Cummins, Huntsman, Johnson, Lockhart, Moss, Stokes, Thomas, Warner and Wright opposed; Member Crandall absent.

The motion to amend was restated that the Board direct it representative to the TEC to vote in favor of the EDA with the condition that the school interest gives up its increment last, and except for that change, there are no other changes to the proposal between now and the taxing entity committee vote.

Motion to amend failed, with Members Belnap, Castle, Johnson, Stokes, and Wright in favor and Members Allen, Corry, Cummins, Hansen, Huntsman, Lockhart, Moss, Thomas and Warner opposed.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Castle that the Board direct its representative to the TEC to vote in favor of the proposal as long as there are no material changes.

Superintendent Jones asked for a definition of a material change. Vice Chair Thomas suggested any trigger change or cap would be material.

Member Lockhart commented that the Board has inadvertently negatively affected the ability of the district to negotiate. He would like a motion that allows the district flexibility.

Motion to amend failed, with Member Johnson in favor and all others opposed.

MOTION TO AMEND was made by Member Stokes that a meeting of the Board be convened to direct its TEC representative after the Jordan School District has met.

Vice Chair Thomas restated the motion as a motion to postpone. Deputy Superintendent Jones noted that Jordan District will meet on August 22.

Motion to postpone carried unanimously; Member Crandall absent.

R277-116 Audit Procedure

The Committee reviewed proposed amendments to R277-116 to incorporate changes resulting from S.B. 91 *Board of Education Amendments* passed in the 2016 Legislative Session. The Committee approved amendment to and continuation of the rule on first reading.

MOTION from Committee that the Board approve R277-116 *Audit Procedure*, as amended, and continuation of the rule, on second reading.

Motion carried; Member Crandall absent.

R277-513 Teacher Leader

The Committee reviewed new rule R277-513, created to comply with S.B. 51 *Teacher Leader Role* passed in the 2016 Legislative Session. The Committee made additional amendments and approved R277-513 Revision 1 on first reading.

MOTION from Committee that the Board approve new rule R277-513 Revision 1 on second reading.

Motion carried; Members Crandall and Moss absent.

R277-609 Standards for LEA Discipline Plans and Emergency Safety Interventions

The Committee reviewed proposed changes to the rule and directed staff to make additional changes and bring the rule back in September.

R277-914 Career and Technical Student Organizations

The Committee reviewed amendments to R277-914 to make technical and conforming changes as part of the rule's five-year review. The Committee approved R277-914, as amended, and continuation of the rule, on first reading.

MOTION from Committee that the Board approve R277-914 *Career and Technical Student Organizations*, as amended and continued, on second reading.

Motion carried; Members Corry, Crandall, Lockhart and Moss absent.

Utah State Board of Education Special Education Rules Manual and R277-750 *Education Programs for Students with Disabilities*

The Utah State Board of Education Special Education Rules Manual received preliminary approval by the Board in May. Because of additional hearings and public input following the May Board meeting, the updated Manual was brought before the Committee in June and the Committee directed further changes. In addition, R277-750 was amended to include the date of approval of the Rules Manual. The Committee approved the Special Education Rules Manual and R277-750 as amended, and continuation of the rule, on second reading.

MOTION from Committee that the Board approve the updated Utah State Board of Education Special Education Rules Manual and R277-750 *Education Programs for Students with Disabilities* as amended, and continuation of the rule, on third and final reading.

Motion carried; Members Crandall, Lockhart, Moss and Stokes absent.

R277-109 *Legislative Reporting and Accountability*

The Committee reviewed technical and conforming changes to R277-109 made as part of the rule's five-year review. The Committee approved amendment to and continuation of the rule on first reading.

MOTION from Committee that the Board approve R277-109 *Legislative Reporting and Accountability* as amended, and continuation of the rule, on second reading.

Motion carried; Members Crandall, Moss and Stokes absent.

R277-531 *Public Educator Evaluation Requirements (PEER)*

Amendments to R277-531 were approved on second reading in the Board's June 2016 meeting. The rule is also in need of continuation in accordance with the Administrative Rulemaking Act five-year review requirement. The Committee approved amendment to and continuation of R277-531 on second reading.

MOTION from Committee that the Board approve R277-531 *Public Educator Evaluation Requirements (PEER)* as amended, and continuation of the rule, on third and final reading.

Member Warner reported that the Committee held a lengthy discussion concerning overhauling the PEER educator evaluation requirements. The Board was reminded that direction was given to staff in an earlier meeting to review statute and the rule and determine what bare bones evaluation system could be created that would put the system under local control. Vice Chair Thomas suggested this item could be added to the discussion of legislative priorities.

Motion carried; Members Crandall and Lockhart absent.

R277-611 *Certified Volunteer Instruction and Material Approval Requirements and Process for Firearm Safety in the Public Schools*

The Committee reviewed amendments to R277-611 made as a result of S.B. 43 *Firearm Safety and Violence Prevention in Public Schools* passed in the 2016 Legislative Session. The Committee approved the rule, as amended, on first reading.

MOTION from Committee that the Board approve R277-611 *Certified Volunteer Instruction and Material Approval Requirements and Process for Firearm Safety in the Public Schools* as amended on second reading.

Motion carried; Member Crandall absent.

Public Licensure Database

The Committee discussed the possibility of a database that would allow members of the public to look up the licensing discipline history of an educator.

MOTION from Committee that the Board direct staff to determine the resources and rule changes that will be needed to implement a publicly accessible licensure database for state-licensed educators.

Member Warner expressed concerns about what information is open to the public and the importance of protecting all parties, particularly victims. Member Castle responded that the Committee talked about revocations and suspensions, and that the database should be similar to what is available for other licensed personnel throughout the state including the Division of Occupational and Professional Licensing (DOPL) and the Utah State Bar.

Member Hansen reported that she did not vote on the motion in committee because she is concerned about unintended consequences. Member Castle responded that this information is available on other licensed people in the state and these licenses are public licenses.

Motion carried with Member Belnap opposed and Members Hansen and Warner abstaining; Member Crandall absent.

List of School LAND Trust Expenditures

The Committee provided input to staff on the Administrative List of Appropriate and Inappropriate School Land Trust Expenditures developed by the School Children's Trust Section. The Committee directed that changes be made and that it be clear this document is for guidance only.

Board Bylaws Revisions

The Committee reviewed proposed revisions to the Board Bylaws.

MOTION from Committee that the Board adopt the Bylaws as amended.

Member Cummins noted that Section G-1 requiring a quorum of the Board to validate an action of the Board is in conflict with *Robert's Rules of Order* and asked for a change. Because of the small number on the Board, she stated that if she abstains due to a conflict of interest it has the effect of a no vote. Associate Superintendent Angie Stallings reported that the Legislature does not allow for its members to abstain. If the members have a conflict they

declare their conflict, but still vote. It was noted that the requirement of a quorum to vote is in state statute.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Belnap that the Board ask staff to prepare an amendment to Section IV-B-1 under Conflicts of Interest to add that a Board member should disclose a conflict of interest before discussion on the item.

Motion to amend carried unanimously; Member Crandall absent.

Motion to approve the Bylaws as amended carried unanimously; Member Crandall absent.

R277-922 Digital Teaching and Learning Grant Program

The Committee reviewed amendments made to R277-922 since its approval in the Board's March 2016 meeting. The revisions allow LEAs to apply for a \$5,000 planning grant in lieu of submitting an LEA plan and receiving a Digital Teaching and Learning Grant. The Committee approved the rule on second reading.

MOTION from Committee that the Board approve R277-922 *Digital Teaching and Learning* on third and final reading.

Motion carried unanimously; Member Crandall absent.

STANDARDS AND ASSESSMENT COMMITTEE

Committee Chair Laura Belnap reported on the following items from the Committee.

Previous Meeting Minutes

The Committee approved the minutes of its June 9, 2016 meeting.

USBE Oversight of Baby Watch Program

The Committee heard a report of the Baby Watch Program, a Special Education program for children ages 0-2 that is under the Department of Health. There is some question whether it should stay under the health setting or come under an educational setting. The

Public Education Appropriations Subcommittee will be discussing whether governance of the program should move.

The Committee recommended requesting that Public Education Appropriations create a task force to gather information and feedback regarding a potential move of the program to the Board.

Secondary Social Studies Standards

The Committee reviewed information regarding public input received on the Secondary Social Studies Standards.

MOTION from Committee that the Board approve moving ahead with the next step in the revision process for the Secondary Social Studies Standards.

Motion carried; Members Crandall, Moss and Wright absent.

The writing committee will address the comments and revise the standards accordingly.

Informal Science Education Enhancement (iSEE) Distribution of Funding

Staff provided information to the Committee regarding the iSEE line item funding that is distributed to science outreach programs.

MOTION from Committee that the Board approve the funding distribution and funding level for iSEE as presented.

Member Warner asked whether the organizations provide outreach throughout the state. Member Belnap responded that they have to touch every school in the state once every three years.

Member Lockhart suggested inviting the organizations to provide data to the Board on how the programs affect student outcomes.

Motion carried; Members Crandall and Moss absent.

Professional Outreach Program in the Schools (POPS) Distribution of Funding

Staff provided the Committee information regarding the Professional Outreach Program in the Schools (POPS) and the Arts Subsidy funding.

MOTION from Committee that the Board approve the funding distribution and funding level as presented for the POPS program.

Motion carried; Member Crandall absent.

Master Data-Sharing Agreement with Utah State Auditor

The Master Data-Sharing Agreement with the State Auditor clarifies the agreement between the USBE and State Auditor's Office for information sharing and communication in terms of what information is needed for the auditors to perform their duties. The agreement automatically renews yearly. The Committee heard from State Auditor John Dougall about the agreement.

MOTION from Committee that the Board approve the Master Data-sharing Agreement with the Utah State Auditor's Office for an additional year with the instruction it continue to be reviewed yearly before the start of the new school year.

Motion carried; Member Crandall absent.

Alignment of Secondary and Elementary Media Standards

The Committee reviewed information regarding the alignment of the secondary and elementary media standards to make the language in the secondary standards consistent with the elementary standards. It was noted that no changes to the standards were made or new standards added.

The Committee requested a change to remove the term "teacher librarians" from the document.

MOTION from Committee that the Board approve the language changes to the 6-12 Library Media Standards to align with current language and protocols of the Elementary Library Media Standards.

Motion carried.

R277-603 Autism Awareness Restricted Account Distribution

The Committee reviewed technical and conforming changes made to R277-603 in accordance with the Administrative Rulemaking Act five-year review requirement. The Committee approved amendment to and continuation of the rule on first reading.

MOTION from Committee that the Board approve R277-603 *Autism Awareness Restricted Account Distribution* as amended, and continuation of the rule, on second reading.

Glenna Gallo, Special Education Director, reported that Special Education receives funding of \$10,000 from the purchase of the Autism Awareness license plates. There is currently over \$30,000 surplus in the funds, and she requested that the Board consider requesting from the Legislature at least \$30,000 from the fund for the next fiscal year.

Motion carried; Member Crandall absent.

R277-708 Enhancement for At-Risk Students Program

The Committee reviewed technical and conforming changes to R277-708 in accordance with the Utah Administrative Rulemaking Act five-year review requirement. The Committee made additional changes and approved amendment to and continuation of R277-708 Revision 1 on first reading.

MOTION from Committee that the Board approve R277-708 Revision 1 *Enhancement for At-Risk Students Program* as amended, and continuation of the rule, on second reading.

Motion carried; Member Crandall absent.

R277-604 Private School, Home School, Electronic High School (EHS), and Bureau of Indian Affairs (BIA) Student Participation in Public School Achievement Tests

The Committee reviewed proposed amendments to R277-604 and directed staff to make further changes. The rule will come back to the Committee in its September meeting.

R277-715 Out-of-School Time Program Standards

New rule R277-715 was established as a result of S.B. 125 *After-school Programs Amendments* passed in the 2016 Legislative Session. The Committee approved the rule on first reading.

MOTION from Committee that the Board approve new rule R277-715 *Out-of-School Time Program Standards* on second reading.

Motion carried; Members Crandall and Hansen absent.

Repeal of Utah State Office of Rehabilitation (USOR) Rules R280-150, R280-200, R280-202, R280-203 and R280-204

In response to H.B. 325 *Office of Rehabilitation Services Amendments* passed in the 2016 Legislative Session the repeal of USOR administrative rules is necessary. The Committee approved the repeal of the rules presented on first reading.

MOTION from Committee that the Board repeal R280-150 *Adjudicative Proceedings Under the Vocational Rehabilitation Act*; R280-200 *Rehabilitation*; R280-202 *USOR Procedures for Individuals with the Most Significant Disabilities*; R280-203 *Certification Requirements for Interpreters and Transliterators for the Hearing Impaired*; and R280-204 *Utah State Office of Rehabilitation Employee Background Check Requirement* on second reading.

Motion carried; Member Crandall absent.

Turnaround School Plans

In its June 2016 meeting, the Board received information concerning improvement plans for Turnaround Schools. At that time plans for two schools were approved while the remaining schools were directed to revise their plans. The Committee received information on the revised plans.

MOTION from Committee that the Board accept the turnaround school proposals and approve the plans.

Motion carried; Member Crandall absent.

Potential Cost of Standards Implementation

In its June meeting the Board directed staff to provide information regarding the costs of revising the English/language arts and mathematics standards. The Committee reviewed the information provided.

Vice Chair Thomas asked whether information was given for both a comprehensive review and update and a less extensive review. Member Moss responded that the motion in June was for a full evaluation and he, too, would like to see the cost of an alternative approach.

Member Cummins mentioned that two items were variable—the assessment piece as well as professional development.

Staff will gather more information and bring back to Standards and Assessment in September.

2016-2017 SAGE Released Items and Optional Assessment Opportunities

Staff appraised the Committee of the released items and optional assessment opportunities for students.

Competency-based Task Force Update

Competency-based Task Force Chair Laura Belnap reported that the Committee has had its first meeting. There are three schools currently that could receive planning grant funding under 53A-15-1804.

Professional Learning Series

The Committee received information regarding the Professional Learning Series.

FINANCE COMMITTEE

Committee Chair Jennifer Johnson reported on the following items from the Committee.

Approval of Previous Meeting Minutes

The Committee approved the minutes of its June 9, 2016 meeting.

Acknowledgment of Improvements, Accomplishments, Progress

The Committee received information regarding updates to the MSP automation process.

State Fiscal Year (SFY) 2017 Budget

It was reported to the Committee that Board leadership has directed the superintendency to review the budget and better identify what makes up the line items that include Purchase Services, Contracts, Office Supplies, Unclassified Other, and Operating Expense. Under the Unclassified Other category, staff requested direction on several pieces.

MOTION from Committee that the Board assign the Standards and Assessment Committee to determine how to best utilize the \$269,000 appropriated for the development of competency-based learning.

Motion carried; Member Crandall absent.

MOTION from Committee that the Board use the \$151,126.77 for the ERP accounting system.

Member Hansen asked how much money was appropriated for the system. Vice Chair Johnson responded that the Board received contingency funding for the system and still doesn't know how much it will be.

Motion carried; Member Crandall absent.

MOTION from Committee that the Board dedicate the federal mineral lease carry forward estimate of \$790,000 to the regional service centers and direct Board leadership to speak with legislative leadership regarding supplemental funding for FY 17.

Vice Chair Johnson clarified that there is not a direct appropriation for the regional service centers. Historically there was a direct appropriation to the Minimum School Program, but at some point it was put in the Board's budget and eventually disappeared. Several years ago the centers began to be funded from the federal mineral lease monies, but those funds have diminished.

Member Warner questioned how long the centers will be funded if a supplemental is not given. Vice Chair Johnson suggested it will probably fund the center approximately up to

the Legislative Session. Vice Chair Johnson pointed out that this motion is good for the service centers as it keeps them in operation now.

Member Huntsman voiced that it is important to recognize that the centers are in operation and know their funding is at risk. This is an opportunity to clearly define their services and from where the funds should come.

Vice Chair Johnson informed that the mineral lease money is for the restricted purpose of research and development, and has probably been used outside of the intended purposes of the dollars by funding the service centers.

Motion carried; Member Crandall absent.

FY 2017 Section Budget Reviews

The Committee received reports regarding the State Board, SSFP Assistant Superintendent, PP Deputy Superintendent and Indirect Cost Pool budgets.

SFY 16 Closure Report

The Committee received information on the year-end closure.

Board Process for Determining SFY 18 Funding Priorities

The Committee reviewed a handout outlining the SFY 2018 budget timeline for the Governor's Office of Management and Budget.

MOTION from Committee that the Board dedicate four hours in September to discuss the SFY 18 budget priorities.

Motion carried; Member Crandall absent.

Carryforward Reconciliations

The Committee received information. No action was taken.

Wasatch Institute of Technology Loan Uncollectible Balance Disposition

It was reported that the State Charter School Board closed the Wasatch Institute of Technology (WIT) at the beginning of school year 2015-2016. The school obtained a revolving loan in February 2013 for \$300,000 and made its monthly scheduled payments until closure. WIT liquidated its bank accounts and provided the USBE with a check on July 14, 2016. The revolving loan has an outstanding balance of \$70,623.37.

MOTION from Committee that the Board write off the Wasatch Institute of Technology loan balance as uncollectible and request the Charter Revolving Account Committee to make a recommendation on a process moving forward to decrease or mitigate risks of default.

Member Huntsman reported that he is not comfortable that the Board can legally write off the loan. He asked that the Board's attorneys review the issue prior to the Board making a decision.

MOTION TO AMEND was made by Vice Chair Johnson and seconded by Member Huntsman that the writing off of the loan be deleted from the motion, but the direction to the Revolving Account Committee remain.

Motion to amend carried.

Motion carried; Member Crandall absent.

Modification of Charter Revolving Loan Fund Promissory Notes

The Committee reviewed a request from St. George Academy to change the term of its loan from the Charter Revolving Loan Fund to defer loan repayment for one additional year. Due to insufficient enrollment numbers, the school has delayed opening by one year. The committee voted 3-2 to approve the loan modification.

MOTION from Committee that the Board approve the loan modification for St. George Academy.

Vice Chair Johnson explained that if the Board does not approve the loan amendment the school will go out of business.

Member Belnap declared a conflict of interest as she works for Washington School District and the district is building a new high school right across the street from St. George Academy.

Motion carried, with Members Allen, Belnap and Hansen opposed; Member Crandall absent.

The Committee received information that a comparison of amortization schedules and promissory notes showed thirteen promissory notes do not agree with current repayment terms. A list of proposed modifications was presented to the Committee.

MOTION from Committee that the Board direct staff to make the changes in the promissory notes as presented.

Motion carried; Member Crandall absent.

Board Approval of Significant Accruals

The Government Accounting Standards Board (GASB) requires an estimate to be made at the end of each fiscal year that represents the amount of federal expenditures made by local education agencies before year end that were not claimed or reimbursed by the Board before year end. The Committee received information regarding the amount of the estimated accrual for FY 2016, based on calculations using a ratio for each LEA which compares total federal receivables reported at year end to total federal revenues.

MOTION from Committee that the Board book the estimate of \$76,782,642 as the FY 2016 matching accruals.

Motion carried; Member Crandall absent.

Grants Management Policy

Staff reviewed a proposed grants management policy with the Committee.

MOTION from Committee that the Board adopt the USBE Grant Approval and Management Policy with the expectation it will be formatted as other Board policies.

Motion carried; Member Crandall absent.

R277-600 Student Transportation Standards and Procedures

The Committee reviewed amendments to R277-600 made as a result of H.B. 301 *School Bus Route Grant Program* passed in the 2016 Legislative Session. The Committee approved amendment to and continuation of the rule on first reading, with Member Wright opposed.

MOTION from Committee that the Board approve R277-600 *Student Transportation Standards and Procedures* for amendment and continuation on second reading, with the attendant documents for applications.

Motion carried; Member Crandall absent.

National Center of Educational Statistics Annual Reporting Submission

An overview of reports being submitted to the National Center of Educational Statistics was provided to the Committee.

MSP Formulas

Staff provided a list noting problems or questions regarding the Minimum School Program along with an update of things that have been addressed and things that still need to be addressed. Significant progress has been made on areas of intense risk. Other material provided includes a map of the ERP accounting system and how money appropriated has been spent.

Consent Calendar Review

Updates were provided on out-of-state tuition, transition of the charter school revolving loans, and final accounting for the Wasatch Institute of Technology.

Superintendent's Report

Superintendent Sydnee Dickson distributed information and reported on the following.

- Praise and thanks were given to the leadership team of Rich Nye, Scott Jones, and Angie Stallings and their support staff.

- Acknowledgment was given that this is a very stressful and challenging time for the School Finance and Internal Accounting teams and the analysts that serve in the sections, and thanks was given for their hard work.
- Dr. Dickson reported on a presentation she heard by Dov Seidman, CEO of LRN, an organization that works on leadership and is rethinking leadership in a reshaped world. The presentation resonated with her regarding leadership in our schools. She has taken the four Rs from the presentation—reflect, reconnect, rethink, reimagine and is using them to frame the conversation.
- Dr. Dickson and staff will be going into the field for a fall listening tour. The structure will be to meet with legislators and local board members in the morning, visit schools during the day, and meet with teachers and principals late afternoon/early evening. She expressed hope that Board members can join her.
- Dr. Dickson reported on the National Conference of State Legislatures Conference (NCSL) she attended, and distributed the document, *No Time to Lose*. Associate Superintendent Stallings also attended the Education Commission of the States Conference.

Board Chair's Report

Vice Chair Johnson presented items from Chair Crandall.

- It was noted that Member Allen abstained from the vote on the UEA lawsuit settlement.
- A Joint Education Conference with the Legislature, the Board of Education, the Board of Regents, and the Utah College of Applied Technology will be held September 13 at Utah Valley University.

Board Member Comments

MOTION was made by Member Hansen and seconded by Member Cummins that the Board's December 2016 meeting be moved to December 8-9.

Motion carried, with Member Lockhart opposed; Member Crandall absent.

Consent Calendar Items RevisitedAPA-Salem

Member Belnap expressed her concern that what was done is not legal and what was presented to the Board was not correct.

Member Wright noted that the action has already been taken and this item was on the Consent Calendar as an information item. Member Belnap acknowledged that is the case, but feels the Board wasn't told the truth and indicated if children weren't involved she would ask for the process to be halted.

MOTION was made by Member Warner and seconded by Member Belnap that the Board direct its attorneys to conduct a legal review of the APA-Salem termination under the Voluntary School Improvement Program in order to prevent the same problems from happening in the future.

Member Cummins expressed her feeling that staff is already doing the work on the process and an additional legal review seems redundant.

Motion carried, with Members Allen, Belnap, Castle, Hansen, Huntsman, Lockhart, Stokes, Thomas, and Warner in favor, Members Corry, Cummins, Johnson, and Moss opposed, and Member Wright abstaining; Member Crandall absent.

Memorandums of Understanding (MOU) with the Department of Human Services

Superintendent Dickson reported on these MOUs for grants that call for specific collaborations with different state agencies. The grants are used to update curriculum and provide professional development and direct services to schools.

MOTION was made by Member Lockhart and seconded by Member Stokes that the Board approve the two MOUs with the Department of Human Services for Prevention Dimensions and PSF as presented.

Motion carried; Member Crandall absent.

Executive Session

MOTION was made by Vice Chair Johnson and seconded by Member Corry 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 the members present the Board moved into Executive Session at 4:45 p.m.

Those present in Executive Session included Members Belnap, Castle, Corry, Cummins, Hansen, Huntsman, Johnson, Lockhart, Moss, Stokes, Thomas, Warner and Wright; and Sydnee Dickson, Scott Jones, Ben Rasmussen, Emilie Wheeler, Nicole Call, Bryan Quesenberry and Lorraine Austin.

MOTION was made by Vice Chair Johnson and seconded by Member Hansen that the Board come out of Executive Session.

Motion carried. The Board reconvened in open meeting at 5:20 p.m.

Executive Session Items

Licensing Actions and UPPAC Consent Calendar

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board adopt a Remand Order in Utah Professional Practices Advisory Commission (UPPAC) Case No. 15-129.

Motion carried; Members Allen, Crandall and Wright absent.

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board accept the stipulated agreement in UPPAC Case No. 16-1326 to issue a letter of reprimand on the educator's Alternative Route to License (ARL) license.

Motion carried; Members Allen, Crandall and Wright absent.

MOTION was made by Member Stokes and seconded by Member Hansen that the Board accept the stipulated agreement in UPPAC Case No. 15-1273 and suspend the individual's Level 2 Secondary Education license for not less than one year from the date of Board action.

Motion carried; Members Allen, Crandall and Wright absent.

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board adopt the Default Order in UPPAC Case No. 15-1305 and suspend the individual's Level 1 Elementary Education license for not less than five years from the date of Board action.

Motion carried; Members Allen, Crandall and Wright absent.

MOTION was made in UPPAC Case No. 15-1297 that the Board adopt the Default Order and revoke the individual's Level 1 Career and Technical Education license.

Motion carried; Members Allen, Crandall and Wright absent.

MOTION was made by Member Stokes and seconded by Member Belnap that the Board adopt the stipulated agreement in UPPAC Case No. 16-1319 and suspend the individual's Level 2 Secondary Education license for not less than one year from the date of Board action.

Motion carried with Member Johnson opposed; Members Allen, Crandall and Wright absent.

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that Case No. 16-107 be removed from the UPPAC Consent Calendar.

Motion carried; Members Allen, Crandall and Wright absent.

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that Case No. 16-114 be removed from the UPPAC Consent Calendar.

Motion carried; Members Allen, Crandall and Wright absent.

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

Motion carried; Members Allen, Crandall and Wright absent.

Deputy/Assistant Superintendent Appointments

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board ratify the appointments of the following: Rich Nye, Deputy Superintendent of Student Achievement; Angie Stallings, Deputy Superintendent of Policy and Communication; Natalie Grange, Assistant Superintendent of Operations; and Patty Norman, Assistant Superintendent of Student Achievement.

Motion carried; Members Allen, Crandall and Wright absent.

WestEd Appointment

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board appoint Dr. Sydnee Dickson to the WestEd Board of Directors to serve a three-year term ending May 31, 2019.

Motion carried; Members Allen, Crandall and Wright absent.

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

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board appoint the following to ACEESS: Rozanna Benally-Sagg and Rose Yazzie—Native American representatives; Joél-Léhi Organista and Jennifer Mayer-Glenn—Hispanic representatives.

Motion carried; Members Allen, Crandall and Wright absent.

USDB Advisory Council Appointment

MOTION was made by Member Stokes and seconded by Vice Chair Johnson that the Board appoint Karen Harrop to the Utah Schools for the Deaf and the Blind Advisory Committee for a two-year term.

Motion carried; Members Allen, Crandall and Wright absent.

UPPAC Cases

MOTION was made by Member Hansen and seconded by Vice Chair Johnson that the Board direct Ben Rasmussen, the UPPAC Executive Director, to gather more information on UPPAC Cases 16-107 and 16-114 and bring the cases back to the next meeting.

Motion carried; Members Allen, Crandall and Wright absent.

Executive Session

MOTION was made by Vice Chair Johnson that the Board go into Executive Session to discuss the character, professional competence, or physical or mental health of individuals.

Upon voice vote of the members present, the Board moved into Executive Session at 5:35 p.m.

Those present in Executive Session included Members Belnap, Castle, Corry, Cummins, Hansen, Huntsman, Johnson, Lockhart, Moss, Stokes, Thomas and Warner; and Dave Rodemack, Darin Brush, Joel Coleman, Tim Donaldson and Lorraine Austin.

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

Motion carried. The Board reconvened in open session at 7:24 p.m.

Adjournment

MOTION was made by Member Stokes and seconded by Member Belnap that the meeting adjourn.

Motion carried. The meeting adjourned at 7:25 p.m.

Lorraine Austin, Board Secretary
Minutes approved September 9, 2016