

**UTAH STATE BOARD OF EDUCATION  
MEETING MINUTES**

February 4-5, 2016

A regular meeting of the Utah State Board of Education was held February 5, 2016 at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah. The Board's Finance, Law and Licensing, and Standards and Assessments Committees met the previous day.

Chair David Crandall conducted. The meeting commenced at 8:15 a.m.

**Board Members Present:**

Chair David L. Crandall	Member Linda B. Hansen
1 <sup>st</sup> Vice Chair David L. Thomas	Member Mark Huntsman
2 <sup>nd</sup> 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 W. Corry	Member Joel Wright
Member Brittney Cummins	

**Executive and Board Staff Present:**

Sydnee Dickson, Acting Superintendent	Lorraine Austin, Board Secretary
Rich Nye, Acting Deputy Supt.	Emilie Wheeler, Board Communications Specialist
Scott Jones, Associate Supt.	Debbie Davis, Internal Audit Director
Angie Stallings, Associate Supt.	Nicole Call, Assistant Attorney General
Joel Coleman, USDB Superintendent	
Darin Brush, USOR Executive Director	

**Others Present:**

Debi Tabor, Utah PTA; Ze Min Xiau, Coalition of Minorities Advisory Committee; Joylin Lincoln; Karen Peterson, Governor's Office; Lisa Nentl-Bloom, Utah Education Association; Mark Wallin, Charter CCID; Scott Rogers, Tooele School District; Bryan Cowley, Bonneville Academy; Allison Nicholson, Utah Education Policy Center

**Opening Business**

Chair David Crandall called the meeting to order at 8:15 a.m. Member Dixie Allen led those present in the Pledge of Allegiance.

**Board Member Message**

Member Joel Wright welcomed the Board. He shared a situation where one of his children was bullied in school, and he handled the situation by having discussions with the teacher and his child. He applauded teachers and principals for what they are doing to stop bullying. There are no easy solutions. As he thinks about what parents can do, he expressed resolve to teach his children that when they see someone else being bullied they will have the courage to stand up and say something when they have nothing to gain for themselves.

**Introduction of New Employees**

H.R. Director David Rodemack introduced the following new employees: Lezlie White, Charles Bentley, Matt Brass, Tracy Gooley, and Blanca Estrada.

**Acknowledgment of Student Artwork**

Diana Suddreth, Director of Teaching and Learning, reported on the art work hanging in the board room from students at Park Elementary in Cache School District and Timpanogos Intermediate in Wasatch School District.

**Agenda Addendum**

Chair Crandall noted that the addendum regarding contracts will be addressed at the same time as the Consent Calendar.

**Public Comment**

Sarah Jones, Director, Utah Education Association (UEA) - distributed information regarding a survey of UEA members to find out teacher concerns and priorities for the year. Over 3,000 teachers responded to the survey. The survey was conducted to share information with policymakers. Ms. Jones extended an invitation to the Board to collaborate with UEA in figuring out the details of the Every Student Succeeds Act.

Roderic Land, Coalition for Minorities Advisory Committee (CMAC) - indicated that he is speaking on behalf of CMAC. He reported that CMAC has not dismantled as a group and will

continue to advocate for children where achievement gaps exist within schools. He voiced that we should be upset about SAGE scores, and as an advocate for that community it bothers him that he can't tell when looking at the budgets, where the money is going towards equity. He encouraged the Board to think about the value of life.

Member Stokes voiced that he doesn't believe the Board isn't supportive of equity.

### **General Consent Calendar and Addendum**

**MOTION** was made by Vice Chair Johnson and seconded by Member Allen that the Board approve the Consent Calendar and the Addendum.

It was noted that all contracts over \$100,000 have had legal review.

Motion carried, with Member Belnap opposed; Members Lockhart, Thomas, and Warner absent.

### **General Consent Calendar**

A. Minutes of Previous Meeting

Minutes of the Utah State Board of Education meeting held January 6-7, 2016 were approved.

B. Requests for Temporary Authorizations

The Board approved temporary authorizations for licenses as submitted by school districts and charter schools.

C. R277-716 Alternative Areas of Concentration and Programs

The Board approved R277-716 *Alternative Areas of Concentration and Programs*, as amended, and continuation of the rule, on third and final reading.

D. Report on the Taxing Entity Committee to the Redevelopment Agency of West Valley City

The Board receiving information regarding a Taxing Entity Committee meeting of the Redevelopment Agency of West Valley City held January 6, 2016 for the purpose of a TEC vote on the creation of an Urban Renewal Area Project for fifteen years, to set the increment terms, and to cap the increment collection amount.

The Board's TEC representative voted with the local school board in favor of the amended resolution, as directed by the Board. The vote was unanimous in favor of the creation of the project area with the amendment.

E. List of Educator Licenses Processed

A summary of the total number of educator licenses and license areas processed in January 2016 was provided for Board information.

**Addendum**

1. The following amended contracts were approved by the Board:
  - A. ARO Professional Services, \$218,139, 11/9/2015 to 8/31/2018, federal  
Javits Gifted and Talented Students Education Grant program director.
  - B. Utah State University, \$240,083, 11/23/2015 to 11/31/2018, federal  
Javits Gifted and Talented Students Education Grant program investigator.
  - C. Joan Giroux Bramble, \$60,000, 11/9/2015 to 8/31/2018, federal  
Javits Gifted and Talented Students Education Grant program external evaluator.
  - D. Pixel and Line, LLC, \$100,4000, 12/15/20915 to 12/14/2020, federal  
IDEA Discrepancy Calculator for consideration of specific learning disabilities.
2. The following contract/agreement reports were presented for Board information:
  - A. USOE/USOR Agency Contract with Renewals
  - B. Contracts approved by State Superintendent or USOR Executive Director (less than \$100,000)
  - C. BATC Land Transfer

**Monthly Budget Report**

Kristine Rasmussen, Internal Accounting Finance Director, reviewed the budget report

closing December 31, 2015. She explained that a new report has been developed to show the original budget at the beginning of the fiscal year and a working budget. The original budget will not change, but the working budget will.

Vice Chair Johnson commented that the systems in the office are profoundly insufficient and it is amazing that staff is able to clean things up with what they have.

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

Vocational Rehabilitation Director Aaron Thompson addressed the Board. He reported that USOR Executive Director Darin Brush is testifying before the legislative Social Services Committee at this time.

Mr. Thompson distributed material on the Workforce Innovations Opportunities Act (WIOA) Unified State Plan and Utah State Plan for Independent Living.

#### Workforce Innovations Opportunities Act (WIOA) - State Rehabilitation Plan

Director Thompson introduced Daniel Marriott, Chairman of the Workforce Development Board. They informed the Board about the progress of the unified state plan.

Mr. Marriott reported that the plan specifically targets those populations that probably are not on the fast track to getting a degree. It is typically there for those populations that are struggling to get into the education flow or the workforce. The WIOA plan focuses on the needs of both workers and employers; gathering feedback from employers; collaboration with all partners so everyone knows what is happening and funds are allocated in accordance; conducting an economic analysis; collaboration with career and technical education (CTE); and career pathways.

Member Hansen informed that data has shown that people with disabilities who are employed are happier, healthier and live longer, so the drive is to get everyone a job. This is all about providing opportunities for employment.

Mr. Thompson reported that the WIOA state plan must be approved by the Governor and the State Workforce Development Board. It will go into effect on July 1.

### Independent Living Plan

Director Thompson reported that the State Independent Living Council and independent living center directors are in the process of drafting the plan. The current plan expires at the end of September. Once the draft is completed, a copy will be brought to the Board for review.

Vice Chair Johnson voiced that one of the things she's not sure is adequately covered is how the plan balances the training needed for types of disabilities such as mental illness or those with competency difficulties. She wants to make sure those disability groups are receiving adequate support, and requested that it be expressed in the plan. She also noted that the plan references system advocacy, and indicated she has seen more legislative and policy advocacy in government rather than what is described in the plan. She questioned whether it is appropriate for independent living to be so focused on legislative advocacy and would like to see that addressed. Mr. Thompson indicated he will communicate the feedback to those drafting the plan.

### Utah State Office of Rehabilitation

Mr. Thompson provided an update on Vocational Rehabilitation and the Utah State Office of Rehabilitation. He reported that in response to last week's recommendation from a legislative committee to move USOR governance to the Department of Workforce Services effective July 1, USOR staff is taking some preliminary steps to work on a transition plan. USOR's priority is to maintain continuity of services for their clients.

### **R277-920 Hearing Report and Board Decision**

Nicole Call, Assistant Attorney General, referenced the hearing report of the November 15, 2015 hearing and proposed decision on administrative rule R277-920 *Implementation of the School Turnaround and Leadership Development Act*. She reported that the hearing officer, Chris Lacombe, determined there weren't any significant legal issues or concerns with the rule as written. He did have some recommendations the Board may want to consider for policy purposes.

**MOTION** was made by Member Wright and seconded by Member Belnap that the Board adopt as presented both the Hearing Report and Decision, with one change in the Decision under item B to change the October 1 date to the October 2016 Board meeting.

Motion carried; Member Thomas absent.

### **Board Strategic Plan**

An updated Strategic Plan, with changes made by Member Cummins, was distributed. Member Cummins reported that the proposed changes incorporate suggestions made by the Utah School Superintendents Association, Utah School Boards Association, and Utah Education Association.

**MOTION** was made by Member Cummins and seconded by Member Lockhart that the Board accept the document, as amended.

Member Cummins reviewed two areas for which she asked for Board input—the third bullet under Leadership Development, and Imperative III.

**MOTION to amend** was made by Member Wright and seconded by Member Stokes that the Board add the following to the document: “Humility—we seek to understand, appreciate and listen to the many talented people working in public education and actively seek their input on how we can improve.”

Member Stokes stated that he supports the concept, but not the heading. Member Lockhart suggested using “stakeholder involvement.”

**MOTION to the amend the amendment** was made by Member Wright to change “Humility” to “Stakeholder Involvement.”

Without objection, the amendment was amended.

Member Cummins explained that the three imperatives are the big ideas and the strategies are for specifics. Imperative III brings together collaboration with student outcomes, and that may be the place to embed the amendment.

**MOTION to amend the amendment** was made by Member Wright to insert at the end of Imperative III, “. . . by working, understanding, and listening to leaders, parents, and teachers at every level.”

Without objection, the amendment was amended.

**MOTION to amend the amendment** was made by Member Cummins and seconded by Member Wright to change the wording at the end of Imperative III to “. . . working with understanding and listening to stakeholders at every level.”

Without objection the amendment was amended.

Motion to amend carried; Member Thomas absent.

**MOTION to amend** was made by Member Hansen and seconded by Member Warner that the sentence after the Educational Options strategy be changed to “Empower stakeholders with information to decide how, where, and what students are taught.”

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

**MOTION to amend** was made by Member Belnap and seconded by Member Warner that the second bullet under the Leadership Development strategy be changed to: “Encourage professional learning and train educational leaders by providing statewide means for communication and collaboration.”

**MOTION to amend the amendment** was made by Member Cummins and seconded by Member Allen to change the wording to “encourage school leaders to engage in learning communities to improve collaboration and improve practice.”

Motion to amend the amendment carried.

Motion to amend carried.

**MOTION to amend** was made by Member Belnap that sentence after the Teacher Retention and Recruitment strategy be changed to: “To address the teacher shortages in Utah to support recruitment and retention of quality educators in the state.”

Superintendent Dickson suggested using the word, “effective,” rather than

“quality.” Member Belnap agreed.

Without objection, the word was changed in the motion to amend.

Motion to amend carried.

Member Cummins suggested that in third bullet under the Teacher Retention strategy, the word “including” be added before “looking.”

Without objection, the wording was changed.

Member Cummins stated that she feels additional work is needed on the third bullet under the Leadership Development strategy, such as identifying what the Board can do to open up leadership opportunities. Member Allen also questioned whether alternative pathways or alternative licensure is meant.

Chair Crandall suggested that if the Board adopts the main motion, Board leadership would work together with Member Cummins and staff to change that section.

Motion to adopt the Strategic Plan, as amended, carried; Member Thomas absent.

## **SFY 2017 Legislative Priorities**

### Discussions with Legislators

Representative David Lifferth was welcomed to the meeting. He discussed a bill he is sponsoring titled Utah Education Independence, which has not been numbered yet. The legislation is designed to let the Board make Utah-specific policy regardless of what other influences are going on.

Representative Marie Poulson was welcomed to the meeting. She discussed H.B. 200 *Student Assessment Modifications*, and H.B. 201 *Student Testing Amendments*.

Appreciation was extended to the legislators for coming to the meeting.

### Legislation

Associate Superintendent Angie Stallings distributed and reviewed legislation. The Board discussed S.B. 91 1<sup>st</sup> Substitute *Board of Education Amendments*, which Senator Hillyard is running on behalf of the Board. The Board discussed the portion concerning a requirement for local education agencies (LEAs) to include a provision in their contracts with third party

providers that if the LEA requires information from a third party provider, such as enrollment verification information, the provider shall provide that information.

Member Lockhart reported he has been getting feedback that there might be the unintended consequences of not getting the best providers.

Superintendent Stallings reports that the amendment to the bill seems to alleviate most of the concerns. The original allowed the Board to reach out to third party providers, but the amendment makes it clear that LEAs need to have access to the records of core functions. The Board would not have the authority to go directly to third party providers. She mentioned that there may be a second substitute.

**MOTION** was made by Vice Chair Thomas and seconded by Member Warner that the Board support S.B. 91 1<sup>st</sup> Substitute *Board of Education Amendments*, and a 2<sup>nd</sup> substitute if it reflects the concerns the Board has discussed today.

Member Belnap expressed that she has concerns supporting an amendment she hasn't seen.

Motion carried, with Member Belnap opposed, and Member Johnson abstaining;  
Member Stokes absent.

**MOTION** was made by Vice Chair Thomas and seconded by Member Wright that the Board support H.B. 277 *Personalized Learning and Teaching Amendments*.

Motion carried, with Member Wright opposed and Member Belnap abstaining;  
Member Stokes absent.

## **Standing Committee Reports**

### **LAW AND LICENSING COMMITTEE**

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

#### Ascent Academies of Utah Satellite Charter Amendment

The Committee reviewed proposed changes to the charter of Ascent Academies of Utah to open a fourth campus in Kearns, ultimately to serve 1,040 students in grades K-9.

**MOTION** from Committee that the Board approve the amendment to Ascent Academies' charter as presented.

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

#### Approval of Previous Meeting Minutes

The Committee approved the minutes of its January 5, 2016 meeting.

#### New Charter School Applications for the 2017-2018 School Year

The Committee reviewed the applications for new charter schools that were recommended by the State Charter School Board.

**MOTION** from Committee that the Board approve the charter applications of Leadership Academy of Utah and The Center for Creativity, Innovation and Discovery, to open in the 2017-2018 school year.

Motion carried; Member Stokes absent.

#### Eagle Summit Academy

The Committee voted unanimously to deny without prejudice the application of the Eagle Summit Academy and directed Ben Rasmussen, Executive Secretary of the Utah Professional Practices Advisory Commission, to investigate allegations raised by members of the public. The Committee recommended that Eagle Summit Academy come back to the Committee in March for action regarding the school's request to open in 2017.

**MOTION** from Committee that the Board deny without prejudice the charter application of Eagle Summit Academy.

It was clarified that this allows the charter school application to come back for reconsideration.

Member Wright asked if new information was brought to the Board that the State Charter School Board (SCSB) did not hear. Member Castle responded that the SCSB was provided with the same information.

Vice Chair Thomas indicated it is a unique application targeting at risk children.

Originally there was a residential treatment center with a private school that was a part of the center. The private school is closing, and the charter school will be opening on the same campus as the treatment facility and servicing the at risk children in the treatment facility, as well as other at risk children in the area.

The concern that was raised is regarding the division between the treatment center and the charter school. There have been allegations made by youth who had been in the program at the treatment center against individuals at the center that they were asserting were transferring to the charter school. Therefore, the Committee directed staff member Ben Rasmussen to look at what the legal separation is between the two entities, and look at the allegations for individuals transferring to the school to determine if there are any complaints against their licenses and results of those complaints. More information will come back to the committee next month and the Board can then make a decision regarding the school. It was noted that some decision needs to be made today to be within the 60-day window in statute.

Member Warner also informed that there was a concern about Eagle Ridge Academy posting a deficit every year of several million dollars, and an allegation made that perhaps everything would be transferred over to this new charter school.

Member Wright stated that he would hope in the charter approval process that anyone with useful evidence would take it to the State Charter School Board.

Member Lockhart stated that when people come with accusations, the Board owes due diligence to those accusations. The intent of the Committee was to make a good decision and postpone it to gather more information. It wasn't an indictment against the charter school application or support of the people making the accusations.

Member Castle reiterated that the State Charter School Board did hear the allegations, and the accusations were about people that would be part of the new charter school. Member Warner reported that she was at the Charter School Board meeting and the same two people spoke to the SCSB that spoke to the Law and Licensing Committee.

Member Wright asked to hear from the State Charter School Board. SCSB Member Kristin Elinkowsky was invited to provide clarification on the SCSB's recommendation. Ms. Elinkowski reported that the allegations are definitely concerning and alarming, but they are

talking about two different things. There is a residential treatment center separate from the school. The SCSB didn't investigate the allegations because they were looking at the school, and the allegations were from the treatment center. She spoke to her own vote, that while the allegations were concerning, the residential treatment center is different than a school that is regulated and where there will be oversight, with rules and laws in place that would keep the school safe and very separate and different from the treatment center. Although she wasn't at the Committee meeting last night, she believes the SCSB did hear from the same people as the Committee.

The SCSB also felt as this is an under-served group, this school would give opportunities to more parents who couldn't afford the residential treatment center, and is a good opportunity for children that are high risk. The SCSB felt it was a great opportunity to provide a school to those children.

Member Hansen responded that while the school and treatment center are separate, there was information given in the Committee that there are individuals whom the allegations are against that may be moving over to the charter school. That is why the Committee felt that for the sake of the children, the Committee had to deny the application and ask for more information.

Motion to deny without prejudice carried.

### Bonneville Academy

The Committee voted to deny Bonneville Academy Charter's request to open in the 2017-2018 school year.

**MOTION** from Committee that the Board deny the application for Bonneville Academy Charter School.

Member Castle reported that Bonneville Academy was given the opportunity to speak first to the Committee, and initially opted not to speak. The superintendent from Tooele School District spoke about some of the district concerns with the charter school.

Vice Chair Thomas reported that each of these charter schools, as part of this process, goes through an evaluation. It was concerning to the Committee that the evaluation done on

this application recommended against chartering the institution. That evaluation discussed at length problems with the application, especially with regard to the skill, expertise and experience needed. That gave the Committee great pause, as well as the assertions that the SCSB was going in the direction of a denial until there was a comment in the SCSB meeting about the huge amount of growth that will be happening in Tooele County, that the district had ignored the growth, and therefore the school was really needed now. The SCSB then voted in favor of the application. Vice Chair Thomas pointed out that this kind of testimony is not allowed to be considered in the application process.

Member Moss asked if an independent evaluation is normally part of the process. Vice Chair Thomas informed that the evaluators are under the direction of the State Charter School Board.

Motion carried, with Member Wright opposed.

#### R277-505 Administrative License Areas of Concentration and Programs

The Committee reviewed proposed amendments to R277-505 requiring teacher preparation programs to be aligned with the Utah Education Leadership Standards; establish internship or experience minimum requirements; and define specific areas of focus for all administrative licensure programs.

The Committee made additional changed and approved amendment to and continuation of R277-505 on first reading. A revised version of the rule, with the additional amendments from the committee, was distributed to the Board.

**MOTION** from Committee that the Board approve R277-505 *Administrative License Areas of Concentration and Programs*, as amended, and continuation of the rule, on second reading.

Motion carried.

#### R277-922 Digital Teaching and Learning Grant Program

The Committee reviewed proposed new rule R277-922 to establish an application and grant review committee and process and to give direction to LEAs participating in the Digital

Teaching and Learning Program.

The Committee directed staff to amend the draft rule and bring back to the Committee in March.

#### Paraeducator Standards

The Committee reviewed proposed changes to the Utah Standards for Instructional Paraeducators to align them with the federal Every Student Succeeds Act (ESSA).

**MOTION** from Committee that the Board approve the Utah Standards for Instructional Paraeducators as presented.

Motion carried.

#### R277-205 Alcohol Related Offenses and R277-206 Drug Related Offenses

The Committee directed Ben Rasmussen, Executive Secretary of the Utah Professional Practices Advisory Commission, along with three members of the Law and Licensing Committee, to review and recommend revisions to R277-200 through R277-207.

#### R277-478 Block Grant Funding

Staff reviewed R277-478 in accordance with the Administrative Rulemaking Act's five-year review requirement, and recommended repeal as the rule is no longer necessary. The Committee approved repeal of the rule on first reading.

**MOTION** from Committee that the Board approve repeal of R277-478 *Block Grant Funding* on second reading.

Motion carried.

#### R277-482 Charter School Timelines and Approval Processes

The Committee reviewed amendments to R277-482 to provide timelines for reporting an approved charter school expansion or satellite school, to comply with changes in statute, to remove redundant language, add necessary definitions, clarify standards and expectation, and provide technical changes. The Committee approved amendments to R277-482, and

continuation of the rule, on first reading.

**MOTION** from Committee that the Board approve R277-482 *Charter School Timelines and Approval Processes*, as amended, and continuation of the rule, on second reading.

Motion carried.

### **STANDARDS AND ASSESSMENT COMMITTEE**

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

#### Approval of Previous Meeting Minutes

The Committee approved the minutes of its January 6, 2016 meeting.

#### K-12 Physical Education Standards

The Committee heard a report of the result of the 90-day public review of the Physical Education Standards.

**MOTION** from Committee that the Board adopt the K-12 Physical Education Standards, to begin in the 2016-17 school year, with full implementation in the 2017-18 school year.

Motion carried.

#### Fine Arts Standards

The Committee heard a report regarding results of the 90-day public review of the Fine Arts Standards and made recommendations for changes.

**MOTION** from Committee that the Board approve the Fine Arts Standards Writing Committee to move forward with finalizing the standards.

Motion carried.

#### K-6 Mathematics Standards

The Committee heard a report regarding the revision of the K-6 Mathematics Standards, and made suggestions for changes.

**MOTION** from Committee that the Board approve the K-6 Math Writing Committee to

move forward with finalizing the revision of the standards based on public feedback and the recommendations of the Standards and Assessment Committee.

Motion carried.

#### IDEA Part B Annual Performance Report (APR) FFY 2014

Special Education Director Glenna Gallo presented information to the Committee regarding the IDEA Part B Annual Performance Report FFY 2014.

**MOTION** from Committee that the Board approve the report.

Motion carried.

#### Annual School Counselor to Student Ratios Report Update

The Committee received information regarding graduation rates and postsecondary diplomas as requested from the Committee in January 2016.

**MOTION** from Committee that the Board approve the report.

Motion carried.

Laura recommended that Board leadership review the Board rule regarding the school counselor to student ratio.

#### Utah Professional Learning Standards

The Committee received information regarding the Utah Professional Learning Standards and the results of the Learning Forward study.

The Committee directed that staff bring a report back to the Committee in spring 2016 with recommendations.

#### Designation of an Alternative School by the State Board

The Committee heard information regarding the designation of an Alternative School by the Board. The Committee requested that a rule as well as a rubric and/or guidelines be developed for considering applications when schools apply to be an alternative school.

The Committee tabled the vote on the application from East Hollywood High until a rule is in place.

#### Information Technology Operations

The Committee received information regarding technology operations at the Utah State Office of Education. The Committee requested that a cost/benefit analysis be included in the spreadsheet presented.

### **FINANCE COMMITTEE**

#### Approval of Previous Meeting Minutes

The Committee approved the minutes of its January 6, 2016 meeting.

#### Recognition of Success/Improvement/Achievement

The Committee recognized Internal Accounting and School Finance staff for specific accomplishments.

Vice Chair Johnson shared with the Board that in the Executive Appropriations Committee last night, Senate President Neiderhauser recognized the diligent work of the Board and staff in being more transparent and working collaboratively with the legislature. She highlighted that it isn't possible without the staff and expressed her thanks to them.

#### Section Budget Reviews

The Committee received budget updates regarding the School Children's Trust Section, State Board of Education, and Career and Technology Education Section.

#### Small, Rural Schools Achievement Grant Eligibility

It was reported that due to a misunderstanding, new staff interpreted federal regulations in such a way that as a result of their submissions to the U.S. Department of Education for the SRSA grant, four local education agencies (LEAs) were affected negatively. Communication has

been sent to the Department of Education about the error, with the hope that next year the four LEAs will be given the grant amount for which they were eligible.

#### Statewide Online Education Program (SOEP)

It has been reported that the number of enrollments for the Statewide Online Education Program from home and private schools has exceeded the amount of the current year ongoing and one-time appropriations and the carryover available for the home and private school tuition line.

In the Public Education Appropriations Committee meeting on February 3, a motion was approved to take some carryover money out of the Charter School Administration line item within the Minimum School Program (MSP) and add \$500,000 to continue to enroll students into the SOEP Program.

There are two line items that fund SOEP: 1) the administration appropriation, and 2) the home and private school tuition appropriation. School Finance Director Natalie Grange reported that approximately \$463,000 in carryover funds from the administration appropriation has been validated and could be used to fund additional SOEP enrollments.

Vice Chair Johnson indicated that the program continues to be funded this year because of the unexpected increased demand for the program, primarily from private school students. The amount of money that will be needed next year to just maintain service to the same number of students would be \$1.2 million. This is not included in the Board's budget request for FY 2017.

**MOTION** from Committee that the Public Education Appropriations Subcommittee be advised of the following proposals regarding the SOEP:

- The demand of the SOEP exceeds the funds and the program is currently being patched with one-time funding.
- If the decision is to cut the SOEP administration budget, consider dedicating the carryforward to programming SEATS to SOEP programming and maintain the previous use of the MSP charter administration fund for the SFY 16 supplemental appropriation.

- If the decision is to not cut the administration carryover, consider dedicating the carryforward for the SFY 16 supplemental appropriation.

Motion carried; Members Lockhart and Stokes absent.

#### R277-419 Pupil Accounting

The Committee reviewed proposed amendments to R277-419 regarding students enrolling in two or more LEAs and 180-day membership. The Committee recommended additional revisions to the rule.

An updated rule was distributed to the Board.

**MOTION** from Committee that the Board approve R277-419 *Pupil Accounting*, as amended, on second reading.

Motion carried, with Member Belnap opposed; Members Lockhart and Stokes absent.

#### Purchasing/Contracting Status

The Committee received information regarding the status of contracts, requests for proposal, and requests for information. The Contract Status Report was distributed to the Board.

#### Indirect Cost Pool

It was reported that the external review of the indirect cost pool should be returned to the Utah State Office of Education next week.

#### Status of SFY16 Revised Budget

The Committee heard a reported regarding revisions to the FY16 budget.

#### MSP Automation/UPEFS

The Committee heard information regarding the progress made on the MSPA and UPEFS system. Eventually, Board members will be able to have access to the automation system to pull and review data.

The Committee recommended a Board study session on UPEFs once Board members are able to access the system.

#### Requests for Data/Information

Additional budget detail related to Board travel and registration costs was requested. It was also suggested that the Finance Committee address SOEP in a future meeting for development of a specific policy to address enrollment caps and/or lottery procedures.

#### **Audit Committee Report**

Committee Chair David Thomas reported on the Risk Universe draft. The Audit Committee reviews the Risk Universe when determining which audits to perform.

#### **Superintendent's Report**

Acting Superintendent Sydnee Dickson reported on the following:

- Superintendent Dickson thanked the Board for their trust and confidence in her as the Acting Superintendent. It has been a great experience to grow and learn.
- Dr. Dickson distributed and reviewed information about the new Student Advocacy Services Section. She indicated the reorganization has been done without any new hires. She also reported that the equity function is still in place, but is being re-framed in a broader sense. Board members expressed support for the new section. Member Allen suggested moving library/media to the new section. Superintendent Dickson suggested first having a report on what is being done in library/media to the Standards and Assessment Committee. Member Lockhart requested a report on each area in the Student Advocacy Section providing where it is in statute and Board rule, and the funding attached to each area.

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

Chair Crandall reported on the following:

- Applicants for the Board's new Advisory Committee on Equity of Educational Services for Students (ACEESS) will be interviewed before the March Board meeting. Current members of CMAC will be invited to apply.
- The Board's Charter Issues Task Force will include four Board members, two State Charter School Board members, and one local charter board member. Vice Chair Thomas will chair the task force.
- Associate Superintendent Stallings was acknowledged for gathering the information for the legislation discussion and arranging to meet at the Capitol Complex.

### **Board Member Comments**

Member Allen asked about the appropriations bill for Native American students. She emphasized that there needs to be a focus on areas with large populations of minorities.

Member Huntsman recognized staff to the Audit and Finance Committees and thanked them for the good data they are putting together. He also recognized Board leadership and Acting Superintendent Dickson and her team for their work on the Hill.

Member Hansen thanked Board leadership for representing the Board well.

Member Belnap expressed appreciation to staff who are so kind and responsive to her questions. She also thanked Board leadership for their time on the Hill.

Member Stokes echoed the sentiments given. He expressed that he will miss Assistant Attorney General Chris Lacombe, and wished him well.

Vice Chair Johnson invited Board members to attend legislative committees with Board leadership, and thanked those that have been there.

### **Executive Session**

**MOTION** was made by Vice Chair Johnson that the Board move into Executive Session for the purpose of discussing the character, professional competence, and physical or mental health of individuals, and pending or reasonably imminent litigation.

Upon voice vote of the members present, the Board moved into Executive Session at 2:20 p.m.

Those present included Board Members Belnap, Castle, Corry, Crandall, Cummins, Hansen, Huntsman, Johnson, Lockhart, Moss, Stokes, Thomas, Warner, and Wright; and Sydnee Dickson, Scott Jones, Angie Stallings, Lorraine Austin, Emilie Wheeler, Ben Rasmussen, Nicole Ferguson, and Dave Rodemack.

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

Motion carried. The Board reconvened in open session at 4:53 p.m.

### **Executive Session Items**

#### Educator Licensing Actions

**MOTION** was made by Member Stokes and seconded by Member Moss that the Board accept the Utah Professional Practices Advisory Commission (UPPAC) recommendation in Case Nos. 15-1274 and 14-1232.

The UPPAC recommendation in Case No. 15-1274 is to issue a letter of reprimand on the educator's Level 2 Secondary Education License.

The UPPAC recommendation in Case No. 14-232 is to suspend the petitioner's license for no less than 24 months, consistent with the UPPAC hearing report.

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

**MOTION** was made by Member Stokes and seconded by Member Wright that the Board adopt the Remand Order in UPPAC Case No. 14-1242.

Motion carried; Members Allen, Belnap and Johnson absent.

**MOTION** was made in UPPAC Case Nos. 13-1136 and 12-1060 that the licenses be reinstated.

Motion carried, with Member Hansen abstaining; Members Allen, Belnap and Johnson absent.

**MOTION** was made by Member Stokes and seconded by Vice Chair Thomas that in UPPAC Case Nos. 14-1195, 14-1220, and 14-1230, the Board revoke the licenses.

Motion carried; Members Allen, Belnap and Johnson absent.

Appointments

**MOTION** was made by Member Huntsman and seconded by Vice Chair Thomas that the Board appoint Beth Strathman as Chair of the Governor's Committee on Employment of People with Disabilities.

Motion carried; Members Allen, Belnap and Johnson absent.

UPPAC Consent Calendar

**MOTION** was made by Member Stokes and seconded by Vice Chair Thomas that the Board adopt the UPPAC Consent Calendar.

Motion carried; Members Allen, Belnap and Johnson absent.

**Adjournment**

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

Motion carried. The meeting adjourned at 4:55 p.m.

Lorraine Austin, Board Secretary  
Minutes approved March 18, 2016