

**UTAH STATE BOARD OF EDUCATION/UTAH SCHOOLS FOR THE  
DEAF AND THE BLIND GOVERNING BOARD (USDB)  
MEETING MINUTES**

**September 2-3, 2020**

**BOARD MEETING – September 2**

A meeting of the Utah State Board of Education was held September 2, 2020. Due to the COVID-19 pandemic, the meeting was held via videoconference. The open portions of the meeting were streamed live to the public. Chair Mark Huntsman presided.

**Members Present:**

Chair Mark Huntsman  
Vice Chair Brittney Cummins  
Member Laura Belnap  
Member Michelle Boulter  
Member Janet A. Cannon  
Member Cindy Davis

Member Jennie Earl  
Member Jennifer Graviet  
Member Mike Haynes  
Member Scott L. Hansen  
Member Carol Barlow Lear  
Member Shawn E. Newell

**Members Absent:**

Member Mark R. Marsh  
Member Scott B. Neilson  
Member Laurieann Thorpe

**Executive Staff Present:**

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

**Minutes Taken By:**

Lorraine Austin, Board Secretary

**Others Present:**

Michelle Beus, Bryan Quesenberry—Assistant Attorneys General; Ben Rasmussen, Jeff Van Hulten—USBE staff

**Opening Business**

Chair Huntsman called the meeting to order at 4:18 p.m. He read the following statement: *In accordance with the Utah Open and Public Meetings Act, this meeting is being*

*held electronically without an anchor location to reduce the risk to health and safety from COVID-19 by limiting the frequency of in-person meetings.*

### **Executive Session**

**MOTION** was made by Member Belnap and seconded that the Board go into executive session for the purpose of discussing the character, professional competence, and physical or mental health of individuals and strategy on pending or reasonably imminent litigation.

Upon voice vote of Members Belnap, Boulter, Cannon, Cummins, Davis, Earl, Graviet, Hansen, Huntsman, Haynes, Lear and Newell, the Board went into closed executive session at 4:21 p.m.

Those participating included the Members above and Sydnee Dickson, Patty Norman, Scott Jones, Angie Stallings, Michelle Beus, Bryan Quesenberry, Ben Rasmussen and Lorraine Austin.

**MOTION** was made by Member Belnap and seconded that the Board come out of executive session.

Motion carried. The Board reconvened in open meeting at 6:29 p.m.

### **Adjournment**

The meeting adjourned at 6:30 p.m.

**UTAH STATE BOARD OF EDUCATION/USDB GOVERNING BOARD MEETING - September 3**

A regular meeting of the Utah State Board of Education/Utah Schools for the Deaf and the Blind (USDB) Governing Board was held September 3, 2020 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair Mark Huntsman presided. Due to the COVID-19 pandemic, many individuals participated electronically.

**Members Present:**

Chair Mark Huntsman (electronically)	Member Jennifer Graviet
Vice Chair Brittney Cummins	Member Mike Haynes
Member Laura Belnap (electronically)	Member Scott L. Hansen
Member Michelle Boulter (electronically)	Member Carol Barlow Lear
Member Janet A. Cannon	Member Mark R. Marsh
Member Cindy Davis	Member Scott B. Neilson
Member Jennie Earl	Member Shawn E. Newell

**Members Absent:**

Member Laurieann Thorpe

**Executive Staff Present:**

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

**Minutes Taken By:**

Lorraine Austin, Board Secretary

**Others Present (in person or electronically):**

Heidi Matthews—Utah Education Association; Fernando Seminario, Lynel Miller—Paradigm High School; Bryan Quesenberry, Michelle Beus—Assistant Attorneys General; Jennifer Lambert—State Charter School Board; Madeline Christianson—student; Wendy Rex Atzet—Utah History Day; Carl Empey, Michelle Tanner, Susan Patten—USDB staff; Alicia Griffin; Debbie Dempsey; Katie Mazzie, Steve Rogers—Utah Higher Education Assistance Authority; Spencer Jenkins—Utah System of Higher Education; Michelle Watts—Department of Human Resource Management; Jeffrey Van Hulten, Aaron Brough, Alex Farah, Jerry Record, Ben Rasmussen, Brian Ross, Darin Nielsen, Deborah Jacobson, Jennifer Thronsen, Kathy Helgesen, Leah Voorhies, Leslie Evans, Max Lang, Patrick Lee, Rebecca Donaldson, Sarah Young, Thalea Longhurst, Whitney Phillips, Zac Christensen, Cathy Jensen, Tamra Dayley, Malia Hite, Debbie Davis, Jill Curry, Daniel Davis, Richard Pater, Sara Wiebke, Kim Herrera, Rhett Larsen, Scott Eyre, Jerri Sagers, Christy Walker—USBE staff

## **Opening Business**

Vice Chair Brittney Cummins conducted the meeting at the request of Chair Huntsman and called the meeting to order at 9:19 a.m. The Pledge of Allegiance was led by Member Mark Marsh.

## **Board Member Message**

Member Janet Cannon welcomed the Board with a presentation looking back 102 years ago to see what school was like during the Spanish Flu pandemic of 1918.

## **Employee Recognition**

Superintendent Sydnee Dickson introduced the Employee of the Month, Traci Peterson. HR Director Michelle Watts introduced new employees Krista Hotelling, Tracy Vandeventer, Alysha Romero, Christine Elegante, Janet Hanson, Munirreh English, and Teresa Hartvigsen.

## **Acknowledgment of Student Artwork**

Cathy Jensen, Educational Specialist, presented the student artwork the Board purchased from the 2020 All-State High School Art Show: Reach, by Cadence Lewis; Euphoric Bliss, by Valeria Villarroel; Unexpected, by NiKayla Nielson; Spirit Mountain, by Hunter Nelson; Refind, by Jack Beck; and Daydream, by Peter Corroon.

## **Education Highlight – History Day**

Wendy Rex-Atzet, National History Day State Coordinator, informed the Board that September is Utah History Month and gave background on the National History Day competition. She introduced Madeline Christianson, one of the 57 Utah students that competed at the national level in June.

Ms. Christianson spoke to the Board about her project researching the Ghost Army from WWII, of which her grandfather was a member. She also shared her experience with the National History Day program and how it has shaped her life and future in a positive way.

## **Public Comment**

Heidi Matthews, President, Utah Education Association – talked about the important role of labor and labor organizations in our schools. She reported that UEA has shared concerns with the Board, legislature, governor, departments of health, and school districts about the essential need for oversight and compliance for school reopening plans, and the absence of employee rights, workload considerations, and sick leave policies in those plans. Because there are so many different interpretations and no backstops for adherence to standards of science there are some places where the science is not being followed and it is more about the wills in communities. She further reported that in a recent form sent to teachers by UEA for feedback, teachers reported their biggest concerns were inadequate social distancing and excessive workloads. She called for all in government to do better to protect our students and teachers.

Lynel Miller, Paradigm School Governing Board – spoke concerning the vote the Board will take today on schools exiting the School Turnaround program. She reported that Paradigm is one of those schools being considered and is the only school with a recommendation from the review panel to remain in Turnaround. She acknowledged that Paradigm has grown from the Turnaround process and that the school has made significant progress through the program. She provided information that of all the schools being considered today, Paradigm is the farthest away from the bottom three percent of schools; has the highest proficiency in math, science and English language arts; has the highest graduation rate; has the highest average composite ACT score; and will be the only schools with its status determined during this COVID year. She asked the Board, based on the data and the comparison to the other schools being recommended to exit turnaround status, to vote for Paradigm to exit Turnaround.

## **Utah Schools for the Deaf and the Blind**

### USDB FY20 Year-End Financial Report

Carl Empey, USDB Finance Director, reported that the fiscal year-end report is in preliminary form awaiting state information. He reported that USDB ended the fiscal year financially solvent.

### FY21 Monthly Budget Update

Mr. Empey reported on the budget for the first month of the fiscal year. He indicated that USDB is in a good financial position to start the year.

### USDB Superintendent's Report

Superintendent Joel Coleman reported on the following:

- In its most recent special session, the legislature fully funded USDB teacher salary increases. Superintendent Coleman thanked the legislature for correcting that oversight.
- The annual report is being prepared and will be presented to the Board at its next meeting.
- All USDB schools are open now and there is great excitement to be back in school. There were several requests from educators for special safety accommodations beyond the school reopening plan, and those requests have been met as much as possible.
- An interview Superintendent Coleman recently did with KSOP radio has been posted to USDB's Facebook page.
- Michelle Tanner, Associate Superintendent for the Deaf, reported that the children have been excited to be back in school and are elated that they are able to communicate with others. The biggest issue they have had is communicating with deaf children with masks and shields. Social distancing is being done as much as possible.
- Susan Patten, Associate Superintendent for the Blind, noted that for blind children their instruction has to be hands-on. She indicated it has gone much better than expected. The parents have been very cooperative and proactive in keeping their children home if they may have been exposed to the virus. They are also filling out a health checklist every time students get on the van to transport them to school.
- Superintendent Coleman expressed tremendous gratitude and respect for USDB staff members and all the extra work they have done in preparing for school opening.

## **September 2 USBE Executive Session Action Items**

### Educator Licenses

**MOTION** was made by Member Belnap and seconded that the Board accept the Utah Professional Practices Advisory Commission (UPPAC) recommendation in Case No. 16-1325 to reinstate the educator's Level 2 School Leadership, Middle Education (5-9), and Secondary Education licenses consistent with the terms of the Hearing Report.

Motion carried, with Members Hansen and Lear abstaining due to conflicts of interest.

**MOTION** was made by Member Belnap and seconded that the Board accept the UPPAC recommendation in Case No. 19-1683 to suspend the individual's School Leadership and Special Education (K-12+) licenses for a period of not less than one year from the date of Board action pursuant to the Hearing Report.

Motion carried, with Members Hansen and Lear abstaining due to conflicts of interest.

**MOTION** was made by Member Belnap and seconded that the Board accept the UPPAC recommendation in Case No. 19-1691 for a reprimand on the educator's Professional Special Education (K-12+) license to be in place not less than two years from October 24, 2019 consistent with the Consent to Discipline.

Motion carried, with Member Hansen abstaining due to a conflict of interest.

**MOTION** was made by Member Belnap and seconded that the Board accept the UPPAC Consent Calendar.

Motion carried, with Member Hansen abstaining due to a conflict of interest.

### Appointments

**MOTION** was made by Member Belnap and seconded that the Board reappoint Patty Norman and Dave Brotherson to the Utah Education and Telehealth Network Board representing public education, for four-year terms.

Motion carried, with Members Boulter and Earl opposed.

### Alpine School District Settlement

**MOTION** was made by Member Davis and seconded that the Board postpone action on a settlement with Alpine District to a future meeting to allow the terms and conditions to be finalized.

Motion carried unanimously.

### **General Consent Calendar**

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

Motion carried unanimously.

### **Consent Calendar**

#### 5.1 Approval of Meeting Minutes

The Board approved the minutes of its August 6 and August 18, 2020 meetings.

#### 5.2 Contracts/Agreements for Approval

The Board approved contracts and agreements over \$100,000 with the following entities: LRP Publications; Certiport; SHI International Corp.; Dynamic Solutions/Colyar Technologies.

#### 5.3 Out-of-School Time Career Pathway Program Grant Approval

The Board approved the grant application for the Out-of-School Time Career Pathway Program.

#### 5.4 Career and Technical Education (CTE) Approved Program SY21-22

The Board approved CTE programs that meet or exceed the state program standards or outcomes for CTE programs.

#### 5.5 Interventions for Reading Difficulties Grant Awards

The Board approved adding Jordan School District and Channing Hall to the USBE Interventions for Reading Difficulties Pilot Program for FY21-23, conditional on funds being available.



5.6 Contracts/Agreements for Review

The Board was provided with information on contracts and agreements under \$100,000.

5.7 Rules Updated and Filed with Office of Administrative Rules

The Board was provided with a list of rules showing Board programs that have been impacted by legislative appropriations. These rules will be amended to update their current language and filed with the Office of Administration rules in accordance with a motion made by the Board in its July 2020 meeting authorizing staff to make the changes. [

### **Monthly Budget Report**

Deputy Superintendent Scott Jones provided the monthly budget report for the first month of fiscal year 2021. He indicated that the USBE is financially sound to meet all known obligations or pending bills that may come forward.

Superintendent Jones reviewed the status of the federal CARES Act funding. He also referenced the discretionary fund and reported that proposals will be coming forward for use of federal mineral lease money.

### CARES Act Funding

Sarah Young, Director of Strategic Initiatives, presented staff requests for use of funds associated with the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding.

**MOTION** was made by Member Cannon and seconded that the Board approve USBE staff setting aside up to \$1,000,000 from the Utah K-12 Coronavirus Relief Fund to award local education agency grants for K-12 Broadband/Hotspot solutions.

Motion carried, with Member Hansen opposed.

**MOTION** was made by Member Cannon and seconded that the Board approve USBE staff setting aside up to \$75,000 from the Utah K-12 CARES SEA ten percent set aside to pursue quotes and procurement for an external evaluation of the K-12 Broadband/Hotspot grant program.

Some Board Member concern was expressed about the length of time for the evaluation.

Motion carried, with Members Cannon, Cummins, Davis, Gravier, Haynes, Huntsman, Marsh and Newell in favor, and Members Belnap, Boulter, Earl, Hansen and Lear opposed; Member Neilson absent.

Jennifer Throndsen, Director of Teaching and Learning, provided information on the Scribble tool—a resource opportunity to support teachers. Staff is recommending funding for a statewide license for Scribble.

Board Members questioned whether it is the best use of money at this time and voiced that there are already tools in place for teachers for which they may need more training to use effectively.

Board Members supporting the request expressed that teachers are looking for resources that will help them be nimbler as they go between in-person to online learning, and this tool would be very helpful in that way. They also suggested that any resources for teachers right now would be a benefit.

**MOTION** was made by Member Cannon and seconded that the Board approve USBE staff setting aside up to \$452,000 from the Utah K-12 CARES SEA ten percent set-aside to pursue procurement for a K-12 license for Scribble to support digital learning.

Motion carried, with Members Cannon, Cummins, Davis, Gravier, Haynes, Huntsman, Lear, Marsh and Newell in favor, and Members Belnap, Boulter, Earl and Hansen opposed; Member Neilson absent.

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

Superintendent Dickson announced the 2021 Teacher of the Year finalists—John Arthur, a 6<sup>th</sup> grade teacher at Meadowlark Elementary; Rae Boren, an American Sign Language teacher at Copper Hills High School; Amy Grgich, a kindergarten teacher at Stansbury Park Elementary; Emma Moss, a history and digital literacy teacher at Eastmont Middle School; and Ryan Wells, a Spanish teacher at Taylorsville High School. Dr. Dickson reported that the winner will be announced on October 1.

### **P-20 Competencies Pilot**

Sarah Young, Director of Strategic Initiatives, gave a presentation on Utah P-20 Competencies, designed to build upon the vision of the Utah Talent Map from the Board's Portrait of a Graduate. The proposed competencies were developed to create alignment to the Portrait of a Graduate from preschool to higher education. Ms. Young informed that the intention is for the competencies to be piloted in the 2020-2021 school year. Feedback would then be gathered from the pilot to inform final revisions to the document.

**MOTION** was made by Member Marsh and seconded that the Board approve the Utah P-20 competencies in Utah Portrait of a Graduate for pilot implementation for the 2020-21 school year.

Motion carried unanimously.

Jennifer Thronsen, Director of Teaching and Learning, informed the Board about the Utah Personalized, Competency-based Learning Framework—a newly-developed document designed to show the convergence of initiatives in the agency. The Portrait of a Graduate Talent Map, P-20 Competencies and Core Standards are all embedded in the framework. Dr. Thronsen noted that the next step is to release this framework to the field.

### **Audit Committee Report**

Committee Vice Chair Janet Cannon reported on the August 2020 Audit Committee meeting.

#### Internal Audit Prioritization Request

**MOTION** from Committee that the Board prioritize an internal audit of data reliability and the internal control system over data, at both the state and local levels, as outlined in the prioritization request, and to place the audit priority second on the Audit Plan Approved Projects List.

Motion carried unanimously.

It was suggested that the full Board review the Audit Plan at least annually.

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

Committee Chair Laura Belnap reported on the following items from the August 7, 2020 meeting. [Information on items not reported will be included in the exhibits to the meeting minutes.]

#### **R277-407 School Fees**

The Committee reviewed updates to R277-407 that amend the definition of textbook, define related terms, and expand the costs and materials provided by a school for which a fee may not be charged to students. The Committee passed Draft 1 of the rule, to include recommended changes, on first reading.

**MOTION** from Committee that the Board approve R277-407 *School Fees*, Draft 2, on second and final reading.

Motion carried unanimously.

#### **R277-113 Local Education Agency (LEA) Fiscal and Auditing Policies**

The Committee reviewed proposed amendments to standard accounting requirements for LEAs and passed Draft 2 of the rule, to include recommended changes, on first reading.

**MOTION** from Committee that the Board approve R277-113 *Local Education Agency (LEA) Fiscal and Auditing Policies*, Draft 3, on second and final reading.

Motion carried unanimously.

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

Committee Chair Carol Lear reported on the following items from the August 7, 2020 meeting. [Information on items not reported will be included in the exhibits to the meeting minutes.]

#### **Box Elder District Requests for Waiver from Board Rule**

The Committee reviewed requests for a renewal of waivers from R277-419 that had expired for Park Valley School and Grouse Creek Elementary School.

**MOTION** from Committee that the Board approve waivers from the 180-day requirement in R277-419 for Park Valley School and Grouse Creek Elementary School in Box Elder School District, as requested.

Motion carried unanimously.

#### State Charter School Board Satellite Approval Process

Board rule R277-552 requires a charter school authorizer to submit a process to the Board for approval of a new charter school, a charter school expansion, or a satellite school. The Committee reviewed a charter school satellite application process submitted by the State Charter School Board. Committee Chair Lear reported that the committee sent suggestions for changes to the State Charter School Board and the SCSB made some updates to the process.

**MOTION** from Committee that the Board approve the State Charter School Board Satellite Approval Process, Draft 2.

Motion carried unanimously.

#### School Leadership Performance Assessment

Per R277-305-5(2), "The Superintendent shall explore the adoption of a performance-based school leadership assessment and make related recommendations to the Board ..." Staff presented recommendations to the Committee concerning the assessment.

**MOTION** from Committee that the Board support staff in partnership with stakeholders to develop, adapt, or adopt a school leadership performance assessment.

Lisa Young, Educational Leadership Specialist, noted that this assessment will replace the current Praxis exam. She also clarified that there will be a grandfather provision for existing educators.

Motion carried unanimously.

#### **School Turnaround: State Review Panel Recommendations**

In its April 2, 2020 meeting, the Board waived the School Turnaround exit criteria requirements of R277-920 for schools that are scheduled to be considered for exit at the

conclusion of this school year. The Board directed that a State Review Panel as described in the rule be formed to review each school's alternative data to the school accountability system and make recommendations to the Board as to whether a school has demonstrated sufficient improvement to exit Turnaround.

Max Lang, Education Specialist, informed the Board about the guiding questions the panel asked of the six schools eligible to exit turnaround. He reviewed highlights from each school's presentation and the review panel's recommendations.

Board members questioned why Paradigm School was not recommended for exit. Mr. Lang responded that the panel found there was not a consistent trajectory in improvement. Tracy Vandeventer, a panel member, added that she did not see evidence that systems are in place to continue to expand learning in science as is required by all public schools.

Fernando Seminario, Paradigm Principal, was invited to speak to the Board. He voiced that he does not feel there is substantial evidence and data to show that the school would not continue in a positive trajectory. He informed that the school had its highest improvement in a year when there was no Turnaround expert working with the school. He also reported that the school had a high rate of state testing opt-out, which put the school into Turnaround originally. He reported that the school has worked hard to address achievement and has moved the farthest away from the bottom three percent of all the schools being considered today. The school has also shown growth during this difficult COVID year.

**MOTION** was made by Member Belnap and seconded that the Board accept the recommendations of the School Turnaround State Review Panel for Whitehorse High School, Utah Virtual Academy, Dixie Montessori Academy, Kennedy Jr. High School, and Guadalupe School to exit School Turnaround, and for Paradigm High School to hold in the current School Turnaround status for the 2020-2021 school year.

There was continued discussion on the recommendation for Paradigm High. Assistant Superintendent Darin Nielsen, also a panel member, responded that the data element that provided pause for him was the school's graduation rates.

Motion carried, with Members Belnap, Boulter, Cannon, Davis, Graviet, Hansen, Huntsman, Lear, Marsh, Neilson and Newell in favor, and Members Cummins, Earl and Haynes opposed.

### **Law and Licensing Committee Report - continued**

#### **R277-302 Educator Licensing Renewal**

Amendments to R277-302 were recommended to strike the Return to Licensure program. The Committee approved Draft 2 of the rule on first reading.

**MOTION** from Committee that the Board approve R277-302 *Educator Licensing Renewal*, Draft 2, on second and final reading.

Motion carried unanimously.

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

Committee Chair Jennifer Graviet reported on the following items from the August 7, 2020 meeting. [Information on items not reported will be included in the exhibits to the meeting minutes.]

#### **R277-721 PRIME Pilot Program**

R277-721 was created due to H.B 336 Concurrent Enrollment Certificate Pilot passed in the 2020 General Session. The Committee passed Draft 1, as amended, on first reading.

**MOTION** from Committee that the Board approve R277-721 *PRIME Pilot Program*, Draft 2, on second and final reading.

Motion carried unanimously.

#### **Utah Methods of Administration Plan**

Guidance from the U.S. Department of Education's Office of Career, Technical, and Adult Education and the Office for Civil Rights encourages states to harmonize civil rights activities under the Methods of Administration (MOA) and the Strengthening Career and Technical

Education for the 21<sup>st</sup> Century Act (Perkins V). The MOA State Plan was reviewed by the Committee.

**MOTION** from Committee that the Board approve the Utah Methods of Administration Plan.

Motion carried unanimously.

R277-528 Use of Public Education Job Enhancement Program (PEJEP) Funds

Due to the sunset of the PEJEP Program in statute, the Committee approved repeal of R277-528 on first reading.

**MOTION** from Committee that the Board repeal R277-528 *Use of Public Education Job Enhancement Program (PEJEP) Funds* on second and final reading.

Motion carried unanimously.

R277-921 Strengthening College and Career Readiness Program

Amendments to R277-921 were presented to the Committee to update the existing language for counselor certification and better correspond with updates to R277-306. The Committee approved and continued Draft 1 of the rule on first reading.

**MOTION** from Committee that the Board approve and continue R277-921 *Strengthening College and Career Readiness Program*, Draft 1, on second and final reading.

Member Earl noted that the edited version of the standards is also included in the rule and some language in the standards is of concern to her.

Motion carried, with Members Cannon, Cummins, Gravier, Hansen, Haynes, Lear, Marsh and Newell in favor, and Members Belnap, Boulter, Earl, Huntsman and Neilson opposed; Member Davis abstained.

R277-403 School Safety Program

New rule R277-403 was created to establish the school safety grant program related to an appropriation in H.B. 120 from the 2019 General Session. The Committee approved Draft 1 of the rule on first reading.



**MOTION** from Committee that the Board approve R277-403 *School Safety Program*, Draft 1, on second and final reading.

Motion carried unanimously.

#### School Mental Health Screening Program

The School Mental Health Screening Program, as described in H.B. 323 (2020), requires that the Board work collaboratively with the Division of Substance Abuse and Mental Health (DSAMH) to present a list of screening tools that could be used to identify the possibility of a mental health concern, as well as the list of mental health conditions for which LEAs could screen. The Committee reviewed the lists and made recommendations for changes.

**MOTION** from Committee that the Board approve the lists of Mental Health Conditions and Screening Tools that local education agencies may use, as amended, as developed collaboratively through USBE and DSAMH for schools to use as part of a School Mental Health Screening Program as described in H.B. 323 (2020) and R277-625.

**MOTION** was made by Member Graviet and seconded that the item be referred to the committee for additional work.

Committee Chair Graviet explained that statute requires that USBE and DSAMH work collaboratively to create the lists and there is not full agreement from DSAMH.

Motion carried unanimously.

### **2021 Legislative Session Preparation**

#### Preliminary Budget Guidance

Deputy Superintendent Scott Jones reviewed that normally in September the Board drills down on staff requests ahead of October where in accordance with the Budgetary Procedures Act the Board submits requests to the Governor's Office of Management and Budget (GOMB). Superintendent Jones reported that there have been some changes to the process for this year.

Dale Frost, USBE Fiscal Analyst, reported that this year GOMB is not soliciting requests for new funding for FY22. GOMB's first priority for public education will be to fund enrollment

growth and then a certain increase in the weighted pupil unit (WPU). At that point, any remaining education revenue would go to restoring appropriations from the 2020 legislative session that were cut in subsequent special sessions.

Mr. Frost indicated that GOMB has requested that the Board make a priority order for restoring the reductions from the 2020 session appropriations.

### Requests for Statutory Changes

Deputy Superintendent Angie Stallings presented staff recommendations for changes to statute.

A lengthy discussion ensued concerning the recommendation to include the submittal of the Free Application for Federal Aid (FAFSA) form as a graduation requirement in Utah Code 53E-4-204.

Spencer Jenkins, Chief Student Affairs Officer, Utah System of Higher Education (USHE), reported that the Regents Scholarship, and many other scholarships, require completion of FAFSA. He reported that currently four states require FAFSA completion and one state has shown a positive correlation between completing FAFSA and enrollment in higher education institutions. Katie Mazzie and Steve Rogers from the Utah Higher Education Assistance Authority shared data to support the recommendation.

Nathan Auck, USBE STEM Coordinator, informed that states with the requirement have offered an opt-out clause.

Board members expressed concerns about adding another graduation requirement, especially one that does not relate to work completed by the student; that not all students want to go on to higher education; that there may be privacy issues; and that the philosophy of accepting money may contribute to student debt. It was also suggested that the infrastructure that will be necessary to implement the requirement is already possible without a mandate.

Others Board members voiced the importance of the mandate because of the greater access it will provide and the awareness of financial aid that will result. It was also noted that more Pell grant money that is now left on the table would be utilized.

**MOTION** was made by Member Davis and seconded that the Board postpone the FAFSA requirement request and direct staff to bring back to a committee data from other states that have implemented the requirement, as well as other possible solutions.

A request was made that staff also investigate the cultural differences that have created the issue.

Motion carried unanimously.

**MOTION** was made by Member Davis and seconded that the Board direct staff to work with the legislature to reinstate the Intensive Services Fund program through legislation, including a recommendation that the distribution formula for reimbursement be based on Board-approved professional salary rates.

Motion was made by Member Belnap and seconded to postpone this item and bring it back in a later meeting with more information from USBE staff on the fund disbursement, the split between state and federal monies, and any inequities that may result from the rate.

Motion to postpone failed, with Members Cannon, Cummins, Earl, Hansen, Huntsman, Marsh and Newell in favor, and all others opposed; Member Neilson absent.

**MOTION** was made by Member Davis to amend the wording to state: "That staff work with the legislature to reinstate the Intensive Services Fund Program that would incorporate Board-approved recommendations for changes to the distribution formula for the program based on USBE work group recommendations."

Motion to amend carried, with Member Belnap opposed.

Motion, as amended, carried, with Member Belnap opposed; Member Neilson absent.

**MOTION** was made by Member Davis and seconded that the Board direct staff to work with legislators on potential amendments to Utah Code, as proposed in requests #2 and #3.

**MOTION** was made by Member Earl and seconded that the motion be divided to vote on each request separately. Motion to divide carried.

The motion on request #2 concerning amending the standards review committee formation process in 53E-4-203 was addressed.

Motion carried, with Member Earl opposed.

The motion on request #3 to reinstate the Mathematics & Science Opportunities for Student and Teachers (MOST) program in 53F-2-505 was addressed.

Motion carried, with Members Davis, Earl, Gravier, Hansen, Haynes, Lear, Marsh and Newell in favor, and Members Belnap, Boulter, Cummins and Huntsman opposed; Member Neilson absent.

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

Chair Huntsman recognized the work of local boards and schools on reopening. He also acknowledged USBE staff for the countless hours they have worked to provide support for LEAs. The work of staff since March has created an opportunity for LEAs to open and make education happen in the best way it can. He also thanked Board members for the countless hours they have spent talking with people and gave special thanks to Vice Chair Cummins for her support.

### **Board Member Comments**

Member Earl encouraged schools and staff to be accommodating of differing viewpoints through this education process.

Member Davis noted that she has been in 11 classrooms in three districts over the last two weeks and commented that though she did not think it possible, young children are wearing masks. She gave a shout out to the students, who are the real stars.

### **Adjournment**

The meeting adjourned at 4:47 p.m.

[For additional information on items from the meeting, see General Exhibit No. 20-23.]

Lorraine Austin, Board Secretary  
Minutes approved October 1, 2020