

# Board Summary

June 6-7, 2024 Board Meeting

The Utah State Board of Education:

- Amended guidance on sensitive materials in school libraries in accordance with the passage of [HB 29, Sensitive Material Review Amendments](#).
- Allocated \$100,000 to determine the impact of new Title IX regulations on public schools in Utah.
- Reviewed [legislative needs from the field](#) for the 2025 General Session.
- Passed [R277-331, Stipends for Future Educators](#) to provide stipends for student teachers.
- [Full agenda](#).

## Board Amends Guidance on Sensitive Materials in School Libraries

The Utah State Board of Education amended [R277-628, Sensitive Materials](#), previously titled School Libraries, to align the Board's guidance on sensitive materials in school libraries with the requirements of [HB 29, Sensitive Material Review Amendments](#), passed during the 2024 legislative session. Changes include the addition of an oversight category designation, updated LEA policy requirements, and a reporting and compliance section to the rule. Additionally, removal of any material will require notification to parents via a school-related communication platform.

For additional information, please contact:

**Elisse Newey**

Policy Advisor

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## Board Asks Legislature to Consider Applying State Sovereignty Law to Title IX Regulations, Allocates \$100,000 to Better Understand Impact

The Utah State Board of Education (USBE) allocated \$100,000 in discretionary funds to better understand how recent changes to [Title IX](#) regulations might impact public schools within the State of Utah. The U.S. Department of Education released updated regulations related to Title IX in April which are set to become law on August 1, 2024. To better understand how these new regulations will impact schools in Utah, the Board:

1. Allocated \$50,000 in discretionary funds for a contract attorney to assist USBE's AAGs in evaluating if and how state law is out of compliance with federal law in light of the new Title IX regulations, with a mid-July deadline.
2. Requested that the legislature consider the application of [SB 57, Utah Constitutional Sovereignty Act](#), passed during the 2024 legislative session, to the Title IX regulations, including potential indemnification, if needed.
3. Allocated an additional \$50,000 in discretionary funds to retain an independent auditor to conduct an audit and provide findings to the Board to determine all federal funds received by USBE for 2022, 2023, and 2024, and to evaluate USBE's direct and indirect costs as an agency by itemizing the total USBE compliance costs associated with each federal law, order, and regulation, using data for 2022, 2023, and 2024.

For additional information, please contact:

**Patty Norman**

Deputy Superintendent of Student Achievement

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## Board Approves Waiver Requests from Wayne and Garfield Counties

The Utah State Board of Education approved a [waiver request](#) from Wayne County school district that would allow the schools to move to a four-day school week. Hanksville Elementary, Loa Elementary, and Wayne High School have requested this waiver from [R277-419\(4\)](#), which states that an LEA shall provide educational services over a minimum of 180 school days each school year.

The Board also approved a waiver renewal request from [Garfield County School District](#) that would allow the continuation of their four-day school week schedule.

For additional information, please contact:

### **Ashley Biehl**

Assistant Attorney General

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## Board Consolidates Existing Student Data Advisory Groups into a Student Data Protection Advisory Group

The Utah State Board of Education approved an amended version of [Board Policy 5003, Student Data Policy Advisory Group](#) to align with new legislation from 2024. [HB 82](#) consolidates the three existing student data advisory groups into a single Student Data Protection Advisory Group to support student data privacy actions within K-12 education. In accordance with the legislation, the Board repealed [Board Policy 5004, Student Data User Advisory Group](#) and [Board Policy 5005, Student Data Governance Advisory Group](#).

For additional information, please contact:

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Director of Privacy

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## **Angie Stallings**

Deputy Superintendent of Policy

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## Board Approves Plans to Correct Counselor-to-Student Ratio at Fast Forward Charter and Grand School District

The Utah State Board of Education approved school counselor-to-student [ratio plans](#) for the 2024-2025 school year submitted by Fast Forward Charter and Grand School District. These plans outline the actions the charter and district will take to meet the one counselor for every 350 students requirement, as outlined in [R277-462-6](#).

For additional information, please contact:

## **Bethany Marker**

School Counseling Specialist

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## Board Establishes Training Development Schedule for Educators

The Utah State Board of Education discussed and established [prioritization of annual trainings for educators](#) to be developed into more robust digital and personalized solutions to improve the learning experience. In recent months, staff developed several training modules for districts and charters to use, and this schedule provides a three-year timeline for future development efforts.

For additional information, please contact:

### **Jennifer Throndsen**

Director of Teaching and Learning

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## Board Gives Board Chair Authority to Approve Five Contracts for Utah Schools for the Deaf and Blind

The Utah State Board of Education gave the Board Chair the authority to approve up to five [contracts](#) for over \$100,000, but for less than \$175,000, for the Utah Schools for the Deaf and the Blind until the August board meeting. This was done to ensure completion of projects while students are on summer break.

For additional information, please contact:

### **Jole Coleman**

Superintendent at Utah Schools for the Deaf and Blind

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## Board Directs Staff to Create Legislative Funding Requests

The Utah State Board of Education will begin to prepare [legislative funding requests for the 2025 General Session](#). Requests will be related to:

- School Safety
- School Behavior
- Chronic Absenteeism
- Statewide Student Information System (SIS)
- Educator Incentive Programs
- School Lunch
- Full Time Behavioral Specialist in Each School and Training for Paraeducators, and adding Behavior Specialist in DOPL License
- Greater Focus on Arts including Beverley Taylor Sorenson
- Behavior Specialists and Behavior Training in Schools
- Apprenticeships for Teachers
- Increasing Auditor Capacity
- Grow Your Own Educator Pipeline
- CTE Programs
- Utah Schools for the Deaf and Blind FTE Request
- Utah Schools for the Deaf and Blind Benefits for ESA positions

These legislative funding proposal drafts will be brought back to the Board in August 2024 for additional consideration before the Board finalizes its budget request in October 2024.

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## Board Approves Uniform Base Funding for Charter Schools with Fewer than 2,000 Students for FY25

The Utah State Board of Education approved a set, uniform base amount for charter schools with fewer than 2,000 students or \$115 per student, whichever is greater.

Additionally, the Board allocated \$200,560 to charters with more than 2,000 students for the FY25 Charter Base Funding Program. These amounts will be one-time, for FY25 only. The [Charter Base Funding Program](#) provides funding to certain charter schools to support base operating functions, including data reporting, administrative costs, etc. This will provide a temporary, one-time funding solution for smaller charter schools while discussions continue about a longer term solution.

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## Board Approves Increase in Amount of Liquor Tax Funds to be Used for CNP Administrative Costs

The Utah State Board of Education (USBE) approved the increase of [liquor tax funds](#) from \$1 million to up to 4 percent of total liquor tax collections per year for USBE administrative costs. Child Nutrition Program (CNP) costs have been rising, but the funding CNP has been receiving from USDA State Administrative expenses has decreased over the past two years, which has made it difficult for CNP to run its current program efficiently and at the current level of service to districts and charters. This increase in liquor tax funds used will help cover the increase in administrative costs. By increasing the amount of liquor tax funds used, districts and charters will only experience a decrease of \$.02 per meal. The funds requested will positively impact each of the objectives in the CNP strategic plan, which was developed to ensure CNP supports the mission of USBE.

For additional information, please contact:

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Child Nutrition Program Director

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### **Kimberly Loveland**

Child Nutrition Program Coordinator

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## New Administrative Rules, Amendments, and Repeals

The Utah State Board of Education approved, amended, or repealed the following administrative rules:

- [R277-710, Intergenerational Poverty Interventions in Public Schools](#). This rule is being repealed upon its five-year review and following the passage of [SB 2](#).
- [R277-126, Utah Fits All Scholarship](#). This rule is being repealed following the passage of [HB 529](#) to reflect the legislative changes to the program.
- [R277-629, Paid Professional Hours for Educators](#). This rule is being amended to add the oversight category, add a policy requirement for LEAs, and clarify what program funds may be used for.
- [R277-800, Utah Schools of the Deaf and Blind](#). This rule is being amended to add an oversight category, strike a budgetary carry-forward limitation, and provide an opportunity for hearing siblings to attend the School for the Deaf.
- [R277-926, Certification of Residential Treatment Center Special Education Program](#). This rule is being continued upon its five-year review.
- [R277-331, Stipends for Future Educators](#). This rule is being created to set the stipend amount and other program rules consistent with [HB 221](#).
- [R277-322, Local Education Agency \(LEA\) Codes of Conduct](#). This rule is being continued upon its five-year review and updated to include an oversight category.
- [R277-304, General Teacher Preparation Competencies](#). This document is being updated after a legal analysis that ensures it is in compliance with legislation. The Board also approved incorporating the updated competencies into the rule.
- [R277-628, School Libraries](#). This rule is being amended following the passage of [HB 29](#) and will now include an oversight category designation, updated LEA policy requirements, and a reporting and compliance section.
- [R277-407, School Fees](#). This rule is being amended following the passage of [HB 415](#).
- [R277-408, School Fundraising](#). This rule is being created due to the passage of [HB 82](#), which separated revenue raised through fundraising from the definition of school fees. Portions of R277-407 will be repealed and moved into this new rule.
- [R277-113, LEA Fiscal and Auditing Policies](#). This rule is being amended to align with [HB 415](#) and [HB 82](#).
- [R277-459, Teacher Supplies and Materials Appropriation](#). This rule is being amended to clarify in rule that only classroom teachers should be included.

- [R277-726, Statewide Online Education Program \(SOEP\)](#). This rule is being amended to update definitions and clarify staff responsibilities for approving new providers following the passage of [HB 247](#).
- [R277-326, Early Learning](#). This rule is being amended to add an oversight category and remove the restriction that requires LEAs to use all grant funds in the year the funds are distributed.
- [R277-332, Master Pilot Program Grant Application Scoring Rubric \(Incorporated by Reference Document\)](#). This rule is being created due to the passage of [HB 431](#).
- [R277-332, Teacher Retention Pilot Program](#). This rule is being created due to the passage of [HB 431](#).
- [R277-436, Gang Prevention and Intervention Programs in the Schools](#). This rule is being amended to include updated legal requirements to ensure that schools are cooperating with local law enforcement and community prevention providers, and using the data collected by multiple state agencies to make data informed decisions about programming for juvenile gang prevention and intervention.
- [R277-475, Patriotic, Civic and Character Education](#). This rule is being continued upon its five-year review.
- [R277-730, Kindergarten Programs](#). This rule is being created to define half-day kindergarten options and half-day kindergarten class requirements.

## Board Approves Consent Calendar

The Utah State Board of Education approved its consent calendar.

## Highlights of Friday's Committee Meetings and Study Session

The Utah State Board of Education [Standards and Assessment, Law and Licensing, and Finance Committees](#) met on Friday, June 7. Items approved in committee meetings will be heard by the full Board during its August meeting.

**Standards and Assessment Committee** met in a hybrid format from 8:30 a.m. to 12:30 p.m. Highlights from the meeting include:

- Preliminary approval of [R277-443, Distribution of Money to Science Outreach Organizations](#).

- Preliminary approval of [R277-444, Distribution of Money to Arts and Science Organizations.](#)

**Law and Licensing Committee** met in a hybrid format from 9:00 a.m. to 12:00 p.m.

Highlights from the meeting include:

- Preliminary approval of [R277-925, Effective Teachers in High Poverty Schools.](#)
- Preliminary approval of [R277-324, Paraprofessional/Paraeducator Programs, Assignments, and Qualifications.](#)

**Finance Committee** met online from 9:30 a.m. to 12:30 p.m. Highlights from the meeting include:

- Preliminary approval of [R277-110 Educator Salary Adjustment.](#)
- Preliminary approval of [R277-477 Distribution of Funds from the Trust Distribution Account and Administration of the School LAND Trust Program.](#)