

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

October 3, 2019

A regular meeting of the Utah State Board of Education was held October 3, 2019 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. 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 Linda B. Hansen
Member Scott L. Hansen
Member Mike Haynes
Member Carol Barlow Lear
Member Mark R. Marsh
Member Scott B. Neilson
Member Shawn E. Newell

Executive Staff Present:

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

Minutes taken by:

Lorraine Austin, Board Secretary

Others Present:

Jay Blain, Heidi Matthews—Utah Education Association; Steve Hirase—Utah PTA; Dawn Barson—Juab High School; Ashley Anderson; Neil Richard—Utahns Against Hunger; Michelle Amiot, Terrilyn Lee, Jeff Lutz—Salt Lake City School District; Ben Jameson—Juab School District; Steven Davis—NUAMES; Rich Young—Pearson; Jason Strate—Central Utah Educational Services; Elizabeth Garbe—United Way Salt Lake; Karen Morgan—University of Utah Reading Center; Elizabeth Hinkson—Utah Department of Health; Joe B. Wright—Southeast Educational Development Center; Zac Christensen, Darin Nielsen, Leah Voorhies, Jerry Record, Keith Lawrence, Alex Farrah—USBE staff

Opening Business

Chair Huntsman called the meeting to order at 9:04 a.m. Member Mark Marsh led those present in the Pledge of Allegiance.

Board Member Message

Member Scott Neilson opened his message by reading a quote from George Washington: “A primary objective should be the education of our youth in the science of government. In a republic, what species of knowledge can be equally important? And what duty more pressing than communicating it to those who are to be the future guardians of the liberties of the country?”

Member Neilson expressed the importance of educating children about their rights and the rights of others in this country and stated that the rising generation is a marvelous one.

Employee Recognition

Superintendent Sydnee Dickson introduced the employee of the month, Tim Davis. New employees Shaleece Oldroyd, John Lyman, Laura Hathaway, and Lacey Ott introduced themselves and were acknowledged by the Board.

Acknowledgment of Student Artwork

Cathy Jensen, Educational Specialist, informed about the artwork hanging in the board room from Syracuse Arts Academy—North Campus, and North Ogden Elementary School in Weber District.

Education Highlight

Ricky Scott, USBE Science Education Specialist, provided information about the Presidential Awards for Excellence in Mathematics and Science Teachers. He introduced the Utah science teacher finalists—Stephanie “Skipper” Coates, Pleasant Grove Junior High School, and David Morrill, Jordan High School. The teachers addressed the Board regarding the PAEMST professional development and their teaching experience.

Joleigh Honey, USBE Secondary Math Specialist, introduced the Utah math teacher finalists—Dawn Barson, Juab High School, Nikki Mendenhall, Salem Junior High School, and Natalie Darrington, Juab Junior High School. The finalists spoke to the Board about their experiences as well.

Public Comment

Heidi Matthews, President, Utah Education Association – referenced a letter recently sent to the Board from UEA concerning the issue before the Board today on the use of RISE test data. UEA asks that the Board: 1) Seeks flexibility from appropriate statutory areas with regards to accountability data; 2) ensures that no teacher, student, or school is harmed by flawed data; and 3) leads out on shifting the focus to assessment for meaningful academic improvement and supporting initiatives that generate sustainable school improvement through comprehensive metrics.

Jackie Ball, community activist – spoke to the item from the last USDB Board meeting seeking authorization for USDB staff to be able to restore cochlear implant mapping for students. She has spoken to several experts, and cochlear implant mapping is not included under the Individuals with Disabilities Education Act (IDEA). Parents may contact the manufacturer directly if there are issues with their child’s cochlear implant and the manufacturer will overnight a new implant already programmed. Ms. Ball distributed letters concerning this issue. [For additional details, see General Exhibit No. 19-308.]

Ashley Anderson, parent/dance educator – requested that the Board lead the way in working with the legislature to eliminate letter grades for schools. She reported that as a teacher using assessments can inform her instruction; but as a parent, this data communicates little to her. She asked the Board to support Representative Marie Poulson’s legislation to make the change.

Superintendent’s Report

Superintendent Dickson reported on her recent visits to Quest Academy, Morgan School District, and Daggett School District. [For additional details, see General Exhibit No. 19-309.]

General Consent Calendar

At the request of Members, item 4.3 NASBE Bylaws and Positions and item 4.4 NASBE Dues were removed from the Consent Calendar.

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

Motion carried unanimously.

General Consent Calendar

4.1 Approval of Meeting Minutes

The Board approved the minutes of its September 5-6, 2019 meeting. [For additional details, see General Exhibit No. 19-310.]

4.2 Contracts for Approval

The Board approved contracts over \$100,000 with the following entities: Drift Net LLC; AnLar LLC. [For additional details, see General Exhibit No. 19-311.]

4.3 Appointment of NASBE Voting Delegates and Direction on NASBE Positions and Bylaws

This item was pulled for further discussion.

4.4 NASBE Dues

This item was pulled for further discussion.

4.5 Requests for Temporary Authorizations

The Board approved temporary authorizations for educator licenses, as request by local education agencies. [For additional details, see General Exhibit No. 19-312.]

4.6 New Comprehensive Support and Improvement Plans and School Turnaround Plans

The Board approved the Comprehensive Support and Improvement (CSI) School Improvement Plans and School Turnaround Plans as recommended. [For additional details, see General Exhibit No. 19-313.]

4.7 Contracts for Review

The Board was provided with contracts under \$100,000 for review. [For additional details, see General Exhibit No. 19-314.]

4.3 National Association of State Board of Education (NASBE) Voting Delegates and Direction on NASBE Bylaws and Positions

Member Earl expressed concern that the NASBE positions on services for ages birth to three may not align with Utah's direction.

MOTION was made by Member Earl and seconded that the Board give direction to its voting delegate to NASBE to vote against the NASBE Bylaws.

Motion failed, with Members Boulter, Belnap, Earl and Neilson in favor, and all others opposed.

MOTION was made by Member L. Hansen and seconded that the Board approve the appointment of Member Janet Cannon as the voting delegate to NASBE, with Member Mike Haynes as the alternate, and direct the delegate to vote in favor of the NASBE Bylaws and Positions.

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

[For additional details, see General Exhibit No. 19-315.]

4.4 National Association of State Boards of Education (NASBE) Dues

MOTION was made by Member L. Hansen and seconded that the Board approve the payment of NASBE dues for 2020.

Some members indicated that the Board can still participate in NASBE conferences without being members and suggested that membership in NASBE is not beneficial to improving student learning.

Others felt membership was important to provide influence and be able to participate in the benefits of NASBE's research and information gathered on various educational topics.

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

[For additional details, see General Exhibit No. 19-316.]

Monthly Budget Report

Deputy Superintendent Scott Jones presented the budget report, along with Financial Manager Sue Mac. He announced the Board continues to meet all financial obligations and is financially solvent.

Superintendent Jones also reviewed the Board's Discretionary Fund.

[For additional details, see General Exhibit No. 19-317.]

2018/2019 RISE Data Review and Accountability Use Determination

Assistant Superintendent Darin Nielsen introduced Dr. Scott Marion, Executive Director for the Center for Assessment. Ben Jameson and Brooke Anderson from Jordan School District and Michelle Amiot and Jeffrey Lutz from Salt Lake City School District were also recognized as contributors to the state analysis team, as well as members from the Board's Assessment and Accountability Policy Advisory Committee.

Assistant Superintendent Nielsen acknowledged the extensive amount of work that has been conducted as a result of the statewide testing disruptions and results from Questar, the testing platform vendor.

Superintendent Nielsen made a presentation about the testing experience and data analysis from this year's statewide assessments. He addressed an audit of the Utah Assessment system in 2018-2019 and indicated there were no findings, but there were concerns, including a lack of confidence from local education agencies (LEAs).

Scott Marion reviewed that three sets of analyses were conducted to measure whether the changes in the testing process this year—both planned and unplanned—had an effect on student and school performance. He indicated that a study was done on the interruptions to the testing and there was no evidence that there was any kind of impact on test scores because of the disruptions. The Technical Advisory Committee and Accountability Advisory Committee generally agreed with the study conclusions.

Dr. Marion also reported on a Growth Transition Study that was done on the planned transitions from the SAGE testing to RISE testing. It was found that growth percentiles were quite stable, and the findings of the study support the robustness of the Growth indicator across the assessment transitions in Utah for 2019.

Superintendent Nielsen reviewed the USBE Achievement Analysis. He summarized that the testing data for 2018/2019 has been studied from many different angles, and based on these analyses, all those involved in the studies recommend moving ahead with accountability calculations for 2018-2019.

Terry Shoemaker, Utah School Superintendents Association/Utah School Boards Association, was invited to comment. He stated it would be vastly inaccurate to say this testing session did not impact teachers, students and their schools. Because of the disruptions, the confidence level has been fairly negative and the superintendents, while not questioning the validity of the analyses, do not feel this has been a fair session for the students.

Rich Nye, Ogden District Superintendent, was invited to comment. He reported that Ogden District is reviewing last year's student testing experience and impacts at the student, school and teacher levels to determine the effects, because it does drive their conversation with students, parents and teachers. He responded that overall, the district is able to assess that student achievement happened and identify weaknesses and deficiencies, but that is partly due to the multiple measures the district uses for accountability. He reported that there are two schools in the district where the RISE data isn't correlating with other metrics and the district is evaluating the situation.

MOTION was made by Member Davis and seconded that the Board direct staff to engage with legislators to identify flexibilities from state accountability requirements, including the assignment of letter grades and identifying schools for improvement; and in addition, that the USBE dashboard include a disclaimer indicating that interruptions occurred in the testing.

Motion carried unanimously.

[For additional details, see General Exhibit No. 19-318.]

UPPAC (Utah Professional Practices Advisory Commission) Process Review Task Force Report

Task Force Chair Brittney Cummins reviewed the Executive Summary of the UPPAC Task Force report. She indicated that most of the recommendations will come to the Board in the form of rules that will go through standing committees.

MOTION from the Task Force that the Board accept the UPPAC Task Force recommendations to:

- Forward recommendations for changes to Board rules to its standing committees.
- Prioritize a request to the Legislature for funding to conduct an RFP for enhanced ethics training.
- Require ethics training at the time of licensure and re-licensure.
- Collect ongoing data regarding educator misconduct, LEA reporting and discipline.
- Reconvene the Task Force in one year from the effective date of the new rules to review the data collected and determine whether further amendments to rules may be advisable or needed.

Motion carried unanimously. [For additional details, see General Exhibit No. 19-319.]

Utah Local Food Advisory Council Initiative

Kate Wheeler, USB E Child Nutrition Specialist, reported on the Board's partnership with the Utah Department of Agriculture; together, the agencies have been working with the Local Food Advisory Council at the legislative level. Ms. Wheeler introduced Steve Handy from the Utah House of Representatives and Sasha Pehrson from the Department of Agriculture.

Representative Handy provided information about the Local Food Advisory Council and reviewed requests the Council made in the 2019 Legislative Session that were not funded. Ms. Pehrson reported that the Department of Agriculture will make a legislative request for a \$250,000 one-time appropriation for a one-year pilot of a Utah-grown incentive program to get local food into schools. The pilot would be administered as a grant program by the USB E Child Nutrition Programs Section, and the intent is for funding to be set aside for administration of the program. Representative Handy expressed hope that the Board will support the legislative request.

[For additional details, see General Exhibit No. 19-320.]

USBE English Learner Task Force Report

Deputy Superintendent Patty Norman introduced Dr. Christelle Estrada, USBE Educational Specialist. Dr. Estrada reported on the representation and work of the English Learner (EL) Task Force. The Board was provided with recommendations from the Task Force.

MOTION was made by Member Lear and seconded that the Board approve Recommendation 1: That information be gathered from LEAs to identify barriers to implementation of R277-717-3 and review other policies related to course access (e.g., R277-707 Enhancement for Accelerated Students Program) to ensure equitable access for each student group to early college course taking opportunities.

MOTION was made by Member Davis and seconded to replace the word, “ensure,” with “increase.”

Motion to amend carried.

Motion, as amended, carried unanimously; Member Neilson absent.

MOTION was made by Member Lear and seconded that the Board accept Recommendation 2: That the Board be provided options for increasing equitable access to language instruction to academic content in a student’s grade or course level, including recognitions, incentives, requirements (and evidence of compliance), extended time, professional learning to ensure comprehensive counseling provides equitable access toward growth of language proficiency, and endorsements.

Motion carried unanimously.

MOTION was made by Member Cannon and seconded that the Board accept Recommendation 3: That an annual report be published detailing progress toward meeting the Board’s 2022 Education Elevated targets and closing both the achievement and opportunity gaps between students who are learning English and other student groups, including: the report status and progress of schools identified for targeted support and improvement status due to the performance of students who are learning English; and highlights of schools and districts that are implementing effective, innovative practices to address the needs of students learning English.

MOTION was made by Member S. Hansen and seconded to amend by striking, “That an annual report be published detailing progress,” and adding, “Develop a method

of real-time dissemination of promising practices toward meeting the Board's 2022 Education Elevated targets . . ."

MOTION to amend the amendment was made by Member L. Hansen and seconded to add "including a priority request to ULEAD" after "promising practices."

Motion to amend the amendment failed, with Member S. Hansen in favor and all others opposed.

Motion to amend failed, with Members Belnap, Boulter, Davis, Earl, Graviet, S. Hansen and Lear in favor, and all others opposed.

Motion to accept Recommendation 3 carried, with Member Belnap opposed; Member Neilson absent.

MOTION was made by Member Cannon and seconded that the Board accept Recommendation 4: That the Board be provided options for encouraging LEAs to distribute funds to schools based on student need, including weighted student funding formulas.

Motion carried unanimously; Member Neilson absent.

[For additional details, see General Exhibit No. 19-321.]

2020 Legislative Session Preparation

Regional Service Center Study Report

Deputy Superintendent Scott Jones, along with Superintendent Cade Douglas from Sevier School District and Scott Crane, Executive Director of the Southeast Education Service Center, reported on the Regional Service Center Study commissioned by S.B. 4 in the 2019 Legislative Session.

Superintendent Jones reviewed the workgroup recommendations including creation of regional education service agencies.

[For additional details, see General Exhibit No. 19-322.]

Carry Forward, Non-Lapsing Balances Spend Plans

Deputy Superintendent Jones introduced Financial Manager Sue Mac and MSP Coordinator Jake Hautrouw. He referenced the carryforward amounts from previous fiscal years and the summary of carryforward spend plans.

MOTION was made by Member Huntsman and seconded that the Board approve the allowable use of non-lapsing carryforward funds by USBE staff within the spend plans, as presented.

Superintendent Jones pointed out specific spend plan items that are intended to fund some of the business plans requested for Fiscal Year 21.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-323.]

K-12 Qualtrics Contract

Superintendent Jones indicated that since carryforward funds have now been approved for the Qualtrics contract, approval of the contract is pending.

MOTION was made by Member Lear and seconded that the Board approve the K-12 Qualtrics contract as presented.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-324.]

SFY 21 Budget Formulation

Deputy Superintendent Jones and Dale Frost, Fiscal Policy Analyst and Jake Hautrouw, MSP Coordinator, presented the updated budget formulation tracker with changes made as a result of Board input.

MOTION was made by Member L. Hansen and seconded that the Board approve the FY21 budget requests as presented.

MOTION was made by Member Belnap and seconded that the Board remove the Adobe Create Utah item from the list.

Member Belnap questioned the student data privacy agreement. Assistant Attorney General Michelle Beus reported that any student data is actually managed, controlled and held by the LEA and Adobe cannot access the data.

MOTION was made by Member Belnap and seconded to amend the amendment to keep Adobe Create Utah on the list and add a condition that assurances for student data privacy be provided.

Amendment to the amendment carried.

Amended, as amended, carried.

MOTION was made by Member Lear and seconded that under Category 4A the UPPAC FTE request of \$170,000 for an investigator be removed from the list.

Motion to amend failed, with Members Cannon, Graviet and Lear in favor and all others opposed.

MOTION was made by Member Belnap and seconded that the Board change the proposed six percent WPU increase to a four percent increase.

It was noted that the six percent is a starting place and once the budget is known the Board will have an opportunity to make changes. Some board members expressed opposition to a large WPU increase because it is tied to an increase in property taxes.

Terry Shoemaker, Utah School Superintendents Association/Utah School Boards Association, was invited to comment. He reported that the total WPU request proposed is over \$200 million and indicated USSA/USBA is anxious to have the Board support the request. Mr. Shoemaker outlined some of the LEA needs including beginning teacher salary disparity between districts; wide disparity in how the benefit costs are calculated in districts; district list of projects and the resources needed. He acknowledged that it is in state statute that property tax will increase for every one percent increase in the WPU.

Todd Hauber, Park City Business Administrator, explained that the legislation intended that as income tax revenue comes in there should be a proportionate share from property taxes, and that the calculation is based on the prior years' revenues.

Motion failed, with Member Boulter in favor and all others opposed; Member Neilson absent.

Motion to approve the budget request, as amended, carried, with Members Cannon, Cummins, Davis, Graviet, L. Hansen, Haynes, Huntsman, Lear, Marsh and Newell in favor, and Members Belnap, Boulter, Earl and S. Hansen opposed; Member Neilson absent.

[For additional details, see General Exhibit No. 19-325.]

Legislative Policy Requests

Deputy Superintendent Angie Stallings and Policy Advisor Jeffrey Van Hulten presented five additional policy requests for Board consideration.

MOTION was made by Member L. Hansen and seconded that the Board add the five new policy requests to the approved list.

The requests include statutory changes concerning school leadership, school turnaround, Early Warning System, Youth-in-Care, and school breakfast.

Motion carried unanimously. [For additional details, see General Exhibit No. 19-326.]

Audit Committee Report

Committee Vice Chair Janet Cannon reported that there were no action items from the September Audit Committee meeting.

Standards and Assessment Committee Report

Committee Chair Jennifer Graviet reported on the following items from the September 6, 2019 committee meeting. Details of items not reported will be included in the exhibits to the meeting summary. [For additional details, see General Exhibit No. 19-327.]

K-5 Computer Science Standards

The K-5 Computer Science Standards were sent out for a 30-day public comment period from May-June 2019 to gather community input and raise awareness about computer science for elementary teachers and students. Following public comment, the Standards were revised and presented to the Committee.

MOTION from Committee that the Board approve the K-5 Computer Science Standards, Draft 4.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-328.]

R277-108 Annual Assurance of Compliance by Local Schools Boards

R277-108 was amended to incorporate by reference the updated version of the assurances document. The Committee approved Draft 1 of the rule on first reading.

MOTION from Committee that the Board approve R277-108 *Annual Assurance of Compliance by Local School Boards*, Draft 1, on second and final reading.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-329.]

R277-468 Parent/Guardian Review of Public Education Curriculum and Review of Complaint Process

The Committee reviewed technical changes made to R277-468 in Draft 1 as a result of the five-year review requirement. The Committee made additional changes and approved and continued the rule on first reading.

MOTION from Committee that the Board approve and continue R277-468 *Parent/Guardian Review of Public Education Curriculum and Review of Complaint Process*, Draft 2, on second and final reading.

It was noted that “Guardian” in the title will be removed to be consistent with the rest of the rule, since the definition of “parent” includes guardians.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-330.]

R277-623 School Climate Survey

R277-623 was created as a result of H.B. 120 School and Student Safety Assessment (2019 Legislative Session). The Committee reviewed Draft 1 of the rule, made additional changes, and approved Draft 1, as amended, on first reading.

MOTION from Committee that the Board approve R277-623 *School Climate Survey*, Draft 2, on second and final reading.

MOTION was made by Member Earl and seconded that line 38 be amended to add: “in compliance with 53E-9-203.”

Motion to amend carried unanimously.

MOTION was made by Member S. Hansen and seconded that line 54 be amended to change “may” to “shall” and address anonymity question for students given the survey verbally.

MOTION was made by Member Lear and seconded that the rule be referred back to the Committee to consider questions of anonymity, confidentiality and safety.

Motion to refer carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-331.]

Finance Committee Report

Committee Chair Laura Belnap reported on the following items from the September 6, 2019 committee meeting. Details of items not reported will be included in the exhibits to the meeting summary. [For additional details, see General Exhibit No. 19-332.]

R277-407 School Fees

Rule R277-407 was amended to incorporate recommendations and feedback from the School Fees Work Group. The Committee approved Draft 2 on first reading.

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

MOTION was made by Member Lear and seconded to amend line 529 to insert the phrase, “in accordance with Subsection 53G-7-504(4),” before “based on the family...”

Motion to amend carried unanimously.

It was suggested that more clarification is needed about fee waivers for after school programs.

MOTION to amend was made by Member S. Hansen and seconded to delete lines 557-562 and renumber Subsection (1).

Motion to amend carried.

Motion, as amended, carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-333.]

R277-927 Teacher and Student Success Account (TSSA)

The Committee reviewed and approved Draft 1 of the rule on first reading.

MOTION from Committee that the Board approve R277-927 *Teacher and Student Success Account (TSSA)*, Draft 1, on second and final reading.

In response to Board member questions, Terry Shoemaker, Utah School Superintendents Association/Utah Schools Boards Association, was invited to comment. He indicated that the intent of the original legislation on TSSA was always to have preschool programs as an option for the use of those funds.

Motion carried, with Member Earl opposed; Member Neilson absent. [For additional details, see General Exhibit No. 19-334.]

Law and Licensing Committee Report

Committee Chair Carol Lear reported on the following items from the September 6, 2019 committee meeting. Details of items not reported will be included in the exhibits to the meeting summary. [For additional details, see General Exhibit No. 19-335.]

Lakeview Academy Request for Waiver

The Committee reviewed a request from Lakeview Academy for a waiver from Board rule R277-552-6(6) *Requests for a New Replication or Satellite School for an Approved Charter School* which terminates the charter approval should the requirements of the rule not be met within 36 months of approval. The school requested a waiver to allow for an August 2021 opening, which will exceed the 36 months.

MOTION from Committee that the Board approve the waiver from R277-552-6(6) for Lakeview Academy, as requested.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-336.]

R277-306 Student Support License Area Preparation Programs

New rule R277-306 was created in response to changes to educator licensing going into effect beginning with the 2020-21 school year. The Committee approved Draft 2 of the rule on first reading.

MOTION from Committee that the Board approve R277-306 *Student Support License Area Preparation Programs*, Draft 2, on second and final reading.

Motion carried unanimously; Member Neilson absent.

MOTION from Committee that the Board make a legislative ask for social workers licensed by the Utah Division of Occupational and Professional Licensing (DOPL) to draw funding for legislative salary adjustments and professional staff costs.

Motion carried unanimously; Member Neilson absent. [For additional details, see General Exhibit No. 19-337.]

Executive Session

MOTION was made by Member Huntsman 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 deployment of security personnel, devices, or systems.

Upon voice vote of Members Belnap, Boulter, Cannon, Cummins, Davis, Earl, Graviet, L. Hansen, S. Hansen, Haynes, Huntsman, Lear, Marsh and Newell, the Board went into closed executive session at 6:29 p.m.

Those present included the Members above and Jared Felt, Sean McHenry, Chuma Uzo, Matt Ferris, Scott Jones, Lorraine Austin, Michelle Beus, Bryan Quesenberry, Ben Rasmussen, Angie Stallings and Sydnee Dickson.

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 7:49 a.m.

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

Upon voice vote of Members Belnap, Boulter, Cannon, Cummins, Davis, Earl, Gravier, L. Hansen, S. Hansen, Haynes, Huntsman, Lear, Marsh and Newell, the Board went into closed executive session at 7:50 p.m.

Those present included the Members above and Sydnee Dickson, Scott Jones, Bryan Quesenberry, Michelle Beus, Lorraine Austin, and Zac Christensen.

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

Motion carried. The Board reconvened in open meeting at 8:56 p.m.

Executive Session Action Items

Actions on Educator Licenses

MOTION was made by Member Newell and seconded that in Utah Professional Practices Advisory Commission (UPPAC) Case 19-1612, the Board adopt the remand order.

Motion carried, with Member Lear abstaining due to a conflict of interest; Members Davis and Neilson absent.

MOTION was made by Member Newell and seconded that the Board accept the UPPAC recommendation in Case No. 13-1159 and reinstate the educator's Level 1 School Counselor (K-12) license.

Motion carried; Members Davis and Neilson absent.

MOTION was made by Member Newell and seconded that the Board accept the UPPAC recommendation in Case No. 18-1474 to issue a letter of reprimand in accordance with the Consent to Discipline, to be in place not less than three years from the date of Board action.

Motion carried; Members Davis and Neilson absent.

MOTION was made by Member Newell and seconded that the Board accept the UPPAC recommendation in Case No. 18-1530 to issue a letter of reprimand in accordance with the Consent to Discipline, to be in place not less than two years from the date of Board action.

Motion carried; Members Davis and Neilson absent.

MOTION was made by Member Newell and seconded that the Board accept the UPPAC recommendation in Case No. 18-1556 to suspend with conditions the educator's Level 2 Administrative/Supervisory (K-12) license for a period of not less than one year, in accordance with the Consent to Discipline.

Motion carried; Members Davis and Neilson absent.

MOTION was made by Member Newell and seconded that the Board accept the UPPAC recommendation in Case No. 18-1572 to issue a letter of reprimand in accordance with the Consent to Discipline, to be in place not less than one year from the date of Board action.

Motion carried, with Member Belnap opposed; Members Davis and Neilson absent.

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

Motion carried unanimously; Members Davis and Neilson absent.

[For additional details, see General Exhibit No. 19-338.]

Appointment to ACEESS

MOTION was made by Member Newell and seconded that the Board appoint Cuong Nyugen to its Advisory Committee on Equity of Educational Services for Students (ACEESS), representing Asian Americans, for a two-year term.

Motion carried; Members Davis and Neilson absent.

Board Chair's Report

Chair Huntsman thanked all who assisted staff and Board members on the UPPAC Task Force.

Adjournment

The meeting adjourned at 9:04 p.m.

Lorraine Austin, Board Secretary
Minutes approved November 7, 2019