

**UTAH STATE BOARD OF EDUCATION
MEETING MINUTES**

January 3-4, 2018

UTAH STATE BOARD OF EDUCATION MEETING – January 3, 2018

A meeting of the Utah State Board of Education was held January 3, 2018 at the State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair Mark Huntsman presided.

Members Present:

Chair Mark Huntsman	Member Linda B. Hansen
1 st Vice Chair Brittney Cummins	Member Carol Barlow Lear
2 nd Vice Chair Alisa Ellis	Member Scott B. Neilson
Member Laura Belnap	Member Kathleen Riebe
Member Michelle Boulter	Member Spencer F. Stokes
Member Janet A. Cannon	Member Terryl Warner
Member Lisa Cummins	Member Joel Wright
Member Jennifer Graviet	

Executive Staff Present:

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

Minutes taken by:

Lorraine Austin, Board Secretary

Other Present:

Wendy Hart; Anna Trevino—Utah County Academy of Science; Jan Ferre—Legislative Coalition for People with Disabilities; Crystal Young-Otterson—UCA; Greg Maughan, Leigh VandenAkker—East High School; Emilie Wheeler, Von Hortin, Natalie Grange, Deborah Jacobsen, Debbie Davis, Tiffany Stanley—USBE staff

Call to Order

Chair Mark Huntsman called the meeting to order at 8:04 a.m.

Executive Session

MOTION was made by Member Belnap and seconded by Member Cannon that the Board go into Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of individuals.

Upon voice vote of Members Belnap, Cannon, B. Cummins, Ellis, Graviet, Lear, Hansen, Huntsman, Riebe, Stokes and Warner, the Board moved into Executive Session at 8:05 a.m.

Others present included Members Lisa Cummins, Scott Neilson and Joel Wright, and Sydnee Dickson, Scott Jones, Emilie Wheeler, Lorraine Austin, Bryan Quesenberry, David Thomas, Michael Bell, and Dana Powers.

MOTION was made by Member Belnap and seconded by Vice Chair B. Cummins that the Board come out of Executive session.

Motion carried. The Board came out of Executive Session at 8:55 a.m.

Opening Business

The Board reconvened at 9:19 a.m. Member Scott Neilson led those present in the Pledge of Allegiance.

Board Member Message

Member Kathleen Riebe shared the poem, "Stardust," by Marcy Weaver. Member Riebe commented that the poem speaks to how important each member of our schools are and how important it is to enhance skills for every part of our schools and communities.

Introduction of New Employees

New employees Rebecca Nielsen, Hao Evans, Ron Litchfield, Scott Eddie, Tami Gear, Jennifer Slade.

Acknowledgment of Student Art Work

Fine Arts Specialist Cathy Jensen informed the Board about the art work hanging in the Board room by students from Edith Bowen Lab School, Bear River Charter School, and Lewiston Elementary School.

Education Highlight – East High School

Superintendent Sydnee Dickson reported that she recently visited East High School and commented about the many good things happening at the school, including an interesting class that she attended. She introduced East High Principal Greg Maughan and faculty member Leigh VandenAkker, who teaches the class, Techniques for Tough Times.

Seven current and former students of the class shared with the Board their positive experience in the class and how the skills and lifelong lessons they learned there—such as resiliency, compassion, leadership, communication, conflict resolution, respect and self-empowerment—helped them cope with difficult things they were encountering at the time and prepared them for the future. The students emphasized that the class, and “Miss V,” had changed their lives.

Ms. VandenAkker spoke on the importance of teaching social emotional skills in school so students can get through the obstacles they face, and mentioned it wouldn't be possible without a supportive principal. She invited Board members to attend the class.

Principal Maughan indicated the class has helped change the culture at East High and there have been decreasing incidents of discipline at school every year. It has had such a large impact that curriculum is being developed for a semester-long class for all 9th graders.

Public Comment

Heidi Matthews, President, Utah Education Association – stated that UEA's mission demands that they actively engage as stakeholders in a licensing system that sets the bar high and ensures that each and every child in Utah is taught by a qualified educator who is prepared to reach, teach and inspire their class on the very first day. She stated that UEA doesn't believe right now that setting a high bar is what Board rule R277-502 is prepared to do. UEA sent a letter to Board members yesterday detailing specific concerns with the rule, which were not addressed last month, as well as the legislative piece in H.B. 40 on educator licensing revisions. She expressed hope that today the Board would discuss those concerns.

Vince Newmeyer – shared an experience where his children brought home a biology textbook for their high school AP biology class that contained information counter to their

beliefs. He stated his understanding that the Board will be making a decision whether to align its testing with the Next Generation Science Standards. He asked them to consider adopting standards that include scientific data that speaks not just for the Darwinian paradigm, but also that speaks against Darwin. [For additional details see General Exhibit No. 18-1.]

Wendy Hart – asked that individuals that have concerns about current math standards be given a seat at the table to discuss the standards. She stated that frustration with math standards is a constant theme, and suggested that if given the time she can show that the 2007 math standards are better than the current standards. She also questioned the suggested cost of \$10 million to change the standards, mentioning that in 2010 when the standards were changed cost was never mentioned. She asked the Board to invite her and her colleagues for a longer discussion.

General Consent Calendar

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

Motion carried; Member Stokes absent.

General Consent Calendar

4.1 Approval of Minutes

The Board approved the minutes of its December 7-8 and December 18, 2017 meetings. [For additional details see General Exhibit No. 18-2.]

4.2 Approval of Contracts/Agreements over \$100,000

The Board approved contract and agreements with the following entities: American Institutes for Research (AIR); Department of Technology Services (DTS). [For additional details see General Exhibit No. 18-3.]

4.3 Review of Contracts/Agreements under \$100,000

The Board was provided with the following contracts/agreements under \$100,000 for review: Hanson Robokind & Intelligent Bots; The National Center for Improvement of Educational Assessment; Utah System of Higher Education;

IHC Health Services, Inc.; Department of Workforce Services (DWS); ACT, Inc.
[For additional details see General Exhibit No. 18-4.]

4.4 Instructional Materials

The Board adopted the recommendations of the Utah Instructional Materials Commission concerning instructional materials and directed staff to award contracts to the various publishers. [For additional details see General Exhibit No. 18-5.]

4.5 Educator Licensing Report

The Board was provided with a list of educator licenses processed in November 2017. [For additional details see General Exhibit No. 18-6.]

4.6 Requests for Temporary Authorizations

The Board approved temporary authorizations for educator licenses as requested by local education agencies. [For additional details see General Exhibit No. 18-7.]

4.7 Utah State University Data Sharing Agreement

The Board approved a data sharing agreement between the Board and Utah State University to provide student level, de-identified student information to USU to assist in its work of conducting an evaluation of USBE's Special Education Co-teaching Professional Development Program. [For additional details see General Exhibit No. 18-8.]

Monthly Budget Report

Assistant Superintendent Natalie Grange and Finance Director Deborah Jacobsen gave the budget report. They indicated there are no anomalies to report for the November 30 month end. At the end of November the Governor's office released the carryover amounts and those amounts are still being loaded.

Deputy Superintendent Scott Jones reported that in its meeting tomorrow, the Finance Committee will begin the process of determining the spend plan for the discretionary amounts. This is an opportunity for Board members to provide input on things they would like to have considered for the use of that money.

Superintendent Jones also reviewed the use of the land exchange money, and a recommendation that the money be used for program evaluation to further define outcome measures.

[For additional details see General Exhibit No. 18-9.]

Audit Committee Report/Recommendations

Former Committee Chair Terryl Warner reported on the following items from the December Audit Committee meeting.

Corrective Action Letter and Management Response Form

The Committee determined that rather than sending audit follow up to Board standing committees, following an audit, a letter will be sent to the affected local education agency with some suggestions for follow up. A template of the letter has been developed and will continue to be reviewed. [For additional details see General Exhibit No. 18-10.]

Changes to Audit Plan

MOTION from Committee that the Board approve the proposed changes to the USBE Internal Audit Plan. [For additional details see General Exhibit No. 18-11.]

Motion carried; Members Boulter and Stokes absent.

Finance Committee Report/Recommendations

Finance Committee Chair Joel Wright reported on the following items from the December 8, 2017 Committee meeting. Additional Committee items are contained in the Finance Committee Summary of Actions. [For additional details see General Exhibit No. 18-12.]

Common Data Committee Updates

Staff reviewed the Educator Salary Adjustment mid-year summary with the committee and requested guidance on three separate scenarios that occurred this year. For this adjustment, local education agencies (LEAs) submit certain materials to the Board in order for

the Board to pay bonuses to teachers as provided in statute. Due to confusion concerning the submission process to the CACTUS database, some educators eligible for the bonus were not paid.

MOTION from Committee that the Board authorize staff to run new CACTUS data pulls for the impacted LEAs in scenario one, using the reporting errors, and use the new data to calculate the amount due to the LEAs in the mid-year update from 2018.

Motion carried; Members Boulter and Stokes absent.

MOTION from Committee that the Board authorize staff to pay the LEAs for the teachers whose names were not submitted by the November 15 deadline in scenarios two and three.

Motion carried; Members Boulter and Stokes absent.

[For additional details see General Exhibit No. 18-13.]

R277-122 Board of Education Procurement

The Committee reviewed proposed amendments to R277-122 that would align the USBE procurement rule and the uniform guidance for federal procurement guidelines.

MOTION from Committee that the Board approve R277-122 *Board of Education Procurement*, as amended, on second reading.

Motion carried; Members Boulter and Stokes absent.

[For additional details see General Exhibit No. 18-14.]

Section Budget Reviews

The Board heard budget reports from the Assessment and Child Nutrition Programs sections. [For additional details see General Exhibit No. 18-15.]

MOTION from Committee that the Board approve the spend plan for the Assessment and Accountability Section.

Motion carried; Members Boulter and Stokes absent.

Workplace Harassment Prevention Policies and Procedures

Member Wright explained that in light of recent national events concerning sexual harassment claims, he asked for information to determine the history of settlements of sexual harassment claims with Board employees. It was reported that there have been no reported claims involving USBE employees in the last five years. [For additional details see General Exhibit No. 18-16.]

Law and Licensing Committee Report/Recommendations

Former Law and Licensing Committee Chair Linda Hansen reported on the following items from the December 8, 2017 Committee meeting. [For a summary of Committee actions see General Exhibit No. 18-17.]

Charter School Requests for Waivers from R277-519-4(1)(a) and R277-700-6

The Committee heard from representatives of Utah County Academy of Science (UCAS), Itineris Early College High School, the Academy of Math, Engineering and Science (AMES) and InTech Collegiate High School regarding their requests for waivers from Board rule.

MOTION from Committee that the Board approve waivers from Board rules R277-419-4(1)(a) *Minimum School Days, LEA Records, and Audits* and R277-700-6 *High School Requirements* as requested for Utah County Academy of Science and Itineris Early College High School.

Dr. Anna Trevino from UCAS reported that the two waivers the school's governing board is requesting will allow the school to waive a half credit of art and half credit of physical education in order to align with university standards which require one credit of physical education and one credit of art—the state requires 1.5 credits. In addition, the waiver will allow the school to align its schedule to the university schedule. The same reasons apply to the requests from the other schools.

Motion carried, with Member Lear abstaining; Members Boulter and Stokes absent.

MOTION from Committee that the Board waive R277-700-6 *High School Requirements* as requested for the Academy of Math, Engineering and Science and InTech Collegiate High School.

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

[For additional details see General Exhibit No. 18-18.]

R277-613 LEA Bullying, Cyber-bullying, Hazing, and Harassment Policies and Training

The Committee will hear additional information on R277-613 from the Bullying Prevention Work Group in its next meeting. [For additional details see General Exhibit No. 18-19.]

R277-482 Charter School Timelines and Approval Processes

The Committee reviewed proposed amendments to R277-482 to incorporate feedback from the Legislature's Administrative Rules Committee and approved the rule, as amended, on first reading.

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

Motion carried; Member Stokes absent. [For additional details see General Exhibit No. 18-20.]

Board Bylaws

MOTION from Committee that the Board approve the Board Bylaws, as amended, with the exception of Sections XI-B-5 and 6.

Motion carried; Member Stokes absent. [For additional details see General Exhibit No. 18-21.]

R277-515 Utah Educator Professional Standards

The Committee reviewed the rule and did not recommend additional changes. [For additional details see General Exhibit No. 18-22.]

R277-415 Standards for School Nurses

The Committee reviewed new rule R277-415 which provides standards and procedures for the Board to award ongoing funding to LEAs for school nurses.

The Committee approved R277-415 Revision 2 on first reading.

MOTION from Committee that Board approve R277-415 *Standards for School Nurses* Revision 2 on second and final reading.

Motion carried; Member Stokes absent. [For additional details see General Exhibit No. 18-23.]

Academic Pathway to Teaching – Summary Report

The Committee received the report. [For additional details see General Exhibit No. 18-24.]

Educator Licensing Revisions – R277-502 Rule Outline

The Committee reviewed a draft rule outline for the proposed licensing revisions based on feedback from stakeholders and staff recommendations regarding the implementation of the Board's new educator licensing proposal and gave feedback to staff.

Member Lear indicated there are a number of things she would like included in the outline. Chair Huntsman requested that she submit her proposed changes to the Board Executive Committee for assignment to a Board committee.

[For additional details see General Exhibit No. 18-25.]

Standards and Assessment Committee

Former Committee Chair Laura Belnap reported on the following items from the December 8, 2017 Committee meeting. [For a summary of committee actions see General Exhibit No. 18-26.]

R277-717 High School Course Grading Requirements

Staff presented clarifications to R277-717 suggested from a workgroup consisting of principals, representatives from the Board of Regents and several LEA curriculum directors.

The Committee reviewed R277-717 Revision 1, made additional amendments, and passed the rule on first reading.

MOTION from Committee that the Board approve R277-717 *High School Course Grading Requirements* Revision 2 on second and final reading.

Board members questioned whether the rule takes flexibility away from LEAs and narrows their options, and why a local board couldn't determine the comparability of courses.

Deputy Superintendent Patty Norman explained that there were many questions from LEAs regarding scholarships, replacing one course with another course that isn't the same, and how the replacement would be listed on the transcript, among others. Diana Suddreth, USBE Director of Teaching and Learning, added that curriculum directors have requested more clarity and consistency from one LEA to another.

MOTION TO AMEND was made by Member Belnap and seconded by Member Cannon that the Board direct staff to file the rule after July 1, 2018.

Motion to amend carried.

Motion as amended—to approve R277-717 Revision 2 and file after July 1, 2018—failed, with Members Cannon, Gravier and Lear in favor and all others opposed; Member Stokes absent.

MOTION was made by Member Lear and seconded by Member Gravier that the Board refer the rule back to the Standards and Assessment Committee for further discussion.

Motion failed, with Members Cannon, Gravier, Lear, Riebe and Warner in favor and all others opposed; Member Stokes absent.

MOTION was made by Member Belnap and seconded by Member L. Cummins that the Board approve R277-717 *High School Course Grading Requirements* Revision 1, on second and final reading.

Motion carried, with Members Belnap, Boulter, B. Cummins, L. Cummins, Ellis, Hansen, Huntsman, Neilson and Wright in favor, and Members Cannon, Graviet, Lear, Riebe and Warner opposed; Member Stokes absent. [For additional details see General Exhibit No. 18-27.]

R277-717 Frequently Asked Questions (FAQs)

The Committee reviewed a Frequently Asked Questions (FAQs) document prepared to answer questions about R277-717 and made additional suggestions for changes so the document would align with R277-717 Revision 2.

MOTION from Committee that the Board approve the R277-717 Frequently Asked Questions document, Version 2.

It was noted that with the passage of R277-717 Revision 1, FAQ Version 2 no longer aligns.

MOTION TO AMEND was made by Member Belnap and seconded that the Board amend R277-717 FAQ Version 2, Question 1 to read: "A comparable course must fulfill the same graduation course credit requirement as the original course."

Motion to amend carried.

Motion as amended carried; Member Stokes absent. [For additional details see General Exhibit No. 18-28.]

R277-404 Requirements for Assessments of Student Achievement

The Committee reviewed R277-404 Revision 2 and made additional amendments [to become Revision 3]. The Committee approved R277-404 Revision 2, with additional amendments, on first reading.

Motion from Committee that the Board approve R277-404 *Requirements for Assessments of Students Achievement* Revision 3 on second and final reading.

Motion carried; Members Neilson and Stokes absent. [For additional details see General Exhibit No. 18-29.]

R277-708 Enhancement for At-Risk Students

The Committee reviewed R277-708 Revision 1 and made additional amendments [to become Revision 2]. The Committee approved R277-708 Revision 1, with additional amendments, on first reading.

MOTION from Committee that the Board approve R277-708 *Enhancement for At-Risk Students* Revision 2 on second and final reading.

Motion carried; Members Neilson and Stokes absent. [For additional details see General Exhibit No. 18-30.]

R277-490 Beverley Taylor Sorenson Arts Learning Program (BTSALP)

The Committee reviewed proposed amendments to R277-490. The Committee approved and continued the rule, as amended, on first reading.

MOTION from Committee that the Board approve and continue R277-490 *Beverley Taylor Sorenson Arts Learning Program (BTSALP)*, as amended, on second and final reading.

Motion carried; Member Stokes absent. [For additional details see General Exhibit No. 18-31.]

R277-700 The Elementary and Secondary School General Core

The Committee reviewed amendments proposed in R277-700 Revision 1 and made additional amendments [to become Revision 2]. The Committee approved R277-700 Revision 1, with additional amendments, on first reading.

MOTION from Committee that the Board approve R277-700 Revision 2 on second and final reading.

MOTION TO AMEND was made by Member Hansen and seconded by Member Warner that the rule be amended as follows:

- Line 202 – Remove “Upon parental request an LEA may,” and insert, “An LEA may, with parental consent . . .”
- Line 209 – Delete “parent’s.”

Member Hansen explained that with the change parental consent would still be required, but it makes the rule more flexible so teachers and counselors would have the option to make a request. Member L. Cummins suggested expanding line 202 to be more inclusive.

MOTION TO AMEND THE AMENDMENT was made by Member Belnap and seconded by Member Neilson that Line 202 be further amended to read, "Upon parental or student request an LEA may . . ."

Motion to amend the amendment carried, with Members Belnap, Boulter, B. Cummins, L. Cummins, Ellis, Huntsman, Neilson, Stokes (by phone), Warner and Wright in favor, and Members Cannon, Graviet, Hansen, Lear, and Riebe opposed.

Motion to amend carried unanimously.

Motion to approve R277-700 Revision 2, as amended, on second and final reading carried, with Members Boulter, Ellis and Wright opposed.

[For additional details see General Exhibit No. 18-32.]

Alternate Science Standards for Grades 6-8

The Committee was presented with information regarding the Extended Core Science with Engineering Education (Extended Core SEEd Standards) for Students with Significant Cognitive Disabilities for Utah. [For additional details see General Exhibit No. 18-33.]

FY 2019 Budget Request

Deputy Superintendent Scott Jones discussed the Board's budget request that was forwarded to the Governor's Office. He reported that a comparison to the Governor's education budget request is being prepared and will be sent to Board members.

Superintendent Jones noted that staff have made it clear that the Board did request a 5.5 percent WPU increase at a minimum.

[For additional details see General Exhibit No. 18-34.]

School and Institutional Trust Lands Administration (SITLA) Board of Trustees

Nominating Committee Responsibilities

Jonathon Bates, Chair of the SITLA Board of Trustees Nominating Committee, was welcomed to the meeting. Deputy Superintendent Jones indicated there have been some questions about the process of appointments, composition, and responsibilities of the committee, and Chair Huntsman invited questions from Board members.

It was noted that the individual on the nominating committee from county commissions has changed every year, and that could lessen the effectiveness of the committee. Mr. Bates responded that the position is a four-year appointments, just as all the others, and the position does not necessarily have to be a member of a county commission. He indicated he will make note of it.

It was questioned whether a SITLA nominating committee member would be violating his/her fiduciary duty to take environmental concerns into account when making decisions. Mr. Bates replied that he thought not, and that all opportunities for revenue making opportunities for the trust should be weighed. It has been his experience that committee members take environmental issues and sustainability very seriously as they interview the candidates.

Mr. Bates informed that the nominating committee's primary role is to select board members to serve on the SITLA Board. Next year a strong chair of that board will be leaving, and the nominating committee's role in replacing him will be critical.

[For additional details see General Exhibit No. 18-35.]

Executive Session

MOTION was made by Member Belnap and seconded by Member Neilson that the Board go into Executive Session for the purpose of discussing the character, professional competence and physical or mental health of individuals.

Upon voice vote of Members Belnap, Boulter, Cannon, B. Cummins, L. Cummins, Ellis, Graviet, Hansen, Huntsman, Lear, Neilson, Riebe, Stokes, Warner and Wright, the Board went into Executive Session at 1:10 p.m.

Those present included all Board members above and Sydnee Dickson, Emilie Wheeler, Bryan Quesenberry, Lorraine Austin and Ben Rasmussen.

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

Motion carried. The Board reconvened in open meeting at 2:40 p.m.

Executive Session Action Items

Action on Educator Licenses

MOTION was made by Member Neilson and seconded by Member Ellis that the Board clear the background check in Utah Professional Practices Advisory Commission (UPPAC) Case No. 17-182.

Motion carried. Member Stokes absent.

MOTION was made by Member Neilson and seconded by Member Ellis that the Board clear the background check in Case No. 17-207.

Motion carried. Member Stokes absent.

MOTION was made by Member Neilson and seconded by Member Boulter that the Board accept the UPPAC recommendation in Case No. 16-1373 and issue a letter of reprimand and a one-year probation in accordance with the Consent to Discipline.

Motion carried; Member Stokes absent.

MOTION was made by Member Neilson and seconded by Member Boulter that the Board accept the UPPAC recommendation in Case No. 17-1392 and suspend the educator's Level 2 Secondary Education license for no less than two years consistent with the Consent to Discipline.

Motion carried; Member Stokes absent.

MOTION was made by Member Neilson and seconded by Member Belnap that the Board pull Case No. 18-1 from the UPPAC Consent Calendar for further review.

Motion carried; Member Stokes absent.

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

Motion carried; Member Stokes absent.

[For additional details see General Exhibit No. 18-36.]

Appointments

MOTION was made by Member Riebe and seconded by Member Lear that the Board appoint Member Cannon to the National Association of State Boards of Education (NASBE) Government Affairs Committee and Member Riebe to the NASBE Public Education Positions Committee.

MOTION was made by Member L. Cummins and seconded by Member Ellis that the motion be divided to vote on each committee appointment separately.

Motion to divide carried.

The motion to appoint Member Cannon to the NASBE Government Affairs Committee failed, with Members Cannon, Graviet, Hansen, Lear, Riebe and Warner in favor and all others opposed; Member Stokes absent.

Motion to appoint Member Riebe to the NASBE Public Education Positions Committee carried, with Member Ellis opposed.

MOTION was made by Member Stokes and seconded by Member L. Cummins that the Board appoint Member Boulter to the NASBE Government Affairs Committee.

Motion carried, with Member Riebe opposed.

SITLA Board of Trustees Nominating Committee Nominee for the Director of the School Children's Trust Section

MOTION was made by Member Cannon and seconded by Member Hansen that the Board authorize staff to make an offer to Craig H. Johnson to fill the position of Director of the School Children's Trust Section; that the negotiation as to this hire, including salary and benefits, be undertaken and directed by Deputy Superintendent of Operations Scott Jones pursuant to the policies and procedures established by the Board; and that the final notification of the outcome of the negotiations of the terms of employment be made to the Chair of the State Board of Education.

Motion carried unanimously. [For additional details see General Exhibit No. 18-37.]

Hurricane City Redevelopment Agency (RDA) Request

Deputy Superintendent Jones and Von Hortin, School Finance Specialist, provided information about a request from the taxing entity of the Hurricane City RDA for a ten-year extension of the project. The city, county and school district are all very favorable to the extension.

Some Board members questioned why the company shouldn't pay taxes. It was noted that the project will bring in a large number of new employees with wages that will be higher than the average wage in the area, and will provide a stimulus for the area.

MOTION was made by Member Riebe and seconded by Member Lear that the Board support the RDA's request.

Motion carried, with Members Ellis, Neilson and Wright opposed.

MOTION was made by Member Stokes and seconded by Member Boulter that the Board authorize its representative to the taxing entity committee to vote consistent with the school district concerning the extension.

Motion carried, with Member Wright opposed. [For additional details see General Exhibit No. 18-38.]

USBE Strategic Plan

Superintendent Dickson updated the Board on the work of staff on the Strategic Plan to reformat it and add actions. She indicated the Strategic Plan is well integrated into their conversations and drives the work of staff. [For additional details see General Exhibit No. 18-39.]

Legislative Policy/Statutory Priorities

Jill Curry, USBE Fiscal Policy Analyst, brought forth a proposal from a working group of the Law and Licensing Committee that the Board consider moving the Education Contracts budgetary line item into the Related to Basics line item under the Minimum School Program

(MSP). She explained that two distinct programs are contained within the Education Contracts line item—Youth Center and Corrections Institutions.

Youth Center is the program that provides funding to children at the Utah State Hospital in Provo. The Board contracts with Provo School District to provide an educational program for all school age children at the State Hospital's Oak Springs School. Under the proposed change this funding would be placed under the MSP within the Youth in Custody program.

The Corrections Institutions program provides funding for Utah school districts and other education institutions that have correctional facilities within their boundaries to provide educational services for inmates. Under the proposed change this funding would be moved under the MSP within the Adult Education program.

Ms. Curry explained that the Board currently contracts with Provo School District to provide education for school-age children at the State Hospital, and Provo has indicated it intends to discontinue its contract with the Board because the district does not receive enough money to cover its costs to provide those services. Appropriations for Education Contracts over time have been relatively flat. There would be a benefit to moving the items because both the Youth in Custody and Adult Education programs receive increases for growth.

It was suggested that if the change is made, Youth in Custody may not be an appropriate name for that category.

MOTION was made by Vice Chair B. Cummins and seconded by Member Boulter that the Board direct its staff to work with the Office of the Legislative Fiscal Analyst and the Public Education Appropriations Subcommittee to move the Education Contracts budgetary item into the Minimum School Program under the Related to Basic line item as outlined; in addition, if the change is made, to consider requesting a name change for the Youth in Custody line item.

Motion carried; Members Neilson and Riebe absent.

Policy Analyst Tiffany Stanley reviewed resources on the legislature's website for finding bills, calendars and agendas for legislative meetings.

Superintendent Dickson and Assistant Superintendent Natalie Grange appraised the Board concerning fiscal notes on bills. The requirement for fiscal note turnaround is very fast, and there may be costs in a bill that the Board hasn't had a chance to discuss. In addition,

although staff submit fiscal impacts, taking into consideration impacts on LEAs, the Legislative Fiscal Analyst's Office does not have to accept those fiscal notes, and has the final decision. Therefore, in some cases, the fiscal impact is not entirely reflective of what Board staff submitted.

[For additional details see General Exhibit No. 18-40.]

Superintendent's Report

Superintendent Dickson commented about student voice and thanked Member Riebe for her message this morning on how we help every student succeed. She has been focused on listening to student voices and incorporating them into the work of the office. She shared examples from three letters received from students during the month of December which helped her think about how to better incorporate student voices and utilize them differently.

Board Chair's Report

Chair Huntsman reminded Board members of their financial disclosures due to the Lieutenant Governor's Office by January 10. Board members will also need to submit the Board's internal conflict of interest form. That form will be distributed prior to the Board's February 1 meeting.

Chair Huntsman reiterated that when the legislature is in session work is very fast-paced for the Board's staff.

Finally, Chair Huntsman expressed appreciation to Board members for their past year of service.

Board Member Comments

Member Riebe stated that it has been a great year for her and she has enjoyed visiting schools, going to local board meetings, and town and city council meetings. It has been exciting to see the relationships between local boards and city councils and to join in as a State Board member. Her goal this year is to visit every one of the schools in her district. She encouraged Board members to visit students that are not in their neighborhoods.

Member Hansen reported that she recently attended a new school opening in Tooele School District and it was great experience to see how excited the teachers were.

Member Wright Joel reported that he recently participated in a program called Watch Dogs that is focused on dads getting to spend time in schools. He went for a day to be a watch dog at Cedar Elementary and it was a really fun, extraordinary experience.

Adjournment

MOTION was made by Member Riebe and seconded by Member L. Cummins that the meeting adjourn.

Motion carried. The meeting adjourned at 3:10 p.m.

UTAH STATE BOARD OF EDUCATION STUDY SESSION – January 4, 2018

A study session of the Utah State Board of Education was held January 4, 2018 at the Utah State Board of Education Building, 250 East 500 South, Salt Lake City, Utah. Chair Mark Huntsman presided.

Board members attending included Chair Mark Huntsman, Vice Chair Brittney Cummins, Vice Chair Alisa Ellis, and Members Laura Belnap, Michelle Boulter, Janet Cannon, Lisa Cummins, Jennifer Graviet, Linda Hansen, Scott Neilson (by phone), Spencer Stokes, Terry Warner and Joel Wright (by phone). Members Lear and Riebe were excused.

Others attending included: Sydnee Dickson, Patty Norman, Tiffany Stanley, Emilie Wheeler, Lorraine Austin, Amy Hanson—USBE staff; Assistant Attorneys General Bryan Quesenberry and David Thomas; Royce Van Tassel—Utah Association of Public Charter Schools; Danell Mieure—USBE Advisory Committee on Equity of Educational Services for Students (ACEESS).

Chair Mark Huntsman called the meeting to order at 1:55 p.m.

Utah Open and Public Meetings Act

Assistant Attorney General David Thomas provided the annual training, as required by statute, on the Open and Public Meetings Act (UCA 52-4-101). [For additional details see General Exhibit No. 18-41.]

Board members discussed email communications between all Board members and what is appropriate within the law. They were cautioned to be careful when communicating with a quorum of the Board through email that the comments don't veer into discussions that should be held in an open meeting. They were also cautioned that inviting conversation through email could be a violation.

Report on the Initial Draft of Utah's Every Student Succeeds Act (ESSA) Plan

Deputy Superintendent Patty Norman, Policy Analyst Tiffany Stanley, and Public Information Officer Emilie Wheeler updated the Board on the feedback from the U.S.

Department of Education on the ESSA State Plan submitted by the Board. The Board was reminded that the plan only includes the minimum requirements.

Staff presented possible actions the Board could take to address the requirements and the Board discussed the options. This item will come back to the Board in its February 1 meeting for action as the plan must be submitted by February 17.

It was suggested that Board leadership inform legislative leadership of the vote that will be taking place in February.

[For additional details see General Exhibit No. 18-42.]

Adjournment

MOTION was made by Member Boulter and seconded by Member Cannon that the meeting adjourn.

Motion carried. The meeting adjourned at 3:30 p.m.

Lorraine Austin, Board Secretary
Minutes approved February 1, 2018