



Utah State Board of Education

Meeting Minutes

August 3, 2023, Board Meeting

9:00 AM. – 10:00 PM.

A regular [Utah State Board of Education meeting](#) was held on September 7, 2023. Chair Moss presided. As Utah Code 52-4 authorized, this meeting was held at the state board offices, 250 E. 500 S, Salt Lake City, Utah. The public can view the discussion through live YouTube streaming.

MEMBERS OF THE PUBLIC MAY VIEW THE MEETING LIVE AT

<https://www.youtube.com/c/USBEMedia>

Members Present

Board Chair James Moss

First Vice-Chair Molly Hart

Second Vice-Chair Jennie Earl

Member Kristan Norton

Member Natalie Cline

Member LeAnn Wood

Member Cindy Davis

Member Emily Green

Member Carol Barlow Lear

Member Matt Hymas

Member Christina Boggess

Member Randy Boothe

Member Brent J. Strate

Member Joseph Kerry

Member Sarah Reale

Executive Staff Present

Sydney Dickson, State Superintendent

Chief of Staff Sarah Young

Patty Norman, Deputy Superintendent

Scott Jones, Deputy Superintendent

Angie Stallings, Deputy Superintendent

Kelsey James, Board Communications Coordinator

Minutes were taken by:

Cybil Child, Executive Assistant

Executive Staff Present

Sydney Dickson, State Superintendent

Chief of Staff Sarah Young

Patty Norman, Deputy Superintendent

Minutes were taken by:

Cybil Child, Executive Assistant

Scott Jones, Deputy Superintendent
Angie Stallings, Deputy Superintendent
Kelsey James, Board Communications Coordinator

Other Present

Robert McDaniel, Jay Blain, Melanie, Melanie Mortenson, Rhonda, Bromley, Tiffanie Miley, Kyle Campbell, Amber Bonner, Adam Huffaker, Julie Huffaker, Laurel Fetzer, April Despain, and Monica Wilbur.

Opening Business

Chair Moss called the meeting to order and roll call at 9:02 AM.

Board Member Message

Board Member Emily Green offered inspirational thoughts and welcoming thoughts for September.

Education Highlight

The Board Communication Coordinator, Kelsey James, presented the September education highlight. Quinn Kellis, Technology Supported Learning (TSL) Coordinator, introduced the below Directors.

Dwight Liddiard, Director of the UAESP, will read a short bio for the awardees.

Elementary Principals of the Year

- Christine Christensen
- Adam Huffaker

Rhonda Bromley, Director of the UASSP, will read a short bio for the awardees.

Secondary Principals of the Year

- Rob McDaniel, Granite SD
- Kyle Campbell, Washington SD
- Tiffanie Miley, Nebo SD

Public Comment for USBE

The public is welcome to send written comments to publiccomment@schools.utah.gov.

- Public comments are limited to 2 minutes per person.
- A comment can express support or dissent for regulatory action.
- Individuals should not use a public comment to complain about personnel issues or attack or defame an individual.
- Speakers making a highly detailed or complex comment should also consider providing a written outline of their words to the Board.
- Please remember that children may hear your comments. Be thoughtful and professional.
- Keep your comments appropriate for a general audience. If you have material with explicit language or content, submit such material in writing to the Board at publiccomments@schools.utah.gov

The State Board of Education heard public comments from the following individuals:

Lexi Cunningham, Jay Blain, Corey Fairholm, Mark Mason Taylor, Amber Bonner, Monica Wilbur, Briawna Hugh, Laurel Fetzer, April Wilde Despain, Nicholas Willis, and Cheryl Runs.

Finance Committee Report/Recommendations (Items duplicated from the August 4, 2023 meeting)

R277-484, Data Standards (Amendment)

MOTION was made by Member Norton that the Board approves R277-484, Data Standards, Draft 2, on the second and final reading.

The motion carried with Member Cline opposed.

MOTION TO AMEND was made by Member Boggess and seconded by Member Cline that the Board amends R277-484 Line 19 to add at the end" so that data collection is opt-in only."

The motion to amend failed with Members Boggess, Cline, Green, and Kerry in

favor and Members Boothe, Davis, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood opposed.

R277-629, Paid Professional Hours for Educators (Amendment)

MOTION was made by Member Norton that the Board approve R277-629, Paid Professional Hours for Educators, Draft 1, on the second and final reading.

The motion carried with Member Cline opposed.

R277-701, Early College Programs (Amendment)

MOTION was made by Member Norton that the Board approve R277-701, Early College Programs, Draft 1, on the second and final reading.

The motion carried with Members Boggess, Cline, and Green opposed.

MOTION TO AMEND was made by Member Boggess and seconded by Member Cline to add a definition of “student groups,” which means the same as the term defined in Section R277-920-5.

The motion failed with Members Boggess, Cline, and Green in favor and Members Boothe, Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss opposed.

CALL THE QUESTION

The motion carried with Members Boothe, Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Boggess, Cline, and Green opposed.

R277-439, Prevention Block Grant Program (New)

MOTION was made by Member Norton that the Board approves R277-439, Prevention

Block Grant Program, Draft 2, on the second and final reading.

The motion carried with Members Boothe, Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Boggess, Cline, and Green opposed.

Voted and Board Analysis and Recommendation(s)

MOTION was made by Member Norton that the Board approves the Voted and Board Workgroup recommendations and directs staff to:

1. Consolidate Voted and Board calculations into a single spreadsheet tab.
2. Create a funding/policy request to:
 - a. Consolidate state funding allocations from six to two, and
 - b. Base program calculations on two-year-prior tax rates and collections.

The motion carried with Member Green opposed.

MOTION TO AMEND was made by Member Norton and seconded by Member Lear that the Board add a Subsection (2)(c) to the funding/policy request to include the following: c. that provides \$66M of one-time funding so that districts are held harmless from any loss of funds due to changes in funding/policy related to the Voted and Board program.

MOTION was made by Member Davis and seconded by Member Green that the Board postpone the above motion to amend item 12.1.

The motion carried with Members Boggess, Boothe, Cline, Davis, Earl, Green, Hart, Kerry, Wood, and Moss in favor and Members Hymas, Lear, Norton, Reale, and Strate opposed.

Intensive Services Program Sunset Recommendation

MOTION was made by Member Norton that the Board does not oppose the repeal of 53F-2-420.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member

Lear that the Board directs staff to communicate to Legislators that special education intensive services needs are still present, but because the specific program logistics related to the Intensive Services Pilot Program are problematic, the Board supports a sunset of the Program.

The motion passed unanimously.

Regional Education Service Agency (RESA) Funding Request for Early Learning Instructional Coaching

MOTION was made by Member Norton that the Board approves one-time funds from the tax-delay balances in the amount of \$267,000 for the purpose of the SESC RESA hiring or retaining two literacy coaches for SFY24.

The motion carried with Member Cline opposed.

Law and Licensing Committee Report/Recommendations (Items duplicated from the August 4, 2023 meeting) Committee Chair Matt Hymas

Research Data Sharing Agreement with the University of Virginia (USBE230075RA)

MOTION was made by Member Hymas that the Board approve the research data sharing agreement with researchers at the University of Virginia.

The motion carried with Members Green, Boggess, and Cline opposed.

R277-927, Teacher and Student Success (Amendment)

MOTION was made by Member Hymas that the Board approve R277-927, Teacher and Student Success, Draft 1, on the second and final reading.

The motion carried with Members Green and Cline opposed.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board amend the board rule to strike 43.5% and replace with 55% on line 155 and strike 46% and replace with 57% on line 157.

The motion failed with Members Boggess, Cline, and Green in favor and Members Boothe, Davis, Earl, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss.

R277-419, Pupil Accounting (Amendment)

MOTION was made by Member Hymas that the Board approves R277-419, Pupil Accounting, Draft 1, on the second and final reading.

The motion carried with Members Boggess, Cline, and Green opposed.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board delete the definition of “educational services” in lines 45-51 and replace the term with “academic instruction” throughout the rule.

The motion failed with Members Boothe, Davis, Earl, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Boggess, Cline, and Green opposed.

SUBSTITUTE MOTION was made by Member Cline and seconded by Member Boggess that the Board sunset the Board rule R277-419.

The motion failed with Member Cline opposed.

SUBSTITUTE MOTION was made by Member Cline and seconded by Member Green that the Board direct staff to return the Board rule R277-419 to a committee for further amendments. The motion failed with Members Boggess, Cline, Earl, Green, and Hymas in favor and Members Boothe, Davis, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss opposed.

MOTION TO AMEND was made by Member Boggess and seconded by Member Green “to clarify what and LEA may/must do to qualify for the funding for the minimum days/hours”.

The motion failed with Members Boggess, Boothe, Cline, Earl, Green, and Wood in favor and Members Davis, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, and Moss opposed.

R277-620, Suicide Prevention Programs (Amendment & Continuation)

MOTION was made by Member Hymas that the Board continue and approve R277-620, Suicide Prevention Programs, Draft 2, on the second and final reading.

SUBSTITUTE MOTION was made by Member Earl and seconded by Member Hart that the Board approve Draft 3, on the second and final reading.

The motion carried with Member Cline opposed.

R277-922, Digital Teaching and Learning Grant Program (Amendment)

MOTION was made by Member Hymas that the Board approve R277-922, Digital Teaching and Learning Grant Program, Draft 1, on the second and final reading.

The motion, as amended, carried with Member Cline opposed.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board strike the words “not required to implement” and replace them with “prohibited from implementing.”

The motion failed with Members Boggess, Cline, and Green in favor and Members Boothe, Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss opposed.

The Board directed staff to research all the areas in the Board rule and Utah Code provisions in which technology affects K-4 students.

R277-474-5, School Instruction and Sex Education (Amendment)

MOTION was made by Member Hymas that the Board approve R277-474-5, School Instruction, and Sex Education, Draft 1, on the second and final reading.

The motion passed unanimously. Members Kerry and Moss were absent from the vote.

R277-700-7, The Elementary and Secondary School General Core (Amendment)

MOTION was made by Member Hymas that the Board approve R277-700-7, The Elementary and Secondary School General Core, Draft 3, on the second and final reading.

SUBSTITUTE MOTION was made by Member Wood and seconded by Member Reale that the Board approves R277-700-7, Draft 4, on the second and final reading.

MOTION TO AMEND was made by Member Boggess and seconded by Member Green that the Board strikes lines 11-16 and replace with (4) An LEA may engage consistent with Section 53G-6-803 and Subsection 53G-10-205(2)(b).

The motion failed with Boggess, Cline, and Green in favor and Members Boothe, Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, and Wood opposed. Member Moss was absent.

The final motion, as amended, carried with Members Boothe, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, and Wood in favor and Members Cline, Boggess, Davis, and Green opposed. Member Moss was absent.

CALL THE QUESTION

Members Boothe, Davis, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale, Strate, and Wood were in favor, and Members Boggess, Cline, and Green opposed.

R277-415, School Nurses Matching Fund (Amendment)

MOTION was made by Member Hymas that the Board approve R277-415, School Nurses Matching Fund, Draft 1, on the second and final reading.

The motion passed unanimously. Members Moss and Reale were absent from the vote.

R277-437, Open Enrollment (Continuation)

MOTION was made by Member Hymas that the Board continue R277-437, Open Enrollment, on the second and final reading.

The motion passed unanimously. Member Moss was absent from the vote.

Board Policy 5003, Student Data Policy Advisory Group (Amendment)

MOTION was made by Member Hymas that the Board approve the amendments to Board Policy 5003, Student Data Policy Advisory Group.

MOTION TO AMEND was made by Member Boggess and seconded by Member Wood that the Board amend the Board policy 5003 as follows: strike “being excused by” on line 72 and replace with “providing notice to.”

The motion carried with Members Boggess, Boothe, Cline, Davis, Earl, Green, Hart, Hymas, Kerry, Lear, Reale, and Wood in favor, and Members Strate and Norton opposed. Member Moss was absent from the vote.

The final motion carried with Members Strate and Cline opposed. Member Moss was absent from the vote.

R277-626, Special Needs Opportunity Scholarship Program (Amendment)

MOTION was made by Member Hymas that the Board approve R277-626, Special Needs Opportunity Scholarship Program, Draft 1, on the second and final reading.

The motion carried with Member Boggess opposed.

R277-718, Out-of-School Time Program Quality Improvement Grants (Continuation)

MOTION was made by Member Hymas that the Board continue R277-718, Out-of-School Time Program Quality Improvement Grants, on the second and final reading.

The motion carried with Members Cline and Boggess opposed.

R277-552, Charter School Timelines and Approval Processes (Amendment)

MOTION was made by Member Hymas that the Board approve R277-552, Charter School Timelines and Approval Processes, Draft 1, on the second and final reading.

The motion passed unanimously.

Board Policy 1004, Advisory Groups

MOTION was made by Member Hymas that the Board approve Board Policy 1004, Advisory Groups, Draft 2.

The motion carried with Members Strate and Davis opposed.

Standards and Assessment Committee Report/Recommendations (Items duplicated from the August 22, 2023 meeting) Committee Chair Randy Boothe

Annual Core Standards Cueing Process

MOTION was made by Member Boothe that the Board approve the mathematics standards using the approved process for standards revision.

SUBSTITUTE MOTION was made by Member Cline and seconded by Member Earl that the Board direct staff to commence the mathematics standards review process using the board-approved process for standards revision.

The motion passed unanimously.

R277-406, Early Learning Program and Benchmark Assessments (Amendment)

MOTION was made by Member Boothe that the Board approves R277-406, Early Learning Program and Benchmark Assessments, Draft 1, on the second and final reading.

The motion carried with Member Cline opposed.

R277-489, Kindergarten Programs and Assessment (Amendment)

MOTION was made by Member Boothe that the Board approve R277-489, Kindergarten Programs and Assessment, Draft 1, on the second and final reading.

The motion passed unanimously.

R277-419-4, Pupil Accounting (Amendment)

MOTION was made by Member Boothe that the Board approves R277-419-4, Pupil Accounting, Draft 1, on the second and final reading.

The motion carried with Member Cline opposed.

CALL THE QUESTION was made by Member Davis and seconded by Member Lear.

The motion carried with Members Boggess and Cline opposed.

Core Guides Process Update

MOTION was made by Member Boothe that the Board approve the revised Core Guide development process and review checklist.

The motion carried with Members Boggess, Cline, and Green opposed.

SUBSTITUTE MOTION was made by Member Boggess and seconded by Member Cline that the Board recall the Core Guides and discontinue their dissemination.

The motion failed with Members Cline, Boggess, and Green in favor.

MOTION TO AMEND was made by Member Cline and seconded by Member Boggess that the Board add a step for the final Board approval of Core Guides before publication.

The motion failed with Members Boggess, Cline, and Green in favor.

Utah Schools for the Deaf and the Blind (USDB) Board Meeting

Billing Contracts for Canyons, Granite, and Tooele School Districts

MOTION was made by Member Boothe and seconded by Member Hart that the Board approve (3) District Billing contracts for Canyons, Granite, and Tooele School Districts.

The motion passed unanimously.

Monthly Budget Update (Period 13) as of June 30, 2023

Carl Empey, Finance Director, provided board members with a monthly budget update (Period 13) ending June 30, 2023.

Monthly Budget Update as of July 31, 2023

Carl Empey, Finance Director, provided board members with a monthly budget update as of July 31, 2023.

Jean Massieu School of the Deaf (JMS) Division Report

Dr. Michelle Tanner, Associate Superintendent of the Deaf, provided board members with a JMS division report.

Superintendent's Report

Employee Recognition

The State Superintendent recognized Jodi Parker as the July Employee of the Month and Claudia Duque and Toni Peterson as the August Employee of the Month.

Acknowledgment of Student Artwork

USBE Program Specialist II for Fine Arts, Music, and Theatre Karen Tolley presented the student artwork.

New Employee Introductions

Michelle Watts, HR Director, introduced the USBE new employees: Maggie Cummings, Kelsey Gressmen, Julie Lundell, Kelsey McKnight, Jeff Wilcox, Nicole Sanchez, Holly Korous, Cory Starley, April Painter, Kaisa Anderson, Nivedha Murthy, Dina Wecker, Lindsay Baird, Megan Carlisle, Amy Fuller, Melinda Sieng, Jordan Green, Katie Jones, Riley Haug, Jamie Workman, Brittani Taylor, Jake Dick, Katie McLaughlin-Tutton, and Lorraine Traughber.

Superintendent's Report

Superintendent Dickson shared her monthly education report.

Monthly Budget Report

Deputy Superintendent of Operations Scott Jones presented the Board of Education's monthly budget report. In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education provided information on the status of funds for their internal budgets.

Discretionary Funds Report

Deputy Superintendent of Operations Scott Jones presented the Board of Education discretionary fund report. Deborah Jacobson, Assistant Superintendent, updated the Board on the FY2023 P-12 Discretionary Funds account. Per the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education is provided with the status of the funds.

2024 General Session Legislation Preparation

Process for Board-Requested Legislative Funding

MOTION was made by Member Norton and seconded that the Board moves to add the following to the list of board-supported legislative funding requests for the 2024 legislative session: a one-time \$66 Million Voted and Board Program funding request to hold LEAs harmless from any loss of funds due to changes in policy related to the Voted and Board program.

The motion passed unanimously.

MOTION was made by Member Davis and seconded by Member Hart that the Board moves to add the Platform to Support Implementation of Library and Classroom Library

Materials Transparency and Educator Salary Adjustment Revision request (Option 2) to the list of Board-supported legislative funding requests for the 2024 legislative session.

The motion passed unanimously.

MOTION TO DIVIDE was made by Member Boggess and seconded by Member Boothe.

That motion failed with Members Boggess, Boothe, Cline, Earl, and Green in favor and Members Davis, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood opposed.

MOTION was made by Member Strate and seconded by Member Boothe that the Board add the 13.5% WPU increase, as suggested by JLC, to the list of board-supported legislative funding requests for the 2024 legislative session.

The motion failed with Members Boothe, Davis, Lear, Reale, Strate, and Wood in favor.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member Strate moves to set the WPU increase at 9.5%, which is in addition to the 4% inflationary factor increase, in alignment with JLC on the list of Board-supported legislative funding requests for the 2024 legislative session.

The motion failed with Members Boggess, Cline, Earl, Green, and Hart in favor.

MOTION was made by Member Boggess and, seconded by The Board, directs staff to develop a legislative funding request for the 2024 legislative session to request funding to provide LEAs with funding for functional behavior assessments and the implementation of associated behavior intervention plans.

The motion carried with Member Cline opposed. Members Hymas, Kerry, and Moss were absent.

MOTION was made by Member Wood, and seconded that the Board moves to add the USIMAC On-going Funding and USDB paraeducators to the list of Board-supported legislative funding requests for the 2024 legislative session.

The motion passed unanimously.

MOTION was made by Member Davis and Strate that the Board moves to add the support for Drivers Education to the list of Board-supported legislative funding requests for the 2024 legislative session.

The motion carried with Members Boggess, Boothe, Davis, Green, Hymas, Lear, Reale, and Strate in favor and Members Cline, Earl, Hart, Norton, and Wood opposed.

MOTION was made by Member Boothe and seconded by Member Strate support for Professional Outreach Programs in the Schools Increase to the list of board-supported legislative funding requests for the 2024 legislative session.

The motion carried with Members Boggess, Cline, and Green opposed.

MOTION was made by Member Reale, and Strate moves to add the support for Dual Language Immersion to the list of Board-supported legislative funding requests for the 2024 legislative session.

The motion carried with Members Cline and Boggess opposed.

MOTION was made by Member Strate and Hymas that the Board add the support for the Grow Your Own Educator Pipeline Program to the list of Board-supported legislative funding requests for the 2024 legislative session.

The motion carried with Members Boggess, Green, and Cline opposed.

MOTION was made by Member Davis and seconded by Member Reale that the Board have the opportunity to prioritize a top 12 in lieu of a top 10.

The motion carried with Members Cline and Wood opposed.

Requests for Statutory Changes

MOTION was made by Member Earl and seconded by Member Boggess that the Board approves the list minus #2.

1) Amend Section 53G-9-703 to allow local education agencies to offer a seminar for parents related to student mental health, bullying, and safety (safety seminar) on a Saturday and permit the school district or charter school to offer a safety seminar through a virtual platform.

3) Amend 53G-10-503 to increase the driver's Education Reimbursement cap from \$100 to \$150 and remove language that would prevent LEAs from using surplus funding to subsidize driver education.

4) Amend sections 53G-8-403, 53E-3-516, 80-6-103, 53F-2-410 to clarify and provide suggested language modification to the legislation enacted by the 2023 HB 304 in regards to the Reintegration Plan, Superintendent's Designee, and reporting dates to allow for reporting with current data rather than lag data.

5) Amend Utah code Section 53E-3-503 to change the terminology from Youth in Custody to Youth in Care to better align with the partnering state agency's terminology.

6) Amend Utah code Section 53F-2-506 to remove language that requires the BTS Arts funding to be supplantive.

7) Amend Utah code Section 53G-7-1206 to remove Charter School Authorizers from the approval process and add the LEA business administrator to the approval process for a charter trust land council's LAND trust plan.

The motion carried with Members Cline, Boggess, and Green opposed.

MOTION TO DIVIDE THE LIST

The motion failed with Members Green, Cline, and Boggess in favor.

2) Amend Section 53G-7-1202 to codify the current exemptions for staffing a school community council outlined in R277-491-3(5)(a-b). These exemptions allow for the creation of School LAND Trust Community Councils in areas where the school district is the largest employer or where students are transient and meeting current code requirements is

impossible. This is a refile of the 2023 HB 306.

The motion carried with Members Boggess, Cline, and Earl opposed.

MOTION was made by Member Norton and seconded by Member Lear that the Board directs staff to work with the legislature to amend provisions in the Statewide Online Education Program to allow the Board to make rules to determine the percentage of total SOEP funds to allocate to the various SOEP programs, including establishing a guaranteed or minimum amount of funds to support K-12 public high schools and to sustain the flow of funding in the SOEP program for students in Utah public schools during fluctuations in the economy and higher demands for SOEP courses.

The motion failed Members Boggess, Cline, Earl, Green, and Hymas opposed and Members Boothe, Davis, Lear, Norton, Reale, Strate, and Wood in favor.

MOTION was made by Member Boggess and seconded by Member Cline that the Board directs staff to work with the Legislature to amend Section 53G-6-803 to prohibit an LEA from requiring a student to take a local assessment (e.g., MAPS) either as a stand-alone assessment or following a student or parent's request to opt-out of a statewide assessment (e.g., RISE).

The motion failed with Members Boggess, Cline, and Green in favor and Members Boothe, Earl, Davis, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood in favor.

MOTION was made by Member Davis, and it was seconded that the Board directs staff to work with the Legislature to combine the Carson Smith Scholarship Program and the Special Needs Opportunity Scholarship Program (SNOPS) by rolling the SNOPS program into the Carson Smith Scholarship Program.

The motion carried with Members Boothe, Davis, Hart, Hymas, Lear, Norton, Reale, Strate, and Wood in favor and Members Boggess, Earl, and Green opposed. Member Cline abstained.

MOTION was made by Member Lear and seconded by Member Boothe that the Board directs staff to work with the Legislature to amend Subsection 53E-9-302(3) to consolidate the student data policy advisory groups into one student data policy advisory group.

The motion passed unanimously.

MOTION TO RECONSIDER was made by Member Hymas, and it was seconded that the Board reconsider the SOEP Policy Request.

The motion carried with Members Cline, Boggess, Green, and Earl opposed.

MOTION was made by Member Norton and seconded by Member Lear that the Board directs staff to work with the legislature to amend provisions in the Statewide Online Education Program to allow the Board to make rules to determine the percentage of total SOEP funds to allocate to the various SOEP programs, including establishing a guaranteed or minimum amount of funds to support K-12 public high schools and to sustain the flow of funding in the SOEP program for students in Utah public schools during fluctuations in the economy and higher demands for SOEP courses.

The motion carried with Members Boggess, Cline, Earl, and Green opposed.

MOTION was made by Member Boggess and seconded by Member Cline that the Board directs staff to work with the Legislature to amend Section 53E-3-511 to prohibit the Board from measuring student non-academic knowledge, skills, and dispositions or competencies as part of the Board's Student Achievement Backpack data collection system.

The motion failed with Members Boggess, Cline, Earl, Green, and Wood in favor and Members Boothe, Davis, Hymas, Lear, Norton, Reale, and Strate opposed. Member Hart abstained.

MOTION was made by Member Wood and seconded that the Board direct staff to work with the Legislature to amend provisions in Section [53G-10-205](#) to be consistent with the provisions of Section [53G-6-801](#) and [53G-6-803](#), including renumbering 53G-10-205 to be moved into [Title 53G, Chapter 6, Part 8, Parental Rights](#).

The motion carried with Members Boggess, Cline, and Green opposed. Member Hart abstained.

General Consent Calendar

Member Kerry asked to pull item 13.1. Member Boggess asked to pull 13.3 and 13.11.

MOTION was made by Member Davis and seconded by Member Lear that the Board shorten Performance Measures from the September 8 board meeting from 1:30 – 2:30 to postpone the remainder of tonight's agenda items to tomorrow afternoon's agenda from 2:30 – 4:00.

MOTION TO ADJOURN was made by Member Strate.

The motion to adjourn failed with Members Cline, Davis, Kerry, and Strate in favor and Members Boothe, Earl, Green, Hart, Norton, Reale, Wood, and Moss opposed. Members Boggess and Lear abstained.

MOTION was made by Member Boothe and seconded that the Board approve the consent calendar, as amended.

The motion carried with members Boggess, Cline, and Green opposed.

MOTION was made by Member Norton and seconded by Member Boothe to approve the remaining contracts minus Contracts 2 and 5.

The motion carried with Members Boothe, Earl, Hart, Hymas, Kerry, Lear, Norton, Reale,

Strate, Wood, and Moss in favor and Members Boggess, Cline, and Green opposed.

13.1 ACTION: Contracts/Agreements for Approval

13.2 INFORMATION: Contracts/Agreements for Review

13.3 ACTION: Approval of Meeting Minutes

13.4 ACTION: Distribution of Funds to Professional Outreach Programs in the Schools (POPS) & Arts Subsidy (Arts, Inc.)

MOTION that the Board approves the distribution of legislative funds to the POPS and Provisional POPS organizations.

13.5 ACTION: Career and Technical Education (CTE) Approved Programs SY24-25

MOTION that the Board approve CTE programs that meet or exceed the state program standards or outcomes for CTE programs.

13.6 ACTION: USBE Designated Elevate Cohort 1 School Improvement Plans

MOTION that the Board approves the USBE 2022 designated Elevate School Improvement Plans.

13.7 ACTION: Comprehensive Support and Improvement (CSI) School Improvement Plans

MOTION that the Board approves the Comprehensive Support and Improvement (CSI) school improvement plans.

13.8 ACTION: Beverley Taylor Sorenson Arts Learning Program Research Grant

MOTION that the Board approves the grant funding to permit BTSALP research to be conducted.

13.9 ACTION: R277-625 Mental Health Screener Tool Request

MOTION that the Board approves the new screening tool titled Revised Children's Anxiety and Depression Scale (RADS).

13.10 ACTION: FY2023 Child Nutrition Non-Competitive Technology Innovation Grant

MOTION that the Board approves USBE staff to apply for the presented grant.

13.11 ACTION: FY2023 National School Lunch Program Equipment Assistance Grants for School Food Authorities

Items Pulled from the Consent Calendar

ACTION: Contracts/Agreements for Approval: Contract USBE240013CT, Aegix Global LLC

MOTION was made by Member Kerry and seconded by Member Wood to delay the consideration of Contract #5 - USBE240013CT, Aegix Global LLC, and direct Board leadership and members of staff to work with sponsors of the legislation to decide how to proceed.

The motion carried with Members Boggess, Boothe, Cline, Earl, Green, Hymas, Kerry, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Member Hart opposed.

The Board discussed Contract #2 - USBE240011CT, MGT of America Consulting, LLC.

MOTION was made by Member Strate and seconded by Member Wood that the Board Contract #2 - USBE240011CT, MGT of America Consulting, LLC.

The motion carried with Members Boothe, Earl, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Boggess, Cline, and Green opposed.

ACTION: Approval of Meeting Minutes

MOTION was made by Member Earl and seconded by Member Wood that the Board approve the meeting minutes, as presented.

The motion passed unanimously.

ACTION: FY2023 National School Lunch Program Equipment Assistance Grants for School Food Authorities

MOTION was made by Member Lear and seconded by Member Boothe that the Board approves the acceptance of the presented grant.

The motion carried with Members Boothe, Green, Hart, Hymas, Lear, Norton, Reale, Strate, Wood, and Moss in favor and Members Boggess, Cline, and Earl opposed.

Executive Session (closed in accordance with the Utah Open and Public Meetings Act)

The motion was made by Member Earl and seconded by Member Strate that the Board move into executive session for the purpose of 1) discussing the purchase, exchange, or lease of real property; 2) discussing the character and professional competence or physical or mental health of individuals; and 3) strategy on pending or reasonably imminent litigation.

Upon voice vote of Members Boggess, Boothe, Earl, Green, Hart, Hymas, Lear, Moss, Norton, Reale, Strate, and Wood, the Board went into closed session at 8:45 PM. Upon voice vote of all Members, the Board went into closed session.

Member Davis and Kerry were absent.

Those present included the above members: Sydnee Dickson, Cybil Prideaux, Ben Rasmussen, Michelle Beus, and Ashley Biehl.

Executive Session Action Items

MOTION was made by Member Moss, seconded by Member Hart, that the Board come out of executive session at 9:58 PM.

Motion carried.

Educator Licenses

MOTION was made by Member Norton and seconded by Member Boothe that the Board approve the UPPAC consent calendar recommendations.

The motion passed unanimously. Member Boggess abstained.

MOTION was made by Member Norton and seconded by Member Hymas that the Board approves the recommendation of UPPAC in cases:

- Case No. 19-1616
The motion passed unanimously.
- Case No. 19-1654
The motion carried with Member Boggess opposed.
- Case No. 21-1860
The motion carried with Member Reale opposed. Member Hart abstained.
- Case No. 22-1924
The motion passed unanimously.
- Case No. 22-1943
The motion passed unanimously.
- Case No. 23-1950
The motion passed unanimously.
- Case No. 23-1951
The motion carried with Member Earl opposed.
- Case No. 23-56
The motion passed unanimously.

MOTION was made by Member Norton and seconded by Member Hymas that the Board approve the settlement with American Preparatory Academy (APA).

The motion passed unanimously.

Appointments

MOTION was made by Member Norton and seconded by Member Boothe that the Board appoint the following individuals to the Utah Special Education Advisory Panel (USEAP)

- Katuska Christensen, Parent of Students with Disabilities
- Julie Thompson, Parent of Students with Disabilities
- Rebecca Sybrowsky, Parent of Students with Disabilities
- Kimberly Townes, Charter School Special Education Program Implementers
- Mark Gardner, Individuals Who Are Homeless
- Audry Damron, Teacher of Students with Disabilities

The motion carried with Member Boggess. Member Cline abstained.

Reappointment

MOTION was made by Member Hart and seconded by Member Hymas at the Board reappointment of Joel Coleman as the Superintendent of the Utah Schools for the Deaf and the Blind.

The motion passed unanimously.

Adjournment

MOTION TO ADJOURN was made by Member Strate and seconded by Member Earl.

The meeting adjourned at 10:09 PM.

The Executive Assistant Cybil Prideaux took minutes.

Minutes are pending approval.