

Utah State Board of Education

FINANCE COMMITTEE

Summary of Actions

December 8, 2023

Members Present: Kristan Norton, Cindy Davis, Brent Strate, Christina Boggess (CB) and James Moss (JM) - present unless noted.

Staff Present: Scott Jones, Deborah Jacobson, and Cammy Wilcox

Others Present: Darin Nielsen, Leah Voorhies, Sarah Young, Ben Rasmussen, Jared Felt, Katrina Brinkley, Don Modde, Aaron Brough, Cole Shakespear, Dale Frost, Mark Waddoups, Michelle Watts, Paula Plant, Rebecca Nielsen, Sam Urie, Tim Davis, Noralee Green, Breckon Heywood, Julie Lundell, Wendi Morton, Adam Herd, and Jennifer Throndsén.

Finance Committee Chair Norton called the meeting to order at 8:15 a.m.

4.2 Public Comment

4.3 Recognition of Progress, Achievements, or Improvements

Finance Committee Members are provided recognition by the Deputy Superintendent of Operations of key progress, improvements, and/or achievements by staff and/or programs.

4.3.1 Program Monthly Report (PMR) on the Utah Schools Information Management System (USIMS)

The USIMS is an ongoing project that will modernize USBE legacy data systems and enable real-time access to data to inform decision making at all levels of the education system while also safeguarding against data breaches.

As part of the ongoing USIMS project, the Finance Committee receives monthly progress updates with a more detailed presentation once per quarter. Staff presented the quarterly overview of the USIMS PMR to the Committee and Members had an opportunity to ask questions.

Chair Norton Info Request: Who decides what data can be moved in and through the USIMS infrastructure and between SISs. Staff suggested a review in one of the committees of the data the USBE currently collects from the LEAs (e.g., UTREx specifications).

4.3.2 Program Monthly Report (PMR) on the Utah Grants

Utah Grants is the Electronic Grants Management System utilized by the USBE for managing the full life cycle of grant funding. Utah Grants is used by USBE staff as well as LEAs and CBO partners for managing grant applications, awards, payments, and monitoring activities. The USBE works closely with system developers to continue to meet the expanding needs of the agency, while maintaining proper safeguards in the use and distribution of grant funds.

The Finance Committee receives a monthly Utah Grants PMR, with a more detailed presentation once per quarter, to account for project activities and priorities. Staff presented the quarterly overview of the Utah Grants PMR to the Committee and Members had an opportunity to ask questions.

Staff emphasized that much of the work in Utah Grants is tied to recommendations from the Reporting and Requirements Task Force.

4.4 State Fiscal Year 2023 Discretionary Carry Forward Balance Status and Approval for Use

Following fiscal year end close activities there are balances that are provided to the Board in their discretionary funds account. Each September the Finance Committee reviews the balances and previous projects and makes recommendations to the Board on whether to continue projects and/or repurpose funding of those projects and to make recommendations on the use of the balances that resulted from the year end close activities.

Committee Action

Member Norton motion:

That the Committee recommends that the Board approves using \$500,000 from the tax delay fund from the Board's Discretionary Funds for Classroom Materials.

MOTION: Failed 4 to 1 with Member Moss in favor and Members Norton, Davis, Strate and Boggess opposed.

Member Davis motion:

Chair Moss amended motion:

That the Committee recommends that the Board approves using \$30,000 from the Federal Mineral Lease (FML) Fund from the Board's Discretionary Funds for Family Studies as outlined *and to include financial literacy research questions and similar courses.*

MOTION: Passed unanimously. - JM absent.

Member Strate motion:

That the Finance Committee recommends that the Board approves using \$50,000 from the Federal Mineral Lease (FML) Fund from the board's discretionary funds for a broad look at the structural challenges that face school-age boys in Utah: A micro-analysis to a national discussion.

Motion: Failed unanimously. - JM absent.

Member Strate Motion:

That the Finance Committee recommends that the Board approves using \$30,000 from the Federal Mineral Lease (FML) Fund from the board's discretionary funds for a Survey of the current landscape of SEL in Utah public schools.

MOTION: Failed 4 to 1 with Member Moss in favor and Members Norton, Davis, Strate and Boggess opposed.

Member Strate Motion:

That the Finance Committee recommends that the Board approves using \$30,000 from the Federal Mineral Lease (FML) Fund from the board's discretionary funds for Math fluency research in middle school classrooms.

Motion: Failed unanimously. - JM abstained from the vote.

Member Strate Motion:

That the Finance Committee recommends that the Board approves using \$400,000 one-time funding from the Federal Mineral Lease (FML) Fund from the board's discretionary funds for Pathful Connect.

Motion: Passed 4 to 1 with Members Norton, Davis, Strate and Moss in favor and Member Boggess opposed.

Member Moss Motion:

That the Finance Committee recommends that the Board approves using \$167,500 from the tax delay fund from the Board's discretionary funds to pay for an Educational Specialist for one year for the Student Support Services section.

Motion: Passed unanimously. - CB absent.

MOTION FOR THE BOARD: The committee recommends that the Board approves using \$30,000 from the Federal Mineral Lease (FML) Fund from the board's discretionary funds for Family Studies as outlined and to include financial literacy research questions and similar courses.

MOTION FOR THE BOARD: The committee recommends that the Board approves using \$400,000 one-time funding from the Federal Mineral Lease (FML) Fund from the board's discretionary funds for Pathful Connect.

MOTION FOR THE BOARD: The committee recommends that the Board approves using \$167,500 from the tax delay fund from the Board's discretionary funds to pay for an Educational Specialist for one year for the Student Support Services section.

4.5 Requests for Data and Information

This is a perpetual agenda item that allows Finance Committee members to request data or information for information and/or decision-making purposes. This item also serves as the means by which USBE staff follow up on requests for data and information from the Finance Committee members.

November request review:

- Chair Moss moved to direct staff to gather information regarding the criteria and qualification of LEAs for the public transportation rural school reimbursement. Staff reviewed the backup document with the Committee.

4.6 Resolution of the Board Regarding School Trust Lands and Funds

The Finance Committee considered Draft 1 of the Resolution Regarding School Trust Lands and Funds in the November Committee Meeting, asked the Trust Lands Advisory Committee to consider recommendations from the Committee, and return in December with a new draft incorporating the recommendations. The Trust Advisory Committee has reviewed the recommendations, made changes, and is recommending Draft 2 for consideration and approval.

Committee Action

Member Davis Motion:

Member Davis amended Motion:

That the Finance Committee approves the Utah State Board of Education Resolution regarding School Trust Lands and Funds, Draft 2, **as amended**, on first reading and forward to the full Board for approval on second and final reading, **subject to staff coordinating a TLAC meeting prior to the USBE January Board meeting to give feedback on Treasurer Oaks' input.**

Motion: Passed 4 to 1 with Members Moss, Norton, Davis and Strate in favor and Member Boggess opposed.

Member Moss Motion:

Substitute paragraph 3 for the language below:

WHEREAS these School Trust Lands are spread throughout the state and have a wide range of uses some of which include energy development, minerals extraction, real estate development, forest management, outdoor recreation and livestock grazing, thus requiring appropriate oversight for short and long-term purposes which necessitate careful consideration when engaging in land exchanges, leases, or sales of property.

Motion: Failed 3 to 2 with Members Moss and Boggess in favor and Members Norton, Strate and Davis opposed.

Member Moss Motion:

Reorder the paragraphs as follows:

NOW, THEREFORE, BE IT RESOLVED in order for the school trust to continue to be a growing revenue stream impacting student achievement, that the Utah State Board of Education encourages the Utah State Legislature to protect the School Trust and the requirement that it be dedicated solely to K-12 public education; and

BE IT FURTHER RESOLVED that the Utah State Board of Education encourages the Utah State Legislature to support all distributions from the permanent State School Fund be locally administered to meet each school's critical academic needs and to enhance public education, not supplant current funding; and

BE IT FURTHER RESOLVED that the Utah State Board of Education encourages state and local officials, the School and Institutional Trust Lands Board and Administration, the School and Institutional Trust Funds Board and Office, and the Land Trusts Protection and Advocacy Office and Committee to take all necessary steps to assure the School Trust is managed prudently and productively for the benefit of public education, consistent with standard trust principles, including a commitment to funding equality from the School Trust for current and future generations of school children, ~~thereby obtaining essential revenue for Utah's public schools;~~ and

BE IT FURTHER RESOLVED that the Utah State Board of Education support the School and Institutional Trust Lands Administration and School and Institutional Trust Fund Administration in operating as independent state agencies; and

BE IT FURTHER RESOLVED that the Utah State Board of Education continues to encourage federal and state officials to ensure the School Trust is held harmless and fairly compensated when School Trust Lands are captured, sold, or traded.; ~~and~~

~~BE IT FURTHER RESOLVED that the Utah State Board of Education encourages the Utah State Legislature to support all distributions from the permanent State School Fund be~~

~~locally administered to meet each school's critical academic needs and to enhance public education, not supplant current funding.~~

Motion: Passed unanimously.

MOTION FOR THE BOARD: The committee recommends that the Board approves The Utah State Board of Education Resolution regarding School Trust Lands and Funds, Draft 4.

4.7 Quarterly Report from the School Children's Trust

This item was postponed until the January Finance Committee meeting.

4.8 Adding a Priority Academic Area to School LAND Trust

This item was postponed until the January Finance Committee meeting.

4.9 Educator Incentive Program Report

This item was postponed until the January Finance Committee meeting.

4.10 Necessarily Existent Small Schools (NESS)/Rural District Status

This item was postponed until the January Finance Committee meeting.

4.11 Midyear Updates to the Minimum School Program (MSP)

This item was postponed until the January Finance Committee meeting.

4.12 Data Sharing for Advertising School Options and Potential Amendments to Board Rule

This item was postponed until the January Finance Committee meeting.

4.13 Board Policy 2007. Boardmember Participation in Legislative Proceedings (New)

The purpose of this new Board policy is to provide guidance for legislative committee presentation procedures and general testimony during the legislative general or interim session. This policy will address the required portions of a legislative committee presentation including considerations for presentations, relevant deadline for presentation creation, and how a presentation is determined.

Committee Action**Member Davis Motion:**

Add “representing” on Lines 7 and 9 before each instance of the term Boardmember.

When presenting as an official representative of the Board, a representing Boardmember shall advocate only for the objectives and authority of the Board, regardless of the representing Boardmember’s personal opinions. A representing Boardmember shall:

Strike the word “only” on Line 16 and add “as requested by the Board chair” after “on behalf of the Board.”

State that the Boardmember is speaking [~~only~~] on behalf of the Board.

Add “an individual” before “Boardmember” on Line 26.

An individual Boardmember may testify in a legislative meeting in the same manner as any other member of the general public...

Motion: Passed unanimously.

Member Boggess Motion:

Amend Line 3 to add, “This policy shall apply to all Boardmembers, including the Board chair.”

Motion: Passed unanimously.

Member Boggess Motion:

Add the word “official” before objectives on Line 9

Motion: Passed unanimously.

Member Boggess Motion:

Add on Lines 12-13:

A boardmember’s legislative presentation shall:

- i. acknowledge that, in the specific instance, they are the board’s representative.
- ii. state whether or not the Board has taken a position on the legislation or issue under consideration.
- iii. provide data and objective information related to the matter under discussion;

Motion: Passed unanimously.

Member Boggess Motion:

Amend Lines 16 and 17 to read:

- iv. showcase **relevant** existing projects within the agency that **would/could** accomplish or support the general goals of legislators;

Motion: Passed unanimously.

Member Boggess Motion:

Amend Line 21 to read:

(b) The Board chair or vice chairs shall only represent that the chair is speaking for the entire Board when an authorizing vote to that effect has successfully passed the Board. The Vice Chairs shall approve the presentation. If time permits, the Vice Chairs shall consult with the applicable standing committee chairs.

Motion: Withdrawn.

Member Boggess Motion:

Amend Lines 27-28 to read:

4. with the Board chair's permission, board members may develop their own presentations; ~~but shall review the presentation with the chair prior to the presentation.~~

Motion: Passed 4 to 1 with Members Norton, Moss, Boggess and Davis in favor and Member Strate opposed.

Member Boggess Motion:

Amend Line 32-36 to read:

6. A Boardmember may testify in a legislative meeting in the same manner as any other member of the general public. However, when testifying as a private citizen, a Boardmember shall clarify that the ~~Boardmember's views are the Boardmember's personal views or opinions and are not representative of the Board as a whole.~~ Board member is appearing in a personal capacity and not speaking on behalf of the Board.

Motion: Passed 3 to 2 with Members Norton, Moss and Boggess in favor and Members Davis and Strate opposed.

Boardmember Boggess Motion:

Add the following language beginning on Line 39,
Transparency

- 8. Any correspondence signed by more than one member of Board leadership, which is addressed to any public official, the public official's staff, or LEA employee shall be distributed to all Board members within 12 hours of the correspondence being sent.
- 9. Any Correspondence appearing on official letterhead shall be distributed to all board members upon dissemination.
- 10. If any member of Board leadership receives correspondence from any public official, the public official's staff, or any LEA employee, the correspondence shall be distributed

to all Board members within 12 hours of the member of Board leadership's receipt of the correspondence.

11. If there is an allegation that any Board member has violated this policy, the member may request a hearing during a public session of the Board to determine what consequence, if any, is appropriate.

Motion: Failed 4 to 1 with Member Boggess in favor and Members Moss, Norton, Davis and Strate opposed.

Member Davis Motion:

That the Committee approve Board Policy 2007, Draft 1, as amended and forward a recommendation to the Board for approval.

Motion: Passed unanimously.

MOTION FOR THE BOARD: The committee recommends that the Board approves Board Policy 2007, Draft 2.

The meeting adjourned at 12:19 p.m.