

USBE LAW AND LICENSING COMMITTEE

Summary of Actions

September 6, 2024

9:30 AM

The meeting was conducted in a hybrid format via Zoom and in-person.

Members Present: Matt Hymas (virtual), LeAnn Wood, Molly Hart, Carol Lear

Committee Staff: Angie Stallings, Ben Rasmussen, Vanessa Barnes

Others Present: Tanya Semerad (virtual), Audra Urie (virtual), Malia Hite, Ashley Biehl (virtual), Darin Jenkins, Royce Van Tassell, Tanya Semerad, Kristina Yamada, Thalea Longhurst, Darin Nielsen (virtual), Julie Lundell

Board member Kerry was excused.

Member Hart called the meeting to order at 9:34 a.m.

5.1 Public Comment

- Royce Van Tassell, Executive Director, Utah Association of Public Charter Schools, spoke to R277-473, Utah Computer Science Grant (Amendment & Continuation)

5.2 Duchesne County School District - Tabiona School Waiver Request (Renewal)

Committee Discussion: Duchesne County School District - Tabiona School is requesting a waiver renewal under R277-419(4).

Committee Action: Member Wood moved that the Committee approve Duchesne County School District - Tabiona School's request for a waiver renewal from R277-419(4) and forward to the board for approval.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board approve Duchesne County School District - Tabiona School's request for a waiver renewal from R277-419(4).

5.3 R277-603, Autism Awareness Restricted Account Distribution (Repeal)

Committee Discussion: The Legislature has made changes to the distribution of funds for the Autism License Plate. While the funds had previously been managed through USBE, moving forward, the Utah State Tax Commission will manage the program. Staff recommends repealing Rule R277-603 as it is no longer necessary.

Staff presented R277-603, Draft 1, for consideration and approval.

Committee Action: Member Wood moved that the Committee repeal R277-603 on first reading and recommend the Board repeal the rule on second and final reading.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board repeal R277-603, Autism Awareness Restricted Account Distribution, on second and final reading.

5.4 R277-473, Utah Computer Science Grant (Amendment & Continuation)

Committee Discussion: This rule is due for its five-year review before November 8, 2024. This grant was initially a pilot project, but has now been converted to an on-going grant, in which most LEAs participate. Staff recommend repealing the old language which supported the pilot project and updating the rule to reflect the requirements for ongoing administration of the K-12 Computer Science for Utah Grant and advisory committee.

Staff presented R277-473, Draft 1, for consideration and approval.

Committee Action: Member Hymas moved that the Committee amend Draft 1 as follows:

Member Hymas Motion: That the Committee amend Draft 1 as follows:

1. Amend Line 209 to strike “each grade level” and replace with “K-6”;
2. Amend Line 211 to read - “a summary of progress by June 30 for K-6.”; and
3. Amend Line 213 to strike “K-12” and replace with “K-6”

The motion passed unanimously, with Member Kerry absent.

Committee Action: Member Lear moved that the Committee:

1. Amend line 229 to add “including, digital literacy, graphic arts, keyboarding, or CCA courses” after “programs”; and
2. Strike lines 231-232.

The motion passed unanimously, with Member Kerry absent.

Committee Action: Member Wood moved that the Committee continue and approve R277-473, Draft 1, as amended, on first reading and forward to the Board for continuation and approval on second and final reading.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board continue and approve R277-473, Utah Computer Science Grant, Draft 2, on second and final reading.

5.5 R277-746, Driver Education Programs for Utah Schools (Incorporated Document)

Committee Discussion: Staff recommend updating the Drivers Education Manual in light of 2024 HB 250, which would in turn be incorporated by reference in Rule R277-746.

Staff presented R277-746, Draft 1, of the Drivers Education Manual for consideration and approval.

Committee Action: Member Hart moved that the Committee approve the Drivers Education Manual, dated October 2024, and recommend the Board approve the manual.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board approve the Drivers Education Manual, dated October 2024.

5.6 R277-746, Driver Education Programs for Utah Schools (Amendment)

Committee Discussion: Staff recommend amending the rule to incorporate an

updated drivers ed manual, which has been updated due to the passage of 2024 HB 250.

Staff presented R277-746, Draft 1, for consideration and approval.

Committee Action: Member Lear moved that the Committee approve R277-746, Draft 1, on first reading and forward to the Board for approval on second and final reading.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board approve R277-746, Driver Education Programs for Utah Schools, Draft 1, on second and final reading.

5.7 R277-323 (Section 1), Public Educator Evaluation (Amendment)

Committee Discussion: R277-323 (Section 1) - During the drafting of R277-323, the new requirements of Rule R277-111 were overlooked and no oversight category was included. Staff recommends amending Section 1 to add a Category 3 oversight category for the rule consistent with the Board's oversight framework requirements.

Staff presented R277-323, Draft 1, for consideration and approval.

Committee Action: Member Wood moved that the Committee approve R277-323 (Section 1), Draft 1, on first reading and forward to the Board for approval on second and final reading.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board approve R277-323, Public Educator Evaluation (Section 1), Draft 1, on second and final reading.

5.8 R277-301, Educator Licensing (Amendment)

Committee Discussion: During the 2024 school year, public feedback was requested in relation to proposed changes to R277-301 Educator Licensing. In the spring of 2024, the rule went through the Law and Licensing Committee and then the full Board in May. AEL (Associate Educator License) is a temporary license allowing an educator a timeframe to meet the requirements for a

professional license and still be employed as an educator. Recent amendments to R277-301 eliminated the AEL renewal for all educators while allowing an extension to take place. The AEL extension now requires LEA employment. The rule change unintentionally created an inequity for private school educators. Board members Earl, Kerry, and Hart requested that an amendment be prepared, which allows an accredited private school to request an extension for an AEL on an employee's behalf.

Staff presented R277-301, Draft 1, for consideration and approval.

Committee Action: Member Lear moved that the Committee amend Draft 1 to add “Utah-based” before “accredited private school” on Line 98.

The motion passed unanimously, with Member Kerry absent.

Committee Action: Member Lear moved that the Committee approve R277-301, Draft 1, as amended, on first reading and forward to the Board for approval on second and final reading.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board approve R277-301, Educator Licensing, Draft 2, on second and final reading.

5.9 USBE Strategic Plan and Goals

Committee Discussion: The committee discussed the Board assignment to identify a Committee-focused goal that would become part of our overall set of USBE goals. These goals will be brought back to the full Board for discussion.

Committee Action: Member Wood moved that the Committee approve the following goal language and forward to the Board for approval:

Improving educational excellence by:

1. providing educator and school leadership development;
2. enhancing system effectiveness by creating, simplifying, and clarifying policy, while maintaining robust data governance; and
3. providing for flexibility and monitoring in implementation.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: The Committee recommends that the Board approve the following goal language:

Improving educational excellence by:

1. providing educator and school leadership development;
2. enhancing system effectiveness by creating, simplifying, and clarifying policy, while maintaining robust data governance; and
3. providing for flexibility and monitoring in implementation.

The meeting adjourned at 11:24 a.m.