

August 8, 2025

Utah State Board of Education

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

**Members Present:** Joseph Kerry, Amanda Bollinger, Carol Lear, Rod Hall, Erin Longacre

**Committee Staff:** Elisse Newey, Ben Rasmussen, Cybil Prideaux

**Others Present:** Royce Van Tassel, Darin Nielsen, Malia Hite, Molly Hart, Lisa McLachlan, Debbie Davis, Julie Clark, Ashley Lower, Krisanne Lewis, Sammy Willey

Chair Kerry called the meeting to order at 8:03 a.m.

#### **10.1 Public Comment**

#### **10.2 R277-217, Educator Standards and LEA Reporting (Amendment)**

**Committee Discussion:** Five Board members submitted a request for discussion and action on the UPPAC rules. In addition, R277-217 is being brought to the board to amend language that is inconsistent with recent legislation (2025 HB 281).

The Board member proposed amendments to update the educator standards to address sexual activity on school grounds and relationships with recent graduates. Additionally, R277-217-2(25) would be amended to strike the conditions related to LEA policy in accordance with HB 281.

Staff presented R277-217, Educator Standards and LEA Reporting, Draft 1, for consideration and approval.

**Committee Action:** Member Kerry moved that the Committee amend R277-217, Draft 1, to replace “young person” with “student”.

The motion passed without objection.

**Committee Action:** Member Bollinger moved that the Committee amend R277-217, Draft 1, to include an oversight category of 4.

The motion passed unanimously.

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**Committee Action:** Member Lear moved that the Committee amend R277-217, Draft 1, by amending line 32 to read “knowingly engage in a sexually explicit conduct with a recent graduate from the educator’s school.”

The motion passed unanimously.

**Committee Action:** Member Lear moved that the Committee amend R277-217 Draft 1 by amending line 85 to reinstate “creed” and remove “religious beliefs.”

**Substitute Committee Action:** Member Kerry moved that the Committee leave religious belief on lines 85 and 102 and replace “political or religious belief” with “political belief or creed” on lines 89 and 106.

The motion passed unanimously.

**Committee Action:** Member Kerry moved that the Committee amend Lines 134-137 to read as follows:

(3) take prompt and appropriate action to stop, mitigate, and prevent harassment, hostile, intimidating, abusive, offensive, oppressive, inappropriate language or conduct. ~~[or discriminatory conduct toward a student or school employee that the educator knew or should have known may result in a hostile, intimidating, abusive, offensive, or oppressive environment;]~~

The motion passed unanimously.

**Committee Action:** Member Kerry moved that the Committee approve R277-217, Educator Standards and LEA Reporting, Draft 1, as amended, on first reading and forward to the Board for approval on second and final reading.

The motion passed unanimously.

**MOTION FOR THE BOARD:** That the Board approve R277-217, Educator Standards and LEA Reporting, Draft 2, on second and final reading.

### 10.3 **R277-210, Utah Professional Practices Advisory Commission (UPPAC), Definitions (Amendment)**

**Committee Discussion:** Five Board members submitted a request for discussion and action on the UPPAC rules.

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The proposal would add definitions for "consensual sexual activity" and "recent graduate" to correspond to proposals for amendments in R277-215 and R277-217.

**Committee Action:** Member Lear moved that the Committee amend the definition of recent graduate to read: "Recent graduate" means an individual within six months of graduating from high school.

The motion passed unanimously.

**Committee Action:** Member Longacre moved that the Committee amend R277-210, Draft 1, to include an oversight category of "exempt".

The motion passed unanimously.

**Committee Action:** Member Lear moved that the Committee amend the definition of recent graduate to read: "recent graduate" means an individual within six months of graduating or officially exiting from high school.

The motion passed unanimously.

**Committee Action:** Member Kerry moved that the Committee approve R277-210, Utah Professional Practices Advisory Commission (UPPAC), Definitions, Draft 1, as amended, on first reading and forward to the Board for approval on second and final reading.

The motion passed unanimously.

**MOTION FOR THE BOARD:** That the Board approve R277-210, Utah Professional Practices Advisory Commission (UPPAC), Definitions, Draft 2, on second and final reading.

#### **10.4 R277-215, Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions (Amendment)**

**Committee Discussion:** Five Board members submitted a request for discussion and action on the UPPAC rules. The proposal would address presumptions for sexual conduct by educators on school premises, relationships with recent graduates, and reporting issues.

Staff presented R277-215, Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions, Draft 1, for consideration and

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approval.

**Committee Action:** Member Longacre moved that the Committee amend R277-215, Draft 1, to include an oversight category of “exempt”.

The motion passed unanimously.

**Committee Action:** Member Lear moved that the Committee amend R277-215, Draft 1, Line 86 to read “fails to inform a parent of a threat of suicide or self-harm.”

**Substitute Committee Action:** Member Kerry moved that the Committee amend R277-215, Draft 1, Line 86 to read “fails to inform a parent of a threat of suicide or self-harm, or harm to others.” ***No objection, the amendment was added to the previous motion.***

The motion passed unanimously.

**Committee Action:** Member Hall moved that the Committee approve R277-215, Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions, Draft 1, as amended, on first reading and forward to the Board for approval on second and final reading

The motion passed unanimously.

**MOTION FOR THE BOARD:** That the Board approve R277-215, Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions, Draft 2, on second and final reading.

#### 10.5 **R277-301, Educator Licensing (Amendment)**

**Committee Discussion:** This rule is being brought to the board with amendments due to the passage of H.B. 447, the Statewide Catalyst Campus Model, which created licensing exceptions for industry professionals teaching in catalyst centers.

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

**Committee Action:** Member Bollinger moved that the Committee add after Line 294: “(10) An individual holding a professional license and a license area of concentration in elementary education, secondary education, CTE, special education, or deaf education may earn an additional professional content area

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endorsement through passage of a content knowledge test or competency exam approved by the Superintendent.”

The motion passed unanimously with Member Lear absent.

**Committee Action:** Member Kerry moved that the Committee approve R277-301, Educator Licensing, 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 Lear absent.

**MOTION FOR THE BOARD:** That the Board approve R277-301, Educator Licensing, Draft 2, on second and final reading.

#### 10.6 **R277-303, Educator Preparation Programs (Amendment)**

**Committee Discussion:** This rule is being amended to add language to clarify what the “low rates of passage” are on the Utah Foundations of Reading Assessment (UFORA) for educator prep programs. This is contained in State Code 53E-6-302. The proposed amendment also clarifies the USBE's role in assisting these programs.

Staff presented R277-303, Educator Preparation Programs, Draft 1, for consideration and approval.

**Committee Action:** Member Bollinger moved that the Committee approve R277-303, Educator Preparation Programs, Draft 1, on first reading and forward to the Board for approval on second and final reading.

The motion passed unanimously with Member Lear absent.

**MOTION FOR THE BOARD:** That the Board approve R277-303, Educator Preparation Programs, Draft 1, on second and final reading.

#### 10.7 **R277-723, Start Smart Utah Program (Continuation & Amendment)**

**Committee Discussion:** This rule is up for its five-year review. The last changes to this rule were in fall 2024. An amendment to include an oversight category is also being proposed.

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Staff presented R277-723, Start Smart Utah Program, Draft 1, for consideration and approval.

**Committee Action:** Member Hall moved that the Committee continue and approve R277-723, Start Smart Utah Program, Draft 1, on first reading and forward to the Board for continuation and approval on second and final reading.

The motion passed unanimously with Member Lear absent.

**MOTION FOR THE BOARD:** That the Board continue and approve R277-723, Start Smart Utah Program, Draft 1, on second and final reading.

**10.8 R277-211, Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions (Amendment)**

**Committee Discussion:** Staff is proposing changes to this rule as a result of code changes made in HB 497 that require UPPAC to prioritize certain UPPAC cases. Staff has also proposed technical amendments consistent with UPPAC's existing processes.

Staff presented R277-211, Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions, Draft 1, for consideration and approval.

**Committee Action:** Member Bollinger moved that the Committee approve R277-211, Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions, Draft 2, on first reading and forward to the Board for final approval.

The motion passed unanimously.

**MOTION FOR THE BOARD:** That the Board approve R277-211, Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions, Draft 2.

**10.9 R277-608, Emergency Safety Interventions and Prohibition of Corporal Punishment (Amendment)**

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**Committee Discussion:** Staff is proposing changes to R277-608 in response to recent legislation from the 2025 session. SB 170, School Discipline Amendments, made changes to the code surrounding the use of Emergency Safety Interventions (ESI) in Utah schools. The changes being proposed in this rule include: amending the definition of "seclusionary time out," amending LEA policy requirements, and increasing the reporting requirements for LEAs using ESI. The Oversight category is also being increased from a 2 to a 3 given the increased reporting and monitoring requirements from SB 170.

Staff presented R277-608, Emergency Safety Interventions and Prohibition of Corporal Punishment, Draft 2, for consideration and approval.

**Committee Action:** Member Kerry moved that the Committee amend R277-608, Draft 2, by amending line 52 by adding "immediate danger or" in front of "immediate and significant threat" and striking line 56.

The motion passed unanimously.

**Committee Action:** Member Bollinger moved that the Committee amend R277-608, Draft 2, by adding "behavioral" in front of "intervention" on line 215.

The motion passed unanimously.

**Committee Action:** Member Lear moved that the Committee approve R277-608, Emergency Safety Interventions and Prohibition of Corporal Punishment, Draft 2, as amended, on first reading and forward to the Board for final approval.

The motion passed unanimously.

**MOTION FOR THE BOARD:** That the Board approve R277-608, Emergency Safety Interventions and Prohibition of Corporal Punishment, Draft 3.

#### **10.10 Amendments to Board Bylaws Article IV**

**Committee Discussion:** The Board received a request from a board member to remove abusive language in Article IV, as well as Board Policy 2005 and Board Rule R277-123.

**Committee Action:** Member Lear moved that the Committee postpone Board Bylaws Article IV until the September Law and Licensing Committee meeting.



The motion passed unanimously.

**MOTION FOR THE BOARD:** No motion for the Board.

### **Adjournment**

The meeting adjourned at 11:45 a.m.