



Meeting Minutes

Utah State Board of Education

A regular meeting of the Utah State Board of Education was held on September 4, 2025. Chair Hymas presided. As authorized by Utah Code Section 52-4, this meeting was held at the state board offices, located at 250 E. 500 S, Salt Lake City, Utah. The public can view the discussion through live [YouTube](#) streaming.

Members Present

Board Chair Matt Hymas,
First Vice-Chair Vacant
Second Vice-Chair LeAnn Wood
Member Christina Boggess
Member Amanda Bollinger
Member Randy Boothe
Member Joann Brinton
Member Emily Green

Member Jennie Earl
Member Sarah Reale
Member Rod Hall
Member Cole Kelley
Member Joseph Kerry
Member Carol Lear
Member Cindy Davis

Executive Staff Present

Molly Hart, State Superintendent
Scott Jones, Deputy Superintendent
Elisse Newey, Deputy Superintendent
Leah Voorhies, Interim Deputy Superintendent

Minutes were taken by:

Cybil Prideaux, Executive Assistant

Others Present

Cindy Andersen, Bethany Anderson, Brandon Watts, Dwight Overgaard, Vicki Summers, Michelle Tanner, Susan Patton, Angela Doan, Ashley Biehl, Deborah Jacobson, Sam Urie, Julie Cluff, Cammy Witchurch, Piper Riddle, Jamie Renda, Kaylee Duncan, Corey Jensen, and Royce Van Tassel.

Opening Business

Chair Hyman called the meeting to order at 9:00 AM.

Board Member Message

Member Amanda Bollinger shared the September message.

Employee Recognition

Superintendent Hart announced the Employees of the Month: Julie Lundell.

Public Comment for USBE

The Board heard from Cory Jensen, Lexi Cunningham, Cammy Whitchurch, and Kathleen Barlow.

- The public may sign up to share public comments at publiccomment@schools.utah.gov.
- The public may send written public comments to the Board at board@schools.utah.gov
- Public comments are limited to 2 minutes per person.
- A comment can express support or dissent for regulatory action.
- Individuals should refrain from using public comments to complain about personnel issues or attack or defame another 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 board@schools.utah.gov

Audit Committee Report

Release the Utah Schools for the Deaf and the Blind Internal Audit Report

MOTION was made by Member Hall that the Board release the Utah Schools for the Deaf and the Blind internal audit report, as amended.

The motion passed unanimously.

13 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, and Hall.

2 ABSENT: Members Green and Earl.

Finance Committee Report/Recommendations – (Items duplicated from the June 6, 2025, meeting.)

ACTION: R277-726, Statewide Online Education Program (SOEP) (Amendment)

MOTION was made by Member Davis that the Board approve R277-726, Statewide Online Education Program (SOEP), Draft 3, on second and final reading.

Member Green joined the meeting.

MOTION TO AMEND was made by Member Davis and seconded by Member Lear that the Board strike Line 319.

~~(a) remain enrolled in the primary LEA~~

The motion carried.

8 IN FAVOR: Members Lear, Reale, Longacre, Bollinger, Kelley, Boggess, Boothe, and Davis.

5 OPPOSED: Members Kerry, Wood, Hymas, Brinton, and Hall.

1 ABSTAINED: Member Green.

1 ABSENT: Member Earl.

Member Earl joined the meeting.

MOTION TO AMEND was made by Member Hall and seconded by Member Boggess that the Board amend Lines 631-33 of Draft 3 to read:

(c) If a course may reference mature subject matter, a provider shall attach a disclaimer to the course description that states, "This course may contain mature content and may not be suitable for students of all ages."

The motion carried.

8 IN FAVOR: Members Earl, Kerry, Brinton, Hymas, Kelley, Boggess, Green, and Hall.

7 OPPOSED: Members Bollinger, Boothe, Reale, Davis, Longacre, Lear, and Wood.

MOTION TO AMEND was made by Member Davis and seconded by **(not seconded)** that the Board define mature content, "including marriage, dating, and DUIs."

Final Motion, as amended.

That the Board approve R277-726, Statewide Online Education Program (SOEP), Draft 3, as amended, on second and final reading.

The motion carried.

13 IN FAVOR: Members Earl, Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, and Hall.

2 OPPOSED: Members Kerry and Davis.

ACTION: R277-400, School Facility Emergency and Safety (Amendment)

The Board postponed the discussion until after lunch.

MOTION was made by Member Davis that the Board approve R277-400, School Facility Emergency and Safety, Draft 3, on second and final reading.

MOTION TO AMEND was made by Member Wood and seconded by Member Bollinger that the Board amend Draft 3 by adding an “s” to “academic” on line 24.

MOTION TO AMEND was made by Member Bollinger and seconded that the Board add and “s” to “academic” on Line 195.

Without objection, the amendments will be applied to the rule on Lines 24 and 195.

MOTION TO AMEND was made by Member Kerry and seconded by Member Boothe that the Board amend draft 3 by adding a new subsection after the current section 11 that reads:

R277-400-12. Compliance Timeline for Safety and Security Standards.

(1) A school must comply with the incident response method for K-12 school buildings under Section R277-400-3:

(a) immediately for new school building construction and design projects;

(b) by school year [2034 and 2035] for existing school buildings.

(2) An LEA shall ensure that for all new builds and remodels, minimum safety standards are evaluated and approved as outlined in Section 53-22-102.

The motion passed unanimously.

15 IN FAVOR: Members Earl, Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, Hall, Kerry, and Davis.

Chair Hymas passed the gavel to Vice Chair Bollinger.

MOTION TO AMEND was made by Member Kerry and seconded by Member that the Board amend lines 56-57 of Draft 3 of R277-400 to read:

"Health, Wellbeing, and Behavioral Recovery means awareness of community resources to assist the school community after an emergency."

The motion carried.

12 IN FAVOR: Members Earl, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, Hall, and Kerry.

1 OPPOSED: Member Lear.

1 ABSTAINED: Member Davis.

1 ABSENT: Member Reale.

MOTION TO AMEND was made by Member Kerry and seconded by Member Green that the Board

- 1) amend Lines 9-17 of Draft 3 to read: "(2) The purpose of this rule is to: (#) provide a uniform, grid-based marking system for all K-12 school buildings to support emergency response, communication, and rapid identification of interior locations during emergencies"
- 2) Lines 22-27 of Draft 3 to add the following definitions:
 - (#) "Incident response method" means a standardized interior marking system using a 100' x 100' grid.
 - (#) "Quadrant designation" means the alphanumeric label assigned to each grid square.

(#) “Main entrance or address side” means the side of the building identified as the official main entry point or side bearing the building’s designated address.

The motion passed unanimously.

14 IN FAVOR: Members Boggess, Earl, Lear, Reale, Brinton, Bollinger, Longacre, Hymas, Wood, Boothe, Green, Hall, Kerry, and Davis.

MOTION TO AMEND THE AMENDMENT was made by Member Wood and seconded by Member Kerry that the Board add (2) provide guidance for the implementation of the incident response method consistent with the requirements in Section 53G-8-805.

The motion carried.

12 IN FAVOR: Members Earl, Lear, Reale, Brinton, Bollinger, Hymas, Wood, Boothe, Green, Hall, Kerry, and Davis.

2 OPPOSED: Members Boggess and Longacre.

1 ABSENT: Member Kelley.

MOTION TO AMEND was made by Member Boggess and seconded by Member Davis that the Board strike the word “guidance” and replace it with “assistance”.

The motion carried.

10 IN FAVOR: Members Earl, Lear, Kelley, Longacre, Boggess, Brinton, Boothe, Green, Hall, Kerry, and Davis.

4 OPPOSED: Members Hymas, Wood, Bollinger, and Reale.

MOTION TO AMEND was made by Member Kerry and seconded by Member Boggess that the Board amend Draft 3 by adding the following language after R277-400-6(1)(c):
“(d) Avoid. Deny. Defend. and Aid protocols”

The motion passed unanimously.

15 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Green, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, Earl, and Hall.

MOTION TO AMEND was made by Member Kerry and seconded Brinton that the Board amend Draft 3 by adding the following language after R277-400-5(1)(a)

- “(b) Implementation and maintenance of the incident response method established by the State Security Chief, which requires:
- (i) a 100 ft x 100 ft grid system overlaying the interior rooms and hallways of the building, including multiple levels if applicable;
 - (ii) beginning the grid with quadrant “A1” located at the bottom left corner of the building footprint when viewed from the main entrance or address side;
 - (iii) aligning row “A” with the main entrance or address side of the building, and continue designations sequentially across each row (A1, A2, A3...) and upward by rows (B1, B2, B3...);
 - (iv) ensuring the interior room and hallway being clearly marked with its assigned quadrant designation in a manner visible to building occupants and emergency responders; and
 - (v) markings being maintained and remaining legible at all times.”

The motion passed unanimously.

15 IN FAVOR: Members Earl, Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, and Hall. Kerry and Davis.

MOTION TO AMEND was made by Member Kerry and seconded by Member Bollinger that the Board add “parents” to line 134.

The motion failed.

15 OPPOSED: Members Earl, Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, and Hall. Kerry and Davis.

MOTION TO AMEND TO AMENDMENT was made by Member Lear and seconded by Member Reale that the Board strike “Subsection 53G-4-402[(18)](20)(b)(v)”

The motion failed.

15 OPPOSED: Members Earl, Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, and Hall. Kerry and Davis.

Final Motion, as amended.

That the Board approve R277-400, School Facility Emergency and Safety, Draft 3, as amended, on second and final reading.

The motion passed unanimously.

15 IN FAVOR: Members Earl, Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Green, Hall, Kerry, and Davis.

Finance Committee Report/Recommendations – (Items duplicated from the August 8, 2025, meeting.)

ACTION: R277-125, Small School District Capital Projects (Amendment)

MOTION was made by Member Davis that the Board approve R277-125, Small School District Capital Projects, Draft 1, on second and final reading.

The motion passed.

15 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Green, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, Earl, and Hall.

ACTION: FY27 Fee Schedule Addition

MOTION was made by Member Davis that the Board approve the proposed addition to the fee schedule.

The motion passed unanimously.

15 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Green, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, Earl, and Hall.

ACTION: R277-622, School-based Mental Health Qualifying Grant Program (Amendment)

MOTION was made by Member Davis that the Board approve R277-622, School-based Mental Health Qualifying Grant Program, Draft 1, on second and final reading.

MOTION TO POSTPONE at the end of the finance committee report.

MOTION TO AMEND was made by Member Earl and seconded by Member Green that the Board amend Draft 1 by adding a new line after Line 27, “the benefits of overcoming challenges during childhood, building protective factors, and providing positive childhood experiences.”

The motion carried.

10 IN FAVOR: Members Lear, Reale, Longacre, Bollinger, Hymas, Wood, Kelley, Boothe, Davis, and Hall.

3 OPPOSED: Members Brinton, Green, and Boggess.

2 ABSTAINED: Members Earl and Kerry.

ACTION: R277-318, Teacher Salary Supplement Program (TSSP) (Repeal)

MOTION was made by Member Davis that the Board repeal R277-318, Teacher Salary Supplement Program (TSSP), on second and final reading.

The motion passed unanimously.

15 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Green, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, Earl, and Hall.

ACTION: Strategic Response to Projected \$2.2M Funding Loss for Statewide Longitudinal Data System (SLDS) Four-Year Project

MOTION was made by Member Davis that the Board directs staff to work with the Utah System of Higher Education (USHE) to identify available funds from both agencies (e.g., carry-forward balances, Federal Mineral Lease funds, or other funds) to potentially continue and complete the SLDS project.

The motion carried.

12 IN FAVOR: Members Lear, Reale, Longacre, Brinton, Bollinger, Hymas, Wood, Kelley, Boothe, Davis, Earl, and Hall.

2 OPPOSED: Members Boggess and Green

1 ABSTAINED: Member Kerry.

ACTION: Charter School Revolving Loan Recommendations

MOTION was made by Member Davis that the Board approve the following Charter School Revolving Loan award: Custom Class – Approval of a \$300,000 loan.

The motion carried.

11 IN FAVOR: Members Lear, Reale, Kerry, Brinton, Green, Hymas, Kelley, Boothe, Davis, Earl, and Hall.

4 OPPOSED: Members Boggess, Bollinger, Wood, and Longacre.

MOTION was made by Member Davis that the Board approve the following Charter School Revolving Loan award:

Pinnacle Canyon Academy– Conditional approval of a \$300,000 loan, subject to the following conditions:

- Immediate release of \$36,000 for architectural planning.
- Confirmation of secured funding for the remaining project costs prior to major disbursement.
- Consultation with a certified public accountant (CPA) and the U.S. Department of Agriculture (USDA) to ensure compliance with applicable debt covenants.

The motion carried.

11 IN FAVOR: Members Lear, Reale, Green, Bollinger, Hymas, Wood, Kelley, Boothe, Davis, Earl, and Hall.

4 OPPOSED: Members Boggess, Longacre, Brinton, and Kerry.

Letter to the Federal Department of Education

MOTION was made by Member Kelley and seconded by Member Kerry that the Board adopt the proposed letter titled: Utah State Board of Education Concerning State Autonomy, as presented.

Chair Hymas passed the gavel to Vice Chair Bollinger.

MOTION TO AMEND was made by Member Boggess and seconded by Member that the Board strike the final sentence in 2nd paragraph and add a second quotation mark in the 4th paragraph after supervision.

The motion carried.

13 IN FAVOR: Members Lear, Green, Bollinger, Wood, Kelley, Boothe, Davis, Earl, and Hall. Boggess, Longacre, Brinton, and Kerry.

1 OPPOSED: Member Reale.

1 ABSENT: Member Hymas

Vice Chair Bollinger passed the gavel to Chair Hymas.

MOTION TO AMEND THE AMENDMENT was made by Member Earl and seconded by Member Wood that the Board retain the last sentence and strike the first sentence of paragraph 2.

The motion carried.

9 IN FAVOR: Members Wood, Kelley, Boothe, Earl, Hall, Boggess, Longacre, Brinton, and Kerry.

6 OPPOSED: Members Davis, Lear, Green, Bollinger, Hymas, and Reale.

MOTION TO AMEND was made by Member Boggess and seconded by Member Green that the Board strike Numbers 2, 3, 4 from the letter.

~~2- Upon approval of this letter, USBE requests that Chair Hymas direct staff apply for appropriate waivers from Every Student Succeeds Act (ESSA) related to assessments and funding restrictions.~~

~~3- The USBE requests that Chair Hymas direct staff to request a block grant from the U.S. Department of Education for a continuation of the Federal Title program funds that serve our most vulnerable students.~~

~~4- The USBE encourages the Utah State Legislature to work with the USBE to create a revenue neutral plan to ensure that Utah citizens are not being short-changed with Federal education dollars being sent to the State of Utah.~~

The motion carried.

9 IN FAVOR: Members Wood, Boothe, Earl, Boggess, Davis, Lear, Green, Bollinger, and Hymas.

6 OPPOSED: Members Brinton, Kelley, Hall, Kerry, Longacre, and Reale.

MOTION TO AMEND THE AMENDMENT was made by Member Earl and seconded by Member Kerry that the Board insert Number 4.

4- The USBE encourages the Utah State Legislature to work with the USBE to create a revenue neutral plan to ensure that Utah citizens are not being short-changed with Federal education dollars being sent to the State of Utah.

The motion failed.

7 IN FAVOR: Members Kelley, Earl, Hall, Boggess, Longacre, Brinton, and Kerry.

8 OPPOSED: Members Bollinger, Davis, Hymas, Wood, Lear, Reale, Green, and Boothe.

MOTION TO AMEND was made by Member Kelley and seconded by Member Boggess that the Board amend the letter by rewording Number 1 and adding “as such,” and removing Number 1.

- 1- Federal delegates Senator Mike Lee, Senator John Curtis, Congressman Blake Moore, Congressman Mike Kennedy, Congresswoman Celeste Maloy, and Congressman Burgess Owens work to fully repeal the Every Student Succeeds Act (ESSA).

The motion carried.

10 IN FAVOR: Members Longacre, Kerry, Brinton, Hymas, Wood, Green, Kelley, Boggess, Earl, and Hall.

4 OPPOSED: Members Boothe, Reale, Lear, and Bollinger.

1 ABSTAINED: Member Davis.

Final Motion, as amended.

The motion carried.

8 IN FAVOR: Members Green, Kelley, Boothe, Earl, Hall, Boggess, Longacre, and Kerry.

7 OPPOSED: Members Bollinger, Hymas, Lear, Wood, Reale, Brinton, and Davis.

MOTION was made by Member Boggess and seconded by Member Green that the Board direct staff to apply for the appropriate waiver under ESSA related to assessments and funding restrictions.

SUBSTITUTE MOTION was made by Member Kerry and seconded by Member Green that the Board direct staff to “identify” the appropriate waivers under ESSA and bring back the appropriate waivers to the board for potential action.

The motion failed.

9 IN FAVOR: Members Boggess, Kelley, Kerry, Longacre, Green, Earl, Hall, Wood, and Brinton.

6 OPPOSED: Members Boothe, Bollinger, Davis, Reale, Lear, and Hymas.

MOTION TO AMEND was made by Member Boggess and seconded by Member Kelley that the Board bring back the appropriate waivers to the Board in October for potential action.

The motion failed.

4 IN FAVOR: Members Boggess, Kelley, Kerry, and Longacre.

11 OPPOSED: Members Green, Boothe, Earl, Hall, Boggess, Bollinger, Hymas, Lear, Wood, Reale, Brinton, and Davis.

MOTION TO AMEND was made by Member Boggess and seconded by Member Kelley that the Board strike the word “identify” and use the words prepare possible waivers under ESSA and bring back to the board for potential action.

The motion failed.

1 IN FAVOR: Member Boggess.

14 OPPOSED: Members Green, Kelley, Boothe, Earl, Hall, Longacre, Kerry, Bollinger, Hymas, Lear, Wood, Reale, Brinton, and Davis.

MOTION TO POSTPONE to a later point on the agenda.

The motion carried.

11 IN FAVOR: Members Green, Kelley, Boothe, Earl, Hall, Boggess, Longacre, Kerry, Wood, Brinton, and Davis.

4 OPPOSED: Members Bollinger, Lear, Hymas, and Reale.

USDB Committee Standing Committee Report/Recommendations – (Items duplicated from the August 12, 2025, meeting).

ACTION: USDB Safety Assessment Legislative Request

MOTION was made by Member Wood that the Board request a code change to reflect the safety assessments for the USDB building change from the county security chief to the state safety chief and bring any waiver language back to the Committee.

The motion passed unanimously.

15 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Green, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, Earl, and Hall.

ACTION: R277-800, Utah Schools for the Deaf and Blind (USDB) (Amendment)

MOTION was made by Member Wood that the Board approve R277-800, Utah Schools for the Deaf and Blind (USDB), Draft 1, on second and final reading.

The motion passed unanimously.

15 IN FAVOR: Members Lear, Reale, Longacre, Kerry, Brinton, Green, Bollinger, Hymas, Wood, Kelley, Boggess, Boothe, Davis, Earl, and Hall.

Law and Licensing Committee Report/Recommendations – (Items duplicated from the June 6, 2025, meeting)

Data Sharing Agreement with Marieke Timmer (USB250073RA)
Request for Reconsideration of Approval

MOTION was made by Member Kerry that the Board approve the data sharing agreement with Marieke Timmer (USB250073RA).

The motion passed unanimously.

14 IN FAVOR: Members Reale, Kerry, Brinton, Wood, Kelley, Boothe, Davis, Earl, Green, Hall, Longacre, Lear, Hymas, and Bollinger.

1 OPPOSED: Member Boggess.

Law and Licensing Committee Report/Recommendations – (Items duplicated from the August 8, 2025, meeting)

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

MOTION was made by Member Kerry that the Board approve R277-217, Educator Standards and LEA Reporting, Draft 2, on second and final reading.

MOTION TO AMEND was made by Member Bollinger and seconded by Member Davis that the Board strike on Line 14 “and accountability” and Line 17 “accountability standards.”

The motion carried.

15 IN FAVOR: Members Reale, Kerry, Brinton, Wood, Kelley, Boothe, Davis, Earl, Hall, Boggess, Longacre, Lear, Hymas, and Bollinger.

1 ABSTAINED: Member Green.

MOTION TO POSTPONE was made by Member Boggess and seconded by Member Green that the Board postpone the item to the October board meeting.

The motion failed.

6 IN FAVOR: Members Hymas, Boggess, Longacre, Green, Brinton, and Kelley.

9 OPPOSED: Members Lear, Reale, Kerry, Bollinger, Wood, Boothe, Davis, Earl, and Hall.

MOTION TO AMEND was made by Member Boggess and seconded by Member Kelley that the Board strike from Line 100 “another individual’s,” reinsert 100-101, strike 102-113.

The motion failed.

6 IN FAVOR: Members Green, Bollinger, Wood, Boggess, Longacre, and Brinton.

9 OPPOSED: Members Lear, Reale, Kerry, Boothe, Davis, Earl, Hall, Hymas, and Kelley.

MOTION TO AMEND was made by Member Boggess and seconded by Member Wood that the Board

- 1) strike the proposed new language in Line 138: intimidating, abusive, offensive, oppressive, or
- 2) and reinstate the stricken language on Lines 139-140: [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 carried.

9 IN FAVOR: Members Green, Wood, Boggess, Longacre, Brinton, Boothe, Hall, Hymas, and Kelley.

5 OPPOSED: Members Kerry, Earl, Lear, Bollinger, and Davis.

1 ABSENT: Member Reale.

ADJOURNMENT

MOTION TO ADJOURN was made by Member Kerry and seconded by Member Boothe.

The motion passed unanimously.

15 IN FAVOR: Members Reale, Kerry, Brinton, Wood, Kelley, Boothe, Davis, Earl, Green, Hall, Longacre, Lear, Hymas, Boggess, and Bollinger.

The meeting adjourned at 6:03 PM.

The executive assistant took the meeting minutes.
The minutes are pending approval.