



Meeting Minutes

Utah State Board of Education

Utah State Board of Education Meeting
Continued Business from the previous
meeting on September 4-5, 2025.
8:00 AM to 2:00 PM

A regular Utah State Board of Education meeting was held on September 11, 2025. Chair Hymas 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 Present

Board Chair Matt Hymas
First Vice-Chair Amanda Bollinger
Second Vice-Chair LeAnn Wood
Member Christina Boggess
Member Joseph Kerry
Member Cindy Davis

Member Jennie Earl
Member Sarah Reale
Member Erin Longacre
Member Cole Kelley
Member Carol Lear
Member Rod Hall

Members Online

Member Joann Brinton
Member Emily Green
Member Randy Boothe

Executive Staff Present

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

Minutes were taken by:

Cybil Prideaux, Executive Assistant

Others present

Aaron Brough, Deborah Jacobsen, Royce Van Tassel, Darin Nielsen, Jerry Record, Dale Frost, Debbie Davis, Paula Plant, Sarah Wiebke, and Alex Farrah.

Chair Hymas called the meeting to order at 8:00 AM.

Monthly Budget Report

Monthly Budget Report

In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education provides a report on the status of funds for its internal budgets.

Discretionary Funds Report

The Utah State Board of Education maintains a Discretionary Funds account. In accordance with the Money Management Act and the Budgetary Procedures Act, the Utah State Board of Education is provided with the status of the funds. This is a perpetual action item to facilitate motions by board members to utilize available funds in a consistent and allowable manner.

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.

14 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.

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

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

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
[or discriminatory conduct toward a student or school employee]
139 that the educator knew or should have known may result in a hostile,
intimidating,
140 abusive, offensive, or oppressive environment

The motion carried.

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

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

1 ABSENT: Member Reale.

SUBSTITUTE MOTION was made by Member and seconded by Member Earl that the Board approve R277-217, Draft 4.

MOTION TO AMEND was made by Member Davis and seconded by Member Kerry that the Board amend the rule to add “DCFS” before criminal and strike lines 145-50.

~~(6) cooperate in providing all relevant information and evidence to the proper authority in the course of an investigation by a law enforcement agency or by the Division of Child and Family Services regarding potential criminal activity, except that an educator may decline to give evidence against himself or herself in an investigation if the evidence may tend to incriminate the educator as that term is defined by the Fifth Amendment of the U.S. Constitution;~~

The motion carried.

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

3 OPPOSED: Members Green, Brinton, and Lear.

1 ABSENT: Member Reale.

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.

3 IN FAVOR: Members Brinton, Hall, and Kelley.

12 OPPOSED: Members Green, Boothe, Kerry, Bollinger, Wood, Davis, Earl, Hymas, Boggess, Longacre, Reale, and Lear.

MOTION TO AMEND was made by Member Wood and seconded by Member Kerry that the Board strike Lines 166-67.

~~(b) providing relevant information within the educator's knowledge or possession; and~~

The motion failed.

3 IN FAVOR: Members Hall, Brinton, and Green.

12 OPPOSED: Members Longacre, Kerry, Hymas, Kelley, Earl, Davis, Boothe, Bollinger, Reale, Lear, Wood, and Boggess.

FINAL MOTION, AS AMENDED

The motion carried.

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

2 OPPOSED: Members Green and Boggess.

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

MOTION was made by Member Kerry that the Board approve R277-210, Utah Professional Practices Advisory Commission (UPPAC), Definitions, Draft 2, on second and final reading.

SUBSTITUTE MOTION was made by Member Boggess that the Board approve R277-217, Draft 3

SUBSTITUTE MOTION was made by Member Earl and seconded by Member Kelley that the Board approve R277-210, Draft 4.

The motion carried.

11 IN FAVOR: Members Brinton, Lear, Reale, Kerry, Longacre, Bollinger, Hymas, Wood, Kelley, Davis, and Earl.

3 OPPOSED: Members Green, Boothe, and Boggess.

1 ABSENT: Member Hall.

MOTION TO AMEND was made by Member Boggess and seconded by **(no second)** by adding “and which is based upon a preponderance of evidence” after Line 29.

MOTION TO AMEND was made by Member Boggess and seconded by Green that the Board amend Draft 4 by adding a definition of harassment after GRAMA, “Harassment’ or ‘Harass’ means conduct or to engage in conduct that is unwelcome, pervasive, demeaning, ridiculing, derisive, or coercive, and results in a hostile, offensive, or intimidating work or education environment.”

The motion failed.

1 IN FAVOR: Member Boggess.

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

1 ABSENT: Member Hall.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member Kerry that the Board define “harassment” as “aggressive pressure or intimidation.”

The motion failed.

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

1 ABSENT: Member Hall.

CALL THE QUESTION

The motion failed. (7 to 7)

7 IN FAVOR: Members Reale, Wood, Kelley, Earl, Lear, Hymas, and Bollinger.

7 OPPOSED: Members Boggess, Boothe, Brinton, Davis, Green, Kerry, and Longacre.

1 ABSENT: Member Hall.

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

MOTION was made by Member Kerry that the Board approve R277-215, Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions, Draft 2, on second and final reading.

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

The motion failed.

3 IN FAVOR: Members Green, Boggess, and Davis.

11 OPPOSED: Members Reale, Kerry, Brinton, Wood, Kelley, Boothe, Earl, Longacre, Lear, Hymas, and Bollinger.

1 ABSENT: Member Hall.

SUBSTITUTE MOTION was made by Member Earl and seconded by Member Kelley that the Board approve R277-215, Draft 3.

The motion carried.

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

4 OPPOSED: Member Boothe, Green, Brinton, and Boggess.

1 ABSENT: Member Hall.

R277-303, Educator Preparation Programs (Amendment)

MOTION was made by Member Kerry that the Board approve R277-303, Educator Preparation Programs, Draft 1, on second and final reading.

The motion carried.

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

1 OPPOSED: Member Boggess.

1 ABSENT: Member Hall.

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

MOTION was made by Member Kerry that the Board continue and approve R277-723, Start Smart Utah Program, Draft 1, on second and final reading.

The motion carried.

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

1 ABSTAINED: Member Earl.

1 ABSENT: Member Hall.

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

MOTION was made by Member Kerry 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.

MOTION TO AMEND was made by Member Boggess and seconded by Member Green that the Board strike lines 123-130.

The motion failed.

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

1 ABSENT: Member Hall.

SUBSTITUTE MOTION was made by Member Davis and seconded by Member Kelley that the Board approve Draft 1.

The motion passed unanimously.

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

1 ABSENT: Member Hall.

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

MOTION was made by Member Kerry that the Board approve R277-608, Emergency Safety Interventions and Prohibition of Corporal Punishment, Draft 3, as amended.

The motion carried.

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

3 OPPOSED: Member Green, Longacre, and Boggess.

1 ABSENT: Member Hall.

MOTION was made by Member Wood and seconded by Member Kerry that the board amend Draft 3, lines 215-217 to read as follows:

- (a) as a behavioral intervention,
- (b) as a disciplinary practice;
- (c) for coercion, retaliation, or humiliation,
- ~~(c)~~(d) due to inadequate staffing, or
- ~~(d)~~(e) for the staff member's convenience

The motion passed unanimously.

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

1 ABSENT: Member Hall.

MOTION was made by Member Bollinger and seconded by Member Lear that the Board amend Draft 3, line 165 to read: "Key identified school employees shall receive comprehensive ESI training that is research- and evidence-based in addition to the foundational behavior support training.

The motion carried.

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

2 OPPOSED: Members Green and Boggess.

1 ABSENT: Member Hall.

MOTION was made by Member Kerry and seconded by Member Kelley that the Board amend Draft 3, line 233, by striking "provide notice" and replacing it with "shall attempt notification."

The motion carried.

9 IN FAVOR: Members Reale, Kerry, Wood, Kelley, Boothe, Davis, Earl, Longacre, Lear, and Bollinger.

5 OPPOSED: Members Green, Brinton, Hymas, Wood, and Boggess.

1 ABSENT: Member Hall.

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

Chair Hymas passed the gavel to Vice Chair Wood.

Utah's Every Student Succeeds Act (ESSA) Amendment

MOTION was made by Member Earl that the Board approve Draft 1 of Utah's Every Student Succeeds Act (ESSA) plan and forward it to the United States Department of Education.

The motion passed unanimously.

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

Vice Chair Wood passed the gavel to Chair Hymas.

R277-701, Early College Programs (Continuation & Amendment)

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

The motion carried.

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

1 OPPOSED: Member Boggess.

R277-324, Paraprofessional/Paraeducator Programs, Assignments, and Qualifications (Amendment)

MOTION was made by Member Earl that the Board approve R277-324, Paraprofessional/Paraeducator Programs, Assignments, and Qualifications, Draft 1, on second and final reading.

The motion passed unanimously.

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

Requests for Statutory Changes

MOTION was made by Member Boggess and seconded by Member Kelley that the Board direct staff to work with a legislator to amend appropriate codelines to address situations in which students have been absent for 10 or more consecutive school days only under the following circumstances:

- Parents have failed to notify the school of absence,
- No Home School Affidavit has been filed,
- No notice of unenrollment has been sent to the school, and
- Parents have failed to respond to communications from the school (e.g., email, phone, text, etc.)

And one of the following

There has been no request for student records, or

There is no record of the child being enrolled in any other Utah LEA.

In such cases, a referral shall be made to _____ for a welfare check.

The motion passed unanimously.

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

***Motion withdrawn* MOTION TO AMEND** was made by Member Bollinger and seconded by Member that the Board strike “affidavit” and replace with “initial notification”

MOTION was made by Member Kerry and seconded that the Board direct staff to work with the legislature on a potential amendment to the appropriate Utah code to include a member of the USBE Board as a voting member on the Utah System of Higher Education (USHE) Board.

The motion passed unanimously.

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

MOTION was made by Member Earl and seconded by Member Kelley that the Board direct staff to work with the legislature on potential amendments to the Voted and Board local levy

1. Reduce the guarantee to 15 increments,
2. ~~Cap the guarantee amount to a certain amount and use additional funding for this to increase the At-risk WPU funding~~ Cap the amount appropriated from state funds to the guarantee program to a certain amount and reallocate any savings to the guarantee program to the At-Risk WPU Add-On; and
3. Under the truth in taxation code, require truth in taxation takes place before the money is budgeted.

MOTION TO AMEND was made by Member Earl that the Board replace #2 with “Cap the amount appropriated from state funds to the guarantee program to a certain amount and reallocate any savings to the guarantee program to the At-Risk WPU Add-On”

Without objection, the language was replaced in #2.

MOTION TO AMEND was made by Member Boggess and seconded by Member that the Board amend the motion to

- Add “on or before” to the 3rd bullet “before the money”
 - Add a 4th bullet point: “to fully disclose monetary investment funds, savings accounts, etc.”
1. Reduce the guarantee to 15 increments,
 2. ~~Cap the guarantee amount to a certain amount and use additional funding for this to increase the At-risk WPU funding~~ Cap the amount appropriated from state funds to the guarantee program to a certain amount and reallocate any savings to the guarantee program to the At-Risk WPU Add-On; and
 3. Under the truth in taxation code, truth in taxation must take place on or before the date the money is budgeted.
 4. To fully disclose monetary investment funds, savings accounts, etc.

MOTION TO DIVIDE was made by Member Kerry and seconded by Member Davis that the board divide the motion into three options. **Without objection, the motion was divided.**

1st Divided Motion

1. Under the truth in taxation code, require truth in taxation takes place on or before before the date the money is budgeted.

The motion failed.

6 IN FAVOR: Members Boggess, Green, Hall, Kelley, Longacre, and Reale.

6 OPPOSED: Member Boothe, Earl, Kerry, Wood, Bollinger, and Hymas.

2 ABSTAINED: Members Davis and Lear.

1 ABSENT: Member Brinton.

2nd Divided Motion

5. To fully disclose monetary investment funds, savings accounts, etc.

MOTION TO AMEND was made by Member Kerry and seconded by Member Kelley that the Board add at the end of the 4th bullet “and an itemized accounting of those funds”

1. To fully disclose monetary investment funds, savings accounts, etc., and an itemized accounting of those funds

The motion carried.

12 IN FAVOR: Members Boggess, Boothe, Earl, Green, Hall, Kelley, Kerry, Longacre,

Reale, Wood, Bollinger, and Hymas.

2 ABSTAINED: Members Davis and Lear.

1 ABSENT: Member Brinton.

MOTION TO AMEND was made by Member Boggess and seconded by Member Kerry that the Board amend to add “the Public Treasure Investment Funds” after “savings accounts”

1. To fully disclose monetary investment funds, savings accounts, [the Public Treasure Investment Funds](#), etc., and an itemized accounting of those funds

The motion carried.

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

1 OPPOSED: Member Reale.

FINAL MOTION OF THE 2ND DIVIDED MOTION

The motion carried.

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

6 OPPOSED: Member Boothe, Davis, Lear, Reale, Wood, and Hymas.

MOTION TO POSTPONE was made by Member Davis and seconded by Member Lear that the Board postpone the item to the October 2 finance committee meeting.

The motion carried.

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

3 OPPOSED: Member Boggess, Kerry, and Hymas.

Draft Legislative Funding Requests for the 2026 General Session

MOTION was made by Member Reale and seconded by Member Kerry that the Board direct the Superintendent to develop a funding request for pupil transportation to increase the level to 85%.

The motion carried.

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

3 OPPOSED: Members Boggess, Green, and Wood.

MOTION was made by Member Boggess and seconded by Member Kelley that the Board amend the UPPAC funding request to include 10 total FTEs (8 additional FTEs for UPPAC).
(Current recommendation is 5 Audit and 2 UPPAC)

MOTION TO AMEND was made by Member Kerry and seconded by Member Kelley that the Board direct Superintendent to amend the current UPPAC, Audit Critical, and Agency FTE funding requests to increase the FTEs to 17 as determined by the Superintendent and Board Leadership.

The motion carried.

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

2 OPPOSED: Member Lear and Reale.

1 ABSENT: Member Boothe

Readiness Improvement Success Empowerment (RISE)

RISE ELA Cut Scores

MOTION was made by Member Bollinger and seconded by Member Hymas that the Board approve the recommended proficiency cuts for the RISE ELA grades 3–8 assessments.

The motion carried.

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

2 OPPOSED: Members Davis and Boggess.

MOTION TO AMEND was made by Member Earl and seconded by Member Kelley that the Board direct the Superintendent to develop a funding request for funding for a State-wide attendance campaign for the October Board Meeting.

The motion passed unanimously.

13 IN FAVOR: Member Wood, Lear, Kelley, Hall, Green, Earl, Brinton, Boothe, Reale, Longacre, Kerry, Bollinger, Hymas.

2 ABSENT: Member Boothe and Brinton.

ADJOURNMENT

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

The motion passed unanimously.

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

The meeting adjourned at 2:13 PM.

The executive assistant took the meeting minutes.

The minutes are pending approval.