



Meeting Minutes

Utah State Board of Education

Utah State Board of Education Board Meeting,
Utah School for the Deaf and Blind (USDB),
USBE Work Session, and
Continued Business from the previous
meeting on December 4, 2025.

1:00 to 6:00 PM

A regular Utah State Board of Education meeting was held on December 5, 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 Cole Kelley

Member Randy Boothe

Member Cindy Davis

Member Carol Lear

Member Jennie Earl

Member Sarah Reale

Member Rod Hall

Member Joseph Kerry

Member Erin Longacre

Member Emily Green

Member Christina Boggess

Member Online

Member Joann Brinton

Executive Staff Present

Molly Hart, State Superintendent

Elisse Newey, Deputy Superintendent

Leah Voorhies, Deputy Superintendent

Minutes were taken by:

Cybil Prideaux, Executive Assistant

Others present

Angela Doan, Assistant Attorney General, Deborah Jacobson, Assistant Superintendent; Darin Nielsen, Assistant Superintendent of the Utah Schools for the Deaf and the Blind; Susan Patton, Assistant Superintendent; David Goff, Dwight Overgaard, Cindy Andersen, Vicky Summers, and Jennifer Wadsworth.

Vice chair Bollinger called the meeting to order at 1:37 PM.

Utah School for the Deaf and the Blind (USDB) Board Meeting**Public Comment for USDB**

The Board heard from Sarah Erb, Kristi Lee Mortensen, Alyssa Nielsen, and Kristi Lee Mortensen.

- 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

Monthly USDB Budget Update

USBE Assistant Superintendent of Operations Deborah Jacobson provided board members with a monthly USDB financial update.

Superintendent Report

State Superintendent Dr. Molly Hart, Assistant Superintendent of the Utah Schools for the Deaf and the Blind Darin Nielsen, Associate Superintendent of the Deaf Dr. Tanner and Associate Superintendent of the Blind Ms. Patten provided a summary of recent USDB events to board members.

USDB Committee Standing Committee Report/Recommendations – (Items duplicated from the November 10, 2025, meeting).

Reporting Violations of Statute or Board Rule Policy

MOTION was made by Member Wood that the Board approves the Reporting Violations of Statute or Board Rule Policy, Draft 2, on second and final reading.

The motion passed unanimously.

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

Hotline Investigation and Response Policy

MOTION was made by Member Wood that the Board approve the Hotline Investigation and Response Policy, Draft 2, on final reading.

The motion passed unanimously.

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

Student Assessment Policy

MOTION was made by Member Wood that the Board approve the Student Assessment Policy, Draft 1, on second and final reading.

The motion passed unanimously.

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

Student Use of Power Tools and Maintenance Equipment

MOTION was made by Member Wood approve the Student Use of Power Tools and Maintenance Equipment Policy, Draft 1, on second and final reading.

The motion passed unanimously.

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

Student Use of Power Tools and Maintenance Equipment Consent Form

MOTION was made by Member Wood approve the Student Use of Power Tools and Maintenance Equipment Consent Form, Draft 1, on second and final reading.

The motion passed unanimously.

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

USDB Committee Report/Recommendations - (Items duplicated from the November 25, 2025, meeting).

Develop a response to the PEA report to EAC

MOTION was made by Member Wood that the Board approve the recommendations to EAC and forward to the Board for final approval.

SUBSTITUTE MOTION was made by Member Wood and seconded that the Board approve Draft 3 of the recommendations.

MOTION TO AMEND was made by Member Earl and seconded that the USBE Response and Recommendations statement under "Role in the Public Education System" include "continued to" after "participation"

"The Board recommends that on-campus student participation continued to be an option for students with a vision or hearing loss who have an IEP or require 504 accommodations, including students with multiple disabilities"

The motion passed unanimously.

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

MOTION TO AMEND was made by Member Earl and seconded by Member Kerry that the Board amend to include the words "Administrative and Specialized Services" after "Deafblind Services", and that the second paragraph be stricken from the USBE Response and Recommendations statement under "Finance, Data, and Resident LEA Responsibility."

The motion passed unanimously.

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

MOTION TO AMEND was made by Member Earl and seconded by Member Wood that the Board recommends that “2026” be removed from the USBE Responses and Recommendations statement under “Additional Board Recommendations.”

“The Board recommends an appropriation of an additional \$1.8 million for fiscal years 2026 and 2027 to meet current staffing obligations for IEP legal requirements.”

The motion passed unanimously.

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

1 ABSENT: Member Boggess.

MOTION TO AMEND was made by Member Earl and seconded by Member Wood that the Rationale include the words “In Conclusion”.

“In conclusion, the slogan “Better together” has represented the collaborative spirit among USD families in recent years. Previous tensions have been resolved and replaced with effective solutions. This approach serves as an exemplary model for USBE and the legislature, demonstrating how cooperative efforts can enhance services for students with sensory needs in Utah.”

The motion passed unanimously.

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

FINAL MOTION, DRAFT 3, AS AMENDED

The motion passed unanimously.

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

2026 General Legislative Session Preparation

MOTION was made by Member Wood and Member Boggess that the Board hold a Legislative Board Meeting on January 15, 2026, at the Utah State Board of Education from 12:00 to 2:00 PM.

The motion passed unanimously.

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

Requests for Statutory Changes

MOTION was made by Member Boggess and seconded that the Board direct staff to work with legislator to amend Utah Code §§ 76-10-1201, 76-10-1203, and 76-10-1208 to remove all categorical exemptions for public schools, school employees, libraries, institutions of higher education, and any public education entity or employee from the state's harmful-to-minors and pornographic materials statutes; to repeal or revise the definition of "legitimate educational purpose" so that it may not be asserted as an affirmative defense to violations involving material harmful to minors; to clarify within § 76-10-1203 that no institutional status, curriculum function, or scope of employment constitutes a defense to the distribution, presentation, exhibition, or dissemination of sexual or explicit materials prohibited under that section; and to ensure that all public education institutions, personnel, contractors, and agents are subject to the same criminal standards governing harmful material to minors as apply to private individuals in the state of Utah.

MOTION TO POSTPONE was made by Member Boggess and seconded by Member Kelley that the Board postponed the item until the Unfinished Business on December 5, 2025.

The motion carried.

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

1 OPPOSED: Member Lear

2 ABSENT: Members Reale and Kerry.

SUBSTITUTE MOTION was made by Member Boggess and seconded by Member Kelley that the Board direct staff to work with a legislator to amend Utah Code § 76-5c-code series, the 78B-3-1 code series and any other applicable codes to remove all categorical exemptions for public schools, school employees, libraries, institutions of higher education, and any public education entity, affiliate, personnel or employee from the state's harmful-to-minors and pornographic materials statutes; to repeal or revise the definition of "legitimate educational purpose" or like language so that it may not be asserted as an affirmative defense to violations involving material harmful to minors; to clarify within the § 76-5c-code series, the 78B-3-1 series and any other applicable codes that no institutional status, curriculum function, or scope of employment constitutes a defense to the distribution, presentation, exhibition, or dissemination of sexual or explicit materials prohibited under that section; and to ensure that all public education institutions, personnel, contractors, affiliates and agents are subject to the same criminal standards governing harmful material to minors as apply to private individuals in the state of Utah.

MOTION TO POSTPONE was made by Member Earl and seconded by Member Davis that the Board postpone this item to the January board meeting and to direct the AAGs to review the issue prior to that meeting.

The motion carried.

10 IN FAVOR: Members Brinton, Wood, Kelley, Boothe, Davis, Earl, Hall, Longacre, Kerry, and Bollinger.

5 OPPOSED: Members Hymas, Reale, Green, Lear, and Boggess.

MOTION TO DIVIDE was made by Member Boggess and seconded by Member Green that the Board divides the motion.

The motion failed.

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

12 OPPOSED: Member Reale, Brinton, Wood, Boothe, Davis, Earl, Hall, Longacre, Lear, Hymas, Kerry, and Bollinger.

ADJOURNMENT

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

The motion passed unanimously.

The meeting adjourned at 6:04 PM.

The executive assistant took the meeting minutes.

The minutes are pending approval.