



Meeting Minutes

Utah State Board of Education

A regular meeting of the Utah State Board of Education was held on May 7, 2026, and was scheduled to start at 9:00 AM. 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 (online)
Member Christina Boggess
Member Amanda Bollinger
Member Randy Boothe
Member Joann Brinton (online)
Member Rod Hall

Member Jennie Earl
Member Sarah Reale
Member Emily Green
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, Deputy Superintendent

Minutes were taken by:

Cybil Prideaux, Executive Assistant

Others Present

Allison Pinegar, Lexi Cunningham, Yi Song, Vernica Gao, Jon England, Pam Pedersen, David Sharette, Joylin Lincoln, Regina Harris, Ben Joneson, Adam McMichell, Julie Cluff, Cammy Whitchurch, Sandra Buendia, Kathryn Clark, Jolyan Forman, Katelyn Nevenner, Sarge Droy, and Enzo Imdas.

Opening Business

Chair Hymas called the meeting to order at 9:11 AM. Member Boothe led those present in the Pledge of Allegiance.

Member Message

Member Cole Kelley shared the monthly message.

Employee Recognition

Superintendent Hart announced the Employee of the Month: Saige Bowman.

Acknowledgment of Student Artwork

The student artwork is a selection purchased by the Utah State Board of Education from the Annual Utah All-State High School Art Show held at the Springville Museum of Art.

Public Comment for USBE

The Board heard from Sandra Buendia, Jessica Porter, Ben Jameson, Cammy Witchurch, Regina Harris, Katherine Klark, and Lexi Cunningham.

- 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.

Standards and Assessment Committee Report/Recommendations - (Items duplicated from the April 3, 2026, meeting.)

R277-607, Absenteeism and Truancy Prevention (Amendment & Continuation)

MOTION was made by Member Earl that the Board approve R277-607, Absenteeism and

Truancy Prevention, Draft 1, on second and final reading.

The motion carried.

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

2 OPPOSED: Member Bogges and Kelley.

R277-925, Effective Teachers in High Poverty Schools Incentive Program (Amendment & Continuation)

MOTION was made by Member Earl that the Board continue and approve R277-925, Effective Teachers in High Poverty Schools Incentive Program, Draft 1, on second and final reading.

The motion passed unanimously.

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

R277-727, School Meals Program (Continuation)

MOTION was made by Member Earl that the Board continue R277-727, School Meals Program.

The motion passed unanimously.

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

R277-406, Early Learning Program and Benchmark Assessments (Amendment)

MOTION was made by Member Earl that the Board approve R277-406, Early Learning Program and Benchmark Assessments, Draft 2, as amended, on second and final reading.

The motion passed unanimously.

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

MOTION TO AMEND was made by Member Bollinger and seconded by Member Kelley that the Board amends R277-406, Draft 2, to change every reference to the math assessment to ensure that the statewide early mathematics assessment is optional for LEAs, including:

Section 4, Subsection (1), line 110

Section 4, Subsection (2), line 119

Section 4, Subsection (3)(b), line 127

Section 4, Subsection (4), line 130

Section 4, the newly renumbered Subsection (5), line 139

Section 4, the newly renumbered Subsection (5)(b), line 142

And strike lines 143-145.

The motion passed unanimously.

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

MOTION was made by Member Kerry and seconded by Member Longacre that the Board add a line to Section 5 that reads:

(3) For school year 26-27, if an LEA chooses to administer the early mathematics assessment, the cost of the assessment will be the sole responsibility of the LEA.

The motion failed.

2 IN FAVOR: Members Hall and Kerry.

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

1 ABSTAINED: Member Boggess.

MOTION TO AMEND was made by Member Davis and seconded by Member Boothe that the Board add a line to Section 5 that reads:

(3) For school year 26-27, if an LEA chooses to administer the early mathematics assessment, access to the manual entry license through the statewide contract will be provided through dedicated USBE funds.

The motion carried.

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

1 OPPOSED: Member Kerry.

1 ABSTAINED: Member Hall.

Finance Committee Report/Recommendations - (Items duplicated from the April 3, 2026, meeting.)

State Fiscal Year 2027 Public Education Budget Review and Recommendation for Adoption

MOTION was made by Member Davis that the Board adopt the 2027 State Fiscal Year budget.

The motion carried.

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

1 OPPOSE: Member Kerry.

Request for Use of Utah State Board of Education Discretionary Funds for a Special Education Advocacy Training

MOTION was made by Member Davis that the Board use IDEA funds for a virtual intensive special education training for parents, taught by Karen Cunningham.

The motion failed.

7 IN FAVOR: Members Wood, Boothe, Davis, Green, Hall, Brinton, and Boggess.

8 OPPOSE: Members Reale, Longacre, Kerry, Kelley, Earl, Lear, Bollinger, and Hymas.

SUBSTITUTE MOTION Member Boggess and seconded by Member Hall that the board approve the use of \$30,000 in IDEA funds for an online Utah session of the “Epic IEP Advocacy Intensive” training with Karen Mayer Cunningham to be scheduled by the USBE staff, and \$2,000 in discretionary funding for shipping of the training materials.

IDEA funds are to support 200 \$150 scholarships to be used by family participants registered no later than July 15, 2026. (The total cost of registration is \$300). Any remaining scholarships will be opened up on a first-come, first-served basis to classroom educators. Registration for the event will remain open until August 31, 2026.

The motion failed.

7 IN FAVOR: Members Wood, Boothe, Davis, Earl, Green, Hall, and Boggess.

8 OPPOSE: Members Lear, Hymas, Kelley, Brinton, Reale, Bollinger, Longacre, and Kerry.

Law and Licensing Committee Report/Recommendations – (Items duplicated from the April 3, 2026, meeting.)

Lincoln Academy Waiver Request (New)

MOTION was made by Member Kerry that the Board approve Lincoln Academy's request for a

waiver from R277-552-6(9).

The motion passed unanimously.

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

American Preparatory Academy - Eagle Mountain Satellite Waiver Request (New)

MOTION was made by Member Kerry that the Board approve American Preparatory Academy's request for a waiver from R277-552-3(1).

The motion carried.

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

1 ABSTAINED: Member Bollinger.

1 ABSENT: Member Wood.

R277-488, Dual Language Immersion Program (Amendment & Continuation)

MOTION was made by Member Kerry that the Board continue and approve R277-488, Dual Language Immersion Program, Draft 2, on second and final reading.

The motion passed unanimously.

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

3 ABSENT: Members Brinton, Green, and Boggess.

R277-320, Grow Your Own Teacher and School Counselor Pipeline Program (Amendment &

Continuation)

MOTION was made by Member Kerry that the Board continue and approve R277-320, Grow Your Own Teacher and School Counselor Pipeline Program, Draft 1, on second and final reading.

The motion passed unanimously.

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

3 ABSENT: Members Brinton, Green, and Boggess.

R277-731, Catalyst Center Grant Program Policy (Amendment)

MOTION was made by Member Kerry that the Board approve R277-731, Catalyst Center Grant Program Policy, Draft 1, on second and final reading.

The motion passed unanimously.

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

3 ABSENT: Members Brinton, Green, and Boggess.

Consent Calendar

MOTION was made by Member Boggess and seconded by Member Boothe that the Board approve the consent calendar, except for the contract for approval of Meosphere, LLC dba Lightning Kite.

Approval of Meeting Minutes

MOTION was made to approve the meeting minutes as presented.

The motion passed unanimously.

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

Approval of Contracts/Agreements

MOTION was made by Member Bollinger and seconded to approve the contracts, including those for Meosphere, LLC dba Lightning Kite.

The motion passed unanimously.

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

1 ABSENT: Member Reale.

FY2026 National School Lunch Program Equipment Assistance Grant

MOTION was made that the Board approve Child Nutrition Programs to submit a competitive grant application for the FY2026 National School Lunch Program Equipment Assistance Grant.

The motion carried.

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

2 OPPOSED: Members Kelley and Boggess.

1 ABSTAINED: Member Green.

1 ABSENT: Member Earl.

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.

Executive Session (closed in accordance with the Utah Open and Public Meetings Act)

The motion was made by Member Kerry and seconded by Member Kelley that the Board move into executive session for the purpose of

- a person's character, competence, or health;
- pending or imminent litigation;
- certain matters regarding the acquisition or sale of real property, including water rights or shares;
- the deployment of security personnel, devices, or systems;
- an investigation of alleged criminal conduct;
- the receipt or review of an ethics complaint if the public body is the Independent Legislative Ethics Commission;
- certain matters under the jurisdiction of a legislative ethics committee; and
- certain deliberations and decision-making involved in the procurement process.

Upon the voice vote of Members Lear, Reale, Boggess, Boothe, Kerry, Lear, Earl, Green, Longacre, Hymas, Davis, Kelley, and Bollinger, the Board entered a closed session at 2:10 PM.

The following individuals were also present: Leah Voorhies, Scott Jones, Cybil Prideaux, Elisse Newey, Angela Doan, and Ben Rasmussen.

MOTION was made by Member Boggess and seconded by Member Kerry that the Board come out of the executive session.

Upon voice votes of Members Lear, Reale, Boggess, Boothe, Kerry, Wood, Lear, Brinton, Earl, Green, Longacre, Hymas, Davis, Kelley, and Bollinger, the Board came out of the executive session at 5:58 PM.

Executive Session Action Items

Educator Licenses

MOTION was made by Member Boggess and seconded by Member Kerry that the Board approve the consent calendar, minus the pulled item.

The motion carried.

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

1 OPPOSED: Member Boggess.

1 ABSTAINED: Member Wood.

UPPAC Cases for Review/Action

MOTION was made by Member Kerry and seconded that the Board requests that the Assistant Attorney General provide a legal memorandum to the Board addressing the following

questions:

1. The constitutional and legal appropriateness of the Board or UPPAC making a determination that an educator violated Utah Code 76-8-502, or another criminal statute, using the “preponderance of the evidence” standard rather than the criminal law standard of “beyond a reasonable doubt.”

When considering the suspension or revocation of an educator license, may the Board or UPPAC expand the plain language of an administrative rule beyond its text?

- a. Specifically, R277-215-2(5)(a) applies to false information contained in an “education-related document.” May the Board or UPPAC interpret or apply this provision to alleged oral statements when no “education-related document” is at issue?
- b. Specifically, R277-217-3(9) requires an educator to report misconduct “by another educator” under certain circumstances. May the Board or UPPAC interpret or apply this provision to an educator’s alleged failure to report his or her own conduct in a manner that could implicate protections against self-incrimination under the Fifth Amendment to the United States Constitution?

The motion carried.

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

3 ABSTAINED: Members Boggess, Lear, and Reale.

MOTION TO AMEND was made by Member Lear and seconded by Member Davis that the Board amend the motion to end (b) after " his or her misconduct."

The motion failed

6 IN FAVOR: Members Boothe, Reale, Lear, Davis, Wood, and Bollinger.

8 OPPOSED: Members Earl, Longacre, Hymas, Kelley, Hall, Kerry, Davis, and Brinton.

1 ABSTAINED: Member Boggess.

MOTION was made by Member Boggess and seconded by Member Kerry that the Board adopt the Consent to Discipline form dated April 7, 2026, and the recommendations for Case No. 25-2000.

The motion carried.

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

2 OPPOSED: Members Lear and Reale.

2 ABSTAINED: Members Brinton and Wood.

MOTION was made by Member Boggess and seconded by Member Kerry that the Board adopt the entire findings of the UPPAC hearing report dated April 7, 2026, and the recommendations of Case No. 23-2021:

UPPAC recommends the educator's license be reinstated.

The motion carried.

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

2 ABSTAINED: Members Brinton and Wood.

MOTION was made by Member Boggess and seconded by Member Kerry that the Board adopt the UPPAC recommendations of Case No. 23-2192:

UPPAC recommends that the educator receive a letter of education.

The motion carried.

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

2 ABSTAINED: Members Brinton and Wood.

MOTION was made by Member Boggess and seconded by Member Kerry that the Board adopt the Consent to Discipline form dated April 28, 2026, and the recommendations of Case No. 25-2321:

UPPAC recommends the educator's license be suspended for not less than three (3) years.

The motion carried.

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

1 ABSTAINED: Member Wood.

Committee Appointments

Utah High School Activities Association (UHSAA)

MOTION was made by Member Boggess and seconded by Member Kerry that the Board appoint the following:

- Mr. Chris Anderson and Ms. Mae Miya.
 - a new three-year term

The motion carried.

14 IN FAVOR: Members Reale, Wood, Kelley, Boothe, Davis, Earl, Longacre, Lear, Hymas,

Green, Brinton, Bollinger, Hall, and Kerry.

1 OPPOSED: Member Boggess.

Utah State Charter School Board

MOTION was made by Member Boggess and seconded by Member Kerry that under the jurisdiction of Utah Code 53G-5-201, the USBE identified three candidates—Brad Nelson, Adam Gerlach, and Stephanie Christensen—for potential appointment by the Governor’s office, which will subsequently select one individual to serve on the State Charter School Board for a four-year term.

The motion passed unanimously.

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

UETN Board Membership - Public Education Representatives

MOTION was made by Member Boggess and seconded by Member Kerry that the Board reappoints the following individuals:

- David Long and Jennifer Covington
 - Reappoint for an additional four-year term

The motion carried.

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

2 OPPOSE: Members Boggess and Green.

Utah Privacy Commission (UPC)

MOTION was made by Member Boggess and seconded by Member Kerry that the Board appoint the following:

- Jeremy Zabriskie
 - appointed for a term of four years.

The motion passed unanimously.

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

ADJOURNMENT

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

The meeting adjourned at 6:24 PM.

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

