

June 5, 2026

Utah State Board of Education

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

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

Committee Staff: Elisse Newey, Ben Rasmussen, Vanessa Hatton

Others Present: Malia Hite, Royce Van Tassell, Katy Challis, Lora Cooper, Sam Lee (online), Lis McLachlan, Debbie Davis

Chair Kerry called the meeting to order at 8:15 a.m.

5.1 **Public Comment**

- Sara Jones, Utah Education Association, spoke to R277-211, Utah Professional Practices Advisory Commission (UPPAC), Rules of Procedure: Notification to Educators, Complaints and Final Disciplinary Actions (Amendment), and R277-322, Local Education Agency (LEA) Codes of Conduct (Amendment)
- Pam Pederson spoke to her UPPAC experience

5.2 **Alpine School District Waiver Request (New)**

Committee Discussion: Alpine School District is requesting a new waiver under R277-484, Data Standards.

Committee Action: Member Lear moved that the Committee approve Alpine School District's request for a waiver from R277-484 for all schools necessary and forward to the Board for approval.

The motion passed unanimously, with Member Bollinger recused.

MOTION FOR THE BOARD: That the Board approve Alpine School District's request for a waiver from R277-484 for all schools necessary.

5.3 **Amendment to Data Sharing Agreement with Department of Health and Human Services and Juvenile Courts (USB220035MOU Amendment 1)**

Committee Discussion: This interagency data sharing agreement between the

June 5, 2026

Utah State Board of Education

Utah State Board of Education, the Utah Department of Human Services, and the Utah Juvenile Court establishes a documented process for sharing educational and human services data to better support students involved in foster care, juvenile justice, and Youth in Care (YIC) programs. Amendment 1 would extend USBE's current agreement for one year. If approved by the Board, staff will work with the Utah Department of Health and Human Services and the Utah Juvenile Courts over the coming year to draft new, updated agreements with each agency.

Committee Action: Member Longacre moved that the Committee approve the amendment to the data sharing agreement with the Department of Health and Human Services and Juvenile Courts (USB220035MOU Amendment 1) and forward to the Board for approval.

The motion passed unanimously, with Member Kerry absent.

MOTION FOR THE BOARD: That the Board approve the amendment to the data sharing agreement with the Department of Health and Human Services and Juvenile Courts (USB220035MOU Amendment 1).

5.4 **Board Policy 3006: USBE Data Governance Plan (Amendment)**

Committee Discussion: This requested amendments to Board Policy 3006 incorporate the roles of Data Governors and Superintendent into Table 1, with clearly defined responsibilities related to existing USBE governance processes or legislation. The addition of a "Data Governance Approval Processes" section formalizes existing procedures for approving changes to data collections. Updates to the Data Security and Privacy Training section streamline reporting by incorporating training completion rates into the required annual privacy report. Additional changes include clarifying employee data access permissions within the Data Incidents and Breaches section, at the request of the Student Data Privacy Advisory Group, and correcting a formatting issue within the Student Data Disclosure section.

Committee Action: Member Lear moved that the Committee amend Lines 191-193 to read as follows:

Employee access and permissions for student data shall be determined by a user's need to know as stated in Internal Policy 05-08 and approvals will go through the user's direct supervisor and data owner of the system for which the user is requesting access.

The motion passed unanimously.

June 5, 2026

Utah State Board of Education

Committee Action: Member Longacre moved that the Committee approve Board Policy 3006, USBE Data Governance Plan, Draft 1, as amended, and forward to the Board for approval.

The motion passed unanimously.

MOTION FOR THE BOARD: That the Board approve Board Policy 3006, USBE Data Governance Plan, Draft 2.

5.5 **R277-322, Local Education Agency (LEA) Codes of Conduct (Amendment)**

Committee Discussion: Authorized by Utah Constitution Article X, Section 3, and Utah Code Sections 53E-3-401(4) and 63G-7-301, this rule grants the Utah State Board of Education the explicit authority to mandate that all LEAs adopt and strictly enforce appropriate behavior policies for their staff. 63G-7-301 also requires the Utah State Board of Education to develop a model code of conduct that sets the minimum requirements of an LEA code of conduct. The proposed revisions to this rule are the result of a Board Member Request from Board Members Kerry, Hall, Kelly, and Britton in August 2025. The rule was assigned to Law & Licensing Committee in October. After a series of discussions and early drafts, the Board voted to pause the conversation during the Legislative 2026 session and to bring the rule back for consideration.

Staff presented R277-322, Local Education Agency (LEA) Codes of Conduct, Draft 3a, for consideration and approval.

Committee Action: Member Lear moved that the Committee amend Line 70 to change “contact” to “conduct.”

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Line 73 to strike “providing” and insert “participating in.”

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Line 66-67 to strike “shall avoid boundary violations as defined in R277-210” and insert “shall maintain professional boundaries.”

Committee Action: Member Bollinger moved that the Committee insert “may not commit boundary violations and shall maintain professional boundaries.”

June 5, 2026

Utah State Board of Education

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Line 66-67 to strike “shall avoid boundary violations” and insert “may not commit boundary violations and shall maintain professional boundaries.”

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Line 84 to read, “may not use alcohol or illegal drugs...”

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Line 86 to read, “may not use prescription drugs...”

The motion passed unanimously.

Committee Action: Member Bollinger moved that the Committee amend Line 70 to read, “may not engage in sexual conduct...”

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Line 241 to replace “30 days” with “90 days.”

The motion passed unanimously.

Committee Action: Member Bollinger moved that the Committee amend Line 212 to replace “quarterly” with “annually.”

The motion passed unanimously.

Committee Action: Member Bollinger moved that the Committee amend Line 209 to add “substantiated code of conduct complaints” after “data on”.

The motion passed unanimously, with Member Hall absent.

Committee Action: Member Bollinger moved that the Committee add a definition to Section R277-322-2 as follows: ‘Substantiated’ means that an allegation has been proven through an investigation or hearing process by a preponderance of competent evidence.”

The motion passed unanimously.

June 5, 2026

Utah State Board of Education

Committee Action: Member Longacre moved that the Committee amend Line 210 to replace “dispositions with “outcomes.”

The motion passed unanimously.

Committee Action: Member Kerry moved that the Committee strike Lines 211-228.

The motion passed unanimously.

Committee Action: Member Lear moved that the Committee amend Lines 250-253 to read: “The Superintendent shall prepare a report of all data collected under this rule and shall present the report to the Board annually.”

The motion passed unanimously.

Committee Action: Member Kerry moved that the Committee insert at Line 193: “(2) The code of conduct adopted by an LEA or school under Subsection (1) shall include language regarding contractors and volunteers.”

The motion passed 3-2, with Members Lear and Bollinger in opposition.

Committee Action: Member Bollinger moved that the Committee postpone R277-322 to its next Committee meeting.

The motion passed 3-2, with Members Kerry and Hall in opposition.

MOTION FOR THE BOARD: None

5.6 R277-301, Educator Licensing (Continuation & Amendment)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.7 R277-304, Teacher Preparation Programs (Amendment)

Committee Discussion: None.

Committee Action: None.

June 5, 2026



Utah State Board of Education

MOTION FOR THE BOARD: None.

5.8 R277-306, Educator Preparation Programs for School Psychologists, Audiologists, Speech-Language Pathologists, Speech-Language Technicians, Counselors, and School Social Workers (Amendment)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.9 R277-101, Public Participation in Utah State Board of Education Meetings (Continuation)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.10 R277-409, Public School Membership in Associations (Continuation)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.11 R277-121, Board Waiver of Administrative Rules (Amendment)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

June 5, 2026



Utah State Board of Education

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

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.13 Board Policy 6001: Utah Professional Practices Advisory Commission (UPPAC) Code of Conduct (New)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.14 Board Policy 6002: Utah Professional Practices Advisory Commission (UPPAC) Staff Requirements (New)

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

5.15 Policy Request Items

Committee Discussion: None.

Committee Action: None.

MOTION FOR THE BOARD: None.

June 5, 2026



Utah State Board of Education

Adjournment

The meeting adjourned at 12:30 p.m.