



# UTAH STATE BOARD OF EDUCATION

David L. Crandall, Chair    David L. Thomas, First Vice Chair  
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Sydnee Dickson, State Superintendent of Public Instruction  
Lorraine Austin, Board Secretary

## MEMORANDUM

**TO:**                                      Members, Utah State Board of Education

**FROM:**                                  Angie Stallings, Associate Superintendent

**DATE:**                                  August 11-12, 2016

**ACTION:**                                Board Policy 1002 *Rulemaking Procedures*

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### **Background:**

Board Policy 1002, which describes the Board's internal rulemaking procedures, was originally adopted by the Board during its April 12, 2016 meeting. The new amendments to the Policy provide that Board staff follow the rulewriting style guidelines established by the Office of Administrative Rules' "Rulewriting Manual for Utah Rulewriters" when drafting Board rules.

### **Board Strategic Plan:**

This item supports the following imperative and strategies in the Board's Strategic Plan:

- Oversight - Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

### **Anticipated Action:**

It is proposed that the Board consider approving Board Policy 1002 *Rulemaking Procedures*, as amended.

**Contact:**                              Angie Stallings, 801-538-7550

<b>UTAH STATE BOARD OF EDUCATION POLICY</b>
Policy Number: 1002
Policy Name: Rulemaking Procedures
Date Approved:

By this policy, the Utah State Board of Education, “the Board,” establishes the following internal rules and procedures for consideration of proposed rules:

- (1) Board staff shall follow the rulewriting style guidelines established by the Office of Administrative Rules (OAR) and described in the “Rulewriting Manual for Utah Rulewriters” published by the OAR.
- (2) Upon receiving notice of a proposed rule, the Board Executive Committee shall assign the proposed rule to:
  - (a) a standing committee; or
  - (b) to the entire Board.
- (3)(a) If a rule is assigned to a standing committee as described in Subsection (2)(a), the standing committee shall read the proposed rule initially on first reading.
  - (b) The Board shall read the proposed rule a second time before the entire Board and the second reading shall include discussion of the standing committee report.
- (4) If a proposed rule is assigned to the entire Board as described in Subsection (2)(b), the Board shall read the proposed rule on first and second reading.
- (5) After the Board reads a proposed rule on second reading, the Board may:
  - (a)(i) direct the Superintendent to change the proposed rule; and
  - (ii) consider the proposed rule again at a future meeting with revisions incorporating the Board's direction;
  - (b) direct the Superintendent to put the proposed rule, as amended by the Board, in its final form with its anticipated effective date on the consent calendar at the Board's next meeting as a third reading;
  - (c) direct the Superintendent to file the rule with the Division of Administrative Rules (DAR) as described in Subsection (5); or

(d) direct the Superintendent to take no further action on the rule.

(6) Following the Board's approval of a proposed rule, the Superintendent shall prepare a rule analysis form and file the form and a copy of the proposed rule with DAR.

(7) The Board may accept public comment and make additional changes to proposed rules in accordance with the requirements of Title 63G, Chapter 3, *Utah Administrative Rulemaking Act*, and DAR's implementing regulations in R15-4-1, et seq.



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Lorraine Austin, Board Secretary

## MEMORANDUM

**TO:** Members, Utah State Board of Education

**FROM:** Angie Stallings, Associate Superintendent

**DATE:** August 11-12, 2016

**ACTION:** Policy Number - Board 2001: *Board Member Compensation*

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### **Background:**

Board Policy 2001, regarding the Board member compensation, was recently amended by the Board during its May 13, 2016 meeting. The new amendments provide that:

- Board members may not be compensated for attending meetings of committees, task forces, or working groups to which they are not assigned; and
- Board members may not be compensated for attending meetings telephonically or by other electronic means.

### **Board Strategic Plan:**

This item supports the following imperative and strategies in the Board's Strategic Plan:

- Oversight - Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

### **Anticipated Action:**

It is proposed that the Board consider approving Board Policy 2001 *Board Member Compensation*, as amended.

**Contact:** Angie Stallings, 801-538-7550  
Ben Rasmussen, 801-538-7835

<b>UTAH STATE BOARD OF EDUCATION POLICY</b>
Policy Number: 2001
Policy Name: Board Member Compensation
Date Approved:

By this policy, the Utah State Board of Education, “the Board,” establishes the following internal rules and procedures for compensating Board member attendance at Board meetings:

- (1) For purposes of this policy, “Board standing committee” means:
  - (a) the Audit Standing Committee;
  - (b) the Finance Standing Committee;
  - (c) the Law and Licensing Standing Committee; or
  - (d) the Standards and Assessment Standing Committee.
- (2) Board members shall be compensated for attendance at each authorized Board meeting day in an amount prescribed by Section 36-2-3.
- (3) Pursuant to Subsection 36-2-3(4)(b), the Board designates the following as “authorized Board meeting days”:
  - (a) a regularly scheduled full monthly Board meeting day;
  - (b) a regularly scheduled monthly Board standing committee meeting day;
  - (c) a legislative Board meeting day;
  - (d) a Board retreat day;
  - (e) for a member of Board leadership, a monthly Board leadership meeting day; and
  - (f) as funding allows, a Board task force or working group meeting day.
- (4) Board leadership may not approve authorized board meeting days in excess of legislative appropriations or the Board’s budgets.
- (5) Members may not be compensated for attendance at meetings related to external assignments, including:
  - (a) the State Charter School Board;

- (b) the Board of Regents; and
  - (c) UCAT.
- (6) Members may not be compensated for attending meetings of committees, task forces, or working groups to which they are not assigned.
- (7) Members may not be compensated for attending meetings telephonically or by other electronic means.
- (8) Members may be reimbursed for travel and related expenses in accordance with R25-7-1 through R25-7-10.



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Sydnee Dickson, State Superintendent of Public Instruction  
Lorraine Austin, Board Secretary

## MEMORANDUM

**TO:**                                      Members, Utah State Board of Education

**FROM:**                                  Angie Stallings, Associate Superintendent

**DATE:**                                  August 11-12, 2016

**ACTION:**                                Board Policy 3001 *Appointment and Termination of Deputy, Associate, and Assistant Superintendents*

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### **Background:**

Board Policy 3001, regarding the oversight of Deputy and Associate Superintendents, was recently amended by the Board during its June 10, 2016 meeting. Proposed new amendments include adding a new classification of "Assistant Superintendent" to the policy to allow more flexibility for the Superintendent and the Board in managing the Board's staff. The job classification of Assistant Superintendent already exists within the DHRM system. This policy clarifies that the Superintendent may appoint Deputy, Associate, or Assistant Superintendents as part of the Superintendent's administrative team.

### **Board Strategic Plan:**

This item supports the following imperative and strategies in the Board's Strategic Plan:

- Oversight - Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

### **Anticipated Action:**

It is proposed that the Board consider approving Board Policy 3001 *Appointment, Evaluation and Termination of Deputy, Associate, and Assistant Superintendents*, as amended.

**Contact:**                                Angie Stallings, 801-538-7550

<b>UTAH STATE BOARD OF EDUCATION POLICY</b>
Policy Number: Board – 3001
Policy Name: <i>Appointment, Evaluation and Termination of Deputy, Associate and Assistant Superintendents</i>
Date Approved:

By this policy, the Utah State Board of Education, “the Board,” establishes the following internal rules and procedures regarding the appointment of Deputy, Associate and Assistant Superintendents.

1. Appointment of Deputy, Associate and Assistant Superintendents: Except as provided in Section (2), each deputy, associate and assistant superintendent shall be appointed by the Superintendent, subject to the advice and consent of the Board.
2. Appointment of the Deputy Superintendent of Operations: The Deputy Superintendent of Operations shall be appointed by the Board, subject to the advice and consent of the Superintendent.
3. Evaluation of Deputy, Associate and Assistant Superintendents: Except as provided in Section (4), each deputy, associate and assistant superintendent shall report to and be evaluated by the Superintendent.
4. Evaluation of the Deputy Superintendent of Operations: The Deputy Superintendent of Operations shall report to and be evaluated by the Board.
5. Employment Status of Deputy, Associate and Assistant Superintendents: Notwithstanding any other provision of this policy, each deputy, associate and assistant superintendent shall serve at the pleasure of the Superintendent and the Board, and shall have no expectation of employment for any particular term of employment.
6. Termination of Deputy, Associate and Assistant Superintendents: Except as provided in Section (7), a deputy, associate or assistant superintendent may be removed from office by the Superintendent, subject to the prior consent of the Board.
7. Termination of Deputy Superintendent of Operations: The Deputy Superintendent of Operations may be removed from office by the Board.