



MINUTES

PUBLIC EDUCATION APPROPRIATIONS SUBCOMMITTEE

Tuesday, June 18, 2019 | 8:30 a.m. | 445 State Capitol

Members Present:

Sen. Lyle W. Hillyard, Senate Chair
Rep. Steve Waldrip, House Vice Chair
Sen. Lincoln Fillmore
Sen. Ann Millner
Sen. Ronald Winterton
Rep. Joel K. Briscoe
Rep. Craig Hall
Rep. Dan N. Johnson
Rep. Bradley G. Last
Rep. Karianne Lisonbee
Rep. Jefferson Moss
Rep. Marie H. Poulson
Rep. Susan Pulsipher

Rep. Robert M. Spendlove

Members Absent:

Rep. Steve Eliason, House Chair
Sen. Kathleen Riebe
Sen. Jerry W. Stevenson
Rep. Francis D. Gibson
Rep. V. Lowry Snow

Staff Present:

Ms. Emily Willis, Financial Analyst
Mr. Sean C. Faherty, Fiscal Analyst
Mr. Ben Leishman, Fiscal Analyst
Ms. Nancy Skidmore, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1 . Call to Order

Senate Chair Hillyard called the meeting to order at 8:34 a.m.

Rep. Eliason and Sen. Riebe have asked to be excused.

2 . 2019 General Session Budget Summary

Mr. Ben Leishman, fiscal analyst, discussed a summary of the appropriated budgets for FY 2019 and FY 2020 as passed during the 2019 General Session.

[3-2019 GS Budget Summary for Public Education](#)

Rep. Briscoe commented that previously, state law used to allow local boards, when voted upon, to increase local taxes but did not guarantee the full amount. Was this issue rectified?

Mr. Leishman addressed this question.

Rep. Briscoe asked what the timeline is for schools to develop their individual TSSP Plan.

Mr. Darin Nielsen, Assistant Superintendent Student Learning, Utah State Board of Education, explained the process of the TSSP Plans.

Ms. Emily Willis, Financial Analyst, explained program funding highlights.

Mr. Leishman noted that a full accounting of the education budget can be found in the Budget of the State of Utah annual report online.

3 . Student Assessment - Update on the 2019 Rise Assessment & Contract

[4a-RISE Testing Update \[USBE\]](#)

[4b-RISE Supporting Documentation \[USBE\]](#)

[Accountability and Assessment: RISE Testing Summer 2019](#)

Mr. Darin Nielsen, Assistant Superintendent Student Learning, Utah State Board of Education, gave an update on the 2019 RISE Assessment & Contract. Recent media reports have highlighted problems with the 2019 administration of the RISE (Readiness, Improvement, Success, & Empowerment) assessment and the subsequent cancellation of the contract by the State Board of Education. Mr. Nielsen briefed the subcommittee on these issues and summarized ongoing state funding for student assessments and how this funding factors into current and future RISE contracts (annually and long-term).

Sen. Fillmore commented that Questar did not disclose any problems before they were chosen. He asked if Mr. Nielsen thought that Questar was dishonest in their representation?

Mr. Nielsen addressed this question and also commented that he is uncomfortable criticizing the committee that chose Questar.

Sen. Fillmore asked if there was anything that could have been done differently.

Mr. Nielsen re-framed the question in terms of "looking forward" to what could have been done differently in the future. One suggestion that he made was to examine the scoring rubric.

Mr. Mark Huntsman, Chairman, Utah Board of Education, also gave suggestions on what could be done differently in the future.

Rep. Poulson asked what we are going to do with assessment in the future. She also asked how the Board will proceed with grading schools this year to make it fair.

Mr. Nielsen responded that they need to wait and see if the data is valid then determine what needs to be done.

Rep. Poulson asked what the board is doing to reassure educators in the future.

Mr. Huntsman said that they cannot make any decision until all of the data is in.

Rep. Waldrip asked if the assessment of liquidated damages is intended to fully hold the state board harmless from a financial standpoint for the cost occurred as a result of this breach.

Mr. Scott Jones, Deputy Superintendent of Operations, said that there are all sorts of factors that will be evaluated but the intent is to hold the board harmless.

Rep. Spendlove asked what needs to be done to improve the procurement process so this doesn't happen again.

Mr. Jones presented ideas on ways they could tighten up the procurement process in the future.

Rep. Last asked about the cost of having to bring in emergency procurement (AIR).

Mr. Jones said that emergency procurement cost with AIR is covered and explained how the cost is covered.

Rep. Last asked why the decision was made for using only one vendor going forward.

Mr. Nielsen explained the rationale for choosing one vendor.

Sen. Fillmore asked if there are testing problems with other assessments.

Mr. Nielsen said that there are no known testing assessment problems and explained how assessment problems are addressed.

Rep. Briscoe asked if we are testing students too much.

Rep. Pulsipher asked how much time is spent on testing per student in one year.

Mr. Nielsen said testing time varies from district, LEA, and grade and explained his answer.

Rep. Johnson commented on the need to put the emphasis on the individual child.

MOTION: House Vice Chair Waldrip moved to approve the minutes of the February 19, 2019 meeting. The motion passed with a vote of 14 - 0 - 5.

Yeas-14

Rep. J. Briscoe
Sen. L. Fillmore
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0

Absent-5

Rep. S. Eliason
Rep. F. Gibson
Sen. K. Riebe
Rep. V. Snow
Sen. J. Stevenson

4 . Break

Senate Chair Hillyard called the meeting back to order at 10:21 a.m.

5 . Accountable Process Budget

[6a-Public Education - Accountable Process Budget Summary](#)

[6b-Accountable Process Budget Memo](#)

Mr. Ben Leishman explained the Accountable Process Budget. The Legislature passed H.J.R. 18, "Joint Rules Resolution on Base Budget Provisions" during the 2019 General Session. Mr. Leishman highlighted the budget review process required in JR3-2-501, planned program review, and process for the 2019 Interim meetings. Mr. Leishman also highlighted potential coordination issues with 53F-2-414 which requires annual review of categorical programs in the Minimum School Program - Related to Basic School Program.

House Vice Chair Waldrip assumed the chair.

Rep. Moss asked if the Accountable Process Budget process was more comprehensive than the minimum school program.

Mr. Leishman answered that the Accountable Process Budget is more comprehensive.

6 . 10:00 a.m. Accountable Process Budget - Program Reviews

[7a-Accountable Process Budget Highlights](#)

[7b-Accountable Process Budget Matrix](#)

[7c-Accountable Process Budget MSP Distributions](#)

Mr. Ben Leishman led the subcommittee through high-level budget reviews of the programs selected by the chairs for review during the 2019 Interim. The subcommittee will focus on categorical programs throughout the Public Education budget dealing with Students At-Risk of Academic Failure, Specialized Learning Programs, and Capital Equalization.

Rep. Briscoe asked whether performance metrics have been established.

Mr. Leishman discussed metrics with Rep. Briscoe.

Rep. Last asked if there is evidence that applying additional funding for at risk students is experiencing success.

Mr. Leishman said that a report is coming in a year or two.

Sen. Fillmore asked about the reporting requirement and what that report is about.

Mr. Leishman explained what is contained in the report.

Rep. Pulsipher asked about what is happening to the money in the Youth in Custody section.

Mr. Leishman and Rep. Pulsipher discussed this issue.

7 . Other Business

MOTION: Rep. Johnson moved to adjourn. The motion passed with a vote of 13 - 0 - 6.

Yeas-13

Rep. J. Briscoe
Sen. L. Fillmore
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0

Absent-6

Rep. S. Eliason
Rep. F. Gibson
Sen. A. Millner
Sen. K. Riebe
Rep. V. Snow
Sen. J. Stevenson

House Vice Chair Waldrip adjourned the meeting at 11:09 a.m.