Trust Advisory Committee

Draft Minutes

October 28, 2019

12:00-2:30PM

Members Attending: Chair Nancy Kennedy, Vice Chair Cade Douglas, Carolyn White, Liz Mumford, Mary Wohlforth, Lark Reynolds, Susan Edwards, Tyler Slack, Steve Davis, Jay Blain, Shawn McLeod. Excused: Sarah Thomas.

Others Attending: Justin Atwater, Land Trusts Protection and Advocacy Office (LTPAO); Jessie Stewart, LTPAO; Tonya Aston, Utah PTA; Natalie Gordon, USBE-SCT; Karen Rupp, USBE- SCT; Paula Plant, USBE-SCT; Ben Rasmussen, USBE- Policy, Law and Professional Practices.

Nancy Kennedy welcomed the committee and had those in the room introduce themselves.

Susan Edwards made a motion to approve the minutes of the September 16, 2019 meeting, with Carolyn White providing a second to the motion. The minutes were approved unanimously.

Justin Atwater reported on the Land Trusts Protection and Advocacy Office. In the last three months, he has had the opportunity to meet with to USSA, UASBO, Canyons District and Utah PTA. The Advocacy Committee is working on a new policy to outline how the advocate communicates with the individual beneficiaries. In Justin’s discussions with various stakeholders, there have been questions about who is the actual beneficiary, and he is interested to learn what the various groups represented by TAC feel about the decision-making process at SITLA as the agency has interpreted their role to maximize revenue from the land. Committee members will ask the groups they represent, and this item will be on the November TAC agenda. The committee will discuss and may recommend a resolution for the State Board of Education’s consideration. The committee will also discuss how to strengthen stakeholder support of the trust mandate before the legislative session begins.

Paula Plant asked if there were any question or comments on the SITLA Board Meeting Summary.

Nancy Kennedy and SCT staff reported that a memo has been sent to Utah State Board of Education leadership recommending that the Board support keeping TSSP and School LAND Trust funds separate. Nancy has not heard back.

Natalie Gordon briefly updated the committee on the carryover report for the 2018-19 final reports. The number of schools with greater than 20% carryover for two or more years has decreased 61%, from 72 in 2017-18 to 28 in 2018-19. The number of schools with greater than 20% carryover for the current year has also decreased 56% from 148 in 2017-18 to 65 in 2018-19. Cade stated that the new policy has spurred good discussions and has worked well. Natalie noted that after one more year of data, the committee will need to determine if corrective action should be recommended.

Justin Atwater mentioned as part of the carryover discussion that during his meeting with UASBO, some business officials stated that they would like to have more leeway on individual schools overspending by small amounts. The current procedure and programming do not allow a school to spend into the negative. The committee determined to discuss the item at the end of the meeting.

The committee began to discuss the proposed changes to R277-477. When reporting the positions of their individual groups, committee members suggested that the $7,000 limit on goals for character education, digital citizenship training, safety principles or other academic needs be changed to $7,000 or 10%, whichever is greater, and that civic education should be added back into the list. Paula mentioned that the State Treasurer would like the committee to consider adding Financial Literacy to the areas where increased achievement is prioritized. The committee decided that Financial Literacy could be an LEA priority but adding it to the list may overly emphasize Financial Literacy. It was suggested that Financial Literacy could be added to the $7,000 secondary list, but Paula mentioned that may limit spending, and would not accomplish the prioritization the State Treasurer desired.

Jay Blain moved to approve the draft with the following amendments: Add “or 10%, whichever is greater” after $7,000 on line 202; and include civic education with character education on line 204. The motion received a second by Cade Douglas. The committee was unanimous in their support. It was anticipated that the proposed rule changes, along with a memo explaining the committee position, would be on the November Utah State Board of Education committee agenda.

Paula Plant updated the committee on possible legislation in the 2020 Utah Legislative Session. Paula has not heard any more about Senator Henderson’s possible legislation requiring council meetings to be recorded. Representative Pulsipher is working with a task force on a bill that would require a school-wide vaping plan. Currently, this legislation no longer requires councils to create the plan. Representative Stratton is working to assemble a meeting with all digital citizenship education providers in the state. Susan Edwards stated that Representative Stenquist is proposing legislation to require transportation plans to align with safe walking plans.

Paula mentioned that the School Children’s Trust section has received funding to reprogram the SchoolLANDTrust.org site. She will be sending out surveys and convening focus groups to ensure users are part of the redesign process.

The committee resumed the discussion of allowing individual schools within an LEA to overspend their School LAND Trust budget. Lark stated that this is a recurring complaint at UASBO. Natalie believes that this is the only program where the business administrators report on a school by school basis. Susan mentioned that other programs have budgets and stick to them. Karen Rupp is concerned that allowing a council to overspend would harm future councils’ ability to make decisions. There were concerns about co-mingling of funds between schools. Justin suggested that if a purchase’s useful life is greater than one year, overspending may not be harming future beneficiaries through the principle of intergenerational equity. It was suggested that this only be allowed if the LEA has funds remaining in the program budget to offset the overspending, and that it be held to a minimal amount. Paula and Lark will meet with USBE Finance to discuss the issue, and the item will be on the November agenda for future discussion.

The next meeting will be held November 18, 2019.