**USBA/USSA/UASBO**

1. **Legislative Committee Positions**
2. **Local Replacement Funding for Charter Schools**  The JLC **opposes** any further attempts to divert additional local property tax revenue from school districts to charter schools. The JLC will further attempt to regain the 25% loss already enacted.
3. **Necessarily Existent Small Schools (NESS) Funding.** The **JLC supports distributing the residual** NESS funding that has remained at the Utah State Office of Education after funding was distributed by formula to qualifying schools and districts. We have asked for the state board’s consideration of this matter and it has been approved. The residual will be allocated as a percentage on the same formula used for earlier NESS funding for FY12.

The **JLC has also take a vote to oppose rolling NESS funding into a “Super WPU”** or “Backpack Fund.”

**On February 10, 2012, the JLC determined to take NO POSITION on whether or not to seek additional funds, beyond those allocated for FY12, for NESS schools and districts.** A “NO POSITION” allows superintendents and board members to advocate their own position and obligates lobbyists representing the JLC to take no position of advocacy. Further, on that same date, **the JLC agreed that any new money coming to NESS funding should come on its own line item, and not be rolled into the WPU.**

1. **HB1 Public Education Base Budget Amendments (M. Newbold)** Sets the weighted pupil unit (WPU) at same WPU value as 2011-12 with $2577 for special education and CTE add-on programs, and $2816 for all other programs. Sets estimated basic tax rate at .001591 for 2012-13 and various amounts for education funding. <http://le.utah.gov/~2012/bills/hbillint/hb0001.pdf>

**POSITION: WATCH**

1. **HB15 Statewide Adaptive Testing (G. Hughes)** Provides ongoing funding from the Education Fund for $6.7 million to support the required use of computer adaptive tests aligned with the common core beginning with the 2014-15 school year. <http://le.utah.gov/~2012/bills/hbillint/hb0015.pdf> **POSITION: SUPPORT**
2. **HB19 State Issued Identification Numbers (W. Harper)** Prohibits the state and its political subdivisions from using a Social Security number to identify an individual unless required to use a Social Security number by federal or state law; and prohibits creating and assigning to an individual a nine digit identification number except when required to use a Social Security number. Costs are projected at $10.6 million in one-time funds. <http://le.utah.gov/~2012/bills/hbillint/hb0019.pdf> **POSITION: OPPOSE**
* **Costs are significant and may draw from the Education Fund**
1. **HB24 Health Insurance for School Districts (J. Bird)** Requires local school boards to seek competitive bids on health insurance benefits beginning in 2012-13 and every three years thereafter. Costs may be up to $50,000 per board, every three years. <http://le.utah.gov/~2012/bills/hbillint/hb0024.pdf> **POSITION: OPPOSE**
	* **Local decisions are better informed and local boards can better understand how the benefits and salaries can attract and retain excellent teachers**
	* **The potential of having medical care providers change every three years is worrisome for all patients**
2. **HB41 Property Taxation of Business Personal Property (P. Painter)** Increases and expands a property tax exemption for business personal property. <http://le.utah.gov/~2012/bills/hbillint/hb0041.pdf> **POSITION: SUPPORT**
* **Property tax revenues are not lost but shifted from one taxpayer type to another**
1. **HB53S1 Utah Education Network Amendments (R. Menlove)** Creates the Utah Education Network Board, which is the governing board for UEN that, among other powers and duties, hires an executive director, establishes policies, and advising UEN in the development of instructional systems. Membership includes public and higher education from urban and rural areas. <http://le.utah.gov/~2012/bills/hbillint/hb0053s01.pdf>

Compare substitute with original bill: <http://le.utah.gov/~2012/bills/hbillint/HB0053S01_ComparedWith_HB0053.pdf>

**POSITION: SUPPORT**

1. **HB59 Alcoholic Beverage Control Act – Liquor Revenues for Public Education (J. Bird)** Directs a deposit of 10% of the total gross revenue from sales of liquor to the Education Fund to be distributed to LEAs on a base (10%) plus per enrolled student formula. Adds approximately $31,580,000 to Education Fund from General Fund.

<http://le.utah.gov/~2012/bills/hbillint/hb0059.pdf> **POSITION: SUPPORT WITH COMMENTS (Comments: Please do not overly restrict the uses of the new revenue and ensure the new revenue continues for use in public education and can be a stable funding source.)**

1. **HB62 Provisions Regarding School Supplies (K. Powell)** Allows elementary teachers to suggest a list of supplies to parents but providing supplies by parents is voluntary; equivalent supplies will be furnished by the school to all student free of charge. <http://le.utah.gov/~2012/bills/hbillint/hb0062.pdf> **POSITION: SUPPORT**
2. **HB65 College and Career Counseling for High School Students (P. Arent)** Provides $800,000 for grants from the USOE to LEAs to employ interns who are candidates for master’s degrees in guidance counseling to assist in providing college and career counseling in public schools. <http://le.utah.gov/~2012/bills/hbillint/HB0065.pdf> **POSITION: HOLD with comment**
* **Large fiscal bill for minimal number of schools**
* **Once pilot program is done; money ends and so does program**
* **Can’t afford pilots when public education is wanting to embed more counselors in secondary schools even now (put this money in that need)**
* **Bill has failed in the House; uncertain if it will be brought back up**
1. **HB84 Teacher Licensing (G. Hughes)** Provides that a local district or charter school may request a competency-based teaching license for an individual who has equivalent credentials to an academic degree, as determined by the local district or charter school. Requires the USOE to issue such licenses. <http://le.utah.gov/~2012/bills/hbillint/hb0084.pdf> **POSITION: NONE YET, WAITING TO SEE IF TRANSFERABILITY CAN BE TAKEN OUT WITH USOE WORKING ON THAT PROBLEM**
* **Transferability of licensure is a problem; should be school-specific**
* **Is this allowable under NCLB?**
1. **HB94 Government Competition with Private Enterprise (J. Anderson)** Requires a government entity, including “an independent entity” to conduct a study and contact private enterprise before engaging in certain commercial activity that “generates revenue for the government entity from a person who is not a government entity”. Requires a Privatization Policy Board to hold a public meeting and issue an advisory opinion about a government entity’s proposed commercial activity.

<http://le.utah.gov/~2012/bills/hbillint/hb0094.pdf> **POSITION: OPPOSE**

* **Stifles the work of all government entities**
* **Allows control of government operations by private enterprise rather than be elected bodies**
* **Would cause significant delays in getting governmental work accomplished**
1. **HB106 Limitation on Collective Bargaining (K. Grover)** Prohibits state and local government entities from engaging in collective bargaining on subjects other than wages and health benefits. <http://le.utah.gov/~2012/bills/hbillint/hb0106.pdf> **POSITION: SUPPORT With Comments**
	1. **Will this bill affect current master contracts?**
2. **HB115 Peer Assistance and Review Pilot Program (C. Moss) Appropriates** $300,000 for school districts to pilot programs (through competitive grants) that utilize peer assistance and review (PAR Program) in evaluating teachers. Involves consulting, novice and underperforming veteran teacher definitions. <http://le.utah.gov/~2012/bills/hbillint/hb0115.pdf> **POSITION: SUPPORT WITH COMMENTS**
* **Will fiscal note exceed $300,000?**
* **How does this compare with Early Years Enhancement (EYE) program?**
1. **HB123 Education Savings Accounts (J.** Dougall) Restricts certain funding programs within the Minimum School Program to students in kindergarten through grade 8. Alters the property tax allocation to “resident students”. Allows an online learning provider to set a fee for an online course and eliminates the course credit acknowledgement form. Eliminates educators serving students in grades 9-12 from receiving Educator Salary Adjustments. Funds high school students at $6,400 per pupil for FY13 through education savings accounts and allows any delivery format desired by parents. Requires electronic invoicing of course fees and payments by the State Board; schools and districts may not impose restrictions or give preference to any course provider that is authorized to provide a course. Students may participate in extracurricular activities at a school where the student takes one or more courses; students not full-time at a school are eligible to participate in extracurricular activities. The State Board may contract with a private entity located in Utah to provide courses. Bill takes effect July 1, 2012. Fiscal note tba. <http://le.utah.gov/~2012/bills/hbillint/hb0123.pdf> **POSITION: OPPOSE**
* **Property tax revenue is lost for students in grades 9-12**
* **Stability of funding for organizing courses for students is uncertain in grades 9-12**
* **Standards for achievement and participation in UHSAA activities are lost; no standards and expectations would remain.**
1. **HB128 School Community Council Revisions (B. Wright**) Modifies deadlines for providing notice of open school community council positions and elections; requires councils to deliberate and take action openly; and establishes new requirements for notice, agenda, and minutes. <http://le.utah.gov/~2012/bills/hbillint/hb0128.pdf> **POSITION: SUPPORT WITH COMMENT**
* **Spring elections will be challenging ones to involve parents of incoming kindergarten students.**
* **A filing deadline in the first few days of school may not serve parents well in becoming aware/involved**
* **School Community Council regulations change every year in the legislature; we don’t resist the ideas, but please leave it alone for a while so it can move forward.**
* **Candidates for SCC are rarely in elections; those who wish to become involved do, but not all schools have several who wish to become involved. Please do not keep making technical changes with the thought that parents don’t come just because the school isn’t providing enough technical information.**
1. **HB197 Grants for Math Teacher Training (R. Edwards)** Appropriates $500,000 ongoing from the Education Fund to the State Board of Education to award grants to institutions of higher education or nonprofit education organizations for math teacher training programs; awards go to programs that provide mentoring and training leading to secondary licensure with an endorsement in mathematics for an individual who: (a) is not a teacher in a public or private school; (b) does not have a teaching license; (c) has a bachelor's degree or higher; and

(d) demonstrates a high level of mathematics competency by successfully completing substantial course work in mathematics; and passing a mathematics content exam. <http://le.utah.gov/~2012/bills/hbillint/hb0197.pdf> **POSITION: HOLD with Comments**

* **The intent of use of funds is not a high priority of the Joint Committee**
* **If funded, it should be from higher education, not public ed as it is preservice, not inservice**
1. **HB200 Individual Income Tax Credit for Use Tax Liability (J. Nielson)** Enacts a nonrefundable individual income tax credit for certain use tax liability and provides for apportionment of the tax credit. <http://le.utah.gov/~2012/bills/hbillint/hb0200.pdf> **POSITION: HOLD**
2. **HB206 Curriculum Options for Secondary School Students (J. Dougall)** Allows secondary students to fully attend an ATC for achieving technical goals if it is determined to be in their best interest instead of high school ATE classes. <http://le.utah.gov/~2012/bills/hbillint/hb0206.pdf>

**POSITION: OPPOSE WITH COMMENTS**

* **Unanswered questions related to payment of ATC choices**
* **ATC’s are not prepared to supply a full day’s coursework to students, if desired**
1. **HB207 Requirements to Create School Districts (J. Dougall)** Lowers the minimum population in a city or through interlocal agreements for a new school district from 50,000 to 30,000. <http://le.utah.gov/~2012/bills/hbillint/hb0212.pdf> **POSITION: OPPOSE**
* **Smaller districts lose economy of scale**
* **District splits are, themselves, expensive**
1. **HB213 School Community Council Member Qualifications (L. Perry)** Allows teachers to serve on all School Community Councils except the one in the school where the teacher teaches. <http://le.utah.gov/~2012/bills/hbillint/hb0213.pdf> **POSITION: SUPPORT CONCEPT**
* **The changes are ones we do not resist; however, having School Community Council changes every year in the legislature does not provide consistency and continuity for our communities. Please leave the law alone for some years so that SCC’s can gain momentum and be focused on the children in the schools.**
1. **HB218 Local School Board Business Administrator (D. MCay)** Prohibits a local school board from appointing a business administrator during an interim vacancy period or entering into a contract on or after May 8, 2012 that contains an automatic renewal provision with a business administrator. <http://le.utah.gov/~2012/bills/hbillint/hb0218.pdf> **POSITION: OPPOSITION WITH COMMENT**
* **This should be a local decision where needs are uniquely understood**
* **Violates the powers given to local boards of education**
1. **HB231 Guardianship Amendments (K. Powell)** Creates a method within the courts for appointing a guardian for a minor or incapacitated adult and eliminates a local school board’s ability to designate guardians for students within its district.<http://le.utah.gov/~2012/bills/hbillint/hb0231.pdf> **POSITION: HOLD**
* **Would like to understand full implications of the bill**
1. **HB250 Tax Credit for Dependent with a Disability (J. Dougall)** Allows a tax credit for a dependent adult with a disability or dependent child with a disability as part of the taxpayer tax credit. Enactment of this bill could reduce revenue to the Education Fund by $765,000 in FY13 and by $781,000 in FY14. <http://le.utah.gov/~2012/bills/static/HB0250.html>

**POSITION: OPPOSE**

1. **HB258 Education Funding Amendments (K. Powell)** Provides that a secondary student who attends a regional applied technology college is counted in the average daily membership of the sending school district or charter school.

<http://le.utah.gov/~2012/bills/hbillint/hb0258.pdf> **POSITION: SUPPORT**

1. **HB261 Dividing of School Districts Amendments (K. Sumsion)** Requires a new district and remaining district to continue to impose for five years certain property tax levies that were imposed by the divided school district irrespective of whether the property tax base of the new district is greater than or less than the property tax base of the remaining district. <http://le.utah.gov/~2012/bills/hbillint/HB0261.pdf> **POSITION: HOLD**
* **After the five year period is up, then existing voted leeways would most likely have to be reauthorized in different economic times.**
1. **HB299 Tax Revisions (Amended) (J. Dougall)** Reduces individual income tax from 5% to 4.6%. Reduces state sales and use tax from 4.7% to 3.5%. <http://le.utah.gov/~2012/bills/hbillint/hb0299.pdf> **POSITION: OPPOSE**
* **Huge negative fiscal impact on revenues for public education**
1. **HB300 Illegal Alien Related Amendments (C.** Herrod) Continues to requires LEA’s to e-verify employees <http://le.utah.gov/~2012/bills/hbillint/hb0300.pdf> **POSITION: HOLD**
* **Need greater understanding of potential impact to public education**
1. **HB311 Electronic Meetings for Charter School (B. Daw)** Authorizes a charter school to conduct and convene an electronic meeting in writing on a website; requires notice regarding when a vote will be taken; prohibits a charter school board member from communicating with another person while a vote is taken during an electronic meeting; exempts a charter school board from recording requirements <http://le.utah.gov/~2012/bills/hbillint/hb0311.pdf> **POSITION: OPPOSE**
* **If this bill is a strong one, then traditional schools should have all of these options, including being exempted from recording requirements**
1. **HB324 Provisional Teaching Modifications (C. Herrod) Prohibits** a school district from granting career employee status to a school district employee on or after July 1, 2012 and reduces the notification time for a school district to notify a provisional employee that the provisional employee's contract will not be extended for a subsequent term of employment from 60 days to 30 days. <http://le.utah.gov/~2012/bills/hbillint/hb0324.pdf> **POSITION: HOLD**
2. **HJR2 Joint Resolution on World Class Curriculum (M. Poulson)** Urges public schools to ensure competency in reading, writing, and math but also broad enrichment opportunities in the arts, music, science, history, literature, foreign languages, physical education, and career and technology training. <http://le.utah.gov/~2012/bills/hbillint/hjr002.pdf> **POSITION: SUPPORT**
3. **SB10 College and Career Readiness Assessment (M. Dayton)** Eliminates the USBCT and requires all high school students to take a college readiness assessment. Requires the State Board to create a differentiated diploma based, in part, on college readiness assessment. Provides ongoing funding from Education Fund of $2.2 million. <http://le.utah.gov/~2012/bills/sbillint/sb0010.pdf> **POSITION: HOLD**
4. **SB30 Administrative Rules Reauthorization (H. Stephenson)** Sunsets two rules:

R277-419-5 E-Exceptions, Education, Administration, Pupil Accounting, Student Membership. This rule has to do with methods of counting WPU’s and may lead to a discussion related to online WPU’s, and students who leave campus for other learning experiences during the day while being counted as a WPU for enrollment purposes. <http://www.rules.utah.gov/publicat/code/r277/r277-419.htm#T5>

R477-6-5 Human Resources Management, Administration, Compensation, Incentive Awards

* 1. This rule has to do with incentive awards. <http://www.rules.utah.gov/publicat/code/r477/r477-006.htm#T5>
	2. Bill is found at: <http://le.utah.gov/~2012/bills/sbillint/SB0030.pdf> **POSITION: OPPOSE WITH COMMENTS (Comments: This is a huge, structural issue in public education and demands much more study with many education experts at the table. We need to understand what will replace these rules.)**
1. **SB31 Classroom Size Amendments (K. Morgan)** Limits class sizes to 18 in Kindergarten in 2012-13; 20 in First Grade in 2013-14; 22 in Second Grade in 2014-15; and 24 in Third Grade in 2015-16. Costs are projected at $88,426,816 ongoing. <http://le.utah.gov/~2012/bills/sbillint/sb0031.pdf> **POSITION: SUPPORT WITH COMMENTS (Comments: If implemented, it must be funded with new revenue. Must allow for varied implementation. Must acknowledge and fund the need for new schools to accommodate more classrooms. Example: Alpine = 10 new schools if all new teachers were hired by new formula.)**
2. **SB48 Mission of Public Education (P. Jones)** Adds a vision statement and adds language to broaden and update the mission statement of public education. <http://le.utah.gov/~2012/bills/sbillint/sb0048.pdf> **POSITION: SUPPORT**
3. **SB54 Amendments Related to Education Funding (B. McAdams)** Increases the maximum tax rate allowed under a voter-authorized school district property tax levy; establishes a set rate for the school minimum basic levy; creates the Prioritizing Public Education Restricted Account within the Uniform School Fund; alters advertising requirements related to the school minimum basic levy; changes the personal exemption component of the individual income tax taxpayer tax credit calculation to a fixed dollar amount, among other changes. Could generate $40-50 million annually. <http://le.utah.gov/~2012/bills/sbillint/sb0054.pdf> **POSITION: SUPPORT**
4. **SB64 Public Education Employment Reform (A. Osmond)** Modifies employment conditions of public education personnel including expectations of evaluation for all educators, performance compensation, some of which is contingent on an evaluation, and makes employee ratings required to publicly reported. <http://le.utah.gov/~2012/bills/sbillint/sb0064.pdf> **POSITION: SUPPORT THE CONCEPT (Still worried that nepotism allowed in charter schools)**
5. **SB93 School Construction Revisions (S. Jenkins)** Limits the amount an LEA can retain until a school construction project is completed and accepted by the board to 5% of the contract price <http://le.utah.gov/~2012/bills/sbillint/sb0093.pdf> **POSITION: SUPPORT**
6. **SB97 Grants for Online Testing (A. Osmond)** Provides $5 million ongoing and $15 million one-time funding from Education Fund for LEA grants to be awarded to LEA’s through the State Board of Education for online summative and/or online computer adaptive testing. <http://le.utah.gov/~2012/bills/sbillint/sb0097.pdf> **POSITION: SUPPORT CONCEPT WITH COMMENTS (Comments: Funding is “out of sync” with Delegate Assembly priorities, state is not fully ready for assessment choices as timing of this bill does not match outcomes of SMARTER BALANCED initiative, may lead to some vendor commitments now when other choices/mandates may follow later, only qualify with matching funds – are we really ready for this? Computer-adaptive testing that is available now has not been developed by Utah for Utah. Should we just approve what is offered commercially?**
7. **SB138 S1 Health Insurance Mandate Accountability Amendments (T. Weiler)** Applies a health insurance mandate that is enacted by the state after January 1, 2012 to a public school district, charter school, or a state funded institution of higher education. State to evaluate the cost of an insurance mandate and to appropriate the cost of implementing a health insurance mandate to the participating employers. An insurance mandate is an essential health benefits package imposed pursuant to state and federal laws. This bill, if approved by two-thirds in each house will take effect upon Governor’s signature. The substitute adds that a local school board and the governing body of a charter school shall include in an employees insurance mandates in accordance with Section 31A-22-605.5 <http://le.utah.gov/~2012/htmdoc/sbillhtm/SB0138S01.htm> **POSITION: SUPPORT CONCEPT**
8. **SB151 Student Opportunity Scholarships (H. Stephenson)** Provides for nonrefundable tax credits for donations made to a scholarship organization to be used for scholarships for a qualifying student to attend a private school. For 2012-13, the maximum amount of a scholarship is the lesser of $5,500 or the amount of tuition and fees that are charged for the student’s enrollment in the private school; thereafter the amount is adjusted each year by the same percentage as the percentage change in the value of the WPU. <http://le.utah.gov/~2012/bills/sbillint/sb0151.pdf> **POSITION:**  **OPPOSED**
* **Pulls $36.5 million from Education Fund**
* **No taxpayer accountability for private schools who use tax revenues**
* **Scholarship organizations are allowed to keep 10% of funds; only 90% goes to students**
* **This is a voucher bill; Utah’s citizens overwhelmingly rejected vouchers in 2007**
1. **SB152 Charter School Financing (J. Valentine)** Establishes a Utah Charter School Finance Authority with authority independent from the State Board of Education. Creates a communal debt reserve for selected/eligible charter schools so they can get a better interest rate when they bond. A chartering entity (most often the State Board of Education) cannot close a participating charter school without the consent of the Finance Authority. <http://le.utah.gov/~2012/bills/sbillint/sb0152.pdf> **POSITION: WATCH**
2. **SJR5 Joint Resolution on Education (S. Reid)** Moves general control and supervision of public education from the State Board of Education to the Governor and provides that the Governor has general control and supervision of higher education. Requires amending Utah Constitution at a cost of $14,700 from the General Fund.

<http://le.utah.gov/~2012/bills/sbillint/sjr005.pdf> **POSITION: OPPOSE**

1. **SJR6 Joint Resolution Amending State Taxing Authority (C. Anderson)** Requires a two-thirds vote of the Legislature when enacting any tax increase or any fee increase that exceeds the cost of providing a service. Requires amending Utah Constitution at a cost of $14.700 from the General Fund. <http://le.utah.gov/~2012/bills/sbillint/sjr006.pdf> **POSITION: OPPOSE**