

2014 Legislature
Bills Considered by the Joint Legislative Committee
As of February 8, 2014
(Bills highlighted in yellow are newly added.)

House Bills

HB1 Public Education Base Budget Amendments (B. Last)

<http://le.utah.gov/~2014/bills/static/HB0001.html>

Sets the value of the WPU initially at the same WPU value set for FY14 and sets the estimated minimum basic tax rate at .001477 for FY15. Provides for other appropriations.

No position.

HB23 Suicide Prevention Revisions (S. Eliason) <http://le.utah.gov/~2014/bills/static/HB0023.html>

Requires a school district or charter school to develop a policy which, under certain circumstances, allows a school employee or agent to intervene and ask a student questions regarding the student's suicidal thoughts, self-harming behavior, or thoughts of harming others, for the purposes of referring the student to appropriate prevention services, and informing the parent. This is an Education Interim Committee bill and is meant to help educators avoid gray areas of decision with regard to talking with and/intervening in cases of potential suicide. No funding needed.

Support.

HB36 Charter School Enrollment Amendments (D. Lifferth)

<http://le.utah.gov/~2014/bills/static/HB0036.html>

Allows a charter school to give an enrollment preference to a child or grandchild of an individual who actively participated in the development of the charter school, or who is a member of the charter school governing board. No funding requested.

Unnecessary. Some charter schools already have this in their charter agreement.

HB41 Clean Fuel School Buses and Infrastructure (S. Handy)

<http://le.utah.gov/~2014/bills/static/HB0041.html>

Provides grants through the USOE to replace school buses manufactured before 2002 with a new bus that uses CNG, propane, or clean diesel fuel; retrofit bus shops to service such vehicles; and creates infrastructure for alternative fuel vehicles. Requires local matching funds. Allocates one-time \$20 million from Education Fund.

Support with comments: We want to work with the sponsor to provide for various models of obtaining funds through this bill as grants typically create an obstacle for small districts who do not have district staff to write for grants but who may have the longest distances to transport children.

HB43 Data Collection on Military Children in Public Schools (L. Hemingway)

<http://le.utah.gov/~2014/bills/static/HB0043.html>

Requires public schools or districts to collect data on whether a student has a parent connected to the military and report the data to the USOE. Requires the state superintendent to record the data in the automated decision support system. No funding requested. **No action.**

HB73 Living Wage Amendments (L. Hemingway) <http://le.utah.gov/~2014/bills/static/HB0073.html>

Provides that the minimum wage for a private or public employee within the state is \$10.25 per hour and on the first day of every even-numbered year, beginning on January 1, 2016, the minimum wage shall increase by a percentage equal to the percentage difference between the average of the Consumer Price Index for the two preceding calendar years and the Consumer Price Index for calendar year 2013. No funding requested. **Local Issue: only employers can determine their budgets with regard to personnel costs.**

HB77 Tax Credit for Home Schooling Parent (D. Lifferth)

<http://le.utah.gov/~2014/bills/static/HB0077.html>

Provides a nonrefundable tax credit (from state income tax calculation) for a home schooling parent/guardian of up to \$500/home-schooled child. Bill is retroactive to January 1, 2014. A home-schooling parent may claim a tax credit under this section regardless of whether the home schooled child participates in an extracurricular activity in a public school. No funding requested.

Oppose. This is double dipping of tax credits; one for the child exemption, and one for educating the child at home. Thus, other taxpayers pay the home schooling parent/guardian's share of income taxes, as well as their own.

HB81 Parental Review of Statewide Summative Test Questions (M. Kennedy)

<http://le.utah.gov/~2014/bills/static/HB0077.html>

Allows the parent or guardian of a public school student to review test questions of any or all summative tests (CRT's or online computer adaptive tests) administered statewide. Requires the State Board to allow a parent/guardian access to summative test questions at least 90 days before the test is administered. Prohibits a parent or guardian from making a copy or distributing a test question. Allows a parent/guardian to make notes while reviewing test questions and discussing the content, but not the complete text, of a test question with any person. Requires a district or charter school to notify parents/guardians of their right to review questions via the school website, newsletter, or email. No funding requested.

Oppose with comments. We support the notion that parents should have a good understanding of what standards and objectives are being tested. But this approach would require a new test every year so as not to compromise test security. The cost of a new test each year would be approximately \$28 million, ongoing. How close to the testing date may parents make such a review while taking notes on the very questions students will be asked?

HB84 School District Amendments (C. Hall) <http://le.utah.gov/~2014/bills/static/HB0084.html>

Provides that the qualifying city or interlocal agreement participant may not submit for voter approval a measure to create a new school district if the results of a feasibility study show that the five-year projected average annual revenue of the proposed new school district exceeds the five-year projected average annual cost of the proposed new school district by more than 5%. No funding requested. **No action.**

HB87 Gender Amendments (M. Kennedy) <http://le.utah.gov/~2014/bills/static/HB0087.html>

Prohibits a student from using a gender-segregated public school bathroom that does not correspond to the student's phenotype. Requires a school district or charter school board to provide reasonable bathroom accommodations upon request of a student if the student's consistently-asserted gender identity does not strictly correspond to the student's gender. Local school board or governing boards shall establish a policy in accordance with this intent. **Hold.**

HB91 Open and Public Meetings Act Revisions (M. Poulson)

<http://le.utah.gov/~2014/bills/static/HB0091.html>

Applies the Open and Public Meetings Act requirements to “public committee” meetings. A public committee is a committee, commission, task force, or other body that consists of two or more individuals, at least one of whom is an elected official of the state or a political subdivision of the state and is designated as a member of and serves on the committee, commission, task force, or other body by virtue of that elected position. The notice of a meeting of a public body whose membership includes a legislator shall cause the notice to be posted on the Legislature’s website. No funding requested.

Opposed. This bill makes it virtually impossible for elected officials from schools (not in numbers sufficient to create a quorum) to confer on district concerns with others without notice.

HB92 Utah Telehealth and Education Network Amendments (R. Menlove)

<http://le.utah.gov/~2014/bills/static/HB0092.html>

Combines the Utah Telehealth network with the Utah Education Network to be called the Utah Telehealth and Education Network (UTEN). The partnership covers public and higher education and the Department of Health as it relates to K-16 students. Specifies that duties of UTEN and requires administrative support from the U. of Utah. Alters the nine-member UTEN board by adding hospital representatives and creates the Utah Telehealth Advisory Council and the Utah Education Advisory Council and specifies their respective duties as it relates to the UTEN. No funding requested.

Support with comments: We support the amendments sought by UEN on this bill.

HB95 Applied Technology College Governance Amendments (D. Ipson)

<http://le.utah.gov/~2014/bills/static/HB0095.html>

Modifies the membership of the Utah College of Applied Technology Board of Trustees to omit the commissioner of higher education. Alters Boards of Trustees in number and types of representatives, including the loss of some education representatives, affecting various regional areas: Weber, Ogden, Davis, Morgan, Tooele, Washington. Increases the representatives of business and industry in various regions. No funding requested. **Hold. (Substitute bill anticipated.)**

HB96 Utah School Readiness Initiative (G. Hughes)

<http://le.utah.gov/~2014/bills/static/HB0096.html>

Creates the School Readiness Special Revenue Fund and Board (“the board”), to negotiate results-based contracts between the board and private entities to fund high quality early childhood education programs through grants. Requires the State Board and the Department of Workforce Services to develop policies and enact rules, monitor and evaluate the programs, and solicit proposals from qualifying programs and make recommendations to the board for awarding grants. Requires the Governor’s Office of Management and Budget to staff the board. Requires the repayment to private entities to be conditioned on meeting performance outcomes set in the contract. Allows the board no more than \$15 million of outstanding obligations at any one time and exempts the awarding of results-based contracts from general procurement requirements. Requires reporting to the Education Interim Committee. Requests an ongoing \$5 million from the General Fund.

Support.

HB104 School Planning and Zoning Compliance (R. Cunningham)

<http://le.utah.gov/~2014/bills/static/HB0104.html>

Requires a school district or charter school to coordinate the siting of a new school with a municipality or county to implement the municipal or county general plan. Amends provisions related to the inspection of construction of a school and those related to a certificate authorizing occupancy of a charter school as well as land use exceptions for a school district or charter school and refers all such to conforming to the municipal or county general plan. No funding requested. **Opposed. Local school boards are the elected officials who oversee district school construction and ensure code-conformance, not cities and counties. As the bill eliminates the exemption for building school facilities and requires all processes run through the cities or counties, this bill may result in:**

- **Significant increases in cost – inspection, impact fees, etc.**
- **Building aesthetics, landscaping, fencing, placement of portable exemptions eliminated**
- **Slower construction due to new requirements and approvals**
- **Allows city to stop projects (injunction/red tag)**

HB213 Criminal Penalties for Sexual Contact with a Student (L. Christensen)

<http://le.utah.gov/~2014/bills/static/HB0213.html>

Provides that when any employee of, or volunteer at a public or private elementary or secondary school commits or attempts to commit against an enrolled student of the school any sexual offense (under Section 76-5-401, 76-5-401.1, or 76-5-401.2) that is not currently a first degree felony or a second degree felony, the offense is a second degree felony. Imposes the same second degree felony penalty if the offense against a student occurs within five years after the offender was most recently employed by or had volunteered at a school. Includes these convicted persons on the sex offender registry. No funding requested. **No action. Need more information on bill.**

HB215 Public School Employee Background Checks (S. Handy)

<http://le.utah.gov/~2014/bills/static/HB0215.html>

Provides that a school or district may use the fingerprints of an employee maintained on file to conduct a periodic background check if the employee has maintained continuous employment with the school district or charter school since the date of the initial background check. No funding requested. **Support.**

HB221 School Community Council Revisions (R. Cunningham)

<http://le.utah.gov/~2014/bills/static/HB0221.html>

Changes the deadline for an election for members of the School Community Council (SCC) to September 20. Changes the deadline for financial reporting related to the SCC by the principal to October 20. Requires districts to record the amount of School Land Trust Program funds distributed to each school on the Trust Lands website by October 1. Requires the president or chair of a local school board or charter school governing board to ensure that the members of their respective boards are provided with annual training on the School Land Trust Program and requires the USOE Trust Lands Section to provide training on the Program to local boards and governing boards, districts and charter schools, and SCC's. No funding requested. **Hold. Why do these election dates continue to change each year? We need consistency in operations of SCC's. Can this be amended to move back to reporting by November 15 as the earlier date crowds the October 1st enrollment count which establishes many matters related to funding.**

HB223 School Board Elections Provisions (J. Nielson)

<http://le.utah.gov/~2014/bills/static/HB0223.html>

Requires the direct, nonpartisan election of members to the State Board of Education and repeals the involvement of the Governor and the nominating and recruiting committee. No funding needed.

Support.

HB228 Utah State Board of Education Elections and Reporting Amendments (B. Greene)

<http://le.utah.gov/~2014/bills/static/HB0228.html>

Requires candidates for and members of the Utah State Board of Education to be subject to partisan elections and the reporting requirements of state office candidates and state office holders. No funding needed.

Oppose. Children are not Republican or Democrat; neither should politics become a factor in school settings or systems. Partisan politics may allow school resources and policies to change dramatically from election to election, providing instability in schools.

HB234 School District Division Amendments (J. Bird)

<http://le.utah.gov/~2014/bills/static/HB0234.html>

Changes the process of creating a new school district by requiring a majority vote of residents located within each affected school district. No funding needed.

Support.

HB236 State School Board Nomination Revisions (K. Powell)

<http://le.utah.gov/~2014/bills/static/HB0236.html>

Prohibits a lobbyist from serving as a member of the nominating and recruiting committee for the State Board of Education. No funding needed.

Support.

HB239 Front Line Teachers Data Program (J. Nielson)

<http://le.utah.gov/~2014/bills/static/HB0239.html>

Requires school districts and charter schools to report data to the State Board of Education on the allocation of resources for front-line teachers. Front line teacher means a licensed teacher who is assigned to kindergarten, elementary, secondary, or special education. No funding needed.

Local Issue: Local school boards take into account the variation of populations and make assignments as needed. Utah has a very high ratio of teacher to students and the lowest percentage of administrators to students in the nation. This bill has the potential to make small schools, remotely located, look disproportionately bad.

HB241 School Records Amendments (G. Froerer) <http://le.utah.gov/~2014/bills/static/HB0241.html>

Applies the requirements of Family Education Rights and Privacy Act (FERPA) to records related to notification of parents related to the threat of suicide or of acts of bullying. No funding needed.

Support.

HB242 Fees For Government Records Request (B. King)

<http://le.utah.gov/~2014/bills/static/HB0242.html>

A government entity shall fulfill a record request without charge if it determines that releasing the record primarily benefits the public rather than a person, or the individual requesting the record is the subject of the record, or the requester's legal rights are directly implicated by the information in the record and the requester is impecunious (having little or no money). No funding requested.

Oppose with comments. This could be costly to schools/districts.

HB249 Grants for Digital Textbooks (J. Anderegg) <http://le.utah.gov/~2014/bills/static/HB0249.html>

Provides for grants through the USOE for the purchase of digital textbooks, personal mobile devices, and desktop or laptop computers, which costs may not exceed \$500 per student and may not be used for peripherals and networking equipment or professional development for educators. Allocates \$500,000 from Education Fund.

Local Issue: Many districts are already using some digital learning materials/textbooks and while devices and software are needed and appreciated, this fund could only serve up to 1000 students – approximately two elementary schools. And without technical support and/or infrastructure support, the optimal use of such equipment and software is diminished.

HB250 Local School Board Amendments (J. Draxler)

<http://le.utah.gov/~2014/bills/static/HB0250.html>

Defines the term "body corporate" (*a public corporation and legal subdivision of the state, vested with the powers and duties of a government entity*) and designates that a local school board is a body corporate under its official name and seal. Provides that an elected member of a local school board serves and represents the residents of the local school board member's district. No funding needed.

Unnecessary (with comments): Board members readily recognize the value of diverse views and opinions and the way various types of experiences bring expanded knowledge to policy formulation and evidenced-based practice. Nonetheless, children in schools depend on their local boards to move their schools toward unified goals of increasing student performance and opportunity. To that end, and while ensuring that many voices of the public and of its members are heard and understood, boards that consider the effect of their actions on an entire school district help to unify parents, students, teachers and administrators around the key goals of student achievement.

HB260 Local School Board Candidate Reporting (K. Powell)

<http://le.utah.gov/~2014/bills/static/HB0260.html>

Removes provisions that require a local school board office candidate to comply with the financial reporting requirements applicable to a state school board office candidate and requires a local school board office candidate to comply with the financial reporting requirements applicable to a county office candidate in the county where the local school board office candidate resides. No funding requested.

Support.

HB286 Child Sexual Abuse Prevention (A. Romero) <http://le.utah.gov/~2014/bills/static/HB0292.html>

Requires a district or charter school to provide training and instruction on child sexual abuse prevention and awareness to elementary school personnel, parents/guardians of elementary school students, and elementary students. Requires the State Board to adopt model materials for training and instruction. No funding requested.

Hold. Substitute bill?

HB292 School Grading – Calculation of High School Graduation Rate (R. Menlove)

<http://le.utah.gov/~2014/bills/static/HB0292.html>

Modifies the calculation of a high school graduation rate for the purpose of school grading by excluding from the four-year adjusted cohort for the graduating class a student with a disability who has an IEP that includes a plan to complete high school graduation requirements in more than four years.

No funding requested.

Support.

HB307 Public Education Funding Task Force (J. Bird)

<http://le.utah.gov/~2014/bills/static/HB0307.html>

Creates the Public Education Funding Task Force consisting of 16 members, including representatives of the Utah Legislature, business community, and education. The task force shall report on the financial impacts on districts of enrollment growth, imposing impact fees on new development to mitigate the cost of new school buildings, equity for taxpayers throughout the state in paying for public education, alternatives for enhancing funding for public education, indexing state funding for public ed to the funding of other states, and linking funding to outcomes in public education. Ongoing \$28,000 from General Fund requested. **Support the concept with comments: We fully support the Utah Legislature carefully considering the costs of effective and high quality public education and the methods by which it might provide for funding such quality. The State Superintendent has indicated that he has not yet developed a method by which the state can fund “outcomes.”**

HCR 4 Concurrent Resolution Recognizing the 20th Anniversary of the School and Institutional Trust Lands Administration (M. Brown) <http://le.utah.gov/~2014/bills/static/HCR004.html>

Recognizes 20 years of successful leadership, management, and accomplishment by the Utah School and Institutional Trust Lands Administration. Expresses support for the School and Institutional Trust Lands Administration’s leadership and management on behalf of its 12 beneficiaries (named in lines 57-64).

No funding requested. **Support.**

HJR9 Joint Resolution on Utah Epilepsy Public Education, Outreach, and Awareness (M. Poulson)

<http://le.utah.gov/~2014/bills/static/HJR009.html>

Urges the USOE and other state agencies to provide education, outreach and awareness and deliver educational materials and messages to individuals, organizations, teachers, administrators, and other education personnel about epilepsy and seizure incidents. No funding requested.

No position.

Senate Bills**SB1 Higher Education Base Budget Amendments (S. Urquhart)**

<http://le.utah.gov/~2014/bills/static/SB0001.html>

Provides for appropriations for the use and support of higher education agencies with \$442 million from General Fund and \$339.8 million from Education Fund.

No position.

SB22 Workforce Services Job Listing Amendments (P. Knudson)

<http://le.utah.gov/~2014/bills/static/HB0077.html>

Requires all government entities to advertise job openings on the state website. No funding requested.

Oppose with comments. This is a time-consuming task with many districts reporting that it doesn't increase either the number or quality of candidates for school-based employment. There are no data to suggest its need. Teacher software programs are far more effective in expanding a quality pool of candidates.

SB23 School Construction Amendments (S. Jenkins)

<http://le.utah.gov/~2014/bills/static/SB0023.html>

Requires a local education agency to follow the Utah Procurement Code when constructing a school and to follow certain retention requirements if the local education agency chooses to withhold a portion of the contract price until the project is completed. Amends other definitions related to public schools. No funding needed.

Opposed with comments. Costs will rise significantly as DCFM requirements are applied in school construction.

SB34 Governance of the Utah Education and Workforce Alliance (H. Stephenson)

<http://le.utah.gov/~2014/bills/static/SB0034.html>

Establishes a Governing Board for an education and workforce alliance and requires certain data to be available to and transferred from the alliance to legislative research. An advisory committee to Utah Futures shall be established, and shall study the efficacy of Utah Futures and potential outsourcing. No funding needed.

Opposed. The Data Alliance has been functioning since 2007 in Utah and the executive board and the management committee includes the USOE, USHE, UCAT, UEN, Division of Workforce Services, and the Utah Education Policy Center at the U. of Utah. This group has developed the Alliance to the point where sophisticated reporting is fully available. See: <http://www.utahdataalliance.org/> The purpose of the Data Alliance is to provide summary and interim reports, as requested by various entities including the Legislature. In addition to the Data Alliance, the public may examine all types of data by school and district, a service which is available from the USOE in a 24/7 digital format with full protection for individual student identification. See: <https://psdreports.schools.utah.gov/Gateway> The Alliance and this work is outstanding and, contrary to claims made otherwise, are serving parents, students, educators and policymakers well as they work to help children achieve. Locally maintained web portals of student performance are also tied to the USOE data system and provide, perhaps, the most meaningful information to parents and students.

The annual cost for the Utah Data Alliance is \$1.8 million.

This bill appears to be nothing more than a "takeover" bill which would establish a governing board different from the currently existing executive board that guides the excellent work of the Utah Data Alliance. If approved, this bill takes power which constitutionally is vested in the Utah State Board of Education, and unconstitutionally delegates that power to another board in violation of Article 10, Section 3, of the Utah Constitution. This bill would also place the decision making power for data policy and procedure with non-educators who may not understand nor have a vested interest in the appropriate classroom/school use of, and protections of student level data.

Utah Futures is a project driven by Career and Technology Education in the USOE. It is not related to the Data Alliance.

SB37 Statewide Online Education Program Revisions (D. Thatcher)

<http://le.utah.gov/~2014/bills/static/SB0037.html>

Requires the state board to develop a notice about the program and requires a local education agency that enrolls eligible students to distribute the notice as a full page in a prominent position in its registration materials and publish the notice in a prominent location on its website. No funding needed.

Opposed. Schools, both district and charter, should prominently distribute/display information about their online courses so that every student may access them. Online choices/courses are made available to students in every school. But every school/district should not be required to publish every other school's/district's online courses, nor those available through private sources.

SB38 Rural Superintendent Concurrent Enrollment Program (R. Okerlund)

<http://le.utah.gov/~2014/bills/static/SB0038.html>

Requires Snow College to establish and administer the Rural Superintendent Concurrent Enrollment Program to provide concurrent enrollment courses. Allocates 1.5 million from the Education Fund.

Support the Concept. Access to concurrent enrollment courses sufficient to attain an associate's degree prior to high school graduation should apply to all schools in Utah, not just "Rural" schools.

SB38 S1 Snow College Concurrent Education Program (R. Okerlund)

<http://le.utah.gov/~2014/bills/sbillint/SB0038S01.pdf>

Requires Snow College to establish and administer the Concurrent Education Program to provide concurrent enrollment courses and advisory support to secondary school students across Utah. Allocates \$1.3 million from the Education Fund.

Support.

SB39 Home School Amendments (A. Osmond) <http://le.utah.gov/~2014/bills/static/SB0039.html>

Eliminates instructional requirements for a school-age minor who attends a home school. The parent assumes sole responsibility for the education of the school-age minor. Requires a district or charter school to academically assess a home school student who enrolls full-time in a public school and give primary consideration to such assessment in assigning the student's grade level. No funding requested.

Oppose. Entire communities are counting on all of its children to have basic understanding and fundamental instruction in reading, writing, mathematics, American History, civics, and science, to name a few. Instructional requirements must be upheld for all children, regardless of the source/location of their formal instruction. Why are we expanding the option of not going to school at age sixteen? Shouldn't we, instead, support policy that ensures all students receive a diploma before they graduate or turn 19, whichever comes first, so that schools. Instead, are expected to individualize per their needs and not allow them to dropout?

SB40 Financial and Economic Literacy Amendments (P. Jones)

<http://le.utah.gov/~2014/bills/static/SB0040.html>

Requires the State Board to contract with a provider to develop an online, end-of-course assessment for General Financial Literacy (GFL) and requires districts and schools to administer such assessment.

Requires professional development for GFL teachers, adoption of course standards that address the costs of going to college, student loans, scholarships, federal student aid applications, and technology that relates to banking, savings, and financial products. From the Education Fund (one-time) \$200,000 and ongoing 300,000.

Support.

SB42 Early Childhood Education (A. Osmond) <http://le.utah.gov/~2014/bills/static/HB0242.html>

Establishes an eight-year High Quality Preschool Pilot Program for up to seven eligible LEAs, to serve at-risk students who qualify through free and reduced priced lunch and who are classified as a child affected by intergenerational poverty or ELL student, and who score below average on an age-appropriate pre-assessment selected by the LEA. Requires the State Board to solicit proposals and award grants, monitor and evaluate, develop policies and enact rules and report to the Education Interim Committee. Qualifying providers have longitudinal data systems with unique student identifiers among other requirements. From the Education Fund \$6,000,000.

No position taken.

SB43 Intergenerational Poverty Interventions in Public Schools (S. Reid)

<http://le.utah.gov/~2014/bills/static/SB0043.html>

Creates the Intergenerational Poverty Interventions Grant Program, administered by the State Board of Education, to fund additional educational opportunities, outside of the regular school day, for students affected by intergenerational poverty, per Section 35A-9-102. Grant awards shall consider the learning strategies to be employed, the numbers of students affected and costs involved, the percentage of an LEA's students that are classified as children affected by intergenerational poverty, the level of leadership support for grant activities, and the ability to work with Departments of Workforce Services, Health, Human Services and juvenile courts. Requires State Board reporting to the Education Interim Committee. From the Education Fund, ongoing: \$5,000,000.

Support with comments. Writing and winning grants takes talented writers and time, which may give an advantage to large districts, as small districts have neither the staff or the time to devote to such an effort when there are 1-2 people in the district office. Yet, students affected by intergenerational poverty may easily be found in some of Utah's most rural areas and small districts.

SB49 Parental Permission to Release Student Information (J. Valentine)

<http://le.utah.gov/~2014/bills/static/SB0049.html>

Regulates when an education entity from releasing a student's personally identifiable information. Subject to the requirements of the federal Family Educational Rights and Privacy Act (FERPA), an education entity may release to another for purposes of transfer, research, performing a service otherwise performed by an employee, higher education entities, and federal government if required by law. Except as approved by written permission from the parent, an education entity may not release such information to an out of state educational agency or a person other than those approved by this statute. No funding requested. **Hold. More information needed on bill.**

SB91 School District Modifications (W. Harper) <http://le.utah.gov/~2014/bills/static/SB0091.html>

Provides that a qualifying city or interlocal agreement participant may not submit for voter approval a measure to create a new school district unless the qualifying city or interlocal agreement participant files a petition signed by the registered voters in the proposed new school district equal in number to 10% of the number of voters within each voting precinct. Extends the sunset date for capital local levy equalization provisions in a county of the first class to December 31, 2020. No funding requested. **No action.**

SB98 Paraeducator Funding (K. Mayne) <http://le.utah.gov/~2014/bills/static/SB0098.html>

Amends language allocating paraeducator funding to conform with federal accountability standards related to low-performing Title I schools. Allocates \$100,000 from the Education Fund to the Related to Basic Program fund.

Hold.

SB100 Antidiscrimination Amendments (S. Urquhart)

<http://le.utah.gov/~2014/bills/static/SB0100.html>

Prohibits discrimination in employment and housing practices due to gender identity and sexual orientation. Affects a board, commission, department, institution, school district, trust, or state or a political subdivision of the state. Does not affect religious organizations or associations. "Gender identity means an individual's internal sense of gender without regard to the individual's designated sex at birth." "Evidence of gender identity may include an individual's self-identification, as well as the individual's gender-related appearance, mannerisms, and other gender-related characteristics." "Sexual orientation means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual. No funding requested. **Hold.**

SB101 Public Education Human Resource Management (A. Osmond)

<http://le.utah.gov/~2014/bills/static/SB0101.html>

Modifies the date when a school district is required to adopt an education evaluation (from 2014-15 to 2015-16) and modifies the date when a public education employee's advancement on a wage or salary scale is primarily based on an evaluation (from 2015-16 to 2016-17). No funding needed.

Support. This will provide sufficient time to learn from the field test and to implement best practices.

SB103 S1 Local Control of Classroom Time Requirements (A. Osmond)

<http://le.utah.gov/~2014/bills/static/SB0103.html>

A local school board or charter school board may reallocate up to 60 instructional hours or 8 school days for teacher preparation time or teacher professional development, subject to the approval of 2/3 of the members of the board at which a quorum is present and held in conjunction with the Open Meetings Act. The decision to do so requires notification of parents and guardians of the school calendar at least 90 days before the beginning of the school year. No funding requested.

Support the concept of professional development but cannot support this bill as it interrupts valuable instruction time with students, even if it is viewed as providing flexibility. Professional development time is vitally needed for educators who are facing a myriad of legislative mandates and district or school-based initiatives that help spur student achievement. Professional development funding must be provided in addition to instructional time so as not to harm the learning of students.

SB104 Improvement of Reading Instruction (A. Osmond)

<http://le.utah.gov/~2014/bills/static/SB0104.html>

Provides for the expansion of a reading clinic based at the University of Utah and requires instruction to teachers in the use of technology and blended learning in reading remediation and instruction.

Allocates ongoing \$975,000 from Education Fund.

Oppose. Why should certain funding only go to certain institutions? Every college should be emphasizing and providing research on early reading. Let local districts determine where they can best obtain reading help, research and instructional support.

SB107 Math Literacy, Science, Technology, Engineering, and Mathematics Initiative (S. Urquhart)

<http://le.utah.gov/~2014/bills/static/SB0107.html>

Requires the Utah State Board of Education to select one or more technology providers to provide an interactive, web-based program for math literacy and frequent assessment for grades K-6. School districts and charter schools may apply for the program based on the number of students in K-6 grade. Allocates ongoing \$5 million from Education Fund.

Unnecessary. This is redundant to STEM legislation from 2013 and takes additional funding away from classrooms. Some districts already use math technology software.

SB111 Education Funding Equalization (A. Osmond)

<http://le.utah.gov/~2014/bills/static/SB0111.html>

Works to equalize property taxes and funding, retroactive to January 1, 2014, by creating a Minimum Basic Growth Account within the Uniform School Fund to fund the School LAND Trust Program. Amends the calculation of the school minimum basic tax rate and requires specified revenue to be deposited into the Minimum Basic Growth Account. No funding needed.

Hold – many questions to be answered. The bill favors areas of school-aged growth and may harm areas of stagnant or decreasing growth. The bill will divert local property tax funds to charter schools through a School Trust Lands distribution pattern. The Legislature is not constrained to ensure that local valuation caps will remain fixed, generating more dollars. Is this a bill to fund charter schools from property taxes and once accomplished, the cap will begin to float again, restricting dollars? What will happen with the charter school local replacement fund as this allocation grows? Funds from this bill are designated to be in a restricted account but the bill does not specify restricted expenditures except as per regulations of School Land Trust funds. There are no accountants at local schools who can track large amounts of funding. The ability of districts to target funding to schools/programs of greatest need is significantly decreased. Will local boards withdraw other funding as funding from SB111 moves into each school? The bill will have a disproportionate effect from district to district. Taxpayers without children in school have no elected representatives over their taxed amounts and no electoral power. Districts have rising costs that cannot be addressed by funds going directly to schools, such as utilities, buses, etc.

SB111 S1 Education Funding Equalization (A. Osmond)

<http://le.utah.gov/~2014/bills/sbillint/SB0111S01.pdf>

Creates the Minimum Basic Growth Account within the Uniform School Fund to fund the School LAND Trust Program. Caps the basic rate and requires revenue accrued from that action to be deposited into the Minimum Basic Growth Account. Allocates the revenue from the State Board to each district. Allocations are to be further allocated with 10% to every district; and, of the remainder, 25% will go directly to each school and 75% will be allocated to schools based upon local board priorities and targeted decision-making. Two percent can be held back by the district for auditing and financial reasons (overhead expenses). The bill affects only the new money received through the capped rate. Specifies certain additional requirements for school improvement plans.

Support the concept. Concerns remain about large amounts of money going to School Community Councils who are not elected by the full populace and which may restrict district wide strategies for academic improvement. But these have been somewhat ameliorated by the substitute bill.

SB113 Public Meetings Amendments (K. Mayne) <http://le.utah.gov/~2014/bills/static/SB0113.html>

Requires specified bodies that include in their membership one or more elected state or local officials to provide public notice of meetings the body holds on the Capitol Hill complex. A specified body means an administrative, advisory, executive, or legislative body that is not a public body; consists of three or more members; and includes at least one member who is an elected official of the state or of a political subdivision of the state. A specified body shall give not less than 24 hours' public notice of each meeting that the specified body holds on the Capitol Hill complex. A specified body must post and notice to the public and to media as per public bodies. Emergency meetings for specified bodies follow emergency meeting notice of public bodies. No funding requested. **Opposed. This bill seems to be an unnecessary obstacle for elected officials from schools to gather together to discuss legislation on the Hill without posting notice.**

SB118 School Funding Through Income Tax Revisions (P. Jones)

<http://le.utah.gov/~2014/bills/static/SB0118.html>

Phases out personal exemptions from the taxpayer tax credit calculation over a five-year period. Creates the "School-level Funding Program" in which money is allocated to School Community Councils/charter school governing boards for the implementation of school improvement plans. Authorizes the State Board to make rules regarding the School-level Funding Program and requires reporting as well as an independent evaluator, hired through an RFP process. Specifies additional expectations in each school's improvement plan. Requires State Board reporting to the Education Interim Committee. From the Education Fund: \$159,466,000, of which \$160,000 shall be distributed to districts, charter schools, and the Utah Schools for the Deaf and Blind for training school community councils. **Hold to see what other bills related to revenue are proposed.**

SB122 Parental Rights and Accountability in Public Education (A. Osmond)

<http://le.utah.gov/~2014/bills/static/SB0131.html>

A child's parent/guardian is the primary person responsible for the education of the child. Classroom discipline is critical to academic success and a parent/guardian shall support a teacher and administrator when imposing appropriate classroom discipline. The parent/guardian of an elementary student performing below proficiency or of a secondary student earning a "C" or lower grade, shall attend all scheduled parent teacher conferences during a school year or meet with the student's teacher at another time.

An LEA shall annually notify parents/guardians of their rights and obligations "when using public education" and shall request a signature of acknowledgement of the same, filing such signature documents. An LEA shall comply with requests to retain, may assess the student with regard to retention, and "shall reasonably accommodate" the parent/guardian initial selection of a teacher or request of a change of teacher, a request of a student's parent/guardian to visit and observe any class the student attends, the parent/guardian determination of the level of rigor a student is able to experience, and a request to attend a parent-teacher conference if unable to meet the regularly scheduled parent-teacher conferences. An LEA shall excuse a student from attendance for family vacation, emergency, or visit to physicians "if the student completes all assignments and takes all assessments." An LEA shall allow a student to earn course credit towards high school graduation without completing a course in school by testing out of the course or by demonstrating competency in course standards. An LEA shall provide for the distribution of a copy of the school's discipline and conduct policy and shall provide notice of violations of such, allowing the parent/guardian to respond to the notice. No funding requested.

Opposed. Bill's language leads to a varied interpretation of expectations. Some requirements in the bill are unnecessary as they are already in current practice. How will the state ensure these directives to parents? And if not, then what?

SB131 Student Leadership Grant (A. Osmond) <http://le.utah.gov/~2014/bills/static/SB0131.html>

This bill concept was not requested by the School LAND Trust leaders in the state. Allows a school to use School LAND Trust Program money to implement a student leadership skills development program "to enhance a school's learning environment and improve academic achievement." For schools that access the pilot program through grants from the USOE, the matching funds cannot include in-kind contributions of goods or services. Such schools must also set school-wide goals for the leadership program and require each student to set personal goals. Schools shall report to the local board after the first year of implementation which report shall include: attendance, statewide academic assessments,

student misconduct, and the achievement of goals. Boards may not award additional grant money to a school that fails to demonstrate improvement. From Education Fund, ongoing: \$500,000

Local Issue. Schools and districts may initiate their own student leadership skills programs in addition to using a commercial product. There is concern about “opening up” the use of Trust Lands for this purpose. Other purposes might match this program for quality outcomes but are not allowed, such as behavior programs and incentives. Allowing student leadership use but not student behavior use seems to at least loosen the targeted focus of SCC funds, if not contradictory that one helps students succeed while the other may not.

SB140 Advanced Placement Test Funding (K. Mayne) <http://le.utah.gov/~2014/bills/static/SB0148.html>

Allows the State Board to allocate money from the Enhancement for Accelerated Students Program for advanced placement test fees of low-income students. Appropriates money for the Enhancement for Accelerated Students Program. \$100,000 ongoing funds requested from the Education Fund.

Support.

SB148 Upstart Program Amendments (S. Adams) <http://le.utah.gov/~2014/bills/static/SB0148.html>

Establishes the UPSTART program as a permanent, nonpilot early childhood education program. No funding requested.

Hold. The program must prioritize service to students from poverty (amendment requested).

SB150 Task Force Reauthorization (S. Reid) <http://le.utah.gov/~2014/bills/static/SCR003.html>

Reauthorizes the Education Task Force through FY15 and provides for membership, duties and responsibilities and requires final report. Requests \$64,000 from the General Fund.

No position.

SB151 Religious Freedom Instruction Requirements (S. Reid)

<http://le.utah.gov/~2014/bills/static/SCR003.html>

Requires instruction in American History in public schools to include a study of religious freedom as granted by the Establishment Clause and the Free Exercise Clause of the First Amendment to the U.S. Constitution. Requires higher education students to demonstrate knowledge of the same prior to receiving a Bachelor’s degree or teaching credential. No funding requested.

Unnecessary. The public education portion of this bill is already in practice as part of the American History core standards.

SB157 School-Based Budgeting Amendments (H. Stephenson)

<http://le.utah.gov/~2014/bills/static/SCR003.html>

Requires a school district to distribute, by July 1, 2018, no less than 85% of Minimum School Program revenues to schools and directs the principal to prepare a school budget in consultation with an advisory committee and submit the budget to the local school board for approval. School budgets must be aligned with instructional, academic, and student achievement goals. Requires the district to publish on the district’s website information on revenue available to a school and the school’s budget. No funding requested. **Oppose.** Money allocated directly to schools bypasses elected officials who are accountable to the public for the use of tax revenues. There are no accountants at the school level to handle large sums of money supporting 85% of instructional needs and the accounting and auditing functions that should follow such disbursements. Personnel matters require a great deal of central office support as do support services for schools. There are no generally-elected officials (that are accountable to the entire taxpaying populace) at each school. This approach has great potential to

eliminate savings in schools and districts through the loss of an economy of scale. This approach may not lead to achieving state education goals, State Board goals, or local board goals.

SB171 Student-Centered Learning Pilot Program (H. Stephenson)

<http://le.utah.gov/~2014/bills/static/SB0171.html>

Requires the State Board may use up to \$75,000 to hire a consultant to assist schools and districts in designing and implementing a Student-Centered Learning Pilot Program built around data-driven decision-making, blended learning, and competency-based education with differentiated support. State Board shall create an advisory committee (comprised of representatives of stakeholders and the chairs of Education Standing and Appropriations Committees) to make suggestions and recommendations on pilot programs. Students enrolled in pilot programs may not count as more than one pupil in average daily membership unless the student intends to complete high school graduation requirements and exit high school early, as per the student SEOP. Requires reporting to the Education Interim Committee. An ongoing \$275,000 from the Education Fund is requested. **Opposed. Much of the innovative learning model is already underway in many districts. The advisory committee and, perhaps, the consultant, usurp the governance authority of the Utah State Board of Education and the local school district/school governing board operating the school.**

SB172 Capital Improvement and Capital Development Project Amendments (W. Harper)

<http://le.utah.gov/~2014/bills/static/SB0172.html> **Hold. More information needed on bill.**

SJR2 Joint Resolution on Legislative Power (A. Osmond)

<http://le.utah.gov/~2014/bills/static/SJR002.html>

Proposal to amend the Utah Constitution to allow for the modification of the legislative power of the people to include a provision allowing the Legislature to require any law it passes relating to taxation to be approved by voters before taking effect. No funding requested.

Oppose. Taxation questions are for Legislative deliberation and decision.

SJR12 Joint Resolution on State Superintendent of Public Instruction (S. Reid)

<http://le.utah.gov/~2014/bills/static/SJR012.html>

Proposes to amend the State Constitution so as to require the Governor's approval and the Senate's consent for an appointment of the State Superintendent of Public Instruction, and authorize the Governor, after consultation with the State Board of Education, to remove the State Superintendent of Public Instruction from office. Resolution directs the lieutenant governor to submit this proposal to votes with a contingent effective date of January 1, 2015. No funding requested.

Opposed.