

**2014 Legislature**  
**Bills Considered by the Joint Legislative Committee**  
**As of February 28, 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 S1 Parental Review of Statewide Summative Test Questions (M. Kennedy)**

<http://le.utah.gov/~2014/bills/hbillint/HB0081S01.pdf>

Expands a committee of parents or guardians of Utah public education students that reviews computer adaptive test questions and requires the State Board of Education to prepare, and publish on the State Board of Education's website, a report containing information about test questions identified by the committee for certain reasons.

**Support.**

**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 S1 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 **and as officially appointed to the body by the President of the Senate or Speaker of the House of Representatives.** 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. **Support.**

#### **HB92 S1 Utah Education and Telehealth Network Amendments (R. Menlove)**

<http://le.utah.gov/~2014/bills/hbillamd/HB0092S01.pdf>

Combines the Utah Telehealth network with the Utah Education Network to be called the Utah Education and Telehealth Network (UETN). The partnership covers public and higher education and the Department of Health as it relates to K-16 students. Specifies that duties of UETN 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. Includes a representative from the office of the governor. No funding requested.

**Support .**

#### **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.**

#### **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. Public schools may apply for the grants to establish and to supplement current preschool programs, and all preschools (public and private) will be held accountable to specific standards, including, of course, standards to help all preschoolers become ready for kindergarten. Funds will be used for students from high poverty first with a provision for a "sliding scale" so that the students with the greatest need will be able to receive the greater portion of the grant funding. 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 usurps the leadership and accountability of local school boards and 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)
- Confused accountability and public understanding of responsibility for school construction

**HB107 Fire Code Amendments (L. Wiley)** <http://le.utah.gov/~2014/bills/static/HB0107.html>

Requires that new and existing structures used for educational purposes through grade 12 and that have fuel-burning appliances, fireplaces, or forced air furnaces be equipped with carbon monoxide detection. No funding requested. **Local Issue. Unfunded mandate.**

**HB109 S1 Public Education Capital Funding Equalization (K. Ivory)**

<http://le.utah.gov/~2014/bills/static/HB0109.html>

Requires a portion of unexpended balances rather than all unallocated balances which changes the fiscal note from \$122,000,000 to \$61,000,000. Education Fund revenue surplus balance means the balance of an Education Fund revenue surplus remaining after the Division of Finance transfers Education Fund revenue surplus money to the Education Budget Reserve Account and transfers from the Education Fund revenue surplus any year-end contingency appropriations, year-end set asides, or other year-end transfers required by law, up to a maximum of \$75,000,000 to the Enrollment Growth Account. From the Education Fund: \$61,000,000.

**Support the concept**

**HB111 School Building Costs Reporting (J. Knotwell)** <http://le.utah.gov/~2014/bills/static/HB0111.html>

Requires a LEA to submit, with certain information, a capital outlay report for publication on the Utah Public Finance Website. Requires a LEA to submit a capital outlay report for each new school building project and significant school remodel since July 1, 2004. No funding requested.

**No motion.**

**HB116 S1 School Construction Modifications (R. Cunningham)**

<http://le.utah.gov/~2014/bills/static/HB0116.html>

Requires the Utah State Board of Education to adopt school construction guidelines in consultation with the Division of Facilities and Construction Management (DFCM) and requires a public school to review and take into consideration those guidelines when planning public school construction. No funding requested with substitute.

**Support. Seek funding for USBE.**

**HB131 S2 Public Education Modernization Act (F. Gibson)**

<http://le.utah.gov/~2014/bills/static/HB0131.html>

The substitute bill has the same intent as the original in providing for technology devices state wide. This bill changes all references from professional development to professional learning. It strikes language about computer adaptive testing but includes numerous measures of student (not school) performance including student achievement on statewide tests. It includes a principal and a teacher in the advisory committee. The bill requires, at a minimum, 40 hours of high quality professional learning per educator each year. It requires LEAs to indicate how they will provide special education services

with appropriate software. The bill coordinates with HB92 Utah Education and Telehealth Network Amendments and HB320 Educators' Professional Learning. Funding request remains the same with \$50 million one-time from Ed Fund and \$150 million ongoing from General Fund.

**Hold with comments: Technology in classrooms is a very important tool. This bill still lacks a clear funding path. We would expect to see the following funding items prioritized ahead of any expenditure for this bill:**

- Full funding of new enrollment growth
- Full funding of Social Security and Retirement for public education
- At least a 1% increase in the Weighted Pupil Unit
- No funding changes or program losses of current public education state and local programs (above and below "the line")

#### **HB150 S1 Science, Technology, Engineering, and Mathematics Amendments (V. Peterson)**

<http://le.utah.gov/~2014/bills/static/HB0150.html>

Add members to the STEM Action Board including one appointed from the Senate and one appointed from the House and allows the Board to create a foundation. Specifies that the STEM Action Center shall support high quality professional development for educators in all grades, including in-person professional development. Allows the STEM Action Center to further STEM education with nontechnological means. Expands the scope of STEM to students in grades kindergarten through 8<sup>th</sup> grade. Creates the STEM education endorsement and incentive program. Creates a STEM education middle school and a STEM education high school applied science initiative. Requests \$10 million ongoing from General Fund and \$13.5 million one-time funding from General Fund, all to go to the Governor's Office of Economic Development.

**Support.**

#### **HB153 Study on Contribution and Credit for Education Funding (K. Christofferson)**

<http://le.utah.gov/~2014/bills/hbillint/HB0153.pdf>

Proposes a Revenue and Taxation Committee study during 2014 Interim that may allow an employee to direct an employer to deduct a specified amount from the employee's income tax withholding to be contributed to the Education Fund and provide an employee credit against income taxes. No funding requested.

**Support the concept.**

#### **HB159 Regulation of Child Care Programs (G. Hughes)**

<http://le.utah.gov/~2014/bills/hbillint/HB0159.pdf>

Creates the Child Care Center Licensing Committee to regulate and make rules for center-based child care. Center-based child care does not include residential child care providers. The Committee shall be comprised of five members appointed by the governor and approved by the Senate, including four members with active license in child care and at least five years' experience as an owner in a center-based child care business, and one member from the general public. At least one member of the five shall be a resident of a county that is not a county of the first class. The duties of the Child Care Center Licensing Committee include providing for: adequate facilities and equipment, competent caregivers, application requirements and documentation, and operational procedures and inspections. No funding requested.

**No Position.**

### **HB168 School and Institutional Trust Lands and Funds Management Provisions (M. Brown)**

<http://le.utah.gov/~2014/bills/hbillint/HB0168.pdf>

This bill enacts the recommendations from the State Board of Education's School Trust Investment Task Force and has been drafted by the School Children's Trust Section of the USOE. It makes multiple modifications of the work of the Section and of the School LAND Trust board. No funding requested.

**Support.**

### **HB169 Student Privacy Act (J. Anderegg)** <http://le.utah.gov/~2014/bills/static/HB0169.html>

An education entity and an employee, student aide, volunteer, third party contractor, or other agent of an education entity shall protect the privacy of a student, the student's parents, and the student's family. A student owns the student's personally identifiable information including name, family members, home address, email or online contact address, telephone number, SS number, biometric identifier, health or disability data, student id number, social media login or alias, persistent identifier, customer number, processor serial number, photograph with names, etc. When a student leaves the state's public education system, the parent/guardian or adult student may require an education entity to expunge all of the student's student data. With some limited exceptions, an education entity may not release a student's personally identifiable information without student authorization. An education entity that collects student data shall prepare a written student data disclosure for distribution to parents and adult students at the beginning of each school year or at the time of student enrollment that includes a description of the allowable student data collected, the optional student data collected, and the prohibited student data that the education entity may not collect as well as how any data are shared, and made secure. Notice must also include the consequences of authorizing the collection of allowable or optional student data and the parent's or adult student's rights related to student data. The bill makes several data security and collection requirements of the State Board. No funding requested. No fiscal note yet available.

**Opposed with comments: We very much support the concept of student privacy and work to ensure it every day in schools and in policy. But this bill is written in such a way as to make our compliance with other state law impossible. The bill would also require huge sums of money in order to comply.**

### **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 motion.**

### **HB215 S1 Public School Employee Background Checks (S. Handy)**

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

A license applicant shall submit to a background check as a condition of licensing. Licensing includes reinstatement of a lapsed, suspended, or revoked license. The Criminal Investigations and Technical Services Department shall maintain a separate file of fingerprints submitted and notify the State Board of Education when a new entry of certain types are made against a person whose fingerprints are held in the file regarding any matters involving an alleged sexual offense, drug-related offense, alcohol-related offense, or certain offenses against a person or property. If a recommendation is made for denial, suspension, or revocation of licensure because of information obtained through a background

check, the person shall receive written notice of the reasons for the recommendation and have an opportunity to respond, per board rules. 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 1<sup>st</sup> 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 S1 Utah State Board of Education Elections and Reporting Amendments (B. Greene)**

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

Provides that members of the Utah State Board of Education are elected through partisan elections and modifies the reporting requirements of state school board office candidates. No funding requested.

**Opposed**

#### **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 S1 Grants for Digital Textbooks (J. Anderegg)**

Provides for grants through the USOE for the purchase of digital textbooks, personal mobile devices, and desktop or laptop computers, which may be used for professional development related to the technology and peripherals and networking equipment. Requires the board to report on the use of the grants to facilitate the adoption of digital textbooks. Allocates \$1,000,000 from Education Fund.

**Local Issue.**

**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.**



**HB273 Property Tax Residential Exemption Amendments (L. Snow)**

<http://le.utah.gov/~2014/bills/static/HB0273.html>

Allows for a residential property tax exemption equal to a 45% reduction in the value of the property, for part-year residential property located within the state if the part-year residential property is used as residential property for 183 or more consecutive days during the calendar year for which the owner seeks to obtain the residential exemption. Owner must file an application on or before November 30 of the calendar year for which the owner seeks to obtain the residential exemption, which includes a statement that certifies that the property qualifies under this section. No funding requested.

**Opposed. This drains money from local property taxes that help to support local schools.**

**HB286 S2 Child Sexual Abuse Prevention (A. Romero)**

<http://le.utah.gov/~2014/bills/static/HB0286.html>

Requires State Board, in partnership with the Department of Human Services to approve instructional materials for child sexual abuse prevention and awareness training and instruction. Beginning in the 2016-17 school year, requires a district or charter school to train school personnel (K-12) and the parents/guardians of elementary school students on responding to a disclosure of child sexual abuse in supportive manner and the mandatory reporting requirements per existing state law. A district or charter school may provide instruction on child sexual abuse prevention and awareness to elementary school students using age-appropriate curriculum, as approved by the board. An elementary student may not be given the instruction unless the parent/guardian is notified in advance of the instruction and content, can review the materials before the instruction occurs, can be present when the instruction is delivered, and the parent/guardian has the right to have the student excused from the instruction (opt out) by written request. A district or school may determine the mode of delivery for the training and instruction. No funding requested.

**Support**

**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."**

**HB320 Educators' Professional Learning (B. Last)** <http://le.utah.gov/~2014/bills/static/HB0320.html>

Requires a school district or charter school to implement professional learning that meets specified standards (similar to Professional Learning Communities). Determines resources needed to implement professional learning needs, evaluates its impact, and requires a school district or charter school to use Quality Teaching Block Grant money to implement professional learning that meets specific standards. No funding requested. (Restoration of the Quality Teaching Block Grant is under discussion in Public Education Appropriations.) **Support the Concept with comments: We fully support professional development but it must be funded. We respect the sponsor's work to try to restore PD funding, but we resist a legislative mandate about what can and cannot be used for PD work. How would the state or legislature know exactly what teachers in any public school might need for PD? We support targeted and high-quality PD, tied to increasing student achievement, but local boards and schools need to determine those targets and the needs of teachers for PD help.**

**HB329 Programs for Youth Protection (S. Eliason)** <http://le.utah.gov/~2014/bills/static/HB0329.html>

Provides money for schools, grades 7-12, to implement school-selected, evidence-based practices and programs, or emerging best practices and programs, for preventing suicides. A school district shall annually offer one parent seminar for each 11,000 student enrolled in the school district. The State Board shall include home firearm storage safety in its curriculum for the parent seminar. The Board shall distribute money so that each school receives an allocation of at least \$500 or a lesser amount per school if the legislative appropriation is not sufficient to provide such. Funding request of \$225,500 from the General Fund. **No position.**

**HB337 Teacher Salary Supplement Program Amendments (B. Last)**

<http://le.utah.gov/~2014/bills/static/HB0337.html>

Replaces the Department of Human Resource Management with the State Board of Education as the administrator of the Teacher Salary Supplement Program. No funding requested. **Support.**

**HB342 Powers and Duties of the State Board of Education (D. Layton)**

<http://le.utah.gov/~2014/bills/static/HB0342.html>

The state board must, on or before July 1, 2016, revise core curriculum standards for English language arts and math that are specifically developed for Utah. Prohibits the board from adopting, in whole, a set of standards for English language arts, mathematics, science, or social studies developed for a group of states or the nation as Utah's core curriculum standards. The board shall establish a standards review committee consisting of 15 parents, with five appointed by the board chair, five appointed by the Speaker of the House, and five appointed by the President of the Senate, with membership term adjustments staggered so that approximately half of the members are appointed every two years. Requires publicizing of standards and taking public comment in specified ways. **Opposed.**

**HB397 Student and Family Privacy Amendments (D. Layton)**

<http://le.utah.gov/~2014/bills/static/HB0397.html>

Requires a district or charter school to enact policies that prohibit the administration to any student of a survey or assessment question without the prior consent of the student's parent/guardian if the purpose of the question is to cause the student to reveal information about the student's family, such as socioeconomic status, and possession or ownership of a firearm. Prohibits the offering of an inducement or incentive to a student if the student's parent/guardian provides prior written consent for the student to reveal such information. No funding requested.

**No Position.**

**HB399 Truancy Amendments (F. Gibson)** <http://le.utah.gov/~2014/bills/hbillint/HB0399.pdf>

Prohibits a local school board or charter school governing board from issuing a habitual truant citation to a school-age minor if the school-age minor has at least a 3.5 cumulative GPA and is at least 14 years old. No funding requested. **Opposed with comments: This bill continues the ongoing legislative practice of taking power which constitutionally is vested in the Utah State Board of Education, and unconstitutionally delegating that power to the Legislature, in violation of Article 10, Section 3, of the Utah Constitution. Further, police officers who may stop and question school-age minors during school hours, will not know GPA, nor will the student likely have proof of such on his/her person.**

**HB403 Amendments Related to Education Funding (J. Briscoe)**

<http://le.utah.gov/~2014/bills/static/HB0403.html>

Establishes a set tax rate for the minimum basic tax rate which is the greater of .001477 or the certified revenue levy. Eliminates an advertising requirement related to the minimum basic tax rate and changes the personal exemption component of the individual income tax credit calculation from a percentage of the federal personal exemption to a fixed dollar amount per exemption. No funding requested.

**Support.**

**HB406 School Bus Traffic Safety Amendments (T. Cosgrove)**

<http://le.utah.gov/~2014/bills/hbillint/HB0406.pdf>

Allows school districts to contract for technology that produces an image of any motor vehicle that passes a school bus in violation of state law and transmits the image to the local law enforcement agency of jurisdiction wherein the violation occurred. Requires that, not less than 30 days prior to commencing the use of this technology on one or more of its school buses, a school district shall send a notice to all households within the school district boundaries containing a description of the technology and its purpose and the date commencing its use. No funding requested.

**Local Issue.**

**HB409 Statewide Education Coordinating Committee (S. Eliason)**

<http://le.utah.gov/~2014/bills/hbillint/HB0409.pdf>

Creates the Statewide Education Coordinating Committee including the Speaker or designee, the President, or designee, the governor, the governor's education advisor, chair of the State Board, State Superintendent, chair of the Board of Regents, Commissioner of Higher Ed, chair of UCAT Board of Trustees, President of UCAT. The Governor shall serve as chair and shall meet on the call of the chair but at least twice annually. No compensation shall be given and no funding is requested.

**No Position.**

**HB417 English Language Arts Instructional Tool (CS Moss)**

<http://le.utah.gov/~2014/bills/static/HB0417.html>

Through an RFP process, and on or before July 1, 2014, the Board shall select one or more technology providers to provide licenses for a tool for students in grades 4-12 that enables student reading ability to be reported as a Lexile measure, uses Lexile measures to match reading materials and exercises to the comprehension level of readers, includes activities designed to assess and improve reading skills, writing skills, and vocabulary, is self-adapting to the needs and progress of the learner, provides frequent and informal assessment opportunities, and is aligned with the Utah State core for English language arts. Licenses will be available on a competitive basis to school districts and charter schools. From the Education Fund - \$1 million ongoing

**No Position**

**HB419 Charter School Revisions (S. Eliason)** <http://le.utah.gov/~2014/bills/static/HB0419.html>

Establishes requirements for charter school applications and charter school agreements. The charter school application shall include a statement indicating that after entering into a charter agreement, the charter school will be organized and managed under Title 16, Chapter 6a, and Utah Revised Nonprofit Corporation Act. Governing board members will be subject to background checks. Requires the State Charter School Board to establish requirements, processes, and standards relating to charter school applications including a description of how the charter school will provide, as required by state and federal law, special education and related services, financing arrangements, a market analysis of the community the school plans to serve, a capital facility plan, and other plans related to curriculum and assessment. Requires a board of trustees of a higher education institution, and a local school board to, before accepting a charter school application, establish requirements, processes and standards related to an application. Beginning on July 1, 2014, a charter school shall submit any lease or other contract agreement related to the school's facilities or financing of the school's facilities to the school's authorizer and an attorney for review and advice prior to entering into the lease or contract. Allows another charter school or the local school district to apply for assumption of operation of a charter school whose charter agreement is terminated. Allows a proposed or authorized charter school to elect to participate in state retirement programs. Allows a charter school to weight its lottery to give a "slightly better chance of admission" to educationally disadvantaged students. Neither the authorizer nor the state, including an agency of the state, is liable for the debts or financial obligations of the charter school or a person who operates the charter school. The principal, teachers or parents of students at an existing public school may submit an application to the local school board to convert the school or a portion of the school to charter status. Such application must follow a petition signed by at least two-thirds of the interested group. If only a portion of the school is applying for charter status, the percentage is reduced to a simple majority. The local school board may not approve an application unless students opting not to attend the charter would have access to a comparable public education alternative and current teachers choosing not to teach at the charter school would receive first preference for transfer to open teaching positions in the district. If no positions are open, contract provisions or board policy regarding reduction in staff would apply. No funding requested.

**Support.**

**HB423 School District Postemployment Health Insurance Benefit Amendments (S. Eliason)**

<http://le.utah.gov/~2014/bills/static/HB0423.html>

Prohibits a school district or charter school from offering postemployment health insurance benefits to new employees unless: the district/charter school calculates the liabilities associated with the benefits by applying GASB standards, recognizes current payments and all liabilities in budgetary accounts, fully funds the annual required contributions associated with the benefits, establishes and implements a plan to catch up on any unfunded liabilities within no more than 20 years, and provides for ongoing payments against the liabilities of those benefits. If a district/charter school fails to fully fund the annual required contributions then the prohibition for new employees begins on the first day of that fiscal year, with some exceptions on lines 214-222. No funding requested.

**Opposed with comments: The bill represents good policy and we fully support the policy and accountability outlined in the bill. We seek, however, an amendment to "catch up on any unfunded liabilities within no more than 30 years", consistent with current State Board rule.**

**HB425 State Educational Sovereignty Act (S. Eliason)** <http://le.utah.gov/~2014/bills/static/HB0425.html>

Except as provided in Section 53A-1-910, and on or after May 13, 2014, prohibits a local school board official, superintendent, business administrator and employees and a charter school's governing board members, administrators, and employees from entering into a federal education agreement to receive

\$50,000 or more in federal funds without approval from the State Board of Education. Any violation shall be reported to the Education Interim Committee within 30 days of receiving notice of the violation. Consequences may include a reduction in state money up to two times the amount of federal money that the local school official's district/charter school has received under the federal education agreement. No funding requested.

**Opposed.**

**HB 431 Educator Tax Credit (S. Eliason)** <http://le.utah.gov/~2014/bills/static/HB0431.html>

An eligible educator may claim a nonrefundable tax credit of the lesser of the amount incurred or \$250, against a tax for a qualified expense if the expense is not reimbursed and the educator works at least 900 hours during a school year in a qualified school. An eligible educator shall retain a receipt for any amount for which the tax credit is claimed. An eligible educator may not carry forward or carry back a tax credit. The bill has retrospective operation for a taxable year beginning on or after January 1, 2014. Eligible educators are those at a qualified school that may be a teacher, instructor, counselor, principal or aide. A qualified expense includes books, computer equipment and related software or service, other equipment, supplies, or supplementary materials used in the classroom, including items related to athletics. A qualified school means an elementary or secondary school that is a public or private school located in the state that provides student instruction for one or more years of K-12. No funding requested.

**No Position.**

**HCR 4 Concurrent Resolution Recognizing the 20<sup>th</sup> 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.**

**HCR6 Concurrent Resolution Encouraging Employers to Extend Parental Leave to Certain School Activities (M. Poulson)** <http://le.utah.gov/~2014/bills/static/HCR006.html>

Encourages Utah employers to adopt flexible work schedules and paid parent and guardian leave to their employees in the case of an emergency, or for the purpose of attending a parent-teacher conference or school-related activity. No funding requested. **No motion. Leaving in the language for "school-related activity" could allow employees to leave for multiple ballgames, assemblies, etc. More specific language is needed.**

**HCR10 Concurrent Resolution on School and Institutional Trust Lands Exchange Act (M. Noel)**

<http://le.utah.gov/~2014/bills/hbillint/HCR010.pdf>

Urges the United States Congress to enact legislation affirming the federal land grant process and eliminating barriers to federal-state land exchanges. 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/SB0022.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 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 S1 Home School Amendments (A. Osmond)** <http://le.utah.gov/~2014/bills/static/SB0039.html>

A local school board or charter school governing board may excuse a school-age minor from partial or full-time attendance for specified reasons. A local school board shall excuse a school-age minor from attendance if the school-age minor's parent files a signed and notarized affidavit with the school-age minor's school district. Except for a dually-enrolled student, when a home school student transfers into a public school, the school shall place the student in the grade level, classes, or courses that the student's parent or guardian determines are appropriate based on the parent's or guardian's assessment of the student's academic performance. Placements may be changed within 30 days through a conference requested by the parent or teacher. 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?

**Charter schools** receive their WPU per student based on October 1<sup>st</sup> count or the ADA, whichever is greater, whereas traditional schools receive their WPU per student based on ADA. So, theoretically, a charter school student could decide to attend home school on October 2<sup>nd</sup> and the charter school



would potentially retain all of the WPU for that student for the remainder of the year. This needs attention in the bill.

Surely home schooling parents may not choose the exact elementary class a student may enter if it is determined to return to a public school. Teacher class loads are extremely important and this decision must be made mutually with the parent and the principal.

How will the affidavit and other matters in this bill be affected with parents who are divorced and/or who may disagree?

**SB40 S1 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 the Board to identify and make available to teachers, online resources for financial and economic literacy education; provide professional development for GFL teachers and implement a teacher endorsement in general financial literacy; administer the GFL course in the same manner as other core curriculum courses for grades 9-12; and adopt 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/SB0042.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.**

**SB56 Risk Management Amendments (C. Bramble)**

<http://le.utah.gov/~2014/bills/static/SB0056.html>

Provides that the use of school property for civic center purposes is considered a permit for governmental immunity purposes. Civic center means a public school building or ground that is established and maintained as a limited public forum to district residents for supervised recreational activities and meetings. No funding requested. **Support.**

**SB58 Carbon Monoxide Detection Amendments (J. Dabakis)**

<http://le.utah.gov/~2014/bills/static/SB0058.html>

Requires schools or other structures used for educational purposes for students through grade 12 be equipped with carbon monoxide detection as specified in location and type in the bill. No funding requested. **Local Issue**

**SB62 S1 Utah Science Technology and Research Governing Authority Amendments (B. Shiozawa)**

<http://le.utah.gov/~2014/bills/static/SB0062.html>

Requires USTAR to establish written performance standards and expectations for each technology outreach program location and research team. Provide for a detailed annual report and annual audit. The substitute omits the requirement for additional membership changes for USTAR (one member from Senate; one from House), and omits the sunset date for USTAR, per original bill. No funding requested. **Support.**

**SB74 Career and Technical Education Funding for Charter Schools (JS Adams)**

<http://le.utah.gov/~2014/bills/sbillint/SB0074.pdf>

Allows a charter school whose focus is to be an early college high school and whose 9-12 grade students will graduate with a high school diploma and a license, certificate, or other evidence of completion of career and technical education training and that contracts with UCAT, shall be eligible for money appropriated to the State Board for approved career and technical education programs. Sets requirements for distribution of funds. Funds may be used for instructional services and materials, reference materials, counseling services, or tracking, coaching, or mentoring services that assist students in developing competency to seek and realize occupational opportunities. No funding requested.

**Opposed. UCAT already receives funding from CTE to provide educational opportunities for high school students, including those coming from charter schools. This bill represents double dipping.**

**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.**

**SB93 S1 Internal Audit Amendments (H. Stephenson)** <http://le.utah.gov/~2014/bills/static/SB0093.html>

Requires a local school board to establish an audit committee and audit program. The Audit Committee is a standing committee appointed by the local school board with three members of a seven-member local school board, or two members of a five-member local school board, and composed of people who are not administrators or employees of the school district. The audit committee shall establish an internal audit program that provides internal audit services for the programs administered by the school district. A local school board shall appoint the audit director, with the advisement of the audit committee, if the school board hires an audit director. If the school board contracts directly for internal audit services, the local board shall approve such contract with advisement of the audit committee. The audit committee shall ensure that significant audit matters that cannot be appropriately addressed by the school district internal auditors are referred to either the audit director of the State Board, the Office of the State Auditor, or the Offices of the Legislative Auditor General. No funding requested.

**Opposed**

**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 S2 Education Funding Equalization (A. Osmond)**

<http://le.utah.gov/~2014/bills/sbillamd/SB0111S02.pdf>

On lines 193a-194f adds additional expectations/opportunities related to school improvement plans. On lines 346a-346e the School Community Council shall inform parents of the amount and proposed use of money received by the school for this purpose and conduct a meeting, to which all parents and faculty are invited, to discuss the proposed uses of the money received for these purposes.

**Support the concept**

**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.**

**SB118 S1 School Funding Through Income Tax Revisions (P. Jones)**

[http://le.utah.gov/~2014/bills/sbillint/SB0118S01\\_ComparedWith\\_SB0118.pdf](http://le.utah.gov/~2014/bills/sbillint/SB0118S01_ComparedWith_SB0118.pdf)

Similar to SB118 with these changes:

1. Drops the five-year phase-in.
2. Changes the amount from the Education Fund to \$266,764,800.
3. Defines "qualifying personal exemption deduction" and allows for only two state personal income tax exemptions per family

Funding expected to be generated: \$266,764,800

**No motion.**

**SB122 S1 Parental Rights in Public Education (A. Osmond)**

<http://le.utah.gov/~2014/bills/static/SB0122.html>

Omits parent "accountability" and "obligations" and all discussion about commitments related to classroom discipline and parent actions following below grade student performance. Omits the requirement to seek parent/guardian signature and return of a document acknowledging having received and read notification of parental rights and omits language about an assessment to determine retention. Omitted language related to the IEP. Asserts that parents/guardians are the primary people responsible for the education of the student and the state is secondary and supportive in that work. "As such, a student's parent or guardian has the right to reasonable academic accommodations from the student's LEA ..." Requires the Board to establish graduation requirements that use competency-based standards and assessments. At the request of the parent, an LEA shall excuse the student from taking a test that is administered state wide or the NAEP. No funding requested.

**Opposed with comments: We support the intent of this bill in empowering parents in their work with their children in schools. The substitute, however, took out any responsibilities for parents and**

ignored the many issues that come to bear upon decisions at schools, such as class size, acknowledgement of receiving vital information from schools, etc.

**SB131 S1 Student Leadership Grant (A. Osmond)**

<http://le.utah.gov/~2014/bills/sbillamd/SB0131S01.pdf>

Requires a school that receives a grant under the pilot program to:

- Set school wide goals for the program
- Require each participating student to set personal goals
- Specifies data required to measure the effectiveness and impact of the program on student behavior and academic achievement
- Prohibits the board from awarding additional grant money to a school that fails to demonstrate an improvement in student behavior and academic achievement

Requests from Education Fund, ongoing: \$500,000 **Local Issue.**

**SB140 Advanced Placement Test Funding (K. Mayne)** <http://le.utah.gov/~2014/bills/static/SB0140.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 S1 UPSTART Program Amendments (JS Adams)**

<http://le.utah.gov/~2014/bills/static/SB0148.html>

Continues to call UPSTART a pilot project. Requires the contractor to give priority to preschool children from low income (meets or exceeds 185% of federal poverty guideline) families and/or who are English language learners, if the number of families who would like to participate in the program exceed the number of participants funded by the legislative appropriation. Requires the board to issue an RFP that takes effect upon the expiration of the pilot project on July 1, 2019, provided that the Legislature reauthorizes and funds the program. Provides criteria for the Board's review. Extends the repeal date for the UPSTART pilot project to July 1, 2019. No funding requested.

**Hold**

**SB150 Task Force Reauthorization (S. Reid)** <http://le.utah.gov/~2014/bills/static/SB0150.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/SB0151.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/SB0157.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.**

**SB163 Employee Meal Periods (L. Robles)** <http://le.utah.gov/~2014/bills/static/SB0054.html>

For every eight hours that a public employee works (including public educators) in a 24-hour period, a public employer shall provide the public employee the opportunity to take an unpaid meal period that is no less than 30 minutes and occurs no later than five hours after the public employee begins to work an eight-hour period. Allows the public employee to be relieved of all duties and to leave the public employee's work area during the unpaid meal period. A public employee is not required to take a meal period. No funding requested. **Local Issue.**

**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.**

**SB179 S1 Procurement Revisions (S Jenkins)** <http://le.utah.gov/~2014/bills/static/SB0179.html>

Modifies the Utah Procurement Code in a number of ways and maintains the 5% holdback against the full cost of a construction project. The substitute exempts school districts from oversight by the Division of Facilities and Construction Management for procurement and construction. No funding requested.



**Support with comments: the bill must continue to exempt school districts from oversight by DFCM. The RFP process may still need some revisions to ensure independence for school districts and charter schools.**

**SB181 Online Course Reporting Requirements (H. Stephenson)**

<http://le.utah.gov/~2014/bills/static/SB0181.html>

Requires the State Board to require a school district or charter school to indicate whether a course is an online course when reporting student enrollment data. No funding requested. **Opposed.**

**SB183 Proficiency Levels of Statewide Assessments (H. Stephenson)**

<http://le.utah.gov/~2014/bills/static/SB0183.html>

Requires the State Board to establish four proficiency levels for each statewide assessment; develop proficiency level descriptors for each proficiency level of each statewide assessment; develop proficiency level descriptors for the top two proficiency levels that describe the knowledge and skills a student should obtain to be on a trajectory for postsecondary success; set cut scores for statewide assessments using the NAEP as a benchmark; and establish procedures for such development that provide for the active participation of educators, parents, higher education representatives, and employers. No funding requested. **Opposed.**

**SB202 Charter School Funding Amendments (H. Stephenson)**

<http://le.utah.gov/~2014/bills/static/SB0202.html>

Increases the percentage of district per pupil local revenues that a school district is required to contribute for each resident student enrolled in a charter school. The bill is based upon the number of students enrolled in a charter school on the previous October 1 per district. In the 2014-15 fiscal year, a school district shall allocate a portion of school district revenues (all but debt service) for each resident student of the school district who is enrolled in a charter school on October 1 equal to 26% of district per pupil local revenues. Beginning in 2015-16 the percentage of district per pupil local revenues that a school district is required to contribute for each resident who is enrolled in a charter school on October 1 increases by two percentage points each fiscal year up to maximum contribution of 50% of district per pupil local revenues for each resident student who is enrolled in a charter school on October 1. No state funding requested.

**Opposed.**

- **This bill will divert local school funding away from some districts and into charter schools.**
- **Taxpayer dollars diverted into charter schools from districts are not overseen by elected officials, and their uses are not transparent or reported to the community.**
- **The bill may create annual Truth in Taxation tax hearings in dozens of districts just to stay on par with current school district funding levels.**
- **Truths in Taxation hearings were NEVER intended for a district to simply maintain current revenues. This will be very confusing to the public.**

**SB209 School Grading Revisions (JS Adams)** <http://le.utah.gov/~2014/bills/static/SB0209.html>

Modifies the School Grading Program by:

- Defining sufficient growth as a student's scaled score on a statewide assessment that is equal to or exceeds the student's growth target
- Requires the Board to create an alignment mapping of scale scores to be used when transitioning to a new assessment system
- Exempts alternative schools from participating in school grading

- Requires the Board to annually evaluate an alternative school and report the results on a school report card which shall be provided to parents electronically through the Board, local boards, and charter school governing boards
- Upon request, exempts a school in its first year of operation from school grading
- Upon request, allows the Board to exempt a high school in its second year of operation from school grading
- Sets up varying requirements for a combination school (combination of grades)
- Eliminates writing from the calculation of points earned for sufficient growth
- Excludes a student with a disability who has an individualized education program from the four-year cohort graduating class
- A student is considered college ready if s/he achieves a composite score on the ACT of at least 18
- Instead of issuing an automatic F grade, the Board shall lower a school's grade by one letter grade if student participation is less than 95% or the participation of nonproficient students is less than 95%.
- Makes other changes related to upcoming years of test administration.

No funding requested.

**Hold with comments. The School Grading Program is a failed policy. It is a flawed system, written chiefly by Parents for Choice(PCE), the same group that pushed the failed voucher program in Utah. There is no current credibility in the first rollout of the program and these amendments only further muddy the water.**

- **The requirement to create an alignment mapping between CRTs, (which measure what a student has learned of their grade-level material), and the new Computer Adaptive Test called SAGE (which measures a student's performance as high or as low as it may be) is not possible, credible, valid or reliable. Any comparison from such would be totally invalid. An entirely new baseline is needed for using the SAGE test and scores from SAGE cannot be compared in any way to CRT performance.**
- **Small districts cannot afford to establish separate alternative schools for students who are struggling the most; those districts work to keep students in their school regardless. But small districts receive no exemption for such students as alternative schools may do with this bill.**
- **This grading policy was crafted for political reasons to create a system that deliberately fails schools and is not created to indicate true school performance. These amendments will likely lead to further that political agenda by showing more reduced grades for schools.**

**We continue to fully support the Utah Comprehensive Accountability System (UCAS) that has the endorsement of the Utah State Board of Education, was created by experts in the assessment field and is credible in measuring the many factors that are part of a school's performance.**

#### **SB215 Public School Comprehensive Emergency Response Plan Amendments (A. Osmond)**

<http://le.utah.gov/~2014/bills/static/SB0215.html>

Requires a public school's comprehensive emergency response plan to include procedures to provide information, to the extent practicable, to certain students who are off campus at the time of a school violence emergency. Certain students includes student who are participating in a school related activity or excused from school for a period of time during the regular school day to participate in religious instruction at the request of the student's parent or guardian. No funding requested.

**Local Issue.**

**SB218 Charter School Amendments (H. Stephenson)** <http://le.utah.gov/~2014/bills/static/SB0218.html>

Requires the State Board, in approving an increase in charter school enrollment capacity, to give high priority to approving a charter school located in high growth areas and low priority to approving a charter school located in an area where school enrollment is stable or declining. Requires a charter school that is approved with high priority status to give an enrollment preference to students who reside within a two-mile radius of the charter school. No funding requested.

**Support.**

**SB219 Public Education Utah Professional Practices Advisory Commission (D. Henderson)**

<http://le.utah.gov/~2014/bills/sbillamd/SB0219.pdf>

Changes appointment and membership requirements for Utah Professional Practices Advisory Commission to include:

- A nonvoting secretary
- At least 11 voting members appointed by the board, including a majority share of community members or parents/guardians of a child enrolled in a Utah public school. A voting member who is an educator may not be counted toward the majority.
- The State Superintendent shall appoint an office member as the secretary
- If a vacancy occurs, the board shall appoint a successor to fill the unexpired term.

**Opposed. This is an advisory board to the State Board. The State Board should make appointments to its own advisory committee.**

**SB232 School Safety Tip Line (D. Thatcher)** <http://le.utah.gov/~2014/bills/sbillint/SB0232.pdf>

Designates the abbreviated dialing code “311” for use by the School Safety Tip Line beginning September 1, 2015. Line allows for anonymous reporting of unsafe, violent, or criminal activities or the threat of such activities. Requires 24/7 staffing and operation of tip line by licensed social workers and requires local school boards or charter school governing boards to revise related policies to include information related to the School Safety Tip Line. Establishes the School Safety Tip Line Governing Board within the Office of the Attorney General comprised of members of that office, members from public education as appointed by the State Board, one member representing parents appointed by the Utah PTA, one member experienced in operation a call center appointed by the attorney general, and two members of the House, two members of the Senate with the attorney general’s designee serving as chair. The committee shall establish procedures and reports. The State Board shall establish methods of response to line concerns. No funding requested.

**Support the concept.**

**SB240 Carson Smith Scholarship Amendments (JS Adams)**

<http://le.utah.gov/~2014/bills/sbillint/SB0240.pdf>

To receive a full-year scholarship, a parent shall submit an application where the student is enrolled on or before the August 15 immediately preceding the first day of the school year for which the student would receive the scholarship. The board may waive the full-year scholarship deadline. The application shall contain an acknowledgement by the parent that the selected school is qualified and capable of providing the level of special education services required for the student. No funding requested.

**No Position.**

**SB257 Parent Review of Instructional Materials and Curriculum (H. Stephenson)**

<http://le.utah.gov/~2014/bills/static/SB0257.html>

The Board shall establish a committee of 15 parents/guardians to review all computer adaptive test questions and a complaint submitted by a parent/guardian of a public school student related to

curriculum or instructional materials. The board shall prepare and publish on its website, a report of complaints related to curriculum and instructional materials including a complaint of factual or other error, a complaint of bias, or a complaint made for another reason. The report shall include the number of complaints categorized by grade level and course, reason identified, and action taken by a school district or school with respect to a complaint. No funding requested.

**Unnecessary. Assuming the passage of HB81 S1, this bill becomes unnecessary. In addition, the Instructional Materials Commission, working under the direction of the State Board of Education for the past 100 years, has always included a large number of parents from across the state who constantly review all materials approved for use in Utah's classrooms.**

#### **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.**

#### **SJR 10 Joint Resolution Requiring Legislators to Spend Time in Classrooms (J. Dabakis)**

<http://le.utah.gov/~2014/bills/static/SJR010.html>

Each legislator shall volunteer as a teacher's aide in any public school for at least four hours during each month that the legislator is in office, excluding the month of February. Service must be in a preschool through grade 12 classroom within the legislator's district. The teacher may introduce the legislator and the legislator may provide a basic greeting and perform a duty that is generally performed by a non-legislative teacher's aide. Each legislator shall provide verification of the volunteer work with their house's secretary. **Support.**

#### **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.**