**USBA/USSA/UASBO**

**2013 Joint Legislative Committee Positions**

**Updated to March 1, 2013**

**HB24 Utah Retirement System Amendments** **(D. Ipson)**

Modifies the Utah State Retirement and Insurance Benefit Act by amending its provisions.

<http://le.utah.gov/~2013/bills/hbillint/HB0024.pdf> **POSITION: SUPPORT**

**HB40 Scheduling of Special Elections (K. Powell)**

Allows for special elections to be held on even-numbered years on the fourth Tuesday in June or the first Tuesday after the first Monday in November. On odd-numbered years, allows for elections to be held on the first Tuesday after the first Monday in November. <http://le.utah.gov/~2013/bills/hbillamd/HB0040.pdf> **POSITION: SUPPORT**

**HB49 Voted and Board Levy Program Amendments (S. Handy)**

Every year, due to varying schedules and formulas, there are remaining, non-lapsing funds after the state guarantee match has been made for local board and voted levies. In FY13, it is anticipated that this amount may be as much as $19.5 million. This bill will allow the USOE to push the funding out to districts in an ongoing way, starting with FY13 funds. <http://le.utah.gov/interim/2012/pdf/00002239.pdf> **POSITION: SUPPORT**

**HB55 Amendment Related to Education Funding (J. Briscoe)**

Establishes a set tax rate for the minimum basic tax rate, subject to the rate generating a specified revenue amount;eliminates an advertising requirement related to the minimum basic tax rate;

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;

<http://le.utah.gov/~2013/bills/hbillint/HB0055.pdf> **POSITION: SUPPORT**

**HB59 School Board Elections Provisions (J. Nielson)**

Requires the direct, nonpartisan election of members of the State Board of Education;

Repeals the involvement of the governor and the nominating and recruiting committee in the nomination of candidates for the State Board of Education;

Establishes the primary election for the State Board of Education and local school boards on the second Tuesday following the first Monday in August of an odd-numbered year;

Establishes the general election for the State Board of Education and local school boards on the first Tuesday after the first Monday in November of each odd-numbered year;

Designates a county clerk as the election officer for the election of the State Board of Education and local school boards

<http://le.utah.gov/~2013/bills/hbillint/HB0059.pdf> **POSITION: SUPPORT**

**HB76 Concealed Weapon Carry Amendments (J. Mathis)**

Allows a person 21 years of age or older, who may lawfully possess a dangerous weapon, to do so without a permit. <http://le.utah.gov/~2013/bills/hbillint/HB0076.pdf> **POSITION: Watch** (School attorneys advise that this bill will not affect schools.)

**HB118 Automatic External Defibrillator Account** **(R. Cunningham)**

Creates an account from the General Fund to allow law enforcement agencies and all schools serving grades 7-12 to purchase Automatic External Defibrillator devices. Purchasers must provide matching costs to the grant funds coming through the bill. (UHSAA is suggesting fund-raising efforts during UHSAA athletic events in the coming year for this purpose.) <http://le.utah.gov/~2013/bills/hbillint/HB0118.pdf> **POSITION: SUPPORT**

**HB122 Fees for Government Records Requests (B. King)**

A governmental entity shall fulfill a record request without charge if it determines that releasing the record primarily benefits the public rather than a person, the requesting individual is the subject of the record, and the requester’s legal rights are directly implicated by the information in the record. <http://le.utah.gov/~2013/bills/hbillint/HB0122.pdf> **POSITION: OPPOSED** (There may be difficulty and liability in trying to estimate what benefits the public.)

**HB134 Parental Notification Related to Student Safety** (G. Froerer)

Requires a school to notify a parent if the parent’s student threatens to commit suicide or of an alleged incident of bullying, cyber bullying, harassment, hazing, or retaliation involving the parent’s student. Requires a school to have a parent sign a statement acknowledging that the parent was notified of the suicide threat or bullying. <http://le.utah.gov/~2013/bills/hbillint/HB0134.pdf> **POSITION: LOCAL ISSUE WITH COMMENTS** (We support the concept and effective schools and districts contact parents asap on any suicide concern and of cases involving bullying, cyber bullying, harassment, etc. The word “alleged” may work well for addressing suicide threats but is very problematic as a qualifier for the behaviors stated in the bill. For an incident to be an incident, it must occur, not just be alleged. Additionally, the signature requirement is an issue as some parents may refuse to sign for any one of several reasons, may be hard to contact during the school day, and may create an unrealistic expectation of school personnel, licensed and classified. Of course, policies should protect children and notify parents of real dangers/harm asap. We will work with the sponsor on revision, as invited.)

**HB139 Science, Technology, Engineering, and Mathematics Action Center** (V. Peterson)

Creates a Science, Technology, Engineering, and Mathematics (STEM) Action Center Board to establish a center with staffing requires of the Governor’s Office of Economic Development. Requires the Center Board to select providers through RFPs, to provide education related instructional technology. Requires the Center Board to work with private industry to obtain private funding and support the Center. Requires the executive director to track student achievement and progress in STEM areas, including metrics of number of educators implementing best practices and an expectation that at least 50 high schools participate in STEM competitions, fairs and camps. Funds the Center with ongoing General Funds from the Governor’s Office of Economic Development of $14 million and with ongoing General Funds from the State Office of Education of $1 million. <http://le.utah.gov/~2013/bills/hbillint/HB0139.pdf> **POSITION: SUPPORT WITH COMMENTS** (We support as long as funds come from the General Fund, not Education Fund or from current public education programs, especially not from the K-3 Reading Program. Would prefer this was housed in the USOE. This amount of money would be so helpful to be focused on a 4-6 grade math initiative, where math begins to break down for students. It would also be well-used to train math teachers in elementary schools with funding for professional development.)

**HB151 Chronic Absenteeism Amendments (J. Briscoe)**

Defines “chronically absent” as being absent 10% of the school year and requires the State Board to report the number and percentage of students who were chronically absent during the year in the school performance report. <http://le.utah.gov/~2013/bills/hbillint/HB0151.pdf> **POSITION: LOCAL ISSUE** (We know that attendance is tied directly to graduation and school success and we appreciate the focus of this discussion, however, the state will be ineffective in trying to create one attendance policy for all. Local boards are elected officers and they can better understand local data and reflect the will of their local communities in such policies.)

**HB154 Suicide Prevention Programs (S. Eliason)**

Requires the State Board and the Division of Substance Abuse and Mental Health to designate a USOE suicide prevention coordinator to oversee school district and charter school youth suicide prevention programs and to establish model programs. Requires school districts and charter schools to implement a youth suicide prevention program for students in secondary grades and requires reporting to the Education Interim Committee. Provides $250,000 from the General Fund for coordinators and resources to implement youth suicide programs. <http://le.utah.gov/~2013/bills/hbillint/HB0154.pdf> **POSITION: SUPPORT**

**HB173 Necessarily Existent Small Schools Funding Amendments (K. Powell)**

Provides that an amount not to exceed five percent of the total necessarily existent small schools funding may be distributed in accordance with a formula adopted by the State Board that considers the tax effort of a local school board. <http://le.utah.gov/~2013/bills/hbillint/HB0173.pdf>

**POSITION: SUPPORT**

**HB206 Internet Safety for Public Schools** (E. Hutchings)

Modifies requirements for internet safety including requiring blocks on obscene material and protection devices for a school’s computer that is equipped for internet access while the computer is being used off campus. Includes charter schools as well as traditional schools. <http://le.utah.gov/~2013/bills/hbillint/HB0206.pdf> **POSITION: LOCAL ISSUE WITH COMMENTS** (We support the concept. Ensuring a block on “sent-home” computers is technically challenging but can be done by forcing a routing back through the district/school firewall before the internet can be accessed on a sent-home computer. [Davis District currently does this.] But the fiscal note does not acknowledge the cost of such routing and costs are involved in ensuring such safety.)

**HB207 S1 Open and Public Meeting Act Notice Amendments (K. Powell)**

Requires a public notice of not less than 72 hours for each public meeting and requires the agenda to be included in the notice. Provides some exceptions for certain legislative meetings. Prohibits a court from voiding a final action taken by a public body for failure to comply with the 72-hour public notice requirements. <http://le.utah.gov/~2013/bills/hbillamd/HB0207S01.pdf> **POSITION: No Position taken following discussion**

**HB 246 Expanded Uses of School District Property Tax Revenue (K. McIff)**

Allows local school boards to use revenue collected from certain capital property tax levies for certain general fund purposes for fiscal years 2013-14 and 2014-15; requires a local school board to notify taxpayers of certain uses of property tax revenue. <http://le.utah.gov/~2013/bills/hbillint/hb0246.pdf> **POSITION: SUPPORT**

**HB255 Classified School Employee Amendment (B. Last)**

Provides that, for purposes of determining retirement benefits, a regular full-time employee does not include a classified school employee who is hired on or after July 1, 2013, and does not receive benefits normally provided by the participating employer, or who is hired before July 1, 2013, who did not qualify as a regular full-time employee before July 1, 2013, who does not receive benefits normally provided by the participating employer, and who employment hours are increased on or after July 1, 2013. “Grandfathers” in any who are currently receiving retirement now.

<http://le.utah.gov/~2013/bills/hbillint/HB0255.pdf> **POSITION: SUPPORT**

**HB264 Property Tax Notice Amendments (K. Powell)**

Requires a property tax notice to state the amount of lost revenue for districts that goes to support local replacement of property taxes for charter schools. <http://le.utah.gov/~2013/bills/hbillint/HB0264.pdf> **POSITION: SUPPORT CONCEPT**

**HB267 State Board of Education Elections (C. Moss)**

Requires the direct, nonpartisan election of members of the State Board of Education and repeals the involvement of the governor and the nominating and recruiting committee for the State Board of Education in the selection process.

<http://le.utah.gov/~2013/bills/hbillint/HB0267.pdf> **POSITION: SUPPORT**

**HB268 Disorderly Conduct Amendments (P. Ray)**

Defines disorderly conduct (refuses to comply to a law enforcement officer, creates a hazardous condition, cause public annoyance or alarm, engages in fighting or threatening behavior, makes unreasonable noises in public or in private places where the public may hear, obstructs vehicular traffic). Confirms that open carry of a weapon is not, by itself, disorderly conduct. “The mere carrying or possession of a holstered or encased firearm, whether visible or concealed, without additional behavior or circumstances that would cause a reasonable person to believe the holstered or encased firearm was carried or possessed unlawfully or with criminal intent, does not constitute a violation . . .” <http://le.utah.gov/~2013/bills/hbillint/HB0268S01.pdf> **POSITION: Watch** (School attorneys advise that this bill will not affect schools.)

 **HB271 Funding for Public Education (J. Bird)**

Directs the deposit of a portion of liquor revenues to the Education Fund; provides for the distribution of liquor revenues to local educational agencies; establishes that the money may be used for teacher salaries or benefits; and addresses money deposited into the Education Fund. Does not negatively affect the School Lunch Program.

<http://le.utah.gov/~2013/bills/hbillint/HB0271.pdf> **POSITION:  SUPPORT**

**HB 274 Tax Credits for Employing a Homeless Person** (B. King) Creates a nonrefundable corporate and individual income tax credit for employing a homeless person.  The bill describes what a homeless person and the credit assigned for the hours worked ($500.00 for at least 80 monthly hours or $1000 for 160 hours or more monthly. <http://le.utah.gov/~2013/bills/hbillamd/HB0274.pdf> **POSITION: SUPPORT THE CONCEPT WITH COMMENTS** (We support an amendment that the tax credit be taken against the General Fund, not the Education Fund.)

 **HB275 Health Insurance for Schools (J. Bird)**

Requires local school boards and charter schools to seek competitive bids on the health insurance benefits it offers school district employees beginning in the 2013-14 school year and every five years thereafter and establishes criteria for the competitive bids. <http://le.utah.gov/~2013/bills/hbillint/HB0275.pdf> **POSITION:  LOCAL ISSUE – UNNECESSARY** (Every district has unique financial situations and experience in insurance matters.  The bill should “encourage” timely re-bidding, but not mandate a certain cycle.)

**HB278S1 Public School Seismic Studies (G. Froerer)**

Requires a school district to conduct or update a seismic safety evaluation of a school district building constructed before 1975 if the school district issues certain general obligation bonds on or after July 1, 2013 unless such an evaluation was performed on a building within the 25-year period before the school district issues certain general obligation bonds. Indemnifies a district for liability if good faith efforts have been shown. <http://le.utah.gov/~2013/bills/hbillamd/HB0278S01.pdf> **POSITION:** **HOLD** (With a report to the Seismic Safety Commission, will that have an effect on utilizing bond funds for seismic upgrades before new buildings or other repairs can occur? The liability clause may not hold harmless a school/district.)

**HB285 Modification of Education-Related Reporting Requirements (F. Gibson)**

Eliminates an annual report to the Education Interim Committee on teacher quality, Engineering and Computer Science Initiative, and on transfers of information technology equipment by state agencies to public schools. <http://le.utah.gov/~2013/bills/hbillint/HB0285.pdf> **POSITION: SUPPORT**

**HB293 School Parent Organization Amendments (D. Brown)**

For references to government services, anywhere that Parent-Teachers’ Association are mentioned in various parts of the Utah Code, this bill would also insert “or a parent organization” of the schools within the district. <http://le.utah.gov/~2013/bills/hbillint/HB0293.pdf> **POSITION: HOLD** (Amendment to define “parent organization” needed so that the parent organization has educational interests.)

**HB298 Parent Seminar on Youth Protection (S. Eliason)**

Requires the State Board and school districts to implement a parent seminar with information on substance abuse, bullying, mental health, and Internet safety. Requires a school district to notify charter schools located within the school district’s boundaries of the parent seminar. <http://le.utah.gov/~2013/bills/hbillint/HB0298.pdf> **POSITION: LOCAL ISSUE** (We support the concept and such workshops/meetings are periodically convened in many schools/districts. We believe that parents are most comfortable in their own students’ schools and that charter schools should convene their own meetings, not be the responsibility of districts [Nonetheless, of their own will, many districts and charter schools work closely together on many issues, to the good of the community’s children]).

**HB306 School Land Trust Program Amendments (L. Perry)**

Modifies aspects of the election and operation of the School Community Council. Requires a charter school governing board to establish a council for purposes of School LAND Trust Program money. Modifies the formula for distribution of School LAND Trust Program funds. Per the fiscal note, this bill would increase funding to Charters by approximately 7% and decrease funding to District schools by .2%. In dollars, the average charter would see an increase of $1,790 while District schools would decrease by $3,700. Eliminates the required auditing of School Community Councils by the Legislative Auditor General. <http://le.utah.gov/~2013/bills/hbillint/HB0306.pdf> **POSITION: SUPPORT WITH** **COMMENTS** (With the charter school student amount at the statewide average, this will have a disproportionate, negative effect on some traditional school students. Traditional schools may wish to alter their own distribution formula and/or base amount and that will require statutory change.)

**HB307 CPR Training in Schools (C. Moss)**

Requires the State Board of Education to include instruction in lifesaving emergency procedures, including instruction in cardiopulmonary resuscitation (CPR), in the core curriculum standards.

<http://le.utah.gov/~2013/bills/hbillint/HB0307.pdf> **POSITION: UNNECESSARY** (There are already standards that address CPR in Utah’s core curriculum.)

**HB318 Classroom Size Revisions (R. Edwards)** Limits class size or requires the addition of a paraprofessional as a condition for receiving continuing class size reduction fund. Kindergarten = 20 beginning in 2013-14, First grade = 22 beginning in 2014-15, Second grade = 22 beginning in 2015-16, Third grade = 24 beginning in 2016-17. Requires the paraprofessional to have the equivalent of 48 semester hours from an accredited higher education institution or an associate’s degree, or has satisfied a rigorous assessment in reading, writing, and mathematics. <http://le.utah.gov/~2013/bills/hbillint/HB0318.pdf>

The fiscal note indicates large costs for state and local governments. See <http://le.utah.gov/lfa/fnotes/2013/HB0318.fn.pdf>

**POSITION: SUPPORT THE CONCEPT** (The need is great, but there is no additional funding allocated in the bill. Schools are already tilted toward lower class sizes in younger grades with the current legislative allocation of class size reduction funds. Because those funds have not grown year by year, but enrollment has, actual class size reductions have been negated. The bill also doesn’t contemplate needed buildings to accommodate more classrooms with lowered class sizes.)

**HB330 Financial Reporting Amendments (S. Eliason)**

Requires a specific form of certification of annual financial reports, under penalty of perjury, by chief administrative officers and chief financial officers, including those representing local school districts and boards. Requires the designations of chief administrative and chief financial officers. <http://le.utah.gov/~2013/bills/hbillamd/HB0330.pdf> **POSITION: UNNECESSARY** (Superintendents and business officials are already confirming the financial statements of their districts. Boards regularly review their work as does the USOE.)

**HB341 Elementary Education Co teaching Pilot Program (J. Bird)**

Requires the State Board to create a competitive grant program for voluntary participation by an individual or district/charter school, to offer co teaching in classes. Co teaching means the assignment of two licensed teachers to one classroom of elementary students, with classroom instruction being provided by both teachers. Requires report to the Education Interim Committee and Public Education Appropriations Subcommittee. Allocates $2.5 million from the Education Fund. <http://le.utah.gov/~2013/bills/hbillint/HB0341.pdf> **POSITION: LOCAL ISSUE** (This is not necessarily innovative; it is a very successful model already existing in several states, so a pilot is not needed to prove the value of such a model. The model is costly but effective.)

**HB343 Textbook Purchasing Amendments (J. Anderegg)**

Beginning July 1, 2013, prohibits a school, school district, or charter school from purchasing a paper textbook unless approved by the State Board of Education. Does not apply to an existing contract to purchase textbooks in place on July 1, 2013. <http://le.utah.gov/~2013/bills/hbillint/HB0343.pdf> **POSITION: OPPOSE** (This is a local issue and is related to market availability and textbook suitability. Why is the language altered from “local school boards” to “school districts”?)

**HB344 Establishment of Charter School Amendments (D. Lifferth)**

To meet the unique learning styles and needs of students, the State Charter School Board shall request applications for a military charter school, a charter school whose mission is to enhance learning opportunities for students at risk of failure, or a charter school whose focus in career and technical education. <http://le.utah.gov/~2013/bills/hbillint/HB0344.pdf> **POSITION: UNNECESSARY** (The State Charter School Board may already request/approve such schools.)

**HB345 Expanding Access for Sixth Graders to Secondary Education (D. Brown)**

A secondary school may impose fees to secondary school students, including sixth grade students who attend the secondary school. Includes the option of imposition of fees for student participation in remediation programs. <http://le.utah.gov/~2013/bills/hbillint/HB0345.pdf> **POSITION: LOCAL ISSUE** (Local districts have handled this issue over the years with varying graded models. What is the constitutional implication with one sixth grader charged [in a secondary school] while another may not be charged [in an elementary school]?)

**HB362 Transparency in Collective Bargaining Process (D. McCay)**

Requires collective bargaining meetings between public employees and public employee labor organizations to be open to the public. Notice, minutes, and audio recordings must be provided and available to the public. <http://le.utah.gov/~2013/bills/hbillint/HB0362.pdf> **POSITION: OPPOSED** (There are many matters related to personnel, litigation and even property acquisition/disposition that are occasionally referred to and/or discussed in collective bargaining discussions. Those items must remain confidential.)

**HB363 Public Education State Capitol Visit Funding (S. Eliason)**

Allows the State Board to award grants to school districts and charter schools to take students on field trips to the state capitol. Allocates one-time funding of $20,000 from the Education Fund. <http://le.utah.gov/~2013/bills/hbillint/HB0363.pdf> **POSITION: LOCAL ISSUE** (Field trips are taken now and many times are funded through volunteer or business donations. One-time funding might be better used elsewhere in this tight budget year.)

**HB373 Small School Funding (K. McIff)**

Appropriates an additional 1,055 WPUs to Necessarily Existent Small Schools. Allocations would come from the Education Fund and total $3 million (ongoing). <http://le.utah.gov/~2013/bills/hbillint/HB0373.pdf> **POSITION: SUPPORT**

**HJR3 Joint Resolution – Property Tax Exemption for Public Schools (D. Brown)**

Allows a property tax exemption for property not owned by a charter school but provides the location for the charter school. The tax exemption would apply to for-profit charter school management companies. Requires a Constitutional change. <http://le.utah.gov/~2013/bills/hbillint/HJR003.pdf> **POSITION: OPPOSE** (When schools/districts own their properties, they are already exempt from property taxes, per state law. No district has leased properties in Utah. But charter schools are sometimes leased from FOR PROFIT charter school management companies, until such time as they can bond to purchase their own buildings. This tax exemption, if approved by the public per vote, would allow a property tax exemption to a for profit company. This is bad tax policy and, to the best of our knowledge, will only affect charter school management FOR PROFIT companies. Finally, in addition to providing taxpayer funds to for profit companies, this bill is not Constitution-worthy.

**HJR8 Joint Resolution on the Benefits of Adopting Common Core Standards (J. Bird)**

Recognizes that the adoption of the Utah Core Standards by the Utah State Board of Education has brought significant benefits to the students of Utah as they prepare for college and careers.

<http://le.utah.gov/~2013/bills/hbillint/HJR008.pdf> **POSITION: SUPPORT THE CONCEPT**

**SB10 Retirement Eligibility Amendments (T. Weiler)**

Recommended by the Retirement and Independent Entities Interim Committee, this bill modifies the Utah State Retirement and Insurance Benefit Act by amending retirement eligibility provisions. <http://le.utah.gov/~2013/bills/sbillint/SB0010.pdf> **POSITION: SUPPORT**

**SB34 Special Election Date for Ballot Propositions (H. Stephenson)**

Requires an election for a bond, debt, leeway, levy, or tax to take place on the first Tuesday after the first Monday in November. <http://le.utah.gov/~2013/bills/sbillint/SB0034.pdf>

**POSITION:  LOCAL ISSUE**(Having some school-related elections/votes helps a community to really focus on the school issues rather than be combined with the complex and complicated November elections.  Partisan politics are generally not involved in school voting matters which keeps schools from being viewed as partisan.  A date different from the November date simplifies the understanding of the issues involved.)

**SB39 Parent Responsibility for Sex Education Training (S. Reid)**

Requires the USOE to create an online training program for parents to teach their children sex education. <http://le.utah.gov/interim/2012/pdf/00002235.pdf> **POSITION: UNNECESSARY** (The State PTA and many internet sources provide excellent training materials for parents. There will be costs associated with an online site and restricted access to that site, according to the USOE.)

**SB42 Medical School Admissions Funding (J. Valentine)** Appropriates $10 million from the Education Fund to increase the number of students admitted to the University of Utah School of Medicine for 40 additional students annually (ongoing appropriations). <http://le.utah.gov/~2013/bills/sbillint/SB0042.pdf> **POSITION: SUPPORT WITH NEW MONEY** (The need for medical doctors may be great in the state but $10 million is a large amount of money to drain from the funds that also support public education.)

**SB43S1 Financial and Economic Literacy Education Amendments (P. Jones)**

Requires the State Board to establish a task force to study and make recommendations on how to improve financial and economic literacy education in public schools, including certain issues. Requires the study of the development of an online assessment of students’ competency in financial and economic literacy, including an assessment of the effectiveness of instruction in the course.

<http://le.utah.gov/~2013/bills/sbillint/SB0043S01.pdf> **POSITION: SUPPORT THE CONCEPT**

**SB69 Assessment and Reporting of Student Performance (R. Okerlund)**

Requires computer adaptive assessments to be aligned with Utah’s core standards. Modifies the content of a school performance report which does not include “by class” or “by teacher” data, unless password protected to the appropriate staff and parent. Protects each student’s privacy by not revealing personally identifiable information about a student. Grade or course level test scores for a school may not be provided if fewer than two classes of a course, or within a grade level, are taught. <http://le.utah.gov/~2013/bills/sbillint/SB0069.pdf> **POSITION: SUPPORT**

**SB71 Result-based Financing for Early Childhood Education (A. Osmond)**

Appropriates $1,000,000 from the General Fund to create the Results-based Early Education Restricted Account in order to start up a program of private investor-supported preschool programs. Requires the appointment of a Board to include the director of the Department of Workforce Services (DWS), the State Treasurer or designee, the State Superintendent or designee, and others appointed by the Governor, to negotiate contracts with private investors to fund high quality early education programs, including home-based technology programs. Sets forth requirements for high quality preschool programs and the metrics to be used in an independent evaluation performed by DWS. Requires repayment to private investors to be conditioned on meeting performance outcomes set in the contract. Allows the Board no more than $10 million of outstanding obligations at any one time. <http://le.utah.gov/~2013/bills/sbillint/SB0071.pdf> **POSITION: SUPPORT**

**SB79 Student-centered Learning Pilot Program (H. Stephenson)**

Requires the State Board to select a consultant, through an RFP process, to provide consulting services to the board and assist school districts/charter schools in designing and implementing a pilot program of “blended” year-round learning. Requires that student advancement is a condition of mastery of a competency and allows for differentiated support/timing, per student. A student enrolled in a pilot school 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, in accordance with the student’s SEOP. Allows participating charter schools to alter charter agreements for purposes of participation. Defines terms associated with blended and competency-based models and allows emphasis for awards on schools with STEM focused missions, offer dual immersion programs, that are Title I in nature, or that propose other specific elements. Awards for the pilot will be given by a stakeholder advisory committee established by the State Board with four leaders from the Legislature as nonvoting members of the committee. Requires annual reporting to the Legislature (with specified metrics) and allocates $275,000 from the Education Fund, of which up to $75,000 may be used to contract with the consultant. A local school board or charter school governing board shall grant flexibility to a pilot school in complying with a school district or charter school policy that prohibits the pilot school from meeting the requirements of the pilot program. <http://le.utah.gov/~2013/bills/sbillint/SB0079.pdf> **POSITION: OPPOSE** (This can be done now without legislation. There may be far more costs for such a model than are anticipated. Why is a consultant needed and why would that consultant make twice a teacher’s salary when teachers are making the real difference?)

**SB81 School Property Tax Funding (A. Osmond)**

Freezes the basic rate which will create a new flow of funding into the basic program. The new funding will be offset by a combined reduction in the local board and local capital levies. The bill allows the local board to restore the amount of revenue generated by the local board or local capital levy through a truth in taxation hearing. Thus, there is no tax increase at the state level and is revenue neutral unless a local board takes action to restore the offset loss. Allows several local boards to move the local cap to .0025. Sponsor indicates he is abandoning the capital equalization concept this Session. <http://le.utah.gov/~2013/bills/sbillint/SB0081.pdf> **POSITION: OPPOSE** (The bill requires many districts to hold Truth in Taxation meetings just to get back on par with their current budgets.)

**SB82 Student Achievement Backpack (J. Stevenson)**

Requires the State Board to create and have fully accessible, no later than June 30, 2017, the Utah Student Record Store website where a student’s parent or guardian may order an electronic PDF of the student’s Student Achievement Backpack or request the transfer of student records. Defines authorized LEA users as “a teacher or other person employed by an LEA who is authorized to access data in a Student Achievement Backpack. . .”. The Student Achievement Backpack will follow the student from grade to grade and school to school. Specifies that the backpack data shall include: student demographics, course grades, course history, and results of formative and summative computer adaptive assessments and other assessments administered under U-PASS, section attendance, the name of a student’s teacher for classes and courses the student takes, teacher qualifications for a student’s teacher, including years of experience, degree, license, and endorsement, the IEP for a student with a disability, detailed data demonstrating student’s mastery of core standards, student writing sample, student growth scores for U-PASS tests, results of benchmark assessments of reading, and a student’s reading level at the end of grade three. <http://le.utah.gov/~2013/bills/sbillint/SB0082.pdf> **POSITION: UNNECESSARY WITH COMMENTS** (Such data are already available to parents through their schools and/or at district levels. Parents are much more likely to access such information from their school or district website. Why replicate? The fiscal note does not reflect USOE estimates of real costs for a statewide system. The transfer of records is a process already underway; USOE has worked on the project for some months and will be ready for full implementation in late fall 2013.)

**SB100 Higher Education Scholarship Amendments (J. Stevenson)** Allows the Board of Regents to assign weights to grades earned in International Baccalaureate programs in determining scholarship eligibility in the Regents’ Scholarship Program, and; beginning July 1, 2013, changes the requirement for a student receiving a New Century scholarship or an Exemplary Academic Achievement award under the Regents’ Scholarship Program to register for at least 15 credit hours per semester and maintain a 3.3 GPA. Also exempts the Board of Regents from verifying lawful presence of certain scholarship applicants. <http://le.utah.gov/~2013/bills/sbillint/SB0100.pdf> **(No position taken).** Some comments: These scholarships were originally intended to help first generation college students access college. These changes may not be helpful in broadening the base of students who can access college as the changes focus the scholarships on students who probably are already intending to attend college.

**SB103 Carson Smith Scholarship Amendments (J.S. Adams)**

Requires the Legislature to annually increase the amount of money appropriated for scholarship payments and requires the Public Education Appropriations Subcommittee to study the requirement to annually increase appropriations for scholarship payments if the percentage of scholarship students equals or exceeds 7% of the public school students statewide in grades kindergarten through 12 who have an Individualized Education Plan (IEP) as of October 1 each year.

<http://le.utah.gov/~2013/bills/sbillint/SB0103.pdf> **POSITION: We SUPPORT a plan negotiated with the USOE and Legislature that would allocate sufficient funding for the current applicants of Carson Smith scholarships so that the lottery can be eliminated and students be served.**

**SB110 School-based Budgeting Amendments (H. Stephenson)**

Requires a school district to distribute 85% of Minimum School Program revenues directly to schools in accordance with a weighted student formula determined by the district. Requires a principal, in coordination with an advisory council (SCC) to determine how to use revenues, create a plan and budget, and submit to the local school board for approval. <http://le.utah.gov/~2013/bills/sbillint/SB0110.pdf> **POSITION: OPPOSED**

1. Utah already uses a Weighted Pupil Unit that has brought strong equity to school funding.
2. Utah’s districts already allow great flexibility with Maintenance and Operation funds at the school level. Granite’s site-based management outline is one fine example of such flexibility
3. There is variation at each school site in terms of cost of staffing, demographics of learners, utility costs, etc. A district wide approach to accommodate these variations ensures higher equity for the students in every classroom.
4. In Utah we want our principals to be instructional leaders, not purchasing agents, benefits specialists, or financial accountants for large sums of money. This would require a huge investment of time which would take away from the teaching and learning support as well as inspired leadership that a principal can bring to a school.
5. School districts operate on an economy of scale. Moving purchasing and provision of services to the school level may create great inefficiency and greater costs.
6. Schools already have over 90% of state funds driven into their schools.  The 85% level seems to be an arbitrary figure not related to current financial demands at schools.
7. School Community Councils are not elected by the full community's residents, and are generally, even then, elected by a subset of parents in a building.  The general taxpayer is not at all represented if they are without school-aged children in the home.  Only local school district boards and charter school governing boards have the affirmed mandate to oversee public education funds and the accountability demanded of watching over those funds.
8. School Community Council members will, most probably, lack the accounting ability required to oversee such large funds.
9. School Community Councils (SCC) and, indeed, most principals express a desire NOT to control such large sums of money.
10. We have seen in Utah, that SCC members can and do withdraw their membership at any time and for any reason, and sometimes is has been to avoid being liable for funding use.  Replacing SCC members is difficult and often, when no interest is shown by parents, principals have to seek members just to someone to serve in the council.  Much more careful deliberation and rules guide the elections and replacement of local school board members.  This is a vital matter when taxpayer funds are at risk.

11. School-based accounting is a major obstacle in this bill.  The costs will escalate at the school level and in public education without major resulting improvements.  Indeed, the experiment of charter schools in Utah, which have used school-based accounting, shows at least two things:  1) student achievement in charter schools is not higher than traditional schools who work with districts on finances, so school-based accounting hasn't, by itself, spurred achievement in Utah, and 2) due to the weighty matter of finances, even some charter schools pay a fee to charter management companies to handle their books.  And charter school management companies are FOR PROFIT companies, not held to the same standards of transparency and accountability as districts and local school boards.

**SB122 Student Leadership Skills Development (A. Osmond)** Requires an RFP process from the State Board to identify a provider for a three-year pilot program in an elementary school to develop students’ behaviors and skills that enhance a school’s learning environment and are vital to success in a career. Requires matching funds from the school for two years “in an amount equal to the value of the professional development and materials provided to the school” and gives preference to a Title I school. Appropriates $240,000 from the General Fund. Requires a report by the State Board to the Education Interim Committee. <http://le.utah.gov/~2013/bills/sbillint/SB0122.pdf> **POSITION: UNNECESSARY** (This is an obvious vendor-bill and duplicates much of what already exists in schools’ character education programs.)

**SB128 Financial Transparency in Education (D. Thatcher)**

Requires a school district or charter school, when submitting public financial information to the Utah Public Finance Website, to classify transactions in accordance with a uniform chart of accounts that school districts and charter schools are required to use for budgeting, accounting, financial reporting, and auditing purposes pursuant to rules of the State Board of Education.

<http://le.utah.gov/~2013/bills/sbillint/SB0128.pdf> **POSITION: SUPPORT WITH COMMENTS** (We fully support transparency. There may be financial and human resource costs to districts to implement, input and track data. If used in comparative ways, the database must be informed by the context/demographics of each school.)

**SB133 School Performance Report Amendments (H. Stephenson)**

Modifies the content of a school performance report to include advanced placement scores, a four-year history of scores and “by class” test scores of a school’s students; provides for public online access to a school performance report; and requires the State Board of Education to protect students’ privacy by not revealing aggregated test scores if fewer than 10 test scores are in the group of aggregated test scores. Also refers to use of the Utah Basic Skills Competency Test. <http://le.utah.gov/~2013/bills/sbillint/SB0133.pdf> **POSITION: OPPOSED** (This bill does not protect individual student data sufficiently, especially in rural Utah where only two classes of each course may be operating. We fully support the collection of “by class” and “by teacher” data so as to inform appropriate supervisors; we strongly oppose the publication of “by class” and “by teacher” data or access to such data by anyone other than an employing supervisor.)

**SB134 Utah Performance Assessment System for Student (U-PASS) Amendments (M. Dayton)**

Modifies U-PASS by eliminating the tenth grade basic skills competency test and requiring school districts and charter schools to administer assessments adopted by the State Board of Education that indicate whether a student is prepared for postsecondary education or a career. Allocates an ongoing $700,000 from Education Fund. <http://le.utah.gov/~2013/bills/sbillint/SB0134.pdf> **POSITION: SUPPORT**

**SB141 Education Contribution on Tax Returns (D. Thatcher)** Allows an individual income tax contribution for education to be deposited into a new, restricted account, Invest More For Education. Provides that the Legislature may appropriate money from the account for “the support of the public education system, and also provides that if the collections from the contribution generate less than $30,000 per year for three consecutive years, then the option of a designation of contributions shall be removed. <http://le.utah.gov/~2013/bills/sbillint/SB0141.pdf>

**POSITION: SUPPORT**

**SB151 Authorization of Charter Schools by Higher Education Institutions** **(J.S. Adams)**

Allows a campus board of directors of a college campus within the Utah College of Applied Technology (UCAT) to establish procedures and criteria related to charter school applications, without requiring the approval of the UCAT Board of Trustees. <http://le.utah.gov/~2013/bills/sbillamd/SB0151.pdf> **(No action taken.)**  (Comment: This is primarily a charter school/higher education concern.)

**SB162 Concurrent Enrollment Amendments** **(S. Urquhart)** Allows a student taking CE taught at a public school facility to not pay the partial tuition if the student elects not to receive credit from an institution of higher education. Allows an institution of higher education to charge a student partial tuition for technology-intensive CE courses (TICE), and for gateway career and technology education courses. Eliminates a provision allowing a student to pay a reduced partial tuition rate for each subsequent CE course the student takes after the student pays the partial tuition for the first CE course. <http://le.utah.gov/~2013/bills/sbillint/SB0162.pdf> **POSITION: SUPPORT**

**SB169 Education Task Force** **(S. Reid)**

Creates the Education Task Force of the Utah Legislature to include members of leadership from both houses and both parties, as well as public education legislative leaders and appointed legislative members. Provides for compensation from the General Fund. The Task Force shall make recommendations related to public and higher education, including policies, alignment, funding and budgeting, priorities, and “setting standards to be economically competitive in the United States and throughout the world.” <http://le.utah.gov/~2013/bills/sbillint/SB0169.pdf> **POSITION: SUPPORT CONCEPT WITH COMMENTS** (Legislative discussion should involve the Governor’s plan and that of Prosperity 2020; expert educators should be included in the committee or serve as close advisors.)

**SB175 Assessment of College Readiness (H. Stephenson)**

Terminates the use of the Basic Skills Competency Test in tenth grade and eliminates the Basic Skills Education Stipend program. Beginning with the 2013-14 school year, requires all schools to administer college readiness assessments adopted by the State Board in grade 11, which shall include the college admissions test that includes language arts, mathematics and science that is most commonly submitted to local universities. Requires the State Board, through an RFP process, to provide an online program to prepare students to take the selected college admissions test. Allocates $850,000 from the Education Fund. <http://le.utah.gov/~2013/bills/sbillint/SB0175.pdf> **POSITION: SUPPORT**

**SB181 Political Subdivisions Property Amendments (W. Harper)**

A school district or charter school shall hold property in trust for the public’s interest and may not sell, alienate, give away, or otherwise dispose of property without receiving fair market value for the property. <http://le.utah.gov/~2013/bills/sbillamd/SB0181.pdf> **POSITION: LOCAL ISSUE** (This is already standard operating procedure in school districts throughout the state.)

**SB184 Youth Suicide Prevention Revisions** (L. Robles)

Requires a school to notify a parent if the parent’s student threatens to commit a suicide or of an alleged incident of bullying, cyber-bullying, harassment, hazing, or retaliation involving the parent’s student, and requires a school to have a parent sign a statement acknowledging that the parent was notified of the suicide threat or bullying. <http://le.utah.gov/~2013/bills/sbillint/SB0184.pdf> **POSITION: LOCAL ISSUE WITH COMMENTS** (We support the concept and have some concerns about the specifics in the bill. This connects with HB134 in similar content. See HB134. We will work with sponsors, as invited.)

**SB190 S1 Procurement Revisions (S. Jenkins)**

Seeks to eliminate Construction Manager/General Contractor (CM/GC) project delivery, and would revert back to selection on the basis of cost above all else, including proper qualifications to perform the CM/GC consulting services and construction of the specific building type (specifically, Section 63-6a-707 and 708). It also requires justifying any award for services that are $10,000 higher than the lowest bidder, through a cost/benefit analysis. (There may be an amendment to the bill to create an exception to the cost/benefit analysis requirement for the selection of the CM/GC only.) Section 63G-6a-404 of the bill sets new conditions for use of a pre-approved list for architects and engineers. Does not draw any distinction between the procurement of goods and the procurement of consulting services from Architects, Engineers and Construction Managers . Exempts from regulations applicable to architects and engineers, the state's contract management services to districts. <http://le.utah.gov/~2013/bills/sbillint/SB0190S01.pdf> **POSITION: OPPOSED WITH COMMENTS (**The bill is overly prescriptive for school districts as districts already build at very low cost and utilize quality management practices. Locally elected officers (boards of education) should make decision on local building projects; we request that schools be exempted from this bill.)

**SB209 Grants for Personal Mobile Learning Devices (A. Osmond)**

Allows the State Board to award grants to school districts/charter schools to provide to students personal mobile learning devices (tablets with internet blocks/filters) which must supplement, not supplant existing technology expenditures, and which include composition and writing software, among other requirements. Requires a grant recipient to provide matching funds in an amount greater than or equal to the amount of the grant. Federal funds or the imposition of a tax rate above the certified tax rate for the purpose of generating matching funds is prohibited. Allocates one-time funding of $3 million from the Education Fund. Imposes a penalty of reimbursement for misuse of the funds. <http://le.utah.gov/~2013/bills/sbillint/SB0209.pdf> **POSITION: ECONOMIC IMPACT** (The $3 million one-time money might be spent by local boards in other needed ways. Because acquisition of devices is by grant, some students will have the devices while others will not, leading to unequal treatment of students. We believe the state should be ensuring ongoing technology expertise/access for all students.)

**SB257 Personalized Educator Evaluation Technology (J. S. Adams)**

Requires the State Board to initiate an RFP process to select a single provider for educator evaluation software that:

* is used to observe the performance of a teacher and the teacher’s students in a classroom, and
* includes performance standards and a checklist of observable behaviors to indicate attainment of performance standards.

Software will be distributed to school districts and charter schools that apply to use the software. Establishes criteria for selection and use of the software. Allocates $70,000 one-time funding from the Education Fund. <http://le.utah.gov/~2013/bills/sbillint/SB0257.pdf> **POSITION: OPPOSED WITH COMMENTS** (This language in this bill is associated with one vendor. It appears that only one vendor may qualify. While today’s evaluation tool is cumbersome, we support the USOE in identifying appropriate tools to help advance quality evaluation.)

**SCR5 Concurrent Resolution Endorsing the Utah Education Excellence Commission (J. Stevenson)**

This resolution expresses strong support for achieving the goal that 66% of Utah’s adults will hold

a postsecondary degree or certificate by the year 2020; expresses the Legislature's determination to work with the Governor and Utah's education stakeholders to achieve the 66% goal through increased innovation and investment, and utilizing the PACE metrics as a measure of success; and

urges all Utahns to unite behind efforts to achieve the 66% goal. <http://le.utah.gov/~2013/bills/sbillint/SCR005.pdf>

(The membership of the USSA and the Board of Directors of USBA has each unanimously supported this resolution in the past few weeks.) **POSITION: SUPPORT**

**SJR 5 Joint Resolution on State Superintendent of Public Instruction (S. Reid)**

Requires a Constitutional change, through a vote of the people, to allow for the Governor’s approval and the Senate’s consent for an appointment of the State Superintendent. Authorizes the Governor, after consultation with the State Board of Education, to terminate the State Superintendent of Public Instruction. <http://le.utah.gov/~2013/bills/sbillint/SJR005.pdf> **POSITION: OPPOSE** (Governance for public education belongs with the Constitutionally declared non-partisan State Board of Education. This bill has the potential to politicize public education.)