

2014 Legislature
Bills Considered by the Joint Legislative Committee
As of January 9, 2014

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. No funding needed.

Support.

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: This should be funded out of one-time General Funds or Transportation funds so as to preserve one-time Education Funds for instruction and learning. The requirement of a funding match may put a disproportionate burden on some districts that have large-scale or long distance transportation needs.

HB223 School Board Elections Provisions (J. Nielson)

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

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

Support.

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

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

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

Oppose.

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.

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

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

Local Issue: Many districts are already using some digital learning materials/textbooks and the decision to afford new materials/textbooks can only be made well by local boards of education.

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.

No position yet taken: Awaiting legal opinion. Joint Legislative Committee supports the notion that the most effective boards considered the entire school district in their decisions, not just their area from which they were elected.

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.

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.

Hold. What are the DCFM requirements and will this bill raise costs of 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. A K-16 Alliance has been functioning since 2005 in Utah, one that includes public and higher education and the UCAT system. Workforce Services has received much information from their work. They have been sharing data (in protected form) for several years so as to provide information to each system and to Workforce Services. Data from the USOE is timely and accurate, and is shared with researchers according to a State Board approved plan for data collection and sharing, with protections for individual student identification. Utah Futures has been used successfully for many years and has helped to guide individuals into college, skill programs and employment. There has been great cooperation in this arena for years; this bill is at least unnecessary but as it seeks to overthrow general control and supervision of public education by the Utah State Board of Education, it violates Section 3 of the 10th Article in the Utah Constitution which does not vest control and supervision of public education in the Utah Legislature but to the Utah State Board of Education.

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 at the front of its registration materials and publish the notice in a prominent location on its website. No funding needed.

Opposed. The Legislature is really going to now tell schools what should be the first piece of paper on a school's registration materials? Is that more important than a letter of greeting to parents and students, among many other important matters? This is a local issue and is a clear violation of Section 3, Article 10 in the Utah Constitution that vests general supervision and control of public education in the Utah State Board of Education.

SB38 Rural Superintendent Concurrent Enrollment Program (R. Okerlund)

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

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

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

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.

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 Local Control of Classroom Time Requirements (A. Osmond)

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

Allows a local school board or charter school governing board to establish the number of days or equivalent instructional hours that school is held for an academic school year, and provides that funding through the Minimum School Program is based on the average daily membership (ADM). No funding needed.

Hold. How will the state resolve funding issues per the Weighted Pupil Unit?

SB104 Improvement of Reading Instruction (A. Osmond)

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

Provides for the expansion of a reading clinic based at the University of Utah and requires instruction to teachers in the use of technology and blended learning in reading remediation and instruction. Allocates ongoing \$975,000 from Education Fund.

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

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

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

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

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

SB111 Education Funding Equalization (A. Osmond)

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

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

Hold – many questions to be asked. The bill favors areas of school-aged growth and may harm areas of stagnant or decreasing growth. The bill will divert local property tax funds to charter schools through a School Trust Lands distribution pattern. The Legislature is not constrained to ensure that local valuation caps to remain fixed, generating more dollars. Is this a bill to fund charter schools from property taxes and once accomplished, the cap will begin to float again, restricting dollars? What will happen with the charter school local replacement fund as this allocation grows? Funds from this bill are designated to be in a restricted account but the bill does not specify restricted expenditures except as per regulations of School Land Trust funds. There are no accountants at local schools who can track large amounts of funding. The ability of districts to target funding to schools/programs of greatest need is significantly decreased. Will local board withdraw other funding as funding from SB111 moves into each school? The bill will have a disproportionate effect from district to district.