

SCHOOL BOARDS AND SUPERINTENDENTS (JLC) POSITIONS 2018 LEGISLATIVE SESSION

Updated 2-9-18

HOUSE BILLS

- **SUPPORT HB 10: State System**
 - Reorganizes and renumbers certain provisions of the public education code related to statewide administration of the public education system.
- **SUPPORT HB 11: Funding**
 - Reorganizes and renumbers certain provisions of the public education code related to public education system funding.
- **SUPPORT HB 21, McCay, D., Certified Tax Rate Amendments**
 - Modifies the calculation of the certified property tax rate by adjusting eligible new growth to account for collection rates over the previous five years; and makes technical and conforming changes.
- **SUPPORT HB 28, Moss, J., Retirement Systems Amendments**
 - Clarifies that the URS Investment Fund may sue and be sued; requires a participating employer to provide certain records to URS or its auditors; modifies when a domestic relations order must be received by the URS to be valid for determining death benefits; modifies cancellation, reinstatement, and calculation provisions for a retiree's retirement allowance affected by reemployment; requires a participating employer to maintain a list of employee exemptions instead of filing in annually with URS; and makes technical changes.
- **SUPPORT HB 40/HB 46, Peterson, V. (Interim Education Committee Bill)**
 - Authorizes the USBE to implement an educator licensing system, repeals obsolete licensing code, modifies licensing, including letters of authorization; repeals the requirement that a district superintendent hold a license; modifies provisions related to youth suicide prevention training for employees; repeals the Compact for Interstate Qualification of Education Personnel, and makes corrections and conforming changes.
- **SUPPORT HB 48, Snow, L., Parenting Plan Amendments**
 - Committee bill modifies provisions related to parenting plans; lists decisions related to an educational plan; and addresses who makes the education plan; and makes technical changes.
- **SUPPORT HB 132, Sub.1, Snow, Juvenile Justice Modifications**
 - This bill modifies provisions related to responses to school-based behavior; expands the uses of appropriations for the Enhancement for At-Risk Students Program; clarifies when a prosecutor may file a petition; addresses the inquiry a prosecutor shall conduct before filing a petition; and makes technical changes. The bill sunsets the provisions of truancy referrals and Class C referrals to Juvenile Justice on July 1, 2020.
- **SUPPORT HB 164, Cutler, Early Learning Task Force**
 - This bill creates the Early Learning Task Force, including provisions related to: task force membership; quorum requirements; compensation; and task force duties.
- **OPPOSE HB 175, Stratton, Oversight Committee Creation**
 - **Sponsor is to be commended for desiring to limit the amount of legislation burdening local entities. The JLC feels this bill as written undermines the authority of locally elected officials, including school board members. There is concern that centralizing power to a legislative committee could potentially dictate actions of state or local governmental entities. If HB 175 is substantially amended or substituted, the JLC may readdress this bill.**

- Defines terms; creates the Joint Committee on Governmental Oversight and establishes the committee's membership; establishes that the purpose of the Joint Committee on Governmental Oversight is to increase the transparency, efficiency, effectiveness, and accountability of state and local governmental entities; establishes powers and requirements for the committee; grants the Joint Committee on Governmental Oversight investigatory powers; requires the governor, upon recommendation from the committee, to repeal an administrative rule unless certain conditions are met; requires a proposed administrative rule to be approved by the Legislature and governor through a concurrent resolution before taking effect;; establishes sunset dates; and makes conforming changes.
- **SUPPORT HB 178, Stratton, Power of Attorney Amendments**
 - Provides for a local school district to determine that a child lives within the district if certain conditions are met related to a power of attorney; clarifies that the parent or guardian powers that can be delegated include decisions related to school; and makes technical changes.
- **SUPPORT HB 227, Pulsipher, Minimum School Reporting Modifications**
 - This bill repeals requirements on local education boards related to class size reduction, including: a requirement that a local education board submit a plan to the State Board of Education to qualify for class size reduction money; and a requirement that a local education board report on the use of class size reduction money in the prior school year; repeals reporting requirements related to the K-3 Reading Improvement Program and federal Title I money; repeals an annual required report from the State Board of Education to the Public Education Appropriations Subcommittee related to class size; and makes technical and conforming changes
- **SUPPORT HB 228, Romero, Child Sexual Abuse Prevention Training Amendments**
 - This bill requires school districts and charter schools to provide: on an annual basis, certain child sexual abuse prevention training and instruction; and upon request of the State Board of Education, certain evidence of compliance; and makes technical and conforming corrections.
- **SUPPORT HB 230, Fawson, Related to Basic Program Reviews**
 - This bill requires the Public Education Appropriations Subcommittee to review no later than November 30, 2018, each related to basic school program and establish a review schedule going forward.
- **SUPPORT HB 231, Last, Charter School Funding Amendments**
 - This bill defines terms; requires a charter school to include in a charter agreement the maximum number of students the charter school will serve; provides, if legislative appropriations are insufficient, for funding distribution to charter schools for charter students enrolled in a charter school that are below or exceed the charter school's maximum number of students; and makes technical corrections.
- **SUPPORT HB 234, Moss, J. Compulsory Education Revisions**
 - This bill amends a definition to specify that "valid excuse" means a physical or mental illness.
- **SUPPORT HB 236, Moss, J. Public Education Reference Check Amendments**
 - This bill requires a local education agency to make reference check requests under certain circumstances; and requires a local education agency to respond to certain reference check requests within 20 business days.
- **SUPPORT HB 237, Winder, Concurrent Enrollment Enhancements**
 - This bill defines terms; requires the State Board of Regents to establish a policy describing required qualifications for an individual to be an eligible instructor for a concurrent enrollment course; repeals a requirement that certain eligible instructors be approved as adjunct faculty by an institution of higher education; requires that certain individuals meet requirements established by the State Board of Regents in order to be eligible instructors; and makes technical and conforming changes.
- **SUPPORT HB 238, Moss, J. School Trust Fund Amendments**
 - This bill amends the contents of the Trust Distribution Account within the Uniform School Fund; amends provisions related to the funding of the School LAND Trust Program; amends the powers and duties of

the School and Institutional Trust Fund Office in regard to the School and Institutional Trust Fund Management Account; and makes technical corrections.

- **SUPPORT HB 270, Peterson, J. Teacher Employment Amendments**
 - This bill defines terms; and requires the State Board of Education to ensure that a public education database for teacher credentials performs in a certain manner.
- **OPPOSE HB 282, Ivory, State Student Information System Amendments Many LEAs using Aspire (USBE SIS) are charters and small school districts. Requiring them to pay the annual per student cost may become financially challenging to individual LEAs and therefore to the public education system.**
 - This bill defines terms; and requires the State Board of Education to: charge a fee to a local education agency that uses the State Board of Education's student information system; and report to the Business and Labor Interim Committee regarding the fee.
- **SUPPORT HB 264, Eliason, Elementary School Counseling Program**
 - This bill defines terms; authorizes the State Board of Education (board) to award grants to local education agencies to provide targeted school-based mental health supports in elementary schools; authorizes the board to make rules for grant applications and awards; and requires a local education agency that receives a grant to submit an annual report to the board.
- **SUPPORT HB 289, Moss, C., Public Education Exit Survey**
 - This bill defines terms; requires the State Board of Education to make certain rules regarding exit surveys for licensed public education employees; and requires a local education agency to create an exit survey in accordance with board rule; make certain effort to administer an exit survey under certain circumstances; and report certain information from an administered exit survey to the State Board of Education.
- **SUPPORT H:B 293, Last, Education Funding Amendments Addresses the JLC priorities of supporting property tax poor districts using the statewide basic rate and increasing state funding for pupil transportation and NESS.**
 - This bill amends and enacts defined terms for the Minimum School Program; amends for a five-year period the calculation of the minimum basic local amount and minimum basic tax rate; establishes the equity pupil tax rate; directs the State Board of Education to deposit proceeds from the equity pupil tax rate into the Local Levy Growth Account; directs the Legislature to annually appropriate money from the Local Levy Growth Account to guarantee local levy increments; directs the State Board of Education to use the appropriation to increase: the number of guaranteed local levy increments to 20, giving first priority to guaranteed voted local levy increments and second priority to guaranteed board local levy increments; and the guaranteed amount for each local levy increment per weighted pupil unit after increasing the number of guaranteed local levy increments; directs a local school board to use funds received from the state local levy guarantee programs for public education purposes; creates the Local Levy Growth Account; modifies the property tax rate cap for the school board local levy to subject all school districts to the same rate cap; repeals the following outdated levies prohibited since January 1, 2012: the board-approved leeway; the capital outlay levy; the additional levy for debt service, school sites, buildings, buses, textbooks, and supplies; and the board leeway for reading improvement; repeals outdated language, including language related to school capital outlay in counties of the first class repealed December 31, 2016; modifies the definition of "certified revenue levy" in the Property Tax Act; modifies provisions governing notice requirements for a proposed tax increase by the state; provides a repeal date; and makes technical and conforming changes.
- **SUPPORT HB 308, Ivory, Telehealth Mental Health Pilot Program**
 - This bill defines terms; requires the Division of Substance Abuse and Mental Health to create a telehealth mental health pilot project grant program creates a reporting requirement; and repeals the provisions of this bill on December 31, 2021.

- **OPPOSE HB 313, McCay, Charter School Revisions** JLC is concerned that this bill removes the USBE, an elected body, from the role of approving/denying charter school authorizations brought forward by the State Charter Board and Institutions of Higher Education.
This bill amends definitions; enacts provisions related to the powers and duties of charter school authorizers; requires the State Board of Education to adopt rules establishing minimum standards for a charter school application or charter school compliance; amends provisions related to the status and powers of the State Charter School Board; repeals outdated provisions; repeals provisions related to State Board of Education approval of an application for a charter school authorized by the State Charter School Board; or a board of trustees of a higher education institution; and makes technical corrections.
- **SUPPORT HB 317, Pulsipher, Special Education Amendments**
 - This bill amends a provision related to the State Board of Education's responsibility for the education of certain individuals; amends a provision related to the ages for free, appropriate public education for students with disabilities; amends the definition of "blind student"; repeals provisions related to the appointment and duties of a state director of special education; and makes technical and conforming changes.

SENATE BILLS

- **SUPPORT SB 11: Local Administration**
 - This bill reorganizes and renumbers certain provisions of the public education code related to local administration of the public education system.
- **SUPPORT SB 12: Cross Reference and Repeals**
 - This bill repeals and makes technical cross reference changes to provisions related to the public education code.
- **SUPPORT SB 87, Weiler, School Security Locks**
 - **The JLC likes the flexibility for local entities through the “may language.”**
 - Amends the International Building Code and International Fire Code regarding: hardware height on a door for certain occupancies in lockdown or during a lockdown drill; and door operations provisions for locks and bolt locks, and latching and unlatching, for certain occupancies in lockdown or during a lockdown drill.
- **SUPPORT SB 95, Iwamoto, Educator Postretirement Reemployment Amendments**
 - **The committee encourages the sponsor to amend or substitute to allow retired teachers to return to work at the same entity in counties of the 4th, 5th, and 6th class.**
 - Provides definitions; allows certain educator retirees to be reemployed with a participating employer after a certain period from the retiree's retirement date if the retiree: does not receive certain employer provided retirement benefits for the reemployment; and is reemployed by a different participating employer than the participating employer that employed the retiree at the time of retirement; and requires a participating employer to pay certain amounts for a reemployed retiree in certain circumstances; requires the Utah State Retirement Office to report certain information to an interim committee of the Legislature; specifies penalties for violating the reemployment provisions; and makes technical changes.
- **SUPPORT SB 117, Stephenson, H. Language Immersion Program Amendments**
 - This bill defines terms; converts the pilot program for dual language immersion into an ongoing program; requires the State Board of Education to make rules to administer the Dual Language Immersion Program; provides for the State Board of Education to award a grant to a local education agency for dual language immersion; describes requirements for a local education agency that receives a grant for dual language immersion; requires the State Board of Education to provide support to a participating local education agency; requires the State Board of Education to conduct a program

evaluation and report to the Legislature on the results; repeals a program to provide instruction in certain languages; and makes technical and conforming changes.

- **OPPOSE SB 122, Sub 1, Stephenson, H. Bond Election Amendments** **School districts are committed to transparency for taxpayers. However, this bill restricts districts' ability to fully participate in national capital bond markets which could result in increased costs to taxpayers due to higher long-term interest rates.**
 - This bill provides that a local political subdivision may not receive, from the issuance of certain bonds approved by the voters at an election, an aggregate amount that exceeds the maximum principal amount stated in the bond proposition plus 2%.
- **SUPPORT SB 124, Filmore, Budget and Certified Tax Rate Deadline**
 - This bill amends the deadline by which a taxing entity is required to adopt certain proposed budgets or certified property tax rates; and makes technical changes.
- **SUPPORT SB 148, Hemmert, Public Education Enrollment Application Amendments**
 - This bill enacts language related to local school board standards for accepting or rejecting an application for enrollment; and makes technical and conforming changes.
- **SUPPORT SB 132, Stephenson, H., Competency Based Education Amendments**
 - This bill repeals a limit on the number of planning grants the State Board of Education may award for competency-based education; and makes technical and conforming changes.
- **SUPPORT SB 153, Zhender, Carson Smith Scholarship Amendments**
 - This bill includes deafblindness as a qualifying disability for scholarship eligibility; enacts provisions governing the term of a scholarship and participation in other specified education programs; amends requirements for eligible private schools; enacts language governing payment of scholarships; authorizes the State Board of Education to award additional scholarships in certain circumstances; requires the State Board of Education to adopt rules on payment procedures to eligible private schools; repeals outdated language; and makes technical and conforming amendments.
- **SUPPORT SJR 1, Iwamoto, Joint Resolution Recognizing Deaf and American Sign Language instructors**
 - This resolution highlights the history of American Sign Language in the United States; expresses support for the Deaf Community in the state; and recognizes the efforts of Utah's educators of the deaf and American Sign Language instructors in sharing American Sign Language with students and community members across the state.