

2013 UEA Legislative Summary



“Almost boring” is how one journalist described the 2013 Utah Legislative Session. With the possible exception of a few gun regulation debates, this year’s gathering of lawmakers lacked much of the controversy demonstrated in recent years. Nevertheless, the UEA Legislative Team doggedly represented the state’s educators on a number of helpful and hurtful proposals. The Team tracked more than 100 education-related bills.

Perhaps the biggest accomplishment of this year’s Legislature is a 2 percent WPU increase, the largest bump in five years and nearly double the amount originally proposed by the Governor. Teachers, school employees, parents, school board members, business leaders and many others contributed to this success by contacting legislators and participating in the process.

Utah citizens signed more than 6,000 petitions calling for the increase. The petitions were presented to legislative leaders at a UEA-sponsored Public Education Day on Capitol Hill event March 11.

The final FY2013-14 budget also includes funding for student enrollment growth, early intervention kindergarten, the Beverly Taylor Sorenson Elementary Arts program, Utah Core Academy teacher development and teacher supply reimbursements. The Legislature also

approved a reduction in the fee for an active educator license renewal from \$75 to \$25.



2011 Utah Teacher of the Year Gay Beck addresses hundreds gathered to support increased funding at Utah Public Education Day on Capitol Hill March 11.

Before the session began, the UEA identified several key issues to watch. Some of the more harmful of these issues – like parent trigger laws, TABOR spending restrictions and elimination of payroll deduction for association dues – were never seriously considered, thanks in large measure to behind-the-scenes work by the UEA Legislative

Team and coalition partners.

Here are a few key issues and how they fared:

- **Public Reporting of Classroom Test Data**
Two bills were proposed to deal with the reporting of classroom-level test data. Neither passed. Senate Bill 69: Assessment and Reporting of Student Performance, developed collaboratively with the education community (including the UEA), would have protected the personal privacy of student and classroom data. This bill failed in the Senate Education Committee. Senate Bill 133: School Performance Report Amendments would have required the public reporting of student standardized test scores by teacher. This bill passed the Senate Education Committee, but was not heard by the full Senate.

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- **School Board Elections**

Two bills were introduced to change the way state school board members are elected. Both HB59: School Board Elections Provisions and HB267: State Board of Education Elections would have replaced the current statewide central committee that screens candidates and replaced it with direct primary elections. No vote was held on either bill.

- **Collective Bargaining**

The Utah One Coalition – representing 120,000 working men and women throughout Utah, including the UEA – had as one of its goals this year the defeat of any legislation aimed at weakening employee bargaining rights. They succeeded. HB362 (2nd Sub.): Transparency in Public Employment Negotiation Process not only opened bargaining meetings, but required public notice of the meetings and a mandate that public employers keep minutes and make audio recordings of the proceedings. Coalition partners met with members of the Government Operations Committee then packed the Committee meeting with



Jordan Education Association President Jennifer Boheme meets with Rep. Rich Cunningham during UEA Educator Day on the Hill.

firefighters, police, educators, education support personnel and other public employee groups that negotiate contracts. The bill failed by a vote of 5-4.



Senator Kevin Van Tassell poses with the Cat in the Hat as the Seuss character is introduced on the Senate floor for NEA Read Across America Day.

- **Student-Based Funding**

Often referred to as “backpack” funding, SB110: School Based Budgeting Amendments would have sent per-student funding directly to the school where a student attends rather than to a school district, tasking principals with the school’s finances. The bill failed in the Senate. The UEA opposes this change without further study.

- **Class Size**

In its original form, HB318: Classroom Size Revisions would have capped class sizes in grades K-3. The UEA supported this bill, provided funding for it would not impact other critical programs or increase class sizes in other grades. The bill was amended to require the collection of reports showing what districts are doing with class-size reduction money appropriated as a part of the Minimum School Program. The revised bill passed both houses.

Legislation of Note in the 2013 Legislative Session

With more than 100 bills dealing directly or indirectly with education, the UEA Legislative Team had its hands full. Here are a few education bills of note and their final status:

☺ = Outcome favorable to the UEA position ☹ = Outcome neutral ☹ = Outcome unfavorable

Bill	Description	Result (Yea-Nay-Absent)
HB55: Amendments Related to Education Funding (J. Briscoe)	Would freeze the basic property tax rate and the state personal income education, having the effect of increasing education revenue over time.	☹ Failed in the House Rev & Tax Committee 4-8-4
HB76 (1st Sub.): Concealed Weapon Carry Amendments (J. Mathis)	Allows anyone to carry a concealed weapon. An amendment maintains the requirement for a concealed-carry permit in schools.	☹ Passed the House 51-18-6 and the Senate 22-7-0
HB96 (2nd Sub.): Cleaner Burning Fuels Tax Credits Amendments (J. Draxler)	Amends income tax credits for cleaner burning fuels. This bill could decrease revenue to the Education Fund by \$2,850,000 beginning in FY2015. A transfer from the General Fund will offset the decrease for all but \$500,000.	☹ Passed the House 59-12-4 and the Senate 18-11-0
HB98: Severance Tax Revisions (B. King)	Would increase education funding by repealing certain oil and gas severance tax exemptions.	☹ Failed in the House Rev & Tax Committee
HB139: Science, Technology, Engineering and Mathematics Action Center (V. Peterson)	Provides professional development for teachers in grades 6-8 and creates educational programs for science, technology, engineering and mathematics.	☺ Passed the Senate and House unanimously
HB246: Expanded Uses of School District Property Tax Revenue (K. McIlff)	Allows school boards to use revenue collected from certain capital property tax levies for general fund purposes for one year only.	☺ Passed the House 41-32-2 and the Senate 16-4-9
HB255: Classified School Employee Amendments (B. Last)	Allows classified employees to work up to 30 hours per week without providing retirement benefits.	☹ Passed the House 57-16-2 and the Senate 25-3-1
HB271 (2nd Sub.): Funding for Public Education (J. Bird)	Would generate education funding by using new money gained through state alcohol sales.	☹ Failed to pass the House
HB306: School Land Trust Program Amendments (L. Perry)	Allows a parent to serve on a School Community Council as long as they have a student in the school and lets schools set the size of the Council.	☺ Passed the Senate and House
HB318 (1st Sub.): Classroom Size Revisions (R. Edwards)	Substituted bill requires the collection of reports showing what districts are doing with class-size reduction money.	☹ Passed the House and Senate after substitution
HB345: Expanding Access for Sixth Graders to Secondary Education (D. Brown)	Provides that a secondary school may impose a fee to secondary students, including students in grade six attending a secondary school.	☺ Passed the Senate and House unanimously

<i>Bill</i>	<i>Description</i>	<i>Result (Yea-Nay-Absent)</i>
HB362 (2nd Sub.): Transparency in Public Employment Negotiation Process (D. McCay)	Requires negotiation meetings between public employers and public employee labor organizations to be open to the public. The UEA and the Utah One Coalition strongly opposed this bill.	☺ Failed in the House Gov't Operations Committee 4-5-0
SB69: Assessment and Reporting of Student Performance (R. Okerlund) ----- SB133: School Performance Report Amendments (H. Stephenson)	Collaboratively developed by the education community, would protect the personal privacy of student and classroom data. ----- Would require the public reporting of student test scores by teacher.	☹ SB69 failed the Senate Ed Committee 2-5-1 ----- ☺ SB133 passed the Senate Ed Committee 4-3-1, but was not heard in the Senate
SB79: Student-centered Learning Pilot Program (H. Stephenson)	Would create a pilot for schools centered on a competency-based, blended learning model of instruction and based on an extended school year schedule for K-12.	☺ Passed the Senate 17-9-3, but failed in the House 19-52-4
SB81: School Property Tax Funding (A. Osmond)	Collects a certain portion of property tax revenue from school districts and redistributes it by formula. Allows the "donor" districts to recapture lost funding through a tax increase.	☺ Passed the Senate 16-12-1 but was not heard in the House
SB110 (1st Sub.): School- based Budgeting Amendments (H. Stephenson)	Would send per-student funding directly to the school where a student attends rather than to a district, tasking principals with the finances.	☺ Failed in the Senate 12-16-1
SB162: Concurrent Enrollment Amendments (S. Urquhart)	Allows higher education to charge up to \$30 per credit hour and other rates for different low income students or instructors.	☹ Passed the House and Senate after amendments
SB169: Education Task Force (S. Reid)	Creates a legislative task force to make recommendations on priorities for public and higher education. An amendment asks the task force to receive and consider recommendations from education stakeholders.	☺ Passed the House and Senate unanimously
SB175: Assessment of College Readiness (H. Stephenson)	Replaces the Basic Skills Competency Test with a college readiness test, such as the ACT.	☺ Passed the House and Senate unanimously
SB271 (3rd Sub.): School Grading Amendment (J.S. Adams)	Creates a second, separate school grading system in addition to UCAS. The UEA, USSA, USBA and Utah PTA have written a joint letter to the Governor urging him to veto this bill.	☹ Passed the Senate 16-10-3 and the House 38-36-1
SJR5: Joint Resolution on State Superintendent of Public Instruction (S. Reid)	Requires the Governor's approval and the Senate's consent for the appointment of the state superintendent and allows the Governor to terminate the Superintendent.	☺ Passed the Senate Ed Committee 4-1-3, but was rescinded by the sponsor