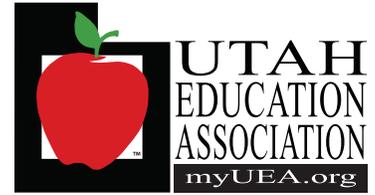


2015 UEA Legislative Summary



The headline-grabbing education stories coming out of the 2015 Utah General Legislative Session include an overall \$510 million increase in education spending, a 4 percent bump in the WPU and a stalemate on state school board elections. But some of the biggest wins for educators happened behind the scenes, with legislation that would have been detrimental to students and educators either dropped, voted down or significantly improved prior to passing.

For example, bills to curtail our rights to collective bargaining never surfaced, a proposal to extend the probationary period for new teachers failed, a new 'voucher' proposal failed, efforts to make school board members subject to partisan elections were rejected and many attempts to divert school funding to specific private vendors were rejected or reduced. (See below.)

"This session clearly had many ups and downs, but in the end, there are reasons to have hope," said UEA President Sharon Gallagher-Fishbaugh. "I couldn't be prouder of the efforts of your UEA Legislative Team who worked long hours in a stressful environment to represent the interests of teachers and students. But the real difference-makers were the thousands of teachers who let their voice be heard."

Educators played a significant role in influencing legislation in 2015:

- Almost 400 educators participated in our Educator Day on the Hill events this year, nearly double the attendance of previous years.
- About 3,000 attended the March 9 public education rally, by some accounts the largest Capitol rally in at least a decade (see below). Most participants wrote personal notes to legislators.
- Thousands of UEA members made direct contact with their legislators.
- More than 2,200 teachers responded to the UEA legislative survey, providing data and classroom stories that were shared with legislators.

Stand Up for Public Education Rally: UEA member efforts to contact legislators and attend the March 9 public education rally made a difference. There were legislators wanting to hold the WPU increase at 2.5 percent who were swayed to agree to 4 percent. The rally turnout also influenced legislators' decision to adopt the \$75 million increase for public school equalization funding that otherwise may not have had the support to pass.

Here are a few key issues and how they fared:

Budget—

The final budget restored the items cut during a 2 percent budget-cutting "exercise", funded new student growth and added 4 percent to the WPU. The legislature did not fully fund the governor's proposed 6.25 percent WPU increase, which the UEA strongly supported. However, when all the budget items are added, education received about \$510 million in new funding, very close to the governor's request.



More than 3,000 gathered March 9 at the Utah State Capitol to "Stand Up for Public Education."

The funding includes a \$75 million increase for public school equalization funding, \$6 million for teacher supply money (an increase of \$1 million) and a new building for the Utah Schools for the Deaf and the Blind.

A significant amount of the new \$510 million is one-time money and includes money going to higher education. The legislature also elected to direct money to special projects rather than trusting local control by putting it on the WPU. Even with this new investment, Utah public education funding remains below where it was in 2007, prior to the recession.

Educator Licensure—

Several bills affecting educator licensure were proposed this session. UEA opposed any bill that weakened educator licensing requirements or that legislated licensing changes currently under the purview of the State Board of Education. Here are a few examples:

- A competency-based licensure bill that would allow a teacher to be licensed by taking a test (HB264) failed.
- A bill that would allow an online course for Utah students to be taught by a teacher licensed in another state but not licensed in Utah (SB275) failed.
- A bill requiring all teacher preparation programs in Utah be accredited by the Council for the Accreditation of Educator Preparation (HB257) failed.
- A bill allowing an educator who is highly qualified in English, math or science to teach a CTE course in their subject area without becoming endorsed in the CTE area (HB392) failed.
- A bill requiring the State Board to make rules allowing someone without a teaching license or degree in education to earn an administrative license (HB197) passed. UEA worked to improve the bill, but ultimately asked the governor for a veto, which he granted.

School Turnaround—

UEA worked extensively to make improvements to SB235: Education Modifications, although UEA opposed the final legislation. The legislation requires low-performing schools to create a turnaround committee and, in conjunction with an “independent school turnaround expert,” implement a turnaround plan to improve the school grade based on statewide standardized assessments. If the school grade does not improve within three years the legislation allows for the school to be restructured. Restructuring of a district school can include contract management, conversion to a charter school or state takeover. Charter schools are also subject to restructuring.

Assessment and Grading Schools—

Once again the School Grading program, based on statewide standardized assessments, was modified. UEA remains opposed to the grading schools concept, but SB245 made minor improvements such as allowing the State Board of Education to exempt alternative and special needs schools from school grading and instead use an alternative accountability plan. Also affecting assessments, SB204 attempts to clarify a parent’s right to opt a child out of state testing while preventing a “negative impact” to districts, schools and educators “through school grading or employee evaluations due to a student not taking a test.”

Charter Schools—

This was a relatively quiet session for charter school legislation. The biggest issue was around the Local Replacement funding. A proposal to increase the current contribution rate of 25 percent to 50 percent was pushed through a budget committee, but this policy change was reversed. Nevertheless, a bill to bring every district up to a true 25 percent contribution rate (HB119) passed both houses. Look for this issue and other charter school finance issues to be revisited in upcoming sessions.



Nebo teachers meet with Sen. Deidre Henderson during UEA Educator Day on the Hill.

State School Board Elections—

Five bills were heard this session on the topic of State Board of Education governance. The UEA has consistently supported direct, nonpartisan elections for State School Board members and supported HB186. This bill included non-partisan elections as well as a signature gathering requirement that would allow voters to vet candidates.

Two other proposals got serious traction. SB104 would have made School Board elections partisan, forcing candidates to go through a party nominating process to get on the ballot. The UEA strongly opposed this bill. The bill failed in the House by a significant margin. A proposal to amend the Utah constitution to allow the governor to appoint State School Board members (SB195) was also heard. However, under this same proposal the 2016 elections would be partisan, with the constitutional amendment “yes or no” vote on the same ballot. Because of this partisan element, the UEA also opposed this bill.

HB186 passed the House by a significant margin. In the Senate, the bill was substituted and completely changed to mirror SB195. The House refused to concur with the Senate amendments and the bill was sent to a Conference Committee. The Conference Committee reached an agreement that would have partisan State School Board elections in 2016 and a vote on a constitutional change to have a governor-appointed school board in that same election. The Conference Committee report was accepted by the Senate, but soundly defeated by the House in a voice vote. No other proposal to change school board elections passed the legislature, so the current process will stand for now. However, there is still a court case pending. It is possible the Judiciary could intervene on this issue and determine a process.

Legislation of Note in the 2015 Legislative Session

With more than 120 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)
HB2: Public Education Budget Amendments (D. Sanpei)	Supplemental budget provides funding for new student growth, a 4% WPU increase, etc. (See "Budget" above)	☹ Passed the Senate 29-0-0 and the House 63-10-2
Substitute to HB2 (Proposed by J. Briscoe)	Would change the WPU increase from 4% to 5% over the previous year.	☹ Failed in the House 28-44-3
HB54 (1S): Public Education Increased Funding Program (J. Draxler)	Would increase the state income tax rate from 5% to 5.5% and dedicate the funding to teacher incentive pay and digital learning.	☹ Failed in the House Education Committee 2-11-1
HB118 (1S): Public Education HR Management Act Revisions (B. Last)	Clarifies dismissal procedures when an educator exhibits both performance and conduct issues.	☺ Passed the Senate 21-0-8 and the House 71-0-4
HB119: Charter School Finance Amendments (B. Last)	Requires school districts to allocate 25% of per pupil revenues for students attending charter schools.	☹ Passed the Senate 21-7-1 and the House 45-27-3
HB124 (1S): Education Background Check Amendments (S. Handy)	Changes requirements for educators to get re-fingerprinted multiple times over their career.	☺ Passed the House and Senate unanimously
HB134 (1S): Tax Credit for Home-Schooling Parent (D. Lifferth)	Would provide a \$500 tax credit for each home-schooled student.	☹ Failed in the House Rev and Tax Committee 6-7-0
HB186 (5S): State School Board Membership and Election Amendments (F. Gibson) ----- SB104 (5S): Education Elections and Reporting Amendments (A. Jackson) ----- SB195: Amendments to the State Board of Education (A. Millner)	Three proposals would have made selection of State Board of Education members either non-partisan (HB186), partisan (SB104) or appointed by the governor (SB195). The Senate passed both of its bills, but they were not heard in the House. The House passed HB186, but it was changed by the Senate to be more like SB195 with partisan elections. The House refused to concur with the Senate changes. (See "State School Board Elections" above.)	☺ Passed the House 55-19-1 ☹ Changed to partisan and passed the Senate 22-7-0 ----- ☺ Passed the Senate 19-8-2 Failed in the House 31-43-1 ----- ☹ Passed the Senate 23-2-4 But not heard in the House
HB197 (1S): Educator Licensing Amendments (K. Coleman)	Removes the requirement that administrators have a teaching license or education degree.	☺ Passed both houses but was vetoed by Gov. Herbert
HB207 (3S): Educator Tax Credit Study (S. Eliason)	Began as a state tax credit for educators who spend personal money for school supplies. Final bill studies the issue.	☹ Passed the Senate 21-6-2 and the House 46-20-9
HB264: Competency Licensing for Educators (D. Lifferth)	Would allow persons taking a competency test to become licensed educators in Utah.	☺ Held in the House Ed Committee

Bill	Description	Result (Yea-Nay-Absent)
HB331: Professional Learning Grant Program (B. Last)	Restores \$30 million for teacher professional development cut during the recession through a grant program.	☹ Passed the House 66-8-1 but was not heard in the Senate
HB337 (2S): CTE Comprehensive Study (R. Cunningham)	Creates a Career and Technical Education board to pursue a study of CTE programs and make recommendations to the legislature.	☺ Passed the Senate 27-0-2 and the House 56-14-5
HB367: Education Ethics Training Requirement (J. Briscoe)	Requires educational ethics training for new educators within the first year of teaching.	☹ Passed the House 52-16-7 but not heard in the Senate
HB392: Requirements for Career and Technical Education Teachers (B. Daw)	Would allow qualified English, math and science teachers to teach CTE courses without needing to attain a CTE endorsement.	☺ Held in the House Education Committee
HCR7: Resolution Urging Development of Methods to Minimize Excessive Testing... (M. Poulson)	Expresses support for educators in efforts to minimize excessive testing and its negative effects on Utah's public schoolchildren.	☺ Passed the Senate 23-0-6 and the House 70-1-4
SB34 (1S): Charter School Authorization Amendments (A. Osmond)	Would allow municipalities to authorize a charter school within the municipality boundaries.	☺ Failed in the Senate Education Committee 3-3-2
SB60 (2S): American Civics Education Initiative (H. Stephenson)	Requires a basic civics test to receive a high school diploma or an adult education diploma.	☺ Passed the Senate 20-8-1 and the House 46-26-3
SB97 (3S): Property Tax Equalization Amendments (A. Osmond)	Raises the basic property tax rate, generating an estimated \$75 million in new money for public education to be distributed through an equalization formula.	☺ Passed the Senate 20-8-1 and the House 43-31-1
SB204 (2S): Parental Rights in Public Education Amendments (A. Osmond)	Requires the State Board to make rules for opting out of state/federal tests and provides parents the right to take students out of school.	☹ Passed the Senate 18-6-5 and the House 54-19-2
SB235 (2S): Education Modifications (W. Niederhauser)	Identifies lowest 3% of schools as determined by school grading and other factors and requires school remediation. (See "School Turnaround")	☹ Passed the Senate 21-6-2 and the House 43-29-3
SB260 (2S): Public Education HR Management Act Modifications (H. Stephenson)	Originally made teachers provisional for five years. Changed to provide an audit of PEHRMA compliance and prohibit fining educators for breaking contracts upon ending employment.	☺ Passed the Senate 20-8-1 but failed in the House 20-49-6
SB275 (1S): Educator Licensure Amendments (J. Stevenson)	Would open up the credentialing process for teachers to teach online courses from out of state.	☺ Passed the Senate 20-6-3 but not heard in the House
SB279: Student Assessment Task Force (H. Stephenson)	Creates a task force to review current state mandated assessments as well as competency-based learning.	☺ Passed the Senate 15-10-4 but not heard in the House