



875 E. Pontiac Drive
Murray, Utah 84107-5299
Tel: 801-266-4461
Fax: 801-265-2249
myUEA.org

Sharon Gallagher-Fishbaugh, *President*
Tom Nedreberg, *Vice President*
Lisa Nentl-Bloom, *Executive Director*
Heidi Matthews, *NEA State Director*
Edward T Sanderson, *NEA State Director*

March 18, 2016

The Honorable Governor Gary Herbert

Dear Governor Herbert:

On behalf of 18,000 Utah educators, The Utah Education Association is asking you to veto a bill that we believe is a poor policy choice for public education.

SB 87 Administrative Rulemaking Act Modifications: This legislation exempts a single state agency, the State Board of Education, from the public hearing requirement of the Administrative Rulemaking Act. We oppose the idea that any agency should be exempt from the transparency and accountability that the public hearing requirement creates.

The State Board of Education implements policy that directly impacts hundreds of thousands of Utahns - students, parents, teachers, administrators and local school boards. Such a broad reach requires more, not less, transparency and public input. The purpose of the public hearing requirement is to gather input from those individuals and organizations directly impacted by agency rules to create the most effective public policy. To exempt the State Board of Education from such a process is to jeopardize good policymaking.

In recent years the State Board of Education has faced a significant task in writing more rules as a result of increased legislation. Many of these rules have required substantive, and sometimes controversial, changes. Admittedly, it can be a time consuming process to solicit broad stakeholder input, carefully deliberate on public input and work collaboratively to make modifications to proposed rules. When the rulemaking process has been successful, the result is good public policy. However, when the rulemaking process has not provided sufficient opportunity for stakeholder input, collaboration and deliberation, the public hearing requirement is a critical element in the rulemaking process.

We opposed both the original bill and the amended version. Although the amendments improve the substance of the bill, the amendments do not address the fundamental problem of exempting the State Board of Education from the public hearing requirement.

Thank you for your consideration of this important policy issue.

Respectfully Submitted,

Sharon Gallagher-Fishbaugh, M.A., NBCT
President, Utah Education Association

cc: Lisa Nentl-Bloom
Tami Pyfer