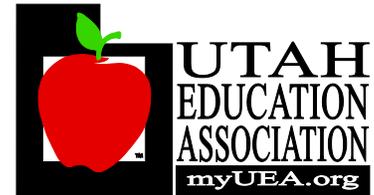


# 2021 UEA Legislative Summary



## School Budgets Restored, Bonuses for Educators

Utah educators can expect bonuses and the potential for significant salary increases following the 2021 Utah Legislative Session. During the session, Legislators continually expressed appreciation for teachers while also attempting to undermine school district decision-making authority and the local voice of educators.

The biggest news was an increase in the Weighted Pupil Unit (WPU—the primary unit of funding for Utah public education) of nearly 6% and bonuses for school employees. It made a big difference that the funding came very early in the session as part of the Base Budget.

“Not only is this one of the highest levels of funding we have received in years (nearly 6% WPU increase plus a bonus!) the significant step of establishing the increase as the starting point for education funding makes this truly remarkable,” wrote UEA President Heidi Matthews in a message to UEA members after passage of the Base Budget in February. “While the end product appears in the press, so much more happens behind the scenes...in rooms where we are included because of our collective power and influence. YOU made this happen as a member of the UEA.”



*In one of many virtual lobbying discussions this session, members of the UEA Legislative Team met virtually with Governor Spencer Cox and Senior Advisor for Education Brittny Cummins on February 2.*

In a Utah General Legislative Session that looked very different from any before, the UEA managed to provide ways to keep members engaged and informed on education issues through daily *Under the Dome* website updates, a daily *Capitol Insights* email, a weekly briefing with the UEA Legislative Team and a series of training videos specific to the session.

In all, the [UEA tracked nearly 90 education-related bills](#) moving through the process. Here are a few highlights:

### Education Budget and Taxes—

The work on the public education budget was very different this year. The process really began during the 2020 Legislative Session with the passage of bills that created a new budgeting process and culminated in the approval of [Constitutional Amendment G](#) by voters in November 2020.

In December, the Executive Appropriations Committee proposed a Base Budget that not only re-approved the nearly \$6 billion in education spending from the previous year, it set a new precedent by adding growth and inflation. It also included a significant increase on the Weighted Pupil Unit (WPU) and bonuses of \$1,500 for licensed educators and \$1,000 for most classified employees. This Base Budget was approved as [Senate Bill 1](#) by the legislature and signed into law by Governor Cox on February 4, 2021. Some highlights of SB1:

- a 5.8% increase on the WPU
- student enrollment growth fully funded
- \$43 million in one-time money over 2 years for enrollment fluctuations (one-time)
- \$121 million for COVID-19 stipends (bonuses)

Legislators approved a nearly \$100 million dollar tax cut during the session. The tax cut was in 3 bills, [House Bill 86](#), [Senate Bill 11](#), and [Senate Bill 153](#). The cuts were targeted to military retirees, Social Security recipients of certain income levels, and those with child dependent deductions. One other attempt for a large overall rate cut of about \$250 million from the Education Fund ([Senate Bill 206](#)) passed a committee but went no further.

## Special Education—

Three prominent Special Education bills were introduced this session. [House Bill 421](#) restored the Intensive Services Fund and seeded it with \$1 million. [House Bill 105](#) would have removed a lag time in the funding formula and raised the cap. This bill would have passed, but it had a \$2.6 million price tag that was not funded. [Senate Bill 175](#) tried to loosen the rules for using state funding, particularly for charter schools. The bill died in the Senate after opposition from many groups, including the UEA.

## COVID and School District Governance—

A significant theme of the 2021 session was legislation addressing the impact of COVID-19 on public education. [House Bill 233](#) states that a district or charter school may not deny a student access to in-person learning based on vaccination status. [House Bill 308](#) prohibits a government entity, including public schools, from requiring a COVID-19 vaccine as a condition of employment. [Senate Bill 187](#) requires that before a public health order affecting a public or private school is issued, the public health agency must notify the affected schools.

Public education governance was another significant theme. At the beginning of the session, Salt Lake City School District was the only district without broad-based, in-person learning. [Senate Bill 107](#) originally targeted any district without in-person learning options by disqualifying employees for the legislative COVID stipend. By the end of the session, a seventh substitute of SB107 required every school district to offer four day per week in-person instruction by March 22 and set thresholds for the test-to-stay program.



*Salt Lake Education Association President James Tobler and others addressed nearly 200 educators, parents and concerned citizens gathered at the Utah State Capitol on February 23 objecting to legislative attempts at undermining school district decision-making authority.*



*In one of the few in-person meetings during the session, UEA President Heidi Matthews (right) and Government Relations Director Sara Jones met with Senate President Stuart Adams at the Capitol on January 25.*

## Assessment/Accountability—

Remote learning in the spring of 2020 prevented the administration of statewide standardized tests. Due to the lack of assessment data, [Senate Bill 184](#) waives the requirement to rate schools using a single letter grade as well as the requirement to designate low-performing schools for school turnaround status in 2021. [Senate Bill 91](#) would have permanently eliminated the requirement for a single letter school grade, but the bill never received a hearing.

## Teacher License/Salary—

Two bills modifying existing salary supplement programs passed this year. [Senate Bill 154](#) expands the Teacher Salary Supplement Program to include educators with a deaf education license. [House Bill 323](#) provides flexibility in using assessment data from previous years to determine the teacher bonus in the High Poverty Schools program since there were no assessments given in 2020 to use as the basis for the bonus.

Another bill creates scholarship opportunities for future educators. [House Bill 381](#) provides scholarships to paraprofessionals and school counselor interns seeking to complete their education to become licensed teachers or licensed school counselors.

## Curriculum—

Legislators unsuccessfully sponsored bills to implement new curriculum in schools on a vast array of topics, including polarizing social issues such as firearm safety, sex education and sexual violence behavior prevention. [House Bill 258](#) would have created a pilot program for schools to teach firearm safety. [House Bill 177](#) and [Senate Bill 229](#) would have repealed state code related to the prohibition of advocating contraception use and add new curriculum

related to sex education, health education, sexual violence, refusal skills and consent. All three bills failed to pass the full Legislature as education stakeholders and legislators continue to debate the merit of legislating curriculum decisions to local school districts.

**Elections and Citizen Involvement—**

The Legislature continued to grapple with the political party nominating process. [Senate Bill 205](#) would have essentially gutted the Count My Vote/SB54 compromise from 2014. This effort appeared to pick up steam in the Senate, but ultimately failed to pass.

The Legislature also continues to add burdensome requirements to citizen initiative/referenda criteria. [House Bill 136](#) and [House Bill 246](#) were efforts to micromanage and overcomplicate these citizen efforts. Although HB246 failed in the Senate, HB136 did pass the full Legislature after many amendments.

UEA member and Senator Kathleen Riebe sponsored legislation ([Senate Bill 118](#)) to lower the signature threshold for candidates for the Utah State Board of Education. Sen. Riebe argued that the signature requirement for USBE candidates is too high and discourages good candidates from running. This bill was tabled in a Senate committee.

**Equity and Racial Justice—**

Lawmakers are starting to address racial and social inequities in our education system and in the state. Three resolutions attempted to make strong statements about racism in public schools. [House Concurrent Resolution 3](#) would have recognized the harm done by using Native American mascots and encouraged schools in the public education system to consider retiring those mascots. It also would have encouraged the State Board of Education and local education agencies to provide instruction in Native American culture and history. This resolution failed on the House floor.

[House Joint Resolution 13](#) affirms that differences in access to opportunities and resources according to race persist. It also highlights racial disparities in health measures including COVID-19 risks and describes calls by various organizations for racism to be addressed. In addition, it declares racism to be a moral and public health crisis and expresses the Legislature's commitment to identify and abolish state policies that are discriminatory and identify actions that may be taken by the state to help mitigate the impacts of any discriminatory policies of the past. This resolution was never heard on the House floor.

[House Concurrent Resolution 22](#) recognizes the contributions of multilingual and multicultural families to Utah's schools and recognizes the state's previous support for Utah's multilingual and multicultural families. Although introduced late in the Session, HCR22 received unanimous votes in both the House and Senate.

**UEA Policy Ambassadors—**



*Eleven Utah educators were selected as 2021 UEA Policy Ambassadors and received training from members of the UEA Legislative Team.*

Eleven educators were selected to become 2021 UEA Policy Ambassadors. These teachers received training from the UEA Legislative Team, participated in [UEA legislative activities](#) and engaged with their legislators. They then shared their experiences. The 2021 UEA Policy Ambassadors are:

- Ana Alcala – Jordan School District
- Brian Barnum – Granite School District
- Shandre Call – Salt Lake City School District
- Hunter Clapsadl – Granite School District
- Hillary Emmer – Jordan School District
- Kristine Martin – Grand School District
- Victoria Mauro – Salt Lake City School District
- Sarah Nichols- Salt Lake City School District
- Elliott Tupea – Granite School District
- Aaron Webb - Park City School District
- Tony Zani – Salt Lake City School District

**Read their reports at  
[myUEA.org/PolicyAmbassadors](https://myUEA.org/PolicyAmbassadors)**

## Legislation Highlights from the 2021 Legislative Session

The [UEA tracked nearly 100 education-related bills in 2021](#). Here are a few of note and their final status:

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

<b>Bill</b>	<b>Description</b>	<b>Result (Yea-Nay)</b>
<a href="#">HB81: Mental Health Days for Students</a> (S. Eliason)	Adds mental or behavioral health as a valid excuse for a school absence.	☹ Passed the House <a href="#">60-5</a> and the Senate 29-0
<a href="#">HB86: Social Security Tax Amendments</a> (W. Brooks)	Enacts a tax credit for Social Security benefits included in federal adjusted gross income.	☹ Passed the House 72-0 and the Senate 27-0
<a href="#">HB116: Student Attendance Amendments</a> (A. Robertson)	Prohibits requiring documentation from a medical professional for an absence due to mental or physical illness.	☹ Passed the House <a href="#">48-22</a> and the Senate <a href="#">27-2</a>
<a href="#">HB177: Health Education Amendments</a> (C. Moss)	Requires USBE to establish curriculum requirements that include instruction on consent and what does not constitute consent.	☹ Passed a committee but failed in the House <a href="#">31-39</a>
<a href="#">HB182: Educator Hearings Amendments</a> (C. Hall)	Clarifies existing statute to identify the appropriate court for an educator who appeals a termination. UEA brought this to the legislature.	☹ Passed the House 71-0 and the Senate 23-0
<a href="#">HB197: Voter Affiliation Amendments</a> (J. Teuscher)	Makes it more cumbersome for voters to change their party affiliation in even-numbered years.	☹ Passed the House <a href="#">41-30</a> and the Senate <a href="#">22-3</a>
<a href="#">HB258: Firearm Safety in Schools</a> (R. Shipp)	Creates an optional pilot program for schools to teach firearm safety as an elective course in grades 9-12.	☹ Passed the House <a href="#">47-21</a> but not heard in the Senate
<a href="#">HB302: Preserving Sports for Female Students</a> (K. Birkeland)	Requires schools to designate athletic activities as “boys”, “girls” or “coed” and prohibits male students at birth from participating in girls’ sports.	☹ Passed the House <a href="#">50-23</a> but held in the Senate
<a href="#">HB323: High Poverty Schools Teacher Bonus Program Amendments</a> (M. Winder)	Allows 2018-19 test scores to be used for calculating 2020-21 bonuses. Opposed by UEA because it continues to tie pay to test scores.	☹ Passed the House <a href="#">52-12</a> and the Senate 25-0
<a href="#">HB338: School District Voter Eligibility Amendments</a> (J. Briscoe)	Lets local school boards vote to allow students who are 16 and 17 years old to vote in local school board elections.	☹ Passed a committee but failed in the House <a href="#">22-50</a>
<a href="#">HB340: MOST Program</a> (S. Eliason)	Reinstates the Math and Science Opportunities for Students and Teachers (MOST) Program.	☹ Passed the House <a href="#">64-10</a> but not heard in the Senate
<a href="#">HB345: School Resource Officers Amendments</a> (S. Hollins)	Requires enhanced training for school resource officers to help stop the school to prison pipeline.	☹ Passed the House <a href="#">61-12</a> and the Senate <a href="#">20-6</a>

<b>Bill</b>	<b>Description</b>	<b>Result (Yea-Nay)</b>
<a href="#">HB381: Grow Your Own Teacher and School Counselor Pipeline</a> (J. Moss)	Creates a scholarship for paraprofessionals and school counselor interns to become licensed teachers or licensed school counselors.	☺ Passed the House <a href="#">72-1</a> and the Senate 27-0
<a href="#">HB425: Education Monitoring and Funds Management Amendments</a> (L. Snow)	Creates consistent standards for USBE to monitor school district and charter school expenditures.	☺ Passed the House 74-0 and the Senate 28-0
<a href="#">HB428: Public Education Governance and Appeals</a> (S. Waldrip)	Creates a process for parents to appeal a complaint against the local school board to an appointed panel.	☺ Passed a committee but not heard in the House
<a href="#">HCR3: Resolution Regarding Native American Mascots in Public Schools</a> (E. Weight)	Recognizes “the harm done by using Native American mascots” and encourages schools to consider retiring those mascots.	☹ Passed a committee but failed in the House <a href="#">27-45</a>
<a href="#">HCR22: Celebrating Multilingual and Multicultural Families</a> (D. Johnson)	Celebrates the contributions of multilingual and multicultural families to Utah schools and encourages schools to engage these families.	☺ Passed the House 71-0 and the Senate 27-0
<a href="#">HJR13: Resolution Declaring Racism a Moral and Public Health Crisis</a> (S. Hollins)	Affirms differences in access to opportunities and resources according to race persist and declares racism to be a moral and public health crisis.	☹ Passed a committee but not heard in the House
<a href="#">SB91: School Accountability Amendments</a> (L. Fillmore)	Eliminates the use of grades for school accountability.	☹ Not heard 2021
<a href="#">SB175: Special Education Least Restrictive Requirement Amendments</a> (J. Anderegg)	Creates certain allowances for state special education funding that are different from federal requirements.	☺ Passed a committee but held in the Senate
<a href="#">SB184: School Assessment and Accountability Amendments</a> (K. Riebe)	Removes accountability requirements based on statewide tests for the 2020-21 because standardized tests were not given in spring 2020.	☺ Passed the Senate 22-0 and the House <a href="#">70-1</a>
<a href="#">SB187: Local Education Agency Policies Amendments</a> (R. Winterton)	Originally eliminated enforcement of masks, changed to require health departments to “consult” with school districts on health orders.	☹ Passed the Senate <a href="#">16-11</a> and the House <a href="#">44-26</a>
<a href="#">SB242: Alternative Education Tax Credit Amendments</a> (J. Johnson)	Enacts a tax credit (voucher) for expenses resulting from disenrollment in public education and enrollment in private or home school.	☺ Failed in the Senate <a href="#">12-14</a>
<a href="#">SCR1: Concurrent Resolution on Holocaust Education</a> (E. Vickers)	Highlights the importance of Holocaust and genocide education and encourages USBE to emphasize this course of study.	☺ Passed the Senate 27-0 and the House 70-0

**For more information visit UEA Under the Dome at  
[myUEA.org/legislature](http://myUEA.org/legislature)**