



PCSD LEGISLATIVE UPDATE 2023

WEEK 4: FEBRUARY 6-10, 2023

DATE: WEEK 4	BILLS TO WATCH	UPCOMING CALENDARS
February 6-10, 2023	<p>HB0082S02 School Assembly Notice Requirements ((Rep. Ballard, Melissa G.)</p> <p>HB0138S04 Digital Instructional Material Requirements(Rep. Ballard, Melissa G.)</p>	<p>Week 5 House</p> <p>Week 5 Senate</p>

HIGHLIGHTS WEEK 4

I. Putting the FUN in funding:

The Education Appropriations Committee met on Tuesday 2.7.10 (see below) to finalize priority recommendations. These priorities carry a lot of weight, but are only recommendations that will be undertaken by the Executive Appropriations Committee for the Legislative Body to consider in the final budget. These priorities and additional funding motions were presented to the Executive Appropriations Committee on 2.9.23.

Ongoing Items (ensures continuation of funding and program)

- A 6% increase on the WPU (this includes the 3.4% inflationary component)*
- Public Education Equalization Funding [SB 83](#) (\$38m)**
- Student At-Risk of Academic Failure Add-On increase (\$51,7m)
- Full-Day Kindergarten (\$36m) YAY!

One-Time Items (doesn't mean that it only funded once, but is not guaranteed)

- Paid Professional Hours for Educators \$64m (continuation)
- Flexible School Safety, Physical Facilities, and Capital Needs (\$175 million)
- Instructional Delivery and Support (\$50 million)***
- Teen Centers for Students Experiencing Homelessness (\$5 million)
- Grow your own Teacher and School Counselor Program (\$14 million)

***Footnotes:

*Motions from Public Education Appropriations included intent language that the additional WPU increases be used to prioritize increased salary compensation for classified employees.

WPU Value – Funding for Classified Staff Compensation

Intent language directing local education agencies to prioritize classified staff compensation increases with additional funding received through the WPU Value increase in FY 2024.

**This is of particular Park City interest as previous legislation had allowed local levies to grow with inflation since the pandemic, rather than floating down to maintain the same yield. So as property values increased, so did taxes which were distributed across the state through equalization. (Districts who have higher assessed valuation of property send to those with less ability to generate funds based property value or more public/federal land.) This legislation will sunset this year, and the proposed \$38m allocation will supplant what was generated in local levies with state funds. (I can't even believe that I mostly understand this. I so get you if your eyes just glazed over or you gave up after the first sentence.)

***Appears to be very flexible for use to support classrooms. Requires reporting accountability.

II. **HB215 implementation - funding two different systems?**

Following the passage of HB215 [H.B. 215 Third Substitute -- Funding for Teacher Salaries and Optional Education Opportunities](#) (*Rep. Pierucci, C.*) attention has been called to a few bills that some say point to the Legislature as problematically funding two different education systems. One, it is argued, is highly regulated from everything from licensing, curriculum, assessments, time etc: the other, which allows public dollars to go to private entities (HB215) has none of these regulations. [SB0166 Education Entity Amendments](#) (*Sen. Fillmore, Lincoln*) would codify “micro-schools” which proponents argue is only a designation for land use. Others argue that under HB215, “micro-schools” would qualify for \$8K per student (up to 150 students, so up to \$1.2m) and not be accountable to all other regulations and transparency as neighborhood public schools.

BILLS TO WATCH: WEEK 4

<p>Legislating School Assemblies</p>	<p>H.B. 82 Second Substitute -- School Assembly Notice Requirements (Rep. Ballard, M.G.)</p> <p>This bill requires schools to give a three day notice to parents - and provide materials- for assemblies on the following topics:</p> <p>(d) "Prevention topic" means:</p> <p>44 (i) a topic or issue that is the focus of a prevention program;</p> <p>45 (ii) bullying, cyber-bullying, or hazing;</p> <p>46 (iii) physical or sexual abuse; or</p> <p>47 (iv) mental health.</p> <p>48 (2) Except as provided in Subsection (3), at least three calendar days before the day on</p> <p>49 which an assembly takes place relating to a prevention topic or educational equity, as that</p> <p>50 term is defined by the state board.</p> <p>See House Education Committee on 2.6.23 for more information. The bill was CIRCLED* on the House Floor on 2.10.23 (* can be uncircled at any time with a majority vote.) Rumor has it that the sponsor may be considering removal of the requirements for the topic of education equity.</p>
<p>Digital Resource Accountability</p>	<p>H.B. 138 Fourth Substitute -- Digital Instructional Material Requirements (Rep. Ballard, M.G.)</p> <p>This bill:</p> <p>14 ▶ requires a local education agency's local governing board to:</p> <p>15 • make a determination regarding digital instructional material that is alleged to</p> <p>16 violate state law within a certain time period; and</p> <p>17 • report digital instructional material that violates state law to the State Board of</p> <p>18 Education (state board)</p> <p>See House Education Committee on 2.6.23 for more information. The bill was CIRCLED* on the House Floor on 2.10.23 (* can be uncircled at any time with a majority vote.) Sounds like a 5th substitute is in the works.</p>

COMMITTEE HEARINGS

COMMITTEE MEETING LINK	WON'T WANT TO MISS...	INTERESTING	FOR THE POLICY WONKS	NOTES
<p>2.6.23 (3:40 pm) House Education Committee</p>	<p>HB 82 Heidi Matthews supports JLC 's position of Opposition (46:03)</p> <p>HB138 (50:28)</p>	<p>Rep Karianne Lisonbee on "teeth" of criminal code (101:20)</p>	<p>O - Royce Van Tassell Utah Association of Utah Public Charters (110:40)</p>	<p>HB138 Places onus on vendor of digital curriculum materials for updates or violations of "Sensitive Materials". Addresses violations of "repeat offenders". Assumes the "bright line" that would deem any depiction sexual in nature to be considered sensitive, without reading in entirety ("just take a snapshot"). Allows LEA to revoke a contract.</p>
<p>2.7.23 (8 am) Public Education Appropriations \$</p>	<p>Sen Ann Milner on the long road to funding Optional All Day Kindergarten (OEK) (127:00)</p>	<p>WPU % intent language directed at salaries for classified staff. (101:31)</p>	<p>Here is the full list of priorities: Public Education Appropriation Pories</p>	<p>Interesting fact: Bills may pass through the entire legislative process, be signed by the governor, but still not go into effect if the funding isn't approved. Public Education Appropriations receives and prioritizes requests made early in the session, and then passes to the Executive Appropriations Committee for final determination.</p>
<p>2.8.23 Senate Education Committee</p>	<p>SB0166 Education Entity Amendments (L. Fillmore) Defines home based 'micro-entity' schools for re. (1:42)</p>	<p>Sen Kathleen Reibe asks if SB 'micro-school' could receive \$8K under HB215 (5:14)</p> <p>O- Dr Sara Jones UEA (13:32)</p> <p>S - Jon England Libertas Institute (19:20)</p>		<p>SB166 put forth by Senator Fillmore is a 'land use' bill empowering cities to regulate under a permitted use. Negotiations are ongoing with Utah Leagues of Cities and Towns. Opposition spoke to the creation of education entities of up to 150 students with the provider receiving compensation.</p>

2.9.23 [House Education Committee](#)

8 am

Joint Legislative Committee (JLC) representative Mark Clement (VP USBA) expressed opposition to the bill adding that it is “transparent to teachers”.

*Concerns expressed about funding two separate systems, one regulated, one not. (55:43)

Utah Parents United Pres. Nicole Mason expresses support. “We want to know what is being taught to our children (59:20)

Rep Angela Romero: asks clarification of line 362- 365 on what would be expected to be posted regarding “educator’s pedagogical methodology” - the ‘how’ something is taught vs. the ‘what’. (39:40)

Rep Karen Peterson “What makes you feel like this bill will ensure that your expectations [on curriculum transparency] are met? (42:36)

Rep Kera Birkland on local board autonomy and the teachers she hears from in her district. (116:41)

H.B. 335 -- Alternative Concurrent Enrollment Options for Capacity Flexibility (*Rep. Wilcox, R.* (130:35)) passes out of House [Committee 10-0-6](#)

HB0344 Local Policies for Public Education Curriculum Transparency(*Rep. Teuscher, Jordan D.*) (begins 30:54) This bill would have required local governing boards to establish student instruction and course transparency policies and to make the LEA’s course content transparency policy publicly available on the website and to report policy to USBE. A first substitute was adopted to clarify local flexibility.

The bill **failed** in committee with a tie vote [6-6-4](#)

*****News Flash! HB344 is back in House Education Committee - FIRST on the [agenda](#) on Monday 2.13.23 (our first “zombie’ bill of the session.)**

2.10.23 [Senate Education Committee](#)

Widespread support for **S.B. 183 -- Educator Salary Amendments** (*Sen. Vickers, E.*) (1:12)

Sen Karen Kwan shares her intern’s experience around privacy. **SB0176 - Student Athlete Privacy Protections** (Kwan, K.(35:01)

Utah High School Activities Association UHSAA speaks up on **H.B. 209 Second Substitute -- Participation in Extracurricular Activities Amendments** (*Rep. Teuscher, J.*) (22:30)

WHOA. Fast meeting. It’s Friday!

Motion to adjourn came right in the middle of discussion of SB176.

S.B. 183 -- Educator Salary Amendments (*Sen. Vickers, E.*) allocates additional funding for the Educator Salary Adjustment (ESA) and the Teacher Salary Supplement Program (TSSP) to adjust with the same incremental increases on the WPU. Modifies the years of unsatisfactory evaluations in order for licensed educators to receive from one to three.

LET YOUR VOICE BE HEARD

ISSUE	CONTACT	HELPFUL HINTS
<p>How are bills and budget priorities aligned with your values?</p> <p>This was a big week for bills related to regulating schools - and \$money\$.</p> <p>Take a look at the funding priorities that Public Education Appropriations shared with the powerful Executive Appropriations. Don't shy away just because of the big numbers. (They are pretty staggering!)</p> <p>Delve into the bills about school assembly notification, identification of micro-schools, sensitive materials in digital curriculum listed in this update.</p> <p>Focus on the value that the funding proposals and the bills' intention represent. Does it represent your values? What do you support?</p> <p>Make your voice heard!</p>	<p>Find my Legislator (link here to search by address/zip)</p> <p>HD4. Rep. Kera Birkeland: kbirkeland@le.utah.gov</p> <p>HD23: Rep. Brian King: briansking@le.utah.gov</p> <p>HD59: Rep. Mike Kohler mkohler@le.utah.gov</p> <p>SD3: Sen. John Johnson john@johnforutah.com</p> <p>SD 20: Sen. Ron Winterton rwinterton@le.utah.gov</p>	<p>Subject line should include:</p> <ol style="list-style-type: none">1. You are a constituent2. Bill number3. Position <p>Comments:</p> <ol style="list-style-type: none">1. Bill number and name2. Get to it – be brief and concise3. Personalize: how would this impact you, your values, our voting district/community – and especially OUR STUDENTS!4. Be polite5. Include your contact info, including cell phone number, if possible.6. Build a relationship, offer continued communication, and thank them for their service.

LOOKING FORWARD TO WEEK 5

- I. **Talking about our Constitution:** Conversations continue about the stated Legislative interest in removing the Constitutional “earmark” for public education. Proposals were released that would add Constitutional language that would “ensure revenue” to public education, rather than the revenue source (Article XIII designates 100% income taxes go to K12/ higher education and to support children and individuals with a disability.) Sounds like there are also efforts to tie eliminations of food tax to the removal of the education “earmark”/guarantee. [H.J.R. 18](#) -- Proposal to Amend Utah Constitution - State School Fund (*Rep. Moss, J.*)

In the News:

February 9, 2023 Fox13 “[Deal may be struck on food sales tax, education funding earmark](#)”

February 11, 2023 Salt Lake Tribune “[Lawmakers eye plan to end food sales tax — but only if voters remove constitutional earmark for education](#)”

- II. District leaders are keeping a **VERY CLOSE EYE** on [H.B. 372](#) -- Local School District Referendum Amendments for the enormous negative potential on a local level. Sounds like amendments are coming.
 - III. Stay tuned PCSD Admin! Senator Kathleen Riebe’s bill [SB0149 Teacher Evaluation Amendments](#) would give the option to administrators to conduct educator evaluations every two years instead of yearly. Lots of people cheering this on! Educators appreciate professional feedback to help us learn and improve, but for many administrators this has become quite time consuming.
 - IV. In addition to the first reconsideration of the session ([HB344](#) - Curriculum Transparency) [HB0308 School Grading Modifications](#) (*Rep. Welton, Douglas R.*) - the bill to end school grading - will be heard in House Education Committee Monday morning. As you recall, this was part of the negotiations to gain support for HB215.
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JOINT LEGISLATIVE COUNCIL Positions 2.10.23

- H.B. 400 -- School Absenteeism Amendments (*Rep. Johnson, D.N.*) - **HOLD**
- H.B. 189 -- International Baccalaureate Program Amendments (*Rep. Moss, C.*) - **SUPPORT**
- H.B. 234 **Second Substitute** -- University Recognition for International Baccalaureate Achievement (*Rep. Moss, C.*) - **SUPPORT**
- H.B. 61 **Second Substitute** -- School Safety Requirements (*Rep. Wilcox, R.*) previously **OPPOSED**; position reconsidered due to significant amendments. **SUPPORT**
- H.B. 87 **Substitute** -- Youth Sport Safety Amendments (*Rep. Ballard, M.G.*) - **SUPPORT***
changed in Committee on Friday 2.10.23. Will likely be reconsidered AGAIN by JLC
- H.B. 185 -- Public Education Enrollment Options Amendments (*Rep. Pulsipher, S.*) - **SUPPORT**
- H.B. 335 -- Alternative Concurrent Enrollment Options for Capacity Flexibility (*Rep. Wilcox, R.*) - **SUPPORT**
- H.B. 348 -- Curriculum Participation Waiver Requirements (*Rep. Acton, C.K.*) - **OPPOSE**
- H.B. 398 -- Special Needs Opportunity Scholarship Program Amendments (*Rep. Abbott, N.*) - **OPPOSE**
- H.B. 403 -- Student Mental Health Amendments (*Rep. Eliason, S.*) **SUPPORT**
- S.B. 143 **Substitute** -- Public School District Resource Sharing Agreements and Student Transportation Amendments (*Sen. Anderegg, J.*) - **SUPPORT**
- S.B. 150 -- School Employee Licensing Amendments (*Sen. Riebe, K.*) **SUPPORT**
- S.B. 167 **Substitute** -- Statewide Online Education Program Modifications (*Sen. Cullimore, K. A.*) - **OPPOSE**
- S.B. 183 -- Educator Salary Amendments (*Sen. Vickers, E.*) - **SUPPORT**

Need a refresher on how a bill becomes a law? [School House Rock: "I'm just a bill"](#) [How ideas become bills, then law](#)