

**RESOLUTION AMENDING GOVERNANCE OF
PUBLIC EDUCATION**

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Glenn Way

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH
CONSTITUTION; AMENDING ARTICLE X, SECTION 3, STATE BOARD OF
EDUCATION; PROVIDING FOR ELECTION AND DUTIES OF THE STATE
SUPERINTENDENT AND LOCAL BOARDS OF EDUCATION; AND PROVIDING AN
EFFECTIVE DATE.

This resolution proposes to change the Utah Constitution as follows:

AMENDS:

ARTICLE X, SECTION 3

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of
the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article X, Section 3, to read:

**Article X, Section 3. [State Superintendent of Public Instruction -- Local Boards of
Education.]**

The general control and supervision of the public education system shall be vested in a
State Board of Education. The membership of the board shall be established and elected as
provided by statute. [~~The State Board of Education shall appoint a State Superintendent of Public
Instruction who shall be the executive officer of the board.~~] A State Superintendent of Public
Instruction, elected in open election by the people of Utah, shall make recommendations and
provide services to the public education system in the state. ^h [~~Local boards of education, elected in
open election by residents of the school districts, shall have authority to direct local public schools.~~] ^h
The procedures for open election shall be provided by statute.

Section 2. **Submittal to electors.**

1 The lieutenant governor is directed to submit this proposed amendment to the electors of
2 the state of Utah at the next general election in the manner provided by law.

3 Section 3. **Effective date.**

4 If approved by the electors of the state, the amendment proposed by this joint resolution
5 shall take effect on January 1, 1999.

Legislative Review Note
as of 2-2-98 11:28 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel