

1 **ENHANCEMENT OF PUBLIC EDUCATION**

2 **TASK FORCE**

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Matt Throckmorton**

6 **This act creates the Enhancement of Public Education Task Force and designates its**
7 **h [legislative] h membership and staff. The act outlines the duties of the task force, with a**
8 **primary focus on reviewing the purpose, functions, roles, and responsibilities of the State**
9 **Office of Education. The act has a \$93,000 appropriation, a split effective date, and a**
10 **November 30, 2002 repeal date.**

11 This act enacts uncodified material.

12 *Be it enacted by the Legislature of the state of Utah:*

13 **Section 1. Enhancement of Public Education Task Force -- Creation -- Membership**
14 **-- Interim rules followed -- Compensation -- Staff.**

15 (1) There is created the Enhancement of Public Education Task Force consisting of the
16 following h [12] § [16-h] 14 § members:

17 (a) five members of the Senate appointed by the president of the Senate, no more than
18 three of whom may be from the same political party; h [and] h

19 (b) seven members of the House of Representatives appointed by the speaker of the House
20 of Representatives, no more than h [four] FIVE h of whom may be from the same political party
20a h [;] ; AND

20b c) § [FOUR-h-NON-VOTING] TWO h h MEMBERS OF THE STATE BOARD OF EDUCATION
20c APPOINTED BY THE CHAIRMAN OF THE STATE BOARD. h

21 (2) (a) The president of the Senate shall designate a member of the Senate appointed under
22 Subsection (1)(a) as a cochair of the task force.

23 (b) The speaker of the House of Representatives shall designate a member of the House
24 of Representatives appointed under Subsection (1)(b) as a cochair of the task force.

25 (3) In conducting its business, the task force shall comply with the rules of legislative
26 interim committees.

27 (4) The task force may meet up to nine times each year during its two-year term.



28 (5) h (a) h Salaries and expenses of the h LEGISLATIVE h members of the task force shall
 be

28a paid in accordance with

29 Section 36-2-2 and Legislative Joint Rule 15.03.

29a h (b) (i) STATE BOARD OF EDUCATION MEMBERS RECEIVE NO COMPENSATION OR
 29b BENEFITS FOR THEIR SERVICES, BUT MAY RECEIVE PER DIEM AND EXPENSES INCURRED IN THE
 29c PERFORMANCE OF THEIR OFFICIAL DUTIES AT THE RATES ESTABLISHED BY THE DIVISION OF
 29d FINANCE UNDER SECTIONS 63A-3-106 AND 63A-3-107.

29e (ii) STATE BOARD MEMBERS MAY DECLINE TO RECEIVE PER DIEM AND EXPENSES FOR
 29f THEIR SERVICE. h

30 (6) (a) The Office of Legislative Research and General Counsel shall provide staff support
 31 to the task force.

32 (b) The task force may also use staff from the Legislative Fiscal Analyst's Office in
 33 carrying out its duties.

34 **Section 2. Duties -- Interim report.**

35 (1) The task force shall review and make recommendations on the following issues:

36 (a) the ability of schools and school districts to comply with legislative and other
 37 governmental mandates given by public education policymakers;

38 (b) the purpose, function, roles, and responsibilities of the State Office of Education in
 39 relation to school districts and public schools, to include whether the role of the State Office of
 40 Education should be primarily that of a facilitator or resource or primarily that of a regulator or a
 41 combination of the two in order to enhance public education within the state system;

42 (c) whether the functions, roles, and responsibilities should be modified and put into a
 43 statutory framework;

44 (d) the costs required to operate the State Office of Education;

45 (e) its current ability to track and monitor state and federal monies distributed to school
 46 districts through the state office and to verify or validate how those monies are being used at the
 47 district and school level;

48 (f) the nature and magnitude of administrative costs at the school district level and whether
 49 those costs are duplicative of administrative costs incurred at the State Office of Education;

50 (g) the authority or ability of the state office to deal with a school district that is out of
 51 compliance with state law or rules made to implement state laws;

52 (h) the conditions and tools required for schools to provide each student with a reasonable
 53 opportunity to achieve expected objectives; and

54 (i) any other matters the task force identifies to be important to enhance the state's public

55 education system.

56 (2) The task force shall notify and seek input from the State Board of Education, ^h UTAH

56a SCHOOL EMPLOYEES ASSOCIATION, ^h the Utah

57 School Boards Association, the Utah School Superintendent Association, the Utah Parents and

58 Teachers Association, the Utah Public Education Coalition, the Utah Education Association,

59 teachers, school administrators, parents of students, and other members of the state's education
60 community.

61 (3) (a) The task force shall issue at least two reports on its activities to the Legislature's
62 Education Interim Committee.

63 (b) The first shall be presented no later than November 30, 2001, recommending what
64 action the Legislature or the State Board of Education needs to take to clarify the roles and
65 responsibilities of the State Office of Education.

66 (c) A final report, including any proposed legislation shall be presented to the Education
67 Interim Committee before November 30, 2002.

68 **Section 3. Appropriation.**

69 (1) There is appropriated from the General Fund for fiscal year 2000-01:

70 (a) \$7,000 to the Senate to pay for the compensation and expenses of senators on the task
71 force;

72 (b) \$9,500 to the House of Representatives to pay for the compensation and expenses of
73 representatives on the task force; and

74 (c) \$30,000 to the Office of Legislative Research and General Counsel to pay for staffing
75 the task force.

76 (2) The appropriation is nonlapsing.

77 (3) There is appropriated from the General Fund for fiscal year 2001-02 the same amounts
78 to the same entities identified in Subsection (1) of this appropriation section.

79 **Section 4. Effective date.**

80 If approved by two-thirds of all the members elected to each house, this act takes effect
81 upon approval by the governor, or the day following the constitutional time limit of Utah
82 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
83 date of veto override, except that Subsection (3) of Section 3. Appropriation, takes effect July 1,
84 2001.

85 **Section 5. Repeal date.**

86 This act is repealed November 30, 2002.

Legislative Review Note
as of 1-22-01 10:16 AM

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

Office of Legislative Research and General Counsel