

1 PUBLIC EDUCATION UTAH PROFESSIONAL PRACTICES

2 ADVISORY COMMISSION

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Deidre M. Henderson

6 House Sponsor: _____

7
8 LONG TITLE

9 General Description:

10 This bill modifies provisions relating to the Utah Professional Practices Advisory
11 Commission.

12 Highlighted Provisions:

13 This bill:

- 14 ▶ changes appointment and membership requirements for Utah Professional Practices
- 15 Advisory Commission membership; and
- 16 ▶ makes technical changes.

17 Money Appropriated in this Bill:

18 None

19 Other Special Clauses:

20 None

21 Utah Code Sections Affected:

22 AMENDS:

23 53A-6-302, as repealed and reenacted by Laws of Utah 1999, Chapter 108

24 53A-6-303, as enacted by Laws of Utah 1999, Chapter 108

25 53A-6-304, as enacted by Laws of Utah 1999, Chapter 108

26
27 *Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section 53A-6-302 is amended to read:

29 **53A-6-302. UPPAC members --** ~~Ŝ→ [Executive secretary.]~~ **Secretary.** ~~←Ŝ~~

30 ~~[(1) UPPAC shall consist of a nonvoting executive secretary and 11 voting members,~~
 31 ~~nine of whom shall be licensed educators in good standing, and two of whom shall be members~~
 32 ~~nominated by the education organization within the state that has the largest membership of~~
 33 ~~parents of students and teachers.]~~

34 ~~[(2) Six of the voting members shall be persons whose primary responsibility is~~
 35 ~~teaching.]~~

36 ~~[(3)(a) The state superintendent of public instruction shall appoint an employee of the~~
 37 ~~office to serve as executive secretary.]~~

38 ~~[(b) Voting members are appointed by the superintendent as provided under Section~~
 39 ~~53A-6-303.]~~

40 (1) UPPAC shall consist of:

41 (a) a nonvoting ~~Ŝ→ [executive]~~ ~~←Ŝ~~ secretary; and

42 (b) at least 11 voting members, as defined by board rule in accordance with Subsection
 43 (2).

44 (2) (a) Members who are ~~Ŝ→~~ a community member or ~~←Ŝ~~ a parent or guardian of a child
 44a enrolled in a Utah public
 45 school shall make up the majority of the voting members described in Subsection (1)(b).

46 (b) A voting member who is an educator may not be counted toward the majority
 47 described in Subsection (2)(a).

48 (3) (a) The state superintendent shall ~~Ŝ→~~ [recommend] appoint ~~←Ŝ~~ an office member ~~Ŝ→~~
 48a [for the board to
 49 consider appointing] ~~←Ŝ~~ as the ~~Ŝ→~~ [executive] ~~←Ŝ~~ secretary described in Subsection (1)(a).

50 (b) The board shall appoint the members of UPPAC in accordance with this section
 51 and Section 53A-6-303.

52 (4) The office shall [provide] staff [support for] UPPAC activities.

53 Section 2. Section 53A-6-303 is amended to read:

54 **53A-6-303. Appointment of UPPAC members -- Reappointments.**

55 (1) [(a)] The board shall adopt rules establishing procedures for [nominating and]
 56 appointing individuals to voting membership on UPPAC.

57 ~~[(b) Nomination petitions must be filed with the state superintendent prior to June 16~~
 58 ~~of the year of appointment.]~~

59 ~~[(c) A nominee for appointment as a member of UPPAC as an educator must have~~
60 ~~been employed in the representative class in the Utah public school system or a private school~~
61 ~~accredited by the board during the three years immediately preceding the date of appointment.]~~

62 (2) The ~~[state superintendent of public instruction]~~ board shall appoint the members of
63 the commission.

64 (3) Appointments begin July 1 and are for terms of three years and until a successor is
65 appointed.

66 (4) Terms of office are staggered so that approximately ~~[1/3]~~ one-third of UPPAC
67 members are appointed annually.

68 (5) A member may not serve more than two terms.

69 Section 3. Section **53A-6-304** is amended to read:

70 **53A-6-304. Filling of vacancies.**

71 (1) A ~~[UPPAC]~~ vacancy occurs if a UPPAC member:

72 (a) resigns~~;~~;

73 (b) fails to attend three or more meetings during a calendar year~~;~~; or

74 (c) no longer meets the requirements for ~~[nomination and]~~ appointment.

75 (2) If a vacancy occurs, ~~[the state superintendent]~~ the board shall appoint a successor to
76 fill the unexpired term.

77 ~~[(3) If the superintendent does not fill the vacancy within 60 days, the board shall make~~
78 ~~the appointment.]~~

79 ~~[(4) Nominations to fill vacancies are submitted to the superintendent in accordance~~
80 ~~with procedures established under rules of the board.]~~

Legislative Review Note
as of 2-19-14 3:15 PM

Office of Legislative Research and General Counsel