

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23 53A-6-302, as repealed and reenacted by Laws of Utah 1999, Chapter 108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

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 executive 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 a parent or guardian of a child 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 recommend an office member for the board to
49 consider appointing as the executive 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