

**AMENDMENTS TO STATE BOARD OF EDUCATION**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ann Millner**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill provides for partisan election of the members of the State Board of Education and provides for appointment of the members of the State Board of Education if the voters pass a constitutional amendment permitting appointment.

**Highlighted Provisions:**

This bill:

- ▶ provides for partisan election of the members of the State Board of Education and provides for appointment of the members of the State Board of Education if the voters pass a constitutional amendment permitting appointment;
- ▶ removes the nonvoting members from the State Board of Education;
- ▶ modifies the reporting requirements of state board office candidates and officeholders;
- ▶ reverses the modifications described in the preceding paragraph if the voters pass a constitutional amendment permitting appointment of members of the State Board of Education;

~~§→ [→ beginning on January 1, 2023, reduces the number of State Board of Education members;] ←§~~ and

- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**S.B. 195**



1454 (a) be made available for public inspection at the filing officer's place of business;

1455 (b) if the filing officer is an individual other than the lieutenant governor, be provided  
1456 to the lieutenant governor within five business days of the date of filing and be made publicly  
1457 available at the Office of the Lieutenant Governor; and

1458 (c) be made publicly available on the Statewide Electronic Voter Information Website  
1459 administered by the lieutenant governor.";

1460 (11) renumber Section 20A-14-101.1 as Section 53A-1-107 and amend to read:

1461 ~~"[20A-14-101.1]~~ 53A-1-107. Definitions.

1462 As used in this part:

1463 (1) "Board" means the State Board of Education.

1464 (2) "Board block assignment file" means the electronic file that assigns each of Utah's  
1465 115,406 census blocks to a particular State Board of Education district.

1466 (3) "Board shapefile" means the electronic shapefile that stores;

1467 ~~§→ [(a)] ←§~~ the boundary of each of the 15 State Board of Education districts ~~§→ [(f)] . [(f)]~~

1467a ~~[through~~

1468 ~~December 31, 2022; and~~

1469 ~~—— (b) the boundary of each of the nine State Board of Education districts beginning on~~  
1470 ~~January 1, 2023.] ←§~~

1471 (4) "Census block" means any one of the 115,406 individual geographic areas into  
1472 which the Bureau of the Census of the United States Department of Commerce has divided the  
1473 state of Utah, to each of which the Bureau of the Census has attached a discrete population  
1474 tabulation from the 2010 decennial census.

1475 (5) "Shapefile" means the digital vector storage format for storing geometric location  
1476 and associated attribute information.";

1477 (12) renumber Section 20A-14-101.5 as Section 53A-1-108 and amend to read:

1478 ~~"[20A-14-101.5]~~ 53A-1-108. State Board of Education districts.

1479 ~~[(1) As used in this section:]~~

1480 ~~[(a) "County boundary" means the county boundary's location in the database as of~~  
1481 ~~January 1, 2010:]~~

1482 ~~[(b) "Database" means the State Geographic Information Database created in Section~~  
1483 ~~63F-1-507.]~~

1484 ~~[(c) "Local school district boundary" means the local school district boundary's~~

1485 location in the database as of January 1, 2010.]

1486        ~~[(d) "Municipal boundary" means the municipal boundary's location in the database as~~  
1487 ~~of January 1, 2010.]~~

1488        ~~[(2) The State Board of Education shall consist of 15 members, with one member to be~~  
1489 ~~elected from each State Board of Education district.]~~

1490        ~~[(3)]~~ (1) The Legislature adopts the official census population figures and maps of the  
1491 Bureau of the Census of the United States Department of Commerce developed in connection  
1492 with the taking of the 2010 national decennial census as the official data for establishing State  
1493 Board of Education district boundaries.

1494        ~~[(4)]~~ (2) (a) Effective January 1, 2023, the Legislature shall adopt the official census  
1495 population figures and maps of the Bureau of the Census of the United States Department of  
1496 Commerce developed in connection with the taking of the 2020 national decennial census as  
1497 the official data for establishing State Board of Education district boundaries.

1498        (b) Using the data described in Subsection (2), the Legislature shall divide the state  
1499 into ~~9~~ **15** State Board of Education districts.

1500        (3) (a) Notwithstanding ~~[Subsection (3)]~~ Subsections (1) and (2), the Legislature enacts  
1501 the district numbers and boundaries of the State Board of Education districts designated in the  
1502 board shapefile ~~[that is the electronic component of the bill that enacts this section].~~

1503        (b) ~~[That]~~ The board shapefile described in Subsection (3)(a), and the State Board of  
1504 Education district boundaries generated from that board shapefile, may be accessed via the  
1505 Utah Legislature's website.";

1506        (13) enact Section [53A-1-109](#) to read:

1507        "53A-1-109. State Board of Education -- Members.

1508        (1) A member of the State Board of Education shall:

1509        (a) be appointed by the Governor, with the consent of the senate; and

1510        (b) reside in and represent a State Board of Education district, described in Section  
1511 [53A-1-108](#).

1512        (2) ~~9~~ **15** The board shall consist of 15 members ~~9~~ **15** through December 31, 2022]  
1512a ~~9~~ **15** .

1513        ~~[(b) Beginning on January 1, 2023, the board shall consist of nine members.]~~ **9**

1514        (3) A board member shall, during the member's term of office, maintain the member's  
1515 primary residence within the State Board of Education district that the member is appointed to

1516 represent.

1517 (4) An individual who has been convicted of a grievous sexual offense, as defined in  
 1518 Section 76-1-601, against a child, may not serve as a member of the board.

1519 (5) The governor shall appoint the members of the board, as the terms of existing  
 1520 members end, as follows:

1521 (a) for terms beginning on January 1, 2019, the governor shall appoint board members  
 1522 residing in districts 1, 2, 3, 5, 6, 9, and 14 to terms of four years; and

1523 (b) for terms beginning on January 1, 2021, the governor shall appoint board members  
 1524 residing in districts 4, 7, 8, 10, 11, 12, 13, and 15 to terms of ~~§~~ ~~[two]~~ four ~~←~~ years.

1525 ~~§~~ ~~→~~ ~~[(6)] The governor shall appoint nine members to the board, to terms beginning on~~  
 1526 ~~January 1, 2023, with one member residing in and representing each of the nine districts~~  
 1527 ~~described in Subsection 53A-1-108(2) as follows:~~

1528 —— ~~(a) the governor shall appoint five members to four-year terms; and~~

1529 —— ~~(b) the governor shall appoint four members to two-year terms.~~

1530 —— ~~(7)] (6) ←~~ (a) If a vacancy occurs on the board for any reason before the end of the term for  
 1531 that board member, the governor shall appoint, with the consent of the Senate, an individual  
 1532 who resides in the applicable State Board of Education district to serve on the board for the  
 1533 remainder of the term of that board member.

1534 (b) The governor may remove an individual from the board for cause.

1535 (c) Except as provided in Subsection ~~§~~ ~~→~~ ~~[(7)] (6) ←~~ (d), the governor may not appoint an  
 1536 individual to more than two consecutive terms as a member of the board.

1537 (d) The governor may appoint an individual appointed under Subsection ~~§~~ ~~→~~ ~~[(6)(b)] or~~  
 1538 ~~(7)] (6) ←~~ (a) to two consecutive terms on the board immediately following the partial initial  
 1538a term

1539 served by the board member.

1540 ~~§~~ ~~→~~ ~~[(8)] (7) ←~~ A board member whose term expires shall continue to serve on the board  
 1540a until the

1541 member's replacement is appointed by the governor and confirmed by the Senate.

1542 ~~§~~ ~~→~~ ~~[(9)] (8) ←~~ A board member may not, during the member's term of office, also serve as  
 1542a an

1543 employee of:

1544 (a) the State Board of Education;

1545 (b) the Utah State Office of Education; or

1546 (c) the Utah State Office of Rehabilitation.";