

**MINUTES OF THE
PUBLIC EDUCATION APPROPRIATIONS SUBCOMMITTEE MEETING**

Room 445, State Capitol
February 21, 2013

Members Present: Sen. Howard A. Stephenson, Co-Chair
 Rep. Bradley G. Last, Co-Chair
 Rep. Steve Eliason, House Vice Chair
 Sen. Lyle Hillyard
 Sen. Patricia W. Jones
 Sen. Aaron Osmond
 Sen. Daniel Thatcher
 Sen. Steve Urquhart
 Rep. Joel K. Briscoe
 Rep. LaVar Christensen
 Rep. Francis Gibson
 Rep. Steve Handy
 Rep. Mike S. Kennedy
 Rep. David E. Lifferth
 Rep. Carol Spackman Moss
 Rep. Jim Nielson
 Rep. Kraig Powell

Members Excused: Sen. Stuart Adams

Members Absent: Sen. Mark B. Madsen

Staff Present: Mr. Ben Leishman, Legislative Fiscal Analyst
 Mr. Thomas E. Young, Legislative Fiscal Analyst
 Ms. Wendy Hill, Secretary

A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov. A list of visitors and a copy of handouts are filed with the subcommittee minutes.

Co-Chair Stephenson called the meeting to order at 3:22 pm.

1. Budget Reorganization

Rep. Nielson distributed his handout, "Public Education Consolidation Proposal" suggesting a change in the structure of the public education budget. He said the Utah constitution states the general control and supervision of schools is vested in the local school board. He believed the Legislature takes away authority from elected members of the school board. The proposal gave more revenue to local school boards.

Rep. Christensen commented he disagreed with the proposal and believed it was the responsibility of the Legislature to establish and maintain the public education system. He

said control and supervision belongs to the school board. Co-Chair Stephenson noted the thoughtful analysis in Rep. Nielson's report and said it deserved consideration.

2. **Budget Review**

a. **Child Nutrition Programs**

Mr. Thomas E. Young, Fiscal Analyst, said the Child Nutrition line item includes the costs associated with the following:

- National School Lunch Program
- National School Breakfast Program
- Fresh Fruit and Vegetable Program;

- After School and At-Risk Snack Programs;

- Summer Food Service Program;
- Food Distribution Program; and Emergency Food Assistance

He recommended adopting the base budget and intent language.

b. **Educator Licensing and Public Education Fees**

Mr. Young stated The Educator Licensing line item comprises costs associated with regulating and licensing teachers. Licensing services include such matters as background checks, working with universities in providing initial licenses and/or endorsements and reviewing applications from out of state and foreign countries. Recommendations are to reduce the fees because of increasing balances.

Mr. Ben Leishman, Fiscal Analyst, said the fees increased in 2008 to cover operating costs. Sen. Jones asked for more information from the Utah State Office of Education (USOE). Dr. Sydnee Dickson, Director of Education Quality and Licensing, Utah State Office of Education explained the cost was for background checks and the professional practices fee. Because of the economy there were many out of state teachers looking for employment, those fees also added to the balance. The USOE proposed a reduction in licensing fees by \$5.00. The USOE wants to use some of the surplus funds to replace old fingerprinting equipment and to update the online ethics exam.

Co-Chair Stephenson advocated a reduced fee for renewing current teachers. Dr. Dickson said that was a possibility. Rep. Powell concurred, and questioned if fingerprints needed to be taken again. Dr. Dickson said the fingerprints go through a background check with the Bureau of Criminal Investigation and FBI but they are considering a change in the procedure.

c. **Education Contracts**

Mr. Young said the Education Contracts line item covers costs associated with educating students in state custody, the Youth Center at the State Hospital in Provo and Corrections Institutions. It was recommended to adopt the base budget and approve the intent language.

3. **Minimum School Program Performance Measurement Plan**

Mr. Leishman referred to the budget brief, Minimum School Program (MSP), Basic School Program, Minimum School Budget Overview. He discussed the intent language passed last year to develop a Comprehensive Performance Measurement Plan for the MSP.

Dr. Martell Menlove, State Superintendent of Public Instruction spoke about the report, Minimum School Program Performance Measures, the USOE created.

Co-Chair Stephenson suggested an in-depth discussion of the report during interim.

4. Education Bills with Fiscal Impact

Sen. Osmond explained S.B. 71 Results-based Financing for Early Childhood Education. This bill gives private investors the opportunity to provide prekindergarten programs in the classroom and in the home. If results are beneficial the investors will be reimbursed. The program is directed to At-Risk populations. He requested \$1 million dollars from the General Fund.

Co-Chair Stephenson asked if this has a delayed fiscal note. Sen. Osmond answered reimbursement to investors is subject to appropriation, it does not bind the Legislature.

Co-Chair Stephenson explained S.B. 79 Student-centered Learning Pilot Program. This pilot program would involve one district and one charter school. The program offers students the availability of being taught all day, every day. Progress is measured by competency.

Sen. Osmond described S.B. 122 Student Leadership Skills Development. This bill is a pilot program that imparts student leadership skill development. Schools are required to match funds to qualify. He requested \$240,000 from the General Fund for 24 new schools to participate.

Co-Chair Stephenson has visited schools that use leadership skills development and was impressed with their results.

Co-Chair Stephenson discussed S.B. 175 Assessment of College Readiness. The bill is similar to last year's bill, S.B. 10. Students receive help for college entry test preparation and guidance for academic and career goals.

Sen. Hillyard cautioned there are many demands on the General Fund. Co-Chair Stephenson said bills could be amended to select a funding source. Rep. Powell asked about the college readiness bill. Co-Chair Stephenson said high school students that were not planning on college sometimes reconsider their future plans after scoring well on a college entrance exam.

Rep. Moss presented information about H.B. 307 CPR Training in Schools. Funding of \$200,000 would reinstate the high school first response program. CPR training is part of the core curriculum for sophomores in health classes. Federal money for CPR training ended in 2008. Rep. Lifferth commented on a recently passed bill that requires AED machines to be registered with 911.

Vice Chair Eliason talked about an outreach program for public school students on field trips to the State Capitol. He requested \$20,000 in one-time money. His second item, Suicide

Prevention is tied indirectly to H.B. 298 Parent Seminar on Youth Protection. He asked for appropriations of \$75,000 to cover costs associated with the seminar.

Co-Chair Stephenson asked if online information about suicide prevention was available for parents. Vice Chair Eliason said currently nothing from the state is available but there are other sources online.

Rep. Nelson spoke about the aging Dugway High School. Repairs to the building are estimated at \$20 million. Costs for a new facility are projected at \$15 million. Federal funds for a new building will cover 80 percent and the school district has \$1 million for the project. The high school enrollment fluctuates; currently there are about 100 students. He requested \$2 million to help with the new building.

Co-Chair Stephenson said that it was an unusual request. He suggested the state create a bridge loan until the district was able to pay the money back through their capital outlay budget. Vice Chair Eliason suggested scaling back on the building taking into account the number of students.

Co-Chair Stephenson reviewed S.B. 103 Carson Smith Scholarship Amendments. The bill expands the scholarship to include more special needs students.

Sen. Osmond discussed S.B. 209 Grants for Personal Mobile Learning Devices. He requested \$3 million in one-time funding. USOE will use the funds for grants to individual school districts with matching funds to buy digital devices.

5. Final Meeting Preparation: Review, Priorities, and Intent Language

Mr. Leishman handed out two documents, Public Education Appropriations Summary of Budget Issues and Public Education Summary of Intent Language. The briefs provided a summary of budget issues, recommendations, action items and proposed intent language the subcommittee may wish to consider.

Sen. Hillyard asked for the Subcommittee to bring any new intent language to the staff in time to get it drafted properly. Rep. Lifferth asked for clarification about the next meeting. Mr. Leishman described the procedures of the final meeting. Rep. Lifferth asked about sequestration possibilities. Sen. Hillyard said to assume sequestration will occur and its impact on sales tax revenue. He also said there will be great demands on money from state. Rep. Nielson asked if all new intent language from the Subcommittee be submitted by Monday. Co-Chair Stephenson said to have intent language to the staff sometime before the meeting and thanked the staff for preparing documents. Vice Chair Eliason asked if the funding items on the Budget priority sheet were in addition to the base budget and he asked if items could be changed from onetime to ongoing. Mr. Leishman answered yes to both questions. Vice Chair Eliason asked about the process of submitting the priority list. Co-Chair Last stated members should gather support from the committee on their priorities. The amount of funding will probably be unknown at the time of the last meeting. Rep. Handy thanked the staff and the Chairs for their work.

Mr. Leishman directed the attention of the Subcommittee to one last report from the Utah Seismic Safety Commission.

6. Adjourn

MOTION: Sen. Handy moved to adjourn. The motion passed unanimously.

Co-Chair Stephenson adjourned the meeting at 5:00 pm.
Minutes were reported by Ms. Wendy Hill, Senate Secretary

Sen. Howard A. Stephenson, Co-Chair

Rep. Bradley G. Last, Co-Chair