

Part 1
State School Board - Nomination and Election

20A-14-101.1 Definitions.

As used in this part:

- (1) "Board" means the State Board of Education.
- (2) "Board block assignment file" means the electronic file that assigns each of Utah's 115, 406 census blocks to a particular State Board of Education district.
- (3) "Board shapefile" means the electronic shapefile that stores the boundary of each of the 15 State Board of Education districts.
- (4) "Census block" means any one of the 115, 406 individual geographic areas into which the Bureau of the Census of the United States Department of Commerce has divided the state of Utah, to each of which the Bureau of the Census has attached a discrete population tabulation from the 2010 decennial census.
- (5) "Shapefile" means the digital vector storage format for storing geometric location and associated attribute information.

Amended by Chapter 455, 2013 General Session

20A-14-101.5 State Board of Education -- Number of members -- State Board of Education district boundaries.

- (1) As used in this section:
 - (a) "County boundary" means the county boundary's location in the database as of January 1, 2010.
 - (b) "Database" means the State Geographic Information Database created in Section 63F-1-507.
 - (c) "Local school district boundary" means the local school district boundary's location in the database as of January 1, 2010.
 - (d) "Municipal boundary" means the municipal boundary's location in the database as of January 1, 2010.
- (2) The State Board of Education shall consist of 15 members, with one member to be elected from each State Board of Education district.
- (3) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2010 national decennial census as the official data for establishing State Board of Education district boundaries.
- (4)
 - (a) Notwithstanding Subsection (3), the Legislature enacts the district numbers and boundaries of the State Board of Education districts designated in the Board shapefile that is the electronic component of the bill that enacts this section.
 - (b) That Board shapefile, and the State Board of Education district boundaries generated from that Board shapefile, may be accessed via the Utah Legislature's website.

Amended by Chapter 455, 2013 General Session

20A-14-102 State Board of Education districts.

- (1)

- (a) The Legislature shall file a copy of the Board shapefile enacted by the Legislature with the lieutenant governor's office.
 - (b) The legal boundaries of State Board of Education districts are contained in the Board shapefile on file with the lieutenant governor's office.
- (2)
- (a) The lieutenant governor shall:
 - (i) generate maps of each State Board of Education district from the Board shapefile; and
 - (ii) ensure that those maps are available for viewing on the lieutenant governor's website.
 - (b) If there is any inconsistency between the maps and the Board shapefile, the Board shapefile is controlling.

Amended by Chapter 455, 2013 General Session

20A-14-102.1 Omissions from maps -- How resolved.

- (1) If any area of the state is omitted from a State Board of Education district in the Board shapefile enacted by the Legislature, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate State Board of Education district according to the requirements of Subsections (2) and (3).
- (2) If the omitted area is surrounded by a single State Board of Education district, the county clerk shall attach the area to that district.
- (3) If the omitted area is contiguous to two or more State Board of Education districts, the county clerk shall attach the area to the district that has the least population, as determined by the Utah Population Estimates Committee.
- (4) The county clerk shall certify in writing and file with the lieutenant governor any attachment made under this section.

Amended by Chapter 455, 2013 General Session

20A-14-102.2 Uncertain boundaries -- How resolved.

- (1) As used in this section:
 - (a) "Affected party" means:
 - (i) a state school board member whose State Board of Education district boundary is uncertain because the feature used to establish the district boundary in the Board shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether or not the member or another person resides in a particular State Board of Education district;
 - (ii) a candidate for state school board whose State Board of Education district boundary is uncertain because the feature used to establish the district boundary in the Board shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether or not the candidate or another person resides in a particular State Board of Education district; or
 - (iii) a person who is uncertain about which State Board of Education district contains the person's residence because the feature used to establish the district boundary in the Board shapefile has been removed, modified, or is unable to be identified.
 - (b) "Feature" means a geographic or other tangible or intangible mark such as a road or political subdivision boundary that is used to establish a State Board of Education district boundary.
- (2)
 - (a) An affected party may file a written request petitioning the lieutenant governor to determine:
 - (i) the precise location of the State Board of Education district boundary;

- (ii) the number of the State Board of Education district in which a person resides; or
 - (iii) both Subsections (2)(a)(i) and (ii).
- (b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review:
- (i) the Board shapefile; and
 - (ii) other relevant data such as aerial photographs, aerial maps, or other data about the area.
- (c) Within five days of receipt of the request, the lieutenant governor shall:
- (i) review the Board block shapefile;
 - (ii) review any relevant data; and
 - (iii) make a determination.
- (d) If the lieutenant governor determines the precise location of the State Board of Education district boundary, the lieutenant governor shall:
- (i) prepare a certification identifying the appropriate State Board of Education district boundary and attaching a map, if necessary; and
 - (ii) send a copy of the certification to:
 - (A) the affected party;
 - (B) the county clerk of the affected county; and
 - (C) the Automated Geographic Reference Center created under Section 63F-1-506.
- (e) If the lieutenant governor determines the number of the State Board of Education district in which a particular person resides, the lieutenant governor shall send a letter identifying that district by number to:
- (i) the person;
 - (ii) the affected party who filed the petition, if different than the person whose State Board of Education district number was identified; and
 - (iii) the county clerk of the affected county.

Amended by Chapter 455, 2013 General Session

20A-14-102.3 County clerk, Automated Geographic Reference Center, and lieutenant governor responsibilities -- Maps and voting precinct boundaries.

- (1) As used in this section, "redistricting boundary data" means the Board shapefile.
- (2) Each county clerk shall obtain a copy of the redistricting boundary data for the clerk's county from the lieutenant governor's office.
- (3)
 - (a) A county clerk may create one or more county maps that identify the boundaries of State Board of Education districts as generated from the redistricting boundary data.
 - (b) Before publishing or distributing any map or data created by the county clerk that identifies the boundaries of State Board of Education districts within the county, the clerk shall submit the county map and data to the lieutenant governor and to the Automated Geographic Reference Center for review.
 - (c) Within 30 days after receipt of a county map and data from a county clerk, the Automated Geographic Reference Center shall:
 - (i) review the county map and data to evaluate if the county map and data accurately reflect the boundaries of State Board of Education districts established by the Legislature in the redistricting boundary data;
 - (ii) determine whether the county map and data are correct or incorrect; and
 - (iii) communicate those findings to the lieutenant governor.

- (d) The lieutenant governor shall either notify the county clerk that the county map and data are correct or inform the county clerk that the county map and data are incorrect.
 - (e) If the county clerk receives notice from the lieutenant governor that the county map and data submitted are incorrect, the county clerk shall:
 - (i) make the corrections necessary to conform the county map and data to the redistricting boundary data; and
 - (ii) resubmit the corrected county map and data to the lieutenant governor for a new review under this Subsection (3).
- (4)
- (a) Subject to the requirements of this Subsection (4), each county clerk shall establish voting precincts and polling places within each State Board of Education district according to the procedures and requirements of Section 20A-5-303.
 - (b) Within five working days after approval of voting precincts and polling places by the county legislative body as required by Section 20A-5-303, each county clerk shall submit a voting precinct map identifying the boundaries of each voting precinct within the county to the lieutenant governor and to the Automated Geographic Reference Center for review.
 - (c) Within 30 days after receipt of a voting precinct map from a county clerk, the Automated Geographic Reference Center shall:
 - (i) review the voting precinct map to evaluate if the voting precinct map accurately reflects the boundaries of State Board of Education districts established by the Legislature in the redistricting boundary data;
 - (ii) determine whether the voting precinct map is correct or incorrect; and
 - (iii) communicate those findings to the lieutenant governor.
 - (d) The lieutenant governor shall either notify the county clerk that the voting precinct map is correct or notify the county clerk that the voting precinct map is incorrect.
 - (e) If the county clerk receives notice from the lieutenant governor that the voting precinct map is incorrect, the county clerk shall:
 - (i) make the corrections necessary to conform the voting precinct map to the redistricting boundary data; and
 - (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the Automated Geographic Reference Center for a new review under this Subsection (4).

Amended by Chapter 455, 2013 General Session

20A-14-103 State Board of Education members -- Term -- Requirements.

- (1) Unless otherwise provided by law, each State Board of Education member elected from a State Board of Education District at or before the 2016 general election shall serve out the term of office for which that member was elected.
- (2)
- (a) A person seeking election to the State Board of Education shall have been a resident of the State Board of Education district in which the person is seeking election for at least one year as of the date of the election.
 - (b) A person who has resided within the State Board of Education district, as the boundaries of the district exist on the date of the election, for one year immediately preceding the date of the election shall be considered to have met the requirements of this Subsection (2).
- (3) A State Board of Education member shall:
- (a) be and remain a registered voter in the State Board of Education district from which the member was elected or appointed; and

- (b) maintain the member's primary residence within the State Board of Education district from which the member was elected or appointed during the member's term of office.
- (4) A State Board of Education member may not, during the member's term of office, also serve as an employee of the State Board of Education.

Amended by Chapter 28, 2016 General Session
Amended by Chapter 144, 2016 General Session
Amended by Chapter 271, 2016 General Session

20A-14-104.1 State Board of Education -- Declaration of candidacy.

- (1) A person interested in becoming a candidate for the State Board of Education shall file a declaration of candidacy according to the procedures and requirements of Sections 20A-9-201 and 20A-9-202.
- (2) The office of State Board of Education member is a partisan office.

Enacted by Chapter 28, 2016 General Session

20A-14-106 Vacancies on the State Board of Education.

Vacancies on the State Board of Education shall be filled as provided in Section 20A-1-507.

Enacted by Chapter 1, 1995 General Session