

Representative Jeff Alexander proposes to substitute the following bill:

PUBLIC EDUCATION AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Jeff Alexander

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING THAT THE SIZE OF A LOCAL BOARD OF EDUCATION SHALL BE BASED ON THE SCHOOL DISTRICT'S STUDENT POPULATION; PROVIDING THAT A SCHOOL DISTRICT SUPERINTENDENT SHALL BE APPOINTED ON THE BASIS OF OUTSTANDING PROFESSIONAL QUALIFICATIONS; PROVIDING THAT A SCHOOL DISTRICT MAY EMPLOY UNLICENSED TEACHERS WHO POSSESS OUTSTANDING PROFESSIONAL QUALIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

20A-14-202, as last amended by Chapter 132, Laws of Utah 1998

53A-3-301, as last amended by Chapter 218, Laws of Utah 1999

53A-6-104, as repealed and reenacted by Chapter 108, Laws of Utah 1999

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **20A-14-202** is amended to read:

20A-14-202. Local Boards of Education -- Membership -- When elected -- Qualifications -- Avoiding conflicts of interest.

~~[(1)(a) Unless otherwise required by this part, the Salt Lake City Board of Education shall consist of seven members and the boards of education of all other local school districts shall consist of five members.]~~

(1) (a) The board of education of a school district with a student population of up to 24,000 students shall consist of five members.

26 (b) The board of education of a school district with a student population of more than
27 24,000 students shall consist of seven members beginning with the 2002 regular general election,
28 except for the Salt Lake City School District, which is currently authorized to have a
29 seven-member board.

30 (c) If the student population in a school district with a seven-member board drops below
31 24,001 students, the district shall still maintain a seven-member board.

32 [~~(b)(i)~~] (d) Members of a local board of education shall be elected at each regular general
33 election.

34 [~~(ii) Except as provided in Subsection (1)(b)(iii), no more than three members of a local~~
35 ~~board of education may be elected to a five-member board, nor more than four members elected~~
36 ~~to a seven-member board, in any election year.]~~

37 [~~(iii) More than three members of a local board of education may be elected to a~~
38 ~~five-member board and more than four members elected to a seven-member board in any election~~
39 ~~year only when required by reapportionment or to fill a vacancy.]~~

40 [~~(e)~~] (e) One member of the local board of education shall be elected from each local
41 school board district.

42 (2) A member of a local school board shall:

43 (a) be and remain a registered voter in the local school board district from which the
44 member is elected or appointed; and

45 (b) maintain his primary residence within the local school board district from which the
46 member is elected or appointed.

47 (3) A member of a local school board may not, during the member's term in office, also
48 serve as an employee of that board.

49 Section 2. Section **53A-3-301** is amended to read:

50 **53A-3-301. Superintendent of schools -- Appointment -- Qualifications -- Term --**
51 **Compensation.**

52 (1) A local school board shall appoint a district superintendent of schools who serves as
53 the board's chief executive officer.

54 (2) (a) The board shall appoint the superintendent on the basis of outstanding professional
55 qualifications.

56 [~~(2)~~] (b) The superintendent's term of office is for two years and until a successor is

57 appointed and qualified.

58 (3) If it becomes necessary to appoint an interim superintendent due to a vacancy in the
59 office of superintendent, then the board shall make an appointment during a public meeting for an
60 indefinite term not to exceed one year, which term shall end upon the appointment and
61 qualification of a new superintendent.

62 [~~(4) The superintendent shall hold an administrative/supervisory certificate issued by the
63 State Board of Education.~~]

64 [(5)] (4) The board shall set the superintendent's compensation for services.

65 [(6)] (5) The superintendent qualifies for office by taking the constitutional oath of office.
66 Section 3. Section **53A-6-104** is amended to read:

67 **53A-6-104. Board licensure.**

68 (1) (a) The board may issue licenses for educators.

69 (b) (i) A person employed in a position that requires licensure by the board shall hold the
70 appropriate license, except that a local school board may waive the licensure requirement of a
71 classroom teacher on a case-by-case basis if the board determines that the individual is suited for
72 teaching on the basis of outstanding professional qualifications.

73 (ii) An individual employed under Subsection (1)(b)(i) who is not licensed:

74 (A) shall submit to a criminal background check as a condition for employment; and

75 (B) is considered a temporary employee as defined in Subsection 53A-8-102 and serves
76 at will with no expectation of continued employment.

77 (2) (a) The board may by rule rank, endorse, or otherwise classify licenses and establish
78 the criteria for obtaining and retaining licenses.

79 (b) The board shall make rules requiring participation in professional development
80 activities in order for educators to retain their licenses.

81 (3) Unless suspended or revoked by the board, or surrendered by the educator, a license
82 is valid for the following period:

83 (a) a letter of authorization is valid for one year, or a shorter period as specified by the
84 board, subject to renewal by the board for a total of not more than four years;

85 (b) a level 1 license is valid for three years, subject to renewal by the board for a total of
86 not more than six years;

87 (c) a level 2 license is valid for five years, subject to renewal by the board; and

88 (d) a level 3 license is valid for seven years, subject to renewal by the board.

89 Section 4. **Effective date.**

90 This act takes effect on July 1, 2000.