

ENHANCEMENT OF PUBLIC EDUCATION TASK FORCE

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Matt Throckmorton

Rebecca D. Lockhart

This act creates the Enhancement of Public Education Task Force and designates its legislative membership and staff. The act outlines the duties of the task force, with a primary focus on reviewing the purpose, functions, roles, and responsibilities of the State Office of Education. The act has a \$95,500 appropriation, a split effective date, and a November 30, 2002 repeal date.

This act enacts uncodified material.

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

Section 1. Enhancement of Public Education Task Force -- Creation -- Membership -- Rules -- Compensation -- Staff.

(1) There is created the Enhancement of Public Education Task Force consisting of the following 15 members:

(a) six members of the Senate appointed by the president of the Senate, no more than four of whom may be from the same political party;

(b) seven members of the House of Representatives appointed by the speaker of the House of Representatives, no more than five of whom may be from the same political party; and

(c) two members of the State Board of Education appointed by chairman of the state board.

(2) (a) The president of the Senate shall designate a member of the Senate appointed under Subsection (1)(a) as a cochair of the task force.

(b) The speaker of the House of Representatives shall designate a member of the House of Representatives appointed under Subsection (1)(b) as a cochair of the task force.

(3) (a) A majority of the members of the task force constitute a quorum.

(b) The action of a majority of the quorum constitutes the action of the task force.

(4) The task force may meet up to nine times each year during its two-year term.

(5) Salaries and expenses of the members of the task force shall be paid in accordance with

Section 36-2-2 and Legislative Joint Rule 15.03.

(6) (a) The Office of Legislative Research and General Counsel shall provide staff support to the task force.

(b) The task force may also use staff from the Legislative Fiscal Analyst's Office in carrying out its duties.

Section 2. Duties -- Interim report.

(1) The task force shall review and make recommendations on the following issues:

(a) the ability of schools and school districts to comply with legislative and other governmental mandates given by public education policymakers;

(b) the purpose, function, roles, and responsibilities of the State Office of Education in relation to school districts and public schools, to include whether the role of the State Office of Education should be primarily that of a facilitator or resource or primarily that of a regulator or a combination of the two in order to enhance public education within the state system;

(c) whether the functions, roles, and responsibilities should be modified and put into a statutory framework;

(d) the costs required to operate the State Office of Education;

(e) its current ability to track and monitor state and federal monies distributed to school districts through the state office and to verify or validate how those monies are being used at the district and school level;

(f) the nature and magnitude of administrative costs at the school district level and whether those costs are duplicative of administrative costs incurred at the State Office of Education;

(g) the authority or ability of the state office to deal with a school district that is out of compliance with state law or rules made to implement state laws;

(h) the conditions and tools required for schools to provide each student with a reasonable opportunity to achieve expected objectives; and

(i) any other matters the task force identifies to be important to enhance the state's public education system.

(2) The task force shall notify and seek input from the State Board of Education, the Utah

School Boards Association, the Utah School Superintendents Association, the Utah Parents and Teachers Association, the Utah Public Education Coalition, the Utah Education Association, teachers, school administrators, parents of students, and other members of the state's education community.

(3) (a) The task force shall issue at least two reports on its activities to the Legislature's Education Interim Committee.

(b) The first shall be presented no later than November 30, 2001, recommending what action the Legislature or the State Board of Education needs to take to clarify the roles and responsibilities of the State Office of Education.

(c) A final report, including any proposed legislation, shall be presented to the Education Interim Committee before November 30, 2002.

Section 3. Appropriation.

(1) There is appropriated from the General Fund for fiscal year 2000-01:

(a) \$8,250 to the Senate to pay for the compensation and expenses of senators on the task force;

(b) \$9,500 to the House of Representatives to pay for the compensation and expenses of representatives on the task force; and

(c) \$30,000 to the Office of Legislative Research and General Counsel to pay for staffing the task force.

(2) The appropriation is nonlapsing.

(3) There is appropriated from the General Fund for fiscal year 2001-02 the same amounts to the same entities identified in Subsection (1) of this appropriation section.

Section 4. Effective date.

If approved by two-thirds of all the members elected to each house, this act takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override, except that Subsection (3) of Section 3, Appropriation, takes effect July 1, 2001.

Section 5. Repeal date.

This act is repealed November 30, 2002.