

1 **STATE SCHOOL BOARD CANDIDATE**

2 **SELECTION COMMITTEES**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Karen W. Morgan**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the provisions regarding the nominating and recruiting committee
10 that selects candidates for membership on the State Board of Education.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ modifies the number of nominating and recruiting committees that select candidates
- 14 for membership on the State Board of Education;
- 15 ▶ modifies the membership of the nominating and recruiting committees; and
- 16 ▶ modifies the qualifications used by the nominating and recruiting committees to
- 17 select State Board of Education member candidates.

18 **Monies Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 This bill provides an immediate effective date.

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **20A-14-104**, as last amended by Chapter 315, Laws of Utah 2003

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

27 Section 1. Section **20A-14-104** is amended to read:



28 **20A-14-104. Becoming a candidate for membership on the State Board of**
29 **Education -- Nominating and recruiting committee -- Membership -- Procedure -- Duties.**

30 (1) (a) Persons interested in becoming a candidate for the State Board of Education
31 shall file a declaration of candidacy according to the procedures and requirements of Sections
32 20A-9-201 and 20A-9-202.

33 (b) By May 1 of the year in which a State Board of Education member's term expires,
34 the lieutenant governor shall submit the name of each person who has filed a declaration of
35 candidacy for the State Board of Education to the nominating and recruiting committee for the
36 State Board of Education district in which the candidate resides.

37 (2) ~~[(a)]~~ By November 1 of ~~[2003 and every four years thereafter,]~~ the year preceding
38 the year in which a State Board of Education member's term expires, the governor shall:

39 (a) appoint a nominating and recruiting committee consisting of ~~[11]~~ eight members,
40 each to serve a ~~[four-year]~~ one-year term, ~~[shall be appointed as follows:]~~ for the state board
41 district that member represents;

42 ~~[(i) one member appointed by the governing board of the Utah Farm Bureau;]~~

43 ~~[(ii) one member appointed by the governing board of the Utah Manufacturer's~~
44 ~~Association;]~~

45 ~~[(iii) one member appointed by the governing board of the Utah Taxpayers~~
46 ~~Association;]~~

47 ~~[(iv) one member appointed by the governing board of the Utah State Chamber of~~
48 ~~Commerce;]~~

49 ~~[(v) one member jointly appointed by the governing boards of the Utah Food Industry~~
50 ~~Association and Utah Retail Merchants Association;]~~

51 ~~[(vi) one member appointed by the governing board of the American Federation of~~
52 ~~Teachers/Utah;]~~

53 ~~[(vii) one member appointed by the governing board of the Utah Education~~
54 ~~Association;]~~

55 ~~[(viii) one member appointed by the governing board of the Utah Parent Teacher~~
56 ~~Association;]~~

57 ~~[(ix) one member appointed by the governing board of the Utah School Boards~~
58 ~~Association;]~~

59 ~~[(x) one member appointed by the governing board of the Utah School Superintendents~~
60 ~~Association; and]~~

61 ~~[(xi) one at large member appointed by the governor.]~~

62 (b) ensure that each member of the nominating and recruiting committee resides within
63 the state board district;

64 (c) ensure that:

65 (i) one member of the nominating and recruiting committee serves on a local school
66 board within the state board district;

67 (ii) one member of the nominating and recruiting committee is employed as a school
68 district or public school administrator;

69 (iii) one member of the nominating and recruiting committee is employed as a public
70 school teacher;

71 (iv) one member of the nominating and recruiting committee belongs to a parent
72 association that provides direct and ongoing support to public schools within the district; and

73 (v) four members of the nominating and recruiting committee represent business and
74 industry interests, including:

75 (A) manufacturing;

76 (B) mining;

77 (C) transportation;

78 (D) public utilities;

79 (E) service;

80 (F) trade;

81 (G) information technology;

82 (H) finance;

83 (I) insurance;

84 (J) real estate;

85 (K) construction; and

86 (L) agriculture; and

87 ~~[(b) The members shall elect]~~ (d) designate one member to serve as chair for the
88 committee.

89 (3) (a) The chair, or another member of the committee designated by the chair, shall

90 schedule and convene all committee meetings.

91 (b) Any formal action by the committee requires the approval of a majority of
92 committee members.

93 (c) Members of the nominating and recruiting committee shall serve without
94 compensation, but they may be reimbursed for expenses incurred in the performance of their
95 official duties as established by the Division of Finance.

96 (4) ~~The~~ Each nominating and recruiting committee shall:

97 (a) recruit potential candidates for membership on the State Board of Education prior
98 to the deadline to file a declaration of candidacy;

99 (b) prepare a list of candidates for membership on the State Board of Education [~~for~~
100 ~~each state board district subject to election in that year~~] from its district using the qualifications
101 under Subsection (5);

102 (c) submit a list of at least three candidates for [~~each~~] the state board position to the
103 governor by July 1; and

104 (d) ensure that the list includes appropriate background information on each candidate.

105 (5) The nominating committee shall select [~~a broad variety of~~] candidates who possess
106 outstanding professional qualifications relating to the powers and duties of the State Board of
107 Education[~~, including experience in the following areas:~~].

108 [~~(a) business and industry administration;~~]

109 [~~(b) business and industry human resource management;~~]

110 [~~(c) business and industry finance;~~]

111 [~~(d) business and industry, including expertise in:~~]

112 [~~(i) metrics and evaluation;~~]

113 [~~(ii) manufacturing;~~]

114 [~~(iii) retailing;~~]

115 [~~(iv) natural resources;~~]

116 [~~(v) information technology;~~]

117 [~~(vi) construction;~~]

118 [~~(vii) banking;~~]

119 [~~(viii) science and engineering; and~~]

120 [~~(ix) medical and healthcare;~~]

- 121 [~~(e) higher education administration;~~]
- 122 [~~(f) applied technology education;~~]
- 123 [~~(g) public education administration;~~]
- 124 [~~(h) public education instruction;~~]
- 125 [~~(i) economic development;~~]
- 126 [~~(j) labor; and]~~
- 127 [~~(k) other life experiences that would benefit the State Board of Education.]~~

128 Section 2. **Effective date.**

129 If approved by two-thirds of all the members elected to each house, this bill takes effect
130 upon approval by the governor, or the day following the constitutional time limit of Utah
131 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
132 the date of veto override.

Legislative Review Note
as of 1-16-04 3:12 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0223

State School Board Candidate Selection Committees

27-Jan-04

2:02 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst