

1 **EDUCATION EMPLOYEE ASSOCIATION AMENDMENTS**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Mark B. Madsen**

5 House Sponsor: Merlynn T. Newbold

7 **LONG TITLE**

8 **General Description:**

9 This bill enacts provisions in Chapter 53A, State System of Public Education, related to
10 policies and procedures governing education employee associations.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ requires school districts and charter schools to allow education employee
14 associations equal access to the following activities:
- 15 • distribution of information to teachers' or employees' physical or electronic
16 mailboxes; and
 - 17 • membership solicitation at new teacher or employee orientation;
- 18 ▶ prohibits school districts and charter schools from:
- 19 • establishing or maintaining procedures that favor one education employee
20 association over another; or
 - 21 • explicitly or implicitly endorsing an education employee association; and
- 22 ▶ prohibits a school's calendars and publications from referring to the name of any
23 education employee organization in reference to any break in the school calendar.

24 **Monies Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 ENACTS:

30 **53A-3-426**, Utah Code Annotated 1953

31

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

33 Section 1. Section **53A-3-426** is enacted to read:

34 **53A-3-426. Education employee associations -- Equal participation -- Prohibition**
35 **on endorsement or preferential treatment -- Naming of school breaks.**

36 (1) As used in this section:

37 (a) "Education employee association" includes teacher associations, teacher unions,
38 teacher organizations, and classified education employees' associations.

39 (b) "School" means a school district, a school in a school district, a charter school, or
40 the State Board of Education and its employees.

41 (2) A school shall allow education employee associations equal access to the following
42 activities:

43 (a) distribution of information in or access to teachers' or employees' physical or
44 electronic mailboxes, including email accounts that are provided by the school; and

45 (b) membership solicitation activities at new teacher or employee orientation training
46 or functions.

47 (3) If a school permits an education employee association to engage in any of the
48 activities described in Subsection (2), the school shall permit all other education employee
49 associations to engage in the activity on the same terms and conditions afforded to the
50 education employee association.

51 (4) It is unlawful for a school to:

52 (a) establish or maintain structures, procedures, or policies that favor one education
53 employee association over another or otherwise give preferential treatment to an education
54 employee association; or

55 (b) explicitly or implicitly endorse any education employee association.

56 (5) A school's calendars and publications may not include or refer to the name of any
57 education employee association in relation to any day or break in the school calendar.

