

1 **MODIFICATION OF EDUCATION-RELATED REPORTING**

2 **REQUIREMENTS**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Francis D. Gibson**

6 Senate Sponsor: Aaron Osmond

8 **LONG TITLE**

9 **General Description:**

10 This bill eliminates requirements to submit certain reports to the Education Interim
11 Committee, the Higher Education Appropriations Subcommittee, and the governor.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ eliminates an annual report to the Education Interim Committee on teacher quality;
- 15 ▶ eliminates an annual report to the Education Interim Committee, the Higher

16 Education Appropriations Subcommittee, and the governor regarding the
17 Engineering and Computer Science Initiative; and

- 18 ▶ eliminates an annual report to the Education Interim Committee on transfers of
19 information technology equipment by state agencies to public schools.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **53A-6-102**, as last amended by Laws of Utah 2001, Chapter 86

27 **53B-6-105.5**, as last amended by Laws of Utah 2010, Chapter 286

28 **63A-2-401**, as last amended by Laws of Utah 2012, Chapters 212 and 369

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

31 Section 1. Section **53A-6-102** is amended to read:

32 **53A-6-102. Legislative findings on teacher quality -- Declaration of education as**
33 **a profession.**

34 (1) (a) The Legislature acknowledges that education is perhaps the most important
35 function of state and local governments, recognizing that the future success of our state and
36 nation depend in large part upon the existence of a responsible and educated citizenry.

37 (b) The Legislature further acknowledges that the primary responsibility for the
38 education of children within the state resides with their parents or guardians and that the role of
39 state and local governments is to support and assist parents in fulfilling that responsibility.

40 (2) (a) The Legislature finds that:

41 (i) quality teaching is the basic building block of successful schools and, outside of
42 home and family circumstances, the essential component of student achievement;

43 (ii) the high quality of teachers is absolutely essential to enhance student achievement
44 and to assure educational excellence in each classroom in the state's public schools; and

45 (iii) the implementation of a comprehensive continuum of data-driven strategies
46 regarding recruitment, preservice, licensure, induction, professional development, and
47 evaluation is essential if the state and its citizens expect every classroom to be staffed by a
48 skilled, caring, and effective teacher.

49 (b) In providing for the safe and effective performance of the function of educating
50 Utah's children, the Legislature further finds it to be of critical importance that education,
51 including instruction, administrative, and supervisory services, be recognized as a profession,
52 and that those who are licensed or seek to become licensed and to serve as educators:

53 (i) meet high standards both as to qualifications and fitness for service as educators
54 through quality recruitment and preservice programs before assuming their responsibilities in
55 the schools;

56 (ii) maintain those standards in the performance of their duties while holding licenses,
57 in large part through participating in induction and ongoing professional development

58 programs focused on instructional improvement;

59 (iii) receive fair, systematic evaluations of their performance at school for the purpose
60 of enhancing the quality of public education and student achievement; and

61 (iv) have access to a process for fair examination and review of allegations made
62 against them and for the administration of appropriate sanctions against those found, in
63 accordance with due process, to have failed to conduct themselves in a manner commensurate
64 with their authority and responsibility to provide appropriate professional services to the
65 children of the state.

66 ~~[(3) The State Board of Education and the State Board of Regents shall make an annual
67 report to the Legislature through the Education Interim Committee on the status of teacher
68 quality in the state based on the continuum referred to in Subsection (2)(a)(iii), to include
69 adequate and reliable data on the state's supply of and demand for teachers.]~~

70 Section 2. Section **53B-6-105.5** is amended to read:

71 **53B-6-105.5. Technology Initiative Advisory Board -- Composition -- Duties.**

72 (1) There is created a Technology Initiative Advisory Board to assist and make
73 recommendations to the State Board of Regents in its administration of the Engineering and
74 Computer Science Initiative established under Section 53B-6-105.

75 (2) (a) The advisory board shall consist of individuals appointed by the governor from
76 business and industry who have expertise in the areas of engineering, computer science, and
77 related technologies.

78 (b) The advisory board shall select a chair and cochair.

79 (c) The advisory board shall meet at the call of the chair.

80 (d) The State Board of Regents, through the commissioner of higher education, shall
81 provide staff support for the advisory board.

82 (3) A member of an advisory board may not receive compensation or benefits for the
83 member's service, but may receive per diem and travel expenses in accordance with:

84 (a) Section 63A-3-106;

85 (b) Section 63A-3-107; and

86 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
87 63A-3-107.

88 (4) The advisory board shall:

89 (a) make recommendations to the State Board of Regents on the allocation and
90 distribution of money appropriated to fund:

91 (i) the faculty incentive program established in Section 53B-6-105.9;

92 (ii) equipment purchases required to improve the quality of instructional programs in
93 engineering, computer science, and related technology; and

94 (iii) the scholarship program established in Section 53B-6-105.7.

95 (b) prepare a strategic plan that details actions required by the State Board of Regents
96 to meet the intent of the Engineering and Technology Science Initiative;

97 (c) review and assess engineering, computer science, and related technology programs
98 currently being offered at higher education institutions and their impact on the economic
99 prosperity of the state;

100 (d) provide the State Board of Regents with an assessment and reporting plan that:

101 (i) measures results against expectations under the initiative, including verification of
102 the matching requirements for institutions of higher education to receive money under Section
103 53B-6-105.9; and

104 (ii) includes an analysis of market demand for technical employment, program
105 articulation among higher education institutions in engineering, computer science, and related
106 technology, tracking of student placement, student admission to the initiative program by
107 region, transfer rates, and retention in and graduation rates from the initiative program; and

108 (e) make an annual report of its activities to the State Board of Regents~~[, the~~
109 ~~Legislature through the Education Interim Committee and the Higher Education Appropriations~~
110 ~~Subcommittee, and the governor].~~

111 (5) The annual report of the Technology Initiative Advisory Board shall include the
112 summary report of the institutional matches described in Section 53B-6-105.9.

113 Section 3. Section **63A-2-401** is amended to read:

114 **63A-2-401. State surplus property program -- Definitions -- Administration.**

115 (1) As used in this part, "agency" means:

116 (a) the Utah Departments of Administrative Services, Agriculture and Food, Alcoholic
117 Beverage Control, Commerce, Heritage and Arts, Corrections, Workforce Services, Health,
118 Human Resource Management, Human Services, Insurance, Natural Resources, Public Safety,
119 Technology Services, and Transportation and the Labor Commission;

120 (b) the Utah Offices of the Auditor, Attorney General, Court Administrator, Utah
121 Office for Victims of Crime, Rehabilitation, and Treasurer;

122 (c) the Public Service Commission and State Tax Commission;

123 (d) the State Boards of Education, Pardons and Parole, and Regents;

124 (e) the Career Service Review Office;

125 (f) other state agencies designated by the governor;

126 (g) the legislative branch, the judicial branch, and the State Board of Regents; and

127 (h) an institution of higher education, its president, and its board of trustees for
128 purposes of Section 63A-2-402.

129 (2) (a) The division shall make rules establishing a state surplus property program that
130 meets the requirements of this chapter by following the procedures and requirements of Title
131 63G, Chapter 3, Utah Administrative Rulemaking Act.

132 (b) The rules shall include:

133 (i) a requirement prohibiting the transfer of surplus property from one agency to
134 another agency without written approval from the division;

135 (ii) procedures and requirements governing division administration requirements that
136 an agency must follow;

137 (iii) requirements governing purchase priorities;

138 (iv) requirements governing accounting, reimbursement, and payment procedures;

139 (v) procedures for collecting bad debts;

140 (vi) requirements and procedures for disposing of firearms;

141 (vii) the elements of the rates or other charges assessed by the division for services and

142 handling;

143 (viii) procedures governing the timing and location of public sales of inventory

144 property; and

145 (ix) procedures governing the transfer of information technology equipment by state
146 agencies directly to public schools.

147 ~~[(c) The division shall report all transfers of information technology equipment by state~~
148 ~~agencies to public schools to the Legislative Education Interim Committee at the end of each~~
149 ~~fiscal year.]~~

150 (3) In creating and administering the program, the division shall:

151 (a) when conditions, inventory, and demand permit:

152 (i) establish facilities to store inventory property at geographically dispersed locations
153 throughout the state; and

154 (ii) hold public sales of property at geographically dispersed locations throughout the
155 state;

156 (b) establish, after consultation with the agency requesting the sale of surplus property,
157 the price at which the surplus property shall be sold; and

158 (c) transfer proceeds arising from the sale of state surplus property to the agency
159 requesting the sale in accordance with Title 63J, Chapter 1, Budgetary Procedures Act, less a
160 fee approved in accordance with Sections 63A-1-114 and 63J-1-410, to pay the costs of
161 administering the surplus property program.

162 (4) Unless specifically exempted from this part by explicit reference to this part, each
163 state agency shall dispose of and acquire surplus property only by participating in the division's
164 program.