

# UEA LEGISLATIVE SUMMARY 2023



“

Our goal has always been to ensure public education funding in Utah is prioritized, protected and adequate through constitutional language and guarantees.

- UEA President Renée Pinkney

# Contents

04

BUDGET SUMMARY

05

VOUCHER BILL

06

STATE CONSTITUTION

07

CURRICULUM

08

ANTI-LABOR

09

TAX CUTS

# 2023 UEA Legislative Summary

## Private School Vouchers and Constitutional Mandate Changes Dominate “Year of the Teacher”

At the beginning of 2023, Utah Gov. Spencer Cox called it the “Year of the Teacher,” promising to prioritize education funding.

During the 2023 General Session of the Legislature, lawmakers passed a record-setting public education funding increase for the third straight year. UEA worked with lawmakers to raise the Weighted Pupil Unit (WPU) by six percent, including increases for inflation and student enrollment growth. Lawmakers will spend \$64 million to continue to pay educators for a portion of work performed outside contract hours. Optional full-day kindergarten will be expanded across Utah at the price of \$25 million.

Early in the session, it became clear the state budget would be overshadowed by legislation targeting Utah educators and public education. In the first eight days, lawmakers suspended their own rules to pass a \$42 million private school voucher bill quickly. House Bill 215 “Funding for Teacher Salaries and Optional Education” was tied to a \$4,200 educator salary increase. It appears the legislation was a well-coordinated effort that began before the start of the General Session. Lawmakers received a supermajority of votes, prohibiting UEA from gathering signatures for a ballot referendum. UEA is exploring every option to overturn the damaging legislation that jeopardizes the future of public education.

Through Senate Joint Resolution 10, Republican lawmakers aim to change the Utah Constitution to eliminate the constitutional requirement that all state income tax revenue shall be used for K-12 education, higher education, children, and people with disabilities. The constitutional guarantee that income tax is used for education has been in place for more than 75 years,

and UEA believes it demonstrates a clear mandate that education funding be prioritized.

UEA has participated in discussions with lawmakers to see if it is possible to create better guarantees for education funding. The Association is waiting to take a position on a substitute version of SJR10. Since it passed out of the legislature, we will seek member input during the House of Delegates. Our goal has always been to ensure public education funding in Utah is prioritized, protected and adequate through constitutional language and guarantees.

**Early in the session, it became clear the state budget would be overshadowed by legislation targeting Utah educators and public education.**

Legislators introduced several bills addressing curriculum, instructional materials, library books and transparency. They sought to micromanage and over-regulate public schools. Some bills were aimed directly at UEA as an association. Thankfully, many of the bills failed to move forward or were substantively changed.

Schools will no longer be graded due to the passage of HB308 “School Grading Modifications” by Rep. Douglas Welton (R-Payson). This bill removes the single letter grade from the school accountability system along with the corresponding category labels. The data dashboards remain for accountability purposes. UEA supported this bill as a move to a better accountability system.

While 2023 brought an unusually difficult General Session, UEA’s Legislative Team fought for educators and students. Each day they were at the capitol asking legislators to adequately fund public schools, demonstrate more trust for professional educators and enact fewer regulations.

# 4 BUDGET SUMMARY

The budget for the 2023-2024 year started in December of 2022 when the Executive Appropriations Committee began the funding process with the Public Education base budget and increased the WPU by the inflationary component of 3.4%. As the session progressed, UEA worked with the Public Education Appropriations Subcommittee to increase the WPU to 6% overall.

One other bill of note is SB 183 "Educator Salary Amendments" sponsored by Sen. Evan Vickers. This bill does three things:

1. Indexes the Educator Salary Adjustment (ESA) to the previous years' WPU increase, starting next year.
2. Indexes the Teacher Salary Supplement Program (TSSP) in the same way.
3. Requires that an educator's three most recent evaluations must be unsatisfactory to lose the ESA.

## HIGHLIGHTS

### Ongoing items:

- 6% increase on the WPU. This is the 3rd year in a row with a 6% increase. This hasn't happened since the early 1980s. This includes 3.4% for inflation.
- \$239.5 million for Educator Salary Adjustments. This doubles the amount of the ESA from \$4200 to \$8,400.
- \$25 million for full-day kindergarten. Most likely, this is enough for every district and charter that wants to adopt the program.
- \$25.9 million for at-risk student funding. This is for additional weighting to the line item for at-risk students.
- \$19.1 million for Public Education Funding Equalization. This is for property tax equalization.

### One-time items:

- \$64 million for paid professional time for educators. This is the approximately 32 hours of educator-directed time that was started last year and will continue for the 2023-24 school year.
- \$30 million flexible allocation to districts in counties of the 3rd-6th class.
- \$7.2 million to the Grow Your Own Teacher & Counselor Pipeline Program.

# VOUCHER BILL

## HB 215

**Educator salary increases should not come with strings attached in order to pass a voucher bill, but should be based on the important and valuable work educators do every day.**  
- UEA President Renée Pinkney

The Legislature moved fast to pass a \$42 million school voucher program. The UEA has a long history of opposing efforts to send public money to private schools. To earn Governor Cox's support, the Legislature added \$4,200 in educator compensation to the bill. UEA believes educator salary increases should be based on the valuable work educators do every day and not come with strings attached just to pass a voucher bill.



*UEA President Renée Pinkney spoke to hundreds of educators rallying against private school vouchers on Jan. 23 at the Utah Capitol.*

The voucher section of the bill was problematic. There are no provisions to require private schools or eligible service providers to be accredited, use curricula aligned with Utah core standards, use statewide standardized assessments, or employ professionally licensed teachers and administrators.

Despite an outpouring of emails, calls and text messages from educators and the public, lawmakers fast-tracked a voucher bill in less than two weeks. It is clear that this was a well-coordinated effort that began before the session started. Governor Cox signed the legislation into law.

**UEA will seek member input on SJR 10 during the UEA House of Delegates in April.**

## Constitution

Before the 2023 General Session of the Legislature commenced, UEA and other education stakeholders began meeting with lawmakers regarding the constitutional mandate of dedicating state income tax revenue solely to public education, higher education, children, and individuals with disabilities.

Legislators want greater flexibility in the use of state revenue and UEA wants to ensure better distribution of revenue so that education funding is prioritized, protected and adequate. SJR 10 proposed eliminating the constitutional mandate which UEA opposed.

The bill was substituted with a proposal to add language to the constitution guaranteeing funding for long-term inflationary costs, student enrollment growth and maintenance of an education stabilization account, while also allowing the legislature to use income tax for additional state priorities.

A companion bill, HB 394, creates "hold harmless" language ensuring a projected decline in student enrollment would not negatively impact funding for five years, if the constitutional amendment passes in 2024. In addition, a 2% increase on the WPU will go in to effect if the amendment passes. Any change to the constitution must be approved through a vote in the November 2024 general election.

# Curriculum

## **Multiple bills related to classroom instruction and curriculum were proposed this year, but only one passed out.**

HB427 "Individual Freedom in Public Education" by Rep. Tim Jimenez (R-Tooele) establishes principles of "individual freedom" in schools and prohibits "instructional personnel...to implement policies or programs with content that is inconsistent with" principles of individual freedom. UEA opposed the bill because of concerns about how an administrator or parent may interpret what educators can or can't say in a classroom.

Several other bills received hearings but failed to pass the legislature. HB 82 "School Assembly Notice Requirements" sponsored by Rep. Melissa Ballard (R-Davis Co.) would require school districts to notify parents at least three days in advance of a school assembly that deals with "prevention" topics or "education equity". UEA opposed the bill because it singles out diversity, equity and inclusion topics as those needing prior parent notification.

Also, failing to pass were HB 464 "Sensitive Materials Amendments" by Rep Ivory and HB138 "Sensitive Material Requirements" by Rep. Ballard. Both would have added to the "sensitive materials" legislation passed last year. UEA opposed the bills because districts have only had a sensitive materials review policy in place since October 1, 2022 and these bills would change policy requirements.

Other problems include that students and parents of students not enrolled in the school district can file a complaint, complaints can be based on a single sentence in a book rather than the work as a whole and a book must be removed before it is reviewed in its entirety or even determined to violate sensitive materials prohibitions.

# ANTI-LABOR

**HB 241 - HB 243 - HB 412**

Several attempts were made to chip away at labor union/association rights. HB 241 "Labor Union Amendments" by Rep. Jordan Teuscher (R-South Jordan) was a direct attack on our association. This bill would have eliminated the option for our members to pay their dues using payroll deduction. This is a classic union-busting technique that has negatively affected associations in other states. As a member of Utah One (a coalition of associations and labor organizations), UEA worked to keep the legislation locked up in the Rules Committee. HB241 never received a public hearing.

**UEA believes state government functions best when administered by qualified, well-trained employees who are fairly compensated and free to do their jobs without fear of retribution.**

UEA also collaborated with Utah One to oppose HB243 "Public Transit Employee Collective Bargaining Amendments" by Rep. Jon Hawkins (R-Pleasant Grove) and HB412 " State Employment Revisions" by Rep. Kay Christofferson (R-Lehi). The Utah Transit Authority pushed for HB243 to limit "supervisors" ability to organize and join a union. It passed both chambers and is expected to be signed by Gov. Cox.

The Governor's Office pushed HB412 which would change some state workers' employment status to "at-will," meaning they could be dismissed at any time without warning. After multiple attempts to revise and pass the bill, it failed on the house floor. UEA opposes efforts to dismantle or circumvent provisions of Utah's Career Service System.

Once again, 2023 was touted as the “Year of the Tax Cut” on Utah’s Capitol Hill. Lawmakers filed bills ranging from topics such as income taxes, property taxes, social security taxes, removal of the food tax, and others. When all was said and done, there was one bill left standing into which all the proposals were consolidated.

HB54 “Tax Revisions” by Rep. Steve Eliason (R-Sandy) contains the following items:

●  
An income tax rate cut from 4.85% to 4.65%.

●  
A change in the calculation of the Earned Income Tax Credit.

●  
A raising of the income level for exemption of taxes on social security.

●  
A removal of the state portion of the food tax (1.75%) in January of 2025

IF  
the constitutional amendment regarding education funding passes in November, 2024.

●  
A double deduction for a child in the year they are born.

**These cuts would reduce the  
Income Tax Fund by more than  
\$400 million.**

# Your UEA Legislative Team

Your UEA Legislative Team works with Utah legislators and policymakers to support our teachers and promote the UEA Legislative Program as determined by Utah educator members at the UEA House of Delegates annual business meeting.



**Renée Pinkney**

President  
801-266-4461  
renee@myUEA.org  
@UEARenee



**Brandon Baca**

Vice President  
801-266-4461  
brandon@myUEA.org  
@UEABrandon



**Jennifer Boehme**

Executive Director  
801-696-2828  
jennifer@myUEA.org



**Jay Blain**

Policy and Research  
801-641-5297  
jay@myUEA.org  
@jbpascal



**Chase Clyde**

Government Relations  
435-260-9760  
chase@myUEA.org  
@ChaseC007



**Sara Jones**

Government Relations  
801-558-5500  
sara@myUEA.org

## Notable Legislation

The UEA followed nearly 100 education-related bills over the session. Here are a few pieces of notable legislation we tracked and UEAs position on their final status:  **Favorable**  **Neutral**  **Unfavorable**

<a href="#">HB 82 S3 School Assembly Notice Requirements</a> M. Ballard	Requires prior parental notice of school assemblies.	 Passed House. Never heard in Senate
<a href="#">HB 138 S6 Sensitive Materials Requirements</a> M. Ballard	Amends requirements and prohibitions regarding sensitive materials in public schools.	 Passed House. Never heard in the Senate
<a href="#">HB 209 S6 Participation in Extracurricular Activities Amendments</a> J. Teuscher	Clarifies for students not enrolled in a school district a process for participation in extracurricular activities; also requires UHSAA to collect a birth certificate or other documentation for participating students.	 Passed House and Senate
<a href="#">HB 215 S3 Funding for Teacher Salaries and Optional Education Opportunities</a> C. Pierucci	Creates the Utah Fits All voucher program tied to doubling the Educator Salary Adjustment money for educators.	 Passed House and Senate
<a href="#">HB 217 S2 School Energy and Water Reductions</a> G. Bennion	Authorizes the state board to issue grants related to energy and water reductions.	 Passed House and Senate
<a href="#">HB 241 Labor Union Amendments</a> J. Teuscher	Prohibits educators from using payroll deduction to pay their association membership dues.	 Never heard in committee

<a href="#">HB 215 S3 Funding for Teacher Salaries and Optional Education Opportunities</a> C. Pierucci	Creates the Utah Fits All voucher program tied to doubling the Educator Salary Adjustment money for educators.	 Passed House and Senate
<a href="#">HB 217 S2 School Energy and Water Reductions</a> G. Bennion	Authorizes the state board to issue grants related to energy and water reductions.	 Passed House and Senate
<a href="#">HB 241 Labor Union Amendments</a> J. Teuscher	Prohibits educators from using payroll deduction to pay their association membership dues.	 Never heard in committee
<a href="#">HB 308 S1 School Grading Modifications</a> D. Welton	Eliminates the single letter grade assigned to a school based on student standardized test scores.	 Passed House and Senate
<a href="#">HB 344 Sub 1 Local Policies for Course Content Transparency</a> J. Teuscher	Requires local school boards adopt a policy that considers many processes regarding transparency and report annually to the state board of education.	 Failed in the House
<a href="#">HB 421 School LAND Trust Program Amendments</a> J. Moss	Modifies the percentage of revenue from trust lands that are distributed from the Land Grant Management Fund.	 Passed House and Senate
<a href="#">HB 427 Sub 2 Individual Freedom in Public Education</a> T. Jimenez	Prohibits the use of instructional materials and classroom instruction that is inconsistent with the principles of inalienable rights, equal opportunity, and individual merit.	 Passed House and Senate
<a href="#">HB 451 S1 State Entity Restrictions</a> K. Hall	Prohibits the use of certain statements or materials by a state entity to determine employment, admission, or other benefits, and the use of certain specialized services.	 Failed in Senate Committee
<a href="#">HB 477 Full-day Kindergarten Amendments</a> R. Spendlove	Expands full-day kindergarten to all local education agencies with an option for half-day kindergarten.	 Passed House and Senate
<a href="#">HB 489 Educator Paid Professional Hours</a> J. Moss	Clarifies the timeline for educators submitting a plan for paid professional hours.	 Passed House and Senate
<a href="#">SB 35 S3 Reciprocal Professional Licensing Amendments</a> C. Bramble	Enacts the Interstate Teacher Mobility Compact.	 Passed House and Senate
<a href="#">SB 55 Public School Instructional Material Requirements</a> L. Fillmore	Addresses requirements related to the local board approval of curriculum and classroom materials.	 Passed House and Senate
<a href="#">SB 103 S1 Student Graduation Attire Modifications</a> K. Kwan	Allows individuals to wear cultural attire during graduation ceremonies.	 Passed House and Senate
<a href="#">SB 149 Teacher Evaluation Amendments</a> K.Riebe	Allows educator evaluations to be every two years if the previous evaluation was satisfactory.	 Passed Senate. Never heard in House
<a href="#">SB 183 Educator Salary Amendments</a> E. Vickers	Indexes the Educator Salary Adjustment and Teacher Salary Supplement Program monies to the previous year's WPU increase.	 Passed House and Senate
<a href="#">SJR 10 Sub 1 Proposal to Amend Utah Constitution Income Tax</a> D. McCay	Amends the constitutional mandate that state income tax be used for public education, higher education, children and individuals with disabilities.	 Passed House and Senate

