

USEA LEGISLATIVE UPDATE/ALERT
February 19, 2009

Budget/funding issues:

Although not as bad as some had feared, the latest revenue projections still indicate less revenue for both the present 2008-09 and upcoming 2009-10 fiscal years. The Legislature may feel further cuts to existing programs are necessary to balance the budget.

USEA, along with other members of the public education community, believes that any further cuts will adversely affect the quality of the education available to Utah students. We believe that the better-reasoned approach is to bond for some expenses, where practical, and to use the state rainy day funds, education set-aside funds, and other one-time money including federal stimulus funding to “backfill” revenue shortfalls.

To reiterate previous talking points:

Public education is critical to the long-term economic success of the state;

It is in the best interests of the state to keep existing programs intact as much as possible, retaining qualified employees and established programs;

Alternatives to reductions in funding for public education (bonding, rainy day funds) are available to reduce the present shortfall;

Reduced funding for public education will result in long-term costs to the state because of a less-educated workforce, lost industry, and other impacts;

Final decisions as to where to make any reductions should be left to local school boards, who best understand the needs of their students and communities;

Funding public education is an investment, not a cost.

Pending bills of interest

HB 328 “Teacher Quality Amendments” Rep. Greg Hughes (R Draper): This bill authorizes districts to propose pilot programs to distribute performance pay to teachers. Forty percent of the assessment of a teacher’s performance must be based on “student achievement.” Classified employees are specifically excluded. The pilot programs would be paid for with \$300,000 per year from the Uniform School Fund.

USEA opposes this bill because:

Given the current revenue projection, the only way to fund any new program is to further cut funding for existing programs. Funding this program will require reduction or elimination of existing programs elsewhere. This is not the year to start a new program that costs money.

Giving teachers extra pay for student achievement while excluding classified employees who may make an equal contribution to student achievement is simply wrong. We discuss this issue further in relation to the next bill.

HJR 13 “Joint Resolution: Teacher Performance Pay” Rep. Marie Poulson (D Salt Lake): This resolution, if passed, would express the Legislature’s support for performance pay for teachers. Again, even though the bill encourages performance pay to reward student achievement, it excludes ESPs.

We think that ESPs should be included in any performance pay plan based on student achievement because:

When districts developed performance pay plans last year in response to SB 281, the overwhelming majority included at least some of their ESPs;

Including all employees encourages better schools, not just better teachers;

Education support professionals are substantial stakeholders in any performance pay plan. They will have to work alongside those teachers who are awarded performance pay. The money for that performance pay will reduce the funds available for other purposes in a district.

Excellent support helps all teachers do better;

Student achievement is the result of parental support and all employees’ efforts: teachers don’t do it by themselves;

USEA contacted Rep. Poulson and asked her to amend her bill to allow participation by all school employees: she declined to make any changes.

USEA testified in opposition to both HB 328 and HJR 13 these reasons.

1st Sub. HB 260 “School Employee Termination Amendments” (Rep. Carl Wimmer (R. Herriman): The first version of this bill would have repealed the Orderly School Termination Procedures Act, which gives school employees, including ESPs, career status and protection from arbitrary terminations. The major provisions of the substitute bill would increase the probationary period for school employees from three years to five years, and allow probationary employees to be terminated for any reason.

USEA opposes this bill because:

Neither districts nor employees believe that the present Act needs to be changed. The bill is a solution to a problem that doesn't exist.

The present Act provides uniform statewide minimum requirements for school employee terminations that have been proven fair and equitable over many years. Both Districts and employees understand and rely on the present Act.

The present Act provides minimal protection for school employees from arbitrary, capricious, unfair, or improper terminations.

Districts are already able to terminate poor employees: the present Act simply ensures that terminations are based on legitimate, objective reasons.

You can make a difference. Contact your representative or senator and the sponsors of these bills to let them know your position. Be sure to identify your self as a constituent, a classified school employee (education support professional), and a voter.

Thank you for taking the time to make your support of public education known to the Legislature. If you have any questions about what is happening on Capitol Hill, contact the USEA offices.

Legislative Contact Information

You can contact your State Representatives and Senators by phone, email or letter. The important thing is that legislators hear from you, their constituent. Be respectful but let them know what you think.

If you need assistance in contacting your legislators, call USEA at 801-269-9320 or 1-800-662-6544; go to the USEA website at www.useautah.org or the legislative website at www.le.state.ut.us

House of Representatives

<http://www.le.state.ut.us/house/members/membertable1add.asp>

Senate

<http://www.utahsenate.org/perl/roster2009.pl>