

FIFTY-FIRST LEGISLATURE
SECOND SESSION, 2014

SJR 2/a

February 12, 2014

Mr. President:

Your **EDUCATION COMMITTEE**, to whom has been referred

SENATE JOINT RESOLUTION 2

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 12, strike "NONPARTISAN ELECTED" and insert in lieu thereof "THIRTEEN-MEMBER".

2. On page 1, line 13, after the first occurrence of "EDUCATION", insert "WITH TEN ELECTED AND THREE APPOINTED MEMBERS".

3. On page 1, line 14, strike "QUALIFIED".

4. On page 1, lines 14 and 15, strike "DIRECT THE OPERATION OF" and insert in lieu thereof "MANAGE".

5. On page 2, strike Subsection B in its entirety and insert in lieu thereof:

"B. The state board of education shall consist of thirteen members, as follows:

(1) ten members of the state board of education shall be elected for staggered terms of four years. Each elected member shall be a resident of the state board of education district from which the member was elected. An elected member who no longer resides in the district from which the member was elected shall be deemed to have resigned; and

(2) three members shall be nominated and appointed, with the advice and consent of the senate, from each of the three congressional districts by the governor for staggered terms of four years, subject to the provisions of Subsection C of this section.

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C. The initial state board of education shall consist of elected and appointed members consisting of:

(1) those members of the public education commission elected to the public education commission in 2012 and 2014, each of whom shall serve the remainder of the term for which the public education commission member was elected. The districts from which the public education commission members were elected in 2012 and 2014 shall constitute the state board of education districts until redistricted following a federal decennial census; and

(2) the initial appointed members who shall serve the following initial terms as determined by lot:

(a) one initial appointed member shall serve until January 1, 2017;

(b) one initial appointed member shall serve until January 1, 2018; and

(c) one initial appointed member shall serve until January 1, 2019.

D. State board of education members shall be entitled to receive per diem and mileage as provided for public officers by law, but shall receive no other perquisite, compensation or allowance."

6. Reletter the succeeding subsections accordingly.

7. On page 3, strike lines 2 through 20 in their entirety and insert in lieu thereof:

"F. Effective December 15, 2014, the state board of education shall have the authority to determine public school policy, distribute public school funds and control, manage and direct the public education department and the administration, operation and finances of public schools. The state board of

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education or the board's designee shall perform all duties and have all authority that the secretary of public education possessed on November 1, 2014; provided that the designee is a qualified, experienced and licensed educational administrator.

G. The state board of education shall appoint as a superintendent of public instruction a qualified, experienced and licensed educational administrator competent to manage the public education department as directed by the state board of education. The first superintendent of public instruction shall be appointed by July 1, 2015."".,

and thence referred to the **JUDICIARY COMMITTEE**.

Respectfully submitted,

John M. Sapien, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 4 Against

Yes: 5

No: Brandt, Cotter, Kernan, Woods

Excused: None

Absent: None