

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

June 3, 2021

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB21-172 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 3, line 15, after the period add "IT IS
2 FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT A SCHOOL
3 DISTRICT OR CHARTER SCHOOL THAT RECEIVES MONEY FROM THE FUND
4 MUST USE THE MONEY RECEIVED TO SUPPLEMENT, NOT SUPPLANT, THE
5 AMOUNT THAT THE SCHOOL DISTRICT OR CHARTER SCHOOL WOULD
6 OTHERWISE BUDGET FOR EDUCATOR SALARIES AND WAGES."

7 Page 5, after line 4 insert:

8 **"22-55.5-104. Educator pay raise fund task force - created -**
9 **recommendations - report - repeal.** (1) THERE IS CREATED THE
10 EDUCATOR PAY RAISE FUND TASK FORCE, REFERRED TO IN THIS SECTION AS
11 THE "TASK FORCE", TO MAKE RECOMMENDATIONS FOR THE PROCESS BY
12 WHICH THE DEPARTMENT WILL DISBURSE MONEY FROM THE EDUCATOR
13 PAY RAISE FUND CREATED IN SECTION 22-55.5-103 TO SCHOOL DISTRICTS
14 AND CHARTER SCHOOLS TO INCREASE SALARIES AND WAGES FOR
15 EDUCATORS. THE RECOMMENDED PROCESS MUST INCLUDE A
16 REQUIREMENT THAT, AS A CONDITION OF RECEIVING A DISTRIBUTION OF
17 MONEY FROM THE FUND, A SCHOOL DISTRICT OR CHARTER SCHOOL MUST
18 AT LEAST MAINTAIN THE LEVEL OF FUNDING FOR EDUCATOR SALARIES AND
19 WAGES FROM OTHER REVENUE THAT WOULD HAVE EXISTED WITHOUT THE
20 DISTRIBUTIONS, SUCH THAT THE DISTRIBUTIONS SUPPLEMENT AND DO NOT
21 SUPPLANT FUNDING FOR SALARIES AND WAGES. THE RECOMMENDED
22 PROCESS MUST ALSO INCLUDE, AT A MINIMUM, CONSIDERATION OF:

1 (a) THE NUMBER OF EDUCATORS THAT A SCHOOL DISTRICT OR
2 CHARTER SCHOOL EMPLOYS;
3 (b) THE SALARY AMOUNTS AND HOURLY WAGE AMOUNTS THAT A
4 SCHOOL DISTRICT OR CHARTER SCHOOL PAYS RELATIVE TO OTHER SCHOOL
5 DISTRICTS OR CHARTER SCHOOLS;
6 (c) A SCHOOL DISTRICT'S OR CHARTER SCHOOL'S ABILITY TO
7 RECRUIT AND RETAIN EDUCATORS; AND
8 (d) THE DEGREE OF FINANCIAL NEED THAT A SCHOOL DISTRICT OR
9 CHARTER SCHOOL DEMONSTRATES.
10 (2)(a) THE TASK FORCE CONSISTS OF TWELVE PERSONS APPOINTED
11 AS FOLLOWS:
12 (I) FOUR PERSONS, EACH OF WHOM IS EITHER A TEACHER OR AN
13 EMPLOYEE, APPOINTED WITH THE ADVICE OF A STATEWIDE ASSOCIATION
14 THAT REPRESENTS EDUCATORS;
15 (II) TWO PERSONS WHO ARE PUBLIC SCHOOL ADMINISTRATORS
16 EMPLOYED BY RURAL SCHOOL DISTRICTS OR SMALL RURAL SCHOOL
17 DISTRICTS, AS DEFINED IN SECTION 22-7-1211 (4), APPOINTED WITH THE
18 ADVICE OF A STATEWIDE ASSOCIATION THAT REPRESENTS EDUCATORS;
19 (III) TWO PERSONS WHO ARE PUBLIC SCHOOL ADMINISTRATORS
20 EMPLOYED BY SCHOOL DISTRICTS THAT ARE NOT RURAL SCHOOL DISTRICTS
21 OR SMALL RURAL SCHOOL DISTRICTS, AS DEFINED IN SECTION 22-7-1211
22 (4), ONE OF WHOM IS EMPLOYED AS A SCHOOL DISTRICT SUPERINTENDENT,
23 AND BOTH OF WHOM ARE APPOINTED WITH THE ADVICE OF A STATEWIDE
24 ASSOCIATION THAT REPRESENTS SCHOOL EXECUTIVES;
25 (IV) TWO PERSONS WHO SERVE AS DIRECTORS ON SCHOOL
26 DISTRICT BOARDS OF EDUCATION, APPOINTED WITH THE ADVICE OF A
27 STATEWIDE ASSOCIATION THAT REPRESENTS SCHOOL DISTRICT BOARDS OF
28 EDUCATION; AND
29 (V) TWO PERSONS WHO ARE EMPLOYED BY CHARTER SCHOOLS,
30 ONE OF WHOM IS A TEACHER AND ONE OF WHOM IS AN ADMINISTRATOR,
31 BOTH OF WHOM ARE APPOINTED WITH THE ADVICE OF A STATEWIDE
32 ADVOCACY GROUP FOR CHARTER SCHOOLS.
33 (b) BY AUGUST 1, 2021, THE PRESIDENT OF THE SENATE AND THE
34 SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL EACH APPOINT TWO
35 OF THE PERSONS DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION AND
36 ONE OF THE PERSONS DESCRIBED IN EACH OF SUBSECTIONS (2)(a)(II) TO
37 (2)(a)(V) OF THIS SECTION TO THE TASK FORCE. IN APPOINTING PERSONS
38 TO SERVE ON THE TASK FORCE, THE PRESIDENT AND THE SPEAKER SHALL
39 ENSURE, TO THE EXTENT PRACTICABLE, THAT THE MEMBERSHIP OF THE
40 TASK FORCE REFLECTS THE GENDER, ETHNIC, AND RACIAL DEMOGRAPHICS
41 OF THE STATE AND INCLUDES PERSONS WITH DISABILITIES AND PERSONS

1 FROM ALL AREAS OF THE STATE. THE PERSONS APPOINTED TO THE TASK
2 FORCE SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT
3 FOR EXPENSES.

4 (c) THE TASK FORCE SHALL HOLD ITS FIRST MEETING NO LATER
5 THAN AUGUST 15, 2021, AT THE CALL OF THE SPEAKER OF THE HOUSE OF
6 REPRESENTATIVES. AT THE FIRST MEETING, THE TASK FORCE SHALL
7 SELECT FROM AMONG ITS MEMBERS A PERSON TO SERVE AS CHAIR OF THE
8 TASK FORCE. THE TASK FORCE SHALL MEET AT THE CALL OF THE CHAIR AS
9 OFTEN AS NECESSARY TO COMPLETE ITS DUTIES. THE MEMBERS OF THE
10 TASK FORCE MAY PARTICIPATE IN MEETINGS ELECTRONICALLY.

11 (d) THE COMMISSIONER OF EDUCATION SHALL APPOINT A PERSON
12 FROM THE DEPARTMENT TO SERVE AS A CONSULTANT TO THE TASK FORCE
13 IN DEVELOPING THE RECOMMENDATIONS.

14 (3) ON OR BEFORE JANUARY 15, 2022, THE TASK FORCE SHALL
15 SUBMIT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE
16 OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, A REPORT OF THE
17 TASK FORCE RECOMMENDATIONS.

18 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2022."

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