

FIFTY-SEVENTH LEGISLATURE
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 21, 2025

Mr. Chair:

I propose to the SENATE EDUCATION COMMITTEE the following amendments to

SENATE JOINT RESOLUTION 3

1. On page 1, line 13, strike "REPLACE" and insert in lieu thereof "CONTINUE" and after "COMMISSION", strike the remainder of the line and insert in lieu thereof "AS THE CHARTERING AUTHORITY FOR STATE-CHARTERED CHARTER SCHOOLS AND CREATE A STATE".

2. On page 1, line 14, after "BOARD", insert "OF EDUCATION".

3. On pages 1 through 3, strike Subsections A through F in their entirety and insert in lieu thereof:

"A. The "state board of education", the "public education department" and the "public education commission" are created. The state board of education shall determine public school policy and shall have control, management and direction, including financial direction of distribution of school funds and financial accounting, for all public schools pursuant to authority and powers provided by law. The board shall appoint a qualified, experienced educator to be known as the "superintendent of public instruction" to administer and enforce the laws and board policies relating to public education and related matters and supervise the operations of the public education department under the direction of the board. The public education commission shall serve as the state chartering authority for state-chartered charter schools and have other powers and duties as provided by law.

B. The state board of education and the public education commission shall each be composed of ten members who shall be elected for staggered terms of four years as provided by law. The state board of education shall have an eleventh member appointed by the governor for a term co-extensive with the governor who appoints the member. Board and commission members shall be residents of the districts from which they are elected. Change of residence of a board or commission member to a place outside the district from which the member was elected shall automatically be deemed as resignation of the member.

C. The governor shall, with the consent of the senate, fill vacancies on the state board of education or the public education commission by appointment of a resident from the district in which the vacancy occurs. That member shall serve for the remainder of the term for which appointed.

D. After the adoption of this amendment, ten members of the state board of education shall be elected at the 2028 general election for staggered terms beginning January 1, 2029 as provided by law. The staggered terms shall be determined by lot as provided by law. The staggered terms of office established for the public education commission prior to the adoption of this amendment shall continue to be the terms of office until changed by this constitution or by law.

E. The state board of education and the public education commission districts shall have the same boundaries unless the legislature provides otherwise in a decennial redistricting law.

F. The secretary of public education shall serve as the superintendent of public instruction until replaced by appointment of the superintendent of public instruction by the state board of education."

Respectfully submitted,
