

Guv's school-board goof irks

Pro-'school choice' Stephenson laments committee lineup

By Celia R. Baker
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The Governor's Office failed to follow laws regarding state school board election nominations, raising the ire of a powerful legislator. Yet even he acknowledges little can be done about it.

Under Utah law, the Governor's Office should have formed a 12-member committee by Nov. 1 of last year to recruit and nominate candidates for the Utah Board of Education, but the committee was not appointed until late February, leaving little time to recruit candidates before a filing deadline of March 17.

"That was an error that our office made," said Christine Kearl, Gov. Jon Huntsman Jr.'s education deputy. Kearl said the oversight resulted from transitions in the Governor's Office, and was unintentional.

Sen. Howard Stephenson, R-Draper, is unhappy with the makeup of the committee and the fact that it hasn't met. He is president of the Utah Taxpayers Association, a business advocacy coalition. In the group's August newsletter, he wrote that the selection committee is "stacked against school choice advocates and employers [the business community]."

Greg Hartley, the governor's director of boards and commissions, said his office and Kearl's began forming the committee in December. The process was difficult and slow because Utah law is so specific about the various industry and education sectors that must be represented, he said.

Kearl said careful attention was given to selecting a balanced committee in accordance with Utah law.

The nominating committee is charged with winnowing candidate fields to no more than three for each race. The governor must then narrow any fields of three to two names for placement on ballots. Kearl said that after several candidates dropped out before the filing date, no race had more than three candidates, leaving little reason to convene the committee.

As a result of Stephenson's criticism, Kearl is bringing the committee together next week so members can elect a chairman. Any further action will be up to the chairman and committee, Kearl said.

Michele Christiansen, the governor's attorney, said there is probably no legal solution to the tardy formation of the nominating committee. The candidate filing deadline is long since past, and there is no aggrieved party.

"No one was prevented from filing," Christiansen said.

Stephenson believes advocacy groups interested in school reform might have encouraged more candidates to run, but didn't because of "a false sense of security that someone was making sure it would happen."

He considered taking legal action aimed at allowing additional candidates to file for this year's school board races, but became convinced it would do little good. Now, Stephenson is making plans to introduce legislation that would give the governor's office less power over school board elections.

"Something needs to be done to change the process so that the recruitment happens as a matter of course rather than relying on someone in the executive branch to make it happen," he said.

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