

What the Legislature's New Constitutional Amendment Means for Education

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As the November elections approach, one crucial issue on the ballot is the proposed amendment to end the **constitutional mandate Utah voters passed decades ago, directing the legislature to use state income tax to fund public education**. This proposal will show up on your ballot as Amendment A, and it is based on SJR10, Proposal to Amend the Utah Constitution - Income Tax [1], which passed during the 2023 legislative session.

Voices for Utah Children is opposed to this change to Utah's constitution. Here's why.

Utahns Approved the Constitutional Education Funding Mandate Nearly 80 Years Ago

Utah implemented its state income tax in 1932. In 1946, voters approved a Constitutional amendment that created the education funding mandate, allocating all income tax revenue exclusively for K-12 public education. This changed in 1996 when another amendment allowed higher education to dip into the income tax pot. And again, in 2020, Amendment G passed, which expanded the use of income tax revenue for social services supporting children and individuals with disabilities [2].

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Think of Utah's constitutional mandate (sometimes referred to as an "earmark") as setting aside a portion of your paycheck specifically for your child's school supplies, textbooks, and educational needs. The mandate ensures that a certain amount of public funding is always dedicated to supporting schools and students, helping to maintain academic quality, and providing necessary resources.

Amendment A would remove this mandate, allowing state legislators to redirect this designated funding elsewhere, as they see fit.

This Change to Our Constitution Poses a Threat to Utah Schools

Utahns feel a strong commitment to public education. According to Utah Foundation polling, public education consistently ranks as a top issue for Utah voters[3]. With over 90% of Utah's school-aged children attending public schools, many Utahns express positive views about their own schools. The proposal to change Utah's constitutional education funding mandate does not reflect the priorities of the majority of Utahns in support of public education.

Utah's constitutional mandate for public education funding ensures a dedicated source of funding for public education for Utah children. If Amendment A passes and the constitutional mandate is removed, it could undermine the quality of Utah's public education. Our state's children need consistent and dedicated funding to maintain high educational standards and to ensure equitable access across different regions and demographics?.

Our commitment to funding public education is enshrined in our state constitution. The legislature's desire to change this is a significant issue that should not be taken lightly. Amendment A creates uncertainty around your child's school funding. For example, for fiscal year 2025, individual income tax revenue is projected to be around \$7.3 billion [4]. Without the clarity of Utah's constitutional mandate, these funds can be easily diverted away from public education, leaving Utah's children and teachers without essential support [5]. Already, state leaders have cut the [income tax year after year](#), reducing funding that could be invested in our children's futures.

The Likely Impacts of Changing Our Constitution

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Funding Instability: Without the constitutional mandate directing the legislature to spend our income taxes on public education, state education funding could become subject to political whims.

Increased Property Taxes: If the constitutional mandate is removed and the legislature reduces school funding, school districts will need to compensate for the lost revenue by increasing property taxes. This challenge would be even greater for rural districts, where the property tax base is limited. These less prosperous school districts may be unable to cover the shortfall.

Equity Concerns: Utah's current method of funding public education helps to balance educational opportunities across our varied communities. Some school districts are able to raise a lot of money, through wealthy residents with high-end property. Other school districts do not have access to that level of wealth, and rely on state funding to ensure equitable opportunities for their students. Removing the constitutional mandate could exacerbate inequalities.

Uncertain Future Funding Plans: If the constitutional mandate is removed, legislators must provide clear answers on how education will be funded. Without specific, transparent plans, there is a significant risk that public education funding would be deprioritized.

The Connection Between Amendment A and School Vouchers

Utah's new school voucher program is also part of this equation. The school voucher program will allow thousands of Utah families to use taxpayer dollars to send their children to private school. The legislature has diverted over \$80 million to this school privatization effort since its inception in 2023 - doubling the initial investment before even a single voucher had been awarded to any Utah families. It's important to note that lawmakers initially requested \$150 million, signaling their intention to continue diverting public funds away from public education [6].

Lawmakers have made it clear that they plan to continue to increase funding for vouchers, regardless of program outcomes. If the constitutional amendment to fund public education is removed, the flow of resources away from neighborhood public schools and toward private schools could intensify. This will likely reduce the quality and equity of public education that 90% of Utah's children rely on [7].

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What Lies Ahead?

The removal of Utah's constitutional mandate and years of income tax rate cutting have long-term implications for public education. Utah schools still have large class sizes and lack an adequate number of paraeducators, counselors, and nurses. Ending the constitutional mandate could potentially affect everything from teacher salaries and school infrastructure to student performance and community well-being.

Is Amendment A good for kids? These serious and potential impacts lead us to believe that it is not. Voices for Utah Children is opposed to changing Utah's constitution in a way that puts our state on the path toward defunding public education. We hope that you will oppose it, as well.

Endnotes

[1] Utah Legislature. "S.J.R. 10 Proposal to Amend the Utah Constitution - Income Tax." Accessed June 21, 2024. <https://le.utah.gov/~2023/bills/static/SJR010.html>.

[2] Romboy, Dennis. "Utah's Constitutional Amendment to Change How State Funds Education." Deseret News, October 5, 2020. Accessed June 21, 2024. <https://www.deseret.com/utah/2020/10/5/21502931/amendment-g-constitutional-amendment-education-child-advocates-say-doesnt-add-up/>.

[3] "Utah Priorities Project Report: 2024," Utah Foundation, April 2024, <https://www.utahfoundation.org/wp-content/uploads/rr819.pdf>.

[4] Utah Legislature. "Comprehensive Annual Financial Report 2023." Accessed June 21, 2024. <https://cobi.utah.gov/2024/1/overview>.

[5] Voices for Utah Children. "What Does Eliminating Utah's Income Tax Mean for Kids?" Accessed June 21, 2024. <https://utahchildren.org/newsroom/speaking-of-kids-blog/item/1249-income-tax-elimination-kids-impact>.

[6] Utah Legislature. "House Bill 215 - Utah Fits All Scholarship Program." Accessed June 21, 2024. <https://le.utah.gov/~2023/bills/static/HB0215.html>

[7] Utah News Dispatch. "Teacher union files lawsuit against Utah FITS All School

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Choice Voucher Program." Accessed July 3, 2024.

<https://utahnewsdispatch.com/2024/05/29/teacher-union-files-lawsuit-against-utah-fits-all-school-choice-voucher-program/>.