



**State of Utah**

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

Office of the Governor

March 30, 2016

The Honorable Wayne Niederhauser  
President of the Senate

and

The Honorable Greg Hughes  
Speaker of the House

Dear President Niederhauser and Speaker Hughes,

As required by Article VII, Section 8 of the Utah Constitution, I am writing to provide you my objections to item of appropriation 6 within Senate Bill 2, PUBLIC EDUCATION BUDGET AMENDMENTS, and to explain my decision to veto this item of appropriation within the bill.

I am vetoing item of appropriation 6 within Senate Bill 2, PUBLIC EDUCATION BUDGET AMENDMENTS, which is \$998,900 from the Education fund and \$3,775,000 from the Education fund, one-time funding to the State Board of Education for a variety of specialty education programs.

My objections are specific to three programs bundled within this appropriation item: The UPSTART Early Childhood Education Program, which is an additional \$1,500,000 to an already existing program with ongoing funding; the ProStart Culinary Arts Program which is a \$275,000 block grant for a reality television show; and the Early Intervention Program, which adds \$3,000,000 one-time funds to an already existing program with ongoing funding.

The UPSTART Program is a pilot program set to expire on July 1, 2019 and currently has \$4,760,000 in ongoing funding. Additionally, the program has a Fiscal Year 2016 non-lapsing balance of \$2,400,000 that is estimated will grow to \$2,900,000 in Fiscal Year 2017. During this legislative session, an additional state-funded preschool program passed which will serve at-risk preschoolers and which allows TANF funds to be used for the UPSTART program, separate from this line item. I believe we should evaluate the intended recipients of all three current publicly-funded preschool programs

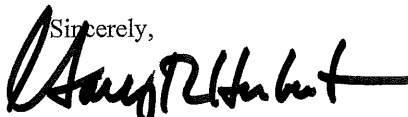
to ensure that taxpayer dollars are being spent on the intended target populations, without spending additional money and unnecessarily duplicating services.

The ProStart Culinary program provides opportunities to students interested in culinary careers and annually receives more than \$400,000 in funding. This particular item of appropriation funds the *Utah ProStart Teen Chef Masters* television program, which is a reality television cooking competition operated by the Utah Restaurant Association. This television competition is open to any qualified teen who applies, which may or may not include ProStart students. While reality television shows are fun to participate in and watch, the question is whether taxpayers should be funding the *Teen Chef Masters* television competition. I do not believe that this is an appropriate use of taxpayer dollars.

The K-3 Early Intervention Reading Program currently receives \$4,600,000 in ongoing funding; the Legislature appropriated an additional \$3,000,000 one-time last year. According to the evaluation of the 2015 program, this software is being underutilized by Local Education Agencies. Only thirteen percent of Local Education Agencies achieved the amount recommended usage rate, adherence to which is what makes this program effective. Additionally, the evaluation pointed out that, while the software programs had positive effects in Kindergarten, there were small negative impacts for First and Second Grade students, and no demonstrative positive effects for Third Grade students. If this program is not being implemented with fidelity, and is not delivering significant positive results, significantly increasing public funding is not appropriate at this time.

There are other programs included in this grouped item of appropriation. While I do not have specific objections to those programs or their funding, I believe this action will not harm those programs. The State Board of Education has already voted to discontinue the Electronic High School program, and with the return of this funding in item of appropriation 6 the Board will have the ability to fund the Electronic Elementary Reading Tool, and the IT Academy.

For these reasons, I disapprove of and veto item of appropriation 6 of Senate Bill 2, PUBLIC EDUCATION BUDGET AMENDMENTS, but otherwise sign and approve the bill.

Sincerely,  
  
Gary R. Herbert