

**MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE**

Tuesday, February 24, 1998, 4:00 P.M.

Room 416, State Capitol Building

Members Present: Sen. Lorin Jones, Chair
 Sen. Scott Howell
 Sen. David Steele
 Sen. Howard Stephenson

Members Absent: Sen. Leonard Blackham
 Sen. Joseph Hull
 Sen. C. Peterson

Staff Present: Wayne Lewis, Legislative Analyst
 Crelley Mackey, Secretary

Others Present: Susan Kuziack, UEA
 Judy Lion, PTA
 Doug Bates, SOE

List of others present is on file

Committee Chair Lorin Jones called the meeting to order at 4:13 p.m.

He noted that a full quorum was not present, but bills on the agenda would be heard and votes would be held until a quorum was present. He noted that SB 218 would not be heard because the sponsor had dealt with its concerns and had the enacting clause struck on the floor of the Senate.

1. **Approval of the Minutes** - Sen. Howell moved to approve the minutes of February 23, 1998. The motion passed unanimously. (4-0-3)

2. **HB 208 - Gun Education for Elementary Schools, by Rep. Bryan Holladay**

Rep. Holladay said his bill provides for firearm injury prevention by instructing children in grades K-4. Instruction could be delivered after school, at recess or at a time convenient to the teacher. Instructors would be district-approved volunteers or district schools who instruct firearm safety classes. Its purpose is to caution children what should be done if they encounter a firearm.

Motion: Senator Steele moved to pass HB 208 out with a favorable recommendation.

The motion passed unanimously with all present voting. (4-0-3)

3. HB 165 - Educational Professional Practices Amendments, by Rep. Sliddoway

Rep. Sliddoway said his bill provides for background checks on individuals who currently are teachers and who, where reasonable cause exists, may initiate a criminal background check on a certificate holder. The bill provides for the teacher to have a written notice with full safeguards for protection of his rights for privacy. He felt there is need to protect kids in the public school system.

Susan Kuziack, UEA, expressed concern that this legislation could defame a teacher who became suspect for probable cause.

Judy Lion stated that she is in support of the bill.

Motion: Sen. Steele moved to pass HB 286 out with a favorable recommendation.

The motion passed unanimously with all present voting. (4-0-3)

4. HB 300, Educator Background Check Amendments, by Rep. J. Alexander

Rep. Alexander in conjunction with Mr. Doug Bates, SOE, presented his bill and said that this legislation will require a background check prior to certification. The important point is that it expands recommendations concerning certification that were related to criminal conviction to matters which are relevant to certification. Sen. Jones asked why it was important to subject teachers to doubt and to put a shadow over their character when there has not been a conviction. Mr. Bates told about a drug dealer who had not been convicted and was seeking certification. He said this person definitely was not good candidate for teaching. Sen. Steele made the point about a student who may have an issue against the teacher could make it fit in the category of matters which are relevant.

Susan Kuziak, UEA, felt that this legislation opened the opportunity for anyone with a specious complaint. She said applicants could be kept out of their career for a matter for which they were never convicted.

Motion: Sen. Howell made a motion to hold the bill and prepare an amendment to narrow the definition.

The motion failed by a vote of 2-2 with Senators Stephenson and Jones voting against.

Motion: Sen. Stephenson made a motion to pass the bill out favorably.

The motion failed by a vote of 2-2 with Senators Howell and Steele voting against.

Motion: Sen. Howell made a motion to hold the bill and place it at the top of the agenda on Thursday, February 26, 1998.

The motion passed unanimously with all present voting.

5. HB 291, Higher Education Education Tuition Waivers, by Rep. J. Hickman

Rep. Hickman presented his bill that provides that an individual who has been honorably discharged from the United States Armed Forces is entitled to a resident status for tuition purposes at Utah public higher education institutions.

Brief committee discussion followed.

Motion: Sen. Howell made a motion to pass HB 291 out favorably.

The motion passed unanimously with all present voting. (4-0-3)

6. HB 364, Higher Education Physical Facilities, by Rep. K. Johnson

Rep. Johnson presented his bill which directs the Division of Facilities Construction and Management to begin designing and constructing an arts and conference center on San Juan campus of the College of Eastern Utah. These actions are subject to verification of \$1,102,00 in federal funds.

Brief committee discussion followed.

Motion: Sen. Stephenson made a motion to pass HB 364 out favorably.

The motion passed unanimously with all present voting. (4-0-3)

Motion: Sen. Steele made a motion to place HB 364 on the consent calendar. The motion passed unanimously.

Motion: Sen. Howell moved to adjourn.

The meeting adjourned at 5:25 p.m.

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Minutes reported by Crelley Mackey, Secretary.

Lorin Jones, Chair