

MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
Friday, February 4, 2005
Room W130, West Office Building, State Capitol Complex

Members Present: Sen. David L. Thomas, Committee Chair
Sen. Patrice M. Arent
Sen. D. Chris Buttars
Sen. Dan R. Eastman
Sen. Karen Hale
Sen. Mark Madsen
Sen. Howard A. Stephenson

Staff Present: Phillip V. Dean, Policy Analyst
Connie Steffen, Policy Analyst
Dee S. Larsen, Attorney
Norda Shepard, Secretary

Public Speakers Present: Rep. James A. Ferrin
Rep. Fred R. Hunsaker
Sen. Thomas Hatch
Sen. Karen Hale
Jodi Hoffman, League of Cities and Towns
Jared Bennett
Larry Newton, Finance Director, State Office of Education
Edward Endemano
Scott Mansell, Building Official, Sandy City
Gary Cameron, Executive Director, Davis School District
Royleyne Fairclough, AAA Utah
Bruce Borrowman, Safety Director, Utah PTA
Kim Gibbs, Department of Public Safety
Vic Arnold, Utah Education Association
Verl Shell, A-1 Driving School
Barry Newbold, Superintendent, Jordan School District
John Pingree, State Board of Education
Delanie Hathaway, Utah State School Board
Cheryl Phipps, Utah PTA
Tom Bingham, President, Utah Manufacturing Association

A list of visitors is filed with the committee minutes.

Committee Chair Thomas called the meeting to order at 2:11 p.m.

MOTION: Sen. Arent moved to approve the minutes of 2-04-05. The motion passed unanimously.

1. H.B. 36 1st Sub. Charter School Construction Amendments (Rep. J. Ferrin)

Rep. Ferrin presented the bill and asked for a 2nd substitute to be adopted.

MOTION: Sen. Arent moved to delete in body and title H.B. 36 1st Sub. and adopt H.B. 36 2nd Sub. Charter School Construction Amendments.

The motion passed unanimously.

Sen. Madsen declared a conflict of interest. Jodi Hoffman, League of Cities and Towns, made explanations and answered questions concerning the bill. Jared Bennett; Larry Newton, State Office of Education; Edward Endemano; and Scott Mansell, Building Official, Sandy City, spoke in support.

MOTION: Sen. Buttars moved to pass H.B. 36 2nd. Sub. Charter School Construction Amendments (*Rep. J. Ferrin*) out with a favorable recommendation.

The motion passed unanimously. Absent for the vote was Sen. P. Arent.

2. H.C.R. 9 Resolution Honoring Outgoing USU President Kermit L. Hall (Rep. F. Hunsaker)

Rep. Hunsaker presented the bill and amendments.

MOTION: Sen. Hale moved to amend H.C. R. 9, Resolution Honoring Outgoing USU President Kermit L. Hall with the following amendments:

1. *Page 2, Line 40:*

40 WHEREAS, Utah State University's incoming { ~~freshman~~ } freshmen
athletes have an 80%

2. *Page 2, Line 42:*

42 WHEREAS, in May 2004 the university participated in its second
{ ~~Rhodes~~ } Roads Scholars

3. *Page 3, Line 71:*

71 College of Family Life and dispersing departments among the university's existing
~~{six}~~ seven colleges,

The motion passed unanimously: Absent for the vote was Sen. P. Arent.

MOTION: Sen. Hale moved to pass H.C. R. 9, Resolution Honoring Outgoing USU President Kermit L. Hall, out with a favorable recommendation.

The motion passed unanimously. Absent for the vote was Sen. P. Arent.

3. S.B. 151 Driver Education Amendments (Sen. T. Hatch)

Sen. Hatch presented the bill and amendments.

MOTION: Sen. Buttars moved to amend S.B. 151, Drivers Education Amendments, with the following amendments:

1. *Page 1, Lines 13 through 14:*

13 determining the cost of driver education for funding purposes; ~~{and}~~
▶ clarifies that the date a local school board is required to report certain driver education information to the state superintendent of public instruction is no later than June 30 of each year;
▶ provides that if a local school board does not report certain driver education information to the state superintendent of public instruction, the school district may not be reimbursed for certain driver education costs; and
14 ▶ makes technical changes.

2. *Page 1, Line 21:*

21 53A-13-202, as last amended by Chapter 23, Laws of Utah 2003
53A-13-204, as last amended by Chapter 32, Laws of Utah 2003

3. *Page 2, Lines 38 through 41:*

38 (2) (a) ~~{The}~~ Except as provided in Subsection 53A-13-204(2), the state
superintendent of public instruction shall, prior to September 2nd
39 following the school year during which it was expended, or may at earlier intervals during

that
40 school year, reimburse each school district that applied for reimbursement in accordance
with
41 this section.

4. *Page 3, Line 69:*

69 that are not otherwise covered by reimbursements and allocations made under this
section.

Section 2. Section 53A-13-204 is amended to read:

53A-13-204. Reports as to costs of driver training programs.

(1) A local school board seeking reimbursement shall, at the end of each school year **but no later than June 30 of each each year** and at other times as designated by the State Board of Education, report the following to the state superintendent of public instruction:

~~{(1)}~~ **(a)** the costs of providing driver education including a separate accounting for:

~~{(a)}~~ **(i)** course work; and

~~{(b)}~~ **(ii)** behind-the-wheel and observation training to students;

~~{(2)}~~ **(b)** the costs of fees waived under Section 53A-12-103 for driver education including a separate accounting for:

~~{(a)}~~ **(i)** course work; and

~~{(b)}~~ **(ii)** behind-the-wheel and observation training to students;

~~{(3)}~~ **(c)** the number of students who completed driver education including a separate accounting for:

~~{(a)}~~ **(i)** course work; and

~~{(b)}~~ **(ii)** behind-the-wheel and observation training to students;

~~{(4)}~~ **(d)** whether or not a passing grade was received; and

~~{(5)}~~ **(e)** any other information the State Board of Education may require for the purpose of administering this program.

(2) Notwithstanding any other provision under this part, a school district may not be reimbursed in accordance with Section 53A-13-202 if the local school board does not report to the state superintendent of public instruction as required under this section.

The motion passed unanimously. Absent for the vote was Sen. P. Arent.

Gary Cameron, Executive Director, Salt Lake School Boards Association; John Robinson, Curriculum Specialist, Davis School District; Roylayne Fairclough, AAA Utah, voiced concerns. Bruce Borrowman, Safety Director, Utah PTA; Kim Gibbs, Department of Public Safety; and Vic Arnold, Utah Education Association, spoke in opposition. Larry Newton, Finance Director, Utah State Department of Education suggested changing the reporting dates to October 1. Verl Shell, A-I Driving School spoke in support.

MOTION: Sen. Stephenson moved to send S.B. 151, Driver Education Amendments out with a favorable recommendations as amended.

After committee discussion, the motion was withdrawn.

MOTION: Sen. Stephenson moved to amend S.B. 151, Driver Education Amendments, to change the date in the previous amendment from June 30 to October 1, on lines 13 and 69.

The motion passed unanimously. Absent for the vote was Sen. C. Buttars.

MOTION: Sen. Stephenson moved to send S.B. 151, Driver Education Amendments out with a favorable recommendation as amended.

The motion passed. Those voting in the negative were: Sen. P. Arent and Sen. K. Hale. Absent for the vote was Sen. D. Buttars.

4. S.B. 155 State School Board Candidate Selection Committees (Sen. K. Hale)

Sen. Hale presented the bill. Barry Newbold, Superintendent, Jordan School District; John Pingree, State Board of Education; Delanie Hathaway, Utah State School Board; and Cheryl Phipps, Utah PTA, spoke in support. Tom Bingham, President, Utah Manufacturing Association, spoke in opposition.

MOTION: Sen. Arent moved to pass S.B. 155, State School Board Candidate Selection Committees, out with a favorable recommendation.

The motion passed with 3 yes votes, 2 no votes, and 2 absent. Those voting in the affirmative were: Sen. P. Arent, Sen. K. Hale and Sen. D. Thomas. Those voting in the negative were: Sen. M. Madsen and Sen. H. Stephenson. Absent for the vote were: Sen. D. Buttars and Sen. D. Eastman.

5. S.B. 208 Rights-of-Way Across School and Institutional Trust Lands (Sen. B. Evans)

S.B. 208, Rights-of-Way Across School and Institutional Trust Lands, was not considered.

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MOTION: Sen. Arent moved to adjourn. The motion passed unanimously with Sen. Buttars and Sen. Eastman absent at the time of the vote.

Chair Thomas adjourned the meeting at 3:58 p.m.

Minutes were reported by Norda Shepard, Secretary.

Sen. David L. Thomas, Chair