

**MINUTES OF HOUSE EDUCATION  
STANDING COMMITTEE**

February 10, 2006

Room W135, West Office Building, State Capitol Complex

**MEMBERS PRESENT:** Rep. Margaret Dayton, Chair  
Rep. LaVar Christensen, Vice Chair  
Rep. Duane Bourdeaux  
Rep. John Dougall  
Rep. James A. Ferrin  
Rep. James R. Gowans  
Rep. David L. Hogue  
Rep. Kory M. Holdaway  
Rep. Gregory H. Hughes  
Rep. Bradley T. Johnson  
Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold  
Rep. LaWanna Shurtliff  
Rep. Stephen Urquhart

**MEMBERS ABSENT:** Rep. Ron Bigelow

**STAFF PRESENT:** Constance C. Steffen Policy Analyst  
Barbara Thomas, Committee Secretary  
Dee S Larsen, Associate General Counsel

**Note: List of visitors and copy of handouts are filed with committee minutes.**

Chair Dayton called the meeting to order at 8:00 am.

Rep. Moss gave a brief lesson on English grammar.

**MOTION:** Rep. Shurtliff moved to approve the minutes of February 8, 2006. The motion passed unanimously with Rep. Hughes, Rep. Johnson, Rep. Newbold, and Rep. Urquhart absent for the vote.

**H.B. 202 Foreign Exchange Student Amendments (*Rep. N. Hendrickson*)**

Rep. Hendrickson introduced Kelly Atkinson, Rotary International, who explained the bill allows a foreign exchange student to be included in the attendance count if the corresponding student who left to participate in a foreign exchange program in a foreign country returns to the school district before the conclusion of the school year.

The following foreign exchange students spoke in support of the bill:

- 1) Melissa Jackson, former exchange student to Thailand
- 2) Nicholas Brennecke, exchange student from Germany

MOTION: Rep. Ferrin moved to pass the bill out favorably. The motion passed unanimously, with Rep. Dougall, Rep. Hughes, Rep. Johnson, Rep. Newbold, and Rep. Urquhart absent for the vote.

MOTION: Rep. Ferrin moved to place H.B. 202 on the Consent Calendar. The motion passed unanimously with Rep. Dougall, Rep. Hughes, Rep. Johnson, Rep. Newbold, and Rep. Urquhart absent for the vote.

**H.B. 339 Commission on Civic and Character Education (*Rep. L. Christensen*)**

MOTION: Rep. Christensen moved to amend the bill as follows:

1. *Page 2, Line 46:*

46       (2) The commission consists of ~~[[five]]~~ seven members appointed as follows:

2. *Page 2, Lines 51 through 53:*

51       (d) ~~[[the superintendent of public instruction, or a designee]]~~ one member of the State Board of Education, appointed by the chair ~~;~~ ~~[[and]]~~ =

(e) one member of the State Board of Regents, appointed by the chair;

(f) one member of the public with expertise in the area of civic and character education appointed by the other members of the commission to serve for a two year term; and

52       ~~[[e]]~~ (g) one justice of the Supreme Court or one appellate court judge appointed by the

53 Supreme Court.

3. *Page 3, Lines 84 through 86:*

84       (2) provide leadership to the state's continuous focus on civic and character education

85 in the public schools and institutions of higher education and make recommendations to local school boards and school

86 administrators.

The motion passed unanimously with Rep. Hughes, Rep. Johnson, Rep. Newbold, and Rep. Urquhart absent for the vote.

Rep. Christensen distributed a letter from Lt. Governor Gary Herbert expressing support for efforts to better prepare future voters by teaching the principles and obligations of representative democracy to school children.

Rep. Christensen said the bill creates a Commission on Civic and Character Education within the Lieutenant Governor's office to insure implementation of civic and character education.

MOTION: Rep. Hughes moved to pass the amended bill out favorably. The motion passed with Rep. Dougall voting in opposition and Rep. Johnson, Rep. Newbold, and Rep. Urquhart absent for the vote.

**H.B. 143 Instructional Expenses Requirements (*Rep. G. Hughes*)**

Rep. Hughes explained the bill requires school districts to expend at least 65% of their General Fund monies on instructional expenditures.

Mr. Tim Mooney, First Class Education, said the goal is greater efficiency and to improve academic achievement. He testified that there is a correlation between NAEP test scores and the percent of expenditures used for instruction.

In response to committee members' questions, Mr. Mooney stated that reading specialists are classified by the National Center for Education Statistics as instructional expenditures. Expenses that are not instructional expenditures include transportation, power, speech pathologists, media specialists, and guidance counselors.

MOTION: Rep. Urquhart moved to move to the next item on the agenda.

**SUBSTITUTE**

MOTION: Rep. Hogue moved to table HB 143. The motion failed with Rep. Bourdeaux, Rep. Hogue, Rep. Shurtliff in favor and Rep. Dougall and Rep. Newbold absent for the vote.

A vote was taken on Rep. Urquhart's motion. The motion passed with Rep. Christensen, Rep. Dayton, and Rep. Hughes voting in opposition to the motion and Rep. Dougall and Rep. Newbold absent for the vote..

**H.B. 155 Education Testing Amendments (*Rep. N. Hansen*)**

Rep. Hansen introduced the bill which allows special education and adult education students to pass an alternative assessment in place of the basic skills competency test required for a high school diploma.

The following spoke in support of the bill:

Brett Moyes, parent of a student with learning disabilities  
Cheryl Moyes representing herself

MOTION: Rep. Holdaway moved to delete in title and body HB 155 and replace it with 1st Substitute HB 155.

#### SUBSTITUTE

MOTION: Rep. Ferrin moved to move to the next item on the agenda. The motion passed with Rep. Bourdeaux, Rep. Hogue, Rep. Holdaway, Rep. Shurtliff and Rep. Christensen voting in opposition and Rep. Dougall, Rep. Johnson, and Rep. Newbold absent for the vote.

#### **H.B. 77 School District Boundaries (*Rep. D. Cox*)**

Chair Dayton explained there would be no public comment on this bill as it has had public comment given previously.

Rep. Cox explained 1st Substitute H.B. 77. The substitute bill allows the governing body of certain cities to establish a school district with boundaries contiguous with city boundaries.

MOTION: Rep. Ferrin moved to delete in title and body H.B. 77 and replace it with 1st Substitute H.B. 77. The motion passed unanimously with Rep. Johnson, Rep. Newbold and Rep. Shurtliff absent for the vote.

MOTION: Rep. Hughes moved to pass 1st Sub H.B.77 out favorably. The motion passed with Rep. Bourdeaux, Rep. Gowans, Rep. Holdaway and Rep. Christensen in opposition and Rep. Newbold absent for the vote.

#### **H.B. 167 School Uniforms (*Rep. C. Frank*)**

Rep. Frank stated the bill modifies school uniform provisions and distributed a letter from Supt. Patti Harrington, State Superintendent, expressing support for the bill.

Ray Timothy, Associate Superintendent, USOE, said the State Board of Education has not taken

a position on the bill yet, but the staff is recommending the bill.

Rep. Frank distributed a letter from the Utah Attorney General's Office indicating that generally a requirement to wear uniforms at school is found to be legal.

MOTION: Rep. Dougall moved to pass H.B. 167 out favorably. The motion passed unanimously with Rep. Moss absent for the vote.

MOTION: Rep. Hogue moved to adjourn. The motion passed unanimously with Rep. Moss absent for the vote.

The meeting was adjourned at 9:45 am.

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Rep. Margaret Dayton, Chair