

**MINUTES OF HOUSE EDUCATION  
STANDING COMMITTEE**

February 13, 2008

Room 445C, State Capitol Building

**MEMBERS PRESENT:** Rep. Gregory H. Hughes, Chair  
Rep. Patrick Painter, Vice Chair  
Rep. Sylvia S. Andersen  
Rep. Brad Dee  
Rep. Craig A. Frank  
Rep. James R. Gowans  
Rep. Kory M. Holdaway  
Rep. Bradley G. Last  
Rep. Rebecca D. Lockhart  
Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold  
Rep. LaWanna "Lou" Shurtliff  
Rep. Kenneth W. Sumsion  
Rep. Stephen Urquhart  
Rep. Mark A. Wheatley

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

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

Rep. Painter, Vice Chair, called the meeting to order at 8:16 a.m.

MOTION: Rep. Frank moved to approve the minutes of February 8, 2008. The motion passed unanimously. Rep. Last, Rep. Lockhart, Rep. Shurtliff, Rep. Urquhart, and Rep. Hughes were absent for the vote.

**H.B. 163 School Fee Amendments (*Rep. C. Frank*)**

Rep. Frank introduced the bill which prohibits certain school fees.

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

1. Page 1, Line 15:

15       ▶ allows extracurricular fees under certain conditions; ~~{and}~~  
▶ links an appropriation item to the value of the weighted pupil unit; and

2. Page 8, Line 215:

215            (hh) School Fee Replacement Program, \$13,100,000 (5,211 WPUs) .

The motion passed unanimously. Rep. Lockhart, Rep. Shurtliff, Rep. Urquhart, and Rep. Hughes were absent for the vote.

Steve Peterson, Utah School Boards Association, spoke in support of the bill.

MOTION: Rep. Anderson moved to pass the bill out with a favorable recommendation. The motion passed with Rep. Gowans, Rep. Last, Rep. Moss, and Rep. Shurtliff voting in opposition.

### **H.B. 160       Charter School Law Revisions (Rep. R. Lockhart)**

Rep. Lockhart introduced the bill which modifies provisions relating to charter schools.

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

*1. Page 3, Lines 76 through 84:*

- 76    after consultation with the State Charter School Board, the State Board of Education shall  
77    make rules that:  
78        (1) require a charter school to develop an accountability plan, approved by the State  
79    Charter School Board, during its first year of operation;  
80        (2) require a charter school authorizer to:  
81        (a) {~~conduct periodic visits to its charter schools~~}    visit a charter school at  
      least once during:  
      (i) its first year of operation; and  
      (ii) the review period described under Subsection (3) ; and  
82        (b) provide written reports to its charter schools after the visits; and  
83        (3) establish a review process that is required of a charter school once every five  
      years  
84    by its authorizer.

The motion passed unanimously. Rep. Dee was absent for the vote.

Julie Adamic, State Charter School Board, spoke in support of the bill

Larry Shumway, State Board of Education, spoke in opposition to the provision modifying the appointment procedures for the staff director of the State Charter School Board.

MOTION: Rep. Frank moved to pass the bill out with a favorable recommendation.

SUBSTITUTE MOTION: Rep. Holdaway moved to delete lines 12, 13, 24, and 31-47 and renumber accordingly. The motion failed with Rep. Gowans, Rep. Holdaway, Rep. Moss, Rep. Shurtliff, and Rep. Wheatley voting in support of motion. Rep. Dee was absent for the vote.

A vote was taken on Rep. Frank's motion. The motion passed with Rep. Holdaway and Rep. Gowans voting in opposition. Rep. Dee was absent for the vote.

**H.B. 325      Bullying and Hazing (Rep. C. Moss)**

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

1. *Page 1, Lines 18 through 19:*

18            ▶      requires local school boards and local charter boards to adopt a policy, on or  
                 before

19      September 1, {~~2008~~} 2009, for reporting and responding to bullying, hazing, or  
                 retaliation;

2. *Page 1, Lines 22 through 23:*

22            ▶      requires the State Board of Education to develop, on or before  
                 {~~July~~} September 1, 2008, a model

23      policy on bullying, hazing, or retaliation; and

3. *Page 5, Lines 142 through 144:*

142            A school employee, student, or parent who reports an incident of, or information

143      relating to, bullying, hazing, or retaliation, is immune from any civil liability {~~civil~~  
                 or criminal;} that

144      otherwise might result by reason of making the report, if the report is made:

4. *Page 6, Lines 152 through 153:*

152            (1) On or before September 1, {~~2008~~} 2009, each school board shall adopt  
                 a bullying and

153      hazing policy.

5. *Page 7, Line 213:*

213            On or before {~~July~~} September 1, 2008, the State Board of Education shall:

The motion passed unanimously. Rep. Dee was absent for the vote.

Rep. Moss introduced the bill which enacts provisions relating to bullying and hazing.

MOTION: Rep. Shurtliff moved to move to the next item on the agenda. The motion passed with Rep. Frank voting in opposition. Rep. Dee, Rep. Lockhart, and Rep. Urquhart were absent for the vote.

**H.B. 363      Public Education - Arts Enhanced Learning Program (Rep. G. Hughes)**

MOTION: Rep. Hughes moved to delete in title and body H.B. 363 and adopt 1st Substitute H.B. 363. The motion passed unanimously. Rep. Dee, Rep. Lockhart, Rep. Moss, Rep. Newbold, and Rep. Urquhart were absent for the vote.

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

1. *Page 1, Lines 17 through 18:*

- 17            ▶    requires the State Board of Education to:
- 18            •    establish a grant program for school and school district arts specialists  
and coordinators; and

2. *Page 2, Lines 49 through 52:*

- 49            (a) establish a grant program to allow school districts and charter schools to hire 100  
50            highly qualified, full-time arts {~~coordinators~~} specialists to be based at 100  
                 schools;
- 51            (b) provide up to \$10,000 in one-time funds for each school arts  
                 {~~coordinator~~} specialist described
- 52            under Subsection (3)(a) to purchase supplies and equipment;

The motion passed unanimously. Rep. Dee, Rep. Lockhart, Rep. Moss, Rep. Newbold, and Rep. Urquhart were absent for the vote.

Rep. Hughes introduced the bill which creates a program that provides grants to integrate arts teaching and learning into selected schools. Jim Sorenson assisted in presenting the bill.

MOTION: Rep. Shurtliff moved to pass out the substitute bill as amended with a favorable

recommendation. The motion passed unanimously. Rep. Dee, Rep. Lockhart, Rep. Moss, Rep. Newbold, and Rep. Urquhart were absent for the vote.

Due to time constraints the following bills were not heard:

**H.B. 194**      **Class Size Reduction in Kindergarten Through Grade Three** (*Rep. K. Morgan*)

**S.B. 61**      **Financial and Economic Literacy Education** (*Sen. P. Jones*)

Rep. Anderson moved to adjourn at 9:59 a.m. The motion passed unanimously.

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Rep. Gregory H. Hughes, Chair