

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**
Monday, February 22, 2010
Room 445, State Capitol Building

MEMBERS PRESENT: Rep. Kenneth W. Sumsion, Vice Chair
Rep. Johnny Anderson
Rep. Laura Black
Rep. Rebecca Edwards
Rep. Craig A. Frank
Rep. Don L. Ipson
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold
Rep. Marie H. Poulson
Rep. Kraig Powell
Rep. Mark A. Wheatley
Rep. Carl Wimmer

MEMBERS ABSENT: Rep. Brad Dee
Rep. Gregory H. Hughes, Chair
Rep. Brad Last

STAFF PRESENT: Constance C. Steffen, Policy Analyst
Linda Service, Committee Secretary

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

Vice Chair Sumsion called the meeting to order at 4:35 p.m.

MOTION: Rep. Black moved to approve the minutes of February 19, 2010. The motion passed unanimously. Rep. Edwards, Rep. Moss, Rep. Newbold, Rep. Wheatley, and Rep. Wimmer were absent for the vote.

S.B. 55 Authorization of Charter Schools by Higher Education Institutions (Sen. J. S. Adams)

Sen. Adams introduced the bill which allows a higher education institution to authorize the establishment and operation of a charter school.

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

1. *Page 2, Line 29*
Senate 2nd Reading Amendments
2-8-2010:

29 ~~{None}~~ **This bill coordinates with S.B. 69, College of Eastern Utah Affiliation with Utah State University, by making substantive amendments.**

2. *Page 12, Line 366:*

366 (c) another arrangement. =
Section 9. Coordinating S.B. 55 with S.B. 69 -- Modifying Substantive Language. If this S.B. 55 and S.B. 69, College of Eastern Utah Affiliation with Utah State University, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the database for publication delete the subsection referencing "the College of Eastern Utah" in Subsection 53A-1a-501.3(2) in S.B. 55 and renumber the remaining subsections accordingly.

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

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

1. *Page 2, Line 56 through Page 2a, Line 58*
Senate 2nd Reading Amendments
2-8-2010:

56 (2) "Board of trustees of a higher education institution" or "board of trustees"
means :

57 = (a) the board of trustees of ~~§~~→ [a university or community college listed in Section 53B-1-102:] :

57a ~~{(a)}~~ (i) the University of Utah;

57b ~~{(b)}~~ (ii) Utah State University;

57c ~~{(c)}~~ (iii) Weber State University;

57d ~~{(d)}~~ (iv) Southern Utah University; ←~~§~~

57e ~~§~~→ ~~{(e)}~~ (v) Snow College;

57f ~~{(f)}~~ (vi) Dixie State College of Utah;

57g ~~{(g)}~~ (vii) the College of Eastern Utah;

57h ~~{(h)}~~ (viii) Utah Valley University; or

57i ~~{(i)}~~ (ix) Salt Lake Community College ~~{(j)}~~ ;or

(b) the campus board of directors of a college campus within the Utah College of Applied Technology. ←~~§~~

58 [~~(2)~~] (3) "Chartering entity" means the entity that authorizes the establishment of a

2. *Page 9, Lines 246 through 248*
Senate 2nd Reading Amendments
2-8-2010:

246 (1) Subject to the approval of the State Board of Education **and except as provided**
in Subsection (7), an individual or entity
247 identified in Section 53A-1a-504 may enter into an agreement with a board of trustees of a
248 higher education institution to establish and operate a charter school.

3. *Page 10, Line 287*
Senate 2nd Reading Amendments
2-8-2010:

287 assist them in understanding and performing their charter obligations. =
(7)(a) In addition to complying with the requirements of this section, a campus
board of directors of a college campus within the Utah College of Applied Technology
shall obtain the approval of the Utah College of Applied Technology Board of
Trustees before entering into an agreement to establish and operate a charter school.
(b) The Utah College of Applied Technology Board of Trustees shall establish a
policy for granting approval to a campus board of directors to enter into an
agreement to establish and operate a charter school.

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

Dr. Larry Shumway, State School Superintendent, and Dr. Martell Menlove, Deputy Superintendent, commented on the bill.

The following spoke in support of the bill:

Terry Bagley, Utah Technology Council
Jackie Evans, Utah Taxpayers Association
Desirae Carnahan, parent

The following spoke in opposition to the bill:

Steve Peterson, Utah School Boards Association and Utah School
Superintendents Association

MOTION: Rep. Ipson moved to pass the bill out with a favorable recommendation. The motion passed unanimously. Rep. Anderson, Rep. Edwards, and Rep. Moss were absent for the vote.

MOTION: Rep. Ipson moved to adjourn at 5:12 p.m. The motioned passed unanimously.

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Rep. Anderson, Rep. Edwards, and Rep. Moss were absent for the vote.

Rep. Gregory H. Hughes, Chair