

**MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
WEDNESDAY, FEBRUARY 24, 2010
ROOM 415, STATE CAPITOL**

Members Present: Sen. Curtis Bramble, Chair
Sen. Margaret Dayton
Sen. Brent Goodfellow
Sen. Scott Jenkins
Sen. Karen Morgan
Sen. Howard A. Stephenson

Members Excused: Sen. Lyle Hillyard

Staff Present: Allison Nicholson, Policy Analyst
Connie Steffen, Policy Analyst
Angela Stallings, Associate General Counsel
Karen C. Allred, Committee Secretary

Public Speakers Present: Kyla McDonald, Home School Student
Calvan Johnson, Private School Student
Lauryn Johnson, Private School Student
Kim Kehrer, President, Wasatch Home Educators Network
Mary Ann Christensen, Utah Eagle Forum
Lee Allred, Utah Eagle Forum
Bart Thompson, Assistant Director, Utah High School Activities
Association
Larry Shumway, Superintendent, Utah State Office of Education
Brian Allen, Chair, Utah State Charter School Board
Kim Frank, Director, Utah Association of Public Charter Schools
Matthew Piccolo, Policy Analyst, Sutherland Institute

A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Bramble called the meeting to order at 8:29 A.M.

MOTION: Sen. Dayton moved to approve the minutes of the February 22, 2010 meeting.

The motion passed unanimously with Sens. Jenkins, Morgan, and Stephenson absent for the vote.

1. S.B. 66 -- Public School Extracurricular Activities for Home School and Private School Students

Sen. Madsen introduced and explained the bill.

MOTION: Sen. Dayton moved to adopt the following amendments:

1. Page 4, Lines 120 through 121:

120 (ii) retain academic eligibility ~~{ throughout the activity season and }~~ for all
extracurricular
121 activities during the activity season for which the affidavit is submitted , until:

2. Page 5, Lines 144 through 147:

144 (b) (i) If ~~{ a }~~ in response to a request made under Subsection (9)(a),
test scores are submitted and the home school student's test scores on a basic skills
competency test meet the
145 requirement necessary for public school students to receive a basic high school diploma, as
146 provided in Subsection 53A-1-611(2), the home school student shall be considered to be
in
147 compliance with the academic eligibility requirements. =

(ii) A home school student who meets academic eligibility requirements pursuant
to Subsection (9)(b)(i) retains academic eligibility for all extracurricular activities
during the activity season for which an affidavit is submitted pursuant to Subsection
(6).

3. Page 5, Line 152 through Page 6, Line 157:

152 (10) (a) A school district superintendent shall:
153 ~~{ (a) }~~ (i) appoint a panel of three ~~{ to five }~~ individuals who have
experience in home schooling
154 high school-age students to verify a home school student's compliance with academic
eligibility
155 requirements when requested by a principal pursuant to Subsection (9); and
156 ~~{ (b) }~~ (ii) select the panel members from nominees submitted by national,
state, or regional
157 organizations whose members are home school students and parents. =

(b) One member of the panel appointed under Subsection (10) shall have
experience teaching in a public school.

4. Page 6, Lines 166 through 168:

166 (12) A home school student who meets academic eligibility requirements pursuant to
167 Subsection ~~{ (9) or }~~ (11), retains academic eligibility ~~{ throughout the activity~~
~~season and }~~ for all
168 extracurricular activities during the activity season for which an affidavit is submitted

pursuant to Subsection (6) .

5. *Page 7, Line 186:*

186 eligible to try out for and participate in the activity as provided in this section. =

(16)(a) If a student exits a public school to enroll in a private or home school midsemester or during an activity season, and the student desires to participate in an extracurricular activity at the public school, the public school shall issue an interim academic assessment based on the student's work in each class.

(b) A student's academic eligibility to participate in an extracurricular activity under the circumstances described in Subsection (16)(a) shall be based on the student meeting public school academic eligibility standards at the time of exiting public school.

(c) A student may appeal an academic eligibility determination made under Subsection (16)(b) in accordance with procedures for appealing a public school student's academic eligibility.

The motion passed unanimously with Sens. Jenkins, Morgan, and Stephenson absent for the vote.

Kyla McDonald, Home School Student; Calvin and Lauryn Johnson, Private School Students; Kim Kehrer, President, Wasatch Home Educators Network; Mary Ann Christensen, Utah Eagle Forum; and Lee Allred, Utah Eagle Forum; spoke in favor of the bill.

Bart Thompson, Assistant Director, Utah High School Activities Association, spoke to the bill.

MOTION: Sen. Dayton moved to pass S.B. 66 out of committee with a favorable recommendation.

The motion passed unanimously.

2. S.B. 188 -- Charter School Amendments

Sen. Stephenson introduced the bill.

Connie Steffen, Policy Analyst, Office of Legislative Research and General Counsel, explained the bill.

Larry Shumway, Superintendent, Utah State Office of Education; and Angela Stallings, Associate General Counsel, Office of Legislative Research and General Counsel; spoke

to the bill.

Brian Allen, Chair, State Charter School Board; Kim Frank, Director, Utah Association of Public Charter Schools; and Matthew Piccolo, Policy Analyst, Sutherland Institute; spoke in favor of the bill.

MOTION: Sen. Stephenson moved to pass S.B. 188 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Jenkins absent for the vote.

3. **S.B. 276 -- Promoting Healthy Lifestyles in Public Schools**

MOTION: Sen. Dayton moved to send a letter from the Committee to the State Board of Education requesting the information detailed in S.B. 276 be reported to the Legislature, as provided in the bill.

SUBSTITUTE MOTION: Sen. Goodfellow moved to adjourn.

The motion failed with Sens. Goodfellow and Morgan voting in favor, Sens. Bramble, Dayton, and Stephenson voting in opposition, and Sen. Jenkins absent for the vote.

The original motion passed with Sens. Goodfellow, Morgan, and Jenkins absent for the vote.

MOTION: Sen. Dayton moved to adjourn.

The motion passed unanimously with Sens. Goodfellow, Morgan, and Jenkins absent for the vote.

Chair Bramble adjourned the meeting at 10:00 A.M.

Minutes were reported by Karen C. Allred, Secretary.

Sen. Curtis Bramble