

**MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
THURSDAY, FEBRUARY 3, 2011
ROOM 415, STATE CAPITOL**

Members Present: Sen. Howard A. Stephenson, Chair
Sen. Lyle Hillyard
Sen. Karen Morgan
Sen. Wayne Niederhauser
Sen. Jerry Stevenson
Sen. Daniel Thatcher

Staff Present: Connie Steffen, Policy Analyst
Karen C. Allred, Secretary

Public Speakers Present: Stan Rasmussen, Public Affairs Director, Sutherland Institute
David Doty, Superintendent, Canyons School District
Peter Cannon, Member, Davis School Board
Helen Watts, Parent and Teacher
Paul Rogers, Utah Technology Council
Sue Carey, Citizen
Sharon Gallagher-Fishbaugh, President, Utah Education
Association
Brian Allen, Citizen
Lee Brinton, Citizen
Martell Menlove, Deputy Superintendent, Utah State Office of
Education
Peggy Jo Kennett, Parent
Jacki Evans, Research Director, Utah Taxpayers Association
Tami Pyfer, Citizen
Judi Clark, Executive Director, Parents for Choice in Education
Lynn Ward, Executive Director, Utah Educational Savings Plan

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

Chair Stephenson called the meeting to order at 2:24 P.M.

MOTION: Sen. Niederhauser moved to approve the minutes of the February 2, 2011 meeting.

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

1. **S.B. 59 - School Grading System**

Sen. Niederhauser introduced and explained the bill.

MOTION: Sen. Morgan moved to adopt the following amendment:

1. *Page 5, Line 123:*

123 (5) (a) Except as provided in Subsection (5)(b) ~~{or (c)}~~ , a school shall be
assigned a letter

2. Page 5, Lines 133 through 135:

133 ~~{(c) If 80% or more schools qualify for a grade of A or B, the State Board of
Education~~

134 ~~shall increase the upper and lower ends of the ranges specified in Subsections (5)(a)(i)
through~~

135 ~~(v) by two percentage points.}~~

The motion failed with Sens. Morgan and Thatcher voting in favor; Sens. Niederhauser, H. Stephenson, and J. Stevenson voting in opposition; and Sen. Hillyard absent for the vote.

MOTION: Sen. Morgan moved to adopt the following amendment:

1. Page 1, Lines 14 through 15:

14 ▶ requires the State Board of Education to establish a school grading system ~~{in
which~~

15 ~~a school receives a grade of A, B, C, D, or F}~~ based on the performance of the

2. Page 2, Line 58 through Page 3, Line 60:

58 (1) The State Board of Education shall establish a school grading system in
accordance

59 with this part ~~{in which a school annually is designated a grade of A, B, C, D, or
F}~~ based on the

60 performance of the school's students on statewide assessments, and for a high school, the

3. Page 5, Lines 123 through 130:

123 (5) (a) Except as provided in Subsection (5)(b) ~~{or (c)}~~ , a school shall be
~~{assigned a letter~~

124 ~~grade}~~ given one to five stars based on the percent of the maximum number of
points the school may earn as calculated

125 under Subsection (4) as follows:

126 (i) ~~{A}~~ five stars , 100% - 90%;

127 (ii) ~~{B}~~ four stars , 89% - 80%;

128 (iii) ~~{C}~~ three stars , 79% - 70%;

- 129 (iv) ~~{D}~~ two stars , 69% - 50%; and
130 (v) ~~{F}~~ one star , 49% or less.

The motion failed with Sens. Morgan and J. Stevenson voting in favor; Sens. Niederhauser, H. Stephenson, and Thatcher voting in opposition; and Sen. Hillyard absent for the vote.

Mr. Rasmussen, Mr. Doty, Mr. Cannon, Ms. Watts, Mr. Rogers, Ms. Gallagher-Fishbaugh, Mr. Allen, Mr. Brinton , Ms. Evans, and Ms. Clark spoke in favor of the bill.

Ms. Carey, Ms. Kennett, and Ms. Pyfer spoke in opposition to the bill.

Mr. Menlove spoke to the bill.

MOTION: Sen. J. Stevenson moved to pass S.B. 59 out of committee with a favorable recommendation.

The motion passed unanimously, with Sen. Hillyard absent for the vote.

2. **S.B. 145 - Utah Educational Savings Plan Amendments**

Sen. Niederhauser introduced and explained the bill.

Ms. Ward spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass S.B. 145 out of committee with a favorable recommendation.

The motion passed with Sens. Niederhauser, J. Stevenson, and Thatcher voting in favor; Sen. H. Stephenson voting in opposition; and Sens. Hillyard and Morgan absent for the vote.

MOTION: Sen. Thatcher moved to adjourn.

The motion passed unanimously.

Chair Stephenson adjourned the meeting at 3:52 P.M.

Minutes were reported by Karen C. Allred, Secretary.

Sen. Howard A. Stephenson