

**MINUTES OF THE  
SENATE EDUCATION STANDING COMMITTEE  
FRIDAY, FEBRUARY 18, 2011, 7:30 AM  
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: Allison Nicholson, Policy Analyst  
Karen C. Allred, Secretary

Public Speakers Present: Mark Madsen, Senator, State of Utah  
Chris Bleak, President, Utah Association of Public Charter  
Schools  
Patti Harrington, Associate Executive Director, Utah School  
Boards Association, Utah Schools Superintendents Association  
Jacki Evans, Research Director, Utah Taxpayers Association  
Charlene Booth, Grandparent  
Joanne Carper, Grandparent  
Bart Thompson, Assistant Director, Utah High School Activities  
Association  
Jerry Haslem, Principal, Granger High School  
Matthew Piccolo, Policy Analyst, Sutherland Institute  
Peter Cannon, Citizen  
Sharon Gallagher-Fishbaugh, President, Utah Education  
Association  
Curtis Blanco, Citizen  
Jennifer Roberts, Teacher, Davis School District  
Laura Black, Director, Jordan Uniserv  
JoDee Sundburg, President, Utah School Boards Association  
Kevin Sheridan, Representative, Southwest Education  
Martell Menlove, Deputy Superintendent, Utah State Office of  
Education  
Brenda Hales, Associate Superintendent, Utah State Office of  
Education  
Star Orullian, Executive Director, Granite Education Association  
Adele Curtis, Teacher, Granger High School  
Becky Carson, Teacher, Granger High School  
Geoff Leonard, General Counsel, Utah School Employees  
Association  
Marilyn Miller, Teacher, Granger High School  
Jennifer Baker, Teacher, Davis School District  
Michael McDonough, Teacher, Granite School District

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

Chair Stephenson called the meeting to order at 7:39 a.m.

**MOTION:** Sen. Thatcher moved to approve the minutes of the February 14, 2011 meeting.

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

1. **S.B. 53 - Eligibility for Interscholastic Activities in Secondary Schools**

Sen. Madsen introduced and explained the bill.

**MOTION:** Sen. Hillyard moved to adopt the following amendment:

1. *Page 5, Lines 121 through 138:*

- 121            (i) the student:  
122            (A) submitted an application for admission to the school for the qualifying school  
                 year  
123            in accordance with Section 53A-2-207 between December 1 and June 30 prior to the  
                 qualifying  
124            school year; {and}  
125            (B) received written notification of acceptance of the application described in  
126            Subsection (2)(a)(i)(A) on or before June 30 prior to the qualifying school year; and  
                 (C) is transferring between schools for the first time during high school;  
127            (ii) the student :  
                 (A) is accepted for late enrollment to the school for the school year prior to  
128            the qualifying school year; {or} and  
                 (B) is transferring between schools for the first time during high school;  
                 (iii) the student:  
                 (A) transfers from a school to a charter school;  
                 (B) enrolls at the charter school on or before June 30 prior to the qualifying  
                 school year; and  
                 (C) is transferring between schools for the first time during high school; or  
129            {(iii)} (iv) the student:  
130            (A) transfers from a school to the student's school of residence; and  
131            (B) enrolls for the qualifying school year at the student's school of residence on or  
132            before June 30 prior to the qualifying school year;  
133            (b) the student enrolls at the student's school of residence on or before June 30 prior

- to
- 134 the qualifying school year;
- 135 {~~(c)~~ the student enrolls at a school that is a charter school on or before June  
30 prior to
- 136 the qualifying school year;}
- 137 {~~(d)~~ (c) the student enrolls in a school other than the student's school of  
residence; or
- 138 {~~(e)~~ (d) the student's parent does not reside within the school's attendance  
area.

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

Mr. Blake, Ms. Evans, Ms. Booth, Ms. Carper and Mr. Piccolo spoke in favor of the bill.

Ms. Harrington, Mr. Thompson, and Mr. Haslem spoke in opposition to the bill.

**MOTION:** Sen. Niederhauser moved to pass S.B. 53 out of committee with a favorable recommendation.

**SUBSTITUTE MOTION:** Sen. Morgan moved to hold S.B. 53 in the committee until the next meeting.

The substitute motion passed with Sens. Hillyard, Niederhauser, J. Stevenson, Thatcher, and Morgan voting in favor, and Sen. H. Stephenson voting in opposition.

Sen. J. Stevenson assumed the Chair.

## 2. **S.B. 206 - Labor Organization Provisions in Teacher Contracts**

Sen. H. Stephenson introduced and explained the bill.

Mr. Cannon spoke in favor of the bill.

Ms. Gallagher-Fishbaugh spoke to the bill.

**MOTION:** Sen. H. Stephenson moved to pass S.B. 206 out of committee with a favorable recommendation.

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

3. **S.B. 179 - Math Education Initiative**

Sen. H. Stephenson introduced and explained the bill.

Mr. Blanco spoke in favor of the bill.

Ms. Roberts, Ms. Black, Mr. Sheridan, and Mr. Menlove spoke in opposition to the bill.

Ms. Sundburg, and Ms. Hale spoke to the bill.

**MOTION:** Sen. Thatcher moved to pass S.B. 179 out of committee with a favorable recommendation.

The motion passed with Sens. Hillyard, Niederhauser, H. Stephenson, and Thatcher voting in favor, and Sens. Morgan and J. Stevenson voting in opposition.

4. **S.B. 73 - Public School Teacher Tenure Modification**

Sen. H. Stephenson introduced and explained the bill.

Ms. Gallagher-Fishbaugh, Ms. Orullian, Ms. Curtis, Ms. Carson, Mr. Leonard, Ms. Miller, Mr. Menlove, Ms. Baker, Mr. McDonough spoke in opposition.

Ms. Sundberg spoke to the bill.

Mr. Cannon spoke in favor of the bill.

**MOTION:** Sen. Neiderhauser moved to adjourn.

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

Acting Chair J. Stevenson adjourned the meeting at 9:50 a.m.

Minutes were reported by Karen C. Allred, Secretary.

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Sen. Howard A. Stephenson