

**MINUTES OF THE
HOUSE EDUCATION
STANDING COMMITTEE**

Thursday, March 2, 2017 • 4:10 pm • 30 House Building

Members Present:

Rep. Val L. Peterson, Chair
Rep. Kim F. Coleman, Vice Chair
Rep. LaVar Christensen
Rep. Bruce R. Cutler
Rep. Justin L. Fawson
Rep. Eric K. Hutchings
Rep. Daniel McCay
Rep. Carol Spackman Moss
Rep. Derrin R. Owens
Rep. Marie H. Poulson
Rep. V. Lowry Snow

Members Absent:

Rep. Francis D. Gibson
Rep. Bradley G. Last
Rep. Michael E. Noel

Staff Present:

Ms. Allyson R. Goldstein, Policy Analyst
Ms. Lorna Wells, Committee Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

Chair Peterson called the meeting to order at 4:25 p.m.

1. H.B. 226 Utah Charter School Profile Website (*Weight, E.*)

Rep. Elizabeth Weight explained the bill.

Mr. Royce Van Tassell, Executive Director, Utah Association of Public Charter Schools spoke in opposition to the bill.

Mr. Jay Blain, Director of Policy and Research, Utah Education Association, spoke in favor of the bill.

Mr. Brad Asay, American Federation of Teachers Utah, spoke in favor of the bill.

MOTION: Rep. Moss moved to replace H.B. 226 with 1st Substitute H.B. 226. The motion passed with a vote of 7-0-7.

Yeas:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. E. Hutchings
Rep. B. Last
Rep. D. McCay
Rep. M. Noel
Rep. V. Snow

MOTION: Rep. Moss moved to pass 1st Substitute H.B. 226 out favorably. The motion failed with a vote of 2-5-7.

Yeas:

Rep. C. Moss
Rep. M. Poulson

Nays:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. D. Owens
Rep. V. Peterson

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. E. Hutchings
Rep. B. Last
Rep. D. McCay
Rep. M. Noel
Rep. V. Snow

2. S.B. 186 Education Reporting Amendments (*Fillmore, L.*)

MOTION: Rep. Coleman moved to approve the minutes of February 27, 2017 and March 1, 2017. The motion passed with a vote of 8-0-6.

Yeas:

Rep. L. Christensen
Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. F. Gibson
Rep. E. Hutchings
Rep. B. Last
Rep. D. McCay
Rep. M. Noel
Rep. V. Snow

Sen. Lincoln Fillmore explained the bill.

Mr. Ben Leishman, Product Manager, Office of the Legislative Fiscal Analyst, spoke to the bill.

MOTION: Rep. Cutler moved to pass S.B. 186 out favorably. The motion passed with a vote of 8-0-6.

Yeas:

Rep. L. Christensen
Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. F. Gibson
Rep. E. Hutchings
Rep. B. Last
Rep. D. McCay
Rep. M. Noel
Rep. V. Snow

3. S.B. 127 State Board of Education Amendments (*Millner, A.*)

Sen. Ann Millner explained the bill.

Mr. Scott Jones, Deputy Superintendent, Utah State Board of Education, spoke in favor of the bill.

Mr. Todd Losser, Executive Director, Utah Public Employees Association, spoke in opposition to the bill.

MOTION: Rep. Coleman moved to pass S.B. 127 out favorably. The motion passed with a vote of 9-0-5.

Yeas:

Rep. L. Christensen
Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. F. Gibson
Rep. B. Last
Rep. D. McCay
Rep. M. Noel
Rep. V. Snow

4. 1st Sub. S.B. 190 Education Computing Partnerships (Okerlund, R.)

Sen. Ralph Okerlund explained the bill.

MOTION: Rep. Owens moved to pass 1st Substitute S.B. 190 out favorably. The motion passed with a vote of 10-0-4.

Yeas:

Rep. L. Christensen
Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

5. S.B. 125 Authorization to Modify Charter School Charter Agreements (Stephenson, H.)

Sen. Howard A. Stephenson explained the bill.

MOTION: Rep. Cutler moved to pass S.B. 125 out favorably. The motion passed with a vote of 10-0-4.

Yeas:

Rep. L. Christensen
Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

6. S.B. 180 Charter School Start-up Grants (*Stephenson, H.*)

Sen. Howard A. Stephenson explained the bill.

Mr. Royce Van Tassell, Executive Director, Utah Association of Public Charter Schools, spoke in favor of the bill.

MOTION: Rep. Coleman moved to pass S.B. 180 out favorably. The motion passed with a vote of 8-1-5.

Yeas:

Rep. L. Christensen
Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson

Nays:

Rep. E. Hutchings

Abs:

Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. M. Poulson
Rep. V. Snow

7. 2nd Sub. S.B. 168 Career and College Readiness Mathematics Competency Revisions (*Stephenson, H.*)

Sen. Howard A. Stephenson explained the bill.

MOTION: Rep. Owens moved to pass 2nd Substitute S.B. 168 out favorably. The motion passed with a vote of 9-0-5.

Yeas:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

MOTION: Rep. Cutler moved to place 2nd Substitute S.B. 168 on the Consent Calendar. The motion passed with a vote of 9-0-5.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Rep. L. Christensen
Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

8. 2nd Sub. S.B. 163 Student Information Amendments (*Anderegg, J.*)

Sen. Jacob L. Anderegg explained the bill.

MOTION: Rep. Fawson moved to amend 2nd Substitute S.B. 163 with Amendment #2.

1. *Page 8, Lines 213 through 226:*

213 (b) an individual designated as a student data manager by an education entity under
214 Section 53A-1-1404.

215 { ~~(25) (a) "Targeted advertising" means [advertising to a student on an~~
~~internal or~~
216 ~~external application, if the advertisement is based on information or student data~~
~~the third-party~~
217 ~~contractor collected or received under the third-party contractor's contract with an~~
~~education~~
218 ~~entity] presenting advertisements to a student on an internal or external application~~
~~where the~~
219 ~~advertisement is selected based on information obtained or inferred from student~~
~~data, the~~
220 ~~student's online behavior, or usage of applications.~~

221 ~~— (b) "Targeted advertising" does not include advertisements presented to a~~
~~student on an~~
222 ~~internal or external application:~~

223 ~~— (i) where the advertisement is selected based upon the student's current visit to~~
~~or~~

- 224 ~~single search query on a site, software, service, or application; or~~
225 ~~_____ (ii) for a nonprofit institution of higher education or scholarship provider. }~~
226 (25) (a) "Targeted advertising" means presenting advertisements to a student where the advertisement is selected based on information obtained or inferred over time from that student's online behavior, usage of applications, or student data.
(b) "Targeted advertising" does not include advertising to a student:
(i) at an online location based upon that student's current visit to that location; or
(ii) in response to that student's request for information or feedback, without retention of that student's online activities or requests over time for the purpose of targeting subsequent ads.
(26) "Third-party contractor" means a person who:

The motion passed with a vote of 8-0-6.

Yeas:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. E. Hutchings
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

MOTION: Rep. Fawson moved to pass 2nd Substitute S.B. 163 out favorably as amended.
The motion passed with a vote of 9-0-5.

Yeas:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

MOTION: Rep. Coleman moved to place 2nd Substitute S.B. 163 as amended on the Consent Calendar. The motion failed with a vote of 8-1-5.

Yeas:

Rep. K. Coleman
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson

Nays:

Rep. B. Cutler

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. B. Last
Rep. M. Noel
Rep. V. Snow

9. 3rd Sub. S.B. 194 Utah Data Research Center Act (*Anderegg, J.*)

Sen. Jacob L. Anderegg explained the bill.

MOTION: Rep. Cutler moved to replace 3rd Substitute S.B. 194 with 4th Substitute S.B. 194. The motion passed with a vote of 10-0-4.

Yeas:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson
Rep. V. Snow

Nays:

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. B. Last
Rep. M. Noel

MOTION: Rep. Coleman moved to pass 4th Substitute S.B. 194 out favorably. The motion passed with a vote of 10-0-4.

Yeas:

Rep. K. Coleman
Rep. B. Cutler
Rep. J. Fawson
Rep. E. Hutchings
Rep. D. McCay
Rep. C. Moss
Rep. D. Owens
Rep. V. Peterson
Rep. M. Poulson
Rep. V. Snow

Nays:

Abs:

Rep. L. Christensen
Rep. F. Gibson
Rep. B. Last
Rep. M. Noel

MOTION: Rep. Fawson moved to adjourn. The motion passed unanimously.

Chair Peterson adjourned the meeting at 6:06 p.m.

Rep. Val Peterson, Chair