

**MINUTES OF THE  
HOUSE EDUCATION STANDING COMMITTEE**

Monday , February 26, 2018 • 4:00 p.m. • 30 House Building

**Members Present:**

Rep. Val L. Peterson, Chair  
Rep. Kim F. Coleman, Vice Chair  
Rep. LaVar Christensen  
Rep. Bruce R. Cutler  
Rep. Francis D. Gibson  
Rep. Eric K. Hutchings  
Rep. Bradley G. Last  
Rep. Daniel McCay  
Rep. Carol Spackman Moss

Rep. Derrin R. Owens  
Rep. Marie H. Poulson  
Rep. V. Lowry Snow

**Members Absent:**

Rep. Michael E. Noel

**Staff Present:**

Ms. Allyson R. Goldstein, Policy Analyst  
Ms. Wendy Hill, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Peterson called the meeting to order.

**MOTION:** Rep. Moss moved to approve the minutes of February 20, 2018. The motion passed with a vote of 7 - 0 - 6 .

Yeas-7

Rep. K. Coleman  
Rep. E. Hutchings  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

Nays-0

Absent-6

Rep. L. Christensen  
Rep. B. Cutler  
Rep. F. Gibson  
Rep. B. Last  
Rep. D. McCay  
Rep. M. Noel

**1 . H.B. 387 Higher Education Budget Provisions (*Fawson, J.*)**

Rep. Justin L. Fawson explained the bill.

Mr. Spencer Jenkins, Assistant Commissioner for Public Affairs, Utah State Board of Regents, spoke to the bill.

**MOTION:** Rep. Hutchings moved to pass H.B. 387 out favorably. The motion passed with a vote of 6 - 2 - 5 .

Yeas-6

Rep. K. Coleman  
Rep. F. Gibson  
Rep. E. Hutchings  
Rep. C. Moss  
Rep. V. Peterson  
Rep. M. Poulson

Nays-2

Rep. D. McCay  
Rep. D. Owens

Absent-5

Rep. L. Christensen  
Rep. B. Cutler  
Rep. B. Last  
Rep. M. Noel  
Rep. V. Snow

**2 . H.B. 401 Higher Education Criminal Background Amendments (*Potter, V.*)**

Rep. Val K. Potter presented the bill with the assistance of Mr. K. Chad Campbell, President, Bridgerland Technical College.

**MOTION:** Rep. Owens moved to amend H.B. 401 with Amendment #1.

Amendment 1

H.B. 401

1 Page 1, Lines 13 through 15

13 This bill:

14 ▶ provides authorization to the Utah System of Technical Colleges Board of Trustees and individual technical colleges

15 to require background checks for:

2 Page 4, Lines 106 through 109

106 (2) Beginning July 1, 2018, the board of { ~~trustees~~ } directors of a technical college { ~~shall~~ } may require the

107 following individuals to submit to a fingerprint-based local, regional, and national criminal

108 history background check and ongoing monitoring as a condition of employment:

109 (a) prospective employees { ~~and volunteers~~ } of technical colleges; and

3 Page 4, Lines 112 through 115

112 (3) Beginning July 1, 2018, the board of { ~~trustees shall~~ } directors may require a fingerprint-based local,

113 regional, and national criminal history background check without ongoing monitoring as a

114 condition of enrollment for student applicants who are under consideration for training

115 programs:

4 Page 4, Line 120 through Page 5, Line 123

120 (5) The board of { ~~trustees~~ } directors shall require that an individual required to submit to a

121 background check under Subsections (3) and (4) provide a signed waiver to the technical

122 college on a form provided by the board of { ~~trustees~~ } directors that meets the requirements of Subsection

123 53-10-108(4).

Rep. Owens's motion to amend H.B. 401 with Amendment #1 passed with a vote of 10 - 0 - 3 .

Yeas-10

Rep. L. Christensen

Rep. K. Coleman

Rep. F. Gibson

Rep. E. Hutchings

Rep. D. McCay

Rep. C. Moss

Nays-0

Absent-3

Rep. B. Cutler

Rep. B. Last

Rep. M. Noel

Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

**MOTION:** Rep. Owens moved to pass H.B. 401 as amended out favorably. The motion passed with a vote of 7 - 3 - 3 .

Yeas-7

Rep. L. Christensen  
Rep. E. Hutchings  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

Nays-3

Rep. K. Coleman  
Rep. F. Gibson  
Rep. D. McCay

Absent-3

Rep. B. Cutler  
Rep. B. Last  
Rep. M. Noel

**3 . H.B. 408 Public Education Amendments (*Moss, J.*)**

Rep. Jefferson Moss presented the bill with the assistance of Rep. Susan Pulsipher.

Handouts "ULEAD Structure" and "ULEAD" was distributed to the committee.

Mr. Stan Lockhart, former member of the State Board of Education, spoke in favor of the bill.

Ms. Christine Cooke, Education Policy Analyst, Sutherland Institute, spoke in favor of the bill.

Ms. Brittney Cummins, Vice Chair, Utah State Board of Education, spoke in favor of the bill.

**MOTION:** Rep. Poulson moved to amend H.B. 408 with Amendment #1.

Amendment 1

H.B. 408

1 Page 6, Line 181 through Page 7, Line 183

181 (1) There is created the Director Selection Committee to appoint the director.

182 (2) The selection committee shall consist of the following {~~seven~~} nine members each

183 appointed for two-year staggered terms, with the initial terms of the members described in

2 Page 7, Lines 192 through 196

192 Regents;

193 (f) one member appointed by the state superintendent of public instruction; {~~and~~}

194 (g) one member of the State Charter School Board, appointed by the chair of the State

195 Charter School Board ~~{-}~~ ;

**(h) one member of the Utah School Boards Association recognized in Section 53G-4-502, appointed by the association executive director; and**

**(i) one member of a state association that represents school superintendents, appointed by the association executive director.**

196 (3) (a) A member of the selection committee may be appointed for more than one term.

3 Page 10, Lines 293 through 296

293 (e) one member appointed by the office of the governor;

294 (f) one member, appointed by the director, who is a ~~{leader}~~ **superintendent** of a school district ~~{but not a~~

295 **local school board member}** ;

296 (g) one member, appointed by the director, of a local school board;

Rep. Poulson's motion to amend H.B. 408 with Amendment #1 passed with a vote of 12 - 0 - 1 .

Yeas-12

Nays-0

Absent-1

Rep. L. Christensen

Rep. M. Noel

Rep. K. Coleman

Rep. B. Cutler

Rep. F. Gibson

Rep. E. Hutchings

Rep. B. Last

Rep. D. McCay

Rep. C. Moss

Rep. D. Owens

Rep. V. Peterson

Rep. M. Poulson

Rep. V. Snow

**MOTION:** Rep. Poulson moved to pass H.B. 408 as amended out favorably. The motion passed with a vote of 12 - 0 - 1 .

Yeas-12

Nays-0

Absent-1

Rep. L. Christensen

Rep. M. Noel

Rep. K. Coleman

Rep. B. Cutler

Rep. F. Gibson

Rep. E. Hutchings

Rep. B. Last  
Rep. D. McCay  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

Rep. Coleman assumed the chair.

**4 . H.B. 442 Public Education Code Repeals (*Peterson, V.*)**

Rep. Val L. Peterson explained the bill.

**MOTION:** Rep. Owens moved to replace H.B. 442 with 1st Substitute H.B. 442. The motion passed with a vote of 12 - 0 - 1 .

Yeas-12

Nays-0

Absent-1

Rep. L. Christensen  
Rep. K. Coleman  
Rep. B. Cutler  
Rep. F. Gibson  
Rep. E. Hutchings  
Rep. B. Last  
Rep. D. McCay  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

Rep. M. Noel

**MOTION:** Rep. Owens moved to pass 1st Substitute H.B. 442 out favorably. The motion passed with a vote of 12 - 0 - 1 .

Yeas-12

Nays-0

Absent-1

Rep. L. Christensen  
Rep. K. Coleman  
Rep. B. Cutler  
Rep. F. Gibson  
Rep. E. Hutchings  
Rep. B. Last

Rep. M. Noel

Rep. D. McCay  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

**5 . H.B. 293 Education Funding Amendments (Last, B.)**

Rep. Bradley G. Last explained the bill.

Handouts "Minimum School Program - Basic Levy" and "Voted & Board Local Levy Programs - State Guarantee" were distributed to the committee.

Rep. Peterson assumed the chair.

Mr. Terry Shoemaker, Associate Executive Director, Utah School Boards Association, spoke in favor of the bill.

Ms. Katherine Kennedy, Vice President, Salt Lake City Board of Education, spoke in favor of the bill.

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

Ms. LeAnn Wood, Education Commissioner, Utah Parent Teacher Association, spoke in favor of the bill.

Ms. Abby Osborne, Vice President of Government Relations, Salt Lake Chamber, spoke in favor of the bill.

Mr. Billy Hesterman, Vice President, Utah Taxpayers Association, spoke in opposition to the bill.

**MOTION:** Rep. Snow moved to replace H.B. 293 with 1st Substitute H.B. 293.

**SUBSTITUTE MOTION:** Rep. Cutler moved to replace H.B. 293 with 2nd Substitute H.B. 293. The Substitute motion failed with a vote of 4 - 8 - 1 .

Yeas-4

Rep. L. Christensen  
Rep. B. Cutler  
Rep. E. Hutchings  
Rep. D. Owens

Nays-8

Rep. K. Coleman  
Rep. F. Gibson  
Rep. B. Last  
Rep. D. McCay  
Rep. C. Moss  
Rep. V. Peterson

Absent-1

Rep. M. Noel

Rep. M. Poulson

Rep. V. Snow

Rep. Snow's motion to replace H.B. 293 with 1st Substitute H.B. 293 passed with a vote of 12 - 0 - 1 .

Yeas-12

Rep. L. Christensen  
Rep. K. Coleman  
Rep. B. Cutler  
Rep. F. Gibson  
Rep. E. Hutchings  
Rep. B. Last  
Rep. D. McCay  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson  
Rep. V. Snow

Nays-0

Absent-1

Rep. M. Noel

**MOTION:** Rep. Poulson moved to pass 1st Substitute H.B. 293 out favorably. The motion passed with a vote of 7 - 5 - 1 .

Yeas-7

Rep. F. Gibson  
Rep. E. Hutchings  
Rep. B. Last  
Rep. C. Moss  
Rep. D. Owens  
Rep. M. Poulson  
Rep. V. Snow

Nays-5

Rep. L. Christensen  
Rep. K. Coleman  
Rep. B. Cutler  
Rep. D. McCay  
Rep. V. Peterson

Absent-1

Rep. M. Noel

**6 . 1st Sub. S.B. 115 Upstart Program Amendments (*Adams, J. S.*)**

Rep. Bradley G. Last explained the bill.

**MOTION:** Rep. Cutler moved to pass 1st Substitute S.B. 115 out favorably. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. L. Christensen  
Rep. K. Coleman

Nays-0

Absent-2

Rep. M. Noel  
Rep. V. Snow

Rep. B. Cutler  
Rep. F. Gibson  
Rep. E. Hutchings  
Rep. B. Last  
Rep. D. McCay  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson

**MOTION:** Rep. McCay moved to adjourn. The motion passed with a vote of 11 - 0 - 2 .

Yeas-11

Rep. L. Christensen  
Rep. K. Coleman  
Rep. B. Cutler  
Rep. F. Gibson  
Rep. E. Hutchings  
Rep. B. Last  
Rep. D. McCay  
Rep. C. Moss  
Rep. D. Owens  
Rep. V. Peterson  
Rep. M. Poulson

Nays-0

Absent-2

Rep. M. Noel  
Rep. V. Snow

Chair Peterson adjourned the meeting.