



# MINUTES

## SENATE EDUCATION STANDING COMMITTEE

Wednesday, February 22, 2023 | 4:00 p.m. | 210 Senate Building

**Members Present:**

Sen. John D. Johnson, Chair  
Sen. Lincoln Fillmore  
Sen. Keith Grover  
Sen. David P. Hinkins  
Sen. Michael K. McKell  
Sen. Kathleen A. Riebe

**Members Absent:**

President J. Stuart Adams  
Sen. Ann Millner  
Sen. Jerry W. Stevenson

**Staff Present:**

Micah Ann Wixom, Policy Analyst  
Tisha Gibby, 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 Johnson called the meeting to order at 4:09 p.m.

**MOTION:** Sen. Riebe moved to approve the February 21, 2023 minutes. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

### 1. S.B. 265 Education Data Privacy Amendments (*Anderegg, J.*)

Sen. Jacob Anderegg presented the bill.

**MOTION:** Sen. Hinkins moved to replace S.B. 265 with 2nd Substitute S.B. 265. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Hinkins moved to pass 2nd Substitute S.B. 265 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

### 2. 1st Sub. H.B. 16 Block Grant Funding for Prevention Programs in Public Education (*Pulsipher, S.*)

Rep. Susan Pulsipher presented the bill with the assistance of Angie Stallings, Deputy Superintendent of Policy, Utah State Board of Education.

**MOTION:** Sen. Hinkins moved to replace 1st Substitute H.B. 16 with 2nd Substitute H.B. 16. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

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

Ben Horsley, Chief of Staff, Granite School District, spoke in favor of the bill.

Monica Wilbur, citizen, spoke to the bill.

Jennie Earl, Vice Chair, Utah State Board of Education, spoke in favor of the bill.

**MOTION:** Sen. McKell moved to pass 2nd Substitute H.B. 16 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

### **3. 2nd Sub. H.B. 116 Intergenerational Poverty Solution (*Thurston, N.*)**

[HB0116 Talking Points](#)

Rep. Norman Thurston presented the bill.

Lisa Stamps, citizen, spoke in favor of the bill.

**MOTION:** Sen. Hinkins moved to pass 2nd Substitute H.B. 116 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 4

Sen. J. Adams  
Sen. L. Fillmore  
Sen. A. Millner  
Sen. J. Stevenson

### **4. 1st Sub. H.B. 308 School Grading Modifications (*Welton, D.*)**

Rep. Douglas Welton presented the bill.

Angie Stallings spoke in favor of the bill.

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

Ben Horsley spoke in favor of the bill.

Mark Clement, Utah School Boards Association, spoke in favor of the bill.

Jennie Earl, Utah State Board of Education, spoke in favor of the bill.

Madeleine Ashour, Legislative Director, Utah ExcelinEd in Action, spoke to the bill.

Nicholeen Peck, President, Worldwide Organization for Women, spoke in favor of the bill.

**MOTION:** Sen. McKell moved to pass 1st Substitute H.B. 308 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 4

Sen. J. Adams  
Sen. L. Fillmore  
Sen. A. Millner  
Sen. J. Stevenson

**5. 1st Sub. H.B. 161 Foreign Language Education Funding Amendments (*Pierucci, C.*)**

[HB161 Overview](#)

Rep. Candice Pierucci presented the bill.

Sydnee Dickson, State Superintendent of Public Instruction, spoke in favor of the bill.

Dr. Julie Hartley, Utah System of Higher Education, spoke in favor of the bill.

**MOTION:** Sen. McKell moved to pass 1st Substitute H.B. 161 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. D. Hinkins  
Sen. A. Millner  
Sen. J. Stevenson

**6. 2nd Sub. H.B. 253 Federalism Commission Amendments (*Ivory, K.*)**

Rep. Ken Ivory presented the bill.

Carolyn Phippen, Utah Citizens for the Constitution and Freedom Front of Utah, spoke in favor of the bill.

Linda Zenger, citizen, spoke in favor of the bill.

Nicholeen Peck spoke in favor of the bill.

Maryann Christensen, Executive Director, Utah Eagle Forum, spoke in favor of the bill.

**MOTION:** Sen. Grover moved to pass 2nd Substitute H.B. 253 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**7. H.B. 305 Child Abuser Education Restrictions (Clancy, T.)**

**MOTION:** Sen. Hinkins moved to amend H.B. 305 with Amendment #3. The motion passed with a vote of 4 - 0 - 5.

Amendment 3  
H.B. 305

1. Page 3, Lines 77 through 79:

77 (iii) If a parent or legal guardian has been convicted of child abuse or if a court of  
78 competent jurisdiction has made a substantiated finding of child abuse {or neglect} against the  
79 parent or legal guardian:

2. Page 4, Lines 94 through 96:

94 (iii) the parent or legal guardian who filed the signed and notarized affidavit has not  
95 been convicted of child abuse or been the subject of a substantiated finding of child abuse {or  
96 neglect} by a court of competent jurisdiction.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

Rep. Tyler Clancy presented the bill with the assistance of Will Carlson, Chief Policy Advisor, Salt Lake County District Attorneys Office.

Maryann Christensen spoke in favor of the bill.

Linda Zenger, Digital Wellness Specialist, Utah PTA, spoke in favor of the bill.

Nicholeen Peck spoke in favor of the bill.

**MOTION:** Sen. Riebe moved to pass H.B. 305 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Grover moved to saunter. The motion passed with a vote of 3 - 0 - 6.

Yeas - 3  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 6  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

Chair Johnson called the meeting back to order at 5:10 p.m.

**8. H.B. 335 Alternative Concurrent Enrollment Options for Capacity Flexibility (*Wilcox, R.*)**

Rep. Ryan Wilcox presented the bill with the assistance of Justin Wardell, educator, Roy High School.

Linda Hanks, Utah School Boards Association and Utah School Superintendents Association, spoke in favor of the bill.

Jay Blain spoke in favor of the bill.

Ben Horsley spoke in favor of the bill.

Jennie Earl, citizen, spoke in favor of the bill.

Dr. Julie Hartley spoke to the bill.

**MOTION:** Sen. Riebe moved to replace H.B. 335 with 1st Substitute H.B. 335. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Riebe moved to pass 1st Substitute H.B. 335 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**9. 1st Sub. H.B. 318 Prime Pilot Program Amendments (*Peterson, V.*)**

Rep. Val Peterson presented the bill.

**MOTION:** Sen. Riebe moved to replace 1st Substitute H.B. 318 with 3rd Substitute H.B. 318. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:** Sen. Grover moved to pass 3rd Substitute H.B. 318 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**10. H.B. 306 School Community Council Amendments (Moss, J.)**

Rep. Jefferson Moss presented the bill.

**MOTION:** Sen. Grover moved to pass H.B. 306 out favorably. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

**11. 2nd Sub. H.B. 348 Participation Waiver Amendments (Acton, C.K.)**

[HB348 Participation Waiver Amendments](#)

Rep. Cheryl Acton presented the bill.

**MOTION:** Sen. Grover moved to amend 2nd Substitute H.B. 348 with Amendment #1. The motion passed with a vote of 4 - 0 - 5.

Amendment 1  
2nd Sub. H.B. 348

1. Page 3, Lines 62 through 65:

62 (i) require or incentivize a student to affirm or deny ~~{-a} the~~ {-student} student's or ~~{-a} the~~ student's

63 parent's religious belief or right of conscience.

64 (ii) engage a student in a practice that violates or is contrary to ~~{-a} the~~ student's or ~~{-a} the~~ student's

65 parent's religious belief or right of conscience; ~~{-and} or~~

2. Page 3, Lines 71 through 72:

71 (a) shall promptly notify ~~{-a} the~~ student's parent [if the secondary student makes a request

72 under Subsection (2).];

Yeas - 4  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. J. Johnson  
Sen. K. Riebe

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. D. Hinkins  
Sen. M. McKell  
Sen. A. Millner  
Sen. J. Stevenson

Nichole Mason, President, Utah Parents United, spoke in favor of the bill.

Maryann Christensen spoke in favor of the bill.

James Bolin, student, spoke in favor of the bill.

Laurel Fetzer, citizen, spoke in favor of the bill.

Nicholeen Peck spoke in favor of the bill.

Jonathan Bejarano, citizen, spoke in favor of the bill.

April Despain, parent, spoke in favor of the bill.

**MOTION:** Sen. Grover moved to pass 2nd Substitute H.B. 348 out favorably. The motion passed with a vote of 5 - 0 - 4.

Yeas - 5  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell

Nays - 0

Absent - 4  
Sen. J. Adams  
Sen. A. Millner  
Sen. K. Riebe  
Sen. J. Stevenson

**12. 5th Sub. H.B. 138 Sensitive Material Requirements (*Ballard, M.G.*)**

Rep. Melissa Ballard presented the bill.

**MOTION:** Sen. Grover moved to replace 5th Substitute H.B. 138 with 6th Substitute H.B. 138. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4  
Sen. K. Grover  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell

Nays - 0

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. A. Millner  
Sen. K. Riebe  
Sen. J. Stevenson

Nichole Mason spoke to the bill.

Maryann Christensen spoke in favor of the bill.

Mark Clement spoke to the bill.

Linda Zenger , Utah PTA, spoke in favor of the bill.

Nicholeen Peck spoke to the bill.

Jonathan Bejarano spoke against the bill.

Dr. Julie Hartley spoke in favor of the bill.

Dr. Sara Jones, Utah Education Association, spoke against the bill.

April Despain spoke in favor of the bill.

Jennie Earl, Utah State Board of Education, spoke in favor of the bill.

**MOTION:** Sen. McKell moved to pass 6th Substitute H.B. 138 out favorably. The motion passed with a vote of 3 - 1 - 5.

Yeas - 3  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell

Nays - 1  
Sen. K. Riebe

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

**13. 3rd Sub. H.B. 82 School Assembly Notice Requirements (*Ballard, M.G.*)**

Rep. Ballard presented the bill.

Nichole Mason spoke in favor of the bill.

Gayle Ruzicka, President, Utah Eagle Forum, spoke in favor of the bill.

Nicholeen Peck spoke in favor of the bill.

**MOTION:** Sen. Hinkins moved to pass 3rd Substitute H.B. 82 out favorably. The motion passed with a vote of 3 - 1 - 5.

Yeas - 3  
Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell

Nays - 1  
Sen. K. Riebe

Absent - 5  
Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

**14. H.B. 363 Summer Education Grants (*Eliason, S.*)**

Rep. Steve Eliason presented the bill.

Linda Hanks spoke in favor of the bill.

Ben Horsley spoke in favor of the bill.

**MOTION:** Sen. Riebe moved to pass H.B. 363 out favorably. The motion passed with a vote of 4 - 0 - 5.



Yeas - 4

Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

**MOTION:**

Sen. Riebe moved to adjourn. The motion passed with a vote of 4 - 0 - 5.

Yeas - 4

Sen. D. Hinkins  
Sen. J. Johnson  
Sen. M. McKell  
Sen. K. Riebe

Nays - 0

Absent - 5

Sen. J. Adams  
Sen. L. Fillmore  
Sen. K. Grover  
Sen. A. Millner  
Sen. J. Stevenson

Chair Johnson adjourned the meeting at 6:32 p.m.