



MINUTES

EDUCATION INTERIM COMMITTEE

LEGISLATURE

Wednesday, November 15, 2023 | 8:00 a.m. | 445 State Capitol

Members Present:

Sen. John D. Johnson, Chair
Rep. Candice B. Pierucci, Chair
Sen. Lincoln Fillmore
Sen. Kathleen A. Riebe
Rep. Kera Birkeland
Rep. Tyler Clancy
Rep. Katy Hall
Rep. Dan N. Johnson
Rep. Karianne Lisonbee
Rep. Carol S. Moss
Rep. Jefferson Moss
Rep. Karen M. Peterson
Rep. Val L. Peterson
Rep. Susan Pulsipher

Rep. Angela Romero
Rep. Mark A. Wheatley

Members Absent:

Sen. Keith Grover
Sen. Ann Millner
Rep. Steven J. Lund
Rep. Mike Schultz

Staff Present:

Micah Ann Wixom, Policy Analyst
Robert Wood, Policy Analyst
Rhonda Bailey, Associate General Counsel
Mike Curtis, Managing Associate General Counsel
Jeff Van Hulten, Associate General Counsel
Taylor Calabrese, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Johnson called the meeting to order at 8:03 a.m.

1. Committee Business

MOTION: Rep. Lisonbee moved to approve the minutes of the October 11, 2023, meeting. The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. K. Lisonbee
Rep. C. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. C. Pierucci
Sen. K. Riebe

Nays - 0

Absent - 9

Rep. K. Birkeland
Sen. K. Grover
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. S. Pulsipher
Rep. A. Romero
Rep. M. Schultz
Rep. M. Wheatley

Chair Johnson notified the committee of the committee's required reports.

2. Draft Legislation: Sensitive Material Review Amendments

[2 - "Sensitive Material Review Amendments" \(2024FL0657-008\)](#)

[2 - "Sensitive Material Review Amendments" Bill Summary](#)

Mike Curtis, Managing Associate General Counsel, Office of Legislative Research and General Counsel, presented on 2024 General Session draft legislation, "Sensitive Material Review Amendments."

Mike Curtis responded to questions from the committee.

Rep. Romero raised a point of order.

Rep. Ken Ivory provided additional clarification on "Sensitive Material Review Amendments."

The following individuals provided public comment:

Brooke Stephens, Utah Parents United, spoke in favor of the bill.

Terra Cooper, Utah Parents for Teachers, spoke against the bill.

Melanie Mortensen, resident, spoke in favor of the bill.

Lexi Cunningham, Utah Schools Superintendents Association and Utah School Boards Association, spoke against the bill.

Kristin Richey, Utah Eagle Forum, spoke in favor of the bill.

Julie King, resident, spoke against the bill.

Diane Livingston, resident, spoke in favor of the bill.

Joylin Lincoln, resident, spoke against the bill.

Glenden Mitchell, resident, spoke in favor of the bill.

Kevin Korous, resident, spoke against the bill.

Darlene McDonald, resident, spoke in favor of the bill.

Jen Robinson, resident, spoke against the bill.

Aaron Bullen, resident, spoke in favor of the bill.

Crystal Young, Utah Library Association, spoke to the bill.

MOTION: Rep. Pierucci moved to amend line 161 in "Sensitive Material Review Amendments" to increase one school district to two school districts.

SUBSTITUTE MOTION: Sen. Riebe moved to amend "Sensitive Material Review Amendments" to require the number of school districts to represent 40% of the student population. The substitute motion failed with a vote of 4 - 10 - 6.

Yeas - 4

Rep. C. Moss
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 10

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. D. Johnson
Sen. J. Johnson
Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher

Absent - 6

Sen. K. Grover
Rep. K. Hall
Rep. S. Lund
Sen. A. Millner
Rep. K. Peterson
Rep. M. Schultz

MOTION:

Rep. Pierucci moved to amend line 161 in "Sensitive Material Review Amendments" to increase one school district to two school districts. The motion passed with a vote of 14 - 0 - 6.

Yeas - 14

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. D. Johnson
Sen. J. Johnson
Rep. K. Lisonbee
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0Absent - 6

Sen. K. Grover
Rep. K. Hall
Rep. S. Lund
Sen. A. Millner
Rep. K. Peterson
Rep. M. Schultz

MOTION:

Rep. Pierucci moved to favorably recommend "Sensitive Material Review Amendments" as amended. The motion passed with a vote of 10 - 4 - 6.

Yeas - 10

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. D. Johnson
Sen. J. Johnson
Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher

Nays - 4

Rep. C. Moss
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Absent - 6

Sen. K. Grover
Rep. K. Hall
Rep. S. Lund
Sen. A. Millner
Rep. K. Peterson
Rep. M. Schultz

3. Draft Legislation: Public Education Program Modifications

[3 - "Public Education Program Modifications" \(2024FL1076-004\)](#)

[3 - "Public Education Program Modifications" Bill Summary](#)

Rhonda Bailey, Associate General Counsel, Office of Legislative Research and General Counsel, presented on 2024 General Session draft legislation, "Public Education Program Modifications."

Jim Moss, Chair, and Angie Stallings, Deputy Superintendent, Utah State Board of Education, provided additional clarification on "Public Education Program Modifications."

MOTION: Rep. Pulsipher moved to amend lines 446 and 450 in "Public Education Program Modifications" to change "shall" to "may". The motion passed with a vote of 13 - 0 - 7.

Yeas - 13

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. D. Johnson
Sen. J. Johnson
Rep. K. Lisonbee
Rep. C. Moss
Rep. V. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0

Absent - 7

Sen. K. Grover
Rep. K. Hall
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. M. Schultz

Jim Moss and Angie Stallings responded to questions from the committee.

The following individuals provided public comment:

LeAnne Wood, resident, spoke to the bill.

MOTION: Rep. Pulsipher moved to favorably recommend "Public Education Program Modifications" as amended. The motion passed with a vote of 9 - 5 - 6.

Yeas - 9

Sen. L. Fillmore
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Moss
Rep. C. Pierucci
Rep. S. Pulsipher
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 5

Rep. K. Birkeland
Rep. T. Clancy
Rep. K. Hall
Rep. K. Lisonbee
Rep. V. Peterson

Absent - 6

Sen. K. Grover
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. M. Schultz

4. Draft Legislation: Statewide Online Education Program Amendments

[4 - "Statewide Online Education Program Modifications" \(2024FL1077-001\)](#)

Rep. Johnson presented on 2024 General Session draft legislation, "Statewide Online Education Program Modifications."

Jeff Van Hulten, Associate General Counsel, Office of Legislative Research and General Counsel, Quinn Kellis, Technology Supported Learning Coordinator, Utah State Board of Education, and David Long, Superintendent, Beaver County School District, provided additional information on "Statewide Online Education Program Modifications."

Quinn Kellis responded to questions from the committee.

5. Draft Legislation: Classroom Neutrality

[5 - "Classroom Neutrality" \(2024FL1114-002\)](#)

Mike Curtis presented an introduction to 2024 General Session draft legislation, "Classroom Neutrality."

Rep. Jeffrey Stenquist and Megan Kallas, parent, provided additional information on "Classroom Neutrality."

Rep. Stenquist responded to questions from the committee.

The following individuals provided public comment:

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

Juliet Reynolds, resident, spoke against the bill.

Melanie Mortensen, resident, spoke in favor of the bill.

Marina Lowe, Equality Utah, spoke against the bill.

Brad Asay, American Federation of Teachers Utah, spoke against the bill.

Noah Whitcamp, student, spoke to the bill.

Madeline Badger, student, spoke against the bill.

Ellen Brady, resident, spoke against the bill.

Jessica Pino, resident, spoke against the bill.

Aaron Bullen, resident, spoke in favor of the bill.

Jim Moss spoke to the bill.

MOTION: Rep. Birkeland moved to move to the next item on the agenda. The motion passed with a vote of 12 - 0 - 8.

Yeas - 12

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Moss
Rep. C. Pierucci
Rep. S. Pulsipher
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0

Absent - 8

Sen. K. Grover
Rep. K. Lisonbee
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. M. Schultz

6. Draft Legislation: Alternative Education Scholarship Combination

[6 - "Alternative Education Scholarship Combination" \(2024FL1078-002\)](#)

Sen. Fillmore presented on 2024 General Session draft legislation, "Alternative Education Scholarship Combination."

Sen. Fillmore responded to questions from the committee.

Jeff Van Hulten responded to questions from the committee.

The following individuals provided public comment:

Jon England, Libertas Institute, spoke in favor of the bill.

Jonathan Bejarano, resident, spoke against the bill.

MOTION: Rep. Birkeland moved to insert "published" before "tuition" on line 144 in "Alternative Education Scholarship Combination." The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Moss
Rep. C. Pierucci
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0

Absent - 9

Sen. K. Grover
Rep. K. Lisonbee
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. S. Pulsipher
Rep. M. Schultz

MOTION: Rep. Pierucci moved to amend the funding schedule in "Alternative Education Scholarship Combination" to ensure families who have children with more severe disabilities who are not under the 185% poverty level do not receive a decrease from existing award amounts. The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Moss
Rep. C. Pierucci
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0

Absent - 9

Sen. K. Grover
Rep. K. Lisonbee
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. S. Pulsipher
Rep. M. Schultz

MOTION: Rep. Pierucci moved to favorably recommend "Alternative Education Scholarship Combination." The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Moss
Rep. C. Pierucci
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0

Absent - 9

Sen. K. Grover
Rep. K. Lisonbee
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. S. Pulsipher
Rep. M. Schultz

7. Draft Legislation: Education Entity Amendments

[7 - "Education Entity Amendments" \(2024FL0261-004\)](#)

[7 - "Education Entity Amendments" Handout](#)

[7 - Micro-Education Entities Presentation](#)

Sen. Fillmore presented on 2024 General Session draft legislation, "Education Entity Amendments."

Sen. Fillmore responded to questions from the committee.

The following individuals provided public comment:

Maria Dowdle, resident, spoke against the bill.

Karson Eilers, Utah League of Cities and Towns, spoke to the bill.

Alex Cheung, Wilderland Academy, spoke in favor of the bill.

Kelly Pierce, resident, spoke in favor of the bill.

Jon England, Libertas Institute, spoke in favor of the bill.

Ian Lindsey, Acton Academy St. George, spoke in favor of the bill.

Jonathan Bejarano, resident, spoke against the bill.

MOTION: Rep. Pierucci moved to favorably recommend "Education Entity Amendments." The motion passed with a vote of 8 - 4 - 8.

Yeas - 8

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Pierucci
Rep. S. Pulsipher

Nays - 4

Rep. C. Moss
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Absent - 8

Sen. K. Grover
Rep. K. Lisonbee
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. M. Schultz

8. Adjourn

MOTION: Rep. Pierucci moved to adjourn. The motion passed with a vote of 12 - 0 - 8.



Yeas - 12

Rep. K. Birkeland
Rep. T. Clancy
Sen. L. Fillmore
Rep. K. Hall
Rep. D. Johnson
Sen. J. Johnson
Rep. C. Moss
Rep. C. Pierucci
Rep. S. Pulsipher
Sen. K. Riebe
Rep. A. Romero
Rep. M. Wheatley

Nays - 0

Absent - 8

Sen. K. Grover
Rep. K. Lisonbee
Rep. S. Lund
Sen. A. Millner
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. M. Schultz

Chair Johnson adjourned the meeting at 11:24 a.m.