



MINUTES

HOUSE EDUCATION STANDING COMMITTEE

LEGISLATURE

Tuesday, January 23, 2024 | 2:00 p.m. | 120 Senate Building

Members Present:

Rep. Candice B. Pierucci, Chair
Rep. Steven J. Lund, Vice Chair
Rep. Kera Birkeland
Rep. Tyler Clancy
Rep. Joseph Elison
Rep. Katy Hall
Rep. Dan N. Johnson
Rep. Karianne Lisonbee
Rep. Carol S. Moss
Rep. Karen M. Peterson

Rep. Susan Pulsipher
Rep. Angela Romero
Rep. R. Neil Walter

Members Absent:

Rep. Jefferson Moss
Rep. Val L. Peterson

Staff Present:

Micah Ann Wixom, Policy Analyst
Reese Boardman, Committee Secretary

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

Chair Pierucci called the meeting to order at 2:14 p.m. of January 23, 2024

MOTION: Rep. Pulsipher moved to approve the minutes. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. T. Clancy
Rep. J. Elison
Rep. D. Johnson
Rep. K. Lisonbee
Rep. C. Moss
Rep. C. Pierucci
Rep. S. Pulsipher
Rep. R. Walter

Nays - 0

Absent - 7

Rep. K. Birkeland
Rep. K. Hall
Rep. S. Lund
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. A. Romero

1. H.B. 182 Student Survey Amendments (*Lisonbee, K.*)

Rep. Lisonbee presented the bill.

Marla Keller, citizen spoke in favor of the bill.

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

Coralyn Shartte, Founder, American Prep Academy, spoke in favor of the bill.

Monica Wilbur, citizen, spoke in favor of the bill.

Korrina Dickson, citizen, spoke in favor of the bill.

Melanie Mortensen, Utah Parents United, spoke in favor of the bill.

Christina Boggess, citizen, spoke in favor of the bill.

Dalane England, Utah Eagle Forum, spoke in favor of the bill.

Mara Hammer, citizen, spoke in opposition to the bill.

Rita Heagren, Vice President, American Federation of Teachers Utah, spoke to the bill.

Karen Bartholomew, citizen, spoke in favor of the bill.

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

Annie Massey, citizen, spoke in favor of the bill.

MOTION: Rep. Peterson moved to replace H.B. 182 with 2nd Substitute H.B. 182. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. K. Lisonbee
Rep. S. Lund
Rep. C. Moss
Rep. K. Peterson
Rep. C. Pierucci
Rep. A. Romero
Rep. R. Walter

Nays - 0

Absent - 4

Rep. K. Birkeland
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

MOTION: Rep. Peterson moved to pass 2nd Substitute H.B. 182 out favorably. The motion passed with a vote of 9 - 2 - 4.

Yeas - 9

Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. K. Lisonbee
Rep. S. Lund
Rep. K. Peterson
Rep. C. Pierucci
Rep. R. Walter

Nays - 2

Rep. C. Moss
Rep. A. Romero

Absent - 4

Rep. K. Birkeland
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

2. H.J.R. 3 Joint Resolution Regarding Higher Education Accreditation (Welton, D.)

Rep. Welton presented the bill.

MOTION: Rep. Peterson moved to replace H.J.R. 3 with 1st Substitute H.J.R. 3. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. K. Peterson
Rep. C. Pierucci
Rep. A. Romero
Rep. R. Walter

Nays - 0

Absent - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

MOTION: Rep. Peterson moved to pass 1st Substitute H.J.R. 3 out favorably. The motion passed with a vote of 7 - 2 - 6.

Yeas - 7

Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. K. Peterson
Rep. C. Pierucci
Rep. R. Walter

Nays - 2

Rep. C. Moss
Rep. A. Romero

Absent - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

3. H.B. 172 Immigrant Student Athlete Participation Amendments (*Teuscher, J.*)

[3 HB 172 Handout](#)

Rep. Teuscher presented the bill.

Marcus Stevenson, Mayor of Midvale, spoke in favor of the bill.

David Spatafore, Utah Highschool Activities Association, spoke in favor of the bill.

MOTION: Rep. Lund moved to replace H.B. 172 with 1st Substitute H.B. 172. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. K. Peterson
Rep. C. Pierucci
Rep. A. Romero
Rep. R. Walter

Nays - 0

Absent - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

MOTION: Rep. Lund moved to pass 1st Substitute H.B. 172 out favorably. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. K. Peterson
Rep. C. Pierucci
Rep. A. Romero
Rep. R. Walter

Nays - 0

Absent - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

4. H.B. 29 Sensitive Material Review Amendments (*Ivory, K.*)

Rep. Ivory with the assistance of Brooke Stephens, Educator Director, Utah Parents United, and Gloria Vindas, citizen, presented the bill.

Daysha Stephens, citizen, spoke in favor to the bill.

Sarah Jones, Utah Education Association, spoke in opposition to the bill.

Ryan Wood, citizen, spoke in favor of the bill.

Peter Bromburg, Utah Library Association, spoke to the bill.

Maryam Christensen, Utah Legislative Watch, spoke in favor of the bill.

Brian Ferguson, citizen, spoke in opposition to the bill.

Karen Bartholomew, citizen, spoke in favor of the bill.

Rita Heagren, Vice President, American Federation of Teachers Utah, spoke in opposition to the bill.

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

Ellie Menlove, Legislative & Policy Counsel, ACLU of Utah, spoke in opposition to the bill.

Kim Chandler, citizen, spoke in favor to the bill.

Annie Fraiser, citizen, spoke in opposition to the bill.

Annie Massey, citizen, spoke in favor of the bill.

Regina Washington, citizen, spoke in favor of the bill.

Julie Barfuss, citizen, spoke in opposition to the bill.

Jessica Pino, citizen, spoke in opposition to the bill.

MOTION: Rep. Walter moved to amend H.B. 29 with Amendment #1. The motion passed with a vote of 11 - 1 - 3.

Amendment 1
H.B. 29

1. Page 1, Lines 8 through 10:

8 {~~Committee Note:~~

9 ~~The Education Interim Committee recommended this bill.~~

10 ~~Legislative Vote: 10 voting for 4 voting against 6 absent.~~}

2. Page 3, Lines 76 through 80:

76 (ii) "Sensitive material" does not include an instructional material:

77 (A) that an LEA selects under Section 53G-10-402;

(B) for a concurrent enrollment course that contains sensitive material and for which a parent receives notice from the course provider of the material before enrolling and gives the parent's consent by enrolling;

78 {~~(B)~~ (C) for medical courses;

79 {~~(C)~~ (D) for family and consumer science courses; or

80 {~~(D)~~ (E) for another course the state board exempts in state board rule.

3. Page 5, Lines 132 through 133:

132 (c) only if the LEA makes a determination that the challenged instructional material

133 does not constitute objective sensitive material {~~review~~}:

4. Page 5, Lines 141 through 144:

141 (iii) if the LEA makes a determination that the challenged instructional material

142 constitutes {~~objective~~} subjective sensitive material, ensure that the material is inaccessible to students in

143 any school setting, including the termination of the parent consent option described in
144 Subsection (4)(c)(ii); and

Yeas - 11

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. K. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Rep. R. Walter

Nays - 1

Rep. A. Romero

Absent - 3

Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson

MOTION: Rep. Hall moved to pass H.B. 29 out favorably. The motion passed with a vote of 10 - 2 - 3.

Yeas - 10

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. K. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Rep. R. Walter

Nays - 2

Rep. C. Moss
Rep. A. Romero

Absent - 3

Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson

MOTION: Rep. Peterson moved to adjourn. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. K. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Rep. A. Romero
Rep. R. Walter

Nays - 0

Absent - 3

Rep. K. Lisonbee
Rep. J. Moss
Rep. V. Peterson

Chair Pierucci adjourned the meeting at 4:36 p.m. of January 23, 2024