



MINUTES

HOUSE EDUCATION STANDING COMMITTEE

LEGISLATURE

Tuesday, February 13, 2024 | 4:00 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 4:21 p.m. of February 13, 2024.

MOTION: Rep. Johnson moved to approve the minutes. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

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

Nays - 0

Absent - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. C. Moss
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero

1. S.B. 56 Home School Amendments (Grover, K.)

Sen. Grover presented the bill.

MOTION: Rep. Peterson moved to pass S.B. 56 out favorably. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

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. S. Pulsipher
Rep. R. Walter

Nays - 0

Absent - 5

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero

MOTION: Rep. Lisonbee moved to place S.B. 56 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

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. S. Pulsipher
Rep. R. Walter

Nays - 0

Absent - 5

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero

2. H.B. 112 Sex Education Instruction Amendments (*Jimenez, T.*)

Rep. Jimenez presented the bill.

Hunter Clapsedl, teacher, spoke in opposition to the bill.

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

MOTION: Rep. Peterson moved to move to next agenda item. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

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. S. Pulsipher
Rep. R. Walter

Nays - 0

Absent - 5

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Moss
Rep. V. Peterson
Rep. A. Romero

3. H.J.R. 25 Joint Resolution for the Return of the Legislature Back to School Program (*Wheatley, M.*)

Rep. Wheatley presented the bill.

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

MOTION: Rep. Lisonbee moved to move to next agenda item. The motion passed with a vote of 8 - 2 - 5.

Yeas - 8

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 - 5

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

4. H.B. 420 School Code of Conduct Protections (*MacPherson, M.*)

Rep. MacPherson presented the bill.

Rep. Lund assumed the chair.

Lexie Cunningham, Utah School Boards Association and Utah School Superintendents Association, spoke to the bill.

Jay Blain, Utah Education Association, spoke to the bill.

Rita Heagren, American Federation of Teachers, spoke in favor of the bill.

MOTION: Rep. Johnson moved to replace H.B. 420 with 1st Substitute H.B. 420. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

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

Nays - 0

Absent - 5

- Rep. T. Clancy
- Rep. J. Moss
- Rep. V. Peterson
- Rep. C. Pierucci
- Rep. S. Pulsipher

MOTION: Rep. Peterson moved to amend 1st Substitute H.B. 420 with Amendment #1. The motion passed with a vote of 10 - 0 - 5.

Amendment 1
1st Sub. H.B. 420

1. Page 3, Lines 66 through 69:

- 66 (ii) the adverse action is based on the staff member's report.
- 67 (4) A staff member claiming an adverse action is retaliation as described in this section
- 68 may request a review of the adverse action with the relevant local entity that oversees or supervises
- 69 the individual or entity alleged to have taken the adverse action.

2. Page 3, Lines 82 through 87:

- 82 staff member, the individual or entity found to have taken adverse action in violation of this
- 83 section is subject to disciplinary action.
- 84 (d) (i) A staff member may appeal an entity's determination of an adverse action to that
- 85 entity's local supervisory entity.
- (ii) The local school board is the final reviewing entity for purposes of review and appeal of an adverse action as
- described in this part.
- 86 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 87 state board may adopt rules to implement this section.

Yeas - 10

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

Nays - 0

Absent - 5

- Rep. T. Clancy
- Rep. J. Moss
- Rep. V. Peterson
- Rep. C. Pierucci
- Rep. S. Pulsipher

MOTION: Rep. Lisonbee moved to pass 1st Substitute H.B. 420 out favorably. The motion passed with a vote of 10 - 1 - 4.

Yeas - 10

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

Nays - 1

Rep. C. Moss

Absent - 4

Rep. T. Clancy
Rep. J. Moss
Rep. V. Peterson
Rep. S. Pulsipher

5. H.B. 112 Sex Education Instruction Amendments (*Jimenez, T.*)

Rep. Jimenez presented the bill.

MOTION: Rep. Peterson moved to amend H.B. 112 with Amendment #1. The motion passed with a vote of 9 - 2 - 4.

Amendment 1
H.B. 112

1. Page 1, Line 26 through Page 2, Line 28:

26 (a) (i) "Sex education instruction" means for the purpose of the parental consent requirement in this section,
any course material, unit, class, lesson,
27 activity, or presentation that, as the focus of the discussion, provides instruction or information
28 to a student about:

2. Page 2, Lines 45 through 46:

45 (2) (a) A school shall obtain prior written consent from a student's parent before the school
46 may provide sex education instruction to the student.

(b) Notwithstanding receipt of the consent described in Subsection (2)(a), a school may not provide sex education instruction that is not provided in the curriculum described in Section 53G-10-402.

Yeas - 9

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

MOTION: Rep. Peterson moved to pass H.B. 112 out favorably. The motion passed with a vote of 9 - 2 - 4.

Yeas - 9

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

Rep. Pierucci assumed the chair.

6. S.B. 92 Student Communication Methods (Pitcher, S.)

Sen. Pitcher presented the bill.

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

Scott H, citizen, spoke in favor of the bill.

MOTION: Rep. Elison moved to amend S.B. 92 with Amendment #3. The motion passed with a vote of 12 - 0 - 3.

Amendment 3
S.B. 92

1. Page , Lines 228 through 230:

228 (ii) for at least 10 days before the day [øf] on which the public hearing[~~,-be published~~]
229 occurs, publish the {~~noticed~~} notice of public hearing for the school district in which the school is
230 located, as a class A notice under Section 63G-30-102; and

Yeas - 12

Rep. K. Birkeland
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 - 3

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

MOTION: Rep. Hall moved to pass S.B. 92 out favorably.

SUBSTITUTE MOTION: Rep. Walter moved to amend S.B. 92 with Amendment #4. The substitute motion passed with a vote of 10 - 2 - 3.

Amendment 4
S.B. 92

1. Page 7, Lines 197 through 203:

197 (22)S→(a)←S A local school board shallS→ [[develop policies]] approve an LEA's
197a policies←S and proceduresS→that an LEA develops←S to ensure that students
198 have non-electronic notification of and access to:
199 S→ [[(a)]] (i)←Sschool activities and events, including:

- 200 {~~§ (i) (A) course work;~~}
- 201 {~~§ (ii) (B) (A) schedule changes; and~~}
- 202 {~~§ (iii) (C) (B) extracurricular activities; and~~}
- 203 ~~§ (b) (ii) the emergency response plans described in Subsections (20) and (21).~~

Yeas - 10

- Rep. T. Clancy
- Rep. J. Elison
- 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 - 2

- Rep. K. Birkeland
- Rep. K. Hall

Absent - 3

- Rep. J. Moss
- Rep. V. Peterson
- Rep. S. Pulsipher

MOTION: Rep. Hall moved to pass S.B. 92 out favorably. 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. K. Lisonbee
- Rep. S. Lund
- Rep. C. Moss
- Rep. K. Peterson
- Rep. C. Pierucci
- Rep. A. Romero
- Rep. R. Walter

Nays - 0

Absent - 3

- Rep. J. Moss
- Rep. V. Peterson
- Rep. S. Pulsipher

7. 2nd Sub. S.B. 13 Education Entity Amendments (Fillmore, L.)

Sen. Fillmore presented the bill.

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

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

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

Chris Hadley, citizen, spoke in opposition to the bill.

Ian Lindsey, citizen, spoke in favor of the bill.

Elizabeth Henderson, citizen, spoke to the bill.

MOTION: Rep. Lisonbee moved to pass 2nd Substitute S.B. 13 out favorably. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

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 - 5

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

8. H.J.R. 25 Joint Resolution for the Return of the Legislature Back to School Program (*Wheatley, M.*)

MOTION: Rep. Walter moved to replace H.J.R. 25 with 1st Substitute H.J.R. 25. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

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 - 5

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

MOTION: Rep. Walter moved to amend 1st Substitute H.J.R. 25 with Amendment #1. The motion passed with a vote of 10 - 0 - 5.

Amendment 1
1st Sub. H.J.R. 025

1. Page 2, Lines 30 through 32:

30 WHEREAS, because of their role as civic leaders, Utah's legislators are uniquely
31 positioned to teach students about the state's government and legislative process, explain the
32 role and responsibilities of legislators, and explain the crucial role of civic participation; and

2. Page 2, Lines 33 through 37:

33 WHEREAS, Utah's legislators have a history of engaging students in the classroom,
34 which is a valuable experience for legislators and students alike{; and
35 ~~—WHEREAS, the National Conference of State Legislatures (NCSL) provides a wide~~
36 ~~variety of educational resources legislators can use during school visits to teach students about~~
37 ~~the legislative process-};~~

3. Page 2, Lines 41 through 42:

41 {~~BE IT FURTHER RESOLVED that the Legislature encourages legislators to use~~
42 ~~NCSL's civics education resources and materials when visiting classrooms.-}~~

Yeas - 10

Rep. J. Ellison
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 - 5

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

MOTION: Rep. Walter moved to pass 1st Substitute H.J.R. 25 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

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

9. H.B. 269 Ten Commandments in Public Schools (*Petersen, M.*)

Rep. Petersen presented the bill.

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

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

Lillian Hadley, citizen, spoke in favor of the bill.

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

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

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

Kael Weston, citizen, spoke in opposition to the bill.

Taryn Hiatt, citizen, spoke in opposition to the bill.

MOTION: Rep. Birkeland moved to replace H.B. 269 with 1st Substitute H.B. 269. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. K. Birkeland
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. C. Pierucci
Rep. A. Romero

Nays - 0

Absent - 7

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

MOTION:

Rep. Birkeland moved to pass 1st Substitute H.B. 269 out favorably. The motion passed with a vote of 6 - 2 - 7.

Yeas - 6

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund

Nays - 2

Rep. C. Moss
Rep. A. Romero

Absent - 7

Rep. K. Lisonbee
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Rep. R. Walter

MOTION:

Rep. Johnson moved to adjourn. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. K. Birkeland
Rep. T. Clancy
Rep. J. Elison
Rep. K. Hall
Rep. D. Johnson
Rep. S. Lund
Rep. C. Moss
Rep. A. Romero

Nays - 0

Absent - 7

Rep. K. Lisonbee
Rep. J. Moss
Rep. K. Peterson
Rep. V. Peterson
Rep. C. Pierucci
Rep. S. Pulsipher
Rep. R. Walter

Chair Lund adjourned the meeting.