

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**

February 14, 2005

Room W135, West Office Building, State Capitol Complex

MEMBERS PRESENT: Rep. Margaret Dayton, Chair
Rep. LaVar Christensen, Vice Chair
Rep. Duane Bourdeaux
Rep. John Dougall
Rep. James A. Ferrin
Rep. James R. Gowans
Rep. David L. Hogue
Rep. Kory M. Holdaway
Rep. Bradley T. Johnson
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold
Rep. LaWanna Shurtliff

MEMBERS ABSENT: Rep. Ron Bigelow
Rep. Greg Hughes
Rep. Stephen Urquhart

STAFF PRESENT: Constance C. Steffen, Policy Analyst
Cindy Baker, Committee Secretary

Note: List of visitors and copy of handouts are filed with committee minutes.

Chair Dayton called the meeting to order at 4:16 p.m. and welcomed committee members.
Rep. Moss gave a one minute lesson on English usage.

MOTION: Rep. Hogue moved to approve the minutes of February 11, 2005. The motion passed unanimously with Representatives Bourdeaux and Christensen absent for the vote.

H.B. 124 Enrollment Growth Program Amendments (*B. Last*)

Rep. Last introduced the bill which modifies the funding formula for a program that provides money to school districts for school building construction.(A handout was passed to committee.)

MOTION: Rep. Gowans moved to pass the bill out favorably. The motion passed with Representative Shurtliff voting in opposition and Representatives Ferrin, Hogue and Holdaway absent for the vote.

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H.B. 187 Capital Outlay Foundation Program - Participation Requirements (*J. Ferrin*)

Rep. Ferrin introduced the bill which modifies the school district requirements to participate in the Capital Outlay Foundation Program. (Handouts were passed to committee members.)

MOTION: Rep. Dougall moved to amend the bill as follows:

1. Page 2, Line 47:

47 (B) the school campus may not exceed .015 acres per student capacity.

(c) The requirements under Subsection (2)(b) do not apply to a school designed for a capacity of 400 or fewer students.

The motion passed unanimously with Representatives Bourdeaux, Hogue and Holdaway absent for the vote.

MOTION: Rep. Johnson moved to amend the bill as follows:

1. Page 2, Lines 37 through 47:

37 (b) Beginning July 1, 2005, a school district receiving monies under the capital
outlay

38 foundation program shall construct each school as follows:

39 (i) for students in grades kindergarten through 6:

40 (A) school building construction costs may not exceed \$5,000 per student capacity;
and

41 (B) the school campus may not exceed .01 acres per student capacity **in counties**
of the first, second, and third class ;

42 (ii) for students in grades 7 through 9:

43 (A) school building construction costs may not exceed \$7,000 per student capacity;
and

44 (B) the school campus may not exceed .015 acres per student capacity **in counties**
of the first, second, and third class ; and

45 (iii) for students in grades 10 through 12:

46 (A) school building construction costs may not exceed \$9,000 per student capacity;
and

47 (B) the school campus may not exceed .015 acres per student capacity **in counties**

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of the first, second, and third class .

The motion passed with Rep. Dougall voting in opposition and Representatives Bourdeaux, Hogue and Holdaway absent for the vote.

The following spoke in opposition of the bill:

Neal Stowe, Architect

Marilyn Kofford, Utah PTA

Rich Thorn, Associated General Contractors

Larry Shumway, Superintendent, Tooele School District

Paul Waite, Assistant Superintendent, Davis School District

MOTION: Rep. Dougall moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Holdaway moved to move to the next item on the agenda. The motion failed with Representatives Bourdeaux, Christensen, Gowans, Moss, Shurtliff, and Holdaway voting in favor of the vote.

A vote was taken on Rep. Dougall's motion. The motion failed with Representatives Dayton, Dougall, Ferrin, Johnson and Newbold voting in favor of the motion.

Chair Dayton relinquished the chair to Vice Chair Christensen at 5:40 p.m.

S.B. 122 1st Sub. Resident Tuition Status for Job Corps Students (*G. Bell*)

Senator Bell introduced the bill, which provides resident status for Job Corps students at state institutions of higher education.

MOTION: Rep. Bourdeaux moved to pass the bill out favorably. The motion passed with Representatives Ferrin and Hogue voting in opposition and Representatives Dayton and Dougall absent for the vote.

H.B. 148 School Truancy Amendments (*E. Hutchings*)

Rep. Hutchings introduced the bill, which modifies requirements on parents and local school boards or school districts to resolve a minor's school attendance problems.

MOTION: Rep. Newbold moved to amend the bill as follows:

1. Page 3, Lines 60 through 63:

60 ~~[[(4) For the purposes of this section, failure to resolve a child's excessive~~
61 ~~absenteeism is~~
62 ~~evidenced by ten unexcused absences, as defined by a school district's or charter~~
63 ~~school's~~
62 ~~policy, following a parent's receipt of the written notice required under Subsection~~
63 ~~53A-11-103(1)(b).]]~~ =

(4)(a) For the purposes of this section, a parent is considered to have knowingly failed to resolve a child's excessive absenteeism if the child, during any one school year, has ten absences without a valid excuse, as defined in Subsection (4)(b), following the parent's receipt of the written notice required under Subsection 53A-11-103(1)(b).

(b) As used in this section, "valid excuse" means:

(i) illness;

(ii) family death or crisis;

(iii) approved school activity;

(iv) family activity with prior school notice and approval; or

(v) additional reasons established by a local school board or school community council.

The motion passed unanimously with Representatives Dougall and Dayton absent for the vote.

MOTION: Rep. Hogue moved to amend the bill as follows:

1. Page 3, Lines 73 through 85:

73 (1) For each school-age minor who is or should be enrolled within that school
74 district,
74 the local school board or school district shall make efforts to resolve a minor's
75 school
75 attendance problems. Those efforts shall include, as reasonably feasible:
76 (a) counseling of the minor by school authorities;
77 (b) a written request for parental support in securing regular attendance by the
78 minor
78 delivered by certified mail or by hand to the parent, containing notice of the
 requirements of

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- 79 this section [~~and stating that refusal to respond to the notice is a class B misdemeanor~~];
- 80 (c) at least one meeting with the minor and the parents;
- 81 (d) any necessary adjustment to the curriculum and schedule to meet special needs of
- 82 the minor; [~~and~~]
- 83 (e) monitoring school attendance of the minor for a period not to exceed 30 days[-];
- 84 [~~and~~]
- 85 (f) consideration of alternatives proposed by the parent [-] ; and
(g) participation in a truancy mediation.

The motion passed unanimously with Representatives Johnson and Dayton absent for the vote.

The following spoke in favor of the bill:

Pat Rusk, Utah Education Association
Chad Harris, Utah School Board Association
Martha Thompson, Parent
Tiffany Isham, Granite School District

MOTION: Rep. Shurtliff moved to pass the bill out favorably as amended. The motion passed with Representatives Dougall, Ferrin and Newbold voting in opposition and Representatives Johnson and Dayton absent for the vote.

MOTION: Rep. Ferrin moved to adjourn the meeting. The motion passed unanimously with Representatives Johnson and Dayton absent for the vote.

Vice Chair Christensen adjourned the meeting at 6:02 p.m.

Rep. Margaret Dayton, Chair