

**MINUTES OF HOUSE EDUCATION
STANDING COMMITTEE**

February 23, 2005

Room W110, 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. Gregory H. Hughes
Rep. Bradley T. Johnson
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold
Rep. LaWanna Shurtliff

MEMBER ABSENT: Rep. Ron Bigelow
Rep. Stephen Urquhart
Rep. Kory M. Holdaway

STAFF PRESENT: Constance C. Steffen, Policy Analyst
Cindy Baker, Committee Secretary
Dee S Larsen, Associate General Counsel

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

Chair Dayton called the meeting to order at 4:22 p.m. and welcomed committee members.

H.B. 381 Nonresident Tuition Waivers (C. Buttars)

Rep. Buttars, assisted by Rep. Menlove, introduced the bill which modifies provisions for nonresident students attending institutions within the state system of higher education.

MOTION: Rep. Gowans moved to adopt 1st Substitute H.B.381. The motion passed unanimously with Representatives Dougall, Hogue, Johnson, Moss, Hughes and Christensen absent for the vote.

The following spoke in support of the bill:

Lee Burke, Utah State University

MOTION: Rep. Gowans moved to pass the bill out favorably. The motion passed with Rep. Dayton voting in opposition and Representatives Dougall, Hogue, Hughes, Johnson, Moss and Christensen absent for the vote.

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H.B. 239 Sub.1 Higher Education Tuition & Residency Legislative Task Force (G. Donnelson)

MOTION: Rep. Shurtliff moved to adopt 2nd Substitute H.B. 239. The motion passed unanimously with Representatives Dougall, Hogue, Hughes, Johnson, Moss and Christensen absent for the vote.

Rep. Donnelson introduced the bill which modifies an exemption from nonresident tuition within the State System of Higher Education.

MOTION: Rep. Bourdeaux moved to reconsider action to adopt 2nd Substitute H.B. 239. The motion passed with Representatives Dayton and Newbold voting in opposition and Representatives Dougall, Hogue, Hughes, Johnson, Moss and Christensen absent for the vote.

MOTION: Rep Bourdeaux moved to adopt 2nd Substitute H.B. 239. The motion failed with Representatives Dayton and Newbold voting in favor and Representatives Dougall, Hogue, Hughes, Johnson, Moss and Christensen absent for the vote.

MOTION: Rep. Newbold moved to pass 1st Substitute H.B. 239 out with a favorable recommendation. The motion passed with Representatives Bourdeaux and Shurtliff voting in opposition and Representatives Dougall, Hughes, Johnson, Moss and Christensen absent for the vote.

H.B. 232 Sub.1 Utah Basic Skills Competency Test Alternatives (P. Ray)

Rep. Ray introduced the bill which allows alternatives and exemptions to the requirement of passing the Utah Basic Skills Competency Test in order to receive a basic high school diploma.

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

1. *Page 1, Lines 13 through 15:*

- 13 ▶ allows ~~[[special education and]]~~ certain adult education students to pass
 an alternative
- 14 assessment of competency approved by the State Board of Education in lieu of the
- 15 Utah Basic Skills Competency Test in order to receive a basic high school diploma;

2. *Page 3, Lines 63 through 68:*

- 63 (b) An alternative assessment of competency provided for in this section may be taken

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- 64 in lieu of the basic skills competency test by ~~[[~~
65 ~~—(i) a student with a disability, as determined pursuant to Title 53A, Chapter 15,~~
~~Part 3,~~
66 ~~Education of Children with Disabilities; and~~
67 ~~—(ii)]]~~ an adult education student, as determined pursuant to Title 53A, Chapter 15,
Part 4,
68 Adult Education, whose class graduated after 2006.

The motion passed unanimously with Representatives Dougall, Hughes, Johnson, Moss and Christensen absent for the vote.

The following spoke in support of the bill:

Ms. Maynard

Ray Timothy, Utah State Office of Education

MOTION: Rep. Hogue moved to pass the bill out favorably. The motion passed with Rep. Newbold voting in opposition and Representatives Hughes and Christensen absent for the vote.

H.B. 141 School Breakfast Program (D. Litvack)

Rep. Litvack introduced the bill which requires certain schools to participate in the School Breakfast Program.

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

1. *Page 1, Lines 25 through 27:*

- 25 (1) ~~[[+]]~~ (a) ~~[[+]]~~ Each local school board shall~~[, at least once every three~~
~~years, review]~~ require
26 each ~~[elementary]~~ school in its district ~~[that does not]~~ that is eligible for severe need
assistance
27 to participate in the School Breakfast Program ~~[as to the school's reasons for~~
~~nonparticipation]~~ **except as provided in Subsection (1)(b)** . . .
(b) A local school board may exempt the following from participating in the
School Breakfast Program:
(i) alternative schools; or
(ii) schools at which the School Breakfast Program would not operate
effectively or efficiently.

The motion passed unanimously.

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The following spoke in support of the bill:

Dan Belnap, Utahns Against Hunger
Gina Cornia, Utahns Against Hunger
Pat Rusk, Utah Education Association
Debbie Tabor, Utah PTA
Linda Hilton, Crossroads Urban Center
Heather Bennett, Salt Lake Board of Education

The following spoke in opposition to the bill:

Gayle Ruzicka, Utah Eagle Forum

MOTION: Rep. Bourdeaux moved to pass the bill out favorably. The motion passed with Representatives Dayton, Dougall and Newbold voting in opposition.

H.B. 175 Education Achievement Gap Task Force (D. Litvack)

Rep. Litvack introduced the bill which creates the Education Achievement Gap Task Force.

MOTION: Rep. Hughes moved to refer the bill to interim study.

SUBSTITUTE

MOTION: Rep. Bourdeaux moved to pass the bill out favorably. The motion failed with Rep. Bourdeaux, Gowans, Moss and Shurtliff voting in favor and Representatives Dougall, Johnson and Christensen absent for the vote.

A vote was taken on Rep. Hughes motion. The motion passed with Rep. Hogue voting in opposition and Representatives Dougall, Johnson and Christensen absent for the vote.

MOTION: Rep. Newbold moved to adjourn. The motion passed unanimously with Representatives Dougall, Johnson and Christensen absent for the vote.

Chair Dayton adjourned the meeting at 5:57 p.m.

Rep. Margaret Dayton, Chair

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