

MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
Tuesday, February 8, 2005
Room W130, West Office Building, State Capitol Complex

Members Present: Sen. David L. Thomas, Committee Chair
Sen. Patrice M. Arent
Sen. D. Chris Buttars
Sen. Dan R. Eastman
Sen. Karen Hale
Sen. Mark Madsen
Sen. Howard A. Stephenson

Staff Present: Phillip V. Dean, Policy Analyst
Connie Steffen, Policy Analyst
Dee S. Larsen, Attorney
Norda Shepard, Secretary

Public Speakers Present: Rep. Wayne A. Harper
Rep. Margaret Dayton
Rep. Stephen H. Urquhart
Brian Allen, Chairman, State Charter School Board
Patti Harrington, Superintendent, Utah State Board of Education
Carol Lear, Utah State Board of Education
Vic Arnold, Utah Education Association
Chad Harris, Utah School Boards Association
Karen Silver, Salt Lake Community Action Program
Pat Rusk, President, Utah Education Association
Karen Rupp, Utah PTA
Gary Cameron, Exe. Director, Utah School Boards Association
Brent Gardner, Utah Association of Counties
Natalie Gordon, Adelaide Elementary School Community Council
Kim Christy, Assistant Director, SITLA

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Thomas called the meeting to order at 4:13 p.m.

1. Approval of Minutes

MOTION: Sen. Arent moved to approve the minutes of 2-04-05. The motion passed unanimously. Absent at the time of the vote were Sen. D. Eastman and Sen. K. Hale.

2. S.B. 178 Charter School Amendments (Sen. H. Stephenson)

Sen. Stephenson presented the bill. Brian Allen, Chairman, State Charter School Board, explained the bill and spoke in support.

MOTION: Sen. Stephenson moved to amend S.B. 178, Charter School Amendments, with the following amendments:

1. Page 4, Line 117 through Page 5, Line 124:

- 117 (d) The State Charter School Board shall review and, by majority vote, either
approve
118 or deny the application [~~within 60 days after the application is received by the board~~].
119 (e) The State Board of Education shall, by majority vote, within 60 days after action
by
120 the State Charter School Board under Subsection (1)(d):
121 (i) approve or deny an application approved by the State Charter School Board; or
122 (ii) hear an appeal, if any, of an application denied by the State Charter School
Board.
123 (f) The State Board of Education's action under Subsection (1)(d) is final action
subject
124 to judicial review. =

(g) A charter school application may not be denied on the basis that the establishment of the charter school will have any or all of the following impacts on a public school, including another charter school:

(i) an enrollment decline;

(ii) a decrease in funding; or

(iii) a modification of programs or services.

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The motion passed. Those voting in favor were: Sen. D. Thomas, Sen. C. Buttars, Sen. M. Madsen, and Sen. H. Stephenson. Those voting in opposition were Sen. P. Arent and Sen. K. Hale. Absent for the vote was Sen. D. Eastman.

Patti Harrington, Superintendent, Utah State Board of Education; Carol Lear, State Board of Education; and Vic Arnold, Director of Government Relations, Utah Education Association spoke in support but of some of the bills provisions. Chad Harris, Associate Executive Director, Utah School Boards Association spoke to the bill.

Sen. Madsen declared a conflict of interest.

MOTION: Sen. Arent moved to pass S.B. 178, Charter School Amendments, out with a favorable recommendation as amended.

The motion passed unanimously.

Sen. Buttars assumed the chair.

3. H.B. 183 Verification of Eligibility for Fee Waivers (Rep. W. Harper)

Rep. Wayne A. Harper presented the bill and an amendment.

MOTION: Sen. Arent moved to amend S.B. 183, Verification of Eligibility for Fee Waivers, with the following amendments:

1. *Page 3, Lines 70 through 72*
House Floor Amendments
1-28-2005:

70 (b) specifying the acceptable forms of documentation for the requirement under
71 Subsection (5)(a), which shall include verification based on income tax returns ~~H→~~ [if
 the parent or
72 guardian was required to file a return] ~~←H~~ .

(6) Notwithstanding the requirements under Subsection (5), a school is not required to keep documentation on file after the verification is completed.

The motion passed unanimously. Absent for the vote was Sen. D. Thomas

Karen Silver, Salt Lake Community Action Program spoke in opposition. Chad Harris, Utah School Boards Association, spoke in support with some concerns.

Sen. Thomas resumed the chair.

MOTION: Sen. Hale moved to pass H.B. 183, Verification of Eligibility for Fee Waivers, out with a favorable recommendation as amended.

The motion passed unanimously. Absent for the vote was Sen. H. Stephenson.

4. H.C.R. 6 Resolution Recognizing Utah's Legislators Back to School Program (*Rep. M. Dayton*)

Rep. Margaret Dayton presented the bill.

MOTION: Sen. Arent moved to pass H.C. R. 6, Resolution Recognizing Utah's Legislators Back to School Program, out with a favorable recommendation.

The motion passed unanimously. Absent for the vote were: Sen. K. Hale and Sen. H. Stephenson.

5. H.B. 43 School Land Trust Program Funding Amendments (*Rep. S. Urquhart*)

Rep. Stephen H. Urquhart presented the bill and distributed a list of organizations supporting H.B. 43. Pat Rusk, President, Utah Education Association; Karen Rupp, Utah PTA; Gary Cameron, Executive Director, Utah School Boards Association; Brent Gardner, Utah Association of Counties; Natalie Gordon, Adelaide Elementary School Community Council; and Kim Christy, Assistant Director, School and Institutional Trust Lands Administration spoke in support.

MOTION: Sen. Hale moved to pass H.B. 43, School Land Trust Program Funding Amendments, out with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Hale moved to adjourn. The motion passed unanimously.

Chair Thomas adjourned the meeting at 5:25 p.m.

Minutes were reported by Norda Shepard, Secretary.