

MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
Tuesday, January 24, 20056
Room W130, West Office Building, State Capitol Complex

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

Members Excused: Sen. D. Chris Buttars

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

Public Speakers Present: Rhonda Rose, Legislative Vice President, Utah PTA
Ray Timothy, Asst. Supt., State Board of Education
Steve Peterson, Utah State School Boards Association
Gail Miller, Home School Parent
Dan McCurry, Home School Parent
Evan Excell, Asst. Dir., Utah High School Athletic Association
Gayle Ruzicka, Eagle Forum
Chris Johnson, Home School Student

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

Committee Chair Thomas called the meeting to order at 2:20 p.m.

1. Approval of Minutes

MOTION: Sen. Arent moved to approve the minutes of 1-18-06. The motion passed unanimously with Sens. Eastman and Stephenson absent for the vote.

2. S.B. 126 Transportation of Children in Kindergarten Through Sixth Grade (Sen. E. Mayne)

S.B. 126, "Transportation of Children in Kindergarten Through Sixth Grade" was pulled at the sponsor's request.

3. S.B. 49 School Community Council Amendments (Sen. P. Arent)

Sen. Arent presented the bill. Rhonda Rose, Legislative Vice President, Utah State PTA; Ray Timothy, Assistant Superintendent, State Board of Education; and Steve Peterson, Utah State School Boards Association, spoke in support.

MOTION: Sen. Arent moved to amend S.B. 49, "School Community Council Amendments" with the following amendment:

1. Page 2, Lines 30 through 33:

- 30 guardian's initial term of office. "Parent or guardian member" may not include a person
who
31 meets the definition of a school employee member unless the person's employment at the
32 school normally requires an average of less than {~~ten~~} eighteen hours per week.
33 (b) "School employee member" means a person employed at a school by the school
or

The motion passed unanimously.

MOTION: Sen. Hale moved to pass S.B. 49, "School Community Council Amendments," out as amended with a favorable recommendation.

The motion passed unanimously.

4. S.B. 72 Home School and Dual Enrollment Amendments (Sen. M. Madsen)

Sen. Madsen presented the bill. Gail Miller, a home school parent; Dan McCurry, home school parent; Gayle Ruzicka, Eagle Forum; and Chris Johnson, a home school student, spoke in support. Evan Excell, Executive Director, Utah High School Athletic Association; Ray Timothy, State Office of Education, and Steve Peterson, Utah State School Boards Association, voiced concerns. Rhonda Rose, Utah PTA, spoke in support but with some concerns.

MOTION: Sen. Stephenson moved to amend S.B. 72, "Home School and Dual Enrollment Amendments," with the following amendments:

1. Page 1, Lines 15 through 17:

15 ▶ provides that a minor shall be excused from attendance at a public or private
 school
16 if the minor's parent files a {~~form~~} statement signed by the parent with the local
board of
17 education stating that the minor will attend a home school;

2. *Page 1, Lines 21 through 23:*

21 ▶ provides that a private or home school student may only participate in
22 extracurricular activities at the public school within whose boundaries the student's
23 custodial parent or legal guardian resides or a public school within the student's school
district of residence which is open for enrollment of nonresident students ; and

3. *Page 3, Lines 62 through 66:*

62 (2) (a) On an annual basis, a school-age minor shall be excused from attendance by a
63 local board of education and a parent exempted from application of Subsections
53A-11-101(2)
64 and (3), if the minor's parent files a {~~form~~} statement signed [affidavit] by the
parent with the minor's
65 school district of residence, as defined in Section 53A-2-201, stating that the minor will
attend
66 a home school and receive instruction as required by Subsection (2)(b).

4. *Page 4, Lines 113 through 115:*

113 **(b) A private or home school student may only participate in extracurricular activities**
114 **at ;**
 (i) the public school within whose boundaries the student's custodial parent or legal
 guardian
115 **resides ; or**
 (ii) a public school:
 (A) within the home school student's school district of residence; and
 (B) which is open for enrollment of nonresident students pursuant to Section
53A-2-207 or Section 53A-2-213.

The motion passed unanimously with Sen. Eastman absent for the vote.

MOTION: Sen. Stephenson moved to pass S.B. 72, "Home School and Dual Enrollment Amendments," out as amended with a favorable recommendation.

Sen. Thomas declared a conflict of interest.

The motion passed with Sens. Thomas, Madsen and Stephenson voting in favor; Sens. Arent and Hale in opposition; and Sen. Eastman absent for the vote.

MOTION: Sen. Hale moved to adjourn. The motion passed unanimously with Sen. Eastman absent for the vote.

Chair Thomas adjourned the meeting at 3:34 p.m.

Minutes reported by Norda Shepard, Secretary.

Sen. David L. Thomas, Chair