

MINUTES OF THE  
SENATE EDUCATION STANDING COMMITTEE  
Friday, February 3, 2006  
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: Connie Steffen, Policy Analyst  
Norda Shepard, Secretary

Public Speakers Present: Col. Scott Olson, Utah National Guard  
Dave Buhler, Utah Higher Education  
Rep. Rhonda Menlove  
Darrin Reed Cowan, Anti-bullying Advocate  
Cliff Lyon, Chairman, Human Rights in Education Council  
Shawn McLeod, Assistant Principal, South Jordan Middle School  
Chris Cook, Senior Student, Rowland Hall  
Dawn Kay, Utah State Board of Education  
Ronda Rose, Utah PTA  
Rep. Craig Buttars

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

Acting Committee Chair Madsen called the meeting to order at 2:11 p.m. and indicated that Sen. Thomas would be absent for much of the meeting and had requested him to chair.

**1. S.B. 174 In-state Tuition for Members of Utah National Guard (Sen. P. Knudson)**

Sen. Knudson presented the bill. Col. Scott Olson, Utah National Guard, and Dave Buhler, State System of Higher Education, spoke in support of the bill.

**MOTION:** Sen. Arent moved to pass S.B. 174, "In-state Tuition for Members of Utah National Guard," out with a favorable recommendation. The motion passed unanimously with Sen. Thomas absent for the vote.

**MOTION:** Sen. Hale moved to approve the minutes of February 1, 2006. The motion passed unanimously with Sen. Thomas absent for the vote.

**2. S.C.R. 1 Resolution Encouraging School Boards to Adopt Policy Prohibiting Bullying**  
**(Sen. P. Arent)**

Sen. Arent presented the resolution with the help of Rep. Rhonda Menlove.

The following spoke in support of the resolution:  
Darrin Reed Cowan, Anti-bullying Advocate  
Cliff Lyon, Chairman, Human Rights in Education Council  
Shawn McLeod, Assistant Principal, South Jordan Middle School  
Chris Cook, student, Rowland Hall  
Dawn Kay, Utah State Office of Education

Mr. Cowan distributed handouts.

**MOTION:** Sen. Hales moved to pass S.C.R. 1, "Resolution Encouraging School Boards to Adopt Policy Prohibiting Bullying," out with a favorable recommendation. The motion passed unanimously with Sens. Thomas and Stephenson absent for the vote.

**3. S.J.R. 9 Resolution Recognizing Right to Participate in Religious Expressions in Public Schools**  
**(Sen. P. Hellewell)**

Sen. Hellewell presented the resolution.

**MOTION:** Sen. Thomas moved to amend S.J.R 9. as follows:

1. Page 2, Lines 42 through 45: {-

- 42 ~~—WHEREAS, courts have ruled that voluntary student participation in prayer in~~  
43 ~~public~~  
44 ~~schools is permitted if the policy permitting it ensures that there is no direct or~~  
45 ~~indirect~~  
46 ~~coercion and no identification with a particular religion, and that the prayer should~~  
47 ~~be~~  
48 ~~nonsectarian, nondenominational, and nonproselytizing in character; }~~ =

WHEREAS, courts have upheld the right of students to spontaneously pray in school settings, and school administrators and teachers are in no way permitted to discourage religious expression, including prayer, by a student;

**WHEREAS, in the classroom, instruction covering religious subject matter is permitted, provided the teacher does not advocate religion in general or one or more religions in particular;**

The motion passed unanimously with Sens. Eastman and Stephenson absent for the vote.

Ronda Rose, Utah PTA, spoke in support of the resolution.

**MOTION:** Sen. Thomas moved to pass S.J.R. 9, "Resolution Recognizing Right to Participate in Religious Expressions in Public Schools," out with a favorable recommendation as amended. The motion passed unanimously with Sens. Eastman and Stephenson absent for the vote.

**4. H.B. 66 Tuition Waivers for Higher Education (Rep. C. Buttars)**

Rep. Craig Buttars presented the bill.

**MOTION:** Sen. Arent moved to pass H.B. 66, "Tuition Waivers for Higher Education," out with a favorable recommendation. The motion passed with Sens. Eastman and Stephenson absent for the vote.

**MOTION:** Sen. Thomas moved to adjourn.

Acting Chair Madsen adjourned the meeting at 3:05 p.m.

Minutes were reported by Norda Shepard, Secretary.

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Sen. Mark B. Madsen, Acting Chair