

**MINUTES OF HOUSE EDUCATION  
STANDING COMMITTEE**

February 13, 2007

Room W135, West Office Building, State Capitol Complex

**MEMBERS PRESENT:** Rep. Gregory H. Hughes, Chair  
Rep. Patrick Painter, Vice Chair  
Rep. Sylvia S. Andersen  
Rep. Craig A. Frank  
Rep. James R. Gowans  
Rep. Kory M. Holdaway  
Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold  
Rep. LaWanna "Lou" Shurtliff  
Rep. Kenneth W. Sumsion  
Rep. Stephen Urquhart  
Rep. Mark A. Wheatley

**MEMBERS ABSENT:** Rep. Brad Dee, Rep. Becky Lockhart,  
Rep. Stephen H. Urquhart,

**STAFF PRESENT:** Constance C. Steffen, Policy Analyst  
Diane Obeshaw, Committee Secretary  
Dee S Larsen, Associate General Counsel

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

Chair Hughes called the meeting to order at 4:15 p.m.

**MOTION:** Rep. Gowans moved to adopt the minutes of February 8, and February 12, 2007.  
The motion passed unanimously with Rep. Anderson, and Rep. Holdaway absent  
for the vote.

Rep. Moss gave a grammar lesson on the word 'regardless'.

**H.B. 360      Orderly School Termination Act Amendments (*Rep. B. Last*)**

Rep. Last introduced the bill which modifies procedures for the termination or discontinuation  
of a career employee's contract.

John Robson, attorney, explained the purposes of the changes made by the bill.

Vic Arnold, Utah Education Association, commented on the bill.

Steve Peterson, Utah School Boards Association, spoke in favor of the bill

**MOTION:** Rep. Gowans moved to pass the bill out favorably. The motion passed unanimously with Rep. Anderson, and Rep. Hughes absent for the vote.

**H.B. 186 School Safety Amendments (Rep. C. Moss)**

Rep. Moss introduced the bill which adds harassment or intimidation to the list of grounds for suspension or expulsion from a public school and requires the reporting of incidents or harassment or intimidation.

**MOTION:** Rep. Last moved to amend the bill as follows:

1. *Page 5, Lines 137 through 141:*

- 137 psychological well-being and is {:  
138 —(i) motivated by an actual or a perceived personal characteristic, including race,  
139 national origin, marital status, gender, gender identity, sexual orientation, religion, or  
disability;  
140 or  
141 —(ii) } threatening or seriously intimidating; and

The motion passed unanimously.

**MOTION:** Rep. Holdaway moved to amend the bill as follows:

1. *Page 5, Line 143 through Page 6, Line 181:*

- 143 {(2) The state superintendent of public instruction shall create a standard  
victim of  
144 harassment or intimidation form that shall:  
145 —(a) identify the victim and the alleged perpetrator, if known;  
146 —(b) indicate the age of the victim and the alleged perpetrator, if known;  
147 —(c) describe the incident, including alleged statements made by the alleged  
perpetrator;  
148 —(d) indicate the location of the incident;  
149 —(e) identify any physical injury suffered by the victim and describe the  
seriousness and  
150 any permanent effects of the injury;  
151 —(f) indicate the number of days the victim has been absent from school, if any, as  
a

152 result of the incident;  
153 — (g) identify any request for psychological services initiated by the victim or the  
154 victim's  
154 family due to psychological injuries suffered; and  
155 — (h) include instructions on how to complete and submit the form, including a  
155 mailing  
156 address and electronic submission procedures, if available;  
157 — (3) (a) The state superintendent of public instruction shall distribute copies of  
157 the  
158 victim of harassment or intimidation report to school districts and charter schools;  
159 — (b) Copies of the victim of harassment or intimidation report shall be available  
159 at each  
160 school;  
161 — (4) An incident of harassment or intimidation may be reported to a school by a  
161 student;  
162 parent, guardian, or close adult relative of a student.  
163 — (5) (a) Each school within a school district shall forward reports of incidents of  
163 harassment or intimidation at the school to the school district.  
164 — (b) Each school district and charter school shall submit summaries of reports of  
165 harassment or intimidation filed with the school district or charter school to the State  
166 Board of  
167 Education by June 30 of each year.  
168 — (c) The report summaries described in Subsection (5)(b) shall delete any  
168 personally  
169 identifying information.  
170 — (d) The reports to the State Board of Education shall include, to the extent  
170 feasible:  
171 — (i) a description of the incident of harassment or intimidation;  
172 — (ii) the age of the victim and the alleged perpetrator;  
173 — (iii) the allegation of the alleged perpetrator's motive;  
174 — (iv) a description of the investigation of the complaint and any corrective action  
174 taken  
175 by the appropriate school authorities;  
176 — (v) the number of days the victim has been absent from school, if any, as a result  
176 of the

- 177 incident; and  
178 —(vi) the number of false allegations reported.  
179 —(6) The State Board of Education shall submit a report by November 30 of each  
year to  
180 the Education Interim Committee summarizing the reports filed by school districts  
and charter  
181 schools under Subsection (5).}

The motion failed with Rep. Frank, Rep. Holdaway, Rep. Last, rep. Newbold, and Rep. Sumsion voting in favor of the motion, and Rep. Anderson absent for the vote.

The following spoke in support of the bill:  
Janet Shipton, Citizen from Roy, Utah  
Kim Campbell, Utah Education Association  
Will Carlson, Equality Utah  
Cliff Lyon, Chairman of Anti-Bullying Training Board

**MOTION:** Rep. Shurtliff moved to pass the bill out favorably as amended. The motion passed with Rep. Holdaway and Rep. Last voting in opposition.

**S.C.R. 2 Resolution Promoting Legislators Back to School Program (Sen. M. Dayton)**

Rep. Dayton introduced the resolution which expresses support for civic education and Utah's Legislators Back to School Program.

Sue Perry, Utah PTA, spoke in support of the bill.

**MOTION:** Rep. Holdaway moved to pass the resolution out favorably. The motion passed unanimously.

**MOTION:** Rep. Hughes moved to place the bill on the consent calendar. The motion passed unanimously. The motion passed unanimously.

**H.B. 364 Public School Textbook Evaluation (Rep. G. Froerer)**

**MOTION:** Rep. Hughes moved to adopt 1st Substitute H.B. 364. The motion passed with Rep. Holdaway, Rep. Newbold, Rep. Gowans, and Rep. Shurtliff voting in opposition.

Rep. Froerer introduced the bill which establishes requirements related to public education

instructional materials.

Paul Hoffman, Procert Labs, spoke in support of the bill.

**MOTION:** Rep. Frank moved top pass 1st Substitute H.B. 364 out favorably. The motion passed unanimously.

**H.B. 149** **Class Size Reduction in Grades Kindergarten Through Three** (*Rep. K. Morgan*)

**MOTION:** Rep. Gowans moved to adopt 1st Substitute H.B. 149. The motion passed unanimously with Rep. Frank, Rep. Shurtliff, and Rep. Hughes absent for the vote.

The following spoke in support of the bill:  
Rory Anderson, Mother from Lindon, Utah  
Sarah Meiers, Utah School Boards Association  
Gigi Brandt, Utah League of Women Voters

**MOTION:** Rep. Moss moved to pass out favorably 1st Substitute H.B. 149. the motion passed unanimously with Rep. Shurtliff absent for the vote.

**MOTION:** Rep. Last moved to adjourn the meeting at 6:18 p.m. The motion passed unanimously.

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Rep. Gregory H. Hughes, Chair

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