

MINUTES OF THE
SENATE EDUCATION STANDING COMMITTEE
Tuesday, February 5, 2008
Room W130, West Office Building, State Capitol Complex

Members Present: Sen. Margaret Dayton, Committee Chair
Sen. Greg Bell
Sen. Pat Jones
Sen. Darin Peterson
Sen. Ross Romero
Sen. Howard A. Stephenson

Members Absent: Sen. Curtis Bramble
Sen. Lyle Hillyard

Staff Present: Phillip V. Dean, Policy Analyst
Joan Tiffany, Secretary

Public Speakers Present: Senator Carlene Walker
Brian Allen, Cottonwood Heights City
Barry Newbold, Superintendent of Schools, Jordan School District
Rick Horst, South Jordan City Manager, West Side Transition
Team Member
Steven Peterson, Executive Director, Utah School Boards
Association & Utah School Superintendents Association
Susan Kuziak, Executive Director, Utah Education Association
Pat Casaday, Sandy City
David Newton, Mayor, West Jordan City
Senator Mark Madsen
David Saba, President, American Board for Certification of
Teachers

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

Committee Chair Dayton called the meeting to order at 8:08 am.

1. **MOTION:** Sen. Romero moved to approve the minutes of January 24, January 28 and February 1. The motion passed unanimously with Sens. Jones, Bramble and Hillyard absent for the vote

2. S.B.0071 School District Amendments

Sen. Carlene Walker introduced S.B.0071 and presented an amendment.

Sen. Romero moved to adopt the following Amendment 4:

1. *Page 1, Lines 23 through 24:*

- 23 allocation of school district property; =
▶ modifies the required content of an inventory that an existing district is required to provide;
▶ requires transition teams to consider the value of school buildings and associated property in making the allocation of other existing district property;
24 ▶ requires an existing school district to make money available to {~~a~~} the remaining district and the new district,

2. *Page 2, Lines 35 through 36:*

- 35 Other Special Clauses:
36 {~~None~~} This bill provides an immediate effective date.

3. *Page 12, Line 339:*

339 a new school district, to elect] date , to elect :

4. *Page 14, Line 406:*

406 (i) prepare an inventory of the existing district's {~~assets~~} :
(A) property, both tangible and intangible, real and personal; and
(B) liabilities; and

5. *Page 14, Lines 412 through 414:*

412 district and the new district in accordance with Subsection (4)(c)(ii)[-];
413 (II) prepare a written report detailing how the existing district's property {~~is~~} :
assets, and liabilities are to be
414 allocated, including:

6. *Page 15, Lines 438 through 440:*

438 (Bb) the school district board of the new district.
439 (ii) Subject to Subsection (4)(c)(iii), all property [of] , assets, and liabilities that
the existing district owns on
440 the allocation date, both tangible and intangible, real and personal, shall be allocated
between

7. Page 15, Lines 449 through 450:

449 (D) any money made available for the use of the new district under Subsection (5); (E) the appraised or agreed value of school buildings and associated property allocated to the remaining district and the new district under Subsection (4)(c)(iii)(A);
and
450 ~~(D)~~ ~~{(E)}~~ (E) any other factors that the transition teams consider relevant
in dividing the

8. Page 16, Line 486 through Page 17, Line 504:

486 (5) (a) Within 30 days after the canvass date, the existing district shall make half
of its General Fund, to a maximum of \$20,000,000, available
487 for the ~~{new district's}~~ use ~~{:}~~ of the remaining district and the new
district, as provided in this Subsection (5).
488 ~~{(i) \$2,500,000, if the balance of the existing district's fund used for school~~
~~district~~
489 ~~operations is \$5,000,000 or more on the allocation date; or~~
490 ~~—(ii) 50% of the balance of the existing district's fund used for school district~~
~~operations;~~
491 ~~if the balance of that fund on the allocation date is less than \$5,000,000.}~~
492 (b) The existing district shall make the money ~~{made}~~ under
Subsection (5)(a) available to the remaining district and the new district
~~{under Subsection (5)(a):}~~ proportionately based on student population.
(c) The money made available under Subsection (5)(a):
493 (i) shall be used to further the purposes of this part; and
494 (ii) may be accessed and spent by:
495 (A) before July 15 of the year following the creation election date:
(I) for the remaining district, the members of the existing district board who
reside within the area of the remaining district, in consultation with:
(Aa) the legislative bodies of all municipalities in the area of the remaining

district; and

(Bb) the legislative body of the county in which the remaining district is located, if the remaining district includes one or more unincorporated areas of the county; and

496 ~~{(A)}~~ (II) for the existing district:

497 (Aa) the legislative body of the city in which the new district was created or the legislative body's designee, if the new district is located entirely within the boundary of a single

498 city; or

499 ~~{(B)}~~ (Bb) the legislative bodies of all interlocal agreement participants or the legislative
500 bodies' designee, if the new district was created as a result of an interlocal agreement
501 under

502 Subsection (2); ~~{or}~~ and

503 (B) ~~{the school district board of the new school district,}~~ on or after July 15 of the year following the creation election date ~~{.}~~ ;

(I) for the remaining district, the school district board of the remaining district; and

(II) for the new district, the school district board of the new district.

504 (6) (a) The existing district shall transfer title or, if applicable, partial title of property

9. *Page 18, Line 527:*

527 (ii) the school district board of the new district.

Section 5. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

The motion passed unanimously with Sens. Jones, Bramble and Hillyard absent for the vote.

Sen. Walker and Brian Allen explained the changes in the amendment. Barry Newbold, Rick Horst, Steven Peterson, Susan Kuziak, Pat Casaday and Mayor David Newton expressed their concerns regarding the division of Jordan School District. Sens. Stephenson, Petersen, Romero and Bell asked questions concerning the amendment.

MOTION: Sen. Dayton moved to add the words "assets and liabilities" to lines 413 and 439 to the bill. (shown above)

The motion passed unanimously with Sens. Bramble, Hillyard, Jones and Stephenson absent for the vote.

MOTION: Sen. Bell moved to pass the bill out of committee with a favorable recommendation.

Sen. Bell assumed the Chair.

Sens. Bell, Peterson and Stephenson voted aye. Sen. Romero voted nay. Sens. Dayton Jones, Bramble and Hillyard were absent for the vote.

2. Benefits to American Board Certified Teachers

Sen. Mark Madsen introduced S.B. 91.

David Saba discussed the elements for the American Board Distinguished Teacher Certification and Sen. Stephenson stated his support for the bill. Sen. Romero voiced his concerns and Sen. Bell inquired about additional compensation for the teachers who achieve the certification. Sen. Madsen addressed these questions.

MOTION:

Sen. Stephenson moved to pass the bill out of committee favorably.

Sens. Bell, Jones, Peterson and Stephenson voted aye. Sen. Romero voted nay. Sens. Dayton, Bramble and Hillyard were absent for the vote.

MOTION: Sen. Romero made a motion to adjourn. It was passed unanimously with Sens. Dayton, Bramble and Hillyard absent for the vote.

The meeting was adjourned at 9:20 am.

Sen. Margaret Dayton, Chair