

**MINUTES OF THE
HOUSE EDUCATION STANDING COMMITTEE**

Room 30, House Building

February 29, 2016

Members Present: Rep. Brad G. Last, Chair
Rep. V. Lowry Snow, Vice Chair
Rep. LaVar Christensen
Rep. Kim Coleman
Rep. Bruce R. Cutler
Rep. Steve Eliason
Rep. Justin L. Fawson
Rep. Francis D. Gibson
Rep. Eric Hutchings
Rep. David E. Lifferth
Rep. Daniel McCay
Rep. Carol Spackman Moss
Rep. Michael E. Noel
Rep. Marie H. Poulson

Staff Present: Ms. Tiffany Stanley, Policy Analyst
Ms. Linda Service, Committee Secretary

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

Chair Last called the meeting to order at 4:23 p.m.

MOTION: Rep. McCay moved to approve the minutes of the February 22, 2016 and February 23, 2016 meetings. The motion passed unanimously with Rep. Eliason absent for the vote.

**H.B. 379 Interstate Reciprocity Agreement for Postsecondary Distance Education
(Rep. V. Peterson)**

Rep. Peterson explained the bill.

Mr. Spencer Jenkins, Utah System of Higher Education, spoke to the bill.

MOTION: Rep. Fawson moved to pass the bill out favorably. The motion passed unanimously with Rep. Christensen, Rep. Eliason, Rep. Gibson, Rep. Hutchings, Rep. McCay, Rep. Moss, and Rep. Noel absent for the vote.

MOTION: Rep. Fawson moved to place H.B. 379 on the Consent Calendar. The motion passed unanimously with Rep. Christensen, Rep. Eliason, Rep. Gibson, Rep. Hutchings, Rep. McCay, and Rep. Noel absent for the vote.

H.B. 75 Epilepsy Training in Public Schools (Rep. D. Sagers)

Rep. Sagers explained the bill.

MOTION: Rep. Fawson moved to replace H.B. 75 with 1st Sub. H.B. 75. The motion passed unanimously with Rep. Eliason, Rep. Hutchings, Rep. McCay, and Rep. Noel absent for the vote.

MOTION: Rep. Fawson moved to amend the bill as follows:

1. Page 2, Lines 46 through 48:

- 46 (B) may receive intranasal midazolam when the student experiences full body
47 **prolonged or** convulsive seizure activity described in a plan of care, provided by the
 student's physician, on
48 file with the student's school;

The motion passed unanimously with Rep. Eliason, Rep. Hutchings, Rep. McCay, and Rep. Noel absent for the vote.

Spoke for the bill:

Dr. Joseph Miner, Utah Department of Health
Ms. Adele Beesley, parent
Ms. Margo Thurman, Epilepsy Alliance

Spoke against the bill:

Dr. Ryan Hassan, American Academy of Pediatrics
Mr. Brad Asay, American Federation of Teachers
Ms. Kathleen Kaufman, Utah Nurses Association

MOTION: Rep. Snow moved to amend the bill as follows:

1. Page 2, Line 56 through Page 3, Line 57:

- 56 authorization identify and train at least three **trained** school employee volunteers; and
57 (iv) authorizes a **trained** school employee volunteer to administer intranasal
 midazolam in an

2. Page 3, Lines 63 through 65:

- 63 (ii) an IEP; or
64 (iii) a health plan approved by a school.
 - **(3) "Section 504 accomodation plan" means a plan developed purusant to**

Section 504 of the Rehabilitation Act of 1973, as amended, to provide appropriate accommodations to an individual with a disability to ensure access to major life activities.

- 65 ~~{(3) "School"}~~ (4) "Trained school employee volunteer" means an individual who:
3. *Page 3, Lines 74 through 76:*
- 74 ~~{(4) "Section 504 accommodation plan" means a plan developed pursuant to~~
75 ~~Section~~
75 ~~504 of the Rehabilitation Act of 1973, as amended, to provide appropriate~~
76 ~~accommodations to~~
76 ~~an individual with a disability to ensure access to major life activities.}~~
4. *Page 3, Line 78:*
- 78 53A-11-603.5. Administration of intranasal midazolam -- Training of school trained
5. *Page 3, Line 84:*
- 84 (b) develop a training program for a trained school employee volunteer that includes:
6. *Page 4, Line 89:*
- 89 (iii) other emergency procedures in the event a trained school employee volunteer administers
7. *Page 4, Line 99:*
- 99 trained school employee volunteer.
8. *Page 4, Lines 104 through 105:*
- 104 become a trained school employee volunteer; and
- 105 (b) annual refresher training to a trained school employee volunteer.
9. *Page 4, Line 108:*
- 108 (b) A trained school employee volunteer may:

10. Page 5, Line 123:

123 (A) directly to a school nurse or **trained** school employee volunteer; and

11. Page 5, Line 127:

127 (4) (a) A **trained** school employee volunteer may administer intranasal midazolam to a student

12. Page 5, Line 132:

132 (b) A **trained** school employee volunteer who administers intranasal midazolam under

13. Page 5, Line 137:

137 (5) A **trained** school employee volunteer who administers intranasal midazolam in accordance

14. Page 5, Line 146:

146 training a nonlicensed **trained** school employee volunteer to administer intranasal midazolam in

15. Page 5, Line 148:

148 (b) Allowing a **trained** school employee volunteer to administer intranasal midazolam in

The motion passed unanimously with Rep. Eliason, Rep. Hutchings, Rep. Lifferth, and Rep. Noel absent for the vote.

MOTION: Rep. McCay moved to pass the bill out favorably as amended. The motion passed with Rep. Moss and Rep. Poulson voting in opposition to the motion. Rep. Eliason, Rep. Hutchings, Rep. Lifferth, and Rep. Noel were absent for the vote.

H.B. 357 Longitudinal Data Management Act (Rep. J. Anderegg)

At the request of the sponsor, this bill was not considered.

H.B. 358 Student Privacy Amendments (Rep. J. Anderegg)

Rep. Anderegg explained the bill with the assistance of Mr. Richard Nye, Associate

Superintendent, State Office of Education.

MOTION: Rep. Fawson moved to replace H.B. 358 with 1st Sub. H.B. 358. The motion passed unanimously with Rep. Eliason, Rep. Lifferth, and Rep. Noel absent for the vote.

Spoke for the bill:

Ms. Tami Pyfer, Education Advisor, Governor's Office
Ms. Elizabeth Garbe, United Way of Salt Lake
Ms. Gayle Ruzicka, Eagle Forum
Ms. Heather Gardner, parent
Mr. Royce Van Tassell, Utah Association of Public Charter Schools

MOTION: Rep. Fawson moved to pass out 1st Sub H.B. 358 favorably. The motion passed unanimously with Rep. Eliason absent for the vote.

S.B. 103 Strategic Workforce Investments (*Sen. A. Millner*) (Rep. V. Peterson)

Rep. Fawson moved to reassign 1st Sub. S.B. 103 to the House Economic Development and Workforce Services Committee. The motion passed unanimously with Rep. Eliason absent for the vote.

S.B. 109 School and Institutional Trust Lands Amendments (*Sen. A. Millner*) (Rep. M. Brown)

Sen. Millner explained the bill assisted by Ms. Jennifer Johnson, State Board of Education and distributed "Distribution Formula Model."

Spoke for the bills:

Mr. Peter Madsen, Chief Investment Officer, School and Institutional Trust Fund Office
Mr. Allen Rollo, Investment Analyst, Office of the State Treasurer

MOTION: Rep. Lifferth moved to replace S.B. 109 with 1st Sub. S.B. 109. The motion passed unanimously with Rep. Eliason absent for the vote.

MOTION: Rep. Lifferth moved to pass 1st Sub. S.B. 109 out favorably. The motion passed unanimously with Rep. Eliason absent for the vote.

S.J.R. 12 Proposal to Amend Utah Constitution -- Changes to School Funds (*Sen. A. Millner*) (Rep. M. Brown)

Sen. Millner explained the resolution.

MOTION: Rep. Eliason moved to amend S.J.R. 12 as follows:

1. *Page 1, Line 23:*

23 This resolution provides a contingent effective date of ~~{January}~~ July 1,
2017, for this

2. *Page 3, Line 85:*

85 voting on it at the next regular general election, the amendment shall take effect on
~~{January}~~ July 1.

The motion passed unanimously.

MOTION: Rep. Poulson moved to pass S.J.R. 12 out favorably as amended. The motion passed unanimously.

S.B. 38 School Funding Amendments (Sen. H. Stephenson) (Rep. S. Eliason)

Sen. Stephenson explained the bill with the assistance of Rep. Eliason and Mr. Ben Leishman, Fiscal Analyst, Office of Legislative Fiscal Analyst.

MOTION: Rep. Eliason moved to replace S.B. 38 with 4th Sub. S.B. 38. The motion passed unanimously.

MOTION: Rep. Hutchings moved to amend the bill as follows:

1. *Page 14, Lines 409 through 411:*

409 (d) A local school board may not increase a board local levy rate under this section
if
410 the sole purpose of increasing the board local levy rate is to recapture ~~{revenue lost~~
~~from}~~ the
411 decrease in a board local levy rate under Subsection (5)(a).

The motion passed unanimously .

Spoke for the bill:

Mr. Howard Headlee, Utah State Charter School Board, distributed "Education Funding Streams" and "School District Local Property Tax Collections per

ADM - FY 2014 + State Guarantee Funding per ADM - FY 2016 at Full Distribution."

Spoke to the bill:

Mr. Terry Shoemaker, Utah School Boards Association
Ms. Cindy Davis, parent

MOTION: Rep. Fawson moved to pass 4th Sub. S.B. 38 out favorably as amended. The motion passed unanimously.

H.B. 193 Charter School Property Tax Amendments (Rep. K. Powell)

Rep. Powell explained the bill.

MOTION: Rep. Fawson moved to replace H.B. 193 with 1st Sub. H.B. 193. The motion passed unanimously.

MOTION: Rep. Fawson moved to amend 1st Sub. H.B. 193 as follows:

1. Page 14, Lines 409 through 411:

409 (d) A local school board may not increase a board local levy rate under this section
if
410 the sole purpose of increasing the board local levy rate is to recapture ~~{revenue lost~~
~~from}~~ the
411 decrease in a board local levy rate under Subsection (5)(a).

The motion passed unanimously.

MOTION: Rep. Cutler moved to pass 1st Sub. H.B. 193 out favorably as amended. The motion passed unanimously.

MOTION: Rep. Snow moved to adjourn. The motion passed unanimously. Chair Last adjourned the meeting at 7:33 p.m.

Rep. Brad Last, Chair

