

**MINUTES OF THE  
SENATE EDUCATION STANDING COMMITTEE**  
210 Senate Building, Utah State Capitol Complex  
February 2, 2016

**Members Present:** Sen. Ann Millner, Chair  
Sen. Jim Dabakis  
Sen. Lincoln Fillmore  
Sen. Mark B. Madsen  
Sen. Howard A. Stephenson  
Sen. Jerry W. Stevenson  
Sen. Stephen H. Urquhart

**Members excused:** President Wayne L. Niederhauser

**Staff Present:** Ms. Allyson Goldstein, Policy Analyst  
Ms. Tonya Hadley, Committee Secretary

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

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

**MOTION:** Sen. Urquhart moved to approve the minutes from January 29, 2016 minutes. The motion passed unanimously with Sen. Madsen and Sen. Stevenson absent for the vote.

**S.B. 91 Board of Education Amendments** (*Sen. Hillyard*)

Sen. Hillyard explained the bill to the committee.

**MOTION:** Sen. Urquhart moved to delete S.B. 91 in title and body and replace it with 1<sup>st</sup> Sub. S.B. 91. The motion passed unanimously with Sen. Madsen and Sen. Stevenson absent.

**MOTION:** Sen. Urquhart moved amend 1<sup>st</sup> Sub. S.B. 91, as follows:

- I. *Page 1, Lines 12 through 16:*
  - 12 ▶ allows the State Board of Education to:
  - 13 · ~~{take certain actions if an entity that receives state funds from the State~~  
**Board of**
  - 14 ~~Education violates certain law;} enforce Title 53A, State System of Public Education,~~  
under certain circumstances;
  - 15 · audit the use of certain ~~{public}~~ state funds;
  - 16 · require a local education agency to, in certain contracts between a local
  
2. *Page 2, Lines 35 through 38:*
  - 35 (a) "Board" means the State Board of Education.
  - 36 (b) "Education entity" means {an entity that receives a distribution of state funds  
from
  - 37 the board;} :

- (i) an entity that receives a distribution of state funds through a grant program managed by the board under this title;
- (ii) an entity that enters into a contract with the board to provide an educational good or service;
- (iii) a school district; or
- (iv) a charter school.

38 (c) "Educational good or service" means a good or service that is required or regulated

3. *Page 4, Lines 91 through 94:*

- 91 attorney of the county where the education entity is located.  
92 (9) The board may audit the use of {public} state funds by an education entity  
that receives  
93 those {public} state funds as a distribution from the board.  
94 (10) The board may require, by rule made in accordance with Title 63G, Chapter 3,

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

**MOTION:** Sen. Stephenson moved amend 1<sup>st</sup> Sub. S.B. 91, as follows:

I. *Page 4, Lines 93 through 101:*

- 93 those public funds as a distribution from the board.  
94 (10) The board may require, by rule made in accordance with Title 63G, Chapter 3,  
95 Utah Administrative Rulemaking Act, that if an LEA contracts with a third party contractor for  
96 an educational good or service, the LEA shall require in the contract that the third party  
97 contractor shall {submit} provide , upon request of the {board} LEA . {to an audit that allows  
98 the Board} information necessary for the LEA to to verify  
99 that the educational good or service complies with:  
100 (a) this title; and  
101 (b) board rule authorized under this title.  
101 (11) (a) The board may appoint an attorney to provide legal advice to the board and

The motion passed with Sen. Dabakis voting in opposition.

Spoke for the bill: Mr. Dave Crandall, Chair, Utah State Board of Education  
Ms. Jennifer Johnson, Second Vice-chair, Utah State Board of Education  
Ms. Angie Stallings, Associate Superintendent, Utah State Office of  
Education  
Mr. Howard Headlee, President, Utah State Charter School Board

Spoke against the bill: Ms. Helen Watts, former educator

**MOTION:** Sen. Urquhart moved pass out 1<sup>st</sup> Sub SB 91, as amended, with a favorable recommendation. The motion passed with Sen. Fillmore, Sen. Madsen, and

Sen. Stephenson voting in opposition.

Chair Millner relinquished the Chair to Sen. Urquhart.

**SB109 School and Institutional Trust Lands Amendments (*Sen. Millner*)**

Sen. Millner explained the bill to the committee.

Spoke for the bill: Ms. Jennifer Johnson, Second Vice-chair, Utah State Board of Education  
Mr. David Damschen, State Treasurer, Office of the State Treasurer  
Mr. Peter Madsen, Director, State Trust Fund  
Ms. Susan Edwards, Administrator, Canyons School District  
Ms. Tracy Miller, Utah Parent Teacher Association

**MOTION:** Sen. Dabakis moved to pass SB 109 out favorably. The motion passed unanimously with Sen. Fillmore absent

**SJR 12 Proposal to Amend the Utah Constitution - Changes to School Funds (*Sen. Millner*)**

Sen. Millner explained the resolution to the committee.

**MOTION:** Sen. Dabakis moved to pass SJR 12 out favorably. The motion passed unanimously with Sen. Fillmore absent.

**SB 93 Computer Science Initiative for Public Schools (*Sen. Stephenson*)**

Sen. Stephenson explained the bill to the committee.

Spoke for the bill: Dr. Tami Goetz, Executive Director, STEM action center

**MOTION:** Sen. Stephenson moved to delete SB 93 in title and body and replace it with 1<sup>st</sup> Sub SB 93. The motion passed unanimously with Sen. Dabakis absent for the vote.

Sen. Millner resumed the chair.

**MOTION:** Sen. Fillmore moved to pass 1<sup>st</sup> Sub. SB 93 out with a favorable recommendation. The motion passed unanimously with Sen. Dabakis and Sen. Urquhart absent for the vote.

**MOTION:** Sen. Fillmore moved to adjourn. The motion passed unanimously with Sen. Dabakis and Sen. Urquhart absent for the vote.

Chair Millner adjourned the meeting at 6 p.m.

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Sen. Ann Millner, Chair