

Representative Jordan D. Teuscher proposes the following substitute bill:

STUDENT COMMUNICATION METHODS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor: Jordan D. Teuscher

LONG TITLE

General Description:

This bill requires local school boards to develop policies and procedures for students to have non-electronic notification of and access to certain activities and events.

Highlighted Provisions:

This bill:

- ▶ requires local school boards to develop polices and procedures to ensure that students have non-electronic notification of and access to certain activities and events; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-4-402, as last amended by Laws of Utah 2023, Chapters 16, 252, 343, 352, and 435



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **53G-4-402** is amended to read:

28 **53G-4-402. Powers and duties generally.**

29 (1) A local school board shall:

30 (a) implement the core standards for Utah public schools using instructional materials
31 that best correlate to the core standards for Utah public schools and graduation requirements;

32 (b) administer tests, required by the state board, which measure the progress of each
33 student, and coordinate with the state superintendent and state board to assess results and create
34 plans to improve the student's progress, which shall be submitted to the state board for
35 approval;

36 (c) use progress-based assessments as part of a plan to identify schools, teachers, and
37 students that need remediation and determine the type and amount of federal, state, and local
38 resources to implement remediation;

39 (d) for each grading period and for each course in which a student is enrolled, issue a
40 grade or performance report to the student:

41 (i) that reflects the student's work, including the student's progress based on mastery,
42 for the grading period; and

43 (ii) in accordance with the local school board's adopted grading or performance
44 standards and criteria;

45 (e) develop early warning systems for students or classes failing to make progress;

46 (f) work with the state board to establish a library of documented best practices,
47 consistent with state and federal regulations, for use by the special districts;

48 (g) implement training programs for school administrators, including basic
49 management training, best practices in instructional methods, budget training, staff
50 management, managing for learning results and continuous improvement, and how to help
51 every ~~child~~ student achieve optimal learning in basic academic subjects; and

52 (h) ensure that the local school board meets the data collection and reporting standards
53 described in Section **53E-3-501**.

54 (2) Local school boards shall spend Minimum School Program funds for programs and
55 activities for which the state board has established minimum standards or rules under Section
56 **53E-3-501**.

57 (3) (a) A local school board may purchase, sell, and make improvements on school
58 sites, buildings, and equipment, and construct, erect, and furnish school buildings.

59 (b) School sites or buildings may only be conveyed or sold on local school board
60 resolution affirmed by at least two-thirds of the school board members.

61 (4) (a) A local school board may participate in the joint construction or operation of a
62 school attended by students residing within the district and students residing in other districts
63 either within or outside the state.

64 (b) Any agreement for the joint operation or construction of a school shall:

65 (i) be signed by the president of the local school board of each participating district;

66 (ii) include a mutually agreed upon pro rata cost; and

67 (iii) be filed with the state board.

68 (5) A local school board may establish, locate, and maintain elementary, secondary,
69 and applied technology schools.

70 (6) A local school board may enter into cooperative agreements with other local school
71 boards to provide educational services that best utilize resources for the overall operation of the
72 school districts, including shared transportation services.

73 (7) ~~Any~~ Local school boards shall ensure that an agreement under Subsection (6)
74 ~~shall~~:

75 (a) ~~be~~ is signed by the president of the local school board of each participating
76 district;

77 (b) ~~specify~~ specifies the resource being shared;

78 (c) ~~include~~ includes a mutually agreed upon pro rata cost;

79 (d) ~~include~~ includes the duration of the agreement; and

80 (e) ~~be~~ is filed with the state board.

81 (8) Except as provided in Section [53E-3-905](#), a local school board may enroll children
82 in school who are at least five years old before September 2 of the year in which admission is
83 sought.

84 (9) A local school board:

85 (a) may establish and support school libraries; and

86 (b) shall provide an online platform:

87 (i) through which a parent is able to view the title, author, and a description of any

88 material the parent's child borrows from the school library, including a history of borrowed
89 materials, either using an existing online platform that the LEA uses or through a separate
90 platform; and

91 (ii) (A) for a school district with 1,000 or more enrolled students, no later than August
92 1, 2024; and

93 (B) for a school district with fewer than 1,000 enrolled students, no later than August
94 1, 2026.

95 (10) A local school board may collect damages for the loss, injury, or destruction of
96 school property.

97 (11) A local school board may authorize guidance and counseling services for students
98 and the student's parents before, during, or following school enrollment.

99 (12) (a) A local school board shall administer and implement federal educational
100 programs in accordance with Title 53E, Chapter 3, Part 8, Implementing Federal or National
101 Education Programs.

102 (b) Federal funds are not considered funds within the school district budget under
103 Chapter 7, Part 3, Budgets.

104 (13) (a) A local school board may organize school safety patrols and adopt policies
105 under which the patrols promote student safety.

106 (b) A student appointed to a safety patrol shall be at least 10 years old and have written
107 parental consent for the appointment.

108 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion
109 of a highway intended for vehicular traffic use.

110 (d) Liability may not attach to a school district, its employees, officers, or agents, or to
111 a safety patrol member, a parent of a safety patrol member, or an authorized volunteer assisting
112 the program by virtue of the organization, maintenance, or operation of a school safety patrol.

113 (14) (a) A local school board may on its own behalf, or on behalf of an educational
114 institution for which the local school board is the direct governing body, accept private grants,
115 loans, gifts, endowments, devises, or bequests that are made for educational purposes.

116 (b) The contributions made under Subsection (14)(a) are not subject to appropriation
117 by the Legislature.

118 (15) (a) A local school board may appoint and fix the compensation of a compliance

119 officer to issue citations for violations of Subsection 76-10-105(2)(b).

120 (b) A person may not be appointed to serve as a compliance officer without the
121 person's consent.

122 (c) A teacher or student may not be appointed as a compliance officer.

123 (16) A local school board shall adopt bylaws and policies for the local school board's
124 own procedures.

125 (17) (a) A local school board shall make and enforce policies necessary for the control
126 and management of the district schools.

127 (b) Local school board policies shall be in writing, filed, and referenced for public
128 access.

129 (18) A local school board may hold school on legal holidays other than Sundays.

130 (19) (a) A local school board shall establish for each school year a school traffic safety
131 committee to implement this Subsection (19).

132 (b) The committee shall be composed of one representative of:

133 (i) the schools within the district;

134 (ii) the Parent Teachers' Association of the schools within the district;

135 (iii) the municipality or county;

136 (iv) state or local law enforcement; and

137 (v) state or local traffic safety engineering.

138 (c) The committee shall:

139 (i) receive suggestions from school community councils, parents, teachers, and others,
140 and recommend school traffic safety improvements, boundary changes to enhance safety, and
141 school traffic safety program measures;

142 (ii) review and submit annually to the Department of Transportation and affected
143 municipalities and counties a child access routing plan for each elementary, middle, and junior
144 high school within the district;

145 (iii) ~~consult~~ in consultation with the Utah Safety Council and the Division of Family
146 Health Services ~~and~~, provide training to all students in kindergarten through grade 6, within
147 the district, on school crossing safety and use; and

148 (iv) help ensure the district's compliance with rules made by the Department of
149 Transportation under Section 41-6a-303.

150 (d) The committee may establish subcommittees as needed to assist in accomplishing
151 the committee's duties under Subsection (19)(c).

152 (20) (a) A local school board shall adopt and implement a comprehensive emergency
153 response plan to prevent and combat violence in the local school board's public schools, on
154 school grounds, on its school vehicles, and in connection with school-related activities or
155 events.

156 (b) The local school board shall ensure that the plan ~~[shall]~~:

157 (i) ~~[include]~~ includes prevention, intervention, and response components;

158 (ii) ~~[be]~~ is consistent with the ~~[student conduct and discipline]~~ school discipline and
159 conduct policies required for school districts under ~~[Chapter 11, Part 2, Miscellaneous~~
160 Requirements] Chapter 8, Part 2, School Discipline and Conduct Plans;

161 (iii) ~~[require]~~ requires professional learning for all district and school building staff on
162 the staff's roles in the emergency response plan;

163 (iv) ~~[provide]~~ provides for coordination with local law enforcement and other public
164 safety representatives in preventing, intervening, and responding to violence in the areas and
165 activities referred to in Subsection (20)(a); and

166 (v) ~~[include]~~ includes procedures to notify a student who is off campus at the time of a
167 school violence emergency because the student is:

168 (A) participating in a school-related activity; or

169 (B) excused from school for a period of time during the regular school day to
170 participate in religious instruction at the request of the student's parent.

171 (c) The state board, through the state superintendent, shall develop comprehensive
172 emergency response plan models that local school boards may use, where appropriate, to
173 comply with Subsection (20)(a).

174 (d) A local school board shall, by July 1 of each year, certify to the state board that its
175 plan has been practiced at the school level and presented to and reviewed by its teachers,
176 administrators, students, and the student's parents and local law enforcement and public safety
177 representatives.

178 (21) (a) A local school board may adopt an emergency response plan for the treatment
179 of sports-related injuries that occur during school sports practices and events.

180 (b) The plan may be implemented by each secondary school in the district that has a

181 sports program for students.

182 (c) The plan may:

183 (i) include emergency personnel, emergency communication, and emergency
184 equipment components;

185 (ii) require professional learning on the emergency response plan for school personnel
186 who are involved in sports programs in the district's secondary schools; and

187 (iii) provide for coordination with individuals and agency representatives who:

188 (A) are not employees of the school district; and

189 (B) would be involved in providing emergency services to students injured while
190 participating in sports events.

191 (d) The local school board, in collaboration with the schools referred to in Subsection
192 (21)(b), may review the plan each year and make revisions when required to improve or
193 enhance the plan.

194 (e) The state board, through the state superintendent, shall provide local school boards
195 with an emergency plan response model that local school boards may use to comply with the
196 requirements of this Subsection (21).

197 (22) A local school board shall approve an LEA's polices and procedures that an LEA
198 develops to ensure that students have non-electronic notification of and access to:

199 (a) school activities and events, including:

200 (i) schedule changes;

201 (ii) extracurricular activities;

202 (iii) sporting events; and

203 (iv) the emergency response plans described in Subsections (20) and (21); and

204 (b) Notwithstanding Subsection (22)(a), an LEA may provide electronic notification of
205 and access to school activities and events as described in Subsection (22)(a)(i) and (ii) if:

206 (i) (A) the school provides each student with an electronic device; and

207 (B) the electronic device is capable of receiving electronic notification of and access to
208 school activities and events as described in Subsection (22)(a)(i) and (ii); or

209 (ii) an emergency, unforeseen circumstance, or other incident arises and an LEA cannot
210 reasonable provide timely non-electronic notification.

211 (c) An LEA may not require the use of a privately owned electronic device to complete

212 course work.

213 [~~(22)~~]

214 (23) A local school board shall do all other things necessary for the maintenance,
215 prosperity, and success of the schools and the promotion of education.

216 [~~(23)~~] (24) (a) Before closing a school or changing the boundaries of a school, a local
217 school board shall:

218 (i) [~~at least~~] on or before 90 days before [~~approving~~] the day on which the local school
219 board approves the school closure or school boundary change, provide notice that the local
220 school board is considering the closure or boundary change to:

221 (A) parents of students enrolled in the school, using the same form of communication
222 the local school board regularly uses to communicate with parents;

223 (B) parents of students enrolled in other schools within the school district that may be
224 affected by the closure or boundary change, using the same form of communication the local
225 school board regularly uses to communicate with parents; and

226 (C) the governing council and the mayor of the municipality in which the school is
227 located;

228 (ii) provide an opportunity for public comment on the proposed school closure or
229 school boundary change during at least two public local school board meetings; and

230 (iii) hold a public hearing as defined in Section 10-9a-103 and provide public notice of
231 the public hearing [~~as described in~~] in accordance with Subsection [~~(23)(b)~~] (24)(b).

232 (b) [~~The notice of a public hearing required under Subsection (23)(a)(iii)] A local
233 school board shall:~~

234 (i) [~~indicate the~~] ensure the notice of a public hearing required under Subsection
235 (24)(a)(iii) indicates the:

236 (A) school or schools under consideration for closure or boundary change; and

237 (B) the date, time, and location of the public hearing;

238 (ii) for at least 10 days before the day [~~of~~] on which the public hearing [~~, be published~~]
239 occurs, publish the notice of public hearing for the school district in which the school is

240 located, as a class A notice under Section 63G-30-102; and

241 (iii) at least 30 days before the day on which the public hearing [~~described in~~
242 Subsection (23)(a)(iii), be provided as described in Subsections (23)(a)(i)] occurs, provide

243 notice of the public hearing in the same manner as the notice of consideration under Subsection
244 (24)(a)(i).

245 ~~[(24)]~~ (25) A local school board may implement a facility energy efficiency program
246 established under Title 11, Chapter 44, Performance Efficiency Act.

247 ~~[(25)]~~ (26) A local school board may establish or partner with a certified youth court in
248 accordance with Section 80-6-902 or establish or partner with a comparable restorative justice
249 program, in coordination with schools in that district. A school may refer a student to a youth
250 court or a comparable restorative justice program in accordance with Section 53G-8-211.

251 ~~[(26)]~~ (27) (a) As used in this Subsection ~~[(26)]~~ (27):

252 (i) "Learning material" means any learning material or resource used to deliver or
253 support a student's learning, including textbooks, reading materials, videos, digital materials,
254 websites, and other online applications.

255 (ii) (A) "Instructional material" means learning material that a local school board
256 adopts and approves for use within the LEA.

257 (B) "Instructional material" does not include learning material used in a concurrent
258 enrollment, advanced placement, or international baccalaureate program or class or another
259 class with required instructional material that is not subject to selection by the local school
260 board.

261 (iii) "Supplemental material" means learning material that:

262 (A) an educator selects for classroom use; and

263 (B) a local school board has not considered and adopted, approved, or prohibited for
264 classroom use within the LEA.

265 (b) A local school board shall:

266 (i) make instructional material that the school district uses readily accessible and
267 available for a parent to view;

268 (ii) annually notify a parent of a student enrolled in the school district of how to access
269 the information described in Subsection ~~[(26)(b)(i)]~~ (27)(b)(i); and

270 (iii) include on the school district's website information about how to access the
271 information described in Subsection ~~[(26)(b)(i)]~~ (27)(b)(i).

272 (c) In selecting and approving instructional materials for use in the classroom, a local
273 school board shall:

274 (i) establish an open process, involving educators and parents of students enrolled in
275 the LEA, to review and recommend instructional materials for board approval; and

276 (ii) ensure that under the process described in Subsection [~~(26)(c)(i)~~] (27)(c)(i), the
277 board:

278 (A) before the meetings described in Subsection [~~(26)(c)(ii)(B)~~] (27)(c)(ii)(B), posts
279 the recommended learning material online to allow for public review or, for copyrighted
280 material, makes the recommended learning material available at the LEA for public review;

281 (B) before adopting or approving the recommended instructional materials, holds at
282 least two public meetings on the recommendation that provides an opportunity for educators
283 whom the LEA employs and parents of students enrolled in the LEA to express views and
284 opinions on the recommendation; and

285 (C) adopts or approves the recommended instructional materials in an open and regular
286 board meeting.

287 (d) A local school board shall adopt a supplemental materials policy that provides
288 flexible guidance to educators on the selection of supplemental materials or resources that an
289 educator reviews and selects for classroom use using the educator's professional judgment,
290 including whether any process or permission is required before classroom use of the materials
291 or resources.

292 (e) If an LEA contracts with another party to provide online or digital materials, the
293 LEA shall include in the contract a requirement that the provider give notice to the LEA any
294 time that the provider makes a material change to the content of the online or digital materials,
295 excluding regular informational updates on current events.

296 (f) Nothing in this Subsection [~~(26)~~] (27) requires a local school board to review all
297 learning materials used within the LEA.

298 Section 2. **Effective date.**

299 This bill takes effect on May 1, 2024.