

**SCHOOL PARENT ORGANIZATION AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Derek E. Brown**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions related to parent organizations.

**Highlighted Provisions:**

This bill:

- ▶ amends references to parent organizations; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides an effective date.

**Utah Code Sections Affected:**

AMENDS:

**46-4-503 (Superseded 07/01/13)**, as last amended by Laws of Utah 2008, Chapter 382

**46-4-503 (Effective 07/01/13)**, as last amended by Laws of Utah 2011, Chapter 353

**53A-3-402**, as last amended by Laws of Utah 2010, Chapters 90, 244, and 395

**53A-3-417**, as last amended by Laws of Utah 2004, Chapter 171

**53B-18-801**, as enacted by Laws of Utah 1999, Chapter 333

**63M-9-103**, as last amended by Laws of Utah 2011, Chapter 366

**63M-9-402**, as renumbered and amended by Laws of Utah 2008, Chapter 382

**67-5-20**, as enacted by Laws of Utah 2005, Chapter 277



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

Section 1. Section **46-4-503 (Superseded 07/01/13)** is amended to read:

**46-4-503 (Superseded 07/01/13). Government products and services provided electronically.**

(1) Notwithstanding Section 46-4-501, a state governmental agency that administers one or more of the following transactions shall allow those transactions to be conducted electronically:

(a) an application for or renewal of a professional or occupational license issued under Title 58, Occupations and Professions;

(b) the renewal of a drivers license;

(c) an application for a hunting or fishing license;

(d) the filing of:

(i) a return under Title 59, Chapter 10, Individual Income Tax Act or 12, Sales and Use Tax Act;

(ii) a court document, as defined by the Judicial Council; or

(iii) a document under Title 70A, Uniform Commercial Code;

(e) a registration for:

(i) a product; or

(ii) a brand;

(f) a renewal of a registration of a motor vehicle;

(g) a registration under:

(i) Title 16, Corporations;

(ii) Title 42, Names; or

(iii) Title 48, Partnership; or

(h) submission of an application for benefits:

(i) under Title 35A, Chapter 3, Employment Support Act;

(ii) under Title 35A, Chapter 4, Employment Security Act; or

(iii) related to accident and health insurance.

(2) The state system of public education, in coordination with the Utah Education Network, shall make reasonable progress toward making the following services available

59 electronically:

60 (a) secure access by parents and students to student grades and progress reports;

61 (b) e-mail communications with:

62 (i) teachers;

63 (ii) parent-teacher associations and parent organizations; and

64 (iii) school administrators;

65 (c) access to school calendars and schedules; and

66 (d) teaching resources that may include:

67 (i) teaching plans;

68 (ii) curriculum guides; and

69 (iii) media resources.

70 (3) A state governmental agency shall:

71 (a) in carrying out the requirements of this section, take reasonable steps to ensure the  
72 security and privacy of records that are private or controlled as defined by Title 63G, Chapter 2,  
73 Government Records Access and Management Act;

74 (b) in addition to those transactions listed in Subsections (1) and (2), determine any  
75 additional services that may be made available to the public through electronic means; and

76 (c) as part of the agency's information technology plan required by Section 63F-1-204,  
77 report on the progress of compliance with Subsections (1) through (3).

78 (4) Notwithstanding the other provisions of this part, a state governmental agency is  
79 not required by this part to conduct a transaction electronically if:

80 (a) conducting the transaction electronically is not required by federal law; and

81 (b) conducting the transaction electronically is:

82 (i) impractical;

83 (ii) unreasonable; or

84 (iii) not permitted by laws pertaining to privacy or security.

85 (5) (a) For purposes of this Subsection (5), "one-stop shop" means the consolidation of  
86 access to diverse services and agencies at one location including virtual colocation.

87 (b) State agencies that provide services or offer direct assistance to the business  
88 community shall participate in the establishment, maintenance, and enhancement of an  
89 integrated Utah business web portal known as Business.utah.gov. The purpose of the business

90 web portal is to provide "one-stop shop" assistance to businesses.

91 (c) State agencies shall partner with other governmental and nonprofit agencies whose  
92 primary mission is to provide services or offer direct assistance to the business community in  
93 Utah in fulfilling the requirements of this section.

94 (d) The following state entities shall comply with the provisions of this Subsection (5):

95 (i) Governor's Office of Economic Development, which shall serve as the managing  
96 partner for the website;

97 (ii) Department of Workforce Services;

98 (iii) Department of Commerce;

99 (iv) Tax Commission;

100 (v) Department of Administrative Services - Division of Purchasing and General  
101 Services, including other state agencies operating under a grant of authority from the division  
102 to procure goods and services in excess of \$5,000;

103 (vi) Department of Agriculture;

104 (vii) Department of Natural Resources; and

105 (viii) other state agencies that provide services or offer direct assistance to the business  
106 sector.

107 (e) The business services available on the business web portal may include:

108 (i) business life cycle information;

109 (ii) business searches;

110 (iii) employment needs and opportunities;

111 (iv) motor vehicle registration;

112 (v) permit applications and renewal;

113 (vi) tax information;

114 (vii) government procurement bid notifications;

115 (viii) general business information;

116 (ix) business directories; and

117 (x) business news.

118 Section 2. Section **46-4-503 (Effective 07/01/13)** is amended to read:

119 **46-4-503 (Effective 07/01/13). Government products and services provided**  
120 **electronically.**

121 (1) Notwithstanding Section 46-4-501, a state governmental agency that administers  
122 one or more of the following transactions shall allow those transactions to be conducted  
123 electronically:

124 (a) an application for or renewal of a professional or occupational license issued under  
125 Title 58, Occupations and Professions;

126 (b) the renewal of a drivers license;

127 (c) an application for a hunting or fishing license;

128 (d) the filing of:

129 (i) a return under Title 59, Chapter 10, Individual Income Tax Act or 12, Sales and Use  
130 Tax Act;

131 (ii) a court document, as defined by the Judicial Council; or

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134 (i) a product; or

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136 (f) a renewal of a registration of a motor vehicle;

137 (g) a registration under:

138 (i) Title 16, Corporations;

139 (ii) Title 42, Names; or

140 (iii) Title 48, Unincorporated Business Entities Act; or

141 (h) submission of an application for benefits:

142 (i) under Title 35A, Chapter 3, Employment Support Act;

143 (ii) under Title 35A, Chapter 4, Employment Security Act; or

144 (iii) related to accident and health insurance.

145 (2) The state system of public education, in coordination with the Utah Education  
146 Network, shall make reasonable progress toward making the following services available  
147 electronically:

148 (a) secure access by parents and students to student grades and progress reports;

149 (b) email communications with:

150 (i) teachers;

151 (ii) parent-teacher associations and parent organizations; and

- 152 (iii) school administrators;
- 153 (c) access to school calendars and schedules; and
- 154 (d) teaching resources that may include:
  - 155 (i) teaching plans;
  - 156 (ii) curriculum guides; and
  - 157 (iii) media resources.
- 158 (3) A state governmental agency shall:
  - 159 (a) in carrying out the requirements of this section, take reasonable steps to ensure the
  - 160 security and privacy of records that are private or controlled as defined by Title 63G, Chapter 2,
  - 161 Government Records Access and Management Act;
  - 162 (b) in addition to those transactions listed in Subsections (1) and (2), determine any
  - 163 additional services that may be made available to the public through electronic means; and
  - 164 (c) as part of the agency's information technology plan required by Section 63F-1-204,
  - 165 report on the progress of compliance with Subsections (1) through (3).
  - 166 (4) Notwithstanding the other provisions of this part, a state governmental agency is
  - 167 not required by this part to conduct a transaction electronically if:
    - 168 (a) conducting the transaction electronically is not required by federal law; and
    - 169 (b) conducting the transaction electronically is:
      - 170 (i) impractical;
      - 171 (ii) unreasonable; or
      - 172 (iii) not permitted by laws pertaining to privacy or security.
  - 173 (5) (a) For purposes of this Subsection (5), "one-stop shop" means the consolidation of
  - 174 access to diverse services and agencies at one location including virtual colocation.
    - 175 (b) State agencies that provide services or offer direct assistance to the business
    - 176 community shall participate in the establishment, maintenance, and enhancement of an
    - 177 integrated Utah business web portal known as Business.utah.gov. The purpose of the business
    - 178 web portal is to provide "one-stop shop" assistance to businesses.
    - 179 (c) State agencies shall partner with other governmental and nonprofit agencies whose
    - 180 primary mission is to provide services or offer direct assistance to the business community in
    - 181 Utah in fulfilling the requirements of this section.
    - 182 (d) The following state entities shall comply with the provisions of this Subsection (5):

183 (i) Governor's Office of Economic Development, which shall serve as the managing  
184 partner for the website;

185 (ii) Department of Workforce Services;

186 (iii) Department of Commerce;

187 (iv) Tax Commission;

188 (v) Department of Administrative Services - Division of Purchasing and General  
189 Services, including other state agencies operating under a grant of authority from the division  
190 to procure goods and services in excess of \$5,000;

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192 (vii) Department of Natural Resources; and

193 (viii) other state agencies that provide services or offer direct assistance to the business  
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197 (ii) business searches;

198 (iii) employment needs and opportunities;

199 (iv) motor vehicle registration;

200 (v) permit applications and renewal;

201 (vi) tax information;

202 (vii) government procurement bid notifications;

203 (viii) general business information;

204 (ix) business directories; and

205 (x) business news.

206 Section 3. Section **53A-3-402** is amended to read:

207 **53A-3-402. Powers and duties generally.**

208 (1) Each local school board shall:

209 (a) implement the core curriculum utilizing instructional materials that best correlate to  
210 the core curriculum and graduation requirements;

211 (b) administer tests, required by the State Board of Education, which measure the  
212 progress of each student, and coordinate with the state superintendent and State Board of  
213 Education to assess results and create plans to improve the student's progress which shall be

214 submitted to the State Office of Education for approval;

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

218 (d) develop early warning systems for students or classes failing to make progress;

219 (e) work with the State Office of Education to establish a library of documented best  
220 practices, consistent with state and federal regulations, for use by the local districts; and

221 (f) implement training programs for school administrators, including basic  
222 management training, best practices in instructional methods, budget training, staff  
223 management, managing for learning results and continuous improvement, and how to help  
224 every child achieve optimal learning in core academics.

225 (2) Local school boards shall spend minimum school program funds for programs and  
226 activities for which the State Board of Education has established minimum standards or rules  
227 under Section 53A-1-402.

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

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

232 (4) (a) A board may participate in the joint construction or operation of a school  
233 attended by children residing within the district and children residing in other districts either  
234 within or outside the state.

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

236 (i) be signed by the president of the board of each participating district;

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

238 (iii) be filed with the State Board of Education.

239 (5) A board may establish, locate, and maintain elementary, secondary, and applied  
240 technology schools.

241 (6) Except as provided in Section 53A-1-1001, a board may enroll children in school  
242 who are at least five years of age before September 2 of the year in which admission is sought.

243 (7) A board may establish and support school libraries.

244 (8) A board may collect damages for the loss, injury, or destruction of school property.



245 (9) A board may authorize guidance and counseling services for children and their  
246 parents or guardians prior to, during, or following enrollment of the children in schools.

247 (10) (a) A board shall administer and implement federal educational programs in  
248 accordance with Title 53A, Chapter 1, Part 9, Implementing Federal Programs Act.

249 (b) Federal funds are not considered funds within the school district budget under Title  
250 53A, Chapter 19, School District Budgets.

251 (11) (a) A board may organize school safety patrols and adopt rules under which the  
252 patrols promote student safety.

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

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

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

260 (12) (a) A board may on its own behalf, or on behalf of an educational institution for  
261 which the board is the direct governing body, accept private grants, loans, gifts, endowments,  
262 devises, or bequests that are made for educational purposes.

263 (b) These contributions are not subject to appropriation by the Legislature.

264 (13) (a) A board may appoint and fix the compensation of a compliance officer to issue  
265 citations for violations of Subsection 76-10-105(2).

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

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

269 (14) A board shall adopt bylaws and rules for its own procedures.

270 (15) (a) A board shall make and enforce rules necessary for the control and  
271 management of the district schools.

272 (b) All board rules and policies shall be in writing, filed, and referenced for public  
273 access.

274 (16) A board may hold school on legal holidays other than Sundays.

275 (17) (a) Each board shall establish for each school year a school traffic safety

276 committee to implement this Subsection (17).

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

278 (i) the schools within the district;

279 (ii) the Parent Teachers' Association or a parent organization of the schools within the  
280 district;

281 (iii) the municipality or county;

282 (iv) state or local law enforcement; and

283 (v) state or local traffic safety engineering.

284 (c) The committee shall:

285 (i) receive suggestions from parents, teachers, and others and recommend school traffic  
286 safety improvements, boundary changes to enhance safety, and school traffic safety program  
287 measures;

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

291 (iii) consult the Utah Safety Council and the Division of Family Health Services and  
292 provide training to all school children in kindergarten through grade six, within the district, on  
293 school crossing safety and use; and

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

296 (d) The committee may establish subcommittees as needed to assist in accomplishing  
297 its duties under Subsection (17)(c).

298 (e) The board shall require the school community council of each elementary, middle,  
299 and junior high school within the district to develop and submit annually to the committee a  
300 child access routing plan.

301 (18) (a) Each school board shall adopt and implement a comprehensive emergency  
302 response plan to prevent and combat violence in its public schools, on school grounds, on its  
303 school vehicles, and in connection with school-related activities or events.

304 (b) The board shall implement its plan by July 1, 2000.

305 (c) The plan shall:

306 (i) include prevention, intervention, and response components;

307 (ii) be consistent with the student conduct and discipline policies required for school  
308 districts under Title 53A, Chapter 11, Part 9, School Discipline and Conduct Plans;

309 (iii) require inservice training for all district and school building staff on what their  
310 roles are in the emergency response plan; and

311 (iv) provide for coordination with local law enforcement and other public safety  
312 representatives in preventing, intervening, and responding to violence in the areas and activities  
313 referred to in Subsection (18)(a).

314 (d) The State Board of Education, through the state superintendent of public  
315 instruction, shall develop comprehensive emergency response plan models that local school  
316 boards may use, where appropriate, to comply with Subsection (18)(a).

317 (e) Each local school board shall, by July 1 of each year, certify to the State Board of  
318 Education that its plan has been practiced at the school level and presented to and reviewed by  
319 its teachers, administrators, students, and their parents and local law enforcement and public  
320 safety representatives.

321 (19) (a) Each local school board may adopt an emergency response plan for the  
322 treatment of sports-related injuries that occur during school sports practices and events.

323 (b) The plan may be implemented by each secondary school in the district that has a  
324 sports program for students.

325 (c) The plan may:

326 (i) include emergency personnel, emergency communication, and emergency  
327 equipment components;

328 (ii) require inservice training on the emergency response plan for school personnel who  
329 are involved in sports programs in the district's secondary schools; and

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

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

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

334 (d) The board, in collaboration with the schools referred to in Subsection (19)(b), may  
335 review the plan each year and make revisions when required to improve or enhance the plan.

336 (e) The State Board of Education, through the state superintendent of public  
337 instruction, shall provide local school boards with an emergency plan response model that local

338 boards may use to comply with the requirements of this Subsection (19).

339 (20) A board shall do all other things necessary for the maintenance, prosperity, and  
340 success of the schools and the promotion of education.

341 (21) (a) Before closing a school or changing the boundaries of a school, a board shall:

342 (i) hold a public hearing, as defined in Section 10-9a-103; and

343 (ii) provide public notice of the public hearing, as specified in Subsection (21)(b).

344 (b) The notice of a public hearing required under Subsection (21)(a) shall:

345 (i) indicate the:

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

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

348 (ii) at least 10 days prior to the public hearing, be:

349 (A) published:

350 (I) in a newspaper of general circulation in the area; and

351 (II) on the Utah Public Notice Website created in Section 63F-1-701; and

352 (B) posted in at least three public locations within the municipality or on the district's  
353 official website.

354 (22) A board may implement a facility energy efficiency program established under  
355 Title 11, Chapter 44, Facility Energy Efficiency Act.

356 Section 4. Section **53A-3-417** is amended to read:

357 **53A-3-417. Child care centers in public schools -- Requirements -- Availability --**  
358 **Compliance with state and local laws.**

359 (1) (a) Upon receiving a request from a community group such as a community  
360 council, local PTA, parent organization, or parent/student organization, a local school board  
361 may authorize the use of a part of any school building in the district to provide child care  
362 services for school aged children.

363 (b) (i) The school board shall provide written public notice of its intent to authorize a  
364 child care center.

365 (ii) The board shall file a copy of the notice with the Office of Child Care within the  
366 Department of Workforce Services and the Department of Health.

367 (2) (a) Establishment of a child care center in a public school building is contingent  
368 upon the local school board determining that the center will not interfere with the building's use

369 for regular school purposes.

370 (b) The decision shall be made at the sole discretion of the school board.

371 (c) A school board may withdraw its approval to operate a child care center at any time  
372 if it determines that such use interferes with the operation or interest of the school.

373 (d) The school district and its employees and agents are immune from any liability that  
374 might otherwise result from a withdrawal of approval if the withdrawal was made in good  
375 faith.

376 (3) (a) The board shall charge a commercially reasonable fee for the use of a school  
377 building as a child care center so that the district does not incur an expense.

378 (b) The fee shall include but not be limited to costs for utility, building maintenance,  
379 and administrative services supplied by the school that are related to the operation of the child  
380 care center.

381 (4) (a) Child care service may be provided by governmental agencies other than school  
382 districts, nonprofit community service groups, or private providers.

383 (b) If competitive proposals to provide child care services are submitted by the entities  
384 listed in Subsection (4)(a), the board shall give preference to the private provider and nonprofit  
385 community service groups so long as their proposals are judged to be at least equal to the  
386 proposal of the governmental agency.

387 (c) It is intended that these programs function at the local community level with  
388 minimal state and district involvement.

389 (5) It is the intent of the Legislature that providers not be required to go through a  
390 complex procedure in order to obtain approval for providing the service.

391 (6) (a) Child care centers within a public school building shall make their services  
392 available to all children regardless of where the children reside.

393 (b) If space and resources are limited, first priority shall be given to those who reside  
394 within the school boundaries where the center is located, and to the children of teachers and  
395 other employees of the school where the child care center is located.

396 (c) Second priority shall be given to those who reside within the school district  
397 boundaries where the center is located.

398 (7) (a) The school board shall require proof of liability insurance which is adequate in  
399 the opinion of the school board for use of school property as a child care center.

400 (b) A school district participating in the state Risk Management Fund shall require the  
401 provider of child care services to comply with the applicable provisions of Title 63A, Chapter  
402 4, Risk Management.

403 (8) Child care centers established under this section shall operate in compliance with  
404 state and local laws and regulations, including zoning and licensing requirements, and  
405 applicable school rules.

406 (9) Except for Subsection (8), this section does not apply to child care centers  
407 established by a school district within a public school building if the center offers child care  
408 services primarily to children of employees or children of students of the school district.

409 Section 5. Section **53B-18-801** is amended to read:

410 **53B-18-801. Establishment of the center -- Purpose -- Duties and responsibilities.**

411 (1) There is hereby established the Center for the School of the Future at Utah State  
412 University, hereafter referred to as "the center."

413 (2) (a) The purpose of the center is to promote best practices in the state's public  
414 education system and encourage cooperative and research development relationships between  
415 public and higher education.

416 (b) For purposes of this section "best practices" means the best process or system that  
417 effectively achieves an educational objective.

418 (3) The center has the following duties and responsibilities:

419 (a) to direct its efforts to those education issues judged to be of greatest importance by  
420 the State Office of Education, school districts, and their patrons, subject to the availability of  
421 funds to sustain its efforts;

422 (b) to coordinate and collaborate with education stakeholders, such as institutions of  
423 higher education, the State Office of Education, school districts, parent-teacher or parent  
424 organizations, and other public and private educational interests in identifying or developing  
425 and then implementing best practices throughout the state's public education system;

426 (c) to contribute to the creation and maintenance of a public education system that  
427 continually and systematically improves itself by building upon the most effective education  
428 policies, programs, and practices and rejecting those that are less effective;

429 (d) to identify problems and challenges in providing educational and related services to  
430 all students in the public schools, including special education students and students at risk;

431 (e) to identify current public and private resources at both the state and national level  
432 that are available to resolve problems or overcome challenges within the public education  
433 system and seek additional resources as necessary; and

434 (f) to support the implementation of best practices in the public education system  
435 through professional development programs and dissemination of information.

436 (4) The center in collaboration with the State Office of Education shall:

437 (a) clarify the problems and challenges identified under this section, identify desired  
438 outcomes, and agree upon measures of outcomes;

439 (b) prioritize the problems and challenges;

440 (c) identify readily accessible resources to solve problems and challenges, including  
441 best practices that could be implemented with little or no adaptation;

442 (d) determine whether new programs or procedures should be developed, and estimate  
443 the extent of effort required for that development;

444 (e) determine which existing programs should be eliminated; and

445 (f) assist in implementing solutions, monitoring accomplishments, disseminating  
446 results, and facilitating the extension of successful efforts to new settings.

447 Section 6. Section **63M-9-103** is amended to read:

448 **63M-9-103. Definitions.**

449 As used in this chapter:

450 (1) "Children and youth at risk" means:

451 (a) persons, age 18 to 22, who have a disability; or

452 (b) persons in the custody of the Division of Juvenile Justice Services within the  
453 Department of Human Services age 18 to 21; and

454 (c) minors who may at times require appropriate and uniquely designed intervention to:

455 (i) achieve literacy;

456 (ii) advance through the schools;

457 (iii) achieve commensurate with their ability; and

458 (iv) participate in society in a meaningful way as competent, productive, caring, and  
459 responsible citizens.

460 (2) "Council" means the Families, Agencies, and Communities Together State Council  
461 established under Section 63M-9-201.

462 (3) "Local interagency council" means a council established under Section 63M-9-301.

463 (4) "Steering committee" means the Families, Agencies, and Communities Together  
464 Steering Committee established under Section 63M-9-202.

465 (5) (a) "Child and family centered service delivery system" means services provided to  
466 children and youth at risk and their families that may be delivered by teams and within a  
467 supportive community environment.

468 (b) "Community" includes, when available, parents of children and youth at risk;  
469 directors of geographical service delivery areas designated by state agencies; local government  
470 elected officials; appointed county officials who are responsible for providing substance abuse,  
471 mental health, or public health services; educators; school districts; parent-teacher or parent  
472 organizations; child and family advocacy groups; religious and community-based service  
473 organizations; individuals; and private sector entities who come together to develop, adopt, and  
474 administer a plan for a collaborative service delivery system for children and youth at risk.

475 (c) "Community resources" means time, money, services, and other contributions  
476 provided by individuals, private sector entities, religious organizations, community-based  
477 service organizations, school districts, municipal governments, and county governments.

478 (d) "Individualized and coordinated service plan" means a plan for services and  
479 supports that is comprehensive in its scope, is the product of a collaborative process between  
480 public and private service providers, and is specifically tailored to the unique needs of each  
481 child or youth served under this chapter.

482 (e) "Performance monitoring system" means a process to regularly collect and analyze  
483 performance information including performance indicators and performance goals:

484 (i) "performance indicators" means actual performance information regarding a  
485 program or activity; and

486 (ii) "performance goals" means a target level of performance or an expected level of  
487 performance against which actual performance is measured.

488 (f) "Plan for a collaborative service delivery system," "plan," or "plans" means a  
489 written document describing how a community proposes to deliver services and supports to  
490 children and youth at risk that effectively bring to bear all needed resources, including  
491 community resources, to enable them to achieve the outcomes described in Subsection (1)(c).

492 Section 7. Section **63M-9-402** is amended to read:



493           **63M-9-402. Plans for collaborative service delivery systems.**

494           (1) The council shall provide incentives for communities to develop collaborative  
495 service delivery systems. If a community desires to enter into a contract with the council under  
496 this section, it shall submit to the council a plan for a collaborative service delivery system.

497 That plan shall be in a form prescribed by the council and shall include at least the following:

498           (a) the community's designation of a state agency, school district, political subdivision,  
499 or private entity that will act as fiscal agent for the plan;

500           (b) an assurance that the plan was developed through an inclusive process involving,  
501 when available, parents of children and youth at risk, representatives of state agencies and local  
502 governments, educators, school districts, child and family advocacy groups, religious and  
503 service organizations, and parent-teacher associations or parent organizations;

504           (c) a description of how the collaborative service delivery system will be administered,  
505 including the membership, powers, and duties of any board, commission, or council that will  
506 direct the service delivery system;

507           (d) a budget for the proposed collaborative service delivery system, including funds  
508 requested from the council;

509           (e) a description of a performance monitoring system to be used by the community,  
510 including the community's performance goals and performance indicators; and

511           (f) any waivers to the rules of the State Board of Education, Department of Human  
512 Services, Department of Health, or rule of judicial administration necessary to carry out the  
513 community initiative.

514           (2) In awarding an application under this section, the council shall consider the extent  
515 to which the proposed community initiative:

516           (a) promotes early intervention and prevention;

517           (b) employs a collaborative method of delivering services;

518           (c) is endorsed by all public and private service delivery agencies that are anticipated to  
519 provide services to at-risk children and youth under the proposed collaborative service delivery  
520 system;

521           (d) is accountable for results;

522           (e) utilizes private community resources, including resources provided by religious and  
523 service organizations;

- 524 (f) utilizes the resources of the at risk child’s immediate and extended family;
- 525 (g) leverages county, municipal and school district funding sources to enhance the
- 526 scope, extent, and availability of services;
- 527 (h) leverages private funding sources within the community to enhance the scope,
- 528 extent, and availability of services;
- 529 (i) employs individualized and coordinated service plans;
- 530 (j) establishes a single point of entry for children, youth, and their families who require
- 531 services;
- 532 (k) provides comprehensive services for children and youth at risk through grade 12
- 533 and appropriate prenatal care; and

534 (l) exhibits innovation in delivering services or addressing needs.

535 (3) (a) On or before July 1, 1996, the council shall adopt a prospectus to solicit

536 proposals for the submission of plans.

537 (b) From among the proposals for plans received under Subsection (3)(a), the council

538 may award grants to communities to partially or fully pay for the development of plans.

539 (c) From the plans received under Subsection (3)(b), the council may contract with the

540 fiscal agent designated in the plan. That contract shall contain at least the following

541 provisions:

- 542 (i) a description of the scope of work and program narrative;
- 543 (ii) a description of the community’s performance monitoring system which shall
- 544 coordinate with existing performance monitoring systems, including the community’s
- 545 performance goals and performance indicators;

546 (iii) an enumeration of the dollar amount that will be provided by the council to the

547 fiscal agent; and

548 (iv) a waiver to an administrative rule, if any, granted by the agency that adopted the

549 rule.

550 (d) For fiscal year 1996-97, a contract under Subsection (3)(c) is for the period of time

551 between April 1, 1997, and June 30, 1997. For each fiscal year thereafter, a contract may not

552 exceed the period of the fiscal year.

553 Section 8. Section **67-5-20** is amended to read:

554 **67-5-20. Internet crimes against children -- Education programs.**

555 (1) (a) The attorney general may assist in efforts to prevent and prosecute Internet  
556 crimes against children, including working with other agencies of state and local government.

557 (b) Under Subsection (1)(a), the attorney general may administer the Internet Crimes  
558 Against Children Task Force, which is a statewide multidisciplinary and multijurisdictional  
559 task force that investigates, prevents, and prosecutes sexual exploitation offenses against  
560 children by offenders who use the Internet, online communications systems, or other computer  
561 technology.

562 (2) (a) As part of the attorney general's participation in this task force, the attorney  
563 general shall make available, to the extent legislative funding is available, statewide training  
564 and informational materials regarding Internet safety for children that focuses on prevention,  
565 reporting, and assistance regarding Internet crimes against children.

566 (b) The training and information shall include programs and information specifically  
567 designed for:

568 (i) children, which shall include classroom presentations and informative leaflets or  
569 other printed material; and

570 (ii) parents, guardians, educators, school resource officers, parent-teacher or parent  
571 organizations, and libraries, which shall include Internet safety, technological protection  
572 measures, and effective supervision and review of children's use of the Internet, including  
573 locating and assessing sites children have had contact with.

574 (c) As possible, the attorney general shall direct that the task force work with state and  
575 local agencies that provide information and programs to prevent and prosecute Internet crimes  
576 against children to ensure the most effective use of resources.

577 **Section 9. Effective date.**

578 (1) Except as provided in Subsection (2), this bill takes effect on May 14, 2013.

579 (2) The actions affecting Section 46-4-503 (Effective 07/01/13) take effect on July 1,  
580 2013.

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**Legislative Review Note**  
**as of 1-21-13 10:31 AM**

**Office of Legislative Research and General Counsel**