

SB0122S02 compared with SB0122S01

~~deleted text~~ shows text that was in SB0122S01 but was deleted in SB0122S02.

inserted text shows text that was not in SB0122S01 but was inserted into SB0122S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Aaron Osmond proposes the following substitute bill:

PARENTAL RIGHTS IN PUBLIC EDUCATION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: ~~_____~~ Rich Cunningham

Cosponsor: Mark B. Madsen

LONG TITLE

General Description:

This bill addresses certain rights of a parent or guardian of a student enrolled in a public school.

Highlighted Provisions:

This bill:

- ▶ specifies certain rights of a parent or guardian of a student enrolled in a public school; and
- ▶ requires a school district, charter school, or the Utah Schools for the Deaf and the Blind to annually notify a student's parent or guardian of certain rights.

Money Appropriated in this Bill:

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None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-11-1501, Utah Code Annotated 1953

53A-15-1502, Utah Code Annotated 1953

53A-15-1503, Utah Code Annotated 1953

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

Section 1. Section **53A-11-1501** is enacted to read:

Part 15. Parental Rights

53A-11-1501. Definitions.

As used in this part:

(1) "LEA" means a school district, charter school, or the Utah Schools for the Deaf and the Blind.

(2) "Reasonably accommodate" means an LEA shall make its best effort to ~~allow~~enable a parent or guardian to exercise a parental right specified in Section 53A-15-1503:

(a) without substantial impact to staff and resources, ~~including employee working conditions, safety and supervision on school premises and for school activities, and the efficient allocation of expenditures;~~ and

(b) while balancing:

(i) the parental rights of parents or guardians; ~~and~~

(ii) the educational needs of ~~other~~ students ~~and~~

(iii) the academic and behavioral impacts to a classroom;

(iv) a teacher's workload; and

(v) the assurance of the safe and efficient operation of a school.

Section 2. Section **53A-15-1502** is enacted to read:

53A-15-1502. Annual notice of parental rights.

An LEA shall annually notify a parent or guardian of a student enrolled in the LEA of

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the parent's or guardian's rights as specified in this part.

Section 3. Section **53A-15-1503** is enacted to read:

53A-15-1503. Parental right to academic accommodations.

(1) (a) A student's parent or guardian is the primary person responsible for the education of the student, and the state is in a secondary and supportive role to the parent or guardian. As such, a student's parent or guardian has the right to reasonable academic accommodations from the student's LEA as specified in this section.

(b) Each accommodation shall be considered on an individual basis and no student shall be considered to a greater or lesser degree than any other student.

(c) The parental rights specified in this section do not include all the rights or accommodations that may be available to a student's parent or guardian as a user of the public education system.

(2) An LEA shall comply with a parent's or guardian's written request to retain a student on grade level based on the student's academic ability or the student's social, emotional, or physical maturity.

(3) An LEA shall reasonably accommodate a parent's or guardian's initial selection of a teacher or request for a change of teacher.

(4) An LEA shall reasonably accommodate the request of a student's parent or guardian to visit and observe any class the student attends.

(5) (a) An LEA shall reasonably accommodate ~~the~~ a written request of a student's parent or guardian to excuse the student from attendance for a family ~~vacation~~ event or visit to a health care provider, without obtaining a note from the provider ~~, if the student completes all assignments and takes all assessments.~~

~~_____ (6);~~

(b) An excused absence provided under Subsection (5)(a) does not diminish expectations for the student's academic performance.

(6) (a) An LEA shall reasonably accommodate a parent's or guardian's ~~determination of the level of rigor of a class or subject that a student is ready or able to experience~~ written request to place a student in a specialized class or an advanced course.

(b) An LEA shall consider multiple academic data points when determining an accommodation under Subsection (6)(a).

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(7) Consistent with Section 53A-13-108, which requires the State Board of Education to establish graduation requirements that use competency-based standards and assessments, an LEA shall allow a student to earn course credit towards high school graduation without completing a course in school by:

- (a) testing out of the course; or
- (b) demonstrating competency in course standards.

(8) An LEA shall reasonably accommodate a parent's or guardian's request to meet with a teacher **at a mutually agreeable time** if the parent or guardian is unable to attend a regularly scheduled parent teacher conference.

(9) ~~f. At~~(a) Upon the **written** request of a student's parent or guardian, an LEA shall excuse the student from taking a test that is administered statewide or the National Assessment of Educational Progress.

(b) The State Board of Education shall ensure through board rule that neither an LEA nor its employees are negatively impacted through school grading or employee evaluation due to a student not taking a test pursuant to Subsection (9)(a).

(10) (a) An LEA shall provide for:

(i) the distribution of a copy of a school's discipline and conduct policy to each student in accordance with Section 53A-11-903~~f.;~~ **and**

(ii) a parent's or guardian's signature acknowledging receipt of the school's discipline and conduct policy.

(b) An LEA shall notify a parent or guardian of a student's violation of a school's discipline and conduct policy and allow a parent or guardian to respond to the notice in accordance with Chapter 11, Part 9, School Discipline and Conduct Plans.