MAINTENANCE OF STUDENT RECORDS
2015 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Gage Froerer
Senate Sponsor: Ann Millner
LONG TITLE
General Description:
This bill amends provisions related to public school parental notifications.
Highlighted Provisions:
This bill:
amends provisions related to a record a school maintains to verify that a parent was
notified of certain incidents or threats $\hat{H} \rightarrow [-]$;
requires a school to provide a student a copy of a record a school maintains at the
request of the student under certain circumstances;
requires a school to expunge a record a school maintains at the request of a student
under certain circumstances; and
<u>► makes technical changes.</u> ←Ĥ
Money Appropriated in this Bill:
None
Other Special Clauses:
None
Utah Code Sections Affected:
AMENDS:
53A-11a-203, as enacted by Laws of Utah 2013, Chapter 335
Be it enacted by the Legislature of the state of Utah:
Section 1. Section 53A-11a-203 is amended to read:
53A-11a-203. Parental notification of certain incidents and threats required.
(1) For purposes of this section, "parent" includes a student's guardian.



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(2) A school shall:

(a) notify a parent if the parent's student threatens to commit suicide; or

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28	(b) notify the parents of each student involved in an incident of bullying,
29	cyber-bullying, harassment, hazing, or retaliation, of the incident involving each parent's
30	student.
31	(3) (a) If a school notifies a parent of an incident or threat required to be reported under
32	Subsection (2), the school shall produce and maintain a record that verifies that the parent was
33	notified of the incident or threat.
34	[(b) A school may not:]
35	[(i) disclose a record described in Subsection (3)(a), including any information
36	obtained to prepare the record, to a person other than a person authorized to receive the record
37	described in Subsection (3)(c); or]
38	[(ii) use a record described in Subsection (3)(a), including any information obtained to
39	prepare the record, for the school's own purposes, including the following purposes:]
40	[(A) for a report or study;]
41	[(B) for a statistical analysis; or]
42	[(C) to conduct research.]
43	[(c) A school may disclose a record described in Subsection (3)(a), including any
44	information obtained to prepare the record:
45	[(i) to the parent or the parent's student; or]
46	[(ii) to a person if required to disclose the record or information to a person pursuant to
47	the terms of a court order as described in Subsection 63G-2-202(7).
48	(b) A school shall maintain a record described in Subsection (3)(a) in accordance with
49	the requirements of:
50	(i) Section 53A-13-301;
51	(ii) Section 53A-13-302;
52	(iii) 20 U.S.C. 1232g, Federal Family Educational Rights and Privacy Act; and
53	(iv) C.F.R. Part 99.
54	(4) A $\hat{H} \rightarrow \underline{local} \leftarrow \hat{H}$ school board $\hat{H} \rightarrow \underline{or charter school governing board} \leftarrow \hat{H}$ shall
54a	adopt a policy regarding the process for:
55	(a) notifying a parent as required in Subsection (2); and
56	(b) producing and retaining a record that verifies that a parent was notified of an
57	incident or threat as required in Subsection (3).
58	(5) At the request of a parent, a school may provide information and make

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59	recommendations related to an incident or threat described in Subsection (2).
59a	$\hat{H} \rightarrow (6)$ A school shall:
59b	(a) provide a student a copy of a record maintained in accordance with this section that
59c	relates to the student if the student requests a copy of the record; and
59d	(b) expunge a record maintained in accordance with this section that relates to a
59e	student if the student:
59f	(i) has graduated from high school; and
59g	(ii) requests the record be expunged. $\leftarrow \hat{H}$

Legislative Review Note as of 1-8-15 1:22 PM

Office of Legislative Research and General Counsel



