

HB 239: Examples of Changes Impacting Education

- Most of the changes take effect August 1, 2017
- Youth courts may accept more types of cases and schools have more discretion to refer youth to youth courts and other school-based restorative justice interventions
 - Schools maintain the same discretion to refer any class A and class B misdemeanors to court if the school considers it appropriate
 - Youth courts and other early interventions do not have to be physically located in school
- Schools may not refer youth to law enforcement or juvenile court for truancy or school-based status offenses, infractions, or class C misdemeanors
- Policies apply to minor offenses committed by an enrolled child on school property.
- Current state funding for educating youth in custody may now be used to support youth who are receiving services from DHS
- Habitual disruptive student notice may not be referred to court
- Local school board policies on conduct and discipline will comply with new statutes

HB 239: Treatment of Truancy

- HB 239 expands effective options for responding to truancy that are working right now
 - Receiving centers offers a drop-off point for law enforcement, short-term respite care for family crises, free counseling services, and family-strengthening parenting classes
 - Mobile Crisis Outreach Teams are interventions available to schools, families, or law enforcement to assist in the home or school setting when a youth or family has a behavioral issue
 - Youth courts or comparable restorative justice programs, which Utah stakeholders report are frequently a successful response to truancy in the areas of the state where they are available
- HB 239 removes provisions regarding habitual truants

HB 239: Treatment of Truancy

- Additional options that remain available to respond to truancy under HB 239
 - Parents may be charged with a Class B misdemeanor for intentionally or recklessly failing to prevent a child's absence at school
 - Schools may establish or operate truancy support centers
 - Schools may establish or operate truancy mediation
 - Schools may establish or operate a restorative justice program or other intervention
 - Schools may refer the case to the DCFS if they believe the home is unfit and the child is the victim of abuse or neglect by the parents, but exhaustion of other options is required before a truant youth may be referred to DCFS