

Part 10 Notification

53A-11-1001 Notification by juvenile court and law enforcement agencies.

- (1) Notifications received from the juvenile court or law enforcement agencies by the school district pursuant to Subsections 78A-6-112(3)(b) and 78A-6-117(1)(b) are governed by this part.
- (2) School districts may enter into agreements with law enforcement agencies for notification under Subsection (1).

Amended by Chapter 3, 2008 General Session

53A-11-1002 Superintendent required to notify school.

- (1) Within three days of receiving the information from the juvenile court or a law enforcement agency, the district superintendent shall notify the principal of the school the juvenile attends or last attended.
- (2) Upon receipt of the information, the principal shall:
 - (a) make a notation in a secure file other than the student's permanent file; and
 - (b) if the student is still enrolled in the school, notify staff members who, in his opinion, should know of the adjudication.
- (3) A person receiving information pursuant to this part may only disclose the information to other persons having both a right and a current need to know.
- (4) Access to secure files shall be limited to persons authorized to receive information under this part.

Amended by Chapter 102, 2004 General Session

53A-11-1003 Board to set procedures.

The State Board of Education shall make rules governing the dissemination of the information.

Enacted by Chapter 256, 1994 General Session

53A-11-1004 Liability for release of information.

- (1) The district superintendent, principal, and any staff member notified by the principal may not be held liable for information which may become public knowledge unless it can be shown by clear and convincing evidence that the information became public knowledge through an intentional act of the superintendent, principal, or a staff member.
- (2) A person receiving information under Subsection 78A-6-112(3)(b), 78A-6-117(1)(b), or Section 53A-11-1002 is immune from any liability, civil or criminal, for acting or failing to act in response to the information unless the person acts or fails to act due to malice, gross negligence, or deliberate indifference to the consequences.

Amended by Chapter 3, 2008 General Session