Effective 5/3/2023
53E-3-524 Newcomer student and foreign exchange student transcript repository.
(1) As used in this section:
  (a) "Newcomer student" means a student who:
    (i) is three through 21 years old;
    (ii) was not born in any state; and
    (iii) has not attended one or more schools in one or more states for more than three full
      academic years.
  (b) "Qualified social service provider" means a social service provider that works directly with a
    student's family.
  (c) "Repository" means the online transcript repository described in Subsection (2).
  (d) "Social service provider" means:
    (i) one of the following professionals, licensed to practice under Section 58-60-205:
      (A) a clinical social worker;
      (B) a certified social worker; or
      (C) a social service worker; or
    (ii) staff employed to provide direct support to a professional described in Subsection (1)(d)(i).
  (e) "State" means:
    (i) a state of the United States;
    (ii) the District of Columbia; or
    (iii) the Commonwealth of Puerto Rico.
  (f) "Student" means an individual who is enrolled in:
    (i) a public school within the state of Utah; and
    (ii) any grade from kindergarten through grade 12.
  (g)
    (i) "Transcript" means documentation of a newcomer student's or foreign exchange student's
      prior educational experience.
    (ii) "Transcript" includes oral representations about prior educational experience that a school
      or an LEA documents.
(2) On or before July 1, 2024, the state board shall establish and maintain, as part of the Utah
  school information management system described in Section 53E-3-518, an online repository
  for transcripts.
(3) The state board shall:
  (a) ensure that the repository provides a central location for:
    (i) an LEA to upload transcripts; and
    (ii) LEAs and qualified service providers to share information regarding transcripts, including:
      (A) best practices for linguistic interpretation;
      (B) interpretation of educational experiences; and
      (C) placement of newcomer students;
  (b) ensure that use of the repository:
    (i) is voluntary; and
    (ii) complies with all state and federal student privacy requirements, including:
      (A)Title 53E, Chapter 9, Student Privacy and Data Protection; and
      (B) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;
  (c) provide the repository at no cost to LEAs;
  (d) provide access to the repository to qualified social service providers;
  (e) establish appropriate access protocols in coordination with LEAs and qualified social service
    providers; and

    (f) annually, before the school enrollment period begins, provide notice of the repository to
       interested parties that the state board designates in state board rule.
(4) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative
    Rulemaking Act, to implement this section, including rules:
    (a) establishing procedures:
      (i) to protect student data related to the repository in compliance with Title 53E, Chapter 9,
        Student Privacy and Data Protection; and
      (ii) for the use of the repository by the state board, LEAs, and qualified social service providers;
    (b) requiring repository users to enter into a data sharing agreement; and
    (c) designating the interested parties described in Subsection (3)(f).

Amended by Chapter 283, 2023 General Session