

## S.B. 5

# AMENDMENTS TO THE MINIMUM SCHOOL PROGRAM BUDGET

SENATE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 1, 2006 10:58 AM

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Senator **Karen Hale** proposes the following amendments:

1. *Page 1, Lines 13 through 14:*

13           ▶       creates a cap on the number of charter schools that the State Charter School Board  
14    may authorize;

**▶ modifies provisions governing the inclusion of foreign exchanges students for the purpose of apportioning state monies;**

2. *Page 2, Lines 36 through 37:*

36    AMENDS:

37           53A-1a-515, as last amended by Chapter 291, Laws of Utah 2005

**53A-2-206, as last amended by Chapter 257, Laws of Utah 2004**

3. *Page 4, Lines 103 through 104:*

103           (9) The governing body of a local school board-authorized charter school shall be  
104   independent of the local school board except as otherwise specifically provided in this chapter.

**Section 3. Section 53A-2-206 is amended to read:**

**53A-2-206. Exchange and interstate compact students -- Inclusion in attendance count -- Annual report -- Requirements for exchange student agencies.**

(1) A school district or charter school may include the following students in the district's or school's membership and attendance count for the purpose of apportionment of state monies:

(a) a foreign exchange student sponsored by an agency approved by the district's local school board or charter school's governing board, subject to the limitation of Subsection (2);

(b) a student enrolled under an interstate compact, established between the State Board of Education and the state education authority of another state, under which a student from one compact state would be permitted to enroll in a public school in the other compact state on the same basis as a resident student of the receiving state; or

(c) a student receiving services under the Compact on Placement of Children.

(2) **(a)**    ~~{The}~~    **Through June 30, 2007,** number of foreign exchange students that may be counted for the purpose of apportioning state monies shall be the lesser of:

~~{(a)}~~    **(i)**    the number of foreign exchange students:

~~{(i)}~~    **(A)**    enrolled in the school district or charter school; and

~~{(ii)}~~ (B) sponsored by an exchange student agency approved by the district's local school board or charter school's governing board; or

~~{(b)}~~ (ii) the number of students that have withdrawn from the school district or charter school to participate in a foreign exchange program in a foreign country.

(b) (i) Beginning July 1, 2007, the total number of foreign exchange students in the state that may be counted for the purpose of apportioning state monies shall be the lesser of:

(A) the number of foreign exchange students enrolled in public schools in the state on October 1 of the previous fiscal year; or

(B) 328 foreign exchange students.

(ii) The State Board of Education shall make rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, to administer the cap on the number of foreign exchange students that may be counted for the purpose of apportioning state monies.

(3) A school district or charter school may:

(a) enroll foreign exchange students that do not qualify for state monies; and

(b) pay for the costs of those students with other funds available to the school district or charter school.

(4) Due to the benefits to all students of having the opportunity to become familiar with individuals from diverse backgrounds and cultures, school districts are encouraged to enroll foreign exchange students, as provided in Subsection (3), particularly in schools with declining or stable enrollments where the incremental cost of enrolling the foreign exchange student may be minimal.

(5) The board shall make an annual report to the Legislature on the number of exchange students and the number of interstate compact students sent to or received from public schools outside the state.

(6) (a) A local school board or charter school governing board shall require each approved exchange student agency to provide it with a sworn affidavit of compliance prior to the beginning of each school year.

(b) The affidavit shall include the following assurances:

(i) that the agency has complied with all applicable policies of the board;

(ii) that a household study, including a background check of all adult residents, has been made of each household where an exchange student is to reside, and that the study was of sufficient scope to provide reasonable assurance that the exchange student will receive proper care and supervision in a safe environment;

(iii) that host parents have received training appropriate to their positions, including information about enhanced criminal penalties under Subsection 76-5-406(10) for persons who are in a position of special trust;

(iv) that a representative of the exchange student agency shall visit each student's place of residence at least once each month during the student's stay in Utah;

(v) that the agency will cooperate with school and other public authorities to ensure that no exchange student becomes an unreasonable burden upon the public schools or other public agencies;

(vi) that each exchange student will be given in the exchange student's native language names and telephone numbers of agency representatives and others who could be called at any time if a serious problem occurs; and

(vii) that alternate placements are readily available so that no student is required to remain in a household if conditions appear to exist which unreasonably endanger the student's welfare.

(7) (a) A local school board or charter school governing board shall provide each approved exchange student agency with a list of names and telephone numbers of individuals not associated with the agency who could be called by an exchange student in the event of a serious problem.

(b) The agency shall make a copy of the list available to each of its exchange students in the exchange student's native language.