

1 **EXPANDING ACCESS FOR SIXTH GRADERS TO**
2 **SECONDARY EDUCATION**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Derek E. Brown**

6 Senate Sponsor: Brian E. Shiozawa

8 **LONG TITLE**

9 **General Description:**

10 This bill amends certain provisions related to secondary school students to provide that
11 certain students in grade 6 be treated as secondary school students.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ defines terms;
- 15 ▶ provides that a secondary school may impose a fee to secondary students, including
16 students in grade 6 attending a secondary school; and
- 17 ▶ provides that certain remediation programs apply to students in grade 6 attending a
18 secondary school.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 This bill takes effect July 1, 2013.

23 **Utah Code Sections Affected:**

24 **AMENDS:**

25 **53A-12-102**, as last amended by Laws of Utah 2012, Chapter 261

26 **53A-13-104**, as last amended by Laws of Utah 2001, Chapter 68



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **53A-12-102** is amended to read:

30 **53A-12-102. State policy on student fees, deposits, or other charges.**

31 (1) For purposes of this part:

32 (a) "Secondary school" means a school that provides instruction to students in grades 7,
33 8, 9, 10, 11, or 12.

34 (b) "Secondary school student":

35 (i) means a student enrolled in a secondary school; and

36 (ii) includes a student in grade 6 if the student attends a secondary school.

37 (c) "Board" means the State Board of Education.

38 (2) (a) A secondary school may impose fees to secondary school students.

39 (b) The board shall adopt rules regarding the imposition of fees in secondary schools in
40 accordance with the requirements of this part.

41 ~~[(1)]~~ (3) A fee, deposit, or other charge may not be made, or any expenditure required
42 of a student or the student's parent or guardian, as a condition for student participation in an
43 activity, class, or program provided, sponsored, or supported by or through a public school or
44 school district, unless authorized by the local school board or charter school governing board
45 under rules adopted by the ~~[State Board of Education]~~ board.

46 ~~[(2)]~~ (4) (a) A fee, deposit, charge, or expenditure may not be required for elementary
47 school activities which are part of the regular school day or for supplies used during the regular
48 school day.

49 (b) An elementary school or elementary school teacher may compile and provide to a
50 student's parent or guardian a suggested list of supplies for use during the regular school day so
51 that a parent or guardian may furnish on a voluntary basis those supplies for student use.

52 (c) A list provided to a student's parent or guardian pursuant to Subsection ~~[(2)]~~ (4)(b)
53 ~~[must]~~ shall include and be preceded by the following language:

54 "NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR
55 SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS,
56 OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL."

57 Section 2. Section **53A-13-104** is amended to read:

58 **53A-13-104. Remediation programs for secondary students.**

59 (1) For purposes of this section:

60 (a) "Secondary school" means a school that provides instruction to students in grades 7,
61 8, 9, 10, 11, or 12.

62 (b) "Secondary school student":

63 (i) means a student enrolled in a secondary school; and

64 (ii) includes a student in grade 6 if the student attends a secondary school.

65 ~~[(1)]~~ (2) [Local school boards] A school district or charter school shall implement
66 programs for secondary school students ~~[in the secondary schools, grades 7-12;]~~ to attain the
67 competency levels and graduation requirements established by the State Board of Education.

68 ~~[(2)]~~ (3) (a) [Local school boards] A school district or charter school shall establish
69 remediation programs for secondary school students who do not meet competency levels in
70 English, mathematics, science, or social studies.

71 (b) Participation in the programs is mandatory for [those] secondary school students
72 who fail to meet the competency levels based on classroom performance.

73 ~~[(3) Students]~~ (4) Secondary school students who require remediation under this
74 section may not be advanced to the following class in subject sequences until they meet the
75 required competency level for the subject or complete the required remediation program,
76 except that ~~[local school boards]~~ a school district or charter school may allow secondary school
77 students requiring remediation who would otherwise be scheduled to enter their first year of
78 high school to complete their remediation program during that first year.

79 ~~[(4)]~~ (5) (a) Remediation programs provided under this section should not be
80 unnecessarily lengthy or repetitive.

81 (b) A secondary school student need not repeat an entire class if remediation can
82 reasonably be achieved through other means.

83 ~~[(5)]~~ (6) [Local school boards] A school district or charter school may charge
84 secondary school students a fee to participate in the remediation programs.

85 **Section 3. Effective date.**

86 This bill takes effect July 1, 2013.

Legislative Review Note
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Office of Legislative Research and General Counsel