

Senator Aaron Osmond proposes the following substitute bill:

PARENTAL RIGHTS IN PUBLIC EDUCATION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: Rich Cunningham

LONG TITLE

General Description:

This bill addresses certain rights of a parent or guardian of a student enrolled in a public school.

Highlighted Provisions:

This bill:

- ▶ specifies certain rights of a parent or guardian of a student enrolled in a public school; and
- ▶ requires a school district, charter school, or the Utah Schools for the Deaf and the Blind to annually notify a student's parent or guardian of certain rights.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-11-1501, Utah Code Annotated 1953

53A-15-1502, Utah Code Annotated 1953

53A-15-1503, Utah Code Annotated 1953



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

Section 1. Section **53A-11-1501** is enacted to read:

Part 15. Parental Rights

53A-11-1501. Definitions.

As used in this part:

(1) "LEA" means a school district, charter school, or the Utah Schools for the Deaf and the Blind.

(2) "Reasonably accommodate" means an LEA shall make its best effort to allow a parent or guardian to exercise a parental right specified in Section [53A-15-1503](#):

(a) without substantial impact to staff and resources; and

(b) while balancing:

(i) the parental rights of parents or guardians; and

(ii) the educational needs of students.

Section 2. Section **53A-15-1502** is enacted to read:

53A-15-1502. Annual notice of parental rights.

An LEA shall annually notify a parent or guardian of a student enrolled in the LEA of the parent's or guardian's rights as specified in this part.

Section 3. Section **53A-15-1503** is enacted to read:

53A-15-1503. Parental right to academic accommodations.

(1) A student's parent or guardian is the primary person responsible for the education of the student, and the state is in a secondary and supportive role to the parent or guardian. As such, a student's parent or guardian has the right to reasonable academic accommodations from the student's LEA as specified in this section.

(2) An LEA shall comply with a parent's or guardian's request to retain a student on grade level based on the student's academic ability or the student's social, emotional, or physical maturity.

(3) An LEA shall reasonably accommodate a parent's or guardian's initial selection of a teacher or request for a change of teacher.

(4) An LEA shall reasonably accommodate the request of a student's parent or guardian to visit and observe any class the student attends.

57 (5) An LEA shall reasonably accommodate the request of a student's parent or guardian
58 to excuse the student from attendance for a family vacation or visit to a health care provider,
59 without obtaining a note from the provider, if the student completes all assignments and takes
60 all assessments.

61 (6) An LEA shall reasonably accommodate a parent's or guardian's determination of
62 the level of rigor of a class or subject that a student is ready or able to experience.

63 (7) Consistent with Section 53A-13-108, which requires the State Board of Education
64 to establish graduation requirements that use competency-based standards and assessments, an
65 LEA shall allow a student to earn course credit towards high school graduation without
66 completing a course in school by:

67 (a) testing out of the course; or

68 (b) demonstrating competency in course standards.

69 (8) An LEA shall reasonably accommodate a parent's or guardian's request to meet
70 with a teacher if the parent or guardian is unable to attend a regularly scheduled parent teacher
71 conference.

72 (9) At the request of a student's parent or guardian, an LEA shall excuse the student
73 from taking a test that is administered statewide or the National Assessment of Educational
74 Progress.

75 (10) (a) An LEA shall provide for the distribution of a copy of a school's discipline and
76 conduct policy to each student in accordance with Section [53A-11-903](#).

77 (b) An LEA shall notify a parent or guardian of a student's violation of a school's
78 discipline and conduct policy and allow a parent or guardian to respond to the notice in
79 accordance with Chapter 11, Part 9, School Discipline and Conduct Plans.