

SB0122S01 compared with SB0122

~~text~~ shows text that was in SB0122 but was deleted in SB0122S01.

text shows text that was not in SB0122 but was inserted into SB0122S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Aaron Osmond proposes the following substitute bill:

PARENTAL RIGHTS~~AND ACCOUNTABILITY~~ IN PUBLIC EDUCATION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ specifies certain rights ~~and obligations~~ 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~~and~~

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~~obligations; and~~

~~request that the parent or guardian sign and return a document acknowledging having received and read the notification}.~~

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

~~{ **53A-15-1504**, Utah Code Annotated 1953~~

~~}~~

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{ and Obligations}

53A-11-1501. Definitions.

As used in this part:

~~{ (1) "Individualized education program" or "IEP" means:~~

~~— (a) for a student with a disability, a written statement that is developed, reviewed, and revised in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.; or~~

~~— (b) an individualized family service plan developed:~~

~~— (i) for a child with a disability who is younger than three years of age; and~~

~~— (ii) in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.~~

~~† (2) "LEA" means a school district, charter school, or the Utah Schools for the Deaf and the Blind.~~

~~(3) "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:~~

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(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 ~~{and acknowledgment}~~ of parental rights ~~{and obligations}~~.

An LEA shall ~~;~~

~~—— (1) annually notify a parent or guardian of a student enrolled in the LEA of the parent's or guardian's rights ~~{and obligations}~~ as specified in this part ~~{when using public education; and~~~~

~~—— (2) (a) request a parent or guardian to sign and return a document acknowledging having received and read the notification provided under Subsection (1);~~

~~—— (b) make a reasonable effort to secure an acknowledgment from a parent or guardian; and~~

~~—— (c) maintain an acknowledgment on file}.~~

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

53A-15-1503. Parental ~~{rights:~~

~~—— (1) (a) **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.~~

~~{ (b) With written consent of a parent or guardian, an LEA may administer an assessment to a student to attain information relevant to determining whether the student should be retained.~~

~~{ ~~(2)~~(3) An LEA shall reasonably accommodate a parent's or guardian's initial selection of a teacher or request for a change of teacher.~~

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~~(3)4~~ An LEA shall reasonably accommodate the request of a student's parent or guardian to visit and observe any class the student attends.

~~(4)5~~ An LEA shall reasonably accommodate the request of a student's parent or guardian to excuse ~~the~~ student from attendance for a family vacation, family emergency, or visit to a physician or visit to a health care provider, without obtaining a note from the provider, if the student completes all assignments and takes all assessments.

~~(5)6~~ An LEA shall reasonably accommodate a parent's or guardian's determination of the level of rigor of a class or subject that a student is ready or able to experience.

~~(6)7~~ ~~An~~ Consistent with Section 53A-13-108, which requires the State Board of Education to establish graduation requirements that use competency-based standards and assessments, an LEA shall allow a student to earn course credit towards high school graduation without completing a course in school by:

- (a) testing out of the course; or
- (b) demonstrating competency in course standards.

~~(7)8~~ An LEA shall reasonably accommodate a parent's or guardian's request to meet with a teacher if the parent or guardian is unable to attend a regularly scheduled parent teacher conference.

~~(8)9~~ ~~The~~ At the request of a student's parent or guardian of a student who receives special education services is a member of the student's IEP team and, as a team member, participates in the development of the student's individualized education program.

~~(9)~~ an LEA shall excuse the student from taking a test that is administered statewide or the National Assessment of Educational Progress.

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

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

~~{~~ Section 4. Section 53A-15-1504 is enacted to read:

~~————~~ 53A-15-1504. Parental obligations:

~~————~~ (1) A child's parent or guardian is the primary person responsible for the education of the child, and the state is in a secondary and supportive role to the parent or guardian.

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~~—— (2) Classroom discipline is critical to academic success, and a parent or guardian shall support a teacher and administrator when imposing appropriate classroom discipline.~~

~~—— (3) (a) The parent or guardian of an elementary school student performing below grade level or assessed as not proficient in a subject shall:~~

~~—— (i) attend all scheduled parent teacher conferences during a school year; or~~

~~—— (ii) meet with the student's teacher at another time.~~

~~—— (b) The parent or guardian of a secondary school student earning a "C" or lower grade in a course shall:~~

~~—— (i) attend all parent teacher conferences scheduled with the teacher of the course in which the student is earning a "C" or lower grade; or~~

~~—— (ii) meet with the student's teacher at another time.~~

Legislative Review Note

~~—— as of 1-13-14 12:12 PM~~

~~—— Office of Legislative Research and General Counsel}~~