

SB0175S01 compared with SB0175

~~deleted text~~ shows text that was in SB0175 but was deleted in SB0175S01.

inserted text shows text that was not in SB0175 but was inserted into SB0175S01.

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Senator Daniel W. Thatcher proposes the following substitute bill:

SCHOOL SAFETY AND CRISIS LINE

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: ~~_____~~ Steve Eliason

LONG TITLE

General Description:

This bill establishes a School Safety and Crisis Line.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the University Neuropsychiatric Institute, within the University of Utah Hospitals and Clinics, to establish a statewide School Safety and Crisis Line;
- ▶ removes the sunset provision for the School Safety Tip Line Commission and renames it the School Safety and Crisis Line Commission (commission);
- ▶ amends the membership of the commission;
- ▶ requires the commission to fulfill certain duties;
- ▶ requires the State Board of Education to revise certain policies and curricula;

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- ▶ requires a local school board or charter school governing board to revise certain policies; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2016:

- ▶ to the University of Utah - University Neuropsychiatric Institute, as an ongoing appropriation:
 - from the General Fund, \$150,000; and
- ▶ to the University of Utah - University Neuropsychiatric Institute, as a one-time appropriation:
 - from the General Fund, \$150,000.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53A-11-901, as last amended by Laws of Utah 2007, Chapter 161

53A-11-902, as last amended by Laws of Utah 2010, Chapter 207

53A-11-1501, as enacted by Laws of Utah 2014, Chapter 412

53A-11-1502, as enacted by Laws of Utah 2014, Chapter 412

53A-11-1504, as enacted by Laws of Utah 2014, Chapter 412

53A-11-1505, as enacted by Laws of Utah 2014, Chapter 412

53A-15-1302, as last amended by Laws of Utah 2014, Chapter 349

63I-1-253, as last amended by Laws of Utah 2014, Chapters 189, 226, and 412

ENACTS:

53A-11-1506, Utah Code Annotated 1953

REPEALS AND REENACTS:

53A-11-1503, as enacted by Laws of Utah 2014, Chapter 412

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

Section 1. Section **53A-11-901** is amended to read:

53A-11-901. Public school discipline policies -- Basis of the policies --

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Enforcement.

(1) The Legislature recognizes that every student in the public schools should have the opportunity to learn in an environment which is safe, conducive to the learning process, and free from unnecessary disruption.

(2) (a) To foster such an environment, each local school board or governing board of a charter school, with input from school employees, parents and guardians of students, students, and the community at large, shall adopt conduct and discipline policies for the public schools.

(b) Each district or charter school shall base its policies on the principle that every student is expected:

(i) to follow accepted rules of conduct; and

(ii) to show respect for other people and to obey persons in authority at the school.

(c) (i) ~~[The State Superintendent of Public Instruction shall develop]~~ On or before September 1, 2015, the State Board of Education shall revise the conduct and discipline policy models for elementary and secondary public schools to include procedures for responding to reports received through the School Safety and Crisis Line under Subsection 53A-11-1503(3).

(ii) Each district or charter school shall use the models, where appropriate, in developing its conduct and discipline policies under this chapter.

(d) The policies shall emphasize that certain behavior, most particularly behavior which disrupts, is unacceptable and may result in disciplinary action.

(3) The local superintendent and designated employees of the district or charter school shall enforce the policies so that students demonstrating unacceptable behavior and their parents or guardians understand that such behavior will not be tolerated and will be dealt with in accordance with the district's conduct and discipline policies.

Section 2. Section **53A-11-902** is amended to read:

53A-11-902. Conduct and discipline policies and procedures.

The conduct and discipline policies required under Section 53A-11-901 shall include:

(1) provisions governing student conduct, safety, and welfare;

(2) standards and procedures for dealing with students who cause disruption in the classroom, on school grounds, on school vehicles, or in connection with school-related activities or events;

(3) procedures for the development of remedial discipline plans for students who cause

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a disruption at any of the places referred to in Subsection (2);

(4) procedures for the use of reasonable and necessary physical restraint or force in dealing with disruptive students, consistent with Section 53A-11-802;

(5) standards and procedures for dealing with student conduct in locations other than those referred to in Subsection (2), if the conduct threatens harm or does harm to:

(a) the school;

(b) school property;

(c) a person associated with the school; or

(d) property associated with a person described in Subsection (5)(c);

(6) procedures for the imposition of disciplinary sanctions, including suspension and expulsion;

(7) specific provisions, consistent with Section 53A-15-603, for preventing and responding to gang-related activities in the school, on school grounds, on school vehicles, or in connection with school-related activities or events; ~~and~~

(8) standards and procedures for dealing with habitual disruptive student behavior in accordance with the provisions of this part~~[-]; and~~

(9) procedures for responding to reports received through the School Safety and Crisis Line under Subsection 53A-11-1503(3).

Section 3. Section **53A-11-1501** is amended to read:

Part 15. School Safety and Crisis Line

53A-11-1501. Title.

This part is known as "School Safety [~~Tip~~] and Crisis Line."

Section 4. Section **53A-11-1502** is amended to read:

53A-11-1502. Definitions.

As used in this part~~[-,"commission"];~~

(1) "Commission" means the School Safety [~~Tip~~] and Crisis Line Commission established in Section 53A-11-1504.

(2) "University Neuropsychiatric Institute" means the mental health and substance abuse treatment institute within the University of Utah Hospitals and Clinics.

Section 5. Section **53A-11-1503** is repealed and reenacted to read:

53A-11-1503. School Safety and Crisis Line established.

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The University Neuropsychiatric Institute shall:

(1) establish a School Safety and Crisis Line to provide:

(a) a means for an individual to anonymously report:

(i) unsafe, violent, or criminal activities, or the threat of such activities at or near a public school; and

(ii) incidents of bullying, cyber-bullying, harassment, or hazing; and

(b) crisis intervention, including suicide prevention, to individuals experiencing emotional distress or psychiatric crisis;

(2) provide the services described in Subsection (1) 24 hours a day, seven days a week;

and

(3) when necessary, promptly forward a report received under Subsection (1)(a) to appropriate:

(a) school officials; and

(b) law enforcement officials.

Section 6. Section **53A-11-1504** is amended to read:

53A-11-1504. School Safety and Crisis Line Commission established -- Members.

(1) There is created the School Safety [~~Tip~~] and Crisis Line Commission [~~], within the Office of the Attorney General;~~] composed of the following members:

(a) one member who represents the Office of the Attorney General, appointed by the attorney general;

(b) [~~two members~~] one member who [~~represent~~] represents the Utah Public Education System, appointed by the State Board of Education;

(c) one member who represents the Utah System of Higher Education, appointed by the State Board of Regents;

~~[(e)]~~ (d) one member who represents the Utah Department of Health, appointed by the executive director of the Department of Health;

~~[(d) two members]~~ (e) one member of the House of Representatives, appointed by the speaker of the House of Representatives; [~~and~~]

~~[(e) two members]~~ (f) one member of the Senate, appointed by the president of the Senate[-];

(g) one member who represents the University Neuropsychiatric Institute, appointed by

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the chair of the commission:

(h) one member who represents law enforcement ~~and~~ who has extensive experience in emergency response, appointed by the chair of the commission; ~~and~~

(i) ~~one member~~ member who represents the Utah Department of Human Services who has experience in youth services or treatment services, appointed by the executive director of the Department of Human Services; and

(j) two members of the public, appointed by the chair of the commission.

(2) (a) Except as provided in Subsection (2)(b), members of the commission shall be appointed to four-year terms.

(b) The length of the terms of the members shall be staggered so that approximately half of the committee is appointed every two years.

(c) When a vacancy occurs in the membership of the commission, the replacement shall be appointed for the unexpired term.

~~[(2)]~~ (3) (a) The attorney general's designee shall serve as chair of the commission.

(b) The chair shall set the agenda for commission meetings.

~~[(3)]~~ (4) Attendance of a simple majority of the members constitutes a quorum for the transaction of official commission business.

~~[(4)]~~ (5) Formal action by the commission requires a majority vote of a quorum.

~~[(5)]~~ (6) (a) Except as provided in Subsection ~~[(5)]~~ (6)(b), a member may not receive compensation, benefits, per diem, or travel expenses for the member's service.

(b) Compensation and expenses of a member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

~~[(6)]~~ (7) The Office of the Attorney General shall provide staff support to the commission.

Section 7. Section **53A-11-1505** is amended to read:

53A-11-1505. School Safety and Crisis Line Commission duties.

~~[(1) (f)]~~ (a) The commission shall coordinate:

~~[(i) designate a School Safety Tip Line provider network after consideration of the ability of the proposed provider network's ability to:]~~

~~[(A) provide the services described in Section 53A-11-1503 24 hours a day, seven days a week; and]~~

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~~[(B) employ, as operators, social workers licensed by the Division of Occupational and Professional Licensing under Section 58-60-204;]~~

~~[(ii) estimate the cost of operating a School Safety Tip Line including the extent to which operations will be funded through private donations and grants; and]~~

~~[(iii) designate a phone number for the School Safety Tip Line.]~~

~~(~~f~~a~~1~~) statewide efforts related to the School Safety and Crisis Line; and~~

~~(~~f~~b~~2~~) with the State Board of Education and the State Board of Regents to promote awareness of the services available through the School Safety and Crisis Line.~~

~~[(b) (~~f~~2) The commission may conduct other business related to (~~f~~) establishing a (~~f~~ the) School Safety (~~f~~) Tip (~~f~~ and Crisis) Line.]~~

~~[(2) The commission shall report to the Education Interim Committee and the Executive Appropriations Committee before November 30, 2014, regarding:]~~

~~[(a) how the commission fulfilled its duties during the year; and]~~

~~[(b) recommendations for future legislation related to a School Safety Tip Line.]~~

Section 8. Section **53A-11-1506** is enacted to read:

53A-11-1506. State Board of Education and local boards of education to update policies and promote awareness.

(1) The State Board of Education shall:

(a) revise the conduct and discipline policy models, described in Section 53A-11-901, to include procedures for responding to reports received under Subsection 53A-11-1503(3); and

(b) revise the curriculum developed by the State Board of Education for the parent seminar, described in Section 53A-15-1302, to include information about the School Safety and Crisis Line.

(2) A local school board or charter school governing board shall:

(a) revise the conduct and discipline policies, described in Section 53A-11-902, to include procedures for responding to reports received under Subsection 53A-11-1503(3); and

(b) inform students, parents, and school personnel about the School Safety and Crisis Line.

Section 9. Section **53A-15-1302** is amended to read:

53A-15-1302. Parent education -- Mental health -- Bullying -- Safety.

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(1) (a) Except as provided in Subsection (5), a school district shall offer a seminar for parents of students in the school district that:

- (i) is offered at no cost to parents;
- (ii) begins at or after 6 p.m.;
- (iii) is held in at least one school located in the school district; and
- (iv) covers the topics described in Subsection (2).

(b) A school district shall annually offer one parent seminar for each 11,000 students enrolled in the school district.

(c) A school district may:

- (i) develop its own curriculum for the seminar described in Subsection (1)(a); or
- (ii) use the curriculum developed by the State Board of Education under Subsection (2).

(d) A school district shall notify each charter school located in the attendance boundaries of the school district of the date and time of a parent seminar, so the charter school may inform parents of the seminar.

(2) The State Board of Education shall:

(a) develop a curriculum for the parent seminar described in Subsection (1) that includes information on:

- (i) substance abuse, including illegal drugs and prescription drugs and prevention;
- (ii) bullying;
- (iii) mental health, depression, suicide awareness, and suicide prevention, including education on limiting access to fatal means; ~~[and]~~

(iv) Internet safety, including pornography addiction; and

(v) the School Safety and Crisis Line established in Section 53A-11-1503; and

(b) provide the curriculum, including resources and training, to school districts upon request.

~~[(3) The State Board of Education shall report to the Legislature's Education Interim Committee, by the November 2013 meeting, on the progress of implementation of the parent seminar, including if a local school board has opted out of providing the parent seminar, as described in Subsection (5), and the reasons why a local school board opted out.]~~

~~[(4) The State Board of Education shall report to the Legislature's Education Interim~~

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~~Committee by the November 2014 meeting on:]~~

~~[(a) the progress of implementation of the parent seminar;]~~

~~[(b) the estimated attendance reported by each school district;]~~

~~[(c) a recommendation of whether to continue the parent seminar program; and]~~

~~[(d) if a local school board has opted out of providing the parent seminar, as described in Subsection (5), and the reasons why a local school board opted out.]~~

~~[(5)]~~ (3) (a) A school district is not required to offer the parent seminar if the local school board determines that the topics described in Subsection (2) are not of significant interest or value to families in the school district.

(b) If a local school board chooses not to offer the parent seminar, the local school board shall notify the State Board of Education and provide the reasons why the local school board chose not to offer the parent seminar.

Section 10. Section **63I-1-253** is amended to read:

63I-1-253. Repeal dates, Titles 53, 53A, and 53B.

The following provisions are repealed on the following dates:

(1) Section 53-3-232, Conditional license, is repealed July 1, 2015.

(2) Subsection 53-10-202(18) is repealed July 1, 2018.

(3) Section 53-10-202.1 is repealed July 1, 2018.

(4) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is repealed July 1, 2020.

~~[(5) Title 53A, Chapter 11, Part 15, School Safety Tip Line, is repealed July 1, 2015.]~~

~~[(6)]~~ (5) The State Instructional Materials Commission, created in Section 53A-14-101, is repealed July 1, 2016.

~~[(7)]~~ (6) Subsections 53A-16-113(3) and (4) are repealed December 31, 2016.

~~[(8)]~~ (7) Section 53A-16-114 is repealed December 31, 2016.

~~[(9)]~~ (8) Section 53A-17a-163, Performance-based Compensation Pilot Program is repealed July 1, 2016.

~~[(10)]~~ (9) Section 53B-24-402, Rural residency training program, is repealed July 1, 2015.

~~[(11)]~~ (10) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells,

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other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

Section 11. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2016.

To University of Utah - University Neuropsychiatric Institute

From General Fund \$150,000

From General Fund, One-time \$150,000

Schedule of Programs:

University Neuropsychiatric Institute \$300,000

The Legislature intends that the appropriation provided in this section is to be used by the University Neuropsychiatric Institute to provide the services described in Title 53A, Chapter 11, Part 15, School Safety and Crisis Line.

Section 12. **Effective date.**

(1) Except as provided in Subsection (2), this bill takes effect on May 12, 2015.

(2) Uncodified Section 11, Appropriation, takes effect on July 1, 2015.

†

Legislative Review Note

~~as of 2-9-15 12:49 PM~~

~~Office of Legislative Research and General Counsel~~