

1st Sub. S.B. 204

PARENTAL RIGHTS IN PUBLIC EDUCATION AMENDMENTS

Representative Rich Cunningham proposes the following amendments:

1. Page 6, Line 169:

169 (ii) ~~{if the student has an IEP,}~~ consistent with ~~{the}~~ a student's IEP if the student
already has an IEP .

2. Page 7, Line 190:

190 to place a student in a specialized class ~~{or}~~ , specialized program, or an advanced course.

3. Page 7, Line 202 through Page 8, Line 219:

202 ~~{(9)(a)}~~ ~~{Upon [the] receipt of a written [request] statement of a student's parent or~~
203 ~~guardian, an LEA shall excuse the student from taking [a test that is administered statewide or~~
204 ~~the National Assessment of Educational Progress:]~~

205 ~~— (i) any summative, interim, or formative test that was developed for, or provided by;~~
206 ~~the state under this title; or~~

207 ~~— (ii) any test that is federally mandated or mandated by the state under this title;~~

208 ~~— (b) An LEA may not:~~

209 ~~— (i) require a meeting as a condition of excusing a student from taking a test described~~
210 ~~in Subsection (9)(a); or~~

211 ~~— (ii) specify the form of a written statement under Subsection (9)(a);~~

212 ~~— (c) A written statement to an LEA to excuse a student from taking a test under~~
213 ~~Subsection (9)(a) remains in effect across multiple school years until:~~

214 ~~— (i) further notice from the student's parent or guardian; or~~

215 ~~— (ii) the student is no longer enrolled at the LEA;~~

216 ~~— (d) An LEA may not reward a student for taking a test described in Subsection (9)(a);~~

217 ~~— [(b)] (c) The State Board of Education shall ensure through board rule that neither an~~

218 ~~LEA nor its employees are negatively impacted through school grading or employee evaluation~~

219 ~~due to a student not taking a test pursuant to Subsection (9)(a).}~~ =

(9)(a) At the request of a student's parent or guardian, an LEA shall excuse a student from taking
an assessment that:

(i) is federally mandated;

(ii) is mandated by the state under this title; or

(iii) requires the use of:

(A) a state assessment system; or

(B) software that is provided or paid for by the state.

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules:

(i) to establish a statewide procedure for excusing a student under Subsection (9)(a) that:

(A) does not place an undue burden on a parent or guardian; and

(B) may be completed online or through the mail; and

(ii) to prevent negative impact, to the extent authorized by state statute, to an LEA or an LEA's employees through school grading or employee evaluations due to a student not taking a test under Subsection (9)(a).

(c) An LEA:

(i) shall follow the procedures outlined in rules made by the State Board of Education under Subsection (9)(b) to excuse a student under Subsection (9)(a);

(ii) may not require procedures to excuse a student under Subsection (9)(a) in addition to the procedures outlined in rules made by the State Board of Education under Subsection (9)(b); and

(ii) may not reward a student for taking an assessment described in Subsection (9)(a).

(d) The State Board of Education shall:

(i) maintain and publish a list of state assessments, state assessment systems, and software that qualify under Subsection (9)(a); and

(ii) audit and verify an LEA's compliance with the requirements of this Subsection (9).