

SCHOOL FEE REVISIONS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: Deidre M. Henderson

| | | | |
|----|-----------------------|----------------|----------------------|
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| 9 | Kay J. Christofferson | Tim Quinn | |
| 10 | Francis D. Gibson | Mike Schultz | |

LONG TITLE

General Description:

This bill amends provisions related to school fees.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education (state board) to report recommendations on activity based costing;
- ▶ defines "fee" and other related terms;
- ▶ enacts conditions for a local education agency (LEA) to charge a fee;
- ▶ requires the state board to take certain actions against an LEA that fails to comply with fee provisions;
- ▶ grants the state board rulemaking authority for fee provisions;
- ▶ amends fee waiver provisions, including requiring an LEA to inform a student of procedures to appeal a waiver denial;
- ▶ requires an LEA governing board to adopt a fee policy and fee schedule;
- ▶ amends the definition of "textbook" and other provisions related to textbooks;

- 28 ▶ repeals provisions authorizing citizens to petition a local school board to provide
- 29 free textbooks;
- 30 ▶ prohibits an LEA from charging a fee for a school uniform but permits a fee for
- 31 school activity clothing; and
- 32 ▶ makes technical and conforming changes.

33 Money Appropriated in this Bill:

34 None

35 Other Special Clauses:

36 This bill provides a special effective date.

37 This bill provides a coordination clause.

38 Utah Code Sections Affected:

39 AMENDS:

- 40 **53E-10-204**, as renumbered and amended by Laws of Utah 2018, Chapter 1
- 41 **53E-10-305**, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and
- 42 amended by Laws of Utah 2018, Chapter 1
- 43 **53G-7-501**, as enacted by Laws of Utah 2018, Chapter 3
- 44 **53G-7-502**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 45 **53G-7-503**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 46 **53G-7-504**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 47 **53G-7-505**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 48 **53G-7-601**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 49 **53G-7-602**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 50 **53G-7-606**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 51 **53G-7-801**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 52 **53G-7-802**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 53 **63I-2-253**, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and
- 54 456

55 ENACTS:

56 **53E-3-518**, Utah Code Annotated 1953

57 REPEALS AND REENACTS:

58 **53G-7-603**, as renumbered and amended by Laws of Utah 2018, Chapter 3

59 REPEALS:

60 **53G-7-604**, as renumbered and amended by Laws of Utah 2018, Chapter 3

61 **53G-7-605**, as renumbered and amended by Laws of Utah 2018, Chapter 3

62 **Utah Code Sections Affected by Coordination Clause:**

63 **53E-1-201**, as enacted by Laws of Utah 2018, Chapter 1

64 **53E-1-202**, Utah Code Annotated 1953



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

67 Section 1. Section **53E-3-518** is enacted to read:

68 **53E-3-518. Recommendations on activity based costing.**

69 (1) The state board shall create a working group, including LEA representatives, to
70 evaluate and present recommendations to the state board and Legislature on LEA efforts to
71 establish cost centers and implement activity based costing.

72 (2) The state board shall report the recommendations described in Subsection (1) to the
73 Education Interim Committee and Public Education Appropriations Subcommittee no later
74 than November 30, 2020.

75 Section 2. Section **53E-10-204** is amended to read:

76 **53E-10-204. Local school boards' authority to direct adult education programs.**

77 A local school board may do the following:

78 (1) establish and maintain classes for adult education, with classes being held at times
79 and places convenient and accessible to the members of the class;

80 (2) raise and appropriate funds for an adult education program;

81 (3) subject to [Sections] Section 53E-10-202 [~~and 53G-7-502,~~] determine fees for

82 participation in an adult education program; and

83 (4) hire persons to instruct adult education classes.

84 Section 3. Section **53E-10-305** is amended to read:

85 **53E-10-305. Tuition and fees.**

86 (1) Except as provided in this section, the State Board of Regents or an institution of
87 higher education may not charge tuition or fees for a concurrent enrollment course.

88 (2) (a) The State Board of Regents may charge a one-time fee for a student to
89 participate in the concurrent enrollment program.

90 (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general
91 admission application fee requirement for a full-time or part-time student at an institution of
92 higher education.

93 (3) (a) An institution of higher education may charge a one-time admission application
94 fee for concurrent enrollment course credit offered by the institution of higher education.

95 (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission
96 application fee requirement for a full-time or part-time student at an institution of higher
97 education.

98 (4) (a) Except as provided in Subsection (4)(b), an institution of higher education may
99 charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course
100 for which a student earns college credit.

101 (b) An institution of higher education may not charge more than:

102 (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price
103 school lunch;

104 (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by
105 an eligible instructor described in Subsection [53E-10-302\(5\)\(c\)](#); or

106 (iii) \$15 per credit hour for a concurrent enrollment course that is taught through video
107 conferencing.

108 (5) In accordance with Section [53G-7-603](#), an LEA may charge a fee for a textbook, as

109 defined in Section 53G-7-601, that is required for a concurrent enrollment course.

110 Section 4. Section 53G-7-501 is amended to read:

111 **53G-7-501. Definitions.**

112 ~~[Reserved]~~ As used in this part:

113 (1) "Co-curricular activity" means an activity, a course, or a program that:

114 (a) is conducted outside of regular school hours;

115 (b) is provided, sponsored, or supported by an LEA; and

116 (c) includes a required regular school day activity, course, or program.

117 (2) "Curricular activity" means an activity, a course, or a program that is:

118 (a) provided, sponsored, or supported by an LEA; and

119 (b) conducted only during school hours.

120 (3) "Elementary school" means a school that provides instruction to students in grades
121 kindergarten, 1, 2, 3, 4, 5, or 6.

122 (4) (a) "Elementary school student" means a student enrolled in an elementary school.

123 (b) "Elementary school student" does not include a secondary school student.

124 (5) (a) "Extracurricular activity" means an activity, a course, or a program that is:

125 (i) not directly related to delivering instruction;

126 (ii) not a curricular activity or co-curricular activity; and

127 (iii) provided, sponsored, or supported by an LEA.

128 (b) "Extracurricular activity" does not include a noncurricular club as defined in

129 Section 53G-7-701.

130 (6) (a) "Fee" means a charge, expense, deposit, rental, or payment:

131 (i) regardless of how the charge, expense, deposit, rental, or payment is termed,
132 described, requested, or required directly or indirectly;

133 (ii) in the form of money, goods, or services; and

134 (iii) that is a condition to a student's full participation in an activity, course, or program
135 that is provided, sponsored, or supported by an LEA.

- 136 (b) "Fee" includes:
- 137 (i) money or something of monetary value raised by a student or the student's family
- 138 through fundraising;
- 139 (ii) charges or expenditures for a school field trip or activity trip, including related
- 140 transportation, food, lodging, and admission charges;
- 141 (iii) payments made to a third party that provides a part of a school activity, class, or
- 142 program;
- 143 (iv) charges or expenditures for classroom:
- 144 (A) textbooks;
- 145 (B) supplies; or
- 146 (C) materials;
- 147 (v) charges or expenditures for school activity clothing; and
- 148 (vi) a fine other than a fine described in Subsection (6)(c)(i).
- 149 (c) "Fee" does not include:
- 150 (i) a student fine specifically approved by an LEA for:
- 151 (A) failing to return school property;
- 152 (B) losing, wasting, or damaging private or school property through intentional,
- 153 careless, or irresponsible behavior, or as described in Section [53G-8-212](#); or
- 154 (C) improper use of school property, including a parking violation;
- 155 (ii) a payment for school breakfast or lunch;
- 156 (iii) a deposit that is:
- 157 (A) a pledge securing the return of school property; and
- 158 (B) refunded upon the return of the school property; or
- 159 (iv) a charge for insurance, unless the insurance is required for a student to participate
- 160 in an activity, course, or program.
- 161 (7) (a) "Fundraising" means an activity or event provided, sponsored, or supported by
- 162 an LEA that uses students to generate funds or raise money to:

163 (i) provide financial support to a school or a school's class, group, team, or program; or

164 (ii) benefit a particular charity or for other charitable purposes.

165 (b) "Fundraising" does not include an alternative method of raising revenue without

166 students.

167 (8) (a) "School activity clothing" means special shoes or items of clothing:

168 (i) (A) that meet specific requirements, including requesting a specific color, style,

169 fabric, or imprint; and

170 (B) that a school requires a student to provide; and

171 (ii) that is worn by a student for a co-curricular or extracurricular activity.

172 (b) "School activity clothing" does not include a school uniform.

173 (9) (a) "School uniform" means special shoes or an item of clothing:

174 (i) (A) that meet specific requirements, including a requested specific color, style,

175 fabric, or imprint; and

176 (B) that a school requires a student to provide; and

177 (ii) that is worn by a student for a curricular activity.

178 (b) "School uniform" does not include school activity clothing.

179 (10) "Secondary school" means a school that provides instruction to students in grades

180 7, 8, 9, 10, 11, or 12.

181 (11) "Secondary school student":

182 (a) means a student enrolled in a secondary school; and

183 (b) includes a student in grade 6 if the student attends a secondary school.

184 (12) "Textbook" means the same as that term is defined in Section [53G-7-601](#).

185 (13) "Waiver" means a full or partial release from a requirement to pay a fee and from

186 any provision in lieu of fee payment.

187 Section 5. Section **53G-7-502** is amended to read:

188 **53G-7-502. Schools to be free.**

189 ~~[(1)]~~ Except as otherwise provided in this public education code, ~~[in each school district~~

190 ~~the public schools]~~ the public education system shall be free to ~~[all children]~~ an individual:

191 (1) between five and 18 years of age who ~~[are residents of the district,]~~ is a resident;

192 and ~~[also to persons]~~

193 (2) over 18 who ~~[are]~~ is domiciled in the state of Utah and ~~[have]~~ has not completed
194 requirements for a high school diploma.

195 ~~[(2) A person over the age of 18 taking courses under this section must declare an
196 intent to complete requirements for a high school diploma. All courses taken must lead toward
197 that diploma and must be approved by those directly responsible for administering the
198 program.]~~

199 ~~[(3) A person required to pay tuition under this section may have the tuition waived
200 under Section 53E-10-205.]~~

201 Section 6. Section **53G-7-503** is amended to read:

202 **53G-7-503. Fees -- Prohibitions -- Voluntary supplies -- Enforcement.**

203 ~~[(1) For purposes of this part:]~~

204 ~~[(a) "Board" means the State Board of Education.]~~

205 ~~[(b) "Secondary school" means a school that provides instruction to students in grades
206 7, 8, 9, 10, 11, or 12.]~~

207 ~~[(c) "Secondary school student":]~~

208 ~~[(i) means a student enrolled in a secondary school; and]~~

209 ~~[(ii) includes a student in grade 6 if the student attends a secondary school.]~~

210 ~~[(2) (a) A secondary school may impose fees on secondary school students.]~~

211 ~~[(b) The board shall adopt rules regarding the imposition of fees in secondary schools
212 in accordance with the requirements of this part.]~~

213 ~~[(3) A fee, deposit, or other charge may not be made, or any expenditure required of a
214 student or the student's parent or guardian, as a condition for student participation in an
215 activity, class, or program provided, sponsored, or supported by or through a public school or
216 school district, unless authorized by the local school board or charter school governing board~~

217 ~~under rules adopted by the board.]~~

218 (1) An LEA may only charge a fee if the fee is authorized and noticed by the LEA
219 governing board in accordance with Section 53G-7-505.

220 ~~[(4)] (2) (a) [A fee, deposit, charge, or expenditure may not be required]~~ An LEA may
221 not require a fee for elementary school activities ~~[which]~~ that are part of the regular school day
222 or for supplies used during the regular school day.

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

226 (c) A list provided to ~~[a]~~ an elementary student's parent ~~[or guardian pursuant to]~~ in
227 accordance with Subsection ~~[(4)] (2)~~(b) shall include and be preceded by the following
228 language:

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

232 (3) (a) Beginning with or after the 2021-2022 school year, if an LEA imposes a fee, the
233 fee shall be equal to or less than the expense incurred by the LEA in providing for a student the
234 activity, course, or program for which the LEA imposes the fee.

235 (b) An LEA may not impose an additional fee or increase a fee to supplant or subsidize
236 another fee.

237 (4) (a) Beginning with or after the 2021-2022 school year, and notwithstanding Section
238 53E-3-401, if the state board finds that an LEA has violated a provision of this part or Part 6,
239 Textbook Fees, the state board shall impose corrective action against the LEA, which may
240 include:

- 241 (i) requiring an LEA to repay improperly charged fees;
- 242 (ii) withholding state funds; and
- 243 (iii) suspending the LEA's authority to charge fees for an amount of time specified by

244 the state board.

245 (b) The state board shall make rules:

246 (i) that require notice and an opportunity to be heard for an LEA affected by a state
247 board action described in Subsection (4)(a); and

248 (ii) to administer this Subsection (4).

249 Section 7. Section **53G-7-504** is amended to read:

250 **53G-7-504. Waiver of fees -- Appeal of decision.**

251 [~~(1) (a) A local school board shall require, as part of an authorization granted under~~
252 ~~Section 53G-7-503, that adequate waivers or other provisions are available to ensure that no~~
253 ~~student is denied the opportunity to participate because of an inability to pay the required fee,~~
254 ~~deposit, or charge.]~~

255 [~~(b) (i) If, however, a student must repeat a course or requires remediation to advance~~
256 ~~or graduate and a fee is associated with the course or the remediation program, it is presumed~~
257 ~~that the student will pay the fee.]~~

258 [~~(ii) If the student or the student's parent or guardian is financially unable to pay the~~
259 ~~fee, the board shall provide for alternatives to waiving the fee, which may include installment~~
260 ~~payments and school or community service or work projects for the student.]~~

261 [~~(iii) In cases of extreme financial hardship or where the student has suffered a~~
262 ~~long-term illness, or death in the family, or other major emergency and where installment~~
263 ~~payments and the imposition of a service or work requirement would not be reasonable, the~~
264 ~~student may receive a partial or full waiver of the fee required under Subsection (1)(b)(i).]~~

265 [~~(iv) The waiver provisions in Subsections (2) and (3) apply to all other fees, deposits,~~
266 ~~and charges made in the secondary schools.]~~

267 (1) (a) If an LEA or a school within an LEA charges one or more fees, the LEA shall
268 grant a waiver to a student if charging the fee would deny the student the opportunity to fully
269 participate or complete a requirement because of an inability to pay the fee.

270 (b) An LEA governing board shall:

271 (i) adopt policies for granting a waiver; and
272 (ii) in accordance with Section 53G-7-505, give notice of waiver eligibility and
273 policies.

274 (2) (a) ~~[The board shall require each school in the district]~~ An LEA that charges a fee
275 under this part and Part 6, Textbook Fees, ~~[to]~~ may provide a variety of alternatives for
276 ~~[satisfying the fee requirement to those who qualify for fee waivers, in addition to the outright~~
277 ~~waiver of the fee. (b) The board shall develop and provide a list of alternatives for the schools,~~
278 ~~including such options as]~~ a student or family to satisfy a fee requirement, including allowing
279 ~~[the]~~ a student to provide:

280 (i) tutorial assistance to other students;
281 (ii) assistance before or after school to teachers and other school personnel on school
282 related matters; and
283 (iii) general community or home service.

284 ~~[(c)]~~ (b) Each ~~[school]~~ LEA governing board may add to the list of alternatives
285 provided by the state board, subject to approval by the state board.

286 ~~[(3) A local school board may establish policies providing for partial fee waivers or~~
287 ~~other alternatives for those students who, because of extenuating circumstances, are not in a~~
288 ~~financial position to pay the entire fee.]~~

289 ~~[(4)]~~ (3) With regard to ~~[children who are]~~ a student who is in the custody of the
290 Division of Child and Family Services who ~~[are]~~ is also eligible under Title IV-E of the federal
291 Social Security Act, ~~[local school boards]~~ an LEA governing board shall require fee waivers or
292 alternatives in accordance with ~~[Subsections (1) through (3)]~~ this section.

293 ~~[(5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~
294 ~~the State Board of Education]~~

295 (4) The state board shall make rules:

296 (a) requiring a parent ~~[or guardian]~~ of a student applying for a fee waiver to provide
297 documentation and certification to the school verifying:

298 (i) the student's eligibility to receive the waiver; and
299 (ii) if applicable, that the student has complied with alternatives for satisfying the fee
300 requirements under Subsection (2) ~~[have been complied with]~~ to the fullest extent reasonably
301 possible according to the individual circumstances of ~~[both the fee waiver applicant and the~~
302 ~~school]~~ the student and the LEA; and

303 (b) specifying the acceptable forms of documentation for the requirement under
304 Subsection ~~[(5)]~~ (4)(a), which shall include verification based on income tax returns or current
305 pay stubs.

306 ~~[(6)]~~ (5) Notwithstanding the requirements under Subsection ~~[(5), a school]~~ (4), an
307 LEA is not required to keep documentation on file after the verification is completed.

308 (6) If a school denies a student or parent request for a fee waiver, the school shall
309 provide the student or parent:

310 (a) the school's written decision to deny a waiver; and

311 (b) the procedure to appeal in accordance with LEA policy.

312 Section 8. Section **53G-7-505** is amended to read:

313 **53G-7-505. Approval and notice of student fees and waivers.**

314 ~~[A local school board shall annually give written notice of its student fee schedules and~~
315 ~~fee waiver policies to the parent or guardian of a child who attends a public school within the~~
316 ~~district.]~~

317 (1) An LEA governing board shall annually:

318 (a) adopt fee policies and a fee schedule; and

319 (b) provide the fee schedule to each student and parent.

320 (2) For the fee schedule, the LEA governing board shall:

321 (a) before approving the fee schedule, provide at least two opportunities for the public
322 to comment on the proposed fee schedule;

323 (b) encourage public participation in the development of the fee schedule; and

324 (c) approve the fee schedule in a regularly scheduled public meeting.

- 325 (3) (a) The fee schedule shall include the following:
- 326 (i) a specific amount for each fee on the fee schedule;
- 327 (ii) if a student is responsible for multiple fees related to one activity, class, or
- 328 program, a clear and easy to understand delineation of each fee and the fee total for each
- 329 activity, class, or program;
- 330 (iii) the LEA's fee waiver policy, including an easily understandable statement
- 331 informing a parent that a student:
- 332 (A) may be eligible to have one or more fees waived; and
- 333 (B) may appeal the LEA's decision if the LEA denies a request for a fee waiver; and
- 334 (iv) a corresponding spending plan for each fee.
- 335 (b) The LEA shall:
- 336 (i) publish the fee schedule on each of the LEA's school's websites; and
- 337 (ii) include a copy of the LEA's fee schedule with the LEA's registration materials.

338 Section 9. Section **53G-7-601** is amended to read:

339 **53G-7-601. Definitions.**

340 [~~For the purposes of Sections [53G-7-602](#) through [53G-7-605](#), "textbooks" includes~~

341 ~~textbooks and workbooks necessary for participation in any instructional course. Textbooks~~

342 ~~shall not include personal or consumable items, such as pencils, papers, pens, erasers,~~

343 ~~notebooks, other items of personal use, or products which a student may purchase at his option,~~

344 ~~such as school publications, class rings, annuals, and similar items.]~~

345 As used in this part:

- 346 (1) "Fee" means the same as that term is defined in Section [53G-7-501](#).
- 347 (2) "Textbook" means instructional material necessary for participation in an activity,
- 348 course, or program, regardless of the format of the material.

349 Section 10. Section **53G-7-602** is amended to read:

350 **53G-7-602. State policy on providing free textbooks.**

- 351 (1) It is the public policy of this state that public education shall be free.

352 (2) A student may not be denied an education because of economic inability to
353 purchase textbooks necessary for advancement in or graduation from the public school system.

354 [~~(3) A school board may not sell textbooks or otherwise charge textbook fees or~~
355 ~~deposits except as provided in this public education code.]~~

356 (3) (a) Beginning with the 2022-23 school year, an LEA:

357 (i) except as provided in Subsection (3)(a)(ii), may not sell textbooks or otherwise
358 charge a textbook fee; and

359 (ii) may only charge a fee for a textbook required for an Advanced Placement or, as
360 described in Section 53E-10-302, a concurrent enrollment course.

361 (b) The LEA shall waive a fee described in Subsection (3)(a)(ii) in full or in part if a
362 student qualifies for a waiver in accordance with Section 53G-7-504.

363 Section 11. Section 53G-7-603 is repealed and reenacted to read:

364 **53G-7-603. Purchase of textbooks -- Textbooks provided to teachers.**

365 (1) An LEA governing board may purchase textbooks directly from the textbook
366 publisher at prices and terms approved by the state board.

367 (2) An LEA governing board shall purchase each textbook necessary for a teacher to
368 conduct his or her class.

369 (3) An LEA may pay the LEA's cost of furnishing textbooks from school operating
370 funds, the textbook fund, or from other available funds.

371 (4) A textbook remains the property of the LEA.

372 Section 12. Section 53G-7-606 is amended to read:

373 **53G-7-606. Disposal of textbooks.**

374 (1) [~~For a school year beginning with or after the 2012-13 school year, a local school~~
375 ~~district] An LEA may not dispose of textbooks [~~used in its public schools~~] without first
376 notifying all other [~~school districts~~] LEAs in the state of [~~its~~] the LEA's intent to dispose of the
377 textbooks.~~

378 (2) Subsection (1) does not apply to textbooks that have been damaged, mutilated, or

379 worn out.

380 (3) The [~~State Board of Education~~] state board shall develop rules and procedures
381 directing the disposal of textbooks.

382 Section 13. Section **53G-7-801** is amended to read:

383 **53G-7-801. Definitions.**

384 As used in this part:

385 (1) "Principal" includes the chief administrator of a school that does not have a
386 principal.

387 (2) "School" means a public school, including a charter school.

388 (3) "School official" means the principal of a school or the local school board for a
389 school district.

390 (4) "School uniform" means [~~student clothing conforming to a school uniform policy~~
391 ~~under this part, which may include a dress code, dress of designated colors, or a reasonable~~
392 ~~designated uniform of a particular style. A school uniform policy may not include very~~
393 ~~expensive or prescriptive clothing requirements.;~~ the same as that term is defined in Section
394 [53G-7-501](#).

395 Section 14. Section **53G-7-802** is amended to read:

396 **53G-7-802. Uniforms in schools -- Legislative finding -- Policies.**

397 (1) The Legislature finds that:

398 (a) each student should be allowed to learn in a safe environment which fosters the
399 learning process and is free from unnecessary disruptions;

400 (b) the wearing of certain types of clothing may identify students as members of youth
401 gangs and contribute to disruptive behavior and violence in the schools;

402 (c) school uniform policies may be part of an overall program to:

403 (i) improve school safety and discipline; and

404 (ii) help avoid the disruption of the classroom atmosphere and decorum and prevent
405 disturbances among students; and

406 (d) school uniforms may:
407 (i) decrease violence and theft among students; and
408 (ii) foster and promote desirable school operating conditions and a positive educational
409 environment in accordance with this part.

410 (2) (a) In accordance with Section [53G-7-803](#), a school may adopt a school uniform
411 policy that requires students enrolled at that school to wear a designated school uniform during
412 the school day.

413 (b) Except as provided in Subsection (4)(b), a school uniform policy may not require
414 clothing that is prescriptive or expensive.

415 (3) A school uniform policy shall:

416 (a) protect students' free exercise of religious beliefs;
417 (b) specify whether the uniform policy is voluntary or mandatory for students;
418 (c) specify whether or not the uniform policy has an opt-out provision in addition to the
419 provisions under Subsection (5); and

420 (d) include a provision for financial assistance to families who cannot afford to
421 purchase a required uniform, which may include:

422 (i) the school providing school uniforms to students;
423 (ii) the school making used school uniforms available to students; or
424 (iii) other programs to make school uniforms available to economically disadvantaged
425 students.

426 (4) (a) [A] Except as provided in Subsection (4)(b), a school uniform policy under this
427 part is not considered a fee for either an elementary or a secondary school.

428 (b) (i) Subject to Subsection (4)(b)(ii), a secondary school may adopt a school uniform
429 policy that requires clothing that is expensive or prescriptive.

430 (ii) A school uniform policy described in Subsection (4)(b)(i) is considered a fee, as
431 defined in Section [53G-7-501](#), and is subject to Part 5, Student Fees.

432 (5) A school uniform policy shall include a provision allowing a principal at any time

433 during the school year to grant an exemption from wearing a school uniform to a student
434 because of extenuating circumstances.

435 (6) (a) If a school adopts a school uniform policy under this part, that school's
436 governing body or local school board shall adopt local appellate procedures for school actions
437 under this part, including a denial of an exemption requested under Subsection (5).

438 (b) A person may seek judicial review of an action under this part only after exhausting
439 the remedies provided under this Subsection (6).

440 Section 15. Section **63I-2-253** is amended to read:

441 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

442 (1) Section **53A-24-602** is repealed July 1, 2018.

443 (2) (a) Subsections **53B-2a-103**(2) and (4) are repealed July 1, 2019.

444 (b) When repealing Subsections **53B-2a-103**(2) and (4), the Office of Legislative
445 Research and General Counsel shall, in addition to its authority under Subsection **36-12-12**(3),
446 make necessary changes to subsection numbering and cross references.

447 (3) (a) Subsection **53B-2a-108**(5) is repealed July 1, 2022.

448 (b) When repealing Subsection **53B-2a-108**(5), the Office of Legislative Research and
449 General Counsel shall, in addition to its authority under Subsection **36-12-12**(3), make
450 necessary changes to subsection numbering and cross references.

451 (4) (a) Subsection **53B-7-705**(6)(b)(ii)(A), the language that states "Except as provided
452 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

453 (b) Subsection **53B-7-705**(6)(b)(ii)(B) is repealed July 1, 2021.

454 (5) (a) Subsection **53B-7-707**(4)(a)(ii), the language that states "Except as provided in
455 Subsection (4)(b)," is repealed July 1, 2021.

456 (b) Subsection **53B-7-707**(4)(b) is repealed July 1, 2021.

457 (6) (a) The following sections are repealed on July 1, 2023:

458 (i) Section **53B-8-202**;

459 (ii) Section **53B-8-203**;

- 460 (iii) Section [53B-8-204](#); and
- 461 (iv) Section [53B-8-205](#).
- 462 (b) (i) Subsection [53B-8-201](#)(2) is repealed on July 1, 2023.
- 463 (ii) When repealing Subsection [53B-8-201](#)(2), the Office of Legislative Research and
- 464 General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make
- 465 necessary changes to subsection numbering and cross references.
- 466 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
- 467 repealed July 1, 2023.
- 468 (8) Section [53E-3-518](#) is repealed July 1, 2021.
- 469 ~~[(8)]~~ (9) Subsection [53E-5-306](#)(3)(b)(ii)(B) is repealed July 1, 2020.
- 470 ~~[(9)]~~ (10) Section [53E-5-307](#) is repealed July 1, 2020.
- 471 ~~[(10)]~~ (11) Subsections [53F-2-205](#)(4) and (5), the language that states "or [53F-2-301.5](#),
- 472 as applicable" is repealed July 1, 2023.
- 473 ~~[(11)]~~ (12) Subsection [53F-2-301](#)(1) is repealed July 1, 2023.
- 474 ~~[(12)]~~ (13) Subsection [53F-2-515](#)(1), the language that states "or [53F-2-301.5](#), as
- 475 applicable" is repealed July 1, 2023.
- 476 ~~[(13)]~~ (14) Section [53F-4-204](#) is repealed July 1, 2019.
- 477 ~~[(14)]~~ (15) Section [53F-6-202](#) is repealed July 1, 2020.
- 478 ~~[(15)]~~ (16) Subsection [53F-9-302](#)(3), the language that states "or [53F-2-301.5](#), as
- 479 applicable" is repealed July 1, 2023.
- 480 ~~[(16)]~~ (17) Subsection [53F-9-305](#)(3)(a), the language that states "or [53F-2-301.5](#), as
- 481 applicable" is repealed July 1, 2023.
- 482 ~~[(17)]~~ (18) Subsection [53F-9-306](#)(3)(a), the language that states "or [53F-2-301.5](#), as
- 483 applicable" is repealed July 1, 2023.
- 484 ~~[(18)]~~ (19) Subsection [53G-3-304](#)(1)(c)(i), the language that states "or [53F-2-301.5](#), as
- 485 applicable" is repealed July 1, 2023.
- 486 ~~[(19)]~~ (20) On July 1, 2023, when making changes in this section, the Office of

487 Legislative Research and General Counsel shall, in addition to the office's authority under
488 Subsection [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections
489 identified in this section are complete sentences and accurately reflect the office's perception of
490 the Legislature's intent.

491 Section 16. **Repealer.**

492 This bill repeals:

493 Section [53G-7-604](#), **Free textbook system.**

494 Section [53G-7-605](#), **Repurchase and resale of textbooks.**

495 Section 17. **Effective date.**

496 This bill takes effect July 1, 2019.

497 Section 18. **Coordinating H.B. 250 with S.B. 14 -- Substantive language.**

498 If this H.B. 250 and S.B. 14, Education Reporting Requirements, both pass and become
499 law, it is the intent of the Legislature that the Office of Legislative Research and General
500 Counsel prepare the Utah Code database for publication by:

501 (1) (a) inserting the following language as a new Subsection [53E-1-201\(2\)\(a\)](#):

502 "(a) the reports described in Section [53E-3-518](#) by the state board regarding cost centers
503 and implementing activity based costing;"; and

504 (b) renumbering remaining subsections accordingly; and

505 (2) inserting the following language as Subsection [53E-1-202\(2\)](#):

506 "(2)(a) The one-time report by the state board regarding cost centers and implementing
507 activity based costing is due to the Public Education Appropriations Subcommittee in
508 accordance with Section [53E-3-518](#)."

509 (b) The occasional report, described in Section [53F-2-502](#) by the state board on the
510 program evaluation of the dual language immersion program, is due to the Public Education
511 Appropriations Subcommittee and in accordance with Section [68-3-14](#)."