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SCHOOL FEE REVISIONS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: Deidre M. Henderson

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;
- ▶ repeals and reenacts adult education provisions;
- ▶ 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;
- ▶ repeals provisions authorizing citizens to petition a local school board to provide free textbooks;
- ▶ prohibits an LEA from charging a fee for a school uniform but permits a fee for school activity clothing; and



28 ▶ makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill provides a special effective date.

33 This bill provides a coordination clause.

34 **Utah Code Sections Affected:**

35 AMENDS:

36 **53E-10-204**, as renumbered and amended by Laws of Utah 2018, Chapter 1

37 **53E-10-205**, as renumbered and amended by Laws of Utah 2018, Chapter 1

38 **53E-10-305**, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and
39 amended by Laws of Utah 2018, Chapter 1

40 **53G-7-501**, as enacted by Laws of Utah 2018, Chapter 3

41 **53G-7-502**, as renumbered and amended by Laws of Utah 2018, Chapter 3

42 **53G-7-503**, as renumbered and amended by Laws of Utah 2018, Chapter 3

43 **53G-7-504**, as renumbered and amended by Laws of Utah 2018, Chapter 3

44 **53G-7-505**, as renumbered and amended by Laws of Utah 2018, Chapter 3

45 **53G-7-601**, as renumbered and amended by Laws of Utah 2018, Chapter 3

46 **53G-7-602**, as renumbered and amended by Laws of Utah 2018, Chapter 3

47 **53G-7-606**, as renumbered and amended by Laws of Utah 2018, Chapter 3

48 **53G-7-801**, as renumbered and amended by Laws of Utah 2018, Chapter 3

49 **53G-7-802**, as renumbered and amended by Laws of Utah 2018, Chapter 3

50 **63I-2-253**, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and
51 456

52 ENACTS:

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

54 REPEALS AND REENACTS:

55 **53G-7-603**, as renumbered and amended by Laws of Utah 2018, Chapter 3

56 REPEALS:

57 **53G-7-604**, as renumbered and amended by Laws of Utah 2018, Chapter 3

58 **53G-7-605**, as renumbered and amended by Laws of Utah 2018, Chapter 3

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

60 **53E-1-201**, as enacted by Laws of Utah 2018, Chapter 1

61 **53E-1-202**, Utah Code Annotated 1953



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

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

65 **53E-3-518. Recommendations on activity based costing.**

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

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

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

73 **53E-10-204. Local school boards' authority to direct adult education programs.**

74 A local school board may do the following:

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

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

78 (3) subject to [Sections] Section 53E-10-202 [~~and 53G-7-502;~~] determine fees for
79 participation in an adult education program; and

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

81 Section 3. Section **53E-10-205** is amended to read:

82 **53E-10-205. Eligibility.**

83 (1) Adult education classes are open to every person 18 years of age or over and to any
84 person who has completed high school.

85 (2) (a) An individual over the age of 18 taking courses under this part shall declare an
86 intent to complete requirements for a high school diploma.

87 (b) An individual taking courses under this part shall:

88 (i) take courses that lead toward a high school diploma; and

89 (ii) receive approval of each course.

90 ~~[(2)]~~ (3) Eligible nonresidents of the state shall be charged tuition at least equal to that
91 charged nonresident students for similar classes at a local or nearby state college or university,
92 unless waived in whole or in part by the local school board in an open meeting.

93 ~~[(3)]~~ (4) The district superintendent may, upon the recommendation of an authorized
94 representative of the Division of Child and Family Services, exempt an adult domiciled in Utah
95 from the payment of adult education fees.

96 Section 4. Section **53E-10-305** is amended to read:

97 **53E-10-305. Tuition and fees.**

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

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

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

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

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

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

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

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

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

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

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

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

122 Section 5. Section 53G-7-501 is amended to read:

123 **53G-7-501. Definitions.**

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

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

126 (a) conducted outside of regular school hours;

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

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

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

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

131 (b) conducted only during school hours.

132 (3) "Elementary school" means a school that provides instruction to students in grades

133 kindergarten, 1, 2, 3, 4, 5, or 6.

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

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

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

137 (i) not directly related to delivering instruction;

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

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

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

141 Section 53G-7-701.

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

143 (i) regardless of how the charge, expense, deposit, rental, or payment is termed,

144 described, requested, or required directly or indirectly;

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

146 (iii) that is a condition to a student's full participation in an activity, course, or program

147 that is provided, sponsored, or supported by an LEA.

148 (b) "Fee" includes:

149 (i) money or something of monetary value raised by a student or the student's family
150 through fundraising;

151 (ii) charges or expenditures for a school field trip or activity trip, including related

152 transportation, food, lodging, and admission charges;
153 (iii) payments made to a third party that provides a part of a school activity, class, or
154 program;
155 (iv) charges or expenditures for classroom:
156 (A) textbooks;
157 (B) supplies; or
158 (C) materials;
159 (v) charges or expenditures for school activity clothing; and
160 (vi) a fine other than a fine described in Subsection (6)(c)(i).
161 (c) "Fee" does not include:
162 (i) a student fine specifically approved by an LEA for:
163 (A) failing to return school property;
164 (B) losing, wasting, or damaging private or school property through intentional,
165 careless, or irresponsible behavior, or as described in Section [53G-8-212](#); or
166 (C) improper use of school property, including a parking violation; or
167 (ii) a payment for school breakfast or lunch.
168 (7) (a) "Fundraising" means an activity or event provided, sponsored, or supported by
169 an LEA that uses students to generate funds or raise money to:
170 (i) provide financial support to a school or a school's class, group, team, or program; or
171 (ii) benefit a particular charity or for other charitable purposes.
172 (b) "Fundraising" does not include an alternative method of raising revenue without
173 students.
174 (8) (a) "School activity clothing" means special shoes or items of clothing:
175 (i) (A) that meet specific requirements, including requesting a specific color, style,
176 fabric, or imprint; and
177 (B) that a school requires a student to provide; and
178 (ii) that is worn by a student for a co-curricular or extracurricular activity.
179 (b) "School activity clothing" does not include a school uniform.
180 (9) (a) "School uniform" means special shoes or an item of clothing:
181 (i) (A) that meet specific requirements, including a requested specific color, style,
182 fabric, or imprint; and

- 183 (B) that a school requires a student to provide; and
 184 (ii) that is worn by a student for a curricular activity.
 185 (b) "School uniform" does not include school activity clothing.
 186 (10) "Secondary school" means a school that provides instruction to students in grades
 187 7, 8, 9, 10, 11, or 12.
 188 (11) "Secondary school student":
 189 (a) means a student enrolled in a secondary school; and
 190 (b) includes a student in grade 6 if the student attends a secondary school.
 191 (12) "Textbook" means the same as that term is defined in Section 53G-7-601.
 192 (13) "Waiver" means a full or partial release from a requirement to pay a fee and from
 193 any provision in lieu of fee payment.

194 Section 6. Section 53G-7-502 is amended to read:

195 **53G-7-502. Schools to be free.**

196 ~~[(1)] Except as otherwise provided in this public education code, [in each school district~~
 197 ~~the public schools] the public education system shall be free to [all children] an individual:~~

198 (1) between five and 18 years of age who [are residents of the district,] is a resident;
 199 ~~and [also to persons]~~

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

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

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

208 Section 7. Section 53G-7-503 is amended to read:

209 **53G-7-503. Fees -- Prohibitions -- Voluntary supplies -- Enforcement.**

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

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

212 ~~[(b) "Secondary school" means a school that provides instruction to students in grades~~
 213 ~~7, 8, 9, 10, 11, or 12.]~~

214 ~~[(c) "Secondary school student":]~~
 215 ~~[(i) means a student enrolled in a secondary school; and]~~
 216 ~~[(ii) includes a student in grade 6 if the student attends a secondary school.]~~
 217 ~~[(2) (a) A secondary school may impose fees on secondary school students.]~~
 218 ~~[(b) The board shall adopt rules regarding the imposition of fees in secondary schools~~
 219 ~~in accordance with the requirements of this part.]~~

220 ~~[(3) A fee, deposit, or other charge may not be made, or any expenditure required of a~~
 221 ~~student or the student's parent or guardian, as a condition for student participation in an~~
 222 ~~activity, class, or program provided, sponsored, or supported by or through a public school or~~
 223 ~~school district, unless authorized by the local school board or charter school governing board~~
 224 ~~under rules adopted by the board.]~~

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

227 ~~[(4)]~~ (2) (a) [A fee, deposit, charge, or expenditure may not be required] An LEA may
 228 not require a fee for elementary school activities [which] that are part of the regular school day
 229 or for supplies used during the regular school day.

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

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

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

239 (3) (a) If an LEA imposes a fee, the fee shall be equal to or less than the expense
 240 incurred by the LEA in providing for a student the activity, course, or program for which the
 241 LEA imposes the fee.

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

244 (4) (a) Beginning with or after the 2021-2022 school year, and notwithstanding Section

245 53E-3-401, if the state board finds that an LEA has violated a provision of this part or Part 6,
246 Textbook Fees, the state board shall impose corrective action against the LEA, which may
247 include:

248 (i) requiring an LEA to repay improperly charged fees;
249 (ii) withholding state funds; and
250 (iii) suspending the LEA's authority to charge fees for an amount of time specified by
251 the state board.

252 (b) The state board shall make rules:

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

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

256 Section 8. Section **53G-7-504** is amended to read:

257 **53G-7-504. Waiver of fees -- Appeal of decision.**

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

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

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

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

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

274 (1) (a) If an LEA or a school within an LEA charges one or more fees, the LEA shall
275 grant a waiver to a student if charging the fee would deny the student the opportunity to fully

276 participate or complete a requirement because of an inability to pay the fee.

277 (b) An LEA governing board shall:

278 (i) adopt policies for granting a waiver; and

279 (ii) in accordance with Section [53G-7-505](#), give notice of waiver eligibility and

280 policies.

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

287 (i) tutorial assistance to other students;

288 (ii) assistance before or after school to teachers and other school personnel on school
 289 related matters; and

290 (iii) general community or home service.

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

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

296 ~~[(4)]~~ (3) With regard to ~~[children who are]~~ a student who is in the custody of the
 297 Division of Child and Family Services who ~~[are]~~ is also eligible under Title IV-E of the federal
 298 Social Security Act, ~~[local school boards]~~ an LEA governing board shall require fee waivers or
 299 alternatives in accordance with ~~[Subsections (1) through (3)]~~ this section.

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

302 (4) The state board shall make rules:

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

305 (i) the student's eligibility to receive the waiver; and

306 (ii) if applicable, that the student has complied with alternatives for satisfying the fee

307 requirements under Subsection (2) ~~[have been complied with]~~ to the fullest extent reasonably
 308 possible according to the individual circumstances of ~~[both the fee waiver applicant and the~~
 309 ~~school]~~ the student and the LEA; and

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

313 ~~[(6)]~~ (5) Notwithstanding the requirements under Subsection ~~[(5), a school]~~ (4), an
 314 LEA is not required to keep documentation on file after the verification is completed.

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

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

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

319 Section 9. Section **53G-7-505** is amended to read:

320 **53G-7-505. Approval and notice of student fees and waivers.**

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

324 (1) An LEA governing board shall annually:

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

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

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

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

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

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

332 (3) (a) The fee schedule shall include the following:

333 (i) a specific amount for each fee on the fee schedule;

334 (ii) if a student is responsible for multiple fees related to one activity, class, or
 335 program, a clear and easy to understand delineation of each fee and the fee total for each
 336 activity, class, or program;

337 (iii) the LEA's fee waiver policy, including an easily understandable statement

338 informing a parent that a student:

339 (A) may be eligible to have one or more fees waived; and

340 (B) may appeal the LEA's decision if the LEA denies a request for a fee waiver; and

341 (iv) a corresponding spending plan for each fee.

342 (b) The LEA shall:

343 (i) publish the fee schedule on each of the LEA's school's websites; and

344 (ii) include a copy of the LEA's fee schedule with the LEA's registration materials.

345 Section 10. Section **53G-7-601** is amended to read:

346 **53G-7-601. Definitions.**

347 ~~[For the purposes of Sections **53G-7-602** through **53G-7-605**, "textbooks" includes~~
348 ~~textbooks and workbooks necessary for participation in any instructional course. Textbooks~~
349 ~~shall not include personal or consumable items, such as pencils, papers, pens, erasers,~~
350 ~~notebooks, other items of personal use, or products which a student may purchase at his option,~~
351 ~~such as school publications, class rings, annuals, and similar items.]~~

352 As used in this part:

353 (1) "Fee" means the same as that term is defined in Section **53G-7-501**.

354 (2) "Textbook" means instructional material necessary for participation in an activity,
355 course, or program, regardless of the format of the material.

356 Section 11. Section **53G-7-602** is amended to read:

357 **53G-7-602. State policy on providing free textbooks.**

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

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

361 ~~[(3) A school board]~~

362 (3) (a) Except as provided in Subsection (3)(b), an LEA may not sell textbooks or
363 otherwise charge a textbook [fees or deposits except as provided in this public education code]
364 fee.

365 (b) (i) An LEA may only charge a fee for a textbook required for an Advanced
366 Placement or, as described in Section **53E-10-302**, a concurrent enrollment course.

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

369 Section 12. Section **53G-7-603** is repealed and reenacted to read:

370 **53G-7-603. Purchase of textbooks -- Textbooks provided to teachers.**

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

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

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

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

378 Section 13. Section **53G-7-606** is amended to read:

379 **53G-7-606. Disposal of textbooks.**

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

384 (2) Subsection (1) does not apply to textbooks that have been damaged, mutilated, or
385 worn out.

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

388 Section 14. Section **53G-7-801** is amended to read:

389 **53G-7-801. Definitions.**

390 As used in this part:

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

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

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

396 (4) "School uniform" means [~~student clothing conforming to a school uniform policy~~
397 ~~under this part, which may include a dress code, dress of designated colors, or a reasonable~~
398 ~~designated uniform of a particular style. A school uniform policy may not include very~~
399 ~~expensive or prescriptive clothing requirements.] the same as that term is defined in Section~~

400 [53G-7-501](#).

401 Section 15. Section **53G-7-802** is amended to read:

402 **53G-7-802. Uniforms in schools -- Legislative finding -- Policies.**

403 (1) The Legislature finds that:

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

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

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

409 (i) improve school safety and discipline; and

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

412 (d) school uniforms may:

413 (i) decrease violence and theft among students; and

414 (ii) foster and promote desirable school operating conditions and a positive educational
415 environment in accordance with this part.

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

419 (3) A school uniform policy shall:

420 (a) protect students' free exercise of religious beliefs;

421 (b) specify whether the uniform policy is voluntary or mandatory for students; and

422 (c) specify whether or not the uniform policy has an opt-out provision in addition to the
423 provisions under Subsection (5)~~]; and~~];

424 ~~[(d) include a provision for financial assistance to families who cannot afford to
425 purchase a required uniform, which may include:]~~

426 ~~[(i) the school providing school uniforms to students;]~~

427 ~~[(ii) the school making used school uniforms available to students; or]~~

428 ~~[(iii) other programs to make school uniforms available to economically disadvantaged
429 students.]~~

430 ~~[(4) A school uniform policy under this part is not considered a fee for either an~~

431 elementary or a secondary school.]

432 (4) An LEA may not charge a student or parent a fee, as defined in Section [53G-7-501](#),
433 for a school uniform.

434 (5) A school uniform policy shall include a provision allowing a principal at any time
435 during the school year to grant an exemption from wearing a school uniform to a student
436 because of extenuating circumstances.

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

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

442 Section 16. Section **63I-2-253** is amended to read:

443 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

444 (1) Section [53A-24-602](#) is repealed July 1, 2018.

445 (2) (a) Subsections [53B-2a-103](#)(2) and (4) are repealed July 1, 2019.

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

449 (3) (a) Subsection [53B-2a-108](#)(5) is repealed July 1, 2022.

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

453 (4) (a) Subsection [53B-7-705](#)(6)(b)(ii)(A), the language that states "Except as provided
454 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

455 (b) Subsection [53B-7-705](#)(6)(b)(ii)(B) is repealed July 1, 2021.

456 (5) (a) Subsection [53B-7-707](#)(4)(a)(ii), the language that states "Except as provided in
457 Subsection (4)(b)," is repealed July 1, 2021.

458 (b) Subsection [53B-7-707](#)(4)(b) is repealed July 1, 2021.

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

460 (i) Section [53B-8-202](#);

461 (ii) Section [53B-8-203](#);

462 (iii) Section [53B-8-204](#); and

463 (iv) Section [53B-8-205](#).

464 (b) (i) Subsection [53B-8-201](#)(2) is repealed on July 1, 2023.

465 (ii) When repealing Subsection [53B-8-201](#)(2), the Office of Legislative Research and
466 General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make
467 necessary changes to subsection numbering and cross references.

468 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
469 repealed July 1, 2023.

470 (8) Section [53E-3-518](#) is repealed July 1, 2021.

471 [~~(8)~~] (9) Subsection [53E-5-306](#)(3)(b)(ii)(B) is repealed July 1, 2020.

472 [~~(9)~~] (10) Section [53E-5-307](#) is repealed July 1, 2020.

473 [~~(10)~~] (11) Subsections [53F-2-205](#)(4) and (5), the language that states "or [53F-2-301.5](#),
474 as applicable" is repealed July 1, 2023.

475 [~~(11)~~] (12) Subsection [53F-2-301](#)(1) is repealed July 1, 2023.

476 [~~(12)~~] (13) Subsection [53F-2-515](#)(1), the language that states "or [53F-2-301.5](#), as
477 applicable" is repealed July 1, 2023.

478 [~~(13)~~] (14) Section [53F-4-204](#) is repealed July 1, 2019.

479 [~~(14)~~] (15) Section [53F-6-202](#) is repealed July 1, 2020.

480 [~~(15)~~] (16) Subsection [53F-9-302](#)(3), the language that states "or [53F-2-301.5](#), as
481 applicable" is repealed July 1, 2023.

482 [~~(16)~~] (17) Subsection [53F-9-305](#)(3)(a), the language that states "or [53F-2-301.5](#), as
483 applicable" is repealed July 1, 2023.

484 [~~(17)~~] (18) Subsection [53F-9-306](#)(3)(a), the language that states "or [53F-2-301.5](#), as
485 applicable" is repealed July 1, 2023.

486 [~~(18)~~] (19) Subsection [53G-3-304](#)(1)(c)(i), the language that states "or [53F-2-301.5](#), as
487 applicable" is repealed July 1, 2023.

488 [~~(19)~~] (20) On July 1, 2023, when making changes in this section, the Office of
489 Legislative Research and General Counsel shall, in addition to the office's authority under
490 Subsection [36-12-12](#)(3), make corrections necessary to ensure that sections and subsections
491 identified in this section are complete sentences and accurately reflect the office's perception of
492 the Legislature's intent.

493 Section 17. **Repealer.**

494 This bill repeals:

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

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

497 Section 18. **Effective date.**

498 This bill takes effect July 1, 2019.

499 Section 19. **Coordinating H.B. 250 with S.B. 14 -- Substantive language.**

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

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

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

506 (b) renumbering remaining subsections accordingly; and

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

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

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