

# H.B. 183

## IN-PERSON LEARNING AMENDMENTS

Senator **Kathleen A. Riebe** proposes the following amendments:

1. *Page 1, Lines 22 through 24:*

- 22 Other Special Clauses:  
23 This bill provides a special effective date.  
24 ~~{ This bill provides revisor instructions. }~~

2. *Page 2, Lines 48 through 53:*

- 48 (3) The department shall ensure that guidance the department provides to LEAs related  
49 to test to stay programs complies with Section 53G-9-210, including the determination of  
50 whether a school meets a case threshold described in Subsection 53G-9-210(3).  
51 ~~{ (4) Subsection (2) regarding the requirement to support an LEA's test to stay program~~  
52 ~~does not apply after the effective date of this bill unless the test to stay requirement is triggered~~  
53 ~~under Subsection 53G-9-210(2)(c). }~~

3. *Page 4, Lines 91 through 94:*

- 91 (2) (a) An LEA ~~{ shall }~~ :  
92 (i) except as provided in Subsection (2)(b), beginning on March 22, 2021, shall ensure that a  
93 school offers in-person instruction; and  
94 (ii) ~~{ if the determination described in Subsection (2)(c) has been made, }~~ may require a  
school

4. *Page 4, Line 99 through Page 5, Line 126:*

- 99 (b) ~~[The]~~ Beginning January 31, 2022, the requirement to provide in-person instruction  
100 described in Subsection (2)(a) does not apply for a temporary period of remote learning within  
101 an LEA or a given school within an LEA if:  
102 (i) the COVID-19 case rates within one or more schools within the LEA have  
103 surpassed the case threshold; and  
104 ~~{ (ii) the local governing board requests application of the exception by delivering to the~~  
105 ~~governor, the president of the Senate, the speaker of the House of Representatives, and the state~~  
106 ~~superintendent of public instruction [jointly concur with an LEA's] a letter that details:~~  
107 ~~— (A) information regarding the case threshold requirement described in Subsection~~  
108 ~~(2)(b)(i); }~~  
109 ~~{ (B) }~~ (ii) the local governing ~~{ board's assessment }~~ board, the district

superintendent for an LEA that is a school district, and the relevant local county health department jointly determine that due to public health emergency

110 circumstances within the LEA or given school, the risks related to in-person instruction  
111 temporarily outweigh the value of in-person instruction {+} . {+} {-}  
112 ~~—— (C) a public meeting of the local governing board in which the board voted to request~~  
113 ~~the exception described in this Subsection (2)(b);~~  
114 ~~—— (D) a specific and temporary period of time for which the local governing board seeks~~  
115 ~~a pivot to remote learning within the LEA or given school; and~~  
116 ~~—— (E) the measures the local governing board will implement for the LEA or given school~~  
117 ~~to return to in-person learning following the identified temporary remote learning period; and~~  
118 ~~—— (iii) the governor, the president of the Senate, the speaker of the House of~~  
119 ~~Representatives, and the state superintendent of public instruction jointly confer and approve,~~  
120 ~~or approve with modifications, the request described in Subsection (2)(b)(i);~~  
121 ~~—— (c) The requirement to initiate a test to stay program described in Subsection (2)(a)(ii)~~  
122 ~~only applies if, in consultation with the Department of Health, the governor, the president of~~  
123 ~~the Senate, the speaker of the House of Representatives, and the state superintendent of public~~  
124 ~~instruction jointly determine that a variant of COVID-19 currently affecting the public~~  
125 ~~education system is of a type that testing and isolation under a test to stay program would be~~  
126 ~~effective in mitigating the harmful public health effects of the variant.}~~

5. Page 5, Line 149 through Page 6, Line 157:

149 Section 3. Effective date.  
150 If approved by two-thirds of all the members elected to each house, this bill takes effect  
151 upon approval by the governor, or the day following the constitutional time limit of Utah  
152 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
153 the date of veto override.  
154 {Section 4. Revisor instructions.  
155 ~~—— The Legislature intends that the Office of Legislative Research and General Counsel, in~~  
156 ~~preparing the Utah Code database for publication, replace the reference in Section~~  
157 ~~26-6-42 from "the effective date of this bill" to the bill's actual effective date.}~~