



30 As used in this part:

31 (1) (a) "Abusive conduct" means verbal, nonverbal, or physical conduct of a parent or  
32 student directed toward a school employee that, based on its severity, nature, and frequency of  
33 occurrence, a reasonable person would determine is intended to cause intimidation,  
34 humiliation, or unwarranted distress.

35 (b) A single act does not constitute abusive conduct.

36 (2) "Bullying" means a school employee or student intentionally committing a written,  
37 verbal, or physical act against a school employee or student that a reasonable person under the  
38 circumstances should know or reasonably foresee will have the effect of:

39 (a) causing physical or emotional harm to the school employee or student;

40 (b) causing damage to the school employee's or student's property;

41 (c) placing the school employee or student in reasonable fear of:

42 (i) harm to the school employee's or student's physical or emotional well-being; or

43 (ii) damage to the school employee's or student's property;

44 (d) creating a hostile, threatening, humiliating, or abusive educational environment due  
45 to:

46 (i) the pervasiveness, persistence, or severity of the actions; or

47 (ii) a power differential between the bully and the target; or

48 (e) substantially interfering with a student having a safe school environment that is  
49 necessary to facilitate educational performance, opportunities, or benefits.

50 (3) "Communication" means the conveyance of a message, whether verbal, written, or  
51 electronic.

52 (4) "Cyber-bullying" means using the Internet, a cell phone, or another device to send  
53 or post text, video, or an image with the intent or knowledge, or with reckless disregard, that  
54 the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether  
55 the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the  
56 electronic communication.

57 (5) (a) "Hazing" means a school employee or student intentionally, knowingly, or

58 recklessly committing an act or causing another individual to commit an act toward a school  
59 employee or student that:

60 (i) (A) endangers the mental or physical health or safety of a school employee or  
61 student;

62 (B) involves any brutality of a physical nature, including whipping, beating, branding,  
63 calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or  
64 exposure to the elements;

65 (C) involves consumption of any food, alcoholic product, drug, or other substance or  
66 other physical activity that endangers the mental or physical health and safety of a school  
67 employee or student; or

68 (D) involves any activity that would subject a school employee or student to extreme  
69 mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that  
70 subjects a school employee or student to extreme embarrassment, shame, or humiliation; and

71 (ii) (A) is committed for the purpose of initiation into, admission into, affiliation with,  
72 holding office in, or as a condition for membership in a school or school sponsored team,  
73 organization, program, club, or event; or

74 (B) is directed toward a school employee or student whom the individual who commits  
75 the act knows, at the time the act is committed, is a member of, or candidate for membership  
76 in, a school or school sponsored team, organization, program, club, or event in which the  
77 individual who commits the act also participates.

78 (b) The conduct described in Subsection (5)(a) constitutes hazing, regardless of  
79 whether the school employee or student against whom the conduct is committed directed,  
80 consented to, or acquiesced in, the conduct.

81 (6) "LEA governing board" means a local school board or charter school governing  
82 board.

83 (7) "Policy" means an LEA governing board policy described in Section [53G-9-605](#).

84 (8) "Public education suicide prevention coordinator" means the public education  
85 suicide prevention coordinator described in Section [53G-9-702](#).

86 [~~(8)~~] (9) "Retaliate" means an act or communication intended:

87 (a) as retribution against a person for reporting bullying or hazing; or

88 (b) to improperly influence the investigation of, or the response to, a report of bullying  
89 or hazing.

90 [~~(9)~~] (10) "School" means a public elementary or secondary school, including a charter  
91 school.

92 [~~(10)~~] (11) "School employee" means an individual working in the individual's official  
93 capacity as:

94 (a) a school teacher;

95 (b) a school staff member;

96 (c) a school administrator; or

97 (d) an individual:

98 (i) who is employed, directly or indirectly, by a school, an LEA governing board, or a  
99 school district; and

100 (ii) who works on a school campus.

101 (12) "State suicide prevention coordinator" means the state suicide prevention  
102 coordinator described in Section 62A-15-1101.

103 (13) "State superintendent" means the state superintendent of public instruction  
104 appointed under Section 53E-3-301.

105 Section 2. Section 53G-9-604 is amended to read:

106 **53G-9-604. Parental notification of certain incidents and threats required.**

107 (1) A school shall:

108 (a) notify a parent if the parent's student threatens [~~to commit~~] suicide; or

109 (b) notify the parents of each student involved in an incident of bullying,  
110 cyber-bullying, hazing, abusive conduct, or retaliation of the incident involving each parent's  
111 student.

112 (2) (a) If a school notifies a parent of an incident or threat required to be reported under  
113 Subsection (1), the school shall:

114 (i) produce and maintain a record that verifies that the parent was notified of the  
115 incident or threat[-];

116 ~~[(b)]~~ (ii) ~~[A school shall]~~ maintain a record described in Subsection ~~[(2)(a)]~~ (2)(a)(i) in  
117 accordance with the requirements of:

118 ~~[(i)]~~ (A) Title 53E, Chapter 9, Part 2, Student Privacy;

119 ~~[(ii)]~~ (B) Title 53E, Chapter 9, Part 3, Student Data Protection;

120 ~~[(iii)]~~ (C) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and

121 ~~[(iv)]~~ (D) 34 C.F.R. Part 99; and

122 (iii) provide the parent with:

123 (A) suicide prevention materials and information; and

124 (B) information on ways to limit the student's access to fatal means, including a firearm  
125 or medication.

126 (b) The state superintendent shall select the materials and information described in  
127 Subsection (2)(a)(iii) in collaboration with the state suicide prevention coordinator and public  
128 education suicide prevention coordinator.

129 (3) A local school board or charter school governing board shall adopt a policy  
130 regarding the process for:

131 (a) notifying a parent as required in Subsection (1); and

132 (b) producing and retaining a record that verifies that a parent was notified of an  
133 incident or threat as required in Subsection (2).

134 (4) At the request of a parent, a school may provide information and make  
135 recommendations related to an incident or threat described in Subsection (1).

136 (5) A school shall:

137 (a) provide a student a copy of a record maintained in accordance with this section that  
138 relates to the student if the student requests a copy of the record; and

139 (b) expunge a record maintained in accordance with this section that relates to a  
140 student if the student:

141 (i) has graduated from high school; and

142 (ii) requests the record be expunged.  
143 Section 3. **Effective date.**  
144 This bill takes effect on August 1, 2023.