

HB0481S03 compared with HB0481S02

~~{deleted text}~~ shows text that was in HB0481S02 but was deleted in HB0481S03.

inserted text shows text that was not in HB0481S02 but was inserted into HB0481S03.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative ~~{Sahara Hayes}~~Steve Eliason proposes the following substitute bill:

FIREARM SAFETY AND SUICIDE PREVENTION EDUCATION REQUIREMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies ~~{requirements for a youth}~~the suicide prevention ~~{program implemented by a school district or charter school}~~information a school is required to provide a parent in certain circumstances.

Highlighted Provisions:

This bill:

- ▶ requires a school ~~{district or charter school youth suicide prevention program to consider access to age appropriate firearm safety and}~~to provide suicide prevention materials and information, including information on firearm safety, to a parent of a child who has threatened suicide or has been involved in an incident of bullying or

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other abusive conduct; and

- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

~~{53G-9-702}~~53G-9-601, as last amended by Laws of Utah ~~{2021, Chapter 105~~
~~†2019, Chapter 293~~

53G-9-604, as last amended by Laws of Utah 2019, Chapter 293

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

Section 1. Section 53G-9-601 is amended to read:

53G-9-601. Definitions.

As used in this part:

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

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

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

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

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

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

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

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

(d) creating a hostile, threatening, humiliating, or abusive educational environment due

to:

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(i) the pervasiveness, persistence, or severity of the actions; or
(ii) a power differential between the bully and the target; or
(e) substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

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

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

(5) (a) "Hazing" means a school employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that:

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

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

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

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

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

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

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individual who commits the act also participates.

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

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

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

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

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

- (a) as retribution against a person for reporting bullying or hazing; or
- (b) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

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

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

- (a) a school teacher;
- (b) a school staff member;
- (c) a school administrator; or
- (d) an individual:
 - (i) who is employed, directly or indirectly, by a school, an LEA governing board, or a school district; and
 - (ii) who works on a school campus.

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

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

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

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

- (1) A school shall:

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(a) notify a parent if the parent's student threatens ~~[to commit]~~ suicide; or
(b) notify the parents of each student involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation of the incident involving each parent's student.

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

(i) produce and maintain a record that verifies that the parent was notified of the incident or threat;

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

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

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

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

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

(iii) provide the parent with:

(A) suicide prevention materials and information; and

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

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

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

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

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

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

(5) A school shall:

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

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

- (i) has graduated from high school; and
- (ii) requests the record be expunged.

~~{ Section 1. Section 53G-9-702 is amended to read:~~

~~53G-9-702. Youth suicide prevention programs -- State board to develop model programs:~~

~~(1) As used in the section:~~

~~(a) "Elementary grades" means:~~

~~(i) kindergarten through grade 5; and~~

~~(ii) if the associated middle or junior high school does not include grade 6, grade 6.~~

~~(b) "Intervention" means an effort to prevent a student from attempting suicide.~~

~~(c) "Postvention" means mental health intervention after a suicide attempt or death to prevent or contain contagion.~~

~~(d) "Program" means a youth suicide prevention program described in Subsection (2).~~

~~(e) "Public education suicide prevention coordinator" means an individual designated by the state board as described in Subsection (4).~~

~~(f) "Secondary grades" means:~~

~~(i) grades 7 through 12; and~~

~~(ii) if a middle or junior high school includes grade 6, grade 6.~~

~~(g) "State suicide prevention coordinator" means the state suicide prevention coordinator described in Section 62A-15-1101.~~

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

~~(2) In collaboration with the public education suicide prevention coordinator, a school district or charter school shall implement a youth suicide prevention program, which, in collaboration with the training, programs, and initiatives described in Section 53G-9-607, shall include programs and training to address:~~

~~(a) for elementary grades and secondary grades:~~

~~(i) life-affirming education, including on the concepts of resiliency, healthy habits, self-care, problem solving, and conflict resolution;~~

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- ~~—— (ii) methods of strengthening the family; and~~
- ~~—— (iii) methods of strengthening a youth's relationships in the school and community; and~~
- ~~—— (b) for secondary grades:~~
 - ~~—— (i) prevention of youth suicide;~~
 - ~~—— (ii) decreasing the risk of suicide among youth who are:~~
 - ~~—— (A) not accepted by family for any reason, including lesbian, gay, bisexual, transgender, or questioning youth; or~~
 - ~~—— (B) suffer from bullying;~~
 - ~~—— (iii) youth suicide intervention; and~~
 - ~~—— (iv) postvention for family, students, and faculty.~~
- ~~—— (3) Each school district and charter school shall ensure that the youth suicide prevention program described in Subsection (2):~~
 - ~~—— (a) considers appropriate coordination with the following prevention programs:~~
 - ~~—— (i) the prevention of bullying and cyber-bullying, as those terms are defined in Section 53G-9-601; and~~
 - ~~—— (ii) the prevention of underage drinking of alcohol and substance abuse under Section 53G-10-406; [and]~~
 - ~~—— (b) considers access to age appropriate firearm safety and suicide prevention materials selected by the state superintendent in collaboration with the state suicide prevention coordinator; and~~
 - ~~—— [(b)] (c) includes provisions to ensure that the school district or charter school promptly communicates with the parent or guardian of a student in accordance with Section 53G-9-604.~~
- ~~—— (4) The state board shall:~~
 - ~~—— (a) designate a public education suicide prevention coordinator; and~~
 - ~~—— (b) in collaboration with the Department of Health and Human Services and the state suicide prevention coordinator, develop model programs to provide to school districts and charter schools:~~
 - ~~—— (i) program training; and~~
 - ~~—— (ii) resources regarding the required components described in Subsections (2)(a) and (b).~~

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~~———— (5) The public education suicide prevention coordinator shall:~~

~~———— (a) oversee the youth suicide prevention programs of school districts and charter schools; and~~

~~———— (b) coordinate prevention and postvention programs, services, and efforts with the state suicide prevention coordinator.~~

~~———— (6) A public school suicide prevention program may allow school personnel to ask a student questions related to youth suicide prevention, intervention, or postvention.~~

~~———— (7) (a) Subject to legislative appropriation, the state board may distribute money to a school district or charter school to be used to implement evidence-based practices and programs, or emerging best practices and programs, for preventing suicide in the school district or charter school:~~

~~———— (b) The state board shall ensure that an LEA's allocation of funds from the board's distribution of money under Subsection (7)(a) provides an amount equal to at least \$1,000 per school.~~

~~———— (c) (i) A school shall use money allocated to the school under Subsection (7)(b) to implement evidence-based practices and programs, or emerging best practices and programs, for preventing suicide.~~

~~———— (ii) Each school may select the evidence-based practices and programs, or emerging best practices and programs, for preventing suicide that the school implements.~~

~~———— (8) An LEA may not charge indirect costs to the program.~~

‡ Section ~~{2}~~3. **Effective date.**

This bill takes effect on August 1, 2023.