

90 (iii) require a school administrator or school administrator's designee to dispose of or  
91 destroy a confiscated electronic cigarette product.

92 (c) Notwithstanding Subsection (3)(b)(iii), an LEA may release a confiscated electronic  
93 cigarette product to local law enforcement if:

94 (i) a school official has a reasonable suspicion that a confiscated electronic cigarette  
95 product contains an illegal substance; and

96 (ii) local law enforcement requests that the LEA release the confiscated electronic  
97 cigarette product to local law enforcement as part of an investigation or action.

98 (4) (a) Each LEA shall adopt a policy for responding to when a student has committed  
99 a violent felony or sexual crime.

100 (b) The policy described in Subsection (4)(a) shall:

101 (i) address a violent felony or sexual misconduct related to hazing;

102 (ii) distinguish procedures for when the crime occurs on school property and off of  
103 school property;

104 (iii) ~~H~~→ [provide a process to receive and consider input from local law enforcement

105 regarding an appropriate placement for the student to receive educational services] if a student has

105a committed a violent felony or sexual crime, provide a process for a school resource officer to

105b provide input for the LEA to consider regarding the safety risks a student may pose upon

105c reintegration ←~~H~~ ;

106 (iv) establish a process to inform a school resource officer of any student who is on  
107 probation;

108 (v) create procedures for determining an alternative placement for a student if the  
109 student attends the same school as:

110 (A) the victim of the student's crime; and

111 (B) an individual who has a protective order against the student; and

112 (vi) be compliant with state and federal law.

113 Section 3. Section **53G-8-204** is amended to read:

114 **53G-8-204. Suspension and expulsion procedures -- Notice to parents --**

115 **Distribution of policies.**

116 (1) (a) Policies required under this part shall include written procedures for the  
117 suspension and expulsion of, or denial of admission to, a student, consistent with due process  
118 and other provisions of law.

119 (b) (i) The policies required in Subsection (1)(a) shall include a procedure directing  
120 public schools to notify the custodial parent and, if requested in writing by a noncustodial

152 (i) any serious violation affecting another student or a staff member, or any serious  
153 violation occurring in a school building, in or on school property, or in conjunction with any  
154 school activity, including:

155 (A) the possession, control, or actual or threatened use of a real weapon, explosive, or  
156 noxious or flammable material;

157 (B) the actual ~~§~~→ [or threatened] ←~~§~~ use of violence or sexual misconduct;

158 [~~B~~] (C) the actual or threatened use of a look alike weapon with intent to intimidate  
159 another person or to disrupt normal school activities; or

160 [~~C~~] (D) the sale, control, or distribution of a drug or controlled substance as defined  
161 in Section 58-37-2, an imitation controlled substance defined in Section 58-37b-2, or drug  
162 paraphernalia as defined in Section 58-37a-3; or

163 (ii) the commission of an act involving the use of force or the threatened use of force  
164 which if committed by an adult would be a felony or class A misdemeanor.

165 (b) A student who commits a violation of Subsection (2)(a) involving a real or look  
166 alike weapon, explosive, or flammable material shall be expelled from school for a period of  
167 not less than one year subject to the following:

168 (i) within 45 days after the expulsion the student shall appear before the student's [~~local~~  
169 ~~school board~~] superintendent, the superintendent's designee, chief administrative officer of a  
170 charter school, or the chief administrative officer's designee, accompanied by a parent; and

171 (ii) the superintendent, chief administrator, or designee shall determine:

172 (A) what conditions must be met by the student and the student's parent for the student  
173 to return to school including any provided for in the policies described in Section 53G-8-203;

174 (B) if the student should be placed on probation in a regular or alternative school  
175 setting consistent with Section 53G-8-208, and what conditions must be met by the student in  
176 order to ensure the safety of students and faculty at the school the student is placed in; and

177 (C) if it would be in the best interest of both the [~~school district or charter school~~]  
178 LEA, and the student, to modify the expulsion term to less than a year, conditioned on approval  
179 by [~~the local school board or charter school~~] the local governing board and giving highest  
180 priority to providing a safe school environment for all students.

181 (3) A student may be denied admission to a public school on the basis of having been  
182 expelled from that or any other school during the preceding 12 months.

214 (a) a student or staff member has a protective order against the student being  
 215 reintegrated; or

216 (b) a student or staff member is the victim of a sexual crime committed by the student  
 217 being reintegrated ~~§~~ → **unless the victim consents** ← ~~§~~ .

218 Section 6. Section **78B-3-1003** is enacted to read:

219 **78B-3-1003. Liability of a parent or guardian for repeated offenses by a minor on**  
 220 **school grounds.**

221 (1) Except as provided in Subsection (6), if a person suffers damages from a minor  
 222 committing the same offense repeatedly on school grounds for an offense in Title 76, Utah  
 223 Criminal Code, or Title 80, Utah Juvenile Code, the person may bring a cause of action against  
 224 a parent or guardian with legal custody of the minor to recover costs and damages caused by  
 225 the repeated offense.

226 (2) The parent or guardian is not liable for costs or damages under Subsection (1) if the  
 227 parent or guardian made a reasonable effort ~~H~~ → [:

228 ~~(a)] ← ~~H~~ to supervise and direct the minor ~~H~~ → [; or] . ← ~~H~~~~

229 ~~H~~ → [(b) to ~~H~~ → [restrain] prevent ← ~~H~~ the minor if the parent or guardian knew in advance  
 229a of the minor's intent  
 230 to commit the repeated offense.] ← ~~H~~

231 (3) If a parent or guardian is found liable under this section, the court may waive part  
 232 or all of the parent's or guardian's liability for costs or damages if the court finds:

233 (a) good cause; or

234 (b) that the parent or guardian ~~H~~ → [:

235 ~~(i) made a reasonable effort to ~~H~~ → [restrain] prevent ← ~~H~~ the minor from committing the~~  
 235a wrongful  
 236 conduct; and

237 ~~(ii) ← ~~H~~ reported the minor's wrongful conduct to law enforcement after the parent or~~  
 238 guardian knew of the minor's wrongful conduct.

239 (4) A report is not required under Subsection (3)(b)(ii) from a parent or guardian if the  
 240 minor was arrested or apprehended by law enforcement.

241 (5) An adjudication or a conviction of a minor for a repeated offense under Title 76,  
 242 Utah Criminal Code, or Title 80, Utah Juvenile Code, is not required for a civil action to be  
 243 brought under this section.

244 (6) A person may not bring a cause of action against the state, an agency of the state, or