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**STUDENT COMMUNICATION METHODS**  
2024 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Stephanie Pitcher**  
House Sponsor: Jordan D. Teuscher

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**LONG TITLE**

**General Description:**

This bill requires local school boards to develop policies and procedures for students to have non-electronic notification of and access to certain activities and events.

**Highlighted Provisions:**

This bill:

- requires local school boards to develop polices and procedures to ensure that students have non-electronic notification of and access to certain activities and events; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53G-4-402**, as last amended by Laws of Utah 2023, Chapters 16, 252, 343, 352, and 435

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

Section 1. Section **53G-4-402** is amended to read:

**53G-4-402 . Powers and duties generally.**

(1) A local school board shall:

- (a) implement the core standards for Utah public schools using instructional materials that best correlate to the core standards for Utah public schools and graduation requirements;
- (b) administer tests, required by the state board, which measure the progress of each student, and coordinate with the state superintendent and state board to assess results

- 29 and create plans to improve the student's progress, which shall be submitted to the  
30 state board for approval;
- 31 (c) use progress-based assessments as part of a plan to identify schools, teachers, and  
32 students that need remediation and determine the type and amount of federal, state,  
33 and local resources to implement remediation;
- 34 (d) for each grading period and for each course in which a student is enrolled, issue a  
35 grade or performance report to the student:
- 36 (i) that reflects the student's work, including the student's progress based on mastery,  
37 for the grading period; and
- 38 (ii) in accordance with the local school board's adopted grading or performance  
39 standards and criteria;
- 40 (e) develop early warning systems for students or classes failing to make progress;
- 41 (f) work with the state board to establish a library of documented best practices,  
42 consistent with state and federal regulations, for use by the special districts;
- 43 (g) implement training programs for school administrators, including basic management  
44 training, best practices in instructional methods, budget training, staff management,  
45 managing for learning results and continuous improvement, and how to help every [  
46 child] student achieve optimal learning in basic academic subjects; and
- 47 (h) ensure that the local school board meets the data collection and reporting standards  
48 described in Section 53E-3-501.
- 49 (2) Local school boards shall spend Minimum School Program funds for programs and  
50 activities for which the state board has established minimum standards or rules under  
51 Section 53E-3-501.
- 52 (3) (a) A local school board may purchase, sell, and make improvements on school sites,  
53 buildings, and equipment, and construct, erect, and furnish school buildings.
- 54 (b) School sites or buildings may only be conveyed or sold on local school board  
55 resolution affirmed by at least two-thirds of the school board members.
- 56 (4) (a) A local school board may participate in the joint construction or operation of a  
57 school attended by students residing within the district and students residing in other  
58 districts either within or outside the state.
- 59 (b) Any agreement for the joint operation or construction of a school shall:
- 60 (i) be signed by the president of the local school board of each participating district;  
61 (ii) include a mutually agreed upon pro rata cost; and  
62 (iii) be filed with the state board.

- 63 (5) A local school board may establish, locate, and maintain elementary, secondary, and  
64 applied technology schools.
- 65 (6) A local school board may enter into cooperative agreements with other local school  
66 boards to provide educational services that best utilize resources for the overall  
67 operation of the school districts, including shared transportation services.
- 68 (7) ~~[An]~~ Local school boards shall ensure that an agreement under Subsection (6)~~[-shall]~~:  
69 (a) ~~[be]~~ is signed by the president of the local school board of each participating district;  
70 (b) ~~[specify]~~ specifies the resource being shared;  
71 (c) ~~[include]~~ includes a mutually agreed upon pro rata cost;  
72 (d) ~~[include]~~ includes the duration of the agreement; and  
73 (e) ~~[be]~~ is filed with the state board.
- 74 (8) Except as provided in Section 53E-3-905, a local school board may enroll children in  
75 school who are at least five years old before September 2 of the year in which admission  
76 is sought.
- 77 (9) A local school board:  
78 (a) may establish and support school libraries; and  
79 (b) shall provide an online platform:  
80 (i) through which a parent is able to view the title, author, and a description of any  
81 material the parent's child borrows from the school library, including a history of  
82 borrowed materials, either using an existing online platform that the LEA uses or  
83 through a separate platform; and  
84 (ii) (A) for a school district with 1,000 or more enrolled students, no later than  
85 August 1, 2024; and  
86 (B) for a school district with fewer than 1,000 enrolled students, no later than  
87 August 1, 2026.
- 88 (10) A local school board may collect damages for the loss, injury, or destruction of school  
89 property.
- 90 (11) A local school board may authorize guidance and counseling services for students and  
91 the student's parents before, during, or following school enrollment.
- 92 (12) (a) A local school board shall administer and implement federal educational  
93 programs in accordance with Title 53E, Chapter 3, Part 8, Implementing Federal or  
94 National Education Programs.  
95 (b) Federal funds are not considered funds within the school district budget under  
96 Chapter 7, Part 3, Budgets.

- 97 (13) (a) A local school board may organize school safety patrols and adopt policies  
98 under which the patrols promote student safety.
- 99 (b) A student appointed to a safety patrol shall be at least 10 years old and have written  
100 parental consent for the appointment.
- 101 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of  
102 a highway intended for vehicular traffic use.
- 103 (d) Liability may not attach to a school district, its employees, officers, or agents, or to a  
104 safety patrol member, a parent of a safety patrol member, or an authorized volunteer  
105 assisting the program by virtue of the organization, maintenance, or operation of a  
106 school safety patrol.
- 107 (14) (a) A local school board may on its own behalf, or on behalf of an educational  
108 institution for which the local school board is the direct governing body, accept  
109 private grants, loans, gifts, endowments, devises, or bequests that are made for  
110 educational purposes.
- 111 (b) The contributions made under Subsection (14)(a) are not subject to appropriation by  
112 the Legislature.
- 113 (15) (a) A local school board may appoint and fix the compensation of a compliance  
114 officer to issue citations for violations of Subsection 76-10-105(2)(b).
- 115 (b) A person may not be appointed to serve as a compliance officer without the person's  
116 consent.
- 117 (c) A teacher or student may not be appointed as a compliance officer.
- 118 (16) A local school board shall adopt bylaws and policies for the local school board's own  
119 procedures.
- 120 (17) (a) A local school board shall make and enforce policies necessary for the control  
121 and management of the district schools.
- 122 (b) Local school board policies shall be in writing, filed, and referenced for public  
123 access.
- 124 (18) A local school board may hold school on legal holidays other than Sundays.
- 125 (19) (a) A local school board shall establish for each school year a school traffic safety  
126 committee to implement this Subsection (19).
- 127 (b) The committee shall be composed of one representative of:
- 128 (i) the schools within the district;
- 129 (ii) the Parent Teachers' Association of the schools within the district;
- 130 (iii) the municipality or county;

- 131 (iv) state or local law enforcement; and  
 132 (v) state or local traffic safety engineering.
- 133 (c) The committee shall:
- 134 (i) receive suggestions from school community councils, parents, teachers, and  
 135 others, and recommend school traffic safety improvements, boundary changes to  
 136 enhance safety, and school traffic safety program measures;
- 137 (ii) review and submit annually to the Department of Transportation and affected  
 138 municipalities and counties a child access routing plan for each elementary,  
 139 middle, and junior high school within the district;
- 140 (iii) ~~[consult]~~ in consultation with the Utah Safety Council and the Division of Family  
 141 Health Services~~[-and]~~ , provide training to all students in kindergarten through  
 142 grade 6, within the district, on school crossing safety and use; and
- 143 (iv) help ensure the district's compliance with rules made by the Department of  
 144 Transportation under Section 41-6a-303.
- 145 (d) The committee may establish subcommittees as needed to assist in accomplishing the  
 146 committee's duties under Subsection (19)(c).
- 147 (20) (a) A local school board shall adopt and implement a comprehensive emergency  
 148 response plan to prevent and combat violence in the local school board's public  
 149 schools, on school grounds, on its school vehicles, and in connection with  
 150 school-related activities or events.
- 151 (b) The local school board shall ensure that the plan~~[-shall]~~:
- 152 (i) ~~[include]~~ includes prevention, intervention, and response components;
- 153 (ii) ~~[be]~~ is consistent with the ~~[student conduct and discipline]~~ school discipline and  
 154 conduct policies required for school districts under ~~[Chapter 11, Part 2,~~  
 155 Miscellaneous Requirements] Chapter 8, Part 2, School Discipline and Conduct  
 156 Plans;
- 157 (iii) ~~[require]~~ requires professional learning for all district and school building staff on  
 158 the staff's roles in the emergency response plan;
- 159 (iv) ~~[provide]~~ provides for coordination with local law enforcement and other public  
 160 safety representatives in preventing, intervening, and responding to violence in the  
 161 areas and activities referred to in Subsection (20)(a); and
- 162 (v) ~~[include]~~ includes procedures to notify a student who is off campus at the time of a  
 163 school violence emergency because the student is:  
 164 (A) participating in a school-related activity; or

- 165 (B) excused from school for a period of time during the regular school day to  
166 participate in religious instruction at the request of the student's parent.
- 167 (c) The state board, through the state superintendent, shall develop comprehensive  
168 emergency response plan models that local school boards may use, where  
169 appropriate, to comply with Subsection (20)(a).
- 170 (d) A local school board shall, by July 1 of each year, certify to the state board that its  
171 plan has been practiced at the school level and presented to and reviewed by its  
172 teachers, administrators, students, and the student's parents and local law enforcement  
173 and public safety representatives.
- 174 (21) (a) A local school board may adopt an emergency response plan for the treatment of  
175 sports-related injuries that occur during school sports practices and events.
- 176 (b) The plan may be implemented by each secondary school in the district that has a  
177 sports program for students.
- 178 (c) The plan may:
- 179 (i) include emergency personnel, emergency communication, and emergency  
180 equipment components;
- 181 (ii) require professional learning on the emergency response plan for school  
182 personnel who are involved in sports programs in the district's secondary schools;  
183 and
- 184 (iii) provide for coordination with individuals and agency representatives who:
- 185 (A) are not employees of the school district; and  
186 (B) would be involved in providing emergency services to students injured while  
187 participating in sports events.
- 188 (d) The local school board, in collaboration with the schools referred to in Subsection  
189 (21)(b), may review the plan each year and make revisions when required to improve  
190 or enhance the plan.
- 191 (e) The state board, through the state superintendent, shall provide local school boards  
192 with an emergency plan response model that local school boards may use to comply  
193 with the requirements of this Subsection (21).
- 194 (22) (a) A local school board shall approve an LEA's policies and procedures that an  
195 LEA develops to ensure that students have non-electronic notification of and access  
196 to:
- 197 (i) school activities and events, including:
- 198 (A) schedule changes;

- 199            (B) extracurricular activities; and  
200            (C) sporting events; and  
201            (ii) the emergency response plans described in Subsections (20) and (21).  
202        (b) Notwithstanding Subsection (22)(a), an LEA may provide electronic notification of  
203            and access to school activities and events as described in Subsections (22)(a)(i) and  
204            (ii) if:  
205            (i) (A) the school provides each student with an electronic device; and  
206                    (B) the electronic device is capable of receiving electronic notification of and  
207                    access to school activities and events as described in Subsections (22)(a)(i) and  
208                    (ii); or  
209            (ii) an emergency, unforeseen circumstance, or other incident arises and an LEA  
210                    cannot reasonably provide timely non-electronic notification.  
211        (c) An LEA may not require the use of a privately owned electronic device to complete  
212            course work.  
213        ~~[(22)]~~ (23) A local school board shall do all other things necessary for the maintenance,  
214            prosperity, and success of the schools and the promotion of education.  
215        ~~[(23)]~~ (24) (a) Before closing a school or changing the boundaries of a school, a local  
216            school board shall:  
217                    (i) [at least] on or before 90 days before [approving] the day on which the local school  
218                    board approves the school closure or school boundary change, provide notice that  
219                    the local school board is considering the closure or boundary change to:  
220                            (A) parents of students enrolled in the school, using the same form of  
221                                    communication the local school board regularly uses to communicate with  
222                                    parents;  
223                            (B) parents of students enrolled in other schools within the school district that may  
224                                    be affected by the closure or boundary change, using the same form of  
225                                    communication the local school board regularly uses to communicate with  
226                                    parents; and  
227                            (C) the governing council and the mayor of the municipality in which the school is  
228                                    located;  
229                    (ii) provide an opportunity for public comment on the proposed school closure or  
230                            school boundary change during at least two public local school board meetings;  
231                            and  
232                    (iii) hold a public hearing as defined in Section 10-9a-103 and provide public notice

233 of the public hearing [~~as described in~~] in accordance with Subsection [(23)(b)]  
 234 (24)(b).

235 (b) [~~The notice of a public hearing required under Subsection (23)(a)(iii)] A local school  
 236 board shall:~~

237 (i) [~~indicate the~~] ensure the notice of a public hearing required under Subsection  
 238 (24)(a)(iii) indicates the:

239 (A) school or schools under consideration for closure or boundary change; and

240 (B) the date, time, and location of the public hearing;

241 (ii) for at least 10 days before the day [~~of~~] on which the public hearing [~~, be published~~]  
 242 occurs, publish the notice of public hearing for the school district in which the  
 243 school is located, as a class A notice under Section 63G-30-102; and

244 (iii) at least 30 days before the day on which the public hearing [~~described in~~  
 245 ~~Subsection (23)(a)(iii), be provided as described in Subsections (23)(a)(i)] occurs,  
 246 provide notice of the public hearing in the same manner as the notice of  
 247 consideration under Subsection (24)(a)(i).~~

248 [~~(24)~~] (25) A local school board may implement a facility energy efficiency program  
 249 established under Title 11, Chapter 44, Performance Efficiency Act.

250 [~~(25)~~] (26) A local school board may establish or partner with a certified youth court in  
 251 accordance with Section 80-6-902 or establish or partner with a comparable restorative  
 252 justice program, in coordination with schools in that district. A school may refer a  
 253 student to a youth court or a comparable restorative justice program in accordance with  
 254 Section 53G-8-211.

255 [~~(26)~~] (27) (a) As used in this Subsection [~~(26)~~] (27):

256 (i) "Learning material" means any learning material or resource used to deliver or  
 257 support a student's learning, including textbooks, reading materials, videos, digital  
 258 materials, websites, and other online applications.

259 (ii) (A) "Instructional material" means learning material that a local school board  
 260 adopts and approves for use within the LEA.

261 (B) "Instructional material" does not include learning material used in a  
 262 concurrent enrollment, advanced placement, or international baccalaureate  
 263 program or class or another class with required instructional material that is not  
 264 subject to selection by the local school board.

265 (iii) "Supplemental material" means learning material that:

266 (A) an educator selects for classroom use; and



- 267 (B) a local school board has not considered and adopted, approved, or prohibited  
268 for classroom use within the LEA.
- 269 (b) A local school board shall:
- 270 (i) make instructional material that the school district uses readily accessible and  
271 available for a parent to view;
- 272 (ii) annually notify a parent of a student enrolled in the school district of how to  
273 access the information described in Subsection [~~(26)(b)(i)~~] (27)(b)(i); and
- 274 (iii) include on the school district's website information about how to access the  
275 information described in Subsection [~~(26)(b)(i)~~] (27)(b)(i).
- 276 (c) In selecting and approving instructional materials for use in the classroom, a local  
277 school board shall:
- 278 (i) establish an open process, involving educators and parents of students enrolled in  
279 the LEA, to review and recommend instructional materials for board approval; and
- 280 (ii) ensure that under the process described in Subsection [~~(26)(e)(i)~~] (27)(c)(i), the  
281 board:
- 282 (A) before the meetings described in Subsection [~~(26)(e)(ii)(B)~~] (27)(c)(ii)(B),  
283 posts the recommended learning material online to allow for public review or,  
284 for copyrighted material, makes the recommended learning material available  
285 at the LEA for public review;
- 286 (B) before adopting or approving the recommended instructional materials, holds  
287 at least two public meetings on the recommendation that provides an  
288 opportunity for educators whom the LEA employs and parents of students  
289 enrolled in the LEA to express views and opinions on the recommendation; and
- 290 (C) adopts or approves the recommended instructional materials in an open and  
291 regular board meeting.
- 292 (d) A local school board shall adopt a supplemental materials policy that provides  
293 flexible guidance to educators on the selection of supplemental materials or resources  
294 that an educator reviews and selects for classroom use using the educator's  
295 professional judgment, including whether any process or permission is required  
296 before classroom use of the materials or resources.
- 297 (e) If an LEA contracts with another party to provide online or digital materials, the  
298 LEA shall include in the contract a requirement that the provider give notice to the  
299 LEA any time that the provider makes a material change to the content of the online  
300 or digital materials, excluding regular informational updates on current events.

301 (f) Nothing in this Subsection [~~(26)~~] (27) requires a local school board to review all  
302 learning materials used within the LEA.

303 Section 2. **Effective date.**

304 This bill takes effect on May 1, 2024.