

SCHOOL RECORDS AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to public school parental notifications.

Highlighted Provisions:

This bill:

► amends provisions related to a record a school maintains to verify that a parent was notified of certain incidents or threats.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-11a-203, as enacted by Laws of Utah 2013, Chapter 335

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

Section 1. Section **53A-11a-203** is amended to read:

53A-11a-203. Parental notification of certain incidents and threats required.

(1) For purposes of this section, "parent" includes a student's guardian.

(2) A school shall:

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



28 (b) notify the parents of each student involved in an incident of bullying,
29 cyber-bullying, harassment, hazing, or retaliation, of the incident involving each parent's
30 student.

31 (3) (a) If a school notifies a parent of an incident or threat required to be reported under
32 Subsection (2), the school shall produce and maintain a record that verifies that the parent was
33 notified of the incident or threat.

34 [~~(b) A school may not:~~]

35 [~~(i) disclose a record described in Subsection (3)(a), including any information
36 obtained to prepare the record, to a person other than a person authorized to receive the record
37 described in Subsection (3)(c); or]~~

38 [~~(ii) use a record described in Subsection (3)(a), including any information obtained to
39 prepare the record, for the school's own purposes, including the following purposes:]~~

40 [~~(A) for a report or study;~~]

41 [~~(B) for a statistical analysis; or]~~

42 [~~(C) to conduct research.]~~

43 [~~(c) A school may disclose a record described in Subsection (3)(a), including any
44 information obtained to prepare the record:]~~

45 [~~(i) to the parent or the parent's student; or]~~

46 [~~(ii) to a person if required to disclose the record or information to a person pursuant to
47 the terms of a court order as described in Subsection 63G-2-202(7).]~~

48 (b) A school shall maintain a record described in Subsection (3)(a) in accordance with
49 the requirements of Section 53A-13-301, Section 53A-13-302, 20 U.S.C. 1232g, Federal
50 Family Educational Rights and Privacy Act, and C.F.R. Part 99.

51 (4) A school board shall adopt a policy regarding the process for:

52 (a) notifying a parent as required in Subsection (2); and

53 (b) producing and retaining a record that verifies that a parent was notified of an
54 incident or threat as required in Subsection (3).

55 (5) At the request of a parent, a school may provide information and make
56 recommendations related to an incident or threat described in Subsection (2).

Legislative Review Note
as of 11-22-13 2:42 PM

Office of Legislative Research and General Counsel