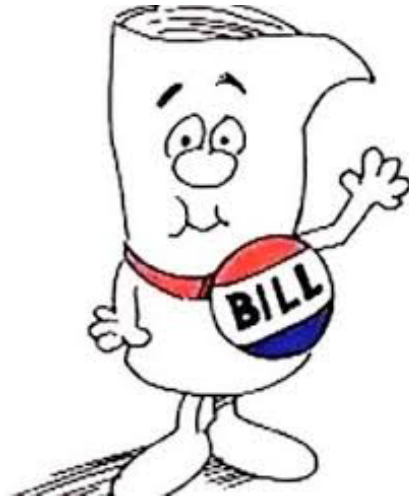


Policy and Legal Services Newsletter



2022 Legislative Update

WE MADE IT THROUGH ANOTHER LEGISLATIVE SESSION, AND THIS NEWSLETTER OUTLINES SOME IMPORTANT CHANGES THAT WERE MADE TO OUR ADMINISTRATIVE PROCEDURES DUE TO RECENT LEGISLATION.

Library books - should they stay or should they go now? In lawyerly fashion, my answer is -- it depends. With the passage of HB 374 (available at: [HB0374 \(utah.gov\)](https://legislature.utah.gov/bills/2022/HB0374)), Sensitive Materials in Schools, the district is required to create a process by which parents of students in our schools could challenge whether a certain library book should be removed because it has been deemed “harmful to minors.” As a result of this bill, Section VII has been added to the [I-7: Administrative Procedures, Curriculum and Instructional Materials](#), to outline the process the district will utilize for these challenges. Also, there is an on-line [form](#) that parents need to fill out if they would like to make such a challenge. It is very important that they fill out the [form](#) on-line so that our email filters will not send challenges to quarantine or spam (unfortunately, that has happened). All challenges need to be directed to Dr. Tiffany Hall, and if you have any questions related to this process, please direct them to her or refer to the administrative procedures.

As you are probably aware, HB 11 ([HB0011 \(utah.gov\)](https://legislature.utah.gov/bills/2022/HB0011)) changed ***how transgender athletes can participate in Utah's athletic activities***. Accordingly, Section IX of the [G-24: Administrative Procedures, Gender Inclusion](#) was rewritten to mirror the language that is in the statute. This legislation goes into effect on July 1, and the expectation is that there will be litigation challenging the constitutionality of this statute. Stay tuned for updates. If you have any questions about this section or this bill, please contact Tina Hatch.

The open enrollment window opens earlier thanks to HB 380 ([HB0380 \(utah.gov\)](https://legislature.utah.gov/bills/2022/HB0380)). **The open enrollment period now begins on November 15th not December 1**, and it closes on the first Friday in February. These changes and others are reflected in the [NEW S-1.B: Administrative Procedures, School Choice/Open Enrollment](#). For more information about this process, please refer to the AP or contact Mindi Holmdahl or Sam Quantz.

House Bill 428 is a doozy!

It isn't news that we are required to annually notify all employees, students, and parents of our commitment to maintaining a school climate that is free from harassment and discrimination. Previously, we had to provide this notification by October 1 of each year, but HB 428 ([HBo428 \(utah.gov\)](https://legislature.utah.gov/bills/track_bill.aspx?bill=428)) requires us to make this notification by September 1.

Additionally, this bill requires schools to review their school climate survey data, and revise their practices, rules, and training to eliminate harassment and discrimination within their schools. Moreover, the district is required to create a plan to eliminate harassment and discrimination; that plan must be reported to USBE no later than August 1, 2023 (and annually thereafter the district has to report what progress it is making and how it is implementing the plan).

Finally, this bill requires the district to track demographic data of students who are bullied, hazed, cyber-bullied, or retaliated against; this data will be reported to USBE by July 1, 2023. To ensure accurate data is being reported, school administrators must code incidents properly in PowerSchool.

These changes are included throughout the [G-19.A: Administrative Procedures, Discrimination, Harassment, and Retaliation Prohibited](#); and the [G-19.B: Administrative Procedures, Sexual Harassment Prohibited - Title IX](#). For more information about these changes, depending on the issue you are seeking clarification on, please reach out to Tina Hatch, Sam Quantz, Mindi Holmdahl, Logan Hall, or your area director.

GOT SPORTS? The [I-15: Administrative Procedures, Interscholastic Athletics and Extracurricular Activities](#), was revised to address the requirements of HB 420 ([HBo420 \(utah.gov\)](https://legislature.utah.gov/bills/track_bill.aspx?bill=420)), Title IX Reporting, which requires that each year before school starts a **TITLE IX ATHLETIC REPORT** be given to the board and that report be discussed in an open meeting. Please expect the district-wide athletic director to contact you to gather the following information:

1. the number and type of interscholastic sports available at each school, categorized by gender designation.
2. the number of students competing in a gender-designated interscholastic sport at each school categorized by gender.
3. the amount of spending that each school devotes to each gender-designated sport, reported in total amount and on a per-student basis.
4. a comparison and evaluation of designated practice and game locations in gender-designated interscholastic sports;
5. any information regarding each school's efforts in Title IX compliance; and
6. if there is any discrepancy between male-designated and female-designated sports of 10% or more at any school, and if so, the school's action plan to address the discrepancy.

If you have any questions about these requirements, please refer to Section V of this AP or contact Missy Mackey-Whiteurs.

Children who are being interviewed as part of child abuse investigations may need a supportive adult with them. [S-8: Administrative Procedures, Mandatory Child Abuse Reporting and Training](#), was revised in light of HB 153 ([HBo153 \(utah.gov\)](https://legislature.utah.gov/bills/track_bill.aspx?bill=153)), to address the provisions that allow adults in the school setting - not just administrators - to serve as a supportive adult to students during these interviews. For more information about who can serve as a supportive adult, please refer to Section V of this AP or reach out to Mindi Holmdahl.

Newcomer students often struggle with the documentation that is required to enroll in school. HB 230 ([HB0230 \(utah.gov\)](#)) created a *comprehensive new process for newcomer students to prove their biological age* through various methods and/or to enroll in school despite not having immunization records. These changes are reflected in Section VII of the [S-1.A.: Administrative Procedures, School Admissions](#), and Section III of the [S-9: Administrative Procedures, Student Health Services and Requirements](#). For more information about these procedures, please refer to the specific documents and/or contact Dr. Buendia or Mindi Holmdahl.

Families in our district speak over 100 different languages! In order to ensure that our families can access our programs and understand the information given to them, our district adopted [G-26: Administrative Procedures, Interpretation and Translation Services](#). HB 302 ([HB0302 \(utah.gov\)](#)) entitled “Educational Language Services Amendments”, was passed this session and mirrors a lot of what we already had in place to ensure that our families have access to interpretation and translation services. However, there were a few additions that needed to be made to this AP in order to comply with this law. So review this AP carefully, but know that we have now included that *parents are entitled to have report cards and progress reports and information about classroom activities translated for them*. Families are also entitled to interpretation services at SCC meetings, board meetings, and parent engagement activities. For more information on translation and interpretation services, please refer to the administrative procedures or contact Dr. Sandra Buendia.

Students should wear their tribal regalia with pride at their high school graduation ceremonies! HB 30 ([HB0030 \(utah.gov\)](#)) addressed students’ ability to wear tribal regalia at graduation ceremonies, and we updated Section X.D. in the [I-2: Administrative Procedures, Credit and Graduation Requirements](#), to reflect this legislative intent. For more information about appropriate graduation attire, please refer to Section X.D. or reach out to Dr. Leeson Taylor.

Do you have children of active military families applying for open enrollment at your school?

Please know that SB 233 ([SBO233 \(utah.gov\)](#)) requires the district to give them preference in the application process as well as in other decisions. For more information on this process, please contact Mindi Holmdahl or refer to the [NEW S-1.B: Administrative Procedures, School Choice/Open Enrollment](#).

Interested in learning how to provide seizure first aid? Well, good news HB 241 ([HB0241 \(utah.gov\)](#)) requires seizure training for specific teacher(s) and administrators, and that information is now included in Section IX of the [S-9: Administrative Procedures, Student Health Services and Requirements](#). For more information about this training, please reach out to Mindi Holmdahl and/or Judi Yaworsky.