

REFUGEE AND IMMIGRANT STUDENT POLICIES

H.B. 230

2022 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Dan N. Johnson

Senate Sponsors: Daniel W. Thatcher, Steve Waldrip, Christine F. Watkins

Cosponsors: [L] [SEP] Karen Kwan, [L] [SEP] Carol Spackman Moss

1.0 Highlighted Provisions:

This bill amends requirements for when an individual enrolling a student in a school is unable to produce the student's birth certificate; and a student's birth certificate does not accurately reflect the student's age.

2.0 Definition: As used in this section: [L] [SEP] "Newcomer student" means a student who is three through 21 years old; [L] [SEP] was not born in any state; and [L] [SEP] has not attended one or more schools in one or more states for more than three full academic years. [L] [SEP]

3.0 If documentation inaccurately reflects the student's biological age, the enroller shall provide to the school an affidavit explaining the reasons for the inaccuracy.

3.1 The supporting documentation described may include: [L] [SEP]

- A religious, hospital, or physician certificate showing the student's date of birth; [L] [SEP]
- An entry in a family religious text; [L] [SEP]
- An adoption record; [L] [SEP]
- Previously verified school records; [L] [SEP]
- Previously verified immunization records; [L] [SEP]
- Documentation from a social service provider; or [L] [SEP]
- Other legal documentation, including from a consulate that reflects the student's biological age. [L] [SEP]

3.2 If the supporting documentation is not available the school shall assign a review team to **work with the enroller** to determine the student's biological age for an LEA to use for a student's enrollment and appropriate placement in a [L] [SEP] public school. [L] [SEP]

The review team **may** include: [L] [SEP]

- an appropriate district administrator; [L] [SEP]
- the student's teacher or teachers; [L] [SEP]
- the school principal; [L] [SEP]
- a school counselor; [L] [SEP]

- a school social worker; [L][SEP]
- a school psychologist; [L][SEP]
- a culturally competent and trauma-informed community representative; [L][SEP]
- a school nurse or other school health specialist; [L][SEP]
- an interpreter, if necessary; or [L][SEP]
- a relevant educational equity administrator; and [L][SEP]
- **shall include at least three members**, at least one of which has completed the instruction (53G-9-207: Child sexual abuse prevention, Effective 9/1/2022) no more than two years prior to the member's appointment to the review team. [L][SEP]

3.3 In addition to any duty to comply with the mandatory reporting requirements, a school shall report to local law enforcement any sign of child trafficking that the review team identifies in carrying out the review team's duties.