

USBE Legislative Request Form

(Policy, Funding, & Efficiency / Reductions)

2027 General Session

Instructions: Use this form to submit requests for statutory changes, new financial resources, or proposed efficiencies (program cuts/reductions).

Please complete **Section 1 and 2**, and then complete **Section 3 and/or 4** depending on the nature of your request.

SECTION 1: THE BOTTOM LINE

Request Title: Parameters for Criminal Trespass on School Property

USBE Lead Point of Contact:

- Name: Debbie Davis, Chief Audit Executive
- Email: Debbie.davis@schools.utah.gov
- USBE Section: Internal Audit Department

Deputy Superintendent Reviewer: NA

(Note: You must review this request with your Deputy Superintendent prior to submission).

Nature of Request (Select all that apply):

☒ **Policy Change:** Creating, amending, or repealing Utah State Code.
(Complete Section 4)

☐ **New/Increased Funding:** Seeking new financial resources.
(Complete Section 3)

☐ **Efficiency / Reduction:** Proposing the elimination or reduction of a program, mandate, or funding stream. (Complete Section 3 and/or 4)

Purpose Statement (BLUF - Bottom Line Up Front):

In 1-2 sentences, state the exact action you are requesting and the anticipated outcome. (e.g., "We are requesting a statutory amendment and \$2M in ongoing funding to create three Mobile Advanced Manufacturing Labs for rural LEAs.")

We are requesting an amendment to statute to include specific parameters if a school official gives notice to a parent against entry to/remaining on school property (i.e., criminal trespass).

SECTION 2: THE BUSINESS CASE

(Required for all requests)

The Problem:

Describe the specific issue, mandate, or inefficiency this request addresses.

Concerns have been received on the Public Education Hotline regarding a school official notifying a parent/guardian that they cannot enter or remain on school property (i.e., criminal trespass as per Utah Code [53G-8-603](#)). Current Utah Code does not include specific requirements associated with the trespass notification, simply that it is a "personal communication to the person by a school official or an individual with apparent authority to act for a school official." There are no requirements about documentation, timelines, authority, or appeals.

A criminal trespass may prevent a parent or guardian from having access to their child in circumstances when the child is sick or if there is an incident; it may also prohibit a parent or guardian from attending significant events specific to their child (e.g., awards ceremony, field trip, prom, athletic/activity event). 53E-2-201 underscores the importance of parents in the public education system, stating that:

(2) In the implementation of all policies, programs, and responsibilities adopted in accordance with this public education code, the Legislature, the state board, local school boards, and charter school governing boards shall:

(a) respect, protect, and further the interests of parents in their children's public education; and

(b) promote and encourage full and active participation and involvement of parents at all public schools.

Thus, the issue is how to balance parental rights with safety. Also considering

access to public property is different than access to private property.

Other Utah Code specific to criminal trespass is found in [76-6-206](#).

Projected Results:

If approved, what is the measurable outcome in the K-12 system?

(Please list 1-2 specific performance metrics. Link to existing performance measures will be added here).

It is less about the project result and more about risk if there is not action; however, the following would likely result:

- Increased parent satisfaction with a school/school personnel.
- Reduction of state and local hotline concerns or time spent per hotline concern.

Consequence of Inaction:

Factually state the impact if this request is NOT approved or funded.

- Continued lack of transparency and accountability related to trespass and the inevitable implications related to parental rights and their students' public education.
- Increased risk of legal liability to the state of Utah if a trespass is deemed retaliation or if a parent cannot access their child.
- Reduced enrollment in the public education system.
- Increased number of hotline concerns, which reduces time available for state and local personnel to address other critical tasks and functions (e.g., proficiency, evaluations, oversight).

Evidence & Data:

Provide the source, research, or analysis that proves this is the right approach (e.g., cost-benefit analysis, program evaluation, pilot program results).

The public education system is a statewide system and this problem requires a statewide solution for consistency and transparency. Statewide solutions generally come in the form of statute or rulemaking as directed by statute (53E-3-401(4)). Statute currently does not direct rulemaking by USBE specific to criminal trespass on school property; thus, amending Utah Code is the right approach.

SECTION 3: FUNDING, OFFSETS, & EFFICIENCIES – Not Applicable

(Complete only if your request involves financial resources or proposing budget cuts)

Financial Ask:

(If a field does not apply, enter \$0).

- **FY 2027 Ongoing Requested:** \$_____
- **FY 2027 One-Time Requested:** \$_____
- **Proposed Offsets / Savings:** \$_____ *(Amount saved by cutting redundancies or reallocating existing funds)*

The Offset Strategy:

If you are requesting new funds, what duplicate programs, ineffective streams, or outdated mandates could be cut or reallocated to fund this? Please name the specific programs/funds.

[Type response here]

Future Obligations:

Does this request create multi-year scale-up costs or ongoing maintenance obligations?

[] Yes

[] No

If yes, please describe: _____

Itemized Budget Request:

(Please detail how the funding will be utilized across the following categories).

Cost Category	FY 2027 (Current)	FY 2028
TOTAL REQUESTED	\$	\$

New USBE FTEs Requested: _____ (Enter number of new FTEs)

SECTION 4: POLICY & STATUTE

(Complete only if your request involves changing or eliminating Utah State Code)

Code Sections Affected: *(List specific state code references, or write "New Code")*

[53G-8-603](#)

Suggested Legislative Solution: *What specific language needs to be added, amended, or repealed?*

Amend Utah Code to include parameters for the “personal communication” that is given to trespass a parent or guardian from school property to ensure parent rights are considered and to ensure the trespass is not retaliation. Parameters could include:

- Clarification of reasons to trespass parents/guardians vs reasons to trespass others
- Official documentation of trespass as parent/guardian contact information is available, including:
 - Basis of trespass
 - Timeline of trespass
 - Appeal of trespass
- Review and approval of trespass by LEA governing board

Safeguards: *Does this policy change or program reduction create unintended consequences for specific geographic areas or student populations? How will those be mitigated?*

No unintended consequences for specific geographic areas or student populations.