

HB0076S01 compared with HB0076

~~{Omitted text}~~ shows text that was in HB0076 but was omitted in HB0076S01

inserted text shows text that was not in HB0076 but was inserted into HB0076S01

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1 **Public Education Revisions**
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Tracy J. Miller
Senate Sponsor: Heidi Balderree



2
3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions and programs regarding the operation of the public education
6 system.

7 **Highlighted Provisions:**

8 This bill:

- 12 ▶ removes duplicative language regarding a college and career readiness plan;
- 13 ▶ amends the Teacher Salary Supplement Program and the upcoming replacement Salary Supplement for Highly Needed Educators program to allow a local education agency (LEA) that experiences a carry forward or leftover balance to increase the amount the LEA provides to teachers under certain circumstances;
- 17 ▶ adds the Utah Schools for the Deaf and the Blind as an LEA that may participate in the Salary Supplement for Highly Needed Educators program;
- 19 ▶ increases the portion of appropriated funding the State Board of Education (state board) is statutorily authorized to expend for administrative costs for early literacy software, including the cost of an independent software evaluator;

HB0076 compared with HB0076S01

- 22 ▶ amends provisions regarding kindergarten to:
- 23 • allow a child to enroll in kindergarten if the child moves to Utah after having enrolled in
kindergarten in another state with different age requirements for enrollment; and
- 25 • repeal a requirement for the state board to create a process for an LEA to follow when an
enrolled student in kindergarten is not toilet-trained;
- 27 ▶ amends provisions regarding early learning plans to:
- 28 • reduce requirements for the plans that LEAs submit to the state board; and
- 29 • repeal a requirement for the state board to use a digital platform to communicate with LEAs
regarding early learning;
- 31 ▶ amends provisions related to school fees to ensure that a school is not prohibited from charging a
fee for a fine arts course; and
- 33 ▶ makes technical and conforming changes.

31 **Money Appropriated in this Bill:**

32 None

33 **Other Special Clauses:**

34 This bill contains a special effective date.

36 **AMENDS:**

- 37 **53E-2-304 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapter 69 (**Effective**
05/07/25), as last amended by Laws of Utah 2024, Chapter 69
- 38 **53F-2-504 (Effective 05/07/25) (Superseded 07/01/25)**, as last amended by Laws of Utah 2024,
Chapter 468 (**Effective 05/07/25) (Superseded 07/01/25)**, as last amended by Laws of Utah 2024,
Chapter 468
- 40 **53F-2-504 (Effective 07/01/25)**, as repealed and reenacted by Laws of Utah 2024, Chapter
374 (**Effective 07/01/25**), as repealed and reenacted by Laws of Utah 2024, Chapter 374
- 42 **53F-4-203 (Effective 05/07/25)**, as last amended by Laws of Utah 2023, Chapter 20 (**Effective**
05/07/25), as last amended by Laws of Utah 2023, Chapter 20
- 43 **53G-4-402 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapters 67,
476 (**Effective 05/07/25**), as last amended by Laws of Utah 2024, Chapters 67, 476
- 44 **53G-7-203 (Effective 05/07/25)**, as last amended by Laws of Utah 2024, Chapter 354 (**Effective**
05/07/25), as last amended by Laws of Utah 2024, Chapter 354

45

HB0076 compared with HB0076S01

53G-7-218 (Effective 05/07/25), as last amended by Laws of Utah 2024, Chapter 460 (Effective 05/07/25), as last amended by Laws of Utah 2024, Chapter 460

46 53G-7-503 (Effective 05/07/25), as last amended by Laws of Utah 2024, Chapter 497 (Effective 05/07/25), as last amended by Laws of Utah 2024, Chapter 497

47

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

49 Section 1. Section 53E-2-304 is amended to read:

50 **53E-2-304. School district and individual school powers -- Plan for college and career readiness definition.**

56 (1) In order to acquire and develop the characteristics listed in Section 53E-2-302, each school district and each public school within its respective district shall implement a comprehensive system of accountability in which students advance through public schools by demonstrating competency in the core standards for Utah public schools through the use of diverse assessment instruments such as authentic assessments, projects, and portfolios.

62 (2)

(a) Each school district and public school shall:

63 (i) develop and implement programs integrating technology into the curriculum, instruction, and student assessment;

65 (ii) in accordance with Subsection (5) and beginning July 1, 2025:

66 (A) provide an environment to all educators, school staff, and students that does not pose a predictable threat of serious bodily injury to the educators, school staff, or students;

69 (B) provide an education to all students in which the students' classroom is not disrupted by a pattern of behavior that interferes substantially and materially with classroom instruction; and

72 (C) provide an environment to all educators, school staff, and students that is free from repeated verbal or physical sexual harassment or sexual assault;

74 (iii) provide for teacher and parent involvement in policymaking at the school site;

75 (iv) implement a public school choice program to give parents, students, and teachers greater flexibility in designing and choosing among programs with different focuses through schools within the same district and other districts, subject to space availability, demographics, and legal and performance criteria;

79

HB0076 compared with HB0076S01

- (v) establish strategic planning at both the district and school level and site-based decision making programs at the school level;
- 81 (vi) provide opportunities for each student to acquire and develop academic and occupational knowledge, skills, and abilities;
- 83 (vii) participate in ongoing research and development projects primarily at the school level aimed at improving the quality of education within the system; and
- 85 (viii) involve business and industry in the education process through the establishment of partnerships with the business community at the district and school level.
- 88 (b)
- (i) As used in this section, "plan for college and career readiness" means a plan developed by a student and the student's parent, in consultation with school counselors, teachers, and administrators that:
- 91 (A) is initiated at the beginning of grade 7;
- 92 (B) identifies a student's skills and objectives;
- 93 (C) maps out a strategy to guide a student's course selection; and
- 94 (D) links a student to post-secondary options, including higher education and careers.
- 96 (ii) Each local school board, in consultation with school personnel, parents, and school community councils or similar entities shall establish policies to provide for the effective implementation of [~~an individual learning plan or~~] a plan for college and career readiness for each student at the school site.
- 100 (iii) The policies shall include guidelines and expectations for:
- 101 (A) recognizing the student's accomplishments, strengths, and progress toward meeting student achievement standards as defined in the core standards for Utah public schools;
- 104 (B) planning, monitoring, and managing education and career development; and
- 105 (C) involving students, parents, and school personnel in preparing and implementing an individual learning plan and a plan for college and career readiness.
- 108 (iv) A parent may request a conference with school personnel in addition to an individual learning plan or a plan for college and career readiness conference established by local school board policy.
- 111 (v) Time spent during the school day to implement an individual learning plan or a plan for college and career readiness is considered part of the school term described in Section 53F-2-102.

114

HB0076 compared with HB0076S01

(3) A school district or public school may submit proposals to modify or waive rules or policies of a supervisory authority within the public education system in order to acquire or develop the characteristics listed in Section 53E-2-302.

117 (4)

(a) Each school district and public school shall make an annual report to its patrons on its activities under this section.

119 (b) The reporting process shall involve participation from teachers, parents, and the community at large in determining how well the district or school is performing.

121 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to ensure implementation of the requirements described in Subsection (2)(a)(ii).

124 (6) Nothing in this section creates a private right of action or constitutes a waiver of immunity under Section 63G-7-301.

122 Section 2. Section **53F-2-504** is amended to read:

123 **53F-2-504. Teacher Salary Supplement Program.**

129 (1) As used in this section:

130 (a) "Eligible teacher" means a teacher who:

131 (i) has a qualifying educational background or qualifying teaching background;

132 (ii) has a supplement-approved assignment that corresponds to the teacher's qualifying educational background or qualifying teaching background;

134 (iii) qualifies for the teacher's supplement-approved assignment in accordance with state board rule; and

136 (iv)

(A) is a new employee; or

137 (B) has not received an unsatisfactory rating on the teacher's three most recent evaluations.

139 (b) "Field of computer science" means:

140 (i) computer science; or

141 (ii) computer information technology.

142 (c) "Field of science" means:

143 (i) integrated science;

144 (ii) chemistry;

145 (iii) physics;

146 (iv) physical science; or

HB0076 compared with HB0076S01

- 147 (v) general science.
- 148 (d) "Qualifying educational background" means:
- 149 (i) for a teacher who is assigned a secondary school level mathematics course:
- 150 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or
- 152 (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements for a bachelor's degree major, master's degree, or doctoral degree in mathematics;
- 155 (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry course, or physics course:
- 157 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of science; or
- 159 (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements of those required for a bachelor's degree major, master's degree, or doctoral degree in a field of science;
- 163 (iii) for a teacher who is assigned a computer science course:
- 164 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or
- 166 (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements of those required for a bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or
- 170 (iv) for a teacher who is assigned to teach special education, a bachelor's degree major, master's degree, or doctoral degree in special education.
- 172 (e) "Qualifying teaching background" means:
- 173 (i) the teacher has been teaching the same supplement-approved assignment in Utah public schools for at least 10 years; or
- 175 (ii) the teacher has a professional deaf education license issued by the state board.
- 176 (f) "Supplement-approved assignment" means an assignment to teach:
- 177 (i) a secondary school level mathematics course;
- 178 (ii) integrated science in grade 7 or 8;
- 179 (iii) chemistry;
- 180 (iv) physics;
- 181 (v) computer science;
- 182 (vi) special education; or

HB0076 compared with HB0076S01

- 183 (vii) deaf education.
- 184 (2)
- (a) Subject to future budget constraints, the Legislature shall:
- 185 (i) annually appropriate money to the Teacher Salary Supplement Program to maintain annual
salary supplements for eligible teachers provided in previous years; and
- 188 (ii) provide salary supplements to new recipients.
- 189 (b) Money appropriated for the Teacher Salary Supplement Program shall include money for the
following employer-paid benefits:
- 191 (i) retirement;
- 192 (ii) workers' compensation;
- 193 (iii) Social Security; and
- 194 (iv) Medicare.
- 195 (3)
- (a) The annual salary supplement for an eligible teacher who is assigned full-time to a supplement-
approved assignment is:
- 197 (i) for a fiscal year beginning before July 1, 2023, \$4,100 and funded through an appropriation
described in Subsection (2); and
- 199 (ii) for a fiscal year beginning on or after July 1, 2023, the amount equal to:
- 200 (A) the amount of the annual salary supplement in the preceding fiscal year; and
- 201 (B) a percentage increase that is equal to the percentage increase in the value of the WPU in the
preceding fiscal year.
- 203 (b) An eligible teacher who is assigned part-time to a supplement-approved assignment shall receive
a partial salary supplement based on the number of hours worked in the supplement-approved
assignment.
- 206 (4) The state board shall:
- 207 (a) create an online application system for a teacher to apply to receive a salary supplement through the
Teacher Salary Supplement Program;
- 209 (b) determine if a teacher is an eligible teacher;
- 210 (c) verify, as needed, the determinations made under Subsection (4)(b) with school district and school
administrators; and
- 212 (d) certify a list of eligible teachers.

HB0076 compared with HB0076S01

- 213 (5) An eligible teacher shall apply to the state board, as provided by the board to receive the salary
supplement authorized in this section in accordance with state board rule made in accordance with
Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 216 (6)
- (a) The state board shall establish and administer an appeal process for a teacher to follow if the teacher
applies for a salary supplement and does not receive a salary supplement under Subsection (8).
- 219 (b)
- (i) The appeal process established in Subsection (6)(a) shall allow a teacher to appeal eligibility as
an eligible teacher with a qualifying educational background on the basis that the teacher has a
degree or degree major with course requirements that are substantially equivalent to the qualifying
educational background associated with the teacher's supplement-approved assignment.
- 224 (ii) A teacher shall provide transcripts and other documentation to the state board in order for the state
board to determine if the teacher has a degree or degree major with course requirements that are
substantially equivalent to the qualifying educational background associated with the teacher's
supplement-approved assignment.
- 229 (c)
- (i) The appeal process established under Subsection (6)(a) shall allow a teacher to appeal eligibility
as an eligible teacher with a qualifying teaching background on the basis that the teacher has a
qualifying teaching background.
- 232 (ii) The teacher shall provide to the state board evidence to verify that the teacher has a qualifying
teaching background.
- 234 (7)
- (a) The state board shall distribute money appropriated to the Teacher Salary Supplement Program to
school districts, charter schools, and regional education service agencies for the Teacher Salary
Supplement Program in accordance with the provisions of this section.
- 238 (b) The state board shall include the employer-paid benefits described under Subsection (2)(b) in the
amount of each salary supplement.
- 240 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the salary
supplement limits described under Subsection (3).
- 242 (8)

HB0076 compared with HB0076S01

- (a) Money received from the Teacher Salary Supplement Program shall be used by a school district, charter school, or regional education service agencies to provide a salary supplement equal to the amount specified in Subsection (3) for each eligible teacher.
- 246 (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible teacher's qualification as an eligible teacher every year, semester, or trimester.
- 248 (9) Notwithstanding the provisions of this section, if the appropriation for the program is insufficient to cover the costs associated with salary supplements, the state board may distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.
- 251 (10) An LEA may increase the amount of funds the LEA provides to the LEA's teachers under the program if the LEA:
- 253 (a) first ensures proper distribution of funds the LEA receives under the program to the the LEA's teachers; and
- 255 (b) experiences a carry forward or leftover balance.
- 252 Section 3. Section **53F-2-504** is amended to read:
- 253 **53F-2-504. Salary Supplement for Highly Needed Educators.**
- 259 (1) As used in this section:
- 260 (a) "Eligible teacher" means a teacher who:
- 261 (i) has a qualifying assignment;
- 262 (ii) qualifies for the teacher's assignment in accordance with an LEA's policy described in Subsection (2); and
- 264 (iii)
- (A) is a new employee; or
- 265 (B) has not received an unsatisfactory rating on the teacher's three most recent evaluations.
- 267 (b) "High-needs area" means at least two and up to five teaching assignments that an LEA designates in a policy as challenging to fill or retain.
- 269 (c) "Program" means the Salary Supplement for Highly Needed Educators program.
- 270 (d) "Qualifying assignment" means a teacher who is assigned to a high-needs area.
- 271 (2)
- (a) An LEA shall create a policy describing the administration of the Salary Supplement for Highly Needed Educators program within the LEA, including:
- 273 (i) identifying the LEA's high-needs areas;

HB0076 compared with HB0076S01

- 274 (ii) the amount of the salary supplement;
- 275 (iii) establishing an appeals process for a teacher to follow if the teacher does not receive a salary supplement, including:
- 277 (A) allowing a teacher to appeal eligibility as an eligible teacher with a qualifying assignment on the basis that the teacher has a teaching assignment that is substantially equivalent to a high-needs area; and
- 280 (B) requiring a teacher to provide transcripts and other documentation to the LEA governing board in order for the LEA governing board to determine if the teacher is an eligible teacher with a qualifying teaching background;
- 283 (iv) a process for determining if a teacher is an eligible teacher, including a verification process; and
- 285 (v) a process for certifying a list of eligible teachers to be awarded a salary supplement under this section.
- 287 (b) An LEA shall update the policy described in Subsection (2)(a) annually and provide notice of any changes to teachers within the LEA.
- 289 (3) Subject to legislative appropriations and an LEA having the policy described in Subsection (2), the state board shall allocate funding appropriated for the Salary Supplements for Highly Needed Educators program in accordance with this section by:
- 292 (a) for charter schools:
- 293 (i) distributing an amount that is equal to the product of:
- 294 (A) charter school enrollment on October 1 in the prior year, or, for a new charter school, projected enrollment for a charter school in the charter school's first year of operations, divided by enrollment on October 1 in public schools statewide in the prior year; and
- 298 (B) the total amount available for distribution; and
- 299 (ii) allocating to each charter school:
- 300 (A) an equally divided portion of 20% of the amount described in Subsection (3)(a)(i); and
- 302 (B) 80% of the amount described in Subsection (3)(a)(i) on a per-student basis; and
- 303 (b) for school districts and the Utah Schools for the Deaf and the Blind:
- 304 (i) distributing the remainder of funds available for distribution after the distribution to charter schools under Subsection (3)(a)(i) by allocating to each school district:
- 306 (A) an equally divided portion of 20% of the amount described in Subsection (3)(b)(i); and

HB0076 compared with HB0076S01

- 308 (B) 80% of the amount described in Subsection (3)(b)(i) on a per-student basis.
- 309 (c) An LEA shall use funds described in Subsections (3)(a) and (3)(b) to pay the LEA's proportional
part of an eligible teacher's salary supplement if:
- 311 (i) the eligible teacher is an employee of a regional education service agency, as defined in Section
53G-4-410; and
- 313 (ii) the LEA is a member of the regional education service agency that employs the eligible teacher.
- 315 (4)
- (a) An LEA shall include employer-paid benefits in the amount of each salary supplement.
- 317 (b) Employer-paid benefits are an addition to the salary supplement amount established by an LEA
under Subsection (2).
- 319 (5) The salary supplement is part of an eligible teacher's base pay, subject to eligible teacher's
qualification as an eligible teacher every year, semester, or quarter.
- 321 (6) The state board shall annually report to the Education Interim Committee:
- 322 (a) which teaching assignments LEAs have designated as high-needs; and
- 323 (b) the number of eligible teachers.
- 324 (7) An LEA may increase the amount of funds the LEA provides to the LEA's teachers under the
program if the LEA:
- 326 (a) first ensures proper distribution of funds the LEA receives under the program to the the LEA's
teachers; and
- 328 (b) experiences a carry forward or leftover balance.
- 324 Section 4. Section **53F-4-203** is amended to read:
- 325 **53F-4-203. Early interactive reading software -- Independent evaluator.**
- 332 (1) Subject to legislative appropriations, the state board shall distribute funds to public schools based on
enrollment for students in kindergarten through grade 3 to purchase personalized interactive reading
software.
- 335 (2) A public school that receives funds described in Subsection (1) shall use the funds for a student in
kindergarten or grade 1, 2, or 3:
- 337 (a) for intervention for the student if the student is reading below grade level; or
- 338 (b) for advancement beyond grade level for the student if the student is reading at or above grade level.
- 340 (3)

HB0076 compared with HB0076S01

- (a) On or before August 1 of each year, the state board shall select and contract with an independent evaluator, through a request for proposals process, to act as an independent contractor to evaluate early interactive reading software provided under this section.
- 344 (b) The state board shall ensure that a contract with an independent evaluator requires the independent evaluator to:
- 346 (i) evaluate a student's learning gains as a result of using early interactive reading software provided under Subsection (1);
- 348 (ii) for the evaluation under Subsection (3)(b)(i), use an assessment that is not developed by a provider of early interactive reading software; and
- 350 (iii) determine the extent to which a public school uses the early interactive reading software.
- 352 (c) The state board and the independent evaluator selected under Subsection (3)(a) shall submit a report on the results of the evaluation in accordance with Section 53E-1-201.
- 354 (4) An LEA may acquire an analytical software program that:
- 355 (a) monitors, for an individual school, early intervention interactive reading software use and the associated impact on student performance; and
- 357 (b) analyzes the information gathered under Subsection (4)(a) to prescribe individual school usage time to maximize the beneficial impact on student performance.
- 359 (5) The state board:
- 360 (a) may use up to [4%] 6% of the appropriation provided under Subsection (1):
- 361 (i) to contract with an independent evaluator selected under Subsection (3)(a); and
- 362 (ii) for administrative costs associated with this section; and
- 363 (b) shall distribute at least [96%] 94% of funds under this section to LEAs in accordance with Subsection (1).
- 365 (6) Nothing in this section or in Section 53E-4-307 or 53G-11-303 requires a reading software product to demonstrate the statistically significant effect size described in Subsection 53G-11-303(1)(a) in order to be used as an instructional material.
- 363 Section 5. Section **53G-4-402** is amended to read:
- 364 **53G-4-402. Powers and duties generally.**
- 370 (1) A local school board shall:
- 371 (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;

HB0076 compared with HB0076S01

- 374 (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 and create plans to improve
the student's progress, which shall be submitted to the state board for approval;
- 378 (c) use progress-based assessments as part of a plan to identify schools, teachers, and students that need
remediation and determine the type and amount of federal, state, and local resources to implement
remediation;
- 381 (d) for each grading period and for each course in which a student is enrolled, issue a grade or
performance report to the student:
- 383 (i) that reflects the student's work, including the student's progress based on mastery, for the grading
period; and
- 385 (ii) in accordance with the local school board's adopted grading or performance standards and criteria;
- 387 (e) develop early warning systems for students or classes failing to make progress;
- 388 (f) work with the state board to establish a library of documented best practices, consistent with state
and federal regulations, for use by the special districts;
- 390 (g) implement training programs for school administrators, including basic management training, best
practices in instructional methods, budget training, staff management, managing for learning results
and continuous improvement, and how to help every student achieve optimal learning in basic
academic subjects; and
- 394 (h) ensure that the local school board meets the data collection and reporting standards described in
Section 53E-3-501.
- 396 (2) Local school boards shall spend Minimum School Program funds for programs and activities for
which the state board has established minimum standards or rules under Section 53E-3-501.
- 399 (3)
- (a) A local school board may purchase, sell, and make improvements on school sites, buildings, and
equipment, and construct, erect, and furnish school buildings.
- 401 (b) School sites or buildings may only be conveyed or sold on local school board resolution affirmed by
at least two-thirds of the school board members.
- 403 (4)
- (a) A local school board may participate in the joint construction or operation of a school attended by
students residing within the district and students residing in other districts either within or outside
the state.

HB0076 compared with HB0076S01

- 406 (b) Any agreement for the joint operation or construction of a school shall:
- 407 (i) be signed by the president of the local school board of each participating district;
- 408 (ii) include a mutually agreed upon pro rata cost; and
- 409 (iii) be filed with the state board.
- 410 (5) A local school board may establish, locate, and maintain elementary, secondary, and applied technology schools.
- 412 (6) A local school board may enter into cooperative agreements with other local school boards to provide educational services that best utilize resources for the overall operation of the school districts, including shared transportation services.
- 415 (7) A local school board shall ensure that an agreement under Subsection (6):
- 416 (a) is signed by the president of the local school board of each participating district;
- 417 (b) specifies the resource being shared;
- 418 (c) includes a mutually agreed upon pro rata cost;
- 419 (d) includes the duration of the agreement; and
- 420 (e) is filed with the state board.
- 421 (8)
- (a) Except as provided in Section 53E-3-905 and Subsection (8)(b), a local school board may enroll children in school who are at least five years old before September 2 of the year in which admission is sought.
- 424 (b) A local school board may enroll a child in kindergarten who does not meet the age requirement described in Subsection (8)(a) if the child:
- 426 (i) moves to Utah from a different state in which the child, during the relevant school year:
- 428 (A) was a resident; and
- 429 (B) was enrolled in kindergarten in accordance with the previous state's age requirements for kindergarten enrollment; and
- 426 (ii) transfers to the enrolling school after the beginning of the same school year.
- 427 (9) { ~~h~~→ {} {at an accredited school}{} { ←~~h~~ } in accordance with the previous state's age requirements for kindergarten enrollment; and }
- 431 {(ii) {transfers to the enrolling school after the beginning of the same school year.}}
- 432 {(9)} A local school board:
- 433 (a) may establish and support school libraries; and

HB0076 compared with HB0076S01

- 434 (b) shall provide an online platform:
- 435 (i) through which a parent is able to view the title, author, and a description of any material the parent's
child borrows from the school library, including a history of borrowed materials, either using an
existing online platform that the LEA uses or through a separate platform; and
- 439 (ii)
- (A) for a school district with 1,000 or more enrolled students, no later than August 1, 2024; and
- 441 (B) for a school district with fewer than 1,000 enrolled students, no later than August 1, 2026.
- 443 (10) A local school board may collect damages for the loss, injury, or destruction of school property.
- 445 (11) A local school board may authorize guidance and counseling services for students and the student's
parents before, during, or following school enrollment.
- 447 (12)
- (a) A local school board shall administer and implement federal educational programs in accordance
with Title 53E, Chapter 3, Part 8, Implementing Federal or National Education Programs.
- 450 (b) Federal funds are not considered funds within the school district budget under Chapter 7, Part 3,
Budgets.
- 452 (13)
- (a) A local school board may organize school safety patrols and adopt policies under which the patrols
promote student safety.
- 454 (b) A student appointed to a safety patrol shall be at least 10 years old and have written parental consent
for the appointment.
- 456 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of a highway
intended for vehicular traffic use.
- 458 (d) Liability may not attach to a school district, its employees, officers, or agents, or to a safety patrol
member, a parent of a safety patrol member, or an authorized volunteer assisting the program by
virtue of the organization, maintenance, or operation of a school safety patrol.
- 462 (14)
- (a) A local school board may on its own behalf, or on behalf of an educational institution for which the
local school board is the direct governing body, accept private grants, loans, gifts, endowments,
devises, or bequests that are made for educational purposes.
- 466 (b) The contributions made under Subsection (14)(a) are not subject to appropriation by the Legislature.
- 468 (15)

HB0076 compared with HB0076S01

- (a) A local school board may appoint and fix the compensation of a compliance officer to issue citations for violations of Subsection 76-10-105(2)(b).
- 470 (b) A person may not be appointed to serve as a compliance officer without the person's consent.
- 472 (c) A teacher or student may not be appointed as a compliance officer.
- 473 (16) A local school board shall adopt bylaws and policies for the local school board's own procedures.
- 475 (17)
- (a) A local school board shall make and enforce policies necessary for the control and management of the district schools.
- 477 (b) Local school board policies shall be in writing, filed, and referenced for public access.
- 479 (18) A local school board may hold school on legal holidays other than Sundays.
- 480 (19)
- (a) A local school board shall establish for each school year a school traffic safety committee to implement this Subsection (19).
- 482 (b) The committee shall be composed of one representative of:
- 483 (i) the schools within the district;
- 484 (ii) the Parent Teachers' Association of the schools within the district;
- 485 (iii) the municipality or county;
- 486 (iv) state or local law enforcement; and
- 487 (v) state or local traffic safety engineering.
- 488 (c) The committee shall:
- 489 (i) receive suggestions from school community councils, parents, teachers, and others, and recommend school traffic safety improvements, boundary changes to enhance safety, and school traffic safety program measures;
- 492 (ii) review and submit annually to the Department of Transportation and affected municipalities and counties a child access routing plan for each elementary, middle, and junior high school within the district;
- 495 (iii) in consultation with the Utah Safety Council and the Division of Family Health[~~Services~~], provide training to all students in kindergarten through grade 6, within the district, on school crossing safety and use; and
- 498 (iv) help ensure the district's compliance with rules made by the Department of Transportation under Section 41-6a-303.

HB0076 compared with HB0076S01

- 500 (d) The committee may establish subcommittees as needed to assist in accomplishing the committee's
duties under Subsection (19)(c).
- 502 (20)
- (a) A local school board shall adopt and implement a comprehensive emergency response plan to
prevent and combat violence in the local school board's public schools, on school grounds, on
school vehicles, and in connection with school-related activities or events.
- 506 (b) The local school board shall ensure that the plan:
- 507 (i) includes prevention, intervention, and response components;
- 508 (ii) is consistent with the school discipline and conduct policies required for school districts under
Chapter 8, Part 2, School Discipline and Conduct Plans;
- 510 (iii) requires professional learning for all district and school building staff on the staff's roles in the
emergency response plan;
- 512 (iv) provides for coordination with local law enforcement and other public safety representatives
in preventing, intervening, and responding to violence in the areas and activities referred to in
Subsection (20)(a); and
- 515 (v) includes procedures to notify a student who is off campus at the time of a school violence
emergency because the student is:
- 517 (A) participating in a school-related activity; or
- 518 (B) excused from school for a period of time during the regular school day to participate in religious
instruction at the request of the student's parent.
- 520 (c) The state board, through the state superintendent, shall develop comprehensive emergency response
plan models that local school boards may use, where appropriate, to comply with Subsection (20)
(a).
- 523 (d) A local school board shall, by July 1 of each year, certify to the state board that its plan has been
practiced at the school level and presented to and reviewed by its teachers, administrators, students,
and the student's parents and local law enforcement and public safety representatives.
- 527 (21)
- (a) A local school board may adopt an emergency response plan for the treatment of sports-related
injuries that occur during school sports practices and events.
- 529 (b) The plan may be implemented by each secondary school in the district that has a sports program for
students.

HB0076 compared with HB0076S01

- 531 (c) The plan may:
- 532 (i) include emergency personnel, emergency communication, and emergency equipment components;
- 534 (ii) require professional learning on the emergency response plan for school personnel who are involved
in sports programs in the district's secondary schools; and
- 537 (iii) provide for coordination with individuals and agency representatives who:
- 538 (A) are not employees of the school district; and
- 539 (B) would be involved in providing emergency services to students injured while participating in sports
events.
- 541 (d) The local school board, in collaboration with the schools referred to in Subsection (21)(b), may
review the plan each year and make revisions when required to improve or enhance the plan.
- 544 (e) The state board, through the state superintendent, shall provide local school boards with an
emergency plan response model that local school boards may use to comply with the requirements
of this Subsection (21).
- 547 (22)
- (a) A local school board shall approve an LEA's policies and procedures that an LEA develops to
ensure that students have non-electronic notification of and access to:
- 550 (i) school activities and events, including:
- 551 (A) schedule changes;
- 552 (B) extracurricular activities; and
- 553 (C) sporting events; and
- 554 (ii) the emergency response plans described in Subsections (20) and (21).
- 555 (b) Notwithstanding Subsection (22)(a), an LEA may provide electronic notification of and access to
school activities and events as described in Subsections (22)(a)(i) and (ii) if:
- 558 (i)
- (A) the school provides each student with an electronic device; and
- 559 (B) the electronic device is capable of receiving electronic notification of and access to school activities
and events as described in Subsections (22)(a)(i) and (ii); or
- 562 (ii) an emergency, unforeseen circumstance, or other incident arises and an LEA cannot reasonably
provide timely non-electronic notification.
- 564 (c) An LEA may not require the use of a privately owned electronic device to complete course work.
- 566

HB0076 compared with HB0076S01

(23) A local school board shall do all other things necessary for the maintenance, prosperity, and success of the schools and the promotion of education.

568 (24)

(a) As used in this subsection, "special enrollment program" means a full-day academic program in which a parent opts to enroll the parent's student and that is offered at a specifically designated school within an LEA, including:

571 (i) gifted or advanced learning programs; or

572 (ii) dual language immersion programs.

573 (b) Before closing a school, changing the boundaries of a school, or changing or closing the location of a special enrollment program, a local school board shall:

575 (i) at a local school board meeting, make and approve a motion to initiate the notification required under Subsections (24)(b)(ii) through (iv);

577 (ii) on or before 90 days before the day on which the local school board approves the school closure or at least 30 days before the day on which the local school board approves a school boundary change, provide notice that the local school board is considering the closure or boundary change to:

581 (A) parents of students enrolled in the school, using the same form of communication the local school board regularly uses to communicate with parents and also by mail, using the United States Postal Service, to the parents at each known address;

585 (B) parents of students enrolled in other schools within the school district that may be affected by the closure or boundary change, using the same form of communication the local school board regularly uses to communicate with parents and also by mail, using the United States Postal Service, to the parents at each known address; and

590 (C) the governing council and the mayor of the municipality in which the school is located;

592 (iii) provide an opportunity for public comment on the proposed school closure during at least two public local school board meetings;

594 (iv) provide an opportunity for public comment on the proposed school boundary change during one public local school board meeting; and

596 (v) hold a public hearing as defined in Section 10-9a-103 and provide public notice of the public hearing in accordance with Subsection (24)(c).

598 (c) A local school board shall:

599 (i) ensure that the notice of a public hearing required under Subsection (24)(b)(v) indicates the:

HB0076 compared with HB0076S01

- 601 (A) name of the school or schools under consideration for closure or boundary change; and
603 (B) the date, time, and location of the public hearing;
- 604 (ii) if feasible, hold the public hearing at the location of the school that is under consideration for
closure;
- 606 (iii) for at least 10 days before the day on which the public hearing occurs, publish the notice of public
hearing occurs, publish the notice of the public hearing for the school district in which the school is
located, as a class A notice under Section 63G-30-102; and
- 610 (iv) at least 30 days before the day on which the public hearing occurs, provide notice of the public
hearing in the same manner as the notice of consideration under Subsection (24)(b)(ii).
- 613 (d) A motion made under Subsection (24)(b) shall name each school under consideration for closure in
a separate motion.
- 615 (e) For a school closure, a local school board shall complete the process described in this Subsection
(24) on or before December 31 of the calendar year preceding the beginning of the school year in
which a school closure takes effect.
- 618 (f)
- (i) For a school boundary change, a local school board shall complete the process described in this
Subsection (24) no more than 60 days after the day on which the local school board votes to approve
a school closure.
- 621 (ii) Parents of students enrolled in a school affected by a boundary change shall have at least 30 days
after the day on which the local school board votes to approve a school boundary change to request
an out of area enrollment request in accordance with Chapter 6, Part 4, School District Enrollment.
- 625 (25) A local school board may implement a facility energy efficiency program established under Title
11, Chapter 44, Performance Efficiency Act.
- 627 (26) A local school board may establish or partner with a certified youth court in accordance with
Section 80-6-902 or establish or partner with a comparable restorative justice program, in
coordination with schools in that district. A school may refer a student to a youth court or a
comparable restorative justice program in accordance with Section 53G-8-211.
- 632 (27)
- (a) As used in this Subsection (27):
- 633

HB0076 compared with HB0076S01

- (i) "Learning material" means any learning material or resource used to deliver or support a student's learning, including textbooks, reading materials, videos, digital materials, websites, and other online applications.
- 636 (ii)
- (A) "Instructional material" means learning material that a local school board adopts and approves for use within the LEA.
- 638 (B) "Instructional material" does not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class or another class with required instructional material that is not subject to selection by the local school board.
- 642 (iii) "Supplemental material" means learning material that:
- 643 (A) an educator selects for classroom use; and
- 644 (B) a local school board has not considered and adopted, approved, or prohibited for classroom use within the LEA.
- 646 (b) A local school board shall:
- 647 (i) make instructional material that the school district uses readily accessible and available for a parent to view;
- 649 (ii) annually notify a parent of a student enrolled in the school district of how to access the information described in Subsection (27)(b)(i); and
- 651 (iii) include on the school district's website information about how to access the information described in Subsection (27)(b)(i).
- 653 (c) In selecting and approving instructional materials for use in the classroom, a local school board shall:
- 655 (i) establish an open process, involving educators and parents of students enrolled in the LEA, to review and recommend instructional materials for board approval; and
- 657 (ii) ensure that under the process described in Subsection (27)(c)(i), the board:
- 658 (A) before the meetings described in Subsection (27)(c)(ii)(B), posts the recommended learning material online to allow for public review or, for copyrighted material, makes the recommended learning material available at the LEA for public review;
- 662 (B) before adopting or approving the recommended instructional materials, holds at least two public meetings on the recommendation that provides an opportunity for educators whom the LEA

HB0076 compared with HB0076S01

employs and parents of students enrolled in the LEA to express views and opinions on the recommendation; and

- 666 (C) adopts or approves the recommended instructional materials in an open and regular board meeting.
- 668 (d) A local school board shall adopt a supplemental materials policy that provides flexible guidance to educators on the selection of supplemental materials or resources that an educator reviews and selects for classroom use using the educator's professional judgment, including whether any process or permission is required before classroom use of the materials or resources.
- 673 (e) If an LEA contracts with another party to provide online or digital materials, the LEA shall include in the contract a requirement that the provider give notice to the LEA any time that the provider makes a material change to the content of the online or digital materials, excluding regular informational updates on current events.
- 677 (f) Nothing in this Subsection (27) requires a local school board to review all learning materials used within the LEA.

674 Section 6. Section **53G-7-203** is amended to read:

675 **53G-7-203. Kindergartens -- Establishment -- Funding -- Assessment.**

- 682 (1) Kindergartens are an integral part of the state's public education system.
- 683 (2)
- (a) Each LEA governing board shall provide kindergarten classes free of charge for kindergarten children residing within the district or attending the charter school.
- 685 (b) Each LEA governing board shall:
- 686 (i) provide a half-day kindergarten option for a student that comprises the minimum standards for half-day kindergarten that the state board establishes, in accordance with Subsection (4)(a)(iii), if the student's parent requests a half-day option; and
- 689 (ii)
- (A) inform parents of the availability of the option to register for a designated full-curriculum half-day kindergarten option at the time of all kindergarten registration, by email, posters, or other announcements when a parent requests kindergarten registration; and
- 693 (B) provide the option to register for a designated half-day kindergarten option at the time of registration;

695

HB0076 compared with HB0076S01

- (iii) provide a dedicated kindergarten class specifically designated as a half-day kindergarten class when enrollment of half-day kindergarten students at an individual school or a regional school exceeds a minimum of 18 students;
- 698 (iv) when enrollment of half-day kindergarten students at an individual school exceeds a minimum of 18 students, designate the school as a half-day kindergarten provider for the improvement of recruiting teachers that prefer half-day teaching;
- 702 (v) inform parents regarding the additional educational resources and opportunities available to parents who select the half-day kindergarten option; and
- 704 (vi) ensure that a half-day kindergarten student who is registered in a class that includes full-day kindergarten students receives instruction that at least meets the minimum standards for half-day kindergarten that the state board establishes, in accordance with Subsection (4)(a)(iii).
- 708 (c) Nothing in this Subsection (2):
- 709 (i) allows an LEA governing board to require a student to participate in a full-day kindergarten program;
- 711 (ii) modifies the non-compulsory status of kindergarten under [~~Title 53G,~~]Chapter 6, Part 2, Compulsory Education; or
- 713 (iii) requires a student who only attends a half day of kindergarten to participate in dual enrollment under Section 53G-6-702.
- 715 (3) Kindergartens established under Subsection (2) shall receive state money under Title 53F, Public Education System -- Funding.
- 717 (4)
- (a) The state board shall:
- 718 (i) develop and collect data from a kindergarten assessment that the board selects by rule;
- 720 (ii) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding the administration of and reporting regarding the assessment described in Subsection (4)(a)(i); and
- 723 (iii) establish minimum standards for half-day kindergarten.
- 724 (b) An LEA shall:
- 725 (i) administer the assessment described in Subsection (4)(a) to each kindergarten student; and
- 727 (ii) report to the state board the results of the assessment described in Subsection (4)(b)(i) in relation to each kindergarten student in the LEA.

HB0076 compared with HB0076S01

- 729 (5) The state board shall require LEAs to report average daily membership for all kindergarten students
who attend kindergarten on a schedule that is equivalent in length to the schedule for grades 1
through 3 with the October 1 data described in Section 53F-2-302.
- 733 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall
make rules to:
- 735 (a) beginning with the 2024-2025 school year, require a student to be toilet trained before being
enrolled in kindergarten;
- 737 (b) establish requirements for an LEA's kindergarten enrollment process to include assurances from a
parent that the parent's student is toilet trained; and
- 739 [~~(c) create a process for an LEA to follow when an enrolled student in kindergarten is found to not be
toilet trained, including:~~]
- 741 [~~(i) referring the student and the student's parent to a school social worker or counselor for additional
family supports and resources;~~]
- 743 [~~(ii) allowing a parent or the parent's adult designee to aid in toilet training as needed; and~~]
- 745 [~~(iii) when needed, reintegration of a student once the student has become toilet trained; and~~]
- 747 [~~(d)~~] (c) create exemptions from the requirement in Subsection (6)(a) for a student who is not able
to be toilet trained before kindergarten because of a condition that is subject to federal child
find requirements or { ~~that is subject to federal child find requirements or~~ }
described in an IEP or Section 504 accommodation plan.
- 746 Section 7. Section **53G-7-218** is amended to read:
- 747 **53G-7-218. Establishment of early learning plan.**
- 752 (1) A local school board of a school district or a charter school governing board of a charter school that
serves students in any of kindergarten or grades 1 through 3 shall annually submit to the state board
an early learning plan that includes[~~z~~]
- 755 [~~(a)~~] (i) the early mathematics plan described in Section 53E-3-521, including:
- 756 [~~(i)~~] (a) a growth goal for the school district or charter school that:
- 757 [~~(A)~~] (i) is based upon student learning gains as measured by the mathematics benchmark assessment
described in Section 53E-4-307.5; and
- 759 [~~(B)~~] (ii) includes the target that the state board establishes under Section 53E-3-521; and
- 761 [~~(i)~~] (b) [~~one goal~~] two goals that:
- 762 [~~(A)~~] (i) [~~is~~] are specific to the school district or charter school;

HB0076 compared with HB0076S01

- 763 ~~[(B)]~~ (ii) [is] are measurable;
- 764 ~~[(C)]~~ (iii) [~~addresses~~] address current performance gaps in student mathematics proficiency based on data; and
- 766 ~~[(D)]~~ (iv) [~~includes~~] include specific strategies for improving outcomes~~[; and]~~ .
- 767 ~~[(b) one additional goal related to literacy or mathematics that:]~~
- 768 ~~[(i) is specific to the school district or charter school;]~~
- 769 ~~[(ii) is measurable;]~~
- 770 ~~[(iii) addresses current performance gaps in student literacy or mathematics proficiency based on data; and]~~
- 772 ~~[(iv) includes specific strategies for improving outcomes.]~~
- 773 ~~[(2) A local school board or charter school governing board shall approve a plan described in Subsection (1) in a public meeting before submitting the plan to the state board.]~~
- 775 ~~[(3)]~~ (2)
- (a) The state board shall:
- 776 (i) provide model plans that a local school board or a charter school governing board may use;
- 778 (ii) develop uniform standards for acceptable growth goals that a local school board or a charter school governing board adopts for a school district or charter school under this section; and
- 781 (iii) review and approve or disapprove a plan submitted under this section.
- 782 (b) Notwithstanding Subsection ~~[(3)(a)]~~ (2)(a), a local school board or a charter school governing board may develop the board's own plan.
- 784 ~~[(4)]~~ (3) The state board shall:
- 785 (a) develop strategies to provide support for a school district or charter school that fails to meet:
- 787 (i) the growth goal related to the state mathematics target described in Subsection ~~[(1)(a)(i)]~~ (1)(a); and
- 789 (ii) one of the goals specific to the school district or charter school described in Subsection ~~[(1)(a)(ii) or]~~(1)(b); and
- 791 (b) provide increasing levels of support to a school district or charter school that fails to meet the combination of goals described in Subsection ~~[(4)(a) for two consecutive years]~~ (3)(a).
- 794 ~~[(5)]~~
- ~~(a) The state board shall use a digital reporting platform to provide information to school districts and charter schools about interventions that increase proficiency in literacy and mathematics.]~~
- 797

HB0076 compared with HB0076S01

~~[(b) The digital reporting platform described in Subsection (5)(a) shall include performance information for a school district or charter school on the goals described in Subsection (1).]~~

796 Section 8. Section **53G-7-503** is amended to read:

797 **53G-7-503. Fees -- Prohibitions -- Voluntary supplies -- Enforcement -- Penalties.**

803 (1) An LEA may only charge a fee if the fee is:

804 (a) authorized under this part; and

805 (b) noticed by the LEA governing board in accordance with Section 53G-7-505.

806 (2)

(a) An LEA may not require a fee for elementary school activities that are part of the regular school day or for supplies used during the regular school day.

808 (b) An elementary school or elementary school teacher may compile and provide to an elementary school student's parent a suggested list of supplies for use during the regular school day so that a parent may furnish, only on a voluntary basis, those supplies for student use.

812 (c) A list provided to an elementary school student's parent in accordance with Subsection (2)(b) shall include and be preceded by the following language:

814 "NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS, OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL."

817 (3) Beginning with the 2025-2026 school year:

818 (a) an LEA may not charge a secondary student a fee for a curricular activity or a co-curricular activity ~~[that]~~ if the activity is expressly required for the instruction of established core standards as described in Section 53E-4-202 or 53E-4-204,~~[-and that is not an elective,]~~ except for the following:

822 (i) an elective, including a course for which a student earns credit toward a fine arts requirement under the standards described in Subsection 53E-4-204(2);

824 ~~[(i)]~~ (ii) instructional equipment or supplies;

825 ~~[(ii)]~~ (iii) a driver education course described in Section 53G-10-503;

826 ~~[(iii)]~~ (iv) a payment for a fee for:

827 (A) open enrollment application processing in accordance with Section 53G-6-402;

828 (B) charter school application processing in accordance with Section 53G-6-503; or

830 (C) competency remediation programs in accordance with Section 53G-9-803;

831 ~~[(iv)]~~ (v) a fee described in Subsection ~~[(5)]~~ (4);

HB0076 compared with HB0076S01

- 832 [~~(v)~~] (vi) a music instrument rental; or
- 833 [~~(vi)~~] (vii) school activity clothing;
- 834 (b) for that portion of a co-curricular activity that is during regular school hours, an LEA may only charge a secondary student for the fees described in Subsection (3)(a); and
- 836 (c) an LEA may charge a secondary student a fee for a co-curricular activity or extracurricular activity, including the life-cycle replacement costs for school equipment directly related to the co-curricular or extracurricular activity.
- 839 (4) An LEA may charge a secondary student:
- 840 (a) or an individual, a fee for an adult education course in accordance with Section 53E-10-202; or
- 842 (b) a fee for tuition, college credit, an exam, or a textbook, as described in Section 53G-7-506, for:
- 844 (i) an Advanced Placement course;
- 845 (ii) an International Baccalaureate course; or
- 846 (iii) a concurrent enrollment course, as described in Section 53E-10-302.
- 847 (5) An LEA may not charge a fee, except as provided in Subsection (3)(c):
- 848 (a) for school equipment; or
- 849 (b) that is general in nature and for a service or good that does not have a direct benefit to the student paying the fee.
- 851 (6) An LEA governing board shall authorize each fee individually.
- 852 (7)
- (a) If an LEA imposes a fee under this part, the fee shall be equal to or less than the expense incurred by the LEA in providing for a student the activity, course, or program for which the LEA imposes the fee.
- 855 (b) An LEA may not impose an additional fee or increase a fee to supplant or subsidize another fee, including a fee to supplant or subsidize an expense that the LEA incurs for:
- 858 (i) a curricular activity; or
- 859 (ii) an expense for the portion of a co-curricular activity that occurs during regular school hours.
- 861 (8) Notwithstanding Section 53E-3-401, if the state board finds that an LEA has violated a provision of this part, the state board shall impose corrective action against the LEA, which may include:
- 864 (a) requiring an LEA to repay improperly charged fees;
- 865 (b) withholding state funds; or
- 866 (c) suspending the LEA's authority to charge fees for an amount of time specified by the state board.

HB0076 compared with HB0076S01

868 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall
make rules:

870 (a) that require notice and an opportunity to be heard for an LEA affected by a state board action
described in this Subsection (9); and

872 (b) to administer this Subsection (9).

869 Section 9. **Effective date.**

874 (1) Except as provided in Subsection (2), this bill takes effect on May 7, 2025.

875 (2) The actions affecting Section 53F-2-504 (Effective 7/1/2025) take effect on July 1, 2025.

2-14-25 9:51 AM