

HB0358S01 compared with HB0358

~~{Omitted text}~~ shows text that was in HB0358 but was omitted in HB0358S01

inserted text shows text that was not in HB0358 but was inserted into HB0358S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1

School Scheduling Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Doug Welton
Senate Sponsor:



2

3 **LONG TITLE**

4 **General Description:**

5 This bill creates a minimum credit hour requirement rather than a day or instructional hour
6 requirement for certain grades in the public education system.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ defines terms;
- 10 ▶ creates a minimum credit hour requirement rather than a day or instructional hour requirement
for certain grades in the public education system;and
- 12 ▶ ~~{requires driver education to be an attendance-verified program; and}~~
- 13 ▶ makes technical and conforming changes.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 This bill provides a special effective date.

17 **Utah Code Sections Affected:**

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18 AMENDS:

19 **53F-2-102** , as last amended by Laws of Utah 2022, Chapter 17

20 **53G-6-705** , as last amended by Laws of Utah 2023, Chapter 340

22 ~~**53G-10-508** , as last amended by Laws of Utah 2021, Chapter 247~~

21

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

23 Section 1. Section **53F-2-102** is amended to read:

24 **53F-2-102. Definitions.**

As used in this chapter:

28 (1) "Attendance-validated program" means an educational program where:

29 (a) student participation is measured by physical or virtual attendance at scheduled instructional periods; and

31 (b) a student receives direct teacher interaction and instruction for the course or program the student is enrolled in.

33 [(1)] (2) "Basic state-supported school program," "basic program," or "basic school program" means public education programs for kindergarten, elementary, and secondary school students that are operated and maintained for the amount derived by multiplying the number of weighted pupil units for each school district or charter school by the value established each year in the enacted public education budget, except as otherwise provided in this chapter.

39 [(2)] (3) "LEA governing board" means a local school board or charter school governing board.

41 [(3)] (4) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.

42 [(4)] (5)

(a) "Minimum School Program" means the state-supported public school programs for kindergarten, elementary, and secondary schools as described in this Subsection [(4)] (5).

45 (b) The Minimum School Program established in school districts and charter schools shall include the equivalent of a school term of nine months as determined by the state board.

48 (c)

(i) The state board shall establish[-] :

49 (A) except as provided in Subsection (5)(c)(i)(B), the number of days or equivalent instructional hours that school is held for an academic school year[-] , allowing flexibility for elementary,

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middle, and junior high schools to adapt schedules to align with high schools described in Subsection (5)(c)(i)(B); and

- 53 (B) for grades 9 through 12 that use an attendance-validated program, the number of credits
required to graduate high school based on one credit representing at least 83 class hours, in lieu
of a requirement of days or instructional hours.
- 56 (ii) Education, enhanced by utilization of technologically enriched delivery systems, when approved by
an LEA governing board, shall receive full support by the state board as it pertains to fulfilling the
attendance requirements, excluding time spent viewing commercial advertising.
- 60 (d)
- (i) An LEA governing board may reallocate up to 32 instructional hours or four school days established
under Subsection [~~(4)(e)~~] (5)(c) for teacher preparation time or teacher professional development.
- 63 (ii) A reallocation of instructional hours or school days under Subsection [~~(4)(d)(i)~~] (5)(d)(i) is subject
to the approval of two-thirds of the members of an LEA governing board voting in a regularly
scheduled meeting:
- 66 (A) at which a quorum of the LEA governing board is present; and
- 67 (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.
- 68 (iii) If an LEA governing board reallocates instructional hours or school days as provided by this
Subsection [~~(4)(d)~~] (5)(d), the school district or charter school shall notify students' parents of the
school calendar at least:
- 71 (A) 90 days before the beginning of the school year; or
- 72 (B) for the 2021-2022 and 2022-2023 school years, due to circumstances within the LEA or a given
school due to the COVID-19 pandemic, at least 14 calendar days before the reallocated instructional
hours or school days.
- 75 (iv) Instructional hours or school days reallocated for teacher preparation time or teacher professional
development [~~pursuant to~~] in accordance with this Subsection [~~(4)(d)~~] (5)(d) is considered part of a
school term referred to in Subsection [~~(4)(b)~~] (5)(b).
- 79 (e) The Minimum School Program includes a program or allocation funded by a line item appropriation
or other appropriation designated as follows:
- 81 (i) Basic School Program;
- 82 (ii) Related to Basic Programs;
- 83 (iii) Voted and Board Levy Programs; or

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84 (iv) Minimum School Program.

85 [(5)] (6) "Weighted pupil unit[~~or units~~] " or "WPU[~~or WPU's~~]" means the unit of measure of factors
that is computed in accordance with this chapter for the purpose of determining the costs of a
program on a uniform basis for each school district or charter school.

86 Section 2. Section **53G-6-705** is amended to read:

87 **53G-6-705. Online students' participation in extracurricular activities.**

90 (1) As used in this section:

91 (a) "Association" means the same as that term is defined in Section 53G-7-1101.

92 (b) "Extracurricular activity" means the same as that term is defined in Section 53G-7-501.

94 (c) "Initial establishment of eligibility requirements" means the same as that term is defined in Section
53G-6-703.

96 (d) "Online education" means the use of information and communication technologies to deliver
educational opportunities to a student in a location other than a school.

98 (e) "Online student" means a student who:

99 (i) participates in an online education program sponsored or supported by the state board, a school
district, or a charter school; and

101 (ii) generates funding for the school district or the school [~~pursuant to~~] in accordance with Subsection
[~~53F-2-102(4)~~] 53F-2-102(5) and rules of the state board.

103 (2) An online student is eligible to participate in an extracurricular activity at:

104 (a) the school with attendance boundaries within which the student's custodial parent resides, if, for
an interscholastic competition of athletic teams, the student did not initially establish the student's
eligibility at another public school in grade 9 or 10; or

107 (b) the public school from which the student withdrew for the purpose of participating in an online
education program.

109 (3) A public school other than a school described in Subsection (2) may allow an online student to
participate in an extracurricular activity that the public school sponsors and supports if:

112 (a) for interschool competitions of athletic teams sponsored and supported by a public school, the online
school student meets the initial establishment of eligibility requirements;

115 (b) for interschool contests or competitions for music, drama, or forensic groups or teams sponsored
and supported by a public school, the online school student meets the entry requirements for
participation;

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- 118 (c) the online school student meets the eligibility requirements under this section; and
119 (d) the online school student meets the enrollment requirements for public school in accordance with
Part 4, School District Enrollment.
- 121 (4) An online student is eligible to participate in an extracurricular activity at a public school consistent
with eligibility standards as applied to full-time students of the public school.
- 124 (5) A school district or public school may not impose additional requirements on an online school
student to participate in an extracurricular activity that are not imposed on full-time students of the
public school.
- 127 (6)
- (a) The state board shall make rules establishing fees for an online school student's participation in an
extracurricular activity at school district schools.
- 129 (b) The rules shall provide that:
- 130 (i) online school students pay the same fees as other students to participate in an extracurricular activity;
- 132 (ii) online school students are eligible for fee waivers pursuant to Section 53G-7-504;
- 133 (iii) for each online school student who participates in an extracurricular activity at a school district
school, the online school shall pay a share of the school district's costs for the extracurricular
activity; and
- 136 (iv) an online school's share of the costs of an extracurricular activity shall reflect state and local tax
revenues expended, except capital facilities expenditures, for an extracurricular activity in a school
district or school divided by total student enrollment of the school district or school.
- 140 (c) In determining an online school's share of the costs of an extracurricular activity under Subsections
(6)(b)(iii) and (iv), the state board may establish uniform fees statewide based on average costs
statewide or average costs within a sample of school districts.
- 144 (7) When selection to participate in an extracurricular activity at a public school is made on a
competitive basis, an online student is eligible to try out for and participate in the activity as
provided in this section.

147 ~~{Section 3. Section 53G-10-508 is amended to read: }~~

148 **53G-10-508. Programs authorized -- Minimum standards.**

- 149 (1) A local education agency may:
- 150 (a) allow a student to complete the classroom training portion of driver education through home study;

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(b) provide each parent with driver education instructional materials to assist in parent involvement with driver education including behind-the-wheel driving materials;

154 (c) offer driver education outside of school hours in order to reduce the cost of providing driver education;

156 (d) offer driver education through community education programs;

157 (e) offer the classroom portion of driver education in the public schools and allow the student to complete the behind-the-wheel portion with a private provider:

159 (i) licensed under Section 53-3-504; and

160 (ii) not associated with the school or under contract with the school under Subsection 53G-10-503(3); or

162 (f) any combination of Subsections (1)(a) through (e).

163 (2) A local education agency shall ensure that driver education is an attendance-verified program, as defined in Section 53F-2-102.

165 [~~(2)~~] (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall establish in rule minimum standards for the school-related programs under Subsection (1).

145 Section 3. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

2-9-26 1:30 PM