

SB0058S04 compared with SB0058S01

~~{Omitted text}~~ shows text that was in SB0058S01 but was omitted in SB0058S04

inserted text shows text that was not in SB0058S01 but was inserted into SB0058S04

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1 **Public School Attendance Amendments**
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Lincoln Fillmore
House Sponsor: Jason E. Thompson



2
3 **LONG TITLE**

4 **General Description:**

5 This bill establishes comprehensive student attendance monitoring, chronic absenteeism
6 supports, and accountability requirements for local education agencies.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ establishes comprehensive student attendance monitoring and accountability requirements;
10 ▶ requires local education agencies to implement enhanced attendance tracking and intervention
programs;

12 ▶ mandates performance metrics for attendance notifications and enforcement actions;

13 ▶ creates data quality standards for student participation reporting;and

14 ▶ ~~{adds chronic absenteeism interventions as an allowed use of a school's School LAND Trust
Program allocation; and}~~

16 ▶ makes technical changes.

15 **Money Appropriated in this Bill:**

16 None

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17 **Other Special Clauses:**

18 This bill provides a special effective date.

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **53F-2-102** , as last amended by Laws of Utah 2022, Chapter 17

22 **53G-6-201** , as last amended by Laws of Utah 2025, Chapter 34

23 **53G-6-202** , as last amended by Laws of Utah 2021, Chapter 359 and further amended by Revisor
Instructions, Laws of Utah 2021, Chapter 359

25 **53G-6-203** , as last amended by Laws of Utah 2023, Chapter 161

26 **53G-6-206** , as last amended by Laws of Utah 2024, Chapter 516

27 **53G-6-210** , as last amended by Laws of Utah 2024, Chapter 20

30 ~~{53G-7-1205 , as last amended by Laws of Utah 2020, Chapter 161}~~

31 ~~{53G-7-1206 , as last amended by Laws of Utah 2025, Chapter 424}~~

32 ~~{53G-7-1304 , as last amended by Laws of Utah 2024, Chapter 372}~~

33 ~~{53G-7-1305 , as enacted by Laws of Utah 2019, Chapter 505}~~

34 ~~{53G-11-501 , as last amended by Laws of Utah 2024, Chapter 484}~~

28 ENACTS:

29 **53G-6-213** , Utah Code Annotated 1953

30 **53G-6-214** , Utah Code Annotated 1953

31

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

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

34 **53F-2-102. Definitions.**

As used in this chapter:

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

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

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

48 [(H)] (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

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operated and maintained for the amount derived by multiplying the number of weighted pupil units for each ~~[school district or charter school]~~ LEA by the value established each year in the enacted public education budget, except as otherwise provided in this chapter.

- 54 (3) "Educational services" means providing learning opportunities and services designed to support
a student to be prepared to succeed and lead by having the knowledge and skills to learn, engage
civically, and lead meaningful lives through providing:
- 57 (a) high quality instruction for each student that includes direct interaction between a teacher and
students;
- 59 (b) personalized learning supports for each student; and
- 60 (c) appropriate instructional delivery methods based on the student's enrollment type as defined in this
section.
- 62 (4)
- (a) "Instructional day" means:
- 63 (i) for students enrolled in an attendance validated program, a school day on which an LEA
provides educational services through scheduled periods with direct teacher interaction; or
- 66 (ii) for students enrolled in a learner validated program specifically designed for competency-based
or self-paced learning, any day during which educational services are actively provided through
the LEA's structured learning delivery system.
- 70 (b) "Instructional day" does not include:
- 71 (i) days where educational services are not actively provided to students; or
- 72 (ii) any day in a program that an LEA designated as learner validated solely to avoid providing direct
educational services that would otherwise be required for an attendance validated program.
- 75 (5) "Instructional hours" means:
- 76 (a) for students enrolled in an attendance validated program, the hours in an instructional day during
which an LEA provides educational services through scheduled instructional periods; or
- 79 (b) for students enrolled in a learner validated program, the equivalent hours of educational services
made available to students, as measured by the LEA's continuing enrollment measurement
requirements established in the LEA's written policy.
- 82 [~~(2) "LEA governing board" means a local school board or charter school governing board.~~]
- 83 (6) "Learner validated program" means an educational program specifically designed for competency-
based or self-paced learning where:

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- 85 (a) student participation is measured by demonstrated academic progress and completion of learning
86 objectives rather than by attendance at scheduled instructional periods; and
- 88 (b) the LEA has established a written policy that:
- 89 (i) defines:
- 90 (A) continuing enrollment measurement requirements;
- 91 (B) standards for demonstrating academic progress;
- 92 (C) methods for calculating equivalent instructional hours; and
- 93 (D) procedures for ensuring equivalent educational rigor and support as provided in attendance
94 validated programs; and
- 95 (ii) meets any additional criteria the state board requires.
- 96 [(3) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.]
- 97 [(4)] (7)
- (a) "Minimum School Program" means the state-supported public school programs for kindergarten,
elementary, and secondary schools as described in this Subsection [(4)] (7).
- 100 (b) The Minimum School Program established in [~~school districts and charter schools~~] an LEA shall
include the equivalent of a school term of nine months as determined by the state board.
- 103 (c)
- (i) The state board shall establish the number of instructional days or equivalent instructional hours that
school is held for an academic school year.
- 105 (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.
- 109 (d)
- (i) An LEA governing board may reallocate up to 32 instructional hours or four [~~school~~] instructional
days established under Subsection [(4)(e)] (7)(c) for teacher preparation time or teacher professional
development.
- 112 (ii) A reallocation of instructional hours or [~~school~~] instructional days under Subsection [(4)(d)(i)] (7)
(d)(i) is subject to the approval of two-thirds of the members of an LEA governing board voting in a
regularly scheduled meeting:
- 115 (A) at which a quorum of the LEA governing board is present; and
- 116 (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.

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- 117 (iii) If an LEA governing board reallocates instructional hours or ~~[school]~~ instructional days as provided
by this Subsection ~~[(4)(d)]~~ (7)(d), the ~~[school-district or charter school]~~ LEA shall notify students'
parents of the school calendar at least~~[:]~~
- 120 ~~[(A)]~~ 90 days before the beginning of the school year~~[: or]~~ .
- 121 ~~[(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.]
- 124 (iv) Instructional hours or ~~[school days]~~ instructional days reallocated for teacher preparation time or
teacher professional development pursuant to this Subsection ~~[(4)(d)]~~ (7)(d) is considered part of a
school term referred to in Subsection ~~[(4)(b)]~~ (7)(b).
- 128 (e) The Minimum School Program includes a program or allocation funded by a line item appropriation
or other appropriation designated as follows:
- 130 (i) Basic School Program;
- 131 (ii) Related to Basic Programs;
- 132 (iii) Voted and Board Levy Programs; or
- 133 (iv) Minimum School Program.
- 134 (8) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.
- 135 ~~[(5)]~~ (9) "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]~~ LEA.
- 131 Section 2. Section **53G-6-201** is amended to read:
- 132 **53G-6-201. Definitions.**
- As used in this part:
- 141 (1) "Absence" or "absent" means:
- 142 (a) for a student enrolled in an attendance validated program, the failure of a school-age child assigned
to a class or class period to attend the class or class period for a given day or class period; or
- 145 (b) for a student enrolled in a learner validated program, the failure of a school-age child to meet the
LEA's continuing enrollment measurement requirements as established in the LEA's written policy.
- 148 ~~[(1)]~~
- (a) ~~"Absence" or "absent" means the failure of a school-age child assigned to a class or class period to~~
~~attend a class or class period.]~~

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- 150 [(b) "Absence" or "absent" does not mean multiple tardies used to calculate an absence for the sake of a
truancy.]
- 152 (2) "Attendance validated program" means the same as that term is defined in Section 53F-2-102.
- 154 (3) "Chronic absenteeism" means a student who:
- 155 (a) was enrolled in an LEA for at least 60 calendar days; and
- 156 (b) has {unexcused absences totaling} **been absent for** at least 10% of {instructional days in a school
year} **days of instruction, whether the absence was excused or not excused.**
- 157 [(2)] (4) "Educational neglect" means the same as that term is defined in Section 80-1-102.
- 158 (5) "Educational services" means the same as that term is defined in Section 53F-2-102.
- 159 [(3)] (6)
- (a) "Home-based microschool" means an individual or association of individuals that:
- 161 (i) registers as a business entity in accordance with state and local laws; and
- 162 (ii) for compensation, provides kindergarten through grade 12 education services to 16 or fewer
students from an individual's residential dwelling, accessory dwelling unit, or residential
property.
- (b) "Home-based microschool" does not include a daycare.
- 166 (7) "Instructional day" means the same as that term is defined in Section 53F-2-102.
- 167 [(4)] (8) "Instructor" means an individual who teaches a student as part of a home-based microschool or
micro-education entity.
- 169 (9) "Learner validated program" means the same as that term is defined in Section 53F-2-102.
- 171 [(5)] (10)
- (a) "Micro-education entity" means a person or association of persons that:
- 172 (i) registers as a business entity in accordance with state and local laws; and
- 173 (ii) for compensation, provides kindergarten through grade 12 education services to 100 students or
fewer.
- (b) "Micro-education entity" does not include:
- 176 (i) a daycare;
- 177 (ii) a home-based microschool;
- 178 (iii) a private school; or
- 179 (iv) a school within the public education system.
- 180 [(6)] (11) "Minor" means an individual who is under 18 years old.

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- 181 ~~[(7)]~~ (12) "Parent" includes:
- 182 (a) a custodial parent of the minor;
- 183 (b) a legally appointed guardian of a minor; or
- 184 (c) any other person purporting to exercise any authority over the minor which could be exercised by a
person described in Subsection ~~[(7)(a) or (b)]~~ (12)(a) or (b).
- 186 ~~[(8)]~~ (13) "School day" means the portion of a day that school is in session in which a school-age child
is required to be in school for purposes of receiving instruction.
- 188 ~~[(9)]~~ (14) "School year" means the period of time designated by a local school board or charter school
governing board as the school year for the school where the school-age child:
- 191 (a) is enrolled; or
- 192 (b) should be enrolled, if the school-age child is not enrolled in school.
- 193 ~~[(10)]~~ (15) "School-age child" means a minor who:
- 194 (a) is at least six years old but younger than 18 years old; and
- 195 (b) is not emancipated.
- 196 (16) "Tardy" means a student's arrival after the designated start time for a class period or instructional
day, as defined by the LEA's written policy.
- 198 ~~[(11)]~~ (17)
- (a) "Truant" means a condition in which a school-age child, without a valid excuse, and subject to
Subsection ~~[(11)(b)]~~ (17)(b), is absent for at least:
- 200 (i) half of the ~~[school]~~ instructional day for a student enrolled in an attendance validated program;
or
- 202 (ii) if the school-age child is enrolled in a learner verified program, as that term is defined by the
state board, the relevant amount of time under the LEA's policy regarding the LEA's continuing
enrollment measure as it relates to truancy.
- 205 (b) A school-age child may not be considered truant under this part more than one time during one day.
- 207 ~~[(12)]~~ (18) "Truant minor" means a school-age child who:
- 208 (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and
- 209 (b) is truant.
- 210 ~~[(13)]~~ (19)
- (a) "Valid excuse" means:
- 211

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(i) an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;

213 (ii) mental or behavioral health of the school-age child;

214 (iii) a family death;

215 (iv) an approved school activity;

216 (v) an absence permitted by a school-age child's:

217 (A) individualized education program; or

218 (B) Section 504 accommodation plan;

219 (vi) competition in a rodeo sanctioned by an international, non-profit organization dedicated to the development of sportsmanship, horsemanship, and character in youth through the sport of rodeo;

222 (vii) an absence permitted in accordance with Subsection 53G-6-803(5); or

223 (viii) any other excuse established as valid by a local school board, charter school governing board, or school district.

225 (b) "Valid excuse" does not mean a parent acknowledgment of an absence for a reason other than a reason described in Subsections [~~(13)(a)(i) through (vii)~~] (19)(a)(i) through (vii), unless specifically permitted by the local school board, charter school governing board, or school district under Subsection [~~(13)(a)(viii)~~] (19)(a)(viii).

223 Section 3. Section **53G-6-202** is amended to read:

224 **53G-6-202. Compulsory education.**

231 (1) As used in this section:

232 (a) "Intentionally" means the same as that term is defined in Section 76-2-103.

233 (b) "Notice of compulsory education violation" means a notice issued in accordance with Subsections (3) and (4).

235 (c) "Remainder of the school year" means the portion of the school year beginning on the day after the day on which a notice of compulsory education violation is served and ending on the last day of the school year.

238 (2) Except as provided in Section 53G-6-204 or 53G-6-702, the parent of a school-age child shall enroll and send the school-age child to a public or regularly established private school.

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- (3) A school administrator, a designee of a school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist may only issue a notice of compulsory education violation to a parent of a school-age child if the school-age child is:
- 245 (a) in grade 1 through 6; and
246 (b) truant at least five times during the school year.
- 247 (4) A notice of compulsory education violation issued to a parent:
- 248 (a) shall direct the parent to:
- 249 (i) meet with school authorities to discuss the school-age child's school attendance problems; and
251 (ii) cooperate with the local school board, charter school governing board, or school district in securing regular attendance by the school-age child;
- 253 (b) shall designate the school authorities with whom the parent is required to meet;
- 254 (c) shall state that it is a class B misdemeanor for the parent to intentionally or without good cause:
- 256 (i) fail to meet with the designated school authorities to discuss the school-age child's school attendance problems; or
258 (ii) fail to prevent the school-age child from being truant five or more times during the remainder of the school year;
- 260 (d) shall be served on the parent by personal service or certified mail; and
261 (e) may not be issued unless the school-age child has been truant at least five times during the school year.
- 263 (5) [~~Except during the period between March 17, 2021 and June 1, 2022, it~~] It is a class B misdemeanor for a parent of a school-age child to intentionally or without good cause fail to enroll the school-age child in school, unless the school-age child is exempt from enrollment under Section 53G-6-204 or 53G-6-702.
- 267 (6) [~~Except during the period between March 17, 2021 and June 1, 2022, it~~] It is a class B misdemeanor for a parent of a school-age child who is in grade 1 through 6 to, after being served with a notice of compulsory education violation, intentionally or without good cause:
- 271 (a) fail to meet with the school authorities designated in the notice of compulsory education violation to discuss the school-age child's school attendance problems; or
273 (b) fail to prevent the school-age child from being truant five or more times during the remainder of the school year.
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- (7) ~~[Except during the period described in Subsections (5) and (6), a]~~ A local school board, charter school governing board, or ~~[school district]~~ LEA official shall report violations of this section to the appropriate county or district attorney.
- 278 (8) ~~[Except during the period described in Subsections (5) and (6), if]~~ If school personnel have reason to believe that, after a notice of compulsory education violation is issued, the parent has failed to make a good faith effort to ensure that the school-age child receives an appropriate education, the issuer of the compulsory education violation shall report to the Division of Child and Family Services:
- 283 (a) identifying information of the school-age child and the parent who received the notice of compulsory education violation;
- 285 (b) information regarding the longest number of consecutive ~~[school]~~ instructional days the school-age child has been absent or truant from school and the percentage of ~~[school]~~ instructional days the school-age child has been absent or truant during each relevant school term;
- 289 (c) whether the school-age child has made adequate educational progress;
- 290 (d) whether the requirements of Section 53G-6-206 have been met;
- 291 (e) whether the school-age child is two or more years behind the local public school's age group expectations in one or more basic skills; and
- 293 (f) whether the school-age child is receiving special education services or systematic remediation efforts.
- 295 (9) An LEA shall maintain records of each notice of compulsory education violation issued and any resulting referrals and general outcomes.
- 297 ~~[(9) Notwithstanding this section, during the period described in Subsections (5) and (6), a school administrator, designee of a school administrator, law enforcement officer acting as a school resource officer, or truancy specialist may not issue or otherwise enforce a notice of compulsory education.]~~
- 295 Section 4. Section **53G-6-203** is amended to read:
- 296 **53G-6-203. Truancy -- Notice of truancy -- Failure to cooperate with school authorities.**
- 304 (1) Except as provided in Section 53G-6-204 or 53G-6-702, a school-age child who is enrolled in a public school shall attend the public school in which the school-age child is enrolled.
- 307 (2) In accordance with Section 53G-8-211, a local school board, charter school governing board, or school district may impose administrative penalties on a school-age child who is:

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- 310 (a) in grade 7 or above, unless the school-age child is less than 12 years old; and
311 (b) truant.
- 312 (3) ~~[A local school board or charter school]~~ An LEA governing board:
- 313 (a) may authorize a school administrator, a designee of a school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist to issue a notice of truancy in accordance with Subsection (4); and
- 316 (b) shall establish a procedure for a school-age child, or the school-age child's parents, to contest a notice of truancy.
- 318 (4) A notice of truancy described in Subsection (3):
- 319 (a) may not be issued until a school-age child has been truant at least five times during the school year;
- 321 (b) may not be issued to a school-age child who is less than 12 years old or in a grade below grade 7;
- 323 (c) may not be issued to a school-age child exempt from school attendance as provided in Section 53G-6-204 or 53G-6-702;
- 325 (d) shall direct the school-age child who receives the notice of truancy and the parent of the school-age child to:
- 327 (i) meet with school authorities to discuss the school-age child's trancies; and
- 328 (ii) cooperate with the ~~[local school board, charter school]~~ LEA governing board, or school district in securing regular attendance by the school-age child; and
- 330 (e) shall be mailed to, or served on, the school-age child's parent.
- 331 (5)
- ~~[(a) Except as provided in Subsection (5)(b), nothing]~~ Nothing in this part prohibits a local ~~[school board, charter school]~~ governing board[,], or ~~[school district]~~ LEA official from taking action to resolve a truancy problem with a school-age child who has been truant fewer than five times, provided that the action does not conflict with the requirements of this part.
- 336 ~~[(b) A local school board, charter school governing board, or school district may not take punitive action to resolve a truancy problem with a school-age child during the period described in Subsection (2).]~~
- 339 (6) An LEA shall maintain records of each notice of truancy issued and any resulting referrals and general outcomes.

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~~[(6) Notwithstanding this section, during the period described in Subsection (2), a school administrator, designee of a school administrator, law enforcement officer acting as a school resource officer, or truancy specialist may not issue or otherwise enforce a notice of truancy.]~~

339 Section 5. Section **53G-6-206** is amended to read:

340 **53G-6-206. Duties of a local school board, charter school governing board, or school district**
in promoting regular attendance -- Parental involvement -- Liability not imposed -- Report to state
board.

349 (1)

(a) As used in this section, "intervention" means a series of non-punitive and increasingly frequent and individualized activities that are designed to:

351 (i) create a trusting relationship between teachers, students, and parents;

352 (ii) improve attendance;

353 (iii) improve academic outcomes; and

354 (iv) reduce negative behavior referrals.

355 (b) "Intervention" includes:

356 (i) mentorship programs;

357 (ii) family connection to community resources;

358 (iii) academic support through small group or individualized tutoring or similar methods; and

360 (iv) teaching executive function skills, including:

361 (A) planning;

362 (B) goal setting;

363 (C) understanding and following multi-step directions; and

364 (D) self-regulation.

365 (2)

(a) Subject to Subsection (2)(b), an LEA shall make efforts to promote regular attendance and resolve school absenteeism and truancy issues for each school-age child who is, or should be, enrolled in the LEA.

368 (b) A school-age child exempt from school attendance under Section 53G-6-204 or 53G-6-702, or a school-age child who is enrolled in a regularly established private school or part-time school, is not considered to be a school-age child who is or should be enrolled in a school district or charter school under Subsection (2)(a).

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- 372 (3) The efforts described in Subsection (2) shall include, as reasonably feasible:
- 373 (a) counseling of the school-age child by school authorities;
- 374 (b)
- (i) issuing a notice of truancy to the school-age child in accordance with Section 53G-6-203; or
- 376 (ii) issuing a notice of compulsory education violation to the school-age child's parent in accordance with Section 53G-6-202;
- 378 (c) making any necessary adjustment to the curriculum and schedule to meet special needs of the school-age child;
- 380 (d) considering alternatives proposed by the school-age child's parent;
- 381 (e) incorporating attendance in the school-age child's course score or grade if:
- 382 (i) incorporation is determined appropriate through an individualized plan the school-age child's parent and teacher develops;
- 384 (ii) parental written consent is obtained for the individualized plan; and
- 385 (iii) the parent retains the ability to revoke the parent's consent described in Subsection (3)(e)(ii) at any time[-] ;
- 387 (f) monitoring school attendance of the school-age child;
- 388 (g) voluntary participation in truancy mediation, if available; and
- 389 (h) providing the school-age child's parent, upon request, with a list of resources available to assist the parent in resolving the school-age child's attendance problems.
- 391 (4) In addition to the efforts described in Subsection (3), the [~~local school board, charter school governing board, or school district~~] LEA governing board or LEA official may enlist the assistance of community and law enforcement agencies and organizations for early intervention services as appropriate and reasonably feasible in accordance with Section 53G-8-211.
- 396 (5) An LEA shall:
- 397 (a) conduct regular reviews of student attendance data to identify students at risk of chronic absenteeism;
- 399 (b) implement tiered interventions for students with attendance concerns;
- 400 (c) notify parents within two instructional days of a student's unexcused absence, including the total number for the school year; and
- 402 (d) maintain accurate and timely attendance records in the LEA's student information system.
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403 [(5)] (6) This section does not impose civil liability on boards of education, local school boards, charter
404 school governing boards, school districts, or their employees.

406 [(6)] (7) Proceedings initiated under this part do not obligate or preclude action by the Division of Child
and Family Services under Section 53G-6-210.

408 [(7)] (8) Each LEA shall annually report the following data separately to the state board:

409 (a) absences with a valid excuse; and

410 (b) absences without a valid excuse.

405 Section 6. Section **53G-6-210** is amended to read:

406 **53G-6-210. Educational neglect of a minor -- Procedures -- Defenses.**

413 (1) With regard to a minor who is the subject of a petition under Section 80-3-201 based on educational
neglect:

415 (a) if allegations include failure of a minor to make adequate educational progress, the juvenile court
shall permit demonstration of the minor's educational skills and abilities based upon any of the
criteria used in granting school credit, in accordance with Section 53G-6-702;

419 (b) parental refusal to comply with actions taken by school authorities in violation of Section
53G-10-202, 53G-10-205, 53G-10-403, or 53G-10-203, does not constitute educational neglect;

422 (c) parental refusal to support efforts by a school to encourage a minor to act in accordance with any
educational objective that focuses on the adoption or expression of a personal philosophy, attitude,
or belief that is not reasonably necessary to maintain order and discipline in the school, prevent
unreasonable endangerment of persons or property, or to maintain concepts of civility and propriety
appropriate to a school setting, does not constitute educational neglect; and

428 (d) an allegation of educational neglect may not be sustained, based solely on a minor's absence
from school, unless the minor has ~~been absent~~ absences without a valid excuse from school
or from any given class, that are also without good cause, for more than 10 consecutive
~~school~~ instructional days or more than 1/10 of the applicable school term.

432 (2) A minor may not be considered to be educationally neglected, for purposes of this chapter:

434 (a) unless there is clear and convincing evidence that:

435 (i) the minor has failed to make adequate educational progress, and school officials have complied with
the requirements of Section 53G-6-206; or

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- (ii) the minor is two or more years behind the local public school's age group expectations in one or more basic skills, and is not receiving special educational services or systematic remediation efforts designed to correct the problem;
- 440 (b) if the minor's parent or guardian establishes by a preponderance of the evidence that:
- 441 (i) school authorities have failed to comply with the requirements of this title;
- 442 (ii) the minor is being instructed at home in compliance with Section 53G-6-204;
- 443 (iii) there is documentation that the minor has demonstrated educational progress at a level commensurate with the minor's ability;
- 445 (iv) the parent, guardian, or other person in control of the minor has made a good faith effort to secure the minor's regular attendance in school;
- 447 (v) good cause or a valid excuse exists for the minor's absence from school;
- 448 (vi) the minor is not required to attend school under court order or is exempt under other applicable state or federal law;
- 450 (vii) the minor has performed above the twenty-fifth percentile of the local public school's age group expectations in all basic skills, as measured by a standardized academic achievement test administered by the school district where the minor resides; or
- 454 (viii) the parent or guardian presented a reasonable alternative curriculum to required school curriculum, in accordance with Section 53G-10-205 or 53G-10-403, and the alternative curriculum was rejected by the school district, but the parents have implemented the alternative curriculum; or
- 458 (c) if the minor is attending school on a regular basis.

454 Section 7. Section 7 is enacted to read:

455 **53G-6-213. Data quality and monitoring requirements.**

461 (1) An LEA shall:

- 462 (a) ensure the LEA's student information system accurately captures and reports student enrollment, attendance, and membership data; and
- 464 (b) conduct an annual internal audit of attendance data accuracy.

465 (2) The state board shall:

- 466 (a) establish minimum standards for LEA attendance data quality;
- 467 (b) conduct periodic audits of LEA attendance data;
- 468 (c) provide technical assistance to an LEA with data quality issues;
- 469 (d) publish annual reports on statewide attendance trends and data quality; and

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- 470 (e) implement corrective action procedures for an LEA that fails to meet data quality standards.
472 (3) An LEA that fails to meet state data quality standards shall:
473 (a) develop and implement a corrective action plan within 60 days and submit the plan to the state
board;
475 (b) submit monthly progress reports to the state board until compliance is achieved; and
476 (c) as the state board determines, be subject to withholding of state funding until compliance is
demonstrated.
473 (4) Notwithstanding Subsection (3), an LEA may not be subject to corrective action procedures or
withholding of state funding under Subsection (3) if the LEA's only failure to meet state data
quality standards relates to the tracking or reporting of excused absences as described in Subsection
53G-6-206(8)(a).

477 Section 8. Section 8 is enacted to read:

478 **53G-6-214. LEA accountability measures.**

480 (1) An LEA shall:

- 481 (a) establish written policies and procedures for attendance tracking, intervention, and enforcement that
comply with state law;
483 (b) train all relevant staff on attendance policies and procedures annually;
484 (c) ensure consistent implementation of attendance policies across all schools within the LEA; and
486 (d) provide clear communication to parents and students regarding attendance expectations and
consequences.

488 (2) An LEA governing board shall:

- 489 (a) review relevant attendance data;
490 (b) evaluate the effectiveness of attendance interventions annually;
491 (c) ensure adequate resources are allocated for attendance monitoring and intervention programs; and
493 (d) approve any changes to attendance policies in a public meeting.

494 ~~{Section 9. Section 53G-7-1205 is amended to read: }~~

495 **53G-7-1205. Charter trust land councils.**

- 496 (1) As used in this section, "council" means a charter trust land council described in this section.
498 (2) To receive School LAND Trust Program funding as described in Sections 53F-2-404 and
53G-7-1206, a charter school governing board shall establish a charter trust land council, which

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shall prepare a plan for the use of School LAND Trust Program money that includes the elements described in Subsection 53G-7-1206(4).

502 (3)

(a) The membership of the council shall include parents or grandparents of students enrolled at the charter school and may include other members.

504 (b) The number of council members who are parents or grandparents of students enrolled at the charter school shall exceed all other members combined by at least two.

507 (4) A charter school governing board may serve as the charter school's council if:

508 (a) the membership of the charter school governing board meets the requirements of Subsection (3)
(b) ~~[-]~~ ; or

510 (b) notwithstanding Subsection (3)(b), in the charter school's first year of operation, a charter school governing board may serve as the charter school's council.

512 (5)

(a) Except as provided in Subsection (5)(b), council members who are parents or grandparents of students enrolled at the school shall be elected in accordance with procedures established by the charter school governing board.

515 (b) Subsection (5)(a) does not apply to a charter school governing board that serves as a council.

517 (6) A parent or ~~[grandparents]~~ grandparent of a student enrolled at a charter school shall serve as chair ~~[or co-chair]~~ of the charter school's council created consistent with Subsection (5).

520 (7) In accordance with state board rule regarding charter trust land council expenditures and funding limits, a charter trust land council shall:

522 (a) work with students, families, and educators to develop and incorporate safety principles, as defined in Section 53G-7-1202, at the school; and

524 (b) hold at least an annual discussion with charter school administrators to coordinate efforts to develop and incorporate safety principles, as defined in Section 53G-7-1202, at the school level.

527 (8) A charter trust land council shall provide input to the school's principal on a positive behaviors plan in accordance with Section 53G-10-407.

529 ~~{Section 10. Section 53G-7-1206 is amended to read: }~~

530 **53G-7-1206. School LAND Trust Program.**

531 (1) As used in this section:

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- (a) "Charter trust land council" means a council established by a charter school governing board under Section 53G-7-1205.
- 534 (b) "Council" means a school community council or a charter trust land council.
- 535 (c) "LAND trust plan" means a school's plan to use School LAND Trust Program money to implement a component of the school's success plan.
- 537 (d) "School community council" means a council established at a district school in accordance with Section 53G-7-1202.
- 539 (e) "Teacher and student success plan" or "success plan" means the same as that term is defined in Section 53G-7-1301.
- 541 (2) This section creates the School LAND (Learning And Nurturing Development) Trust Program under the state board to:
- 543 (a) provide financial resources to public schools to enhance or improve student academic achievement and implement a component of a district school or charter school's teacher and student success plan; and
- 546 (b) involve parents of a school's students in decision making regarding the expenditure of School LAND Trust Program money allocated to the school.
- 548 (3) To receive an allocation under Section 53F-2-404:
- 549 (a) a district school shall have established a school community council in accordance with Section 53G-7-1202;
- 551 (b) a charter school shall have established a charter trust land council in accordance with Section 53G-7-1205; and
- 553 (c) the school's principal shall provide a signed, written assurance that the school is in compliance with Subsection (3)(a) or (b).
- 555 (4)
- (a) A council shall create a program to use the school's allocation distributed under Section 53F-2-404 to implement a component of the school's success plan, including:
- 557 (i) the school's identified most critical academic needs;
- 558 (ii) a recommended action plan to meet the identified academic needs;
- 559 (iii) a specific listing of any programs, practices, materials, or equipment that the school will need to implement the action plan to have a direct impact on the instruction of students and result in measurable increased student performance;[~~and~~]

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- 563 (iv) programs, practices, materials, or equipment specifically designed to address chronic
564 absenteeism, including:
- 565 (A) school attendance plan development and implementation;
566 (B) academic recovery programs for chronically absent students; and
567 (C) professional development for staff on attendance interventions; and
568 [(iv)] (v) how each proposed expenditure in the action plan will be used to implement a component
569 of the action plan to enhance or improve academic excellence at the school.
- 571 (b)
- 572 (i) A council shall create and vote to adopt a LAND trust plan in a meeting of the council at which a
573 quorum is present.
- 574 (ii) If a majority of the quorum votes to adopt a LAND trust plan, the LAND trust plan is adopted.
- 575 (c) A council shall:
- 576 (i) post a LAND trust plan that is adopted in accordance with Subsection (4)(b) on the School LAND
577 Trust Program reporting website; and
- 578 (ii) include with the LAND trust plan a report noting the number of council members who voted for or
579 against the approval of the LAND trust plan and the number of council members who were absent
580 for the vote.
- 581 (d)
- 582 (i) The local school board of a district school shall approve or disapprove a LAND trust plan.
- 583 (ii) If a local school board disapproves a LAND trust plan:
- 584 (A) the local school board shall provide a written explanation of why the LAND trust plan was
585 disapproved and request the school community council who submitted the LAND trust plan to
586 revise the LAND trust plan; and
- 587 (B) the school community council shall submit a revised LAND trust plan in response to a local school
588 board's request under Subsection (4)(d)(ii)(A).
- 589 (iii) Once a LAND trust plan has been approved by a local school board, a school community council
590 may amend the LAND trust plan, subject to a majority vote of the school community council and
591 local school board approval.
- 592 (e) A charter trust land council's LAND trust plan is subject to approval by the:
- 593 (i) charter school governing board; and
- 594 (ii) budget officer whom the charter school governing board appoints.

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- 595 (5)
- (a) A district school or charter school shall:
- 596 (i) implement the program as approved;
- 597 (ii) provide ongoing support for the council's plan and responsibilities; and
- 598 (iii) meet state board reporting requirements regarding financial and performance accountability of
the program.
- 600 (b)
- (i) A district school or charter school shall prepare and post an annual report of the program on the
School LAND Trust Program reporting website before the council submits a plan for the following
year.
- 603 (ii) The report shall detail the use of program funds received by the school under this section and an
assessment of the results obtained from the use of the funds.
- 605 (iii) A summary of the report shall be provided to parents of students who attend the school.
- 607 (6) An LEA shall record the LEA's expenditures of School LAND Trust Program funds through a
financial reporting system that the board identifies to assist schools in developing the annual report
described in Subsection (5)(b).
- 610 (7) The president or chair of a local school board or charter school governing board shall ensure that
the members of the local school board or charter school governing board are provided with annual
training on the requirements of this section.
- 613 (8)
- (a) The state board shall provide annual training opportunities to the entities described in Subsection (8)
- (b) on:
- 615 (i) the School LAND Trust Program;
- 616 (ii) the responsibilities and formation of:
- 617 (A) a school community council consistent with Section 53G-7-1202; or
- 618 (B) a charter trust land council consistent with Section 53G-7-1205; and
- 619 (iii) as applicable, council responsibilities as described in Section 53G-7-1203.
- 620 (b) The state board shall provide the training to:
- 621 (i) a local school board or a charter school governing board;
- 622 (ii) a district business administrator or a charter business official;
- 623 (iii) a school district or a charter school; and

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- 624 (iv) a school community council.
- 625 (9) The state board shall annually review a school's compliance with applicable law, including
rules adopted by the state board in accordance with Title 63G, Chapter 3, Utah Administrative
Rulemaking Act, by:
- 628 (a) reading each School LAND Trust Program plan submitted;
- 629 (b) reviewing proposed expenditures to be made from School LAND Trust Program money; and
- 631 (c) conducting an annual compliance review of an LEA using a sample of schools.
- 632 (10) The superintendent shall calculate and initiate the annual School LAND Trust distribution to
schools through the state board's finance system to each LEA as outlined in Section 53F-2-404.
- 635 (11) The superintendent shall administer the School LAND Trust website to provide transparency and
accountability to school communities and the public of School LAND Trust plans, reports, and
expenditures of trust distributions.
- 638 (12) The state board shall designate a staff member who administers the School LAND Trust Program
to serve as a member of the Land Trusts Protection and Advocacy Committee created under Section
53D-2-202.

641 ~~{Section 11. Section 53G-7-1304 is amended to read: }~~

642 **53G-7-1304. Program requirements -- LEA governing board student success framework --**
LEA distribution -- School allocation -- Reporting.

- 644 (1)
- (a) To receive an LEA distribution, an LEA governing board shall:
- 645 (i) adopt an LEA governing board student success framework to provide guidelines and processes
for a school within the LEA governing board's LEA to follow in developing a teacher and
student success plan; and
- 648 (ii) submit the adopted LEA governing board student success framework to the state board.
- 650 (b) An LEA governing board may include in the LEA governing board's student success framework
any means reasonably designed to improve school performance or student academic achievement,
including:
- 653 (i) school personnel stipends for taking on additional responsibility outside of a typical work
assignment;
- 655 (ii) professional learning;
- 656

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- 659 (iii) additional school employees, including counselors, social workers, mental health workers, tutors,
660 media specialists, information technology specialists, or other specialists;
- 661 (iv) technology;
- 662 (v) before- or after-school programs;
- 663 (vi) summer school programs;
- 664 (vii) community support programs or partnerships;
- 665 (viii) early childhood education;
- 666 (ix) class size reduction strategies;
- 667 (x) augmentation of existing programs;
- 668 (xi) programs, practices, materials, or equipment specifically designed to address chronic absenteeism
669 as described in Section 53G-7-1206;
- 670 [~~(xi)~~] (xii) the pilot program described in Section 53G-7-1307; or
- 671 [~~(xi)~~] (xiii) other means.
- 672 (c) An LEA governing board student success framework may not support the use of program money:
- 673 (i) to supplant funding for existing public education programs;
- 674 (ii) for district administration costs; or
- 675 (iii) for capital expenditures.
- 676 (2)
- 677 (a) An LEA governing board shall use an LEA distribution as follows:
- 678 (i) for increases to base salary and salary driven benefits for school personnel that, except as
679 provided in Subsection (2)(c)(i), total 25% or less of the LEA distribution; and
- 680 (ii) except as provided in Subsection (2)(b)(ii) and in accordance with Subsection (3), for each
681 school within the LEA governing board's LEA, an allocation that is equal to the product of:
- 682 (A) the percentage of the school's prior year average daily membership compared to the total prior year
683 average daily membership for all schools in the LEA; and
- 684 (B) the remaining amount of the LEA governing board's LEA distribution after subtracting the amounts
685 described in Subsections (2)(a)(i) and (2)(b)(ii).
- 686 (b)
- 687 (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall
688 make rules for an LEA governing board to calculate and distribute a school allocation for a school in
689 the school's first year of operation.

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- 689 (ii) In accordance with Subsection (3) and the rules described in Subsection (2)(b)(i), an LEA governing
board shall distribute a school allocation for a school in the school's first year of operation.
- 692 (c) Except as provided in Subsection (2)(d), the LEA governing board of a school district may use up to
40% of an LEA distribution for the purposes described in Subsection (2)(a)(i), if:
- 695 (i) the LEA governing board has:
- 696 (A) approved a board local levy for the maximum amount allowed under Section 53F-8-302; or
- 698 (B) after the LEA governing board has submitted an LEA governing board student success framework
to the state board, increased the board local levy described in Section 53F-8-302 by at least .0001
per dollar of taxable value; and
- 701 (ii) the school district's average teacher salary is below the state average teacher salary described in
Subsection (2)(f).
- 703 (d) The LEA governing board of a school district in a county of the fourth, fifth, or sixth class or
the LEA governing board of a charter school may use up to 40% of an LEA distribution for the
purposes described in Subsection (2)(a)(i), if the LEA's average teacher salary is below the state
average teacher salary described in Subsection (2)(f).
- 707 (e) An LEA governing board shall annually report information as requested by the state board for the
state board to calculate a state average teacher salary.
- 709 (f) The state board shall use the information described in Subsection (2)(c)(ii) to calculate a state
average teacher salary amount and a state average teacher benefit amount.
- 712 (3) An LEA governing board shall allocate a school allocation to a school with a teacher and student
success plan that is approved as described in Section 53G-7-1305.
- 714 (4)
- (a) Except as provided in Subsection (4)(b), a school shall use a school allocation to implement the
school's success plan.
- 716 (b) A school may use up to 5% of the school's school allocation to fund school personnel retention at
the principal's discretion, not including uniform salary increases.
- 718 (c) A school may not use a school allocation for:
- 719 (i) capital expenditures; or
- 720 (ii) a purpose that is not supported by the LEA governing board student success framework for the
school's LEA.
- 722 (5) A school that receives a school allocation shall annually:

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- 723 (a) submit to the school's LEA governing board a description of:
724 (i) the budgeted and actual expenditures of the school's school allocation;
725 (ii) how the expenditures relate to the school's success plan; and
726 (iii) how the school measures the success of the school's participation in the program; and
728 (b) post on the school's website:
729 (i) the school's approved success plan;
730 (ii) a description of the school's school allocation budgeted and actual expenditures and how the
expenditures help the school accomplish the school's success plan; and
733 (iii) the school's current level of performance, as described in Section 53G-7-1306, according to the
indicators described in Section 53E-5-205 or 53E-5-206.

735 ~~{Section 12. Section 53G-7-1305 is amended to read: }~~

736 **53G-7-1305. Teacher and student success plans -- Plan review and approval.**

- 737 (1)
738 (a) The principal of a school shall develop the school's teacher and student success plan:
739 (i) in accordance with the LEA governing board student success framework for the school's LEA as
described in Section 53G-7-1304;
741 (ii) by integrating school-specific goals and criteria for improving the school's performance within
the state accountability system; and
743 (iii) if the school has a school turnaround plan as defined in Section 53E-5-301, in accordance with
the school's school turnaround plan.
745 (b) A principal shall solicit input on developing a success plan from:
746 (i) for a district school or charter school:
747 (A) the school community council, as defined in Section 53G-7-1202; or
748 (B) the charter trust land council, as described in Section 53G-7-1205;
749 (ii) school-level educators;
750 (iii) parents of students at the school; and
751 (iv) school-level administrators.
752 (c) A principal may solicit input on developing a success plan from:
753 (i) students;
754 (ii) support professionals; or
755 (iii) other community stakeholders.

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- 756 (2)
- (a) The principal of a school shall submit a proposed success plan to the school's LEA governing board.
- 758 (b) An LEA governing board shall:
- 759 (i) annually review each success plan submitted for a school within the LEA governing board's LEA;
- 761 (ii) in a regularly scheduled LEA governing board meeting, approve or disapprove each submitted success plan; and
- 763 (iii) upon disapproval of a success plan:
- 764 (A) explain in writing the reason for disapproval;
- 765 (B) make recommendations for revision; and
- 766 (C) allow the principal who submitted the success plan to resubmit a revised plan for review and approval.
- 768 (3) An LEA governing board shall make the LEA governing board's best efforts to help a school complete the approval process described in Subsection (2) on or before June 30 of each year.
- 771 (4) A council, as defined in Section 53G-7-1206, shall select a component of the approved success plan for the council's school to address within the council's School LAND Trust Program, in accordance with Section 53G-7-1206.

774 ~~{Section 13. Section 53G-11-501 is amended to read: }~~

775 **53G-11-501. Definitions.**

As used in this part:

- 777 (1) "Administrator" means an individual who supervises educators and holds an appropriate license.
- 779 (2) "Career educator" means a licensed employee who has a reasonable expectation of continued employment under the policies of a local school board.
- 781 (3) "Career employee" means an employee of a school district who has obtained a reasonable expectation of continued employment based upon Section 53G-11-503 and an agreement with the employee or the employee's association, district practice, or policy.
- 785 (4) "Chronically absent" means the same as chronic absenteeism is defined in Section 53G-6-201~~[-a student who:]~~
- 787 ~~[(a) was enrolled in an LEA for at least 60 calendar days; and]~~
- 788 ~~[(b) missed 10% or more days of instruction, whether the absence was excused or not].~~
- 789 (5) "Contract term" or "term of employment" means the period of time during which an employee is engaged by the school district under a contract of employment, whether oral or written.

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- 792 (6) "Dismissal" or "termination" means:
- 793 (a) termination of the status of employment of an employee;
- 794 (b) failure to renew or continue the employment contract of a career employee beyond the then-current
school year;
- 796 (c) reduction in salary of an employee not generally applied to all employees of the same category
employed by the school district during the employee's contract term; or
- 798 (d) change of assignment of an employee with an accompanying reduction in pay, unless the
assignment change and salary reduction are agreed to in writing.
- 800 (7) "Educator" means an individual employed by a school district who is required to hold a professional
license issued by the state board, except:
- 802 (a) a superintendent; or
- 803 (b) an individual who works less than three hours per day or is hired for less than half of a school year.
- 805 (8)
- (a) "Employee" means a career or provisional employee of a school district, except as provided in
Subsection (7)(b).
- 807 (b) Excluding Section 53G-11-518, for purposes of this part, "employee" does not include:
- 809 (i) a district superintendent or the equivalent at the Utah Schools for the Deaf and the Blind;
- 811 (ii) a district business administrator or the equivalent at the Utah Schools for the Deaf and the Blind; or
- 813 (iii) a temporary employee.
- 814 (9) "Formative evaluation" means a planned, ongoing process which allows educators to engage in
reflection and growth of professional skills as related to the Utah Effective Teaching Standards.
- 817 (10) "Last-hired, first-fired layoff policy" means a staff reduction policy that mandates the termination
of an employee who started to work for a district most recently before terminating a more senior
employee.
- 820 (11) "Provisional educator" means an educator employed by a school district who has not achieved
status as a career educator within the school district.
- 822 (12) "Provisional employee" means an individual, other than a career employee or a temporary
employee, who is employed by a school district.
- 824 (13) "School board" means a local school board or, for the Utah Schools for the Deaf and the Blind, the
state board.
- 826 (14) "School district" or "district" means:

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- 827 (a) a public school district; or
828 (b) the Utah Schools for the Deaf and the Blind.
- 829 (15) "Summative evaluation" means an evaluation that:
830 (a) a supervisor conducts;
831 (b) summarizes an educator's performance during an evaluation cycle; and
832 (c) a supervisor or school district may use to make decisions related to an educator's employment.
- 834 (16) "Temporary employee" means an individual who is employed on a temporary basis as defined
by policies adopted by the school board. If the class of employees in question is represented by
an employee organization recognized by the school board, the school board shall adopt the school
board's policies based upon an agreement with that organization. Temporary employees serve at
will and have no expectation of continued employment.
- 840 (17)
(a) "Unsatisfactory performance" means a deficiency in performing work tasks that may be:
842 (i) due to insufficient or undeveloped skills or a lack of knowledge or aptitude; and
843 (ii) remediated through training, study, mentoring, or practice.
- 844 (b) "Unsatisfactory performance" does not include the following conduct that is designated as a cause
for termination under Section 53G-11-512 or a reason for license discipline by the state board or
Utah Professional Practices Advisory Commission:
848 (i) a violation of work policies;
849 (ii) a violation of school board policies, state board rules, or law;
850 (iii) a violation of standards of ethical, moral, or professional conduct; or
851 (iv) insubordination.

493 Section 9. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

2-9-26 4:00 PM