

**SB0058504**

~~{Omitted text}~~ shows text that was in SB0058S04 but was omitted in SB0058S05

**inserted text** shows text that was not in SB0058S04 but was inserted into SB0058S05

**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 Public School Attendance Amendments

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Jason E. Thompson

# LONG TITLE

### General Description:

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

### Highlighted Provisions:

This bill:

- ▶ establishes comprehensive student attendance monitoring and accountability requirements;
- ▶ requires local education agencies to implement enhanced attendance tracking and intervention programs;
- ▶ mandates performance metrics for attendance notifications and enforcement actions;
- ▶ creates data quality standards for student participation reporting; {and}
- ▶ **expands personal care independence requirements; and**
- ▶ makes technical changes.

### Money Appropriated in this Bill:

None

**Other Special Clauses:**

## SB0058S04 compared with SB0058S05

This bill provides a special effective date.

### Utah Code Sections Affected:

#### AMENDS:

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

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

**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

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

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

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

**53G-7-203 , as last amended by Laws of Utah 2025, Chapter 394**

---

#### ENACTS:

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

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

**53G-7-228 , Utah Code Annotated 1953**

---

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

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

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

As used in this chapter:

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

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

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

[({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] LEA by the value established each year in the enacted public education budget, except as otherwise provided in this chapter.

## SB0058S04 compared with SB0058S05

(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:

(a) high quality instruction for each student that includes direct interaction between a teacher and students;

(b) personalized learning supports for each student; and

(c) appropriate instructional delivery methods based on the student's enrollment type as defined in this section.

(4)

(a) "Instructional day" means:

(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

(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.

(b) "Instructional day" does not include:

(i) days where educational services are not actively provided to students; or

(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.

(5) "Instructional hours" means:

(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

(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.

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

(6) "Learner validated program" means an educational program specifically designed for competency-based or self-paced learning where:

(a) student participation is measured by demonstrated academic progress and completion of learning objectives rather than by attendance at scheduled instructional periods; and

(b) the LEA has established a written policy that:

## SB0058S04 compared with SB0058S05

- 82 (i) defines:  
83 (A) continuing enrollment measurement requirements;  
84 (B) standards for demonstrating academic progress;  
85 (C) methods for calculating equivalent instructional hours; and  
86 (D) procedures for ensuring equivalent educational rigor and support as provided in attendance  
validated programs; and  
88 (ii) meets any additional criteria the state board requires.  
89 [(3) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.]  
90 [(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).  
93 (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.  
96 (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.  
98 (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.  
102 (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.  
105 (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:  
108 (A) at which a quorum of the LEA governing board is present; and  
109 (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.  
110 (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[;]

## SB0058S04 compared with SB0058S05

- 113 [(A)] 90 days before the beginning of the school year[; or] .
- 114 [(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.]
- 117 (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).
- 121 (e) The Minimum School Program includes a program or allocation funded by a line item appropriation  
or other appropriation designated as follows:
- 123 (i) Basic School Program;
- 124 (ii) Related to Basic Programs;
- 125 (iii) Voted and Board Levy Programs; or
- 126 (iv) Minimum School Program.
- 127 (8) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.
- 128 [(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.
- 134 Section 2. Section 53G-6-201 is amended to read:
- 135 **53G-6-201. Definitions.**
- As used in this part:
- 134 (1) "Absence" or "absent" means:
- 135 (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
- 138 (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.
- 141 [(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.]
- 143 [(b) "Absence" or "absent" does not mean multiple tardies used to calculate an absence for the sake of a  
truancy.]
- 145 (2) "Attendance validated program" means the same as that term is defined in Section 53F-2-102.

## SB0058S04 compared with SB0058S05

- 147 (3) "Chronic absenteeism" means a student who:  
148 (a) was enrolled in an LEA for at least 60 calendar days; and  
149 (b) has been absent for at least 10% of days of instruction, whether the absence was excused or not  
excused.
- 151 ~~[(2)]~~ (4) "Educational neglect" means the same as that term is defined in Section 80-1-102.  
152 (5) "Educational services" means the same as that term is defined in Section 53F-2-102.  
153 ~~[(3)]~~ (6)
- (a) "Home-based microschool" means an individual or association of individuals that:  
155 (i) registers as a business entity in accordance with state and local laws; and  
156 (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.
- 160 (7) "Instructional day" means the same as that term is defined in Section 53F-2-102.  
161 ~~[(4)]~~ (8) "Instructor" means an individual who teaches a student as part of a home-based microschool or  
micro-education entity.
- 163 (9) "Learner validated program" means the same as that term is defined in Section 53F-2-102.  
165 ~~[(5)]~~ (10)
- (a) "Micro-education entity" means a person or association of persons that:  
166 (i) registers as a business entity in accordance with state and local laws; and  
167 (ii) for compensation, provides kindergarten through grade 12 education services to 100 students or  
fewer.
- (b) "Micro-education entity" does not include:  
170 (i) a daycare;  
171 (ii) a home-based microschool;  
172 (iii) a private school; or  
173 (iv) a school within the public education system.
- 174 ~~[(6)]~~ (11) "Minor" means an individual who is under 18 years old.  
175 ~~[(7)]~~ (12) "Parent" includes:  
176 (a) a custodial parent of the minor;  
177 (b) a legally appointed guardian of a minor; or

## SB0058S04 compared with SB0058S05

- 178 (c) any other person purporting to exercise any authority over the minor which could be exercised by a  
179 person described in Subsection ~~[(7)(a) or (b)]~~ (12)(a) or (b).
- 180 ~~[(8)]~~ (13) "School day" means the portion of a day that school is in session in which a school-age child  
181 is required to be in school for purposes of receiving instruction.
- 182 ~~[(9)]~~ (14) "School year" means the period of time designated by a local school board or charter school  
183 governing board as the school year for the school where the school-age child:
- 184 (a) is enrolled; or
- 185 (b) should be enrolled, if the school-age child is not enrolled in school.
- 186 ~~[(10)]~~ (15) "School-age child" means a minor who:
- 187 (a) is at least six years old but younger than 18 years old; and
- 188 (b) is not emancipated.
- 189 (16) "Tardy" means a student's arrival after the designated start time for a class period or instructional  
190 day, as defined by the LEA's written policy.
- 191 ~~[(11)]~~ (17)
- 192 (a) "Truant" means a condition in which a school-age child, without a valid excuse, and subject to  
193 Subsection ~~[(11)(b)]~~ (17)(b), is absent for at least:
- 194 (i) half of the ~~[school]~~ instructional day for a student enrolled in an attendance validated program;  
195 or
- 196 (ii) if the school-age child is enrolled in a learner verified program, as that term is defined by the  
197 state board, the relevant amount of time under the LEA's policy regarding the LEA's continuing  
198 enrollment measure as it relates to truancy.
- 199 (b) A school-age child may not be considered truant under this part more than one time during one day.
- 200 ~~[(12)]~~ (18) "Truant minor" means a school-age child who:
- 201 (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and
- 202 (b) is truant.
- 203 ~~[(13)]~~ (19)
- 204 (a) "Valid excuse" means:
- 205 (i) an illness, which may be either mental or physical, regardless of whether the school-age child or  
206 parent provides documentation from a medical professional;
- 207 (ii) mental or behavioral health of the school-age child;
- 208 (iii) a family death;

## SB0058S04 compared with SB0058S05

- 209 (iv) an approved school activity;
- 210 (v) an absence permitted by a school-age child's:
- 211 (A) individualized education program; or
- 212 (B) Section 504 accommodation plan;
- 213 (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;
- 216 (vii) an absence permitted in accordance with Subsection 53G-6-803(5); or
- 217 (viii) any other excuse established as valid by a local school board, charter school governing board,  
or school district.
- 219 (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).
- 226 Section 3. Section **53G-6-202** is amended to read:
- 227 **53G-6-202. Compulsory education.**
- 225 (1) As used in this section:
- 226 (a) "Intentionally" means the same as that term is defined in Section 76-2-103.
- 227 (b) "Notice of compulsory education violation" means a notice issued in accordance with Subsections  
(3) and (4).
- 229 (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.
- 232 (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.
- 235 (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:
- 239 (a) in grade 1 through 6; and
- 240 (b) truant at least five times during the school year.
- 241 (4) A notice of compulsory education violation issued to a parent:

## SB0058S04 compared with SB0058S05

- 242 (a) shall direct the parent to:
- 243 (i) meet with school authorities to discuss the school-age child's school attendance problems; and
- 245 (ii) cooperate with the local school board, charter school governing board, or school district in securing regular attendance by the school-age child;
- 247 (b) shall designate the school authorities with whom the parent is required to meet;
- 248 (c) shall state that it is a class B misdemeanor for the parent to intentionally or without good cause:
- 250 (i) fail to meet with the designated school authorities to discuss the school-age child's school attendance problems; or
- 252 (ii) fail to prevent the school-age child from being truant five or more times during the remainder of the school year;
- 254 (d) shall be served on the parent by personal service or certified mail; and
- 255 (e) may not be issued unless the school-age child has been truant at least five times during the school year.
- 257 (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.
- 261 (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:
- 265 (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
- 267 (b) fail to prevent the school-age child from being truant five or more times during the remainder of the school year.
- 269 (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.
- 272 (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,

## SB0058S04 compared with SB0058S05

the issuer of the compulsory education violation shall report to the Division of Child and Family Services:

- (a) identifying information of the school-age child and the parent who received the notice of compulsory education violation;
- (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;
- (c) whether the school-age child has made adequate educational progress;
- (d) whether the requirements of Section 53G-6-206 have been met;
- (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
- (f) whether the school-age child is receiving special education services or systematic remediation efforts.
- (9) An LEA shall maintain records of each notice of compulsory education violation issued and any resulting referrals and general outcomes.

~~[(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.]~~

Section 4. Section 53G-6-203 is amended to read:

### **53G-6-203. Truancy -- Notice of truancy -- Failure to cooperate with school authorities.**

- (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.
- (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:
  - (a) in grade 7 or above, unless the school-age child is less than 12 years old; and
  - (b) truant.
- (3) ~~[A local school board or charter school]~~ An LEA governing board:
  - (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

## SB0058S04 compared with SB0058S05

- 310 (b) shall establish a procedure for a school-age child, or the school-age child's parents, to contest a  
notice of truancy.
- 312 (4) A notice of truancy described in Subsection (3):
- 313 (a) may not be issued until a school-age child has been truant at least five times during the school year;
- 315 (b) may not be issued to a school-age child who is less than 12 years old or in a grade below grade 7;
- 317 (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;
- 319 (d) shall direct the school-age child who receives the notice of truancy and the parent of the school-age  
child to:
- 321 (i) meet with school authorities to discuss the school-age child's trancies; and
- 322 (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
- 324 (e) shall be mailed to, or served on, the school-age child's parent.
- 325 (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.
- 330 ~~[(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).]~~
- 333 (6) An LEA shall maintain records of each notice of truancy issued and any resulting referrals and  
general outcomes.
- 335 ~~[(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.]~~
- 342 Section 5. Section 53G-6-206 is amended to read:
- 343 **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.**
- 343 (1)

## SB0058S04 compared with SB0058S05

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

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

(ii) improve attendance;

(iii) improve academic outcomes; and

(iv) reduce negative behavior referrals.

(b) "Intervention" includes:

(i) mentorship programs;

(ii) family connection to community resources;

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

(iv) teaching executive function skills, including:

(A) planning;

(B) goal setting;

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

(D) self-regulation.

(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.

(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).

(3) The efforts described in Subsection (2) shall include, as reasonably feasible:

(a) counseling of the school-age child by school authorities;

(b)

(i) issuing a notice of truancy to the school-age child in accordance with Section 53G-6-203; or

(ii) issuing a notice of compulsory education violation to the school-age child's parent in accordance with Section 53G-6-202;

(c) making any necessary adjustment to the curriculum and schedule to meet special needs of the school-age child;

## SB0058S04 compared with SB0058S05

- 374 (d) considering alternatives proposed by the school-age child's parent;  
375 (e) incorporating attendance in the school-age child's course score or grade if:  
376 (i) incorporation is determined appropriate through an individualized plan the school-age child's parent  
and teacher develops;  
378 (ii) parental written consent is obtained for the individualized plan; and  
379 (iii) the parent retains the ability to revoke the parent's consent described in Subsection (3)(e)(ii) at any  
time[-] ;  
381 (f) monitoring school attendance of the school-age child;  
382 (g) voluntary participation in truancy mediation, if available; and  
383 (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.  
385 (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.  
390 (5) An LEA shall:  
391 (a) conduct regular reviews of student attendance data to identify students at risk of chronic  
absenteeism;  
393 (b) implement tiered interventions for students with attendance concerns;  
394 (c) notify parents within two instructional days of a student's unexcused absence, including the total  
number for the school year; and  
396 (d) maintain accurate and timely attendance records in the LEA's student information system.  
398 [(5)] (6) This section does not impose civil liability on boards of education, local school boards, charter  
school governing boards, school districts, or their employees.  
400 [(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.  
402 [(7)] (8) Each LEA shall annually report the following data separately to the state board:  
403 (a) absences with a valid excuse; and  
404 (b) absences without a valid excuse.  
408 Section 6. Section **53G-6-210** is amended to read:  
409 **53G-6-210. Educational neglect of a minor -- Procedures -- Defenses.**

## SB0058S04 compared with SB0058S05

- 407 (1) With regard to a minor who is the subject of a petition under Section 80-3-201 based on educational  
neglect:
- 409 (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;
- 413 (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;
- 416 (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
- 422 (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.
- 427 (2) A minor may not be considered to be educationally neglected, for purposes of this chapter:
- 429 (a) unless there is clear and convincing evidence that:
- 430 (i) the minor has failed to make adequate educational progress, and school officials have complied with  
the requirements of Section 53G-6-206; or
- 432 (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;
- 435 (b) if the minor's parent or guardian establishes by a preponderance of the evidence that:
- 436 (i) school authorities have failed to comply with the requirements of this title;
- 437 (ii) the minor is being instructed at home in compliance with Section 53G-6-204;
- 438 (iii) there is documentation that the minor has demonstrated educational progress at a level  
commensurate with the minor's ability;
- 440 (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;
- 442 (v) good cause or a valid excuse exists for the minor's absence from school;

## SB0058S04 compared with SB0058S05

- (vi) the minor is not required to attend school under court order or is exempt under other applicable state or federal law;
- (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
- (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
- (c) if the minor is attending school on a regular basis.

Section 7. Section 7 is enacted to read:

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

(1) An LEA shall:

(a) ensure the LEA's student information system accurately captures and reports student enrollment, attendance, and membership data; and

(b) conduct an annual internal audit of attendance data accuracy.

(2) The state board shall:

(a) establish minimum standards for LEA attendance data quality;

(b) conduct periodic audits of LEA attendance data;

(c) provide technical assistance to an LEA with data quality issues;

(d) publish annual reports on statewide attendance trends and data quality; and

(e) implement corrective action procedures for an LEA that fails to meet data quality standards.

(3) An LEA that fails to meet state data quality standards shall:

(a) develop and implement a corrective action plan within 60 days and submit the plan to the state board;

(b) submit monthly progress reports to the state board until compliance is achieved; and

(c) as the state board determines, be subject to withholding of state funding until compliance is demonstrated.

(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).

## SB0058S04 compared with SB0058S05

Section 8. Section 8 is enacted to read:

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

(1) An LEA shall:

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

(2) An LEA governing board shall:

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

**Section 9. Section 53G-7-203 is amended to read:**

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

(1) Kindergartens are an integral part of the state's public education system.

(2)

(a) Each LEA governing board shall provide kindergarten classes free of charge for kindergarten children residing within the district or attending [the] a charter school.

(b) Each LEA governing board shall:

(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]

(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

(B) provide the option to register for a designated half-day kindergarten option at the time of registration;

## SB0058S04 compared with SB0058S05

(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;

(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;

(v) inform parents regarding the additional educational resources and opportunities available to parents who select the half-day kindergarten option; and

(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).

(c) Nothing in this Subsection (2):

(i) allows an LEA governing board to require a student to participate in a full-day kindergarten program;

(ii) modifies the non-compulsory status of kindergarten under Chapter 6, Part 2, Compulsory Education; or

(iii) requires a student who only attends a half day of kindergarten to participate in dual enrollment under Section 53G-6-702.

(3) Kindergartens established under Subsection (2) shall receive state money under Title 53F, Public Education System -- Funding.

(4)

(a) The state board shall:

(i) develop and collect data from a kindergarten assessment that the board selects by rule;

(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

(iii) establish minimum standards for half-day kindergarten.

(b) An LEA shall:

(i) administer the assessment described in Subsection (4)(a) to each kindergarten student; and

(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.

## SB0058S04 compared with SB0058S05

545 (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.

549 [~~(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board  
shall make rules to:]~~

551 [~~(a) beginning with the 2025-2026 school year, require a student to be toilet trained before being  
enrolled in public school;~~]

553 [~~(b) establish requirements for an LEA's enrollment process to include assurances from a parent that the  
parent's student is toilet trained; and]~~

555 [~~(c) create exemptions from the requirement in Subsection (6)(a) for a student who is not able to  
be toilet trained before enrolling because of a condition that is subject to federal child find  
requirements or described in an IEP or Section 504 accommodation plan.]~~

559 Section 10. Section **10** is enacted to read:

560 **53G-7-228. Personal care independence standards -- School enrollment.**

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

563 (1) beginning with the 2026-2027 school year, require a student to demonstrate personal care  
independence by being toilet trained before being enrolled in a public school;

565 (2) establish requirements for an LEA's enrollment process to include assurances from a parent that the  
parent's student meets the personal care independence requirements described in Subsection (1); and

568 (3) create exemptions from the requirement in Subsection (1) for a student who is not able to meet  
personal care independence requirements because of a condition that is subject to federal child find  
requirements found in Section 20 U.S.C. 1412(a)(3), Individuals with Disabilities Education Act,  
and 34 C.F.R. Sec. 300.111 or described in an IEP or Section 504 accommodation plan.

573 Section 11. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

2-24-26 9:56 AM