

# SB0181S02 compared with SB0181S01

~~{Omitted text}~~ shows text that was in SB0181S01 but was omitted in SB0181S02

inserted text shows text that was not in SB0181S01 but was inserted into SB0181S02

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1

**School Discipline Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Luz Escamilla**  
House Sponsor:



2

3 **LONG TITLE**

4 **General Description:**

5 This bill establishes minimum safety standards for seclusion rooms in schools and creates a  
6 one-time grant program to help a local education agency (LEA) bring existing rooms into  
7 compliance.

8 **Highlighted Provisions:**

9 This bill:

- 10     ▶ establishes minimum physical standards for seclusion rooms including room size, ceiling height,  
construction materials, and structural integrity requirements;
- 12     ▶ requires proper lighting with fixtures located outside the room and controls that prevent student  
access;
- 14     ▶ mandates adequate ventilation, heating, and cooling systems comparable to other school rooms;
- 16     ▶ sets safety requirements including prohibition of dangerous objects, unbreakable windows, and  
specific door and locking mechanism standards;
- 18     ▶ requires audio and video recording equipment that records all activities during seclusion ~~{use  
with one-year retention requirements}~~ ;

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- 19       ▶ ensures compliance with federal and state student privacy laws;  
20       ▶ ensures compliance with state and local fire and building codes;  
21       ▶ applies standards to both existing seclusion rooms and any new school construction that includes  
seclusion rooms;  
23       ▶ creates a one-time grant program with required matching funds to help an LEA modify existing  
rooms to meet the new standards;  
25       ▶ prohibits grant funds from being used to construct new seclusion rooms;  
26       ▶ gives the State Board of Education authority to adopt additional rules for safety standards,  
compliance verification, and grant program administration;  
28       ▶ integrates the new standards into existing policy, documentation, and enforcement requirements;  
and  
30       ▶ makes conforming changes.

### 31 **Money Appropriated in this Bill:**

- 32       ▶ This bill appropriates \$2,500,000 in operating and capital budgets for fiscal year 2027, all  
33       of which is from the various sources as detailed in this bill.

### 34 **Other Special Clauses:**

35       This bill provides a special effective date.

### 36 **Utah Code Sections Affected:**

37       AMENDS:

38       **53G-8-301** , as repealed and reenacted by Laws of Utah 2025, Chapter 327

39

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

41       Section 1. Section **53G-8-301** is amended to read:

42       **53G-8-301. Emergency safety interventions -- Appropriate uses -- Penalties.**

43       (1) As used in this section:

- 44       (a) "Corporal punishment" means the intentional infliction of physical pain upon the body of a student  
as a disciplinary measure.  
46       (b) "Emergency safety intervention" means the use of seclusion or physical restraint when a student  
presents an immediate danger to self or others.  
48       (c) "Physical escort" means a temporary touching or holding of the hand, wrist, arm, shoulder, or back  
for the purpose of guiding a student to another location.

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- 50 (d) "Physical restraint" means a personal restriction that immobilizes or significantly reduces the ability  
of a student to move the student's arms, legs, body, or head freely.
- 52 (e) "School" means a public or private elementary school, secondary school, or preschool.
- 54 (f) "Seclusion" means seclusionary time out that is the involuntary confinement of a student alone in a  
room or area from which the student is physically prevented from leaving, including:
- 57 (i) placing a student in a locked room; or
- 58 (ii) placing a student in a room where the door is blocked by furniture or held closed by staff.
- 60 (g) "Student" means an individual who is:
- 61 (i) under the age of 19 and receiving educational services; or
- 62 (ii) under the age of 23 and receiving educational services as an individual with a disability.
- 64 (2)
- (a) A school employee shall first use the least restrictive intervention available to the school employee,  
including a physical escort, to address circumstances described in Subsection (4).
- 67 (b) Nothing in this section prohibits a school employee from subsequently using less restrictive  
interventions to address circumstances described in Subsection (4).
- 69 (3)
- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall  
make rules to:
- 71 (i) establish guidelines and best practices that consider individual student needs related to  
emergency safety interventions described in Subsection (10)(b);
- 73 (ii) establish intervention reporting requirements;
- 74 (iii) create school staff training standards that may be included in an existing training;
- 75 (iv) develop parental notification procedures;
- 76 (v) implement data collection and review processes;
- 77 (vi) establish [~~investigation~~] data review protocols;
- 78 (vii) establish data collection and reporting requirements for an LEA regarding:
- 79 (A) incidents of seclusion;
- 80 (B) alternative interventions used;
- 81 (C) student demographic information, including sex, gender, age, grade in school, and applicable  
disability status; and
- 83 (D) incident outcomes[~~;~~] ; and

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- 84           (viii) establish standards for seclusion rooms as described in Subsection (14).
- 85           (b) The state board shall include [~~the information described in Subsection (3)(a)~~] data collected under  
86           Subsection (3)(a)(vii) in the State Superintendent's Annual Report described in Section 53E-1-203.
- 88           (4) A school employee may use reasonable and necessary physical restraint only:
- 89           (a) in self defense;
- 90           (b) to obtain possession of a weapon or other dangerous object in the possession or under the control of  
91           a student;
- 92           (c) to protect a student or another individual from physical injury;
- 93           (d) to remove from a situation a student who is violent; or
- 94           (e) to protect property from being damaged, when physical safety is at risk.
- 95           (5)
- 96           (a) A school employee may not inflict or cause the infliction of corporal punishment upon a student.
- 97           (b) The reporting and investigation requirements of Title 80, Chapter 2, Part 6, Child Abuse and  
98           Neglect Reports, apply to complaints on corporal punishment.
- 99           (c) Evidence of corporal punishment that would qualify as reasonable discipline under Section 76-2-401  
100           is insufficient to establish liability in a civil or criminal action.
- 101           (d) Subject to the Rules of Evidence, evidence of corporal punishment that exceeds reasonable  
102           discipline under Section 76-2-401 may be used by a court to establish civil or criminal liability.
- 104           (6) School authorities shall take prompt and appropriate action, including in-service training and  
105           other administrative action, upon confirming a violation of this section with respect to corporal  
106           punishment violations.
- 107           (7) The Division of Child and Family Services shall maintain all violation reports made in accordance  
108           with this section under the confidentiality requirements of Section 80-2-1005.
- 109           (8) A school or individual who makes a good faith report or cooperates in an investigation shall receive  
110           immunity from civil or criminal liability.
- 111           (9) A court with jurisdiction under Title 78A, Judiciary and Judicial Administration may take  
112           appropriate action against any employing entity if the court finds that the employing entity has not  
113           taken reasonable steps to enforce the provisions of this part.
- 114           (10) A school:
- 115           (a) may not:
- 116           (i) enforce any rule, policy, or directive that permits acts prohibited by this section;

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- 117 (ii) sanction an employee who refuses to commit a prohibited act; or  
118 (iii) except as provided in Subsection (10)(b), use seclusion:
- 119 (A) as ~~an~~ a behavior intervention or disciplinary practice;  
120 (B) for coercion, retaliation, or humiliation; or  
121 (C) due to inadequate staffing or for the staff member's convenience;
- 122 (b) for a student in grade 1 or higher, may use seclusion as an emergency safety intervention only when:  
124 (i) the LEA has developed and implemented written policies and procedures that:  
125 (A) describe the circumstances under which a staff member may use seclusion, including compliance  
with Subsection (14);  
127 (B) describe which staff members are authorized to use seclusion;  
128 (C) describe procedures for monitoring a student that is in seclusion;  
129 (D) describe time limitations on the use of seclusion;  
130 (E) require immediate and continuous review of the decision to use seclusion;  
131 (F) require documenting the use of seclusion;  
132 (G) describe record keeping requirements for records related to the use of seclusion; and  
134 (H) require debriefing of all witnesses, involved staff members, the student who was secluded, and the  
parent of the student who was secluded;
- 136 (ii) a student poses an immediate and significant threat to the student or others;  
137 (iii) less restrictive interventions have failed;  
138 (iv) a staff member who is familiar to the student is actively supervising the student for the duration of  
the seclusion; and
- 140 (v) the use is time-limited to a maximum time of 30 minutes and monitored;
- 141 (c) if seclusion was used, shall document the reason for its use, duration, and any alternative strategies  
attempted, and whether the room complied with Subsection (14); and
- 144 (d) shall notify parents immediately, and not to exceed 15 minutes after the use, of any emergency  
safety intervention used on the parent's child, including seclusion or physical restraint~~[-]~~ ; and
- 147 (e) if a parent or guardian cannot be reached after 15 minutes as required in Subsection (10)(d), and the  
30-minute time limit in Subsection (10)(b)(v) has been reached, may:
- 149 (i) conduct a reassessment of the student's condition;  
150 (ii) determine whether the student continues to pose an immediate and significant threat to the student  
or others; and

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- 152 (iii) if the LEA determines that the threat continues and that less restrictive interventions remain  
153 ineffective, place the student back in seclusion for an additional period not to exceed 30 minutes,  
154 after which the process described in this Subsection (10)(e) shall be repeated if necessary.
- 147 (11) An LEA shall collect and report data to the state board annually regarding:  
148 (a) an incident; and  
149 (b) for each incident, the:  
150 (i) duration of an emergency safety intervention used to respond to the incident;  
151 (ii) stated purpose for any emergency safety intervention used;  
152 (iii) alternative [~~interventions~~] de-escalation strategies attempted;  
153 (iv) student demographic information, including sex, gender, age, grade in school, and applicable  
154 disability status; and  
155 (v) relevant training offered to staff and if the staff involved received the relevant training without  
156 revealing the identity of the staff member.
- 157 (12) This section does not apply to:  
158 (a) a law enforcement officer as defined in Section 53-13-103;  
159 (b) a parochial or private school that:  
160 (i) does not receive state funds;  
161 (ii) adopts a policy of exemption from this section; and  
162 (iii) notifies the parents of students in the school of the exemption; or  
163 (c) behavior support intervention which is in compliance with:  
164 (i) Section 76-2-401; and  
165 (ii) state and local rules adopted under Section 53E-7-204.
- 166 [~~(13) Any violations of this section, including violations of any standards for seclusion or physical~~  
167 ~~restraint established by the state board pursuant to this section, shall:]~~  
168 [~~(a) constitute an act of unlawful detention and is subject to the penalty described in Section 76-5-304;~~  
169 ~~and]~~  
170 [~~(b) result in a referral to:]~~  
171 [~~(i) local law enforcement; and]~~  
172 [~~(ii) the Utah Professional Practices Advisory Commission established in Section 53E-6-501.]~~  
173  
174 (13)

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- 185 (a) A violation of the physical standards for seclusion rooms established in Subsection (14) shall ~~result~~  
176 ~~in~~ be addressed as follows:
- 177 (i) by or reported to the LEA, the LEA shall:
- 178 (i) ~~(A)~~ ~~notification to~~ notify the LEA's local school board or charter school governing board;
- 188 (ii) ~~(B)~~ ~~development of~~ develop a corrective action plan; and
- 190 (C) report the violation and corrective action plan to the state board within a timeframe established by  
189 the state board in rule;
- 190 (ii) if a violation is identified by or reported to the state board, the state board shall refer the matter  
188 to the LEA for investigation and corrective action under Subsection (13)(a)(i); and
- 178 (iii) if ~~not corrected~~ the LEA fails to develop a corrective action plan or does not achieve  
180 compliance within a reasonable timeframe established by the state board, ~~referral to~~ the state  
180 board ~~for~~ shall take further action.
- 180 (b) A violation of the use requirements in Subsection (10), including improper use of seclusion or  
183 physical restraint, failure to notify parents within the required time frame, or failure to properly  
184 document use, shall result in:
- 185 (i) investigation by the LEA;
- 186 (ii) appropriate disciplinary action against involved staff; and
- 187 (iii) corrective measures to prevent future violations.
- 186 (c) A violation that constitutes unlawful detention, including use of seclusion or physical restraint  
189 that does not meet the requirements of Subsection (10)(b) or involves prohibited conduct under  
190 Subsection (10)(a), shall:
- 191 (i) constitute an act of unlawful detention and is subject to the penalty described in Section 76-5-304;  
192 and
- 193 (ii) result in a referral to:
- 194 (A) local law enforcement; and
- 195 (B) the Utah Professional Practices Advisory Commission established in Section 53E-6-501.
- 196 (14)
- 197 (a) If an LEA operates a seclusion room, the seclusion room shall comply with the standards described  
198 in this Subsection (14).
- 199 (b) All new school construction that includes plans for a seclusion room shall have seclusion rooms that  
200 comply with this Subsection (14).

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- 199 (c) A seclusion room shall meet the following physical standards:
- 200 (i) have a minimum interior area of 60 square feet;
- 201 (ii) have a minimum distance of {seven} ~~six~~ feet between opposing walls;
- 202 (iii) have a ceiling height that is comparable to other rooms in the building in which the seclusion room  
is located, but in no case less than eight feet;
- 204 (iv) be constructed of materials that cannot be used to harm the occupant or others;
- 205 (v) be free of open electrical outlets and exposed wiring;
- 206 (vi) be designed so that a student cannot climb the walls;
- 207 (vii) have walls that are part of the structural integrity of the building and may not consist of free-  
standing cells or portable units attached to existing walls or floors, except that manufactured safety  
units that are permanently anchored and bolted to the building structure and that meet all other  
requirements of this Subsection (14) are permitted;
- 212 (viii) be free of objects, fixtures, and materials that pose a danger to the occupant;
- 213 (ix) have ceilings, floors, and walls that are free of loose, torn, or potentially hazardous materials; and
- 215 (x) contain no free-standing furniture.
- 216 (d) A seclusion room shall meet the following lighting requirements:
- 217 (i) be properly lighted at all times;
- 218 (ii) have light fixtures and electrical receptacles that are recessed or constructed to prevent the occupant  
from causing harm to the occupant's self; and
- 220 (iii) have light controls located outside the seclusion room.
- 221 (e) A seclusion room shall meet the following ventilation and climate requirements:
- 222 (i) be properly ventilated;
- 223 (ii) be equipped with heating, cooling, ventilation, and lighting that is comparable to other rooms in the  
building;
- 225 (iii) have natural or mechanical ventilation in compliance with state law including relevant  
administrative rules; and
- 227 (iv) be maintained at a temperature that is within the normal comfort range and consistent with the rest  
of the building.
- 229 (f) A seclusion room shall meet the following safety requirements:
- 230 (i) if the seclusion room has windows, the windows shall be transparent and made of unbreakable or  
shatterproof glass or plastic;

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- 232 (ii) the door shall permit continuous visual and auditory monitoring by staff;  
233 (iii) the door shall have a vision panel that:  
234 (A) consists of clear, one-fourth inch thick, unbreakable material;  
235 (B) is flush with the interior face of the door;  
236 (C) is positioned to allow staff to continuously observe the student; and  
237 (D) is not covered with any material;  
238 (iv) the door shall have only a push panel exposed on the interior of the room; and  
239 (v) if a locking mechanism is used on the door, the mechanism shall:  
240 (A) engage only when a key, handle, knob, or similar device is actively held in position by a person; or  
242 (B) be an electrically or electronically controlled mechanism that automatically releases when the  
building's fire alarm system is triggered.  
244 (g) A seclusion room shall be equipped with audio and video recording equipment that:  
245 (i) records all activities that occur in the seclusion room during use;  
246 (ii) includes audio recording capability;  
247 (iii) maintains recordings in accordance with retention requirements established by the state board in  
rule, which shall balance evidence preservation needs with data storage costs and student privacy  
protections;  
250 (iv) provides immediate access to recordings for administrative review; {and}  
251 (v) complies with applicable student privacy requirements{-}, including:  
268 (A) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;  
269 (B) the student data privacy requirements in Title 53E, Chapter 9, Student Data Privacy and Collection;  
and  
271 (C) other applicable state and federal privacy laws; and  
272 (vi) ensures that access to recordings is limited to:  
273 (A) school administrators conducting investigations;  
274 (B) parents or guardians of the student who was secluded;  
275 (C) individuals authorized under applicable privacy laws; and  
276 (D) law enforcement when required by law or court order.  
252 (h) A seclusion room shall comply with:  
253 (i) state and local fire codes;  
254 {(ii) {state school safety building standards;-} }

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- 255 (iii){(ii)} other applicable building codes; and  
256 (iv){(iii)} relevant administrative rules.
- 257 (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall  
make rules regarding:
- 259 (i) additional safety standards for seclusion rooms;  
260 (ii) procedures for verifying LEA compliance with this Subsection (14);  
261 (iii) requirements for periodic safety inspections of seclusion rooms, which shall be conducted by the  
LEA, including procedures for the state board to take action against an LEA that fails to conduct  
required inspections or fails to meet the standards of this Subsection (14); and
- 262 (iv) {~~transition timelines~~} procedures and interim milestones for existing seclusion rooms to achieve  
compliance with this Subsection (14)by the deadline established in Subsection (16).
- 264 (15)
- (a) Subject to legislative appropriation, the state board may establish a grant program to assist an LEA  
in modifying an existing seclusion room to comply with Subsection (14).
- 267 (b) A grant under Subsection (15)(a):
- 268 (i) may only be used to modify an existing seclusion room to achieve compliance with Subsection (14);  
270 (ii) may not be used to construct a new seclusion room;  
271 (iii) requires the LEA to provide matching funds equal to the grant amount, except that the state board  
may waive or reduce the matching requirement for an LEA that demonstrates financial hardship;  
and
- 274 (iv) is contingent on the LEA's demonstration of compliance with Subsection (10).
- 275 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall  
make rules to administer the grant program described in Subsection (15)(a), including:
- 278 (i) application procedures;  
279 (ii) application timelines;  
280 (iii) eligibility criteria;  
281 (iv) procedures for evaluating applications;  
282 (v) required documentation;  
283 (vi) verification procedures for completed modifications;  
284 (vii) reporting requirements for grant recipients; and  
285 (viii) procedures for recovery of grant funds if an LEA fails to achieve compliance.

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- 286 (d) In awarding grants under this Subsection (15), the state board shall give priority to an LEA that:  
288 (i) demonstrates significant safety deficiencies in an existing seclusion room;  
289 (ii) commits to implementing alternatives to seclusion; or  
290 (iii) provides evidence that staff have received training in de-escalation techniques.  
291 (e) The grant program described in this Subsection (15) terminates on the earlier of:  
292 (i) the date that all appropriated funds are expended; or  
293 (ii) June 30, 2029.  
294 (16)  
(a) An existing seclusion room ~~{that does not}~~ shall comply with the requirements of Subsection (14)  
{on the effective date of this section may continue to operate until:} by July 1, 2028.  
296 (i) ~~{(b)}~~ {July 1, 2027, if the LEA has applied for a grant under Subsection (15) or has an approved  
plan for achieving compliance;} An LEA that operates or plans to construct a seclusion room  
shall:  
298 (ii) ~~{(i)}~~ {July 1, 2028, if the LEA is actively implementing modifications;} report to {achieve  
compliance;} the state board by December 31, 2026:  
300 (b) ~~{(A)}~~ {An LEA operating a} the location of each existing seclusion room {under the transition  
period in Subsection (16)(a) shall:} ;  
302 (i) ~~{(B)}~~ {ensure} the current compliance status of each existing seclusion room {meets all safety  
} with the requirements {that can be reasonably implemented without major construction} of  
Subsection (14);  
304 (ii) ~~{(C)}~~ {report} any plans to {the state board on progress toward compliance} construct new  
seclusion rooms; and  
305 (iii) ~~{(D)}~~ {~~prioritize student safety through enhanced supervision and monitoring procedures.~~} the  
LEA's plan and timeline for achieving compliance with Subsection (14) for each existing and  
planned seclusion room; and  
307 (c) ~~{(ii)}~~ {~~This Subsection (16) does not exempt an LEA from compliance with.~~} provide updated  
reports as requested by the {use requirements in Subsection (10)} state board.  
333 (c) An LEA operating a seclusion room during the transition period before July 1, 2028, shall:  
335 (i) ensure the room meets all safety requirements that can be reasonably implemented without major  
construction;  
337 (ii) report to the state board on progress toward compliance as required by the state board in rule; and

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- 339 (iii) prioritize student safety through enhanced supervision and monitoring procedures.  
341 (d) This Subsection (16) does not exempt an LEA from compliance with the use requirements in  
Subsection (10).

343 Section 2. **FY 2027 Appropriations.**

344 The following sums of money are appropriated for the fiscal year beginning July 1,  
345 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for  
346 fiscal year 2027.

347 Subsection 2(a). **Operating and Capital Budgets**

348 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
349 Legislature appropriates the following sums of money from the funds or accounts indicated for  
350 the use and support of the government of the state of Utah.

351 ITEM 1 To State Board of Education - Contracted Initiatives and Grants

352 From Public Education Economic Stabilization Restricted Account, One-time 2,500,000

354 Schedule of Programs:

355 Contracts and Grants 2,500,000

356 Section 3. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

2-23-26 10:53 AM