

**School Response to Sexual Offense**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ashlee Matthews**

Senate Sponsor: Keith Grover

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**LONG TITLE****General Description:**

This bill modifies conduct and discipline policy requirements for local education agencies.

**Highlighted Provisions:**

This bill:

- clarifies when LEA policies apply to students who have committed serious offenses or sexual crimes; and

- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**53G-8-203**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

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

Section 1. Section **53G-8-203** is amended to read:

**53G-8-203 . Conduct and discipline policies and procedures.**

(1) For purposes of this section:

(a) "Adjudication" means:

(i) the same as that term is defined in Section 80-1-102; or

(ii) for an adult student 18 years or older, a conviction as that term is defined in Section 77-38-302.

(b) "Arrest" means:

(i) temporary custody as that term is defined in Section 80-6-102; or

(ii) for an adult student 18 years or older, the same as that term is defined in Section 77-7-1.

(c) "Charge" means:

(i) format referral as that term is defined in Section 80-6-102; or

(ii) for an adult student 18 years or older, the formal accusation of a public offense detailed in a filing such as an indictment or an information or otherwise the official initiation of a criminal action.

[~~(1)~~] (2) The conduct and discipline policies required under Section 53G-8-202 shall include:

- (a) provisions governing student conduct, safety, and welfare;
- (b) standards and procedures for dealing with students who cause disruption in the classroom, on school grounds, on school vehicles, or in connection with school-related activities or events;
- (c) procedures for the development of remedial discipline plans for students who cause a disruption at any of the places referred to in Subsection [~~(1)~~](b)] (2)(b);
- (d) procedures for the use of reasonable and necessary physical restraint in dealing with students posing a danger to themselves or others, consistent with Section 53G-8-301;
- (e) standards and procedures for dealing with student conduct in locations other than those referred to in Subsection [~~(1)~~](b)] (2)(b), if the conduct threatens harm or does harm to:
  - (i) the school;
  - (ii) school property;
  - (iii) a person associated with the school; or
  - (iv) property associated with a person described in Subsection [~~(1)~~](e)(iii)] (2)(e)(iii);
- (f) procedures for the imposition of disciplinary sanctions, [~~including~~] suspension and expulsion;
- (g) specific provisions, consistent with Section 53E-3-509, for preventing and responding to gang-related activities in the school, on school grounds, on school vehicles, or in connection with school-related activities or events;
- (h) standards and procedures for dealing with habitual disruptive or unsafe student behavior in accordance with the provisions of this part; and
- (i) procedures for responding to reports received through the SafeUT Crisis Line under Subsection 53H-4-210(2)(c).

[~~(2)~~] (3)(a) Each local school board shall establish a policy on detaining students after regular school hours as a part of the district-wide discipline plan required under Section 53G-8-202.

(b)(i) The policy described in Subsection [~~(2)~~](a)] (3)(a) shall apply to elementary

65 school students, grades kindergarten through 6.

66 (ii) The local school board shall receive input from teachers, school administrators,  
67 and parents of the affected students before adopting the policy.

68 (c) The policy described in Subsection ~~[(2)(a)]~~ (3)(a) shall provide for:

69 (i) notice to the parent of a student ~~[prior to]~~ before holding the student after school  
70 on a particular day; and

71 (ii) exceptions to the notice provision if detention is necessary for the student's health  
72 or safety.

73 ~~[(3)]~~ (4)(a) Each LEA shall adopt a policy for responding to possession or use of  
74 electronic cigarette products by a student on school property.

75 (b) The policy described in Subsection ~~[(3)(a)]~~ (3)(a) shall:

76 (i) prohibit students from possessing or using electronic cigarette products on school  
77 property;

78 (ii) include policies or procedures for the confiscation or surrender of electronic  
79 cigarette products; and

80 (iii) require a school administrator or school administrator's designee to dispose of or  
81 destroy a confiscated electronic cigarette product.

82 (c) Notwithstanding Subsection ~~[(3)(b)(iii)]~~ (4)(b)(iii), an LEA may release a confiscated  
83 electronic cigarette product to local law enforcement if:

84 (i) a school official has a reasonable suspicion that a confiscated electronic cigarette  
85 product contains an illegal substance; and

86 (ii) local law enforcement requests that the LEA release the confiscated electronic  
87 cigarette product to local law enforcement as part of an investigation or action.

88 ~~[(4)]~~ (5)(a) Each LEA shall adopt a policy for responding to ~~[when]~~ the circumstance  
89 where a student has [committed] been arrested for, charged with, or adjudicated in the  
90 courts for committing a serious offense or sexual crime.

91 (b) The policy described in Subsection ~~[(4)(a)]~~ (5)(a) shall:

92 (i) address a serious offense or sexual misconduct related to hazing;

93 (ii) distinguish procedures for when the crime occurs on school property and off of  
94 school property;

95 (iii) if a student has committed a serious offense or sexual crime, provide a process  
96 for a school resource officer to provide input for the LEA to consider regarding  
97 the safety risks a student may pose upon reintegration;

98 (iv) establish a process to inform a school resource officer of any student who is on

- 99                   probation;
- 100               (v) create procedures for determining an alternative placement for a student if the
- 101               student attends the same school as:
- 102               (A) the victim of the student's crime; and
- 103               (B) an individual who has a protective order against the student; and
- 104               (vi) be compliant with state and federal law.

105       Section 2. **Effective Date.**

106       This bill takes effect on May 6, 2026.