

1

School Response to Sexual Offense

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: Keith Grover

2

LONG TITLE

3

General Description:

4

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

5

Highlighted Provisions:

6

This bill:

7

- ▶ clarifies when LEA policies apply to students who have committed serious offenses or sexual crimes; and
- ▶ makes technical and conforming changes.

8

Money Appropriated in this Bill:

9

None

10

Other Special Clauses:

11

None

12

Utah Code Sections Affected:

13

AMENDS:

14

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

15

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

16

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

17

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

18

(1) For purposes of this section:

19

(a) "Adjudication" means:

20

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

21

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

22

(b) "Arrest" means:

23

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

24

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

31 (c) "Charge" means:

32 (i) format referral as that term is defined in Section 80-6-102; or
33 (ii) for an adult student 18 years or older, the formal accusation of a public offense
34 detailed in a filing such as an indictment or an information or otherwise the
35 official initiation of a criminal action.

36 [(1)] (2) The conduct and discipline policies required under Section 53G-8-202 shall include:

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

61 [(2)] (3)(a) Each local school board shall establish a policy on detaining students after
62 regular school hours as a part of the district-wide discipline plan required under
63 Section 53G-8-202.

64 (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 [e]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

probation;

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

Section 2. Effective Date.

This bill takes effect on May 6, 2026.