

Lincoln Fillmore proposes the following substitute bill:

**Public Education Information System**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Matt MacPherson**

Senate Sponsor: Lincoln Fillmore

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to student information systems for local education agencies.

**Highlighted Provisions:**

This bill:

- establishes data compliance requirements for local education agency student information systems;
- requires local education agencies to meet state board data standards and interoperability requirements;
- authorizes use of interoperable data exchange frameworks as an alternative data transmission method;
- requires student information systems to capture school safety and threat assessment data;
- authorizes the state board to provide technical assistance and vendor certification;
- establishes enforcement provisions for noncompliance;
- authorizes audit review of local education agencies;
- establishes implementation timelines; and
- makes conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53E-3-518**, as last amended by Laws of Utah 2024, Chapters 21, 24

**53E-9-303**, as last amended by Laws of Utah 2019, Chapter 186

29 **53E-9-308**, as last amended by Laws of Utah 2023, Chapters 328, 381  
 30 **53F-2-205**, as last amended by Laws of Utah 2023, Chapter 7  
 31 **53F-2-311**, as last amended by Laws of Utah 2025, Chapter 165  
 32 **53G-4-402**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16  
 33 **53G-5-404**, as last amended by Laws of Utah 2025, Chapter 501

34 ENACTS:

35 **53E-3-527**, Utah Code Annotated 1953

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

38 Section 1. Section **53E-3-518** is amended to read:

39 **53E-3-518 . Utah school information management system -- Local education**  
 40 **agency requirements.**

41 (1) As used in this section:

42 (a) "LEA data system" or "LEA's data system" means a data system that:

43 (i) is developed, selected, or relied upon by an LEA; and

44 (ii) the LEA uses to collect data or submit data to the state board related to:

45 (A) student information;

46 (B) educator information;

47 (C) financial information; or

48 (D) other information requested by the state board.

49 (b) "LEA financial information system" or "LEA's financial information system" means  
 50 an LEA data system used for financial information.

51 (c) "Parent" means the same as that term is defined in Section 53G-6-201.

52 (d) "Utah school information management system" or "information management  
 53 system" means the state board's data collection and reporting system described in this  
 54 section.

55 (e) "User" means an individual who has authorized access to the information  
 56 management system.

57 (2) ~~[On or before July 1, 2024, the]~~ The state board shall have in place an information  
 58 management system that meets the requirements described in this section.

59 (3) The state board shall ensure that the information management system:

60 (a) interfaces with:

61 (i) an LEA's data systems that meet the requirements described in Subsection (7),  
 62 including an authorized interoperable data exchange framework described in

- 63                    Section 53E-3-527;
- 64                    (ii) where appropriate, the systems described in Subsections 53-10-302(7) and (8);
- 65                    and
- 66                    (iii) the public safety portal described in Section 63A-16-1002; ~~and~~
- 67                    (b) serves as the mechanism for the state board to collect and report on all data that
- 68                    LEAs submit to the state board ~~[related]~~ , including data transmitted through the
- 69                    student information system, through an authorized interoperable data exchange
- 70                    framework, or through both, related to:
- 71                    (i) student information;
- 72                    (ii) educator information;
- 73                    (iii) financial information; and
- 74                    (iv) other information requested by the state board;
- 75                    (c) includes a web-based user interface through which a user may:
- 76                    (i) enter data;
- 77                    (ii) view data; and
- 78                    (iii) generate customizable reports;
- 79                    (d) includes a data warehouse and other hardware or software necessary to store or
- 80                    process data submitted by an LEA;
- 81                    (e) provides for data privacy, including by complying with Chapter 9, Student Privacy
- 82                    and Data Protection;
- 83                    (f) restricts user access based on each user's role; ~~and~~
- 84                    (g) meets requirements related to a student achievement backpack described in Section
- 85                    53E-3-511~~[-]~~ and
- 86                    (h) provides statewide access to the student achievement backpack described in Section
- 87                    53E-3-511 though state board systems and may not require an LEA to procure,
- 88                    license, or maintain a separate platform for the student achievement backpack.
- 89                    (4) ~~[On or before January 31, 2026, the]~~ The state board shall:
- 90                    (a) ensure the information management system described in this section allows for the
- 91                    transfer of a student's transcript, current IEP, or Section 504 accommodation plan,
- 92                    including the tracking of necessary accommodations and services between:
- 93                    (i) different LEA student information systems; and
- 94                    (ii) an authorized online course provider and a primary LEA; and
- 95                    (b) ensure the transfer capability described in Subsection (4)(a) is available for the same
- 96                    use within the operating system the state board uses for the Statewide Online

97 Education Program described in Title 53F, Chapter 4, Part 5, Statewide Online  
98 Education Program.

99 (5) The state board shall establish the restrictions on user access described in Subsection  
100 (3)(f).

101 (6)(a) The state board shall make rules that establish the required capabilities for an LEA  
102 financial information system.

103 (b) In establishing the required capabilities for an LEA financial information system, the  
104 state board shall consider metrics and capabilities requested by the state treasurer or  
105 state auditor.

106 (7)(a) [~~On or before July 1, 2024, an~~] An LEA shall ensure that:

107 (i) all of the LEA's data systems:

108 (A) meet the data standards established by the state board in accordance with  
109 Section 53E-3-501;

110 (B) are fully compatible with the state board's information management system,  
111 including through the student information system, through an authorized  
112 interoperable data exchange framework described in Section 53E-3-527, or  
113 though both; and

114 (C) meet specification standards determined by the state board; and

115 (ii) the LEA's financial information system meets the requirements described in  
116 Subsection (6).

117 (b) An LEA shall ensure that an LEA data system purchased or developed on or after  
118 May 14, 2019, will be compatible with the information management system when the  
119 information management system is fully operational, including through the student  
120 information system, through an authorized interoperable data exchange framework  
121 described in Section 53E-3-527, or though both.

122 (8)(a) Subject to appropriations and Subsection (8)(b), the state board may use an  
123 appropriation under this section to help an LEA meet the requirements in the rules  
124 described in Subsection (6) by:

125 (i) providing to the LEA funding for implementation and sustainment of the LEA  
126 financial information system, either through:

127 (A) awarding a grant to the LEA; or

128 (B) providing a reimbursement to the LEA; or

129 (ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, procuring a  
130 financial information system on behalf of an LEA for the LEA to use as the LEA's

- 131 financial information system.
- 132 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
133 state board shall make rules describing:
- 134 (i) how an LEA may apply to the state board for the assistance described in  
135 Subsection (8)(a); and
- 136 (ii) criteria for the state board to provide the assistance to an LEA.
- 137 (9)(a) ~~[Beginning July 1, 2024, the]~~ The state board may take action against an LEA that  
138 is out of compliance with a requirement described in Subsection (7) until the LEA  
139 complies with the requirement.
- 140 (b) An action described in Subsection (9)(a) may include the state board withholding  
141 funds from the LEA.
- 142 (10)(a) For purposes of this Subsection (10), "education record" means the same as that  
143 term is defined in 20 U.S.C. Sec. 1232g.
- 144 (b) The state board shall, by rule made in accordance with Title 63G, Chapter 3, Utah  
145 Administrative Rulemaking Act, establish a procedure under which:
- 146 (i) a parent may submit information as part of the education records for the parent's  
147 student;
- 148 (ii) the information submitted by the parent is maintained as part of the education  
149 records for the parent's student;
- 150 (iii) information submitted by the parent and maintained as part of the education  
151 records for the parent's student may be removed at the request of the parent; and
- 152 (iv) a parent has access only to the education records of the parent's student in  
153 accordance with Subsection (10)(d).
- 154 (c) The rules made under this Subsection (10) shall allow a parent to submit or remove  
155 information submitted by the parent under this Subsection (10) at least annually,  
156 including at the time of:
- 157 (i) registering a student in a school; or
- 158 (ii) changing the school in which a student attends.
- 159 (d) Subject to the federal Family ~~[Education]~~ Educational Rights and Privacy Act, 20  
160 U.S.C. Sec. 1232g, and related regulations, the state board shall provide a parent  
161 access to an education record concerning the parent's student.
- 162 (e) The state board shall create in the information management system a record tracking  
163 interoperability of education records described in this Subsection (10) when a student  
164 is transitioning between schools or between LEAs.

- 165 (11)(a) Beginning July 1, 2031, an LEA requirement to submit data under this section is  
 166 satisfied through the LEA's use of a student information system that meets the  
 167 compliance requirements established under Section 53E-3-527.
- 168 (b) An LEA may transmit required data through the student information system, through  
 169 an authorized interoperable data exchange framework described in Section  
 170 53E-3-527, or though both
- 171 (12)(a) Beginning July 1, 2026, the state board may phase out direct provision of student  
 172 information system services to LEAs.
- 173 (b) The state board shall establish by rule a transition timeline that:  
 174 (i) provides LEAs adequate notice of service discontinuation; and  
 175 (ii) ensures LEAs have time to procure or develop compliant student information  
 176 systems under Section 53E-3-527.
- 177 Section 2. Section **53E-3-527** is enacted to read:
- 178 **53E-3-527 . Student information system compliance requirements -- Vendor**  
 179 **certification -- Enforcement -- Audits.**
- 180 (1) As used in this section:
- 181 (a) "Authorized interoperable data exchange framework" means an interoperable data  
 182 exchange framework that meets the standards established by the state board in rule  
 183 under Subsection (17) and is authorized in writing by an LEA under Subsection  
 184 (2)(d).
- 185 (b) "Certified vendor" means a vendor of student information systems that the state  
 186 board certifies as meeting the compliance requirements described in this section.
- 187 (c) "Compliance requirements" means the technical, functional, and data standards that  
 188 the state board establishes under this section for student information systems.
- 189 (d) "Integration standards" means the technical requirements that the state board  
 190 establishes to allow student information systems and an authorized interoperable data  
 191 exchange network to interface with state board systems.
- 192 (e) "Interoperable data exchange framework" means a standards-based, vendor-neutral  
 193 method for secure, governed data exchange between authoritative education data  
 194 systems that:  
 195 (i) does not require centralized storage or duplication of student records; and  
 196 (ii) does not require creation of an additional statewide data warehouse.
- 197 (f) "LEA head" means:  
 198 (i) for a school district, the superintendent of the school district; or

- 199           (ii) for a charter school, the director of the charter school.
- 200           (g) "School safety data" means data related to school safety incidents, threat  
201           assessments, and student behavioral concerns as described in Subsection (5).
- 202           (h) "Student data" means the same as that term is defined in Section 53E-9-301.
- 203           (i) "USIMS compliant" means meeting all data transmission requirements that the Utah  
204           Student Information Management System establishes.
- 205       (2)(a) Beginning July 1, 2031, each LEA shall use a student information system that  
206           meets all compliance requirements established under this section for all student data  
207           collection, management, and reporting functions that state or federal law requires.
- 208           (b) An LEA that uses a student information system that meets the compliance  
209           requirements under this section:
- 210           (i) shall ensure that all student data in the system reconciles with and matches the  
211           data standards established by the state board in accordance with Section 53E-3-501;
- 212           (ii) is responsible for all costs associated with maintaining, integrating, and ensuring  
213           compliance of the system;
- 214           (iii) is responsible for ensuring that the system interfaces properly with state board  
215           systems, through an authorized interoperable data exchange framework, or  
216           through both; and
- 217           (iv) is responsible for all data reconciliation and data quality assurance for the system.
- 218           (c) The state board is not responsible for cleaning, reconciling, or correcting data from  
219           an LEA's student information system.
- 220           (d) An LEA may permit an authorized interoperable data exchange framework to:
- 221           (i) interface with state board systems, the Utah Student Information Management  
222           System;
- 223           (ii) transmit student data, validate, and submit reports required by state or federal law  
224           on behalf of the LEA;
- 225           (iii) transmit school safety data to the public safety portal described in Section  
226           63A-16-1002, in accordance with the requirements described in Subsection (5)  
227           and rules made under Subsection (5)(b); and
- 228           (iv) provide student data to support the student achievement backpack described in  
229           Section 53E-3-511.
- 230           (e) An authorization described in Subsection (2)(d) does not relieve an LEA of the  
231           responsibilities described in Subsection (2)(b), including data reconciliation and data  
232           quality assurance.

- 233 (3) The state board shall establish and maintain compliance requirements that define:
- 234 (a) required data elements and formats consistent with Section 53E-3-501;
- 235 (b) integration standards for interfacing with state board systems, including integration
- 236 standards for transmission through the student information system through an
- 237 authorized interoperable data exchange framework, or through both;
- 238 (c) synchronization frequency and methods;
- 239 (d) error handling procedures;
- 240 (e) data consistency and integrity requirements;
- 241 (f) privacy and security requirements consistent with Chapter 9, Student Privacy and
- 242 Data Protection;
- 243 (g) school safety data collection and reporting requirements as described in Subsection
- 244 (5); and
- 245 (h) interoperability standards for data exchange between LEAs and with authorized
- 246 entities, including an authorized interoperable data exchange framework.
- 247 (4) A student information system that meets compliance requirements under this section
- 248 shall:
- 249 (a) maintain all student demographic, enrollment, and academic records;
- 250 (b) track attendance, grades, and course completion;
- 251 (c) generate all reports that state and federal law requires and transmit the reports to the
- 252 state board through an authorized interoperable data exchange framework, or through
- 253 both;
- 254 (d) support scheduling and course management;
- 255 (e) provide transcript generation and electronic transfer capabilities;
- 256 (f) enable seamless student transfers between LEAs without manual data entry;
- 257 (g) maintain historical data for longitudinal analysis;
- 258 (h) be fully USIMS compliant including by meeting data transmission requirements
- 259 through the student information system, through an authorized interoperable data
- 260 exchange framework, or through both;
- 261 (i) provide real-time data synchronization with state board systems through the student
- 262 information system, through an authorized interoperable data exchange framework,
- 263 or through both;
- 264 (j) support automated data validation and error checking;
- 265 (k) enable role-based access controls;
- 266 (l) maintain an audit log of all data changes;

- 267 (m) support data exports in standard formats;  
268 (n) provide application programming interfaces for approved third-party integrations;  
269 (o) include online student registration capabilities;  
270 (p) provide parent and guardian portal access;  
271 (q) include digital consent form management;  
272 (r) ensure mobile device compatibility;  
273 (s) provide multi-language support;  
274 (t) capture and maintain school safety data as described in Subsection (5); and  
275 (u) integrate through the student information system, through an authorized  
276 interoperable data exchange framework, or through both, with:  
277 (i) special education IEP management systems;  
278 (ii) student health information systems;  
279 (iii) school safety and student behavior tracking systems;  
280 (iv) learning management systems;  
281 (v) assessment platforms;  
282 (vi) early warning and intervention systems;  
283 (vii) transportation management systems;  
284 (viii) food service systems;  
285 (ix) financial management systems; and  
286 (x) eliminate the need for manual data transmission for state and federal reporting,  
287 including by transmitting required data through the student information system,  
288 through an authorized interoperable data exchange framework, or through both.  
289 (5)(a) Beginning July 1, 2031, each LEA's student information system shall capture and  
290 maintain school safety data, including:  
291 (i) school safety incident reports, including:  
292 (A) the date, time, and location of incidents;  
293 (B) the nature and severity of incidents;  
294 (C) individuals involved in incidents;  
295 (D) interventions provided; and  
296 (E) outcomes and resolutions;  
297 (ii) student behavioral threat assessments, including:  
298 (A) threat assessment referrals and screening results;  
299 (B) comprehensive threat assessment findings;  
300 (C) risk levels and classifications;

- 301            (D) safety planning and interventions implemented; and  
302            (E) monitoring and follow-up documentation; and  
303            (iii) threat assessment team documentation, including:  
304            (A) threat assessment team composition and member qualifications;  
305            (B) threat assessment protocols and procedures followed;  
306            (C) case management and disposition records; and  
307            (D) coordination with law enforcement and other agencies.
- 308            (b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah  
309            Administrative Rulemaking Act, establishing:  
310            (i) standardized definitions and classifications for school safety data;  
311            (ii) data collection and reporting requirements;  
312            (iii) privacy protections and access controls for school safety data;  
313            (iv) data sharing protocols with law enforcement and other authorized entities; and  
314            (v) integration requirements with the public safety portal described in Section  
315            63A-16-1002, including requirements for transmission through an authorized  
316            interoperable data exchange framework when authorized by an LEA under  
317            Subsection (2)(d).
- 318            (c) School safety data collected under this Subsection (5) shall:  
319            (i) comply with all applicable privacy laws and regulations;  
320            (ii) be accessible only to authorized personnel with legitimate educational or safety  
321            interests;  
322            (iii) be maintained securely with appropriate access controls and audit logging; and  
323            (iv) be used only for purposes of maintaining school safety, providing appropriate  
324            interventions and support to students, and meeting legal reporting requirements.
- 325            (6)(a) The state board shall establish a voluntary vendor certification program for  
326            student information system vendors.
- 327            (b) To become a certified vendor, a vendor shall:  
328            (i) submit an application to the state board demonstrating that the vendor's student  
329            information system meets all compliance requirements established under this  
330            section;  
331            (ii) undergo technical review and testing by the state board or the state board's  
332            designee;  
333            (iii) demonstrate successful integration with state board systems;  
334            (iv) provide documentation of data security measures and privacy protections;

- 335 (v) agree to maintain compliance with all requirements and to notify the state board  
336 of any material changes to the system that may affect compliance; and  
337 (vi) pay any applicable certification fees established by the state board.
- 338 (c) The state board shall:
- 339 (i) maintain and publish a list of certified vendors on the state board's website;  
340 (ii) establish procedures for annual recertification of vendors;  
341 (iii) establish procedures for revoking certification if a vendor fails to maintain  
342 compliance; and  
343 (iv) provide technical specifications and testing protocols to assist vendors in  
344 achieving certification.
- 345 (d) The state board may charge reasonable fees to vendors seeking certification to cover  
346 the costs of the certification program.
- 347 (e) Vendor certification under this Subsection (6) does not constitute an endorsement by  
348 the state board of any particular vendor or product, and LEAs retain full discretion in  
349 selecting student information systems.
- 350 (7)(a) The state board may provide technical assistance to LEAs, including:
- 351 (i) guidance on selecting student information systems that meet compliance  
352 requirements;  
353 (ii) assistance with system implementation and integration;  
354 (iii) training on data standards and reporting requirements;  
355 (iv) support for data migration and system transitions; and  
356 (v) resources and best practices for maintaining compliance.
- 357 (b) Subject to available appropriations, the state board may provide financial assistance  
358 to LEAs for costs associated with achieving and maintaining compliance with this  
359 section, including:
- 360 (i) system implementation costs;  
361 (ii) data migration services;  
362 (iii) training and technical support;  
363 (iv) integration development; and  
364 (v) ongoing compliance maintenance.
- 365 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
366 state board may make rules establishing:
- 367 (i) eligibility criteria for financial assistance;  
368 (ii) application procedures;

- 369            (iii) funding priorities based on LEA need and capacity; and  
370            (iv) accountability requirements for LEAs receiving assistance.
- 371            (d) The state board may provide transitional support during phase-out of direct student  
372            information system services, as established by state board rule under Section  
373            53E-3-518.
- 374            (8)(a) The state board shall establish a phased implementation schedule that:  
375            (i) begins no earlier than July 1, 2028;  
376            (ii) provides each LEA at least 24 months to achieve compliance with this section;  
377            (iii) prioritizes voluntary early adopters;  
378            (iv) considers LEA size and technical capacity; and  
379            (v) ensures full statewide compliance by July 1, 2031.
- 380            (b) An LEA contract for a student information system in effect on May 7, 2026, remains  
381            valid until the earlier of:  
382            (i) the contract's expiration date;  
383            (ii) July 1, 2031; or  
384            (iii) the day on which the LEA voluntarily transitions to a compliant system.
- 385            (c) An LEA may renew an existing contract for a student information system one time  
386            after May 7, 2026, if:  
387            (i) the renewal term does not extend beyond June 30, 2031;  
388            (ii) the LEA notifies the state board of the renewal within 30 days after the day on  
389            which the LEA renews the contract; and  
390            (iii) the renewal is necessary to avoid disruption of operations.
- 391            (d) An LEA may request an implementation extension of up to 12 months if the LEA  
392            demonstrates:  
393            (i) extraordinary circumstances beyond the LEA's control;  
394            (ii) a detailed transition plan with specific milestones;  
395            (iii) commitment of necessary resources to meet the extended deadline; and  
396            (iv) that denial of the extension would cause substantial disruption to the LEA's  
397            educational programs.
- 398            (9)(a) Beginning August 1, 2031, if an LEA fails to comply with a requirement of this  
399            section, the state board shall:  
400            (i) provide written notice to the LEA describing the noncompliance; and  
401            (ii) allow the LEA 90 days after the day on which the state board provides the notice  
402            described in Subsection (9)(a)(i) to cure the noncompliance.

- 403        (b) If the LEA fails to cure the noncompliance within the time period described in  
404        Subsection (9)(a)(ii), the state board shall:
- 405            (i) provide written notice to the LEA and the LEA head that the LEA head's  
406            compensation shall be reduced by 10% until the noncompliance is cured; and  
407            (ii) allow the LEA an additional 90 days after the day on which the state board  
408            provides the notice described in Subsection (9)(b)(i) to cure the noncompliance.
- 409        (c) If the LEA fails to cure the noncompliance within the time period described in  
410        Subsection (9)(b)(ii), the state board may:
- 411            (i) withhold state funding from the LEA in accordance with Section 53E-3-401 until  
412            the LEA achieves compliance; and  
413            (ii) require the LEA to develop and implement a corrective action plan within a  
414            specified timeframe.
- 415        (d) The state board shall establish an appeals process for an LEA subject to an  
416        enforcement action under this Subsection (9).
- 417        (10)(a) When conducting a risk assessment for an audit of an LEA, the Office of the  
418        Legislative Auditor General may consider an LEA's compliance with this section as a  
419        risk factor, including the LEA's compliance with:
- 420            (i) the data standards established by the state board in accordance with Section  
421            53E-3-501;  
422            (ii) the compliance requirements established under Subsection (3);  
423            (iii) the integration standards established under Subsection (3)(b); and  
424            (iv) all other requirements of this section.
- 425        (b) If the Office of the Legislative Auditor General includes a review of an LEA's  
426        compliance with this section as part of an audit, the Office of the Legislative Auditor  
427        General may report the results to the Education Interim Committee.
- 428        (11) A local school board or charter school governing board shall include in an employment  
429        contract with an LEA head a provision that allows for the reduction of the LEA head's  
430        compensation as required under Subsection (9)(b)(i).
- 431        (12) All data in an LEA's student information system remains the property of the respective  
432        LEA.
- 433        (13) The state board may access LEA data only to:
- 434            (a) generate reports that state and federal law requires;  
435            (b) provide technical support;  
436            (c) ensure data quality and compliance;

- 437 (d) conduct authorized research and analysis;  
 438 (e) facilitate student transfers between LEAs; or  
 439 (f) perform functions specifically authorized by law.
- 440 (14) Student information systems that meet compliance requirements under this section  
 441 shall comply with all requirements of:
- 442 (a) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;  
 443 (b) Title 53E, Chapter 9, Student Privacy and Data Protection;  
 444 (c) Title 63G, Chapter 2, Government Records Access and Management Act; and  
 445 (d) all other applicable privacy laws and regulations.
- 446 (15) Upon request, the state board shall report to the Education Interim Committee on:
- 447 (a) implementation progress and LEA compliance status;  
 448 (b) effectiveness of the vendor certification program;  
 449 (c) costs and financial assistance provided to LEAs;  
 450 (d) improvements in data quality and timeliness;  
 451 (e) reduction in administrative burden at LEAs;  
 452 (f) system performance and interoperability;  
 453 (g) school safety data collection and utilization; and  
 454 (h) recommendations for improvements or statutory changes.
- 455 (16) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 456 state board may make rules to implement this section, including rules that:
- 457 (a) establish technical specifications for compliance requirements;  
 458 (b) define integration standards and testing protocols;  
 459 (c) create implementation timelines and procedures;  
 460 (d) establish vendor certification requirements and procedures;  
 461 (e) define school safety data elements and reporting requirements;  
 462 (f) establish data governance policies; and  
 463 (g) improve coordination and accessibility among state student data systems to enable  
 464 local education agencies to access relevant data through a unified and secure platform.
- 465 Section 3. Section **53E-9-303** is amended to read:
- 466 **53E-9-303 . Local student data protection governance.**
- 467 (1) An LEA shall adopt policies to protect student data in accordance with this part and  
 468 state board rule, taking into account the specific needs and priorities of the LEA.
- 469 (2)(a) An LEA shall designate an individual to act as a student data manager to fulfill the  
 470 responsibilities of a student data manager described in Section 53E-9-308.

- 471 (b) If possible, an LEA shall designate the LEA's records officer as defined in Section  
 472 63G-2-103, as the student data manager.
- 473 (3) An LEA shall create and maintain an LEA:  
 474 (a) data governance plan; and  
 475 (b) metadata dictionary.
- 476 (4) An LEA shall establish an external research review process for a request for data for the  
 477 purpose of external research or evaluation.
- 478 (5) Beginning July 1, 2031, a student data manager designated under this section shall:  
 479 (a) ensure the LEA's compliance with data governance policies for student information  
 480 systems that meet the compliance requirements established under Section 53E-3-527;  
 481 and  
 482 (b) serve as the LEA's primary contact for student information system data management  
 483 issues.

484 Section 4. Section **53E-9-308** is amended to read:

485 **53E-9-308 . Sharing student data -- Prohibition -- Requirements for student data**  
 486 **manager -- Authorized student data sharing.**

- 487 (1)(a) Except as provided in Subsection (1)(b), an education entity, including a student  
 488 data manager, may not:  
 489 (i) share personally identifiable student data without written consent; or  
 490 (ii) share student data with a federal agency.
- 491 (b) An education entity, including a student data manager, may share personally  
 492 identifiable student data:  
 493 (i) in accordance with the Family Education Rights and Privacy Act and related  
 494 provisions under 20 U.S.C. Secs. 1232g and 1232h;  
 495 (ii) as required by federal law; and  
 496 (iii) as described in Subsections (3), (5), and (6).
- 497 (2) A student data manager shall:  
 498 (a) authorize and manage the sharing, outside of the student data manager's education  
 499 entity, of personally identifiable student data for the education entity as described in  
 500 this section;  
 501 (b) act as the primary local point of contact for the state student data officer described in  
 502 Section 53E-9-302;~~and~~  
 503 (c) fulfill other responsibilities described in the data governance plan of the student data  
 504 manager's education entity[-] ; and

- 505           (d) beginning July 1, 2031, ensure proper use of student information systems that meet  
506           the compliance requirements established under Section 53E-3-527 within the LEA.
- 507       (3) A student data manager may share a student's personally identifiable student data with a  
508       caseworker or representative of the Department of Health and Human Services if:  
509       (a) the Department of Health and Human Services is:  
510           (i) legally responsible for the care and protection of the student, including the  
511           responsibility to investigate a report of educational neglect, as provided in  
512           Subsection 80-2-701(5); or  
513           (ii) providing services to the student;
- 514       (b) the student's personally identifiable student data is not shared with a person who is  
515       not authorized:  
516           (i) to address the student's education needs; or  
517           (ii) by the Department of Health and Human Services to receive the student's  
518           personally identifiable student data; and
- 519       (c) the Department of Health and Human Services maintains and protects the student's  
520       personally identifiable student data.
- 521       (4) The Department of Health and Human Services, a school official, or the Utah Juvenile  
522       Court may share personally identifiable student data to improve education outcomes for  
523       youth:  
524       (a) in the custody of, or under the guardianship of, the Department of Health and Human  
525       Services;  
526       (b) receiving services from the Division of Juvenile Justice and Youth Services;  
527       (c) in the custody of the Division of Child and Family Services;  
528       (d) receiving services from the Division of Services for People with Disabilities; or  
529       (e) under the jurisdiction of the Utah Juvenile Court.
- 530       (5)(a) A student data manager may share personally identifiable student data in response  
531       to a subpoena issued by a court.  
532       (b) A person who receives personally identifiable student data under Subsection (5)(a)  
533       may not use the personally identifiable student data outside of the use described in  
534       the subpoena.
- 535       (6)(a) A student data manager may share student data, including personally identifiable  
536       student data, in response to a request to share student data for the purpose of research  
537       or evaluation, if the student data manager:  
538           (i) verifies that the request meets the requirements of 34 C.F.R. Sec. 99.31(a)(6);

- 539 (ii) submits the request to the education entity's research review process; and  
 540 (iii) fulfills the instructions that result from the review process.
- 541 (b)(i) In accordance with state and federal law, and subject to Subsection (6)(b)(ii),  
 542 the state board shall share student data, including personally identifiable student  
 543 data, as requested by the Utah Registry of Autism and Developmental Disabilities  
 544 described in Section 26B-7-115.
- 545 (ii)(A) At least 30 days before the state board shares student data in accordance  
 546 with Subsection (6)(b)(i), the education entity from which the state board  
 547 received the student data shall provide notice to the parent of each student for  
 548 which the state board intends to share student data.
- 549 (B) The state board may not, for a particular student, share student data as  
 550 described in Subsection (6)(b)(i) if the student's parent requests that the state  
 551 board not share the student data.
- 552 (iii) A person who receives student data under Subsection (6)(b)(i):
- 553 (A) shall maintain and protect the student data in accordance with state board rule  
 554 described in Section 53E-9-307;
- 555 (B) may not use the student data for a purpose not described in Section 26B-7-115;  
 556 and
- 557 (C) is subject to audit by the state student data officer described in Section  
 558 53E-9-302.

559 Section 5. Section **53F-2-205** is amended to read:

560 **53F-2-205 . Powers and duties of state board to adjust Minimum School**

561 **Program allocations -- Use of remaining funds at the end of a fiscal year.**

- 562 (1) As used in this section:
- 563 (a) "ESEA" means the Elementary and Secondary Education Act of 1965, 20 U.S.C.  
 564 Sec. 6301 et seq.
- 565 (b) "Program" means a program or allocation funded by a line item appropriation or  
 566 other appropriation designated as:
- 567 (i) Basic Program;
- 568 (ii) Related to Basic Programs;
- 569 (iii) Voted and Board Levy Programs; or
- 570 (iv) Minimum School Program.
- 571 (2) Except as provided in Subsection (3) or (5), if the number of weighted pupil units in a  
 572 program is underestimated, the state board shall reduce the value of the weighted pupil

- 573 unit in that program so that the total amount paid for the program does not exceed the  
574 amount appropriated for the program.
- 575 (3) If the number of weighted pupil units in a program is overestimated, the state board  
576 shall spend excess money appropriated for the following purposes giving priority to the  
577 purpose described in Subsection (3)(a):
- 578 (a) to support the value of the weighted pupil unit in a program within the basic  
579 state-supported school program in which the number of weighted pupil units is  
580 underestimated;
- 581 (b) to support the state guaranteed local levy increments as defined in Section 53F-2-601,  
582 if:
- 583 (i) local contributions to the voted local levy program or board local levy program are  
584 overestimated; or
- 585 (ii) the number of weighted pupil units within school districts qualifying for a  
586 guarantee is underestimated;
- 587 (c) to support the state supplement to local property taxes allocated to charter schools, if  
588 the state supplement is less than the amount prescribed by Section 53F-2-704;
- 589 (d) to fund the cost of the salary supplements described in Section 53F-2-504; or
- 590 (e) to support a school district with a loss in student enrollment as provided in Section  
591 53F-2-207.
- 592 (4) If local contributions from the minimum basic tax rate imposed under Section 53F-2-301  
593 are overestimated, the state board shall reduce the value of the weighted pupil unit for all  
594 programs within the basic state-supported school program so the total state contribution  
595 to the basic state-supported school program does not exceed the amount of state funds  
596 appropriated.
- 597 (5) If local contributions from the minimum basic tax rate imposed under Section 53F-2-301  
598 are underestimated, the state board shall:
- 599 (a) spend the excess local contributions for the purposes specified in Subsection (3),  
600 giving priority to supporting the value of the weighted pupil unit in programs within  
601 the basic state-supported school program in which the number of weighted pupil  
602 units is underestimated; and
- 603 (b) reduce the state contribution to the basic state-supported school program so the total  
604 cost of the basic state-supported school program does not exceed the total state and  
605 local funds appropriated to the basic state-supported school program plus the local  
606 contributions necessary to support the value of the weighted pupil unit in programs

607 within the basic state-supported school program in which the number of weighted  
608 pupil units is underestimated.

609 (6) Except as provided in Subsection (3) or (5), the state board shall reduce the state  
610 guarantee per weighted pupil unit provided under the local levy state guarantee program  
611 described in Section 53F-2-601, if:

612 (a) local contributions to the voted local levy program or board local levy program are  
613 overestimated; or

614 (b) the number of weighted pupil units within school districts qualifying for a guarantee  
615 is underestimated.

616 (7) Money appropriated to the state board is nonlapsing, including appropriations to the  
617 Minimum School Program and all agencies, line items, and programs under the  
618 jurisdiction of the state board.

619 (8) The state board shall report actions taken by the state board under this section to the  
620 Office of the Legislative Fiscal Analyst and the Governor's Office of Planning and  
621 Budget.

622 (9) Beginning with the 2031-32 school year:

623 (a) the state board shall calculate all distribution amounts under this section using data  
624 from student information systems that meet the compliance requirements established  
625 under Section 53E-3-527; and

626 (b) an LEA's failure to properly maintain data in a compliant student information system  
627 may result in adjustment of the LEA's funding allocation.

628 Section 6. Section **53F-2-311** is amended to read:

629 **53F-2-311 . Weighted pupil units for career and technical education programs --**

630 **Funding of approved programs -- Performance measures -- Qualifying criteria.**

631 (1)(a) Money appropriated to the state board for approved career and technical education  
632 programs and the comprehensive guidance program:

633 (i) shall be allocated to eligible recipients as provided in Subsections (2), (3), and (4);  
634 and

635 (ii) may not be used to fund programs below grade 9.

636 (b) Subsection (1)(a)(ii) does not apply to the following programs:

637 (i) comprehensive guidance; and

638 (ii) work-based learning programs.

639 (2)(a) Weighted pupil units are computed for pupils in approved programs.

640 (b)(i) The state board shall fund approved programs based upon hours of membership

- 641 of grades 9 through 12 students.
- 642 (ii) Subsection (2)(b)(i) does not apply to the following programs:
- 643 (A) comprehensive guidance; and
- 644 (B) work-based learning programs.
- 645 (c) The state board shall use an amount not to exceed 20% of the total appropriation
- 646 under this section to fund approved programs based on performance measures such
- 647 as placement and competency attainment defined in standards set by the state board.
- 648 (d) The state board shall make the necessary calculations for distribution of the
- 649 appropriation to a school district and charter school and may revise and recommend
- 650 changes necessary for achieving equity and ease of administration.
- 651 (3)(a) Twenty weighted pupil units shall be computed for career and technical education
- 652 administrative costs for each school district, except 25 weighted pupil units may be
- 653 computed for each school district that consolidates career and technical education
- 654 administrative services with one or more other school districts.
- 655 (b) Between 10 and 25 weighted pupil units shall be computed for each high school
- 656 conducting approved career and technical education programs in a school district
- 657 according to standards established by the state board.
- 658 (c) Forty weighted pupil units shall be computed for each school district that operates an
- 659 approved career and technical education center.
- 660 (d) Between five and seven weighted pupil units shall be computed for each summer
- 661 career and technical education agriculture program according to standards established
- 662 by the state board.
- 663 (e) The state board shall, by rule, establish qualifying criteria for a school district or
- 664 charter school to receive weighted pupil units under this Subsection (3).
- 665 (4)(a) Money remaining after the allocations made under Subsections (2) and (3) shall
- 666 be allocated using average daily membership in approved programs for the previous
- 667 year.
- 668 (b) A school district or charter school that has experienced student growth in grades 9
- 669 through 12 for the previous year shall have the growth factor applied to the previous
- 670 year's weighted pupil units when calculating the allocation of money under this
- 671 Subsection (4).
- 672 (c) An LEA may use funds received through the general allocation described in this
- 673 Subsection (4) for Technology-Life-Careers and student leadership organizations.
- 674 (5)(a) The state board shall establish rules for upgrading high school career and

- 675 technical education programs.
- 676 (b) The rules shall reflect career and technical training and actual marketable job skills  
677 in society.
- 678 (c) The rules shall include procedures to assist school districts and charter schools to  
679 convert existing programs that are not preparing students for the job market into  
680 programs that will accomplish that purpose.
- 681 (6) Programs that do not meet state board standards may not be funded under this section.
- 682 (7) Beginning July 1, 2031, the state board shall:
- 683 (a) track career and technical education enrollment through student information systems  
684 that meet the compliance requirements established under Section 53E-3-527; and
- 685 (b) calculate weighted pupil units under this section using data from student information  
686 systems that meet the compliance requirements established under Section 53E-3-527.
- 687 Section 7. Section **53G-4-402** is amended to read:
- 688 **53G-4-402 . Powers and duties generally.**
- 689 (1) A local school board shall:
- 690 (a) implement the core standards for Utah public schools using instructional materials  
691 that best correlate to the core standards for Utah public schools and graduation  
692 requirements;
- 693 (b) administer tests, required by the state board, which measure the progress of each  
694 student, and coordinate with the state superintendent and state board to assess results  
695 and create plans to improve the student's progress, which shall be submitted to the  
696 state board for approval;
- 697 (c) use progress-based assessments as part of a plan to identify schools, teachers, and  
698 students that need remediation and determine the type and amount of federal, state,  
699 and local resources to implement remediation;
- 700 (d) for each grading period and for each course in which a student is enrolled, issue a  
701 grade or performance report to the student:
- 702 (i) that reflects the student's work, including the student's progress based on mastery,  
703 for the grading period; and
- 704 (ii) in accordance with the local school board's adopted grading or performance  
705 standards and criteria;
- 706 (e) develop early warning systems for students or classes failing to make progress;
- 707 (f) work with the state board to establish a library of documented best practices,  
708 consistent with state and federal regulations, for use by the special districts;

- 709 (g) implement training programs for school administrators, including basic management  
710 training, best practices in instructional methods, budget training, staff management,  
711 managing for learning results and continuous improvement, and how to help every  
712 student achieve optimal learning in basic academic subjects;[-and]
- 713 (h) ensure that the local school board meets the data collection and reporting standards  
714 described in Section 53E-3-501[-] ;
- 715 (i) beginning July 1, 2031, ensure that all schools within the school district use student  
716 information systems that meet the compliance requirements established under Section  
717 53E-3-527; and
- 718 (j) ensure that any employment contract with a school district superintendent includes  
719 the provision required under Section 53E-3-527.
- 720 (2) Local school boards shall spend Minimum School Program funds for programs and  
721 activities for which the state board has established minimum standards or rules under  
722 Section 53E-3-501.
- 723 (3)(a) A local school board may purchase, sell, and make improvements on school sites,  
724 buildings, and equipment, and construct, erect, and furnish school buildings.
- 725 (b) School sites or buildings may only be conveyed or sold on local school board  
726 resolution affirmed by at least two-thirds of the school board members.
- 727 (4)(a) A local school board may participate in the joint construction or operation of a  
728 school attended by students residing within the district and students residing in other  
729 districts either within or outside the state.
- 730 (b) Any agreement for the joint operation or construction of a school shall:
- 731 (i) be signed by the president of the local school board of each participating district;
- 732 (ii) include a mutually agreed upon pro rata cost; and
- 733 (iii) be filed with the state board.
- 734 (5) A local school board may establish, locate, and maintain elementary, secondary, and  
735 applied technology schools.
- 736 (6) A local school board may enter into cooperative agreements with other local school  
737 boards to provide educational services that best utilize resources for the overall  
738 operation of the school districts, including shared transportation services.
- 739 (7) A local school board shall ensure that an agreement under Subsection (6):
- 740 (a) is signed by the president of the local school board of each participating district;
- 741 (b) specifies the resource being shared;
- 742 (c) includes a mutually agreed upon pro rata cost;

- 743 (d) includes the duration of the agreement; and  
744 (e) is filed with the state board.
- 745 (8)(a) Except as provided in Section 53E-3-905 and Subsection (8)(b), a local school  
746 board may enroll children in school who are at least five years old before September  
747 2 of the year in which admission is sought.
- 748 (b) A local school board may enroll a child in kindergarten who does not meet the age  
749 requirement described in Subsection (8)(a) if the child:
- 750 (i) moves to Utah from a different state in which the child, during the relevant school  
751 year:
- 752 (A) was a resident; and  
753 (B) was enrolled in kindergarten in accordance with the previous state's age  
754 requirements for kindergarten enrollment; and
- 755 (ii) transfers to the enrolling school after the beginning of the same school year.
- 756 (9) A local school board:
- 757 (a) may establish and support school libraries; and  
758 (b) shall provide an online platform:
- 759 (i) through which a parent is able to view the title, author, and a description of any  
760 material the parent's child borrows from the school library, including a history of  
761 borrowed materials, either using an existing online platform that the LEA uses or  
762 through a separate platform; and
- 763 (ii)(A) for a school district with 1,000 or more enrolled students, no later than  
764 August 1, 2024; and  
765 (B) for a school district with fewer than 1,000 enrolled students, no later than  
766 August 1, 2026.
- 767 (10) A local school board may collect damages for the loss, injury, or destruction of school  
768 property.
- 769 (11) A local school board may authorize guidance and counseling services for students and  
770 the student's parents before, during, or following school enrollment.
- 771 (12)(a) A local school board shall administer and implement federal educational  
772 programs in accordance with Title 53E, Chapter 3, Part 8, Implementing Federal or  
773 National Education Programs.
- 774 (b) Federal funds are not considered funds within the school district budget under  
775 Chapter 7, Part 3, Budgets.
- 776 (13)(a) A local school board may organize school safety patrols and adopt policies under

- 777 which the patrols promote student safety.
- 778 (b) A student appointed to a safety patrol shall be at least 10 years old and have written  
779 parental consent for the appointment.
- 780 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of  
781 a highway intended for vehicular traffic use.
- 782 (d) Liability may not attach to a school district, its employees, officers, or agents, or to a  
783 safety patrol member, a parent of a safety patrol member, or an authorized volunteer  
784 assisting the program by virtue of the organization, maintenance, or operation of a  
785 school safety patrol.
- 786 (14)(a) A local school board may on its own behalf, or on behalf of an educational  
787 institution for which the local school board is the direct governing body, accept  
788 private grants, loans, gifts, endowments, devises, or bequests that are made for  
789 educational purposes.
- 790 (b) The contributions made under Subsection (14)(a) are not subject to appropriation by  
791 the Legislature.
- 792 (15)(a) A local school board may appoint and fix the compensation of a compliance  
793 officer to issue citations for violations of Subsection 76-9-1106(3)(c).
- 794 (b) A person may not be appointed to serve as a compliance officer without the person's  
795 consent.
- 796 (c) A teacher or student may not be appointed as a compliance officer.
- 797 (16) A local school board shall adopt bylaws and policies for the local school board's own  
798 procedures.
- 799 (17)(a) A local school board shall make and enforce policies necessary for the control  
800 and management of the district schools.
- 801 (b) Local school board policies shall be in writing, filed, and referenced for public  
802 access.
- 803 (18) A local school board may hold school on legal holidays other than Sundays.
- 804 (19)(a) A local school board shall establish for each school year a school traffic safety  
805 committee to implement this Subsection (19).
- 806 (b) The committee shall be composed of one representative of:
- 807 (i) the schools within the district;
- 808 (ii) the Parent Teachers' Association of the schools within the district;
- 809 (iii) the municipality or county;
- 810 (iv) state or local law enforcement; and

- 811 (v) state or local traffic safety engineering.
- 812 (c) The committee shall:
- 813 (i) receive suggestions from school community councils, parents, teachers, and
- 814 others, and recommend school traffic safety improvements, boundary changes to
- 815 enhance safety, and school traffic safety program measures;
- 816 (ii) review and submit annually to the Department of Transportation and affected
- 817 municipalities and counties a child access routing plan for each elementary,
- 818 middle, and junior high school within the district;
- 819 (iii) in consultation with the Utah Safety Council and the Division of Family Health,
- 820 provide training to all students in kindergarten through grade 6, within the district,
- 821 on school crossing safety and use; and
- 822 (iv) help ensure the district's compliance with rules made by the Department of
- 823 Transportation under Section 41-6a-303.
- 824 (d) The committee may establish subcommittees as needed to assist in accomplishing the
- 825 committee's duties under Subsection (19)(c).
- 826 (20)(a) A local school board shall adopt and implement a comprehensive emergency
- 827 response plan to prevent and combat violence in the local school board's public
- 828 schools, on school grounds, on school vehicles, and in connection with
- 829 school-related activities or events.
- 830 (b) The local school board shall ensure that the plan:
- 831 (i) includes prevention, intervention, and response components;
- 832 (ii) is consistent with the school discipline and conduct policies required for school
- 833 districts under Chapter 8, Part 2, School Discipline and Conduct Plans;
- 834 (iii) requires professional learning for all district and school building staff on the
- 835 staff's roles in the emergency response plan;
- 836 (iv) provides for coordination with local law enforcement and other public safety
- 837 representatives in preventing, intervening, and responding to violence in the areas
- 838 and activities referred to in Subsection (20)(a); and
- 839 (v) includes procedures to notify a student who is off campus at the time of a school
- 840 violence emergency because the student is:
- 841 (A) participating in a school-related activity; or
- 842 (B) excused from school for a period of time during the regular school day to
- 843 participate in religious instruction at the request of the student's parent.
- 844 (c) The state board, through the state superintendent, shall develop comprehensive

- 845 emergency response plan models that local school boards may use, where  
846 appropriate, to comply with Subsection (20)(a).
- 847 (d) A local school board shall, by July 1 of each year, certify to the state board that its  
848 plan has been practiced at the school level and presented to and reviewed by its  
849 teachers, administrators, students, and the student's parents and local law enforcement  
850 and public safety representatives.
- 851 (21)(a) A local school board may adopt an emergency response plan for the treatment of  
852 sports-related injuries that occur during school sports practices and events.
- 853 (b) The plan may be implemented by each secondary school in the district that has a  
854 sports program for students.
- 855 (c) The plan may:
- 856 (i) include emergency personnel, emergency communication, and emergency  
857 equipment components;
- 858 (ii) require professional learning on the emergency response plan for school  
859 personnel who are involved in sports programs in the district's secondary schools;  
860 and
- 861 (iii) provide for coordination with individuals and agency representatives who:  
862 (A) are not employees of the school district; and  
863 (B) would be involved in providing emergency services to students injured while  
864 participating in sports events.
- 865 (d) The local school board, in collaboration with the schools referred to in Subsection  
866 (21)(b), may review the plan each year and make revisions when required to improve  
867 or enhance the plan.
- 868 (e) The state board, through the state superintendent, shall provide local school boards  
869 with an emergency plan response model that local school boards may use to comply  
870 with the requirements of this Subsection (21).
- 871 (22)(a) A local school board shall approve an LEA's policies and procedures that an  
872 LEA develops to ensure that students have non-electronic notification of and access  
873 to:
- 874 (i) school activities and events, including:
- 875 (A) schedule changes;
- 876 (B) extracurricular activities; and
- 877 (C) sporting events; and
- 878 (ii) the emergency response plans described in Subsections (20) and (21).

- 879 (b) Notwithstanding Subsection (22)(a), an LEA may provide electronic notification of  
880 and access to school activities and events as described in Subsections (22)(a)(i) and  
881 (ii) if:
- 882 (i)(A) the school provides each student with an electronic device; and  
883 (B) the electronic device is capable of receiving electronic notification of and  
884 access to school activities and events as described in Subsections (22)(a)(i) and  
885 (ii); or
- 886 (ii) an emergency, unforeseen circumstance, or other incident arises and an LEA  
887 cannot reasonably provide timely non-electronic notification.
- 888 (c) An LEA may not require the use of a privately owned electronic device to complete  
889 course work.
- 890 (23) A local school board shall do all other things necessary for the maintenance,  
891 prosperity, and success of the schools and the promotion of education.
- 892 (24)(a) As used in this subsection, "special enrollment program" means a full-day  
893 academic program in which a parent opts to enroll the parent's student and that is  
894 offered at a specifically designated school within an LEA, including:
- 895 (i) gifted or advanced learning programs; or  
896 (ii) dual language immersion programs.
- 897 (b) Before closing a school, changing the boundaries of a school, or changing or closing  
898 the location of a special enrollment program, a local school board shall:
- 899 (i) at a local school board meeting, make and approve a motion to initiate the  
900 notification required under Subsections (24)(b)(ii) through (iv);  
901 (ii) on or before 90 days before the day on which the local school board approves the  
902 school closure or at least 30 days before the day on which the local school board  
903 approves a school boundary change, provide notice that the local school board is  
904 considering the closure or boundary change to:
- 905 (A) parents of students enrolled in the school, using the same form of  
906 communication the local school board regularly uses to communicate with  
907 parents and also by mail, using the United States Postal Service, to the parents  
908 at each known address;
- 909 (B) parents of students enrolled in other schools within the school district that may  
910 be affected by the closure or boundary change, using the same form of  
911 communication the local school board regularly uses to communicate with  
912 parents and also by mail, using the United States Postal Service, to the parents

- 913 at each known address; and
- 914 (C) the governing council and the mayor of the municipality in which the school is  
915 located;
- 916 (iii) provide an opportunity for public comment on the proposed school closure  
917 during at least two public local school board meetings;
- 918 (iv) provide an opportunity for public comment on the proposed school boundary  
919 change during one public local school board meeting; and
- 920 (v) hold a public hearing as defined in Section 10-20-102 and provide public notice  
921 of the public hearing in accordance with Subsection (24)(c).
- 922 (c) A local school board shall:
- 923 (i) ensure that the notice of a public hearing required under Subsection (24)(b)(v)  
924 indicates the:
- 925 (A) name of the school or schools under consideration for closure or boundary  
926 change; and
- 927 (B) ~~the~~ date, time, and location of the public hearing;
- 928 (ii) if feasible, hold the public hearing at the location of the school that is under  
929 consideration for closure;
- 930 (iii) for at least 10 days before the day on which the public hearing occurs, ~~publish~~  
931 ~~the notice of public hearing occurs,~~ publish the notice of the public hearing for  
932 the school district in which the school is located, as a class A notice under Section  
933 63G-30-102; and
- 934 (iv) at least 30 days before the day on which the public hearing occurs, provide notice  
935 of the public hearing in the same manner as the notice of consideration under  
936 Subsection (24)(b)(ii).
- 937 (d) A motion made under Subsection (24)(b) shall name each school under consideration  
938 for closure in a separate motion.
- 939 (e) For a school closure, a local school board shall complete the process described in this  
940 Subsection (24) on or before December 31 of the calendar year preceding the  
941 beginning of the school year in which a school closure takes effect.
- 942 (f)(i) For a school boundary change, a local school board shall complete the process  
943 described in this Subsection (24) no more than 60 days after the day on which the  
944 local school board votes to approve a school closure.
- 945 (ii) Parents of students enrolled in a school affected by a boundary change shall have  
946 at least 30 days after the day on which the local school board votes to approve a

947 school boundary change to request an out of area enrollment request in accordance  
948 with Chapter 6, Part 4, School District Enrollment.

949 (25) A local school board may implement a facility energy efficiency program established  
950 under Title 11, Chapter 44, Performance Efficiency Act.

951 (26) A local school board may establish or partner with a certified youth court in  
952 accordance with Section 80-6-902 or establish or partner with a comparable restorative  
953 justice program, in coordination with schools in that district. A school may refer a  
954 student to a youth court or a comparable restorative justice program in accordance with  
955 Section 53G-8-211.

956 (27)(a) As used in this Subsection (27):

957 (i) "Learning material" means any learning material or resource used to deliver or  
958 support a student's learning, including textbooks, reading materials, videos, digital  
959 materials, websites, and other online applications.

960 (ii)(A) "Instructional material" means learning material that a local school board  
961 adopts and approves for use within the LEA.

962 (B) "Instructional material" does not include learning material used in a  
963 concurrent enrollment, advanced placement, or international baccalaureate  
964 program or class or another class with required instructional material that is not  
965 subject to selection by the local school board.

966 (iii) "Supplemental material" means learning material that:

967 (A) an educator selects for classroom use; and

968 (B) a local school board has not considered and adopted, approved, or prohibited  
969 for classroom use within the LEA.

970 (b) A local school board shall:

971 (i) make instructional material that the school district uses readily accessible and  
972 available for a parent to view;

973 (ii) annually notify a parent of a student enrolled in the school district of how to  
974 access the information described in Subsection (27)(b)(i); and

975 (iii) include on the school district's website information about how to access the  
976 information described in Subsection (27)(b)(i).

977 (c) In selecting and approving instructional materials for use in the classroom, a local  
978 school board shall:

979 (i) establish an open process, involving educators and parents of students enrolled in  
980 the LEA, to review and recommend instructional materials for board approval; and

- 981 (ii) ensure that under the process described in Subsection (27)(c)(i), the board:  
982 (A) before the meetings described in Subsection (27)(c)(ii)(B), posts the  
983 recommended learning material online to allow for public review or, for  
984 copyrighted material, makes the recommended learning material available at  
985 the LEA for public review;  
986 (B) before adopting or approving the recommended instructional materials, holds  
987 at least two public meetings on the recommendation that provides an  
988 opportunity for educators whom the LEA employs and parents of students  
989 enrolled in the LEA to express views and opinions on the recommendation; and  
990 (C) adopts or approves the recommended instructional materials in an open and  
991 regular board meeting.
- 992 (d) A local school board shall adopt a supplemental materials policy that provides  
993 flexible guidance to educators on the selection of supplemental materials or resources  
994 that an educator reviews and selects for classroom use using the educator's  
995 professional judgment, including whether any process or permission is required  
996 before classroom use of the materials or resources.
- 997 (e) If an LEA contracts with another party to provide online or digital materials, the  
998 LEA shall include in the contract a requirement that the provider give notice to the  
999 LEA any time that the provider makes a material change to the content of the online  
1000 or digital materials, excluding regular informational updates on current events.
- 1001 (f) Nothing in this Subsection (27) requires a local school board to review all learning  
1002 materials used within the LEA.

1003 (28) If information, data, or action from a school district is necessary for the state board to  
1004 fulfill a statutory data gathering, compliance, or reporting requirement, a local school  
1005 board shall provide the relevant information, data, or action, subject to enforcement  
1006 under Section 53E-3-401.

1007 Section 8. Section **53G-5-404** is amended to read:

1008 **53G-5-404 . Requirements for charter schools.**

- 1009 (1) A charter school shall be nonsectarian in the charter school's programs, admission  
1010 policies, employment practices, and operations.
- 1011 (2) A charter school may not charge tuition or fees, except those fees normally charged by  
1012 other public schools.
- 1013 (3) A charter school shall meet all applicable federal, state, and local health, safety, and  
1014 civil rights requirements.

- 1015 (4)(a) A charter school shall:
- 1016 (i) make the same annual reports required of other public schools under this public
- 1017 education code, including an annual financial audit report described in Section
- 1018 53G-4-404;
- 1019 (ii) ensure that the charter school meets the data and reporting standards described in
- 1020 Section 53E-3-501;[-and]
- 1021 (iii) beginning July 1, 2031, ensure the charter school uses a student information
- 1022 system that meets the compliance requirements established under Section
- 1023 53E-3-527;
- 1024 (iv) ensure that any employment contract with a charter school director includes the
- 1025 provision required under Section 53E-3-527; and
- 1026 [(iii)] (v) use fund and program accounting methods and standardized account codes
- 1027 capable of producing financial reports that comply with:
- 1028 (A) generally accepted accounting principles;
- 1029 (B) the financial reporting requirements applicable to LEAs established by the
- 1030 state board under Section 53E-3-501; and
- 1031 (C) accounting report standards established by the state auditor as described in
- 1032 Section 51-2a-301.
- 1033 (b) Before, and as a condition for opening a charter school:
- 1034 (i) a charter school shall:
- 1035 (A) certify to the authorizer that the charter school's accounting methods meet the
- 1036 requirements described in Subsection [~~(4)(a)(iii)~~] (4)(a)(v); or
- 1037 (B) if the authorizer requires, conduct a performance demonstration to verify that
- 1038 the charter school's accounting methods meet the requirements described in
- 1039 Subsection [~~(4)(a)(iii)~~] (4)(a)(v); and
- 1040 (ii) the authorizer shall certify to the state board that the charter school's accounting
- 1041 methods meet the requirements described in Subsection [~~(4)(a)(iii)~~] (4)(a)(v).
- 1042 (c) A charter school shall file the charter school's annual financial audit report with the
- 1043 Office of the State Auditor within six months of the end of the fiscal year.
- 1044 (d) For the limited purpose of compliance with federal and state law governing use of
- 1045 public education funds, including restricted funds, and making annual financial audit
- 1046 reports under this section, a charter school is a government entity governed by the
- 1047 public education code.
- 1048 (5)(a) A charter school shall be accountable to the charter school's authorizer for

- 1049 performance as provided in the charter school's charter agreement.
- 1050 (b) To measure the performance of a charter school, an authorizer may use data  
1051 contained in:
- 1052 (i) the charter school's annual financial audit report;
- 1053 (ii) a report submitted by the charter school as required by statute; or
- 1054 (iii) a report submitted by the charter school as required by the charter school's  
1055 charter agreement.
- 1056 (c) A charter school authorizer may not impose performance standards, except as  
1057 permitted by statute, that limit, infringe, or prohibit a charter school's ability to  
1058 successfully accomplish the purposes of charter schools as provided in Section  
1059 53G-5-104 or as otherwise provided in law.
- 1060 (6) A charter school may not advocate unlawful behavior.
- 1061 (7) Except as provided in Section 53G-5-305, a charter school shall be organized and  
1062 managed in accordance with Title 16, Chapter 6a, Utah Revised Nonprofit Corporation  
1063 Act, upon the charter school's authorization.
- 1064 (8) A charter school shall provide adequate liability and other appropriate insurance,  
1065 including:
- 1066 (a) general liability, errors and omissions, and directors and officers liability coverage  
1067 through completion of the closure of a charter school in accordance with Section  
1068 53G-5-504; and
- 1069 (b) tail coverage or closeout insurance covering at least one year after closure of the  
1070 charter school.
- 1071 (9) A charter school may not employ an educator whose license is suspended or revoked by  
1072 the state board under Section 53E-6-604.
- 1073 (10)(a) Each charter school shall register and maintain the charter school's registration as  
1074 a limited purpose entity, in accordance with Section 67-1a-15.
- 1075 (b) A charter school that fails to comply with Subsection (10)(a) or Section 67-1a-15 is  
1076 subject to enforcement by the state auditor, in accordance with Section 67-3-1.
- 1077 (c) If a charter school is an operating charter school with affiliated satellite charter  
1078 schools, as defined in Section 53G-5-303:
- 1079 (i) the operating charter school shall register as a limited purpose entity as defined in  
1080 Section 67-1a-15;
- 1081 (ii) each affiliated satellite charter school is not required to register separately from  
1082 the operating charter school; and

- 1083 (iii) the operating charter school shall:
- 1084 (A) register on behalf of each affiliated satellite charter school; and
- 1085 (B) when submitting entity registry information in accordance with Section
- 1086 67-1a-15 on behalf of each affiliated satellite charter school, identify and
- 1087 distinguish registry information for each affiliated satellite, including the
- 1088 address of each affiliated satellite charter school and the name and contact
- 1089 information of a primary contact for each affiliated satellite charter school.
- 1090 (11)(a) As used in this Subsection (11), "contracting entity" means a person with which
- 1091 a charter school contracts.
- 1092 (b) A charter school shall provide to the charter school's authorizer any information or
- 1093 documents requested by the authorizer, including documents held by a subsidiary of
- 1094 the charter school or a contracting entity:
- 1095 (i) to confirm the charter school's compliance with state or federal law governing the
- 1096 charter school's finances or governance; or
- 1097 (ii) to carry out the authorizer's statutory obligations, including liquidation and
- 1098 assignment of assets, and payment of debt in accordance with state board rule, as
- 1099 described in Section 53G-5-504.
- 1100 (c) A charter school shall comply with a request described in Subsection (11)(b),
- 1101 including after an authorizer recommends closure of the charter school or terminates
- 1102 the charter school's contract.
- 1103 (d) Documents held by a contracting entity or subsidiary of a charter school that are
- 1104 necessary to demonstrate the charter school's compliance with state or federal law are
- 1105 the property of the charter school.
- 1106 (e) A charter school shall include in an agreement with a subsidiary of the charter school
- 1107 or a contracting entity a provision that stipulates that documents held by the
- 1108 subsidiary or a contracting entity, that are necessary to demonstrate the charter
- 1109 school's financial compliance with federal or state law, are the property of the charter
- 1110 school.
- 1111 (12) For each grading period and for each course in which a student is enrolled, a charter
- 1112 school shall issue a grade or performance report to the student:
- 1113 (a) that reflects the student's work, including the student's progress based on mastery, for
- 1114 the grading period; and
- 1115 (b) in accordance with the charter school's adopted grading or performance standards
- 1116 and criteria.

- 1117 (13)(a) As used in this Subsection (13):
- 1118 (i) "Learning material" means any learning material or resource used to deliver or
- 1119 support a student's learning, including textbooks, reading materials, videos, digital
- 1120 materials, websites, and other online applications.
- 1121 (ii)(A) "Instructional material" means learning material that a charter school
- 1122 governing board adopts and approves for use within the charter school.
- 1123 (B) "Instructional material" does not include learning material used in a
- 1124 concurrent enrollment, advanced placement, or international baccalaureate
- 1125 program or class, or another class with required instructional material that is
- 1126 not subject to selection by the charter school governing board.
- 1127 (iii) "Supplemental material" means learning material that:
- 1128 (A) an educator selects for classroom use; and
- 1129 (B) a charter school governing board has not considered and adopted, approved, or
- 1130 prohibited for classroom use within the charter school.
- 1131 (b) A charter school shall:
- 1132 (i) make instructional material that the charter school uses readily accessible and
- 1133 available for a parent to view;
- 1134 (ii) annually notify a parent of a student enrolled in the charter school of how to
- 1135 access the information described in Subsection (13)(b)(i); and
- 1136 (iii) include on the charter school's website information about how to access the
- 1137 information described in Subsection (13)(b)(i).
- 1138 (c) In selecting and approving instructional materials for use in the classroom, a charter
- 1139 school governing board shall:
- 1140 (i) establish an open process, involving educators and parents of students enrolled in
- 1141 the charter school, to review and recommend instructional materials for board
- 1142 approval; and
- 1143 (ii) ensure that under the process described in Subsection (13)(c)(i), the charter
- 1144 school governing board:
- 1145 (A) before the public meetings described in Subsection (13)(c)(ii)(B), posts the
- 1146 recommended learning materials online to allow for public review or, for
- 1147 copyrighted material, makes the recommended learning material available at
- 1148 the charter school for public review;
- 1149 (B) before adopting or approving the recommended instructional materials, holds
- 1150 at least two public meetings on the recommendation that provide an

1151 opportunity for educators whom the charter school employs and parents of  
1152 students enrolled in the charter school to express views and opinions on the  
1153 recommendation; and

1154 (C) adopts or approves the recommended instructional materials in an open and  
1155 regular board meeting.

1156 (d) A charter school governing board shall adopt a supplemental materials policy that  
1157 provides flexible guidance to educators on the selection of supplemental materials or  
1158 resources that an educator reviews and selects for classroom use using the educator's  
1159 professional judgment, including whether any process or permission is required  
1160 before classroom use of the materials or resources.

1161 (e) If a charter school contracts with another party to provide online or digital materials,  
1162 the charter school shall include in the contract a requirement that the provider give  
1163 notice to the charter school any time that the provider makes a material change to the  
1164 content of the online or digital materials, excluding regular informational updates on  
1165 current events.

1166 (f) Nothing in this Subsection (13) requires a charter school governing board to review  
1167 all learning materials used within the charter school.

1168 (14) If information, data, or action from a charter school is necessary for the state board to  
1169 fulfill a statutory data gathering, compliance, or reporting requirement, a local school  
1170 board shall provide the relevant information, data, or action, subject to enforcement  
1171 under Section 53E-3-401.

1172 Section 9. **Effective Date.**

1173 This bill takes effect on May 6, 2026.