

Doug Welton proposes the following substitute bill:

**School Attendance Modifications**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Doug Welton**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill creates citizenship grade standards, attendance-based grading, a student welfare check requirement, and a test-out option for core classes.

**Highlighted Provisions:**

This bill:

- permits and establishes requirements for standardizing citizenship grades;
- allows attendance-based grading;
- repeals individualized attendance plans for attendance-based grading;
- creates a test-out option for core classes;
- requires LEA referrals for student welfare checks under specified conditions;
- establishes a citizenship grade scholarship program in higher education funded through voluntary tax return contributions; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides retrospective operation.

**Utah Code Sections Affected:**

AMENDS:

**53G-6-206 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 516

**53G-6-806 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 21

**59-10-1304 (Effective 05/06/26) (Applies beginning 01/01/26)**, as last amended by Laws of Utah 2025, Chapters 95, 322

ENACTS:

**53E-4-208 (Effective 05/06/26)**, Utah Code Annotated 1953

29 **53E-4-209 (Effective 05/06/26)**, Utah Code Annotated 1953  
 30 **53G-6-213 (Effective 05/06/26)**, Utah Code Annotated 1953  
 31 **53G-6-214 (Effective 05/06/26)**, Utah Code Annotated 1953  
 32 **53H-11-416 (Effective 05/06/26)**, Utah Code Annotated 1953  
 33 **59-10-1324 (Effective 05/06/26) (Applies beginning 01/01/26)**, Utah Code Annotated  
 34 1953

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

37 Section 1. Section **53E-4-208** is enacted to read:

38 **53E-4-208 (Effective 05/06/26). Citizenship grading standards.**

- 39 (1) As used in this section, "citizenship grade" means a grade or evaluation that reflects a  
 40 student's demonstration of college and career readiness.
- 41 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 42 state board shall make rules to establish consistent statewide standards for citizenship  
 43 grading policies that:
- 44 (a) define durable skills and skills related to college and career readiness, including:  
 45 (i) attendance;  
 46 (ii) meeting deadlines;  
 47 (iii) class participation and personal engagement; and  
 48 (iv) teacher communication;
- 49 (b) establish uniform criteria and methods for assessing citizenship;  
 50 (c) provide guidance for an LEA on implementing citizenship grading policies;  
 51 (d) ensure alignment with existing civic and character education requirements under  
 52 Section 53G-10-204; and
- 53 (e) specify how citizenship grades may be recorded and reported on a student's  
 54 transcripts.
- 55 (3) Beginning with the 2027-2028 school year, an LEA may adopt a citizenship grading  
 56 policy in accordance with the standards established by the state board under this section.
- 57 (4) In accordance with this section, to participate in the citizenship scholarship program  
 58 described in Section 53H-11-416, an LEA shall adopt citizenship grading policies.
- 59 (5) An LEA that adopts the citizenship grading policies under Subsection (5) may make  
 60 additions beyond the standards the state board establishes under Subsection (2).

61 Section 2. Section **53E-4-209** is enacted to read:

62 **53E-4-209 (Effective 05/06/26). Test-out option for core classes.**

- 63 (1) As used in this section, "core class" means a course in English language arts,  
 64 mathematics, science, or social studies and other courses required for high school  
 65 graduation as described in Section 53E-4-204.
- 66 (2) Beginning with the 2027-2028 school year, the state board shall establish statewide  
 67 test-out options for core classes that allow students in grades 9 through 12 to  
 68 demonstrate proficiency in the content of a core class without attending or enrolling in  
 69 the course.
- 70 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 71 state board shall make rules to:
- 72 (a) establish clear academic proficiency standards for each test-out option aligned with  
 73 the state core standards;
- 74 (b) develop standardized assessments or portfolio-based demonstrations of mastery;
- 75 (c) establish procedures for grading or providing a pass or fail designation for transcript  
 76 and grade point average purposes;
- 77 (d) create procedures to notify students and parents of test-out opportunities; and
- 78 (e) ensure consistency with graduation standards.
- 79 (4) An LEA shall:
- 80 (a) offer students the statewide test-out options established by the state board under this  
 81 section; and
- 82 (b) administer the test-out options in accordance with state board rules.
- 83 (5) A student who earns credit through the test-out process is not required to attend the  
 84 course and is exempt from any attendance-based grading policy under Section  
 85 53G-6-213.
- 86 (6) If a student enrolls in a core class, the LEA shall require compliance with any applicable  
 87 course attendance requirements described in Section 53G-6-213 as part of the student's  
 88 grade.

89 Section 3. Section **53G-6-206** is amended to read:

90 **53G-6-206 (Effective 05/06/26). of a local school board, charter school governing**  
 91 **board, or school district in promoting regular attendance -- Parental involvement --**  
 92 **Liability not imposed -- Report to state board.**

- 93 (1)(a) As used in this section, "intervention" means a series of non-punitive and  
 94 increasingly frequent and individualized activities that are designed to:
- 95 (i) create a trusting relationship between teachers, students, and parents;
- 96 (ii) improve attendance;

- 97 (iii) improve academic outcomes; and  
98 (iv) reduce negative behavior referrals.
- 99 (b) "Intervention" includes:
- 100 (i) mentorship programs;  
101 (ii) family connection to community resources;  
102 (iii) academic support through small group or individualized tutoring or similar  
103 methods; and  
104 (iv) teaching executive function skills, including:
- 105 (A) planning;  
106 (B) goal setting;  
107 (C) understanding and following multi-step directions; and  
108 (D) self-regulation.
- 109 (2)(a) Subject to Subsection (2)(b), an LEA shall make efforts to promote regular  
110 attendance and resolve school absenteeism and truancy issues for each school-age  
111 child who is, or should be, enrolled in the LEA.
- 112 (b) A school-age child exempt from school attendance under Section 53G-6-204 or  
113 53G-6-702, or a school-age child who is enrolled in a regularly established private  
114 school or part-time school, is not considered to be a school-age child who is or  
115 should be enrolled in a school district or charter school under Subsection (2)(a).
- 116 (3) The efforts described in Subsection (2) shall include, as reasonably feasible:
- 117 (a) counseling of the school-age child by school authorities;
- 118 (b)(i) issuing a notice of truancy to the school-age child in accordance with Section  
119 53G-6-203; or  
120 (ii) issuing a notice of compulsory education violation to the school-age child's parent  
121 in accordance with Section 53G-6-202;
- 122 (c) making any necessary adjustment to the curriculum and schedule to meet special  
123 needs of the school-age child;
- 124 (d) considering alternatives proposed by the school-age child's parent;
- 125 (e) incorporating attendance in the school-age child's course score or grade ~~[if:]~~ as  
126 described in Section 53G-6-213;
- 127 ~~[(i) incorporation is determined appropriate through an individualized plan the~~  
128 ~~school-age child's parent and teacher develops;]~~
- 129 ~~[(ii) parental written consent is obtained for the individualized plan; and]~~
- 130 ~~[(iii) the parent retains the ability to revoke the parent's consent described in~~

- 131 Subsection (3)(e)(ii) at any time.]
- 132 (f) monitoring school attendance of the school-age child;
- 133 (g) voluntary participation in truancy mediation, if available; and
- 134 (h) providing the school-age child's parent, upon request, with a list of resources
- 135 available to assist the parent in resolving the school-age child's attendance problems.
- 136 (4) In addition to the efforts described in Subsection (3), the local school board, charter
- 137 school governing board, or school district may enlist the assistance of community and
- 138 law enforcement agencies and organizations for early intervention services as
- 139 appropriate and reasonably feasible in accordance with Section 53G-8-211.
- 140 (5) This section does not impose civil liability on boards of education, local school boards,
- 141 charter school governing boards, school districts, or their employees.
- 142 (6) Proceedings initiated under this part do not obligate or preclude action by the Division
- 143 of Child and Family Services under Section 53G-6-210.
- 144 (7) ~~[Each-]~~ An LEA shall annually report the following data separately to the state board:
- 145 (a) absences with a valid excuse; and
- 146 (b) absences without a valid excuse.

147 Section 4. Section **53G-6-213** is enacted to read:

148 **53G-6-213 (Effective 05/06/26). Attendance-based grading.**

- 149 (1) A teacher may include up to 10% of a student's final grade in a course in grades 7
- 150 through 12 based on the student's attendance in the class.
- 151 (2) An LEA may adopt a policy that permits attendance to account for more than 10% but
- 152 not more than 20% of a student's final grade for a course in grades 7 through 12.
- 153 (3) If an LEA adopts a policy for a course under Subsection (2), the LEA shall ensure the
- 154 LEA's policy:
- 155 (a) shall be publicly posted and available to parents and students, including through the
- 156 parent portal described in Section 53G-6-806;
- 157 (b) shall specify which courses the policy applies to and the percentage of the final grade
- 158 that attendance will comprise, which may not exceed 20%;
- 159 (c) may permit valid excused absences, as defined in Section 53G-6-201, to be excluded
- 160 from attendance-based grade calculations; and
- 161 (d) may establish reasonable limits on the number of valid excused absences that may be
- 162 excluded from attendance-based grade calculations to ensure accountability for class
- 163 participation while accommodating student needs.
- 164 (4) If an LEA permits students to earn credit through a test-out option under Section 53E-4

165 -209, the LEA shall require students who decline to test out and instead enroll in the  
166 course to comply with any attendance-based grading policy adopted under this section.

167 Section 5. Section **53G-6-214** is enacted to read:

168 **53G-6-214 (Effective 05/06/26). Student welfare check referrals -- Unknown**  
169 **whereabouts.**

170 (1) If a student has been absent for 10 or more consecutive school days and all of the  
171 following conditions are met, an LEA shall conduct a welfare check:

172 (a) the student's parent has failed to notify the school of the student's absence;

173 (b) the student's parent has not filed a home school affidavit under Section 53G-6-204;

174 (c) the student's parent has not provided notice of unenrollment to the LEA;

175 (d) the student's parent has failed to respond to repeated communications from the  
176 school, including communications through email, telephone, text message, postal  
177 mail, or other reasonable methods; and

178 (e) one of the following is true:

179 (i) the LEA has not received a request for student records from another educational  
180 entity; or

181 (ii) there is no record of the student being enrolled in another LEA.

182 (2) An LEA shall assign a school administrator or designee to conduct an initial welfare  
183 check described in Subsection (1) to verify the student's safety and well-being.

184 (3) If the initial welfare check under Subsection (2) does not resolve concerns about the  
185 student's safety or well-being, or if the school administrator or designee is unable to  
186 make contact with the student or the student's parent, the LEA may make a referral to:

187 (a) local law enforcement; or

188 (b) the Division of Child and Family Services.

189 (4) This section does not preclude or obligate any other action under this part or Title 80,  
190 Chapter 3, Abuse, Neglect, and Dependency Proceedings.

191 Section 6. Section **53G-6-806** is amended to read:

192 **53G-6-806 (Effective 05/06/26). Parent portal.**

193 (1) As used in this section:

194 (a) "Parent portal" means the posting the state board is required to provide under this  
195 section.

196 (b) "School" means a public elementary or secondary school, including a charter school.

197 (2)(a) The state board shall post information that allows a parent of a student enrolled in  
198 a school to:

- 199 (i) access an LEA's policies required by Sections 53G-6-213, 53G-9-203, and  
200 53G-9-605;
- 201 (ii) be informed of resources and steps to follow when a student has been the subject,  
202 perpetrator, or bystander of bullying, cyber-bullying, hazing, retaliation, or  
203 abusive conduct such as:
- 204 (A) resources for the student, including short-term mental health services;  
205 (B) options for the student to make changes to the student's educational  
206 environment;
- 207 (C) options for alternative school enrollment;  
208 (D) options for differentiated start or stop times;  
209 (E) options for differentiated exit and entrance locations; and  
210 (F) the designated employee for an LEA who addresses incidents of bullying,  
211 cyber-bullying, hazing, retaliation, and abusive conduct;
- 212 (iii) be informed of the steps and resources for filing a grievance with a school or  
213 LEA regarding bullying, cyber-bullying, hazing, or retaliation;
- 214 (iv) be informed of the steps and resources for seeking accommodations under the  
215 Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq;
- 216 (v) be informed of the steps and resources for seeking accommodations under state or  
217 federal law regarding religious accommodations;
- 218 (vi) be informed of the steps and resources for filing a grievance for an alleged  
219 violation of state or federal law, including:
- 220 (A) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d-2000d-4;  
221 (B) Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1688;  
222 (C) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794; and  
223 (D) Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Sec.  
224 12131-12165;
- 225 (vii) receive information about constitutional rights and freedoms afforded to families  
226 in public education;
- 227 (viii) be informed of how to access an internal audit hotline if established by the state  
228 board; and
- 229 (ix) be informed of services for military families.
- 230 (b) In addition to the information required under Subsection (2)(a), the state board:
- 231 (i) shall include in the parent portal:
- 232 (A) the comparison tool created under Section 53G-6-805;

233 (B) school level safety data, including data points described in Section 53E-3-516;  
234 and  
235 (C) a link to the public safety portal described in Section 63A-16-1002; and  
236 (ii) may include in the parent portal other information that the state board determines  
237 is helpful to parents.

238 (3)(a) The state board shall post the parent portal at a location that is easily located by a  
239 parent.

240 (b) The state board shall update the parent portal at least annually.

241 (c) In accordance with state and federal law, the state board may collaborate with a  
242 third-party to provide safety data visualization in comparison to other states' data.

243 (4) An LEA shall annually notify each of the following of how to access the parent portal:

244 (a) a parent of a student; and

245 (b) a teacher, principal, or other professional staff within the LEA.

246 Section 7. Section **53H-11-416** is enacted to read:

247 **53H-11-416 (Effective 05/06/26). Citizenship scholarship program.**

248 (1) As used in this section:

249 (a) "Citizenship grade" means the same as that term is defined in Section 53E-4-208.

250 (b) "Fund" means the Citizenship Scholarship Fund created in Section 59-10-1324.

251 (2) The board shall:

252 (a) collect citizenship grade and attendance data from an LEA as necessary to administer  
253 this section;

254 (b) establish scholarship eligibility criteria that:

255 (i) includes demonstrated exemplary citizenship as reflected in citizenship grades  
256 awarded under Section 53E-4-208;

257 (ii) includes student attendance records as a component of eligibility; and

258 (iii) prioritizes students who have demonstrated sustained exemplary citizenship  
259 throughout high school;

260 (c) distribute scholarship funds to eligible students attending an institution within the  
261 state system of higher education; and

262 (d) upon request, report to the Higher Education Appropriations Subcommittee on the  
263 program's administration and outcomes.

264 (3) Upon receiving funds from the State Tax Commission in accordance with Section  
265 59-10-1324, the board shall distribute scholarships in accordance with the eligibility  
266 criteria and procedures established under this section.

- 267 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 268 board shall make rules to:  
 269 (a) establish detailed scholarship eligibility criteria;  
 270 (b) define the weight and consideration given to citizenship grades and attendance  
 271 records;  
 272 (c) establish application procedures and deadlines;  
 273 (d) determine scholarship award amounts; and  
 274 (e) establish any other provisions necessary to administer this section.

275 Section 8. Section **59-10-1304** is amended to read:

276 **59-10-1304 (Effective 05/06/26) (Applies beginning 01/01/26). Removal of**  
 277 **designation and prohibitions on collection for certain contributions on income tax return**  
 278 **-- Conditions for removal and prohibitions on collection -- Commission publication**  
 279 **requirements.**

- 280 (1)(a) If a contribution or combination of contributions described in Subsection (1)(b)  
 281 generate less than \$30,000 per year for three consecutive years, the commission shall  
 282 remove the designation for the contribution from the individual income tax return and  
 283 may not collect the contribution from a resident or nonresident individual beginning  
 284 two taxable years after the three-year period for which the contribution generates less  
 285 than \$30,000 per year.
- 286 (b) The following contributions apply to Subsection (1)(a):
- 287 (i) the contribution provided for in Section 59-10-1306;
  - 288 (ii) the sum of the contributions provided for in Subsection 59-10-1307(1);
  - 289 (iii) the contribution provided for in Section 59-10-1308;
  - 290 (iv) the contribution provided for in Section 59-10-1319;
  - 291 (v) the contribution provided for in Section 59-10-1320;
  - 292 (vi) the contribution provided for in Section 59-10-1321;
  - 293 (vii) the contribution provided for in Section 59-10-1322;~~[-or]~~
  - 294 (viii) the contribution provided for in Section 59-10-1323~~[-];~~ or
  - 295 (ix) the contribution provided for in Section 59-10-1324.
- 296 (2) If the commission removes the designation for a contribution under Subsection (1), the  
 297 commission shall report to the Revenue and Taxation Interim Committee by electronic  
 298 means that the commission removed the designation on or before the November interim  
 299 meeting of the year in which the commission determines to remove the designation.
- 300 (3)(a) Within a 30-day period after the day on which the commission makes the report

301 required by Subsection (2), the commission shall publish a list in accordance with  
 302 Subsection (3)(b) stating each contribution that the commission will remove from the  
 303 individual income tax return.

304 (b) The list shall:

305 (i) be published on:

306 (A) the commission's website; and

307 (B) the public legal notice website in accordance with Section 45-1-101;

308 (ii) include a statement that the commission:

309 (A) is required to remove the contribution from the individual income tax return;

310 and

311 (B) may not collect the contribution;

312 (iii) state the taxable year for which the removal described in Subsection (3)(a) takes  
 313 effect; and

314 (iv) remain available for viewing and searching until the commission publishes a new  
 315 list in accordance with this Subsection (3).

316 Section 9. Section **59-10-1324** is enacted to read:

317 **59-10-1324 (Effective 05/06/26) (Applies beginning 01/01/26). Contribution to the**  
 318 **Citizenship Scholarship Fund.**

319 (1)(a) There is created an expendable special revenue fund known as the "Citizenship  
 320 Scholarship Fund."

321 (b) The fund shall consist of all amounts deposited into the fund in accordance with  
 322 Subsection (2).

323 (2) Except as provided in Section 59-10-1304, a resident or nonresident individual who  
 324 files an income tax return under this chapter may designate on the resident or  
 325 nonresident individual's income tax return a contribution to be:

326 (a) deposited into the Citizenship Scholarship Fund; and

327 (b) expended as provided in Subsection (3).

328 (3)(a) Each year, the commission shall:

329 (i) disburse from the Citizenship Scholarship Fund all money deposited into the fund  
 330 since the last disbursement; and

331 (ii) transfer the money to the Utah Board of Higher Education for distribution to  
 332 students in accordance with Section 53H-11-416.

333 (b) The commission shall complete the transfer of funds to the Utah Board of Higher  
 334 Education by August 15 of each year.

335 Section 10. **Effective Date.**

336 This bill takes effect on May 6, 2026.

337 Section 11. **Retrospective operation.**

338 The following sections have retrospective operation for a taxable year starting on or  
339 after January 1, 2026:

340 (1) Section 59-10-1304 (Effective 05/06/26) (Applies beginning 01/01/26); and

341 (2) Section 59-10-1324 (Effective 05/06/26) (Applies beginning 01/01/26).