

Karianne Lisonbee proposes the following substitute bill:

Public School Attendance Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Jason E. Thompson

LONG TITLE

General Description:

This bill establishes comprehensive student attendance monitoring, chronic absenteeism supports, and accountability requirements for local education agencies.

Highlighted Provisions:

This bill:

- establishes comprehensive student attendance monitoring and accountability requirements;
- requires local education agencies to implement enhanced attendance tracking and intervention programs;
- mandates performance metrics for attendance notifications and enforcement actions;
- creates data quality standards for student participation reporting; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 53F-2-102**, as last amended by Laws of Utah 2022, Chapter 17
- 53G-6-201**, as last amended by Laws of Utah 2025, Chapter 34
- 53G-6-202**, as last amended by Laws of Utah 2021, Chapter 359 and further amended by Revisor Instructions, Laws of Utah 2021, Chapter 359
- 53G-6-203**, as last amended by Laws of Utah 2023, Chapter 161
- 53G-6-206**, as last amended by Laws of Utah 2024, Chapter 516
- 53G-6-210**, as last amended by Laws of Utah 2024, Chapter 20

ENACTS:

29 **53G-6-213**, Utah Code Annotated 1953

30 **53G-6-214**, Utah Code Annotated 1953

31

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

33 Section 1. Section **53F-2-102** is amended to read:

34 **53F-2-102 . Definitions.**

35 As used in this chapter:

36 (1) "Attendance validated program" means an educational program where:

37 (a) student participation is measured by physical or virtual attendance at scheduled
 38 instructional periods; and

39 (b) a student receives direct teacher interaction and instruction for the course or program
 40 the student is enrolled in.

41 [(+)] (2) "Basic state-supported school program," "basic program," or "basic school
 42 program" means public education programs for kindergarten, elementary, and secondary
 43 school students that are operated and maintained for the amount derived by multiplying
 44 the number of weighted pupil units for each [school district or charter school] LEA by
 45 the value established each year in the enacted public education budget, except as
 46 otherwise provided in this chapter.

47 (3) "Educational services" means providing learning opportunities and services designed to
 48 support a student to be prepared to succeed and lead by having the knowledge and skills
 49 to learn, engage civically, and lead meaningful lives through providing:

50 (a) high quality instruction for each student that includes direct interaction between a
 51 teacher and students;

52 (b) personalized learning supports for each student; and

53 (c) appropriate instructional delivery methods based on the student's enrollment type as
 54 defined in this section.

55 (4)(a) "Instructional day" means:

56 (i) for students enrolled in an attendance validated program, a school day on which an
 57 LEA provides educational services through scheduled periods with direct teacher
 58 interaction; or

59 (ii) for students enrolled in a learner validated program specifically designed for
 60 competency-based or self-paced learning, any day during which educational
 61 services are actively provided through the LEA's structured learning delivery
 62 system.

- 63 (b) "Instructional day" does not include:
- 64 (i) days where educational services are not actively provided to students; or
- 65 (ii) any day in a program that an LEA designated as learner validated solely to avoid
- 66 providing direct educational services that would otherwise be required for an
- 67 attendance validated program.
- 68 (5) "Instructional hours" means:
- 69 (a) for students enrolled in an attendance validated program, the hours in an instructional
- 70 day during which an LEA provides educational services through scheduled
- 71 instructional periods; or
- 72 (b) for students enrolled in a learner validated program, the equivalent hours of
- 73 educational services made available to students, as measured by the LEA's continuing
- 74 enrollment measurement requirements established in the LEA's written policy.
- 75 [~~(2) "LEA governing board" means a local school board or charter school governing board.~~]
- 76 (6) "Learner validated program" means an educational program specifically designed for
- 77 competency-based or self-paced learning where:
- 78 (a) student participation is measured by demonstrated academic progress and completion
- 79 of learning objectives rather than by attendance at scheduled instructional periods;
- 80 and
- 81 (b) the LEA has established a written policy that:
- 82 (i) defines:
- 83 (A) continuing enrollment measurement requirements;
- 84 (B) standards for demonstrating academic progress;
- 85 (C) methods for calculating equivalent instructional hours; and
- 86 (D) procedures for ensuring equivalent educational rigor and support as provided
- 87 in attendance validated programs; and
- 88 (ii) meets any additional criteria the state board requires.
- 89 [~~(3) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.~~]
- 90 [~~(4)~~] (7)(a) "Minimum School Program" means the state-supported public school
- 91 programs for kindergarten, elementary, and secondary schools as described in this
- 92 Subsection [~~(4)~~] (7).
- 93 (b) The Minimum School Program established in [~~school districts and charter schools~~] an
- 94 LEA shall include the equivalent of a school term of nine months as determined by
- 95 the state board.
- 96 (c)(i) The state board shall establish the number of instructional days or equivalent

- 97 instructional hours that school is held for an academic school year.
- 98 (ii) Education, enhanced by utilization of technologically enriched delivery systems,
99 when approved by an LEA governing board, shall receive full support by the state
100 board as it pertains to fulfilling the attendance requirements, excluding time spent
101 viewing commercial advertising.
- 102 (d)(i) An LEA governing board may reallocate up to 32 instructional hours or four [
103 ~~school~~] instructional days established under Subsection [(4)(e)] (7)(c) for teacher
104 preparation time or teacher professional development.
- 105 (ii) A reallocation of instructional hours or [~~school~~] instructional days under
106 Subsection [(4)(d)(i)] (7)(d)(i) is subject to the approval of two-thirds of the
107 members of an LEA governing board voting in a regularly scheduled meeting:
108 (A) at which a quorum of the LEA governing board is present; and
109 (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.
- 110 (iii) If an LEA governing board reallocates instructional hours or [~~school~~] instructional
111 days as provided by this Subsection [(4)(d)] (7)(d), the [~~school district or charter~~
112 ~~school~~] LEA shall notify students' parents of the school calendar at least[:]
113 [(A)] 90 days before the beginning of the school year[; or] .
114 [(B) for the 2021-2022 and 2022-2023 school years, due to circumstances within
115 the LEA or a given school due to the COVID-19 pandemic, at least 14 calendar
116 days before the reallocated instructional hours or school days.]
- 117 (iv) Instructional hours or [~~school days~~] instructional days reallocated for teacher
118 preparation time or teacher professional development pursuant to this Subsection [
119 (4)(d)] (7)(d) is considered part of a school term referred to in Subsection [(4)(b)]
120 (7)(b).
- 121 (e) The Minimum School Program includes a program or allocation funded by a line
122 item appropriation or other appropriation designated as follows:
123 (i) Basic School Program;
124 (ii) Related to Basic Programs;
125 (iii) Voted and Board Levy Programs; or
126 (iv) Minimum School Program.
- 127 (8) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.
128 [(5)] (9) "Weighted pupil unit or units or WPU or WPUs" means the unit of measure of
129 factors that is computed in accordance with this chapter for the purpose of determining
130 the costs of a program on a uniform basis for each [~~school district or charter school~~] LEA.

131 Section 2. Section **53G-6-201** is amended to read:

132 **53G-6-201 . Definitions.**

133 As used in this part:

134 (1) "Absence" or "absent" means:

135 (a) for a student enrolled in an attendance validated program, the failure of a school-age
 136 child assigned to a class or class period to attend the class or class period for a given
 137 day or class period; or

138 (b) for a student enrolled in a learner validated program, the failure of a school-age child
 139 to meet the LEA's continuing enrollment measurement requirements as established in
 140 the LEA's written policy.

141 [~~(1)(a) "Absence" or "absent" means the failure of a school-age child assigned to a class~~
 142 ~~or class period to attend a class or class period.]~~

143 [~~(b) "Absence" or "absent" does not mean multiple tardies used to calculate an absence~~
 144 ~~for the sake of a truancy.]~~

145 (2) "Attendance validated program" means the same as that term is defined in Section
 146 53F-2-102.

147 (3) "Chronic absenteeism" means a student who:

148 (a) was enrolled in an LEA for at least 60 calendar days; and

149 (b) has been absent for at least 10% of days of instruction, whether the absence was
 150 excused or not excused.

151 [~~(2)] (4) "Educational neglect" means the same as that term is defined in Section 80-1-102.~~

152 (5) "Educational services" means the same as that term is defined in Section 53F-2-102.

153 [~~(3)] (6)(a) "Home-based microschool" means an individual or association of individuals~~
 154 ~~that:~~

155 (i) registers as a business entity in accordance with state and local laws; and

156 (ii) for compensation, provides kindergarten through grade 12 education services to
 157 16 or fewer students from an individual's residential dwelling, accessory dwelling
 158 unit, or residential property.

159 (b) "Home-based microschool" does not include a daycare.

160 (7) "Instructional day" means the same as that term is defined in Section 53F-2-102.

161 [~~(4)] (8) "Instructor" means an individual who teaches a student as part of a home-based~~
 162 ~~microschool or micro-education entity.~~

163 (9) "Learner validated program" means the same as that term is defined in Section
 164 53F-2-102.

- 165 ~~[(5)]~~ (10)(a) "Micro-education entity" means a person or association of persons that:
- 166 (i) registers as a business entity in accordance with state and local laws; and
- 167 (ii) for compensation, provides kindergarten through grade 12 education services to
- 168 100 students or fewer.
- 169 (b) "Micro-education entity" does not include:
- 170 (i) a daycare;
- 171 (ii) a home-based microschool;
- 172 (iii) a private school; or
- 173 (iv) a school within the public education system.
- 174 ~~[(6)]~~ (11) "Minor" means an individual who is under 18 years old.
- 175 ~~[(7)]~~ (12) "Parent" includes:
- 176 (a) a custodial parent of the minor;
- 177 (b) a legally appointed guardian of a minor; or
- 178 (c) any other person purporting to exercise any authority over the minor which could be
- 179 exercised by a person described in Subsection ~~[(7)(a) or (b)]~~ (12)(a) or (b).
- 180 ~~[(8)]~~ (13) "School day" means the portion of a day that school is in session in which a
- 181 school-age child is required to be in school for purposes of receiving instruction.
- 182 ~~[(9)]~~ (14) "School year" means the period of time designated by a local school board or
- 183 charter school governing board as the school year for the school where the school-age
- 184 child:
- 185 (a) is enrolled; or
- 186 (b) should be enrolled, if the school-age child is not enrolled in school.
- 187 ~~[(10)]~~ (15) "School-age child" means a minor who:
- 188 (a) is at least six years old but younger than 18 years old; and
- 189 (b) is not emancipated.
- 190 (16) "Tardy" means a student's arrival after the designated start time for a class period or
- 191 instructional day, as defined by the LEA's written policy.
- 192 ~~[(11)]~~ (17)(a) "Truant" means a condition in which a school-age child, without a valid
- 193 excuse, and subject to Subsection ~~[(11)(b)]~~ (17)(b), is absent for at least:
- 194 (i) half of the ~~[school]~~ instructional day for a student enrolled in an attendance
- 195 validated program; or
- 196 (ii) if the school-age child is enrolled in a learner verified program, as that term is
- 197 defined by the state board, the relevant amount of time under the LEA's policy
- 198 regarding the LEA's continuing enrollment measure as it relates to truancy.

199 (b) A school-age child may not be considered truant under this part more than one time
200 during one day.

201 ~~[(12)]~~ (18) "Truant minor" means a school-age child who:

202 (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and

203 (b) is truant.

204 ~~[(13)]~~ (19)(a) "Valid excuse" means:

205 (i) an illness, which may be either mental or physical, regardless of whether the
206 school-age child or parent provides documentation from a medical professional;

207 (ii) mental or behavioral health of the school-age child;

208 (iii) a family death;

209 (iv) an approved school activity;

210 (v) an absence permitted by a school-age child's:

211 (A) individualized education program; or

212 (B) Section 504 accommodation plan;

213 (vi) competition in a rodeo sanctioned by an international, non-profit organization
214 dedicated to the development of sportsmanship, horsemanship, and character in
215 youth through the sport of rodeo;

216 (vii) an absence permitted in accordance with Subsection 53G-6-803(5); or

217 (viii) any other excuse established as valid by a local school board, charter school
218 governing board, or school district.

219 (b) "Valid excuse" does not mean a parent acknowledgment of an absence for a reason
220 other than a reason described in Subsections ~~[(13)(a)(i) through (vii)]~~ (19)(a)(i)
221 through (vii), unless specifically permitted by the local school board, charter school
222 governing board, or school district under Subsection ~~[(13)(a)(viii)]~~ (19)(a)(viii).

223 Section 3. Section **53G-6-202** is amended to read:

224 **53G-6-202 . Compulsory education.**

225 (1) As used in this section:

226 (a) "Intentionally" means the same as that term is defined in Section 76-2-103.

227 (b) "Notice of compulsory education violation" means a notice issued in accordance
228 with Subsections (3) and (4).

229 (c) "Remainder of the school year" means the portion of the school year beginning on
230 the day after the day on which a notice of compulsory education violation is served
231 and ending on the last day of the school year.

232 (2) Except as provided in Section 53G-6-204 or 53G-6-702, the parent of a school-age child

- 233 shall enroll and send the school-age child to a public or regularly established private
234 school.
- 235 (3) A school administrator, a designee of a school administrator, a law enforcement officer
236 acting as a school resource officer, or a truancy specialist may only issue a notice of
237 compulsory education violation to a parent of a school-age child if the school-age child
238 is:
- 239 (a) in grade 1 through 6; and
240 (b) truant at least five times during the school year.
- 241 (4) A notice of compulsory education violation issued to a parent:
- 242 (a) shall direct the parent to:
- 243 (i) meet with school authorities to discuss the school-age child's school attendance
244 problems; and
245 (ii) cooperate with the local school board, charter school governing board, or school
246 district in securing regular attendance by the school-age child;
- 247 (b) shall designate the school authorities with whom the parent is required to meet;
248 (c) shall state that it is a class B misdemeanor for the parent to intentionally or without
249 good cause:
- 250 (i) fail to meet with the designated school authorities to discuss the school-age child's
251 school attendance problems; or
252 (ii) fail to prevent the school-age child from being truant five or more times during
253 the remainder of the school year;
- 254 (d) shall be served on the parent by personal service or certified mail; and
255 (e) may not be issued unless the school-age child has been truant at least five times
256 during the school year.
- 257 (5) [~~Except during the period between March 17, 2021 and June 1, 2022, it~~] It is a class B
258 misdemeanor for a parent of a school-age child to intentionally or without good cause
259 fail to enroll the school-age child in school, unless the school-age child is exempt from
260 enrollment under Section 53G-6-204 or 53G-6-702.
- 261 (6) [~~Except during the period between March 17, 2021 and June 1, 2022, it~~] It is a class B
262 misdemeanor for a parent of a school-age child who is in grade 1 through 6 to, after
263 being served with a notice of compulsory education violation, intentionally or without
264 good cause:
- 265 (a) fail to meet with the school authorities designated in the notice of compulsory
266 education violation to discuss the school-age child's school attendance problems; or

- 267 (b) fail to prevent the school-age child from being truant five or more times during the
268 remainder of the school year.
- 269 (7) ~~[Except during the period described in Subsections (5) and (6), a]~~ A local school board,
270 charter school governing board, or ~~[school district]~~ LEA official shall report violations of
271 this section to the appropriate county or district attorney.
- 272 (8) ~~[Except during the period described in Subsections (5) and (6), if]~~ If school personnel
273 have reason to believe that, after a notice of compulsory education violation is issued,
274 the parent has failed to make a good faith effort to ensure that the school-age child
275 receives an appropriate education, the issuer of the compulsory education violation shall
276 report to the Division of Child and Family Services:
- 277 (a) identifying information of the school-age child and the parent who received the
278 notice of compulsory education violation;
- 279 (b) information regarding the longest number of consecutive ~~[school]~~ instructional days
280 the school-age child has been absent or truant from school and the percentage of [
281 ~~school~~] instructional days the school-age child has been absent or truant during each
282 relevant school term;
- 283 (c) whether the school-age child has made adequate educational progress;
- 284 (d) whether the requirements of Section 53G-6-206 have been met;
- 285 (e) whether the school-age child is two or more years behind the local public school's
286 age group expectations in one or more basic skills; and
- 287 (f) whether the school-age child is receiving special education services or systematic
288 remediation efforts.

289 (9) An LEA shall maintain records of each notice of compulsory education violation issued
290 and any resulting referrals and general outcomes.

291 ~~[(9) Notwithstanding this section, during the period described in Subsections (5) and (6), a~~
292 ~~school administrator, designee of a school administrator, law enforcement officer acting~~
293 ~~as a school resource officer, or truancy specialist may not issue or otherwise enforce a~~
294 ~~notice of compulsory education.]~~

295 Section 4. Section **53G-6-203** is amended to read:

296 **53G-6-203 . Truancy -- Notice of truancy -- Failure to cooperate with school**
297 **authorities.**

298 (1) Except as provided in Section 53G-6-204 or 53G-6-702, a school-age child who is
299 enrolled in a public school shall attend the public school in which the school-age child is
300 enrolled.

- 301 (2) In accordance with Section 53G-8-211, a local school board, charter school governing
302 board, or school district may impose administrative penalties on a school-age child who
303 is:
- 304 (a) in grade 7 or above, unless the school-age child is less than 12 years old; and
305 (b) truant.
- 306 (3) ~~[A local school board or charter school]~~ An LEA governing board:
- 307 (a) may authorize a school administrator, a designee of a school administrator, a law
308 enforcement officer acting as a school resource officer, or a truancy specialist to issue
309 a notice of truancy in accordance with Subsection (4); and
310 (b) shall establish a procedure for a school-age child, or the school-age child's parents, to
311 contest a notice of truancy.
- 312 (4) A notice of truancy described in Subsection (3):
- 313 (a) may not be issued until a school-age child has been truant at least five times during
314 the school year;
- 315 (b) may not be issued to a school-age child who is less than 12 years old or in a grade
316 below grade 7;
- 317 (c) may not be issued to a school-age child exempt from school attendance as provided
318 in Section 53G-6-204 or 53G-6-702;
- 319 (d) shall direct the school-age child who receives the notice of truancy and the parent of
320 the school-age child to:
- 321 (i) meet with school authorities to discuss the school-age child's trancies; and
322 (ii) cooperate with the ~~[local school board, charter school]~~ LEA governing board, or
323 school district in securing regular attendance by the school-age child; and
- 324 (e) shall be mailed to, or served on, the school-age child's parent.
- 325 (5) ~~[(a) Except as provided in Subsection (5)(b), nothing]~~ Nothing in this part prohibits a
326 local ~~[school board, charter school]~~ governing board[,], or ~~[school district]~~ LEA official
327 from taking action to resolve a truancy problem with a school-age child who has been
328 truant fewer than five times, provided that the action does not conflict with the
329 requirements of this part.
- 330 ~~[(b) A local school board, charter school governing board, or school district may not~~
331 ~~take punitive action to resolve a truancy problem with a school-age child during the~~
332 ~~period described in Subsection (2).]~~
- 333 (6) An LEA shall maintain records of each notice of truancy issued and any resulting
334 referrals and general outcomes.

335 [~~(6) Notwithstanding this section, during the period described in Subsection (2), a school~~
 336 ~~administrator, designee of a school administrator, law enforcement officer acting as a~~
 337 ~~school resource officer, or truancy specialist may not issue or otherwise enforce a notice~~
 338 ~~of truancy.]~~

339 Section 5. Section **53G-6-206** is amended to read:

340 **53G-6-206 . Duties of a local school board, charter school governing board, or**
 341 **school district in promoting regular attendance -- Parental involvement -- Liability not**
 342 **imposed -- Report to state board.**

343 (1)(a) As used in this section, "intervention" means a series of non-punitive and
 344 increasingly frequent and individualized activities that are designed to:

- 345 (i) create a trusting relationship between teachers, students, and parents;
- 346 (ii) improve attendance;
- 347 (iii) improve academic outcomes; and
- 348 (iv) reduce negative behavior referrals.

349 (b) "Intervention" includes:

- 350 (i) mentorship programs;
- 351 (ii) family connection to community resources;
- 352 (iii) academic support through small group or individualized tutoring or similar
 353 methods; and
- 354 (iv) teaching executive function skills, including:
 - 355 (A) planning;
 - 356 (B) goal setting;
 - 357 (C) understanding and following multi-step directions; and
 - 358 (D) self-regulation.

359 (2)(a) Subject to Subsection (2)(b), an LEA shall make efforts to promote regular
 360 attendance and resolve school absenteeism and truancy issues for each school-age
 361 child who is, or should be, enrolled in the LEA.

362 (b) A school-age child exempt from school attendance under Section 53G-6-204 or
 363 53G-6-702, or a school-age child who is enrolled in a regularly established private
 364 school or part-time school, is not considered to be a school-age child who is or
 365 should be enrolled in a school district or charter school under Subsection (2)(a).

366 (3) The efforts described in Subsection (2) shall include, as reasonably feasible:

- 367 (a) counseling of the school-age child by school authorities;
- 368 (b)(i) issuing a notice of truancy to the school-age child in accordance with Section

- 369 53G-6-203; or
- 370 (ii) issuing a notice of compulsory education violation to the school-age child's parent
- 371 in accordance with Section 53G-6-202;
- 372 (c) making any necessary adjustment to the curriculum and schedule to meet special
- 373 needs of the school-age child;
- 374 (d) considering alternatives proposed by the school-age child's parent;
- 375 (e) incorporating attendance in the school-age child's course score or grade if:
- 376 (i) incorporation is determined appropriate through an individualized plan the
- 377 school-age child's parent and teacher develops;
- 378 (ii) parental written consent is obtained for the individualized plan; and
- 379 (iii) the parent retains the ability to revoke the parent's consent described in
- 380 Subsection (3)(e)(ii) at any time[-] ;
- 381 (f) monitoring school attendance of the school-age child;
- 382 (g) voluntary participation in truancy mediation, if available; and
- 383 (h) providing the school-age child's parent, upon request, with a list of resources
- 384 available to assist the parent in resolving the school-age child's attendance problems.
- 385 (4) In addition to the efforts described in Subsection (3), the [~~local school board, charter~~
- 386 ~~school governing board, or school district~~] LEA governing board or LEA official may
- 387 enlist the assistance of community and law enforcement agencies and organizations for
- 388 early intervention services as appropriate and reasonably feasible in accordance with
- 389 Section 53G-8-211.
- 390 (5) An LEA shall:
- 391 (a) conduct regular reviews of student attendance data to identify students at risk of
- 392 chronic absenteeism;
- 393 (b) implement tiered interventions for students with attendance concerns;
- 394 (c) notify parents within two instructional days of a student's unexcused absence,
- 395 including the total number for the school year; and
- 396 (d) maintain accurate and timely attendance records in the LEA's student information
- 397 system.
- 398 [(5)] (6) This section does not impose civil liability on boards of education, local school
- 399 boards, charter school governing boards, school districts, or their employees.
- 400 [(6)] (7) Proceedings initiated under this part do not obligate or preclude action by the
- 401 Division of Child and Family Services under Section 53G-6-210.
- 402 [(7)] (8) Each LEA shall annually report the following data separately to the state board:

403 (a) absences with a valid excuse; and

404 (b) absences without a valid excuse.

405 Section 6. Section **53G-6-210** is amended to read:

406 **53G-6-210 . Educational neglect of a minor -- Procedures -- Defenses.**

407 (1) With regard to a minor who is the subject of a petition under Section 80-3-201 based on
408 educational neglect:

409 (a) if allegations include failure of a minor to make adequate educational progress, the
410 juvenile court shall permit demonstration of the minor's educational skills and
411 abilities based upon any of the criteria used in granting school credit, in accordance
412 with Section 53G-6-702;

413 (b) parental refusal to comply with actions taken by school authorities in violation of
414 Section 53G-10-202, 53G-10-205, 53G-10-403, or 53G-10-203, does not constitute
415 educational neglect;

416 (c) parental refusal to support efforts by a school to encourage a minor to act in
417 accordance with any educational objective that focuses on the adoption or expression
418 of a personal philosophy, attitude, or belief that is not reasonably necessary to
419 maintain order and discipline in the school, prevent unreasonable endangerment of
420 persons or property, or to maintain concepts of civility and propriety appropriate to a
421 school setting, does not constitute educational neglect; and

422 (d) an allegation of educational neglect may not be sustained, based solely on a minor's
423 absence from school, unless the minor has ~~been absent~~ absences without a valid
424 excuse from school or from any given class, that are also without good cause, for
425 more than 10 consecutive ~~school~~ instructional days or more than 1/10 of the
426 applicable school term.

427 (2) A minor may not be considered to be educationally neglected, for purposes of this
428 chapter:

429 (a) unless there is clear and convincing evidence that:

430 (i) the minor has failed to make adequate educational progress, and school officials
431 have complied with the requirements of Section 53G-6-206; or

432 (ii) the minor is two or more years behind the local public school's age group
433 expectations in one or more basic skills, and is not receiving special educational
434 services or systematic remediation efforts designed to correct the problem;

435 (b) if the minor's parent or guardian establishes by a preponderance of the evidence that:

436 (i) school authorities have failed to comply with the requirements of this title;

- 437 (ii) the minor is being instructed at home in compliance with Section 53G-6-204;
- 438 (iii) there is documentation that the minor has demonstrated educational progress at a
- 439 level commensurate with the minor's ability;
- 440 (iv) the parent, guardian, or other person in control of the minor has made a good
- 441 faith effort to secure the minor's regular attendance in school;
- 442 (v) good cause or a valid excuse exists for the minor's absence from school;
- 443 (vi) the minor is not required to attend school under court order or is exempt under
- 444 other applicable state or federal law;
- 445 (vii) the minor has performed above the twenty-fifth percentile of the local public
- 446 school's age group expectations in all basic skills, as measured by a standardized
- 447 academic achievement test administered by the school district where the minor
- 448 resides; or
- 449 (viii) the parent or guardian presented a reasonable alternative curriculum to required
- 450 school curriculum, in accordance with Section 53G-10-205 or 53G-10-403, and
- 451 the alternative curriculum was rejected by the school district, but the parents have
- 452 implemented the alternative curriculum; or
- 453 (c) if the minor is attending school on a regular basis.

454 Section 7. Section **53G-6-213** is enacted to read:

455 **53G-6-213 . Data quality and monitoring requirements.**

456 (1) An LEA shall:

- 457 (a) ensure the LEA's student information system accurately captures and reports student
- 458 enrollment, attendance, and membership data; and
- 459 (b) conduct an annual internal audit of attendance data accuracy.

460 (2) The state board shall:

- 461 (a) establish minimum standards for LEA attendance data quality;
- 462 (b) conduct periodic audits of LEA attendance data;
- 463 (c) provide technical assistance to an LEA with data quality issues;
- 464 (d) publish annual reports on statewide attendance trends and data quality; and
- 465 (e) implement corrective action procedures for an LEA that fails to meet data quality
- 466 standards.

467 (3) An LEA that fails to meet state data quality standards shall:

- 468 (a) develop and implement a corrective action plan within 60 days and submit the plan
- 469 to the state board;
- 470 (b) submit monthly progress reports to the state board until compliance is achieved; and

471 (c) as the state board determines, be subject to withholding of state funding until
472 compliance is demonstrated.

473 (4) Notwithstanding Subsection (3), an LEA may not be subject to corrective action
474 procedures or withholding of state funding under Subsection (3) if the LEA's only
475 failure to meet state data quality standards relates to the tracking or reporting of excused
476 absences as described in Subsection 53G-6-206(8)(a).

477 Section 8. Section **53G-6-214** is enacted to read:

478 **53G-6-214 . LEA accountability measures.**

479 (1) An LEA shall:

480 (a) establish written policies and procedures for attendance tracking, intervention, and
481 enforcement that comply with state law;

482 (b) train all relevant staff on attendance policies and procedures annually;

483 (c) ensure consistent implementation of attendance policies across all schools within the
484 LEA; and

485 (d) provide clear communication to parents and students regarding attendance
486 expectations and consequences.

487 (2) An LEA governing board shall:

488 (a) review relevant attendance data;

489 (b) evaluate the effectiveness of attendance interventions annually;

490 (c) ensure adequate resources are allocated for attendance monitoring and intervention
491 programs; and

492 (d) approve any changes to attendance policies in a public meeting.

493 Section 9. **Effective Date.**

494 This bill takes effect on July 1, 2026.