

Lincoln Fillmore proposes the following substitute bill:

**School and Classroom Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor:

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**LONG TITLE**

**General Description:**

This bill enacts provisions related to school enrollment and curriculum development.

**Highlighted Provisions:**

This bill:

- requires students to meet personal care independence standards before enrolling in public school;
- creates exemptions from enrollment requirements for students with qualifying conditions;
- expands eligibility for rural school construction funding to include charter schools;
- establishes grant program for eligible charter schools;
- creates security interest requirements for state-funded charter school facilities;
- directs the State Board of Education to develop open educational resources aligned with Utah core standards;
- provides for reporting on curriculum development and implementation; and
- makes conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

- 53F-9-601 (Effective 07/01/26)**, as enacted by Laws of Utah 2022, Chapter 407
- 53F-10-101 (Effective 07/01/26)**, as last amended by Laws of Utah 2023, Chapter 467
- 53F-10-102 (Effective 07/01/26)**, as enacted by Laws of Utah 2022, Chapter 407
- 53F-10-202 (Effective 07/01/26) (Repealed 07/01/27)**, as enacted by Laws of Utah 2022, Chapter 407

29           **53F-10-302 (Effective 07/01/26)**, as enacted by Laws of Utah 2022, Chapter 407  
 30           **53G-4-603 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapter 523  
 31           **53G-7-203 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 394

32 ENACTS:

33           **53E-4-409 (Effective 07/01/26)**, Utah Code Annotated 1953  
 34           **53F-10-304 (Effective 07/01/26)**, Utah Code Annotated 1953  
 35           **53G-7-228 (Effective 07/01/26)**, 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-4-409** is enacted to read:

39           **53E-4-409 (Effective 07/01/26). Open educational resources -- Development and**  
 40 **implementation.**

41           (1) As used in this section:

42           (a) "Open educational resources" means teaching, learning, and research materials that  
 43           are in the public domain or released under an open license that permits free use,  
 44           adaptation, and distribution.

45           (b) "Utah core standards" means the standards described in Section 53E-4-202.

46           (2) Notwithstanding any other provision in this part, and subject to legislative  
 47           appropriation, the state board shall:

48           (a) contract with one or more qualified entities to develop comprehensive open  
 49           educational resources for elementary grades that:

50           (i) align with Utah core standards;

51           (ii) meet the instructional needs of students in kindergarten through grade 8 suitable  
 52           for the age of students at the grade level for which the materials are developed;

53           (iii) reflect Utah values and priorities;

54           (iv) provide accessibility to students with disabilities in compliance with federal and  
 55           state law;

56           (v) are available in digital and, where appropriate, print formats;

57           (vi) are free from bias;

58           (vii) do not contain obscene or harmful material;

59           (viii) are age appropriate for the grade level; and

60           (ix) promote American values and civic understanding.

61           (b) ensure the open educational resources include:

62           (i) comprehensive instructional materials for all core subject areas;

- 63           (ii) teacher resources, including:
- 64               (A) scopes and sequences;
- 65               (B) topics by grade level;
- 66               (C) text selection guides;
- 67               (D) unit and lesson-level implementation guides;
- 68               (E) daily lesson plans;
- 69               (F) formative, interim, and summative assessments; and
- 70               (G) professional development materials;
- 71           (iii) student materials and resources, including:
- 72               (A) student-facing instructional materials such as graphic organizers;
- 73               (B) guided practice materials;
- 74               (C) independent practice materials;
- 75               (D) digital learning resources;
- 76               (E) project and performance tasks; and
- 77               (F) other classroom supports; and
- 78           (iv) implementation guides to support LEAs in the adoption and use of the materials;
- 79           (c) establish quality standards and review processes for materials developed under this
- 80               section;
- 81           (d) ensure that:
- 82               (i) the state owns all intellectual property rights, including copyright, in the open
- 83               educational resources developed under this section; and
- 84               (ii) the open educational resources are openly licensed under a Creative Commons or
- 85               equivalent license to allow an LEA to use, adapt, customize, and distribute the
- 86               materials without charge;
- 87           (e) make the open educational resources available through a centralized digital platform
- 88               accessible to all LEAs and the public; and
- 89           (f) ensure that the open educational resources developed under this section are clearly
- 90               labeled and identified as open educational resources in all formats and platforms to
- 91               provide transparency to parents and other stakeholders.
- 92           (3) In developing open educational resources under this section, the state board shall:
- 93               (a) consult with LEAs, teachers, curriculum specialists, and other education stakeholders;
- 94               (b) establish a review committee that:
- 95                   (i) includes individuals representing:
- 96                       (A) LEAs;

- 97            (B) parents;  
98            (C) teachers;  
99            (D) curriculum specialists; and  
100           (E) other education stakeholders; and  
101           (ii) reviews all open educational resources before the resources are made available for  
102            LEA adoption;  
103           (iii) provide opportunities for public comment on draft open educational resources  
104            before final release;  
105           (c) establish timelines for phased development and implementation;  
106           (d) provide opportunities for pilot programs and field testing before statewide release;  
107            and  
108           (e) ensure ongoing review and updates to maintain alignment with Utah core standards  
109            and educational best practices.  
110           (4)(a) The state board may not require an LEA to adopt or use the open educational  
111            resources developed under this section.  
112           (b) An LEA that chooses to adopt the open educational resources developed under this  
113            section shall use the LEA's existing curriculum approval process.  
114           (5) The state board shall:  
115            (a) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
116            Rulemaking Act, to:  
117            (i) establish standards and procedures for contracting under this section;  
118            (ii) establish quality standards and suitability rubrics for open educational resources  
119            developed under this section;  
120            (iii) establish procedures for LEA access to and use of the open educational resources;  
121            (iv) establish procedures for ongoing review, updates, and maintenance of the open  
122            educational resources; and  
123            (v) establish standards and procedures for the review committee described in  
124            Subsection (3)(b);  
125            (b) upon request, report to the Education Interim Committee regarding:  
126            (i) progress on curriculum development under this section, including timelines and  
127            milestones;  
128            (ii) expenditures from appropriations under this section;  
129            (iii) LEA adoption and use of the open educational resources;  
130            (iv) feedback from LEAs, teachers, and other stakeholders, including parents;

- 131           (v) plans and progress for updates, maintenance, and expansion of the open  
 132           educational resources; and  
 133           (vi) the review process and recommendations from the review committee described  
 134           in Subsection (3)(b).

135           Section 2. Section **53F-9-601** is amended to read:

136           **53F-9-601 (Effective 07/01/26). Small LEA Capital Projects Fund.**

- 137           (1) As used in this section:
- 138           (a) "Capital development project" means the same as that term is defined in Section  
 139           63A-5b-401.
- 140           (b) "Fund" means the Small School District Capital Projects Fund created in this section.
- 141           (2)(a) There is created a capital projects fund known as the Small School District Capital  
 142           Projects Fund.
- 143           (b) Subject to legislative appropriations, and except as provided in Subsection (4),  
 144           money in the fund shall be used for a capital development project~~[in accordance with~~  
 145           ~~this section and Title 53F, Chapter 10, State Funding -- Capital Projects.] :~~  
 146           (i) or an eligible school district in accordance with Sections 53F-10-301 and  
 147           53F-10-302; or  
 148           (ii) for an eligible charter school in accordance with Section 53F-10-304.
- 149           (c) The fund shall:
- 150           (i) be funded by:
- 151           (A) one-time appropriations; and  
 152           (B) repayment and interest on loans described in Section 53F-10-302; and  
 153           (ii) accrue interest, which shall be deposited into the fund.
- 154           (3) The state board shall authorize disbursements from the fund.
- 155           (4) The state board shall administer the fund in accordance with this section.

156           Section 3. Section **53F-10-101** is amended to read:

157           **53F-10-101 (Effective 07/01/26). Definitions.**

158           As used in this ~~[section]~~ part:

- 159           (1) "Capital development project" means the same as that term is defined in Section  
 160           63A-5b-401, including new construction, capital expansion, and renovation.
- 161           (2) "Capital local levy" means the levy that a local school board imposes under Section  
 162           53F-8-303.
- 163           (3) "Capital Projects Evaluation Panel" or "panel" means the panel established in Section  
 164           53F-10-201.

- 165 (4) "Capital projects funding" means funds distributed from the Small ~~[School District]~~ LEA  
 166 Capital Projects Fund[-] ;  
 167 (a) to an eligible school district; or  
 168 (b) to an eligible charter school in accordance with Section 53F-10-304.
- 169 (5) "Charter school authorizer" means the same as that term is defined in Section  
 170 53G-5-102.
- 171 ~~[(5)]~~ (6) "Division" means the Division of Facilities Construction and Management.
- 172 (7) "Eligible charter school" means a charter school:  
 173 (a) that is located in a county of the fourth, fifth, or sixth class;  
 174 (b) that has been in operation for at least three consecutive years; and  
 175 (c) whose charter school authorizer:  
 176 (i) has reviewed and approved the charter school's proposed capital development  
 177 project; and  
 178 (ii) has certified that the charter school is in good standing and meets all requirements  
 179 of the charter school's charter agreement.
- 180 (8) "Eligible LEA" means an eligible charter school and an eligible school district.
- 181 ~~[(6)]~~ (9) "Eligible school district" means a school district:  
 182 (a) in a county of the fourth, fifth, or sixth class; and  
 183 (b)(i) that qualifies for state guarantee funding related to local levies under Section  
 184 53F-2-601; or  
 185 (ii)(A) that has a project that the panel has approved; and  
 186 (B) that the state board approves, upon the state superintendent's recommendation.
- 187 ~~[(7)]~~ (10) "Small ~~[School District]~~ LEA Capital Projects Fund" or "fund" means the capital  
 188 projects fund created in Section 53F-9-601.  
 189 Section 4. Section **53F-10-102** is amended to read:  
 190 **53F-10-102 (Effective 07/01/26). Capital development project proposal process --**  
 191 **State board role.**  
 192 (1) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah  
 193 Administrative Rulemaking Act, to establish a process for ~~[school districts-]~~ eligible  
 194 LEAs to submit to the panel proposals for funding for capital development projects  
 195 under this chapter, including:  
 196 (a) the panel's review, prioritization, and recommendation to the state board;  
 197 (b) the state board's consideration and approval, if applicable, of proposed capital  
 198 development projects; and

- 199 (c) management of panel processes and administration.
- 200 (2) The state board may fund direct costs and administration of the panel, not to exceed  
201 \$200,000.
- 202 (3) The state board shall:
- 203 (a) evaluate recommendations of the panel regarding proposed capital development  
204 projects;
- 205 (b) approve proposed capital development projects, subject to the availability of capital  
206 development funding; and
- 207 (c) oversee the disbursement of capital development funding.

208 Section 5. Section **53F-10-202** is amended to read:

209 **53F-10-202 (Effective 07/01/26) (Repealed 07/01/27). Panel duties.**

- 210 (1) The panel shall:
- 211 (a) determine criteria for:
- 212 (i) the allowed uses of capital project fund resources described in Sections  
213 53F-10-301,~~[-and-]~~53F-10-302, and 53F-10-304 and the prioritization of proposed  
214 capital development projects, including the extent to which a proposed project:
- 215 (A) eliminates risks to student life and safety through renewal or replacement;
- 216 (B) enhances efficiency of use, including combining necessarily existent small  
217 schools, described in Section 53F-2-304;
- 218 (C) addresses essential program growth and capacity;
- 219 (D) provides a cost effective solution that is appropriate for the facility's need; and
- 220 (E) comports with the school district's provision of matching funds and sufficient  
221 revenues for ongoing operation and maintenance;
- 222 (b) evaluate capital development project proposals to ensure viability, efficiency, and  
223 adherence to education and construction standards;
- 224 (c) prioritize capital development projects;
- 225 (d) recommend that the state board distribute capital project funding to [~~school districts~~]  
226 eligible LEAs;
- 227 (e) if necessary based on the circumstances of the capital development project, in  
228 partnership with the division, oversee the capital development project; and
- 229 (f) report to the state board regarding the panel's actions.
- 230 (2) The panel may:
- 231 (a) determine that a technical assistance liaison is necessary for an eligible [~~school~~  
232 ~~district~~] LEA applying for capital project funding under this chapter to efficiently

233 complete the project; and

234 (b) facilitate engagement with the division or a willing ~~[school district]~~ LEA partner  
235 having the required technical expertise in similar capital development projects.

236 Section 6. Section **53F-10-302** is amended to read:

237 **53F-10-302 (Effective 07/01/26). Capital development project loans.**

238 (1) The panel may recommend and the state board may distribute capital project funding for  
239 a loan to an eligible school district to provide the required match amount described in  
240 Section 53F-10-301 for a capital development project that the panel has prioritized:

241 (a) at an interest rate that the state treasurer establishes that is equal to the state's most  
242 recent general obligation bond rate; or

243 (b) at no interest for a school district:

244 (i) with a per-household property tax that is higher than 125% of the statewide  
245 average of property tax as a percentage of household income, based on the data  
246 sets described in Subsection 53F-10-302(1)(b); and

247 (ii) that has incurred debt equal to 90% of the debt limit imposed by Utah  
248 Constitution, Article XIV, Section 4.

249 (2) The panel shall determine the repayment terms of a loan described in Subsection (1),  
250 subject to state board approval, based on established standards.

251 (3) Repayment of a loan described in Subsection (1) and associated interest shall be  
252 deposited into the Small School ~~[District Capital]~~ LEA Projects Fund.

253 (4) An ~~[LEA]~~ eligible school district that receives loan funding under this section shall  
254 demonstrate the ability to provide sufficient ongoing funding to support the operation  
255 and maintenance of the new or renovated facility resulting from the capital development  
256 project based on standards that the panel establishes.

257 Section 7. Section **53F-10-304** is enacted to read:

258 **53F-10-304 (Effective 07/01/26). Charter school capital development project**  
259 **grants -- Security interest.**

260 (1) After reviewing an eligible charter school's financial capacity and ability to generate  
261 project funding, the panel may recommend to the state board, and the state board may  
262 authorize a distribution of capital project funding to an eligible charter school as a grant  
263 for a capital development project that the panel has prioritized.

264 (2) An eligible charter school that receives grant funding under this section shall  
265 demonstrate the ability to provide sufficient ongoing funding to support the operation  
266 and maintenance of the new or renovated facility resulting from the capital development

- 267 project based on standards that the panel establishes.
- 268 (3) As a condition of receiving grant funding under this section, an eligible charter school  
269 shall:
- 270 (a) grant the state a first-priority security interest in:
- 271 (i) the facility funded by the grant; and
- 272 (ii) the real property on which the facility is located;
- 273 (b) ensure that the charter school's governing board, or the entity that owns the facility if  
274 different from the governing board, executes all documents necessary to:
- 275 (i) create and perfect the security interest described in Subsection (3)(a);
- 276 (ii) record the security interest with the county recorder in the county where the  
277 facility is located; and
- 278 (iii) subordinate all other existing or future liens, mortgages, deeds of trust, and  
279 encumbrances on the facility and real property to the state's security interest;
- 280 (c) enter into a written agreement with the state board that:
- 281 (i) establishes the terms of the security interest described in Subsection (3)(a);
- 282 (ii) prohibits the charter school from selling, transferring, pledging as collateral, or  
283 further encumbering the facility or real property without prior written approval  
284 from the state board;
- 285 (iii) requires the charter school to notify the state board within 10 business days of:
- 286 (A) any proposed sale, transfer, or encumbrance of the facility or real property;
- 287 (B) any notice of default received from any creditor;
- 288 (C) any contemplated closure or cessation of operations;
- 289 (D) any change in the entity that owns the facility; or
- 290 (E) any initiation of bankruptcy, receivership, or similar proceedings;
- 291 (iv) requires the charter school to maintain adequate insurance on the facility and  
292 name the state as loss payee;
- 293 (v) establishes repayment terms if the charter school ceases operations or closes; and
- 294 (vi) provides that, notwithstanding any other provision of state law and to the extent  
295 permitted by federal law:
- 296 (A) the state shall recover the full amount of grant funding provided under this  
297 section;
- 298 (B) the state's recovery described in Subsection (3)(c)(vi)(A) shall be paid from  
299 proceeds of any sale, transfer, lease, or liquidation of the facility or real  
300 property before distribution to any other creditor, lien holder, or interest

301 holder;and  
302 (C) if the facility continues to serve public school students under a different  
303 charter school operator approved by the charter school's authorizer, the state  
304 board may, in the state board's discretion, transfer the security interest and any  
305 remaining obligations to the successor charter school operator, or require  
306 immediate repayment and release the security interest.

307 (4) The state board shall:

308 (a) monitor compliance with the security interest requirements and agreement described  
309 in Subsection (3);

310 (b) take appropriate action to enforce the state's security interest if an eligible charter  
311 school:

312 (i) defaults on any obligation under the agreement described in Subsection (3)(c);

313 (ii) ceases operations; or

314 (iii) materially breaches the charter school's charter agreement; and

315 (c) make rules in accordance with Title 63G, Chapter 3, Utah Administrative  
316 Rulemaking Act, to:

317 (i) establish procedures for reviewing and approving proposals to sell, transfer, or  
318 encumber facilities; and

319 (ii) establish procedures for enforcing the state's security interest.

320 (5) The panel shall determine the terms of a grant described in this section, subject to  
321 approval by the state board.

322 Section 8. Section **53G-4-603** is amended to read:

323 **53G-4-603 (Effective 07/01/26). Additional indebtedness -- Election -- Voter**  
324 **information pamphlet.**

325 (1) As used in this section:

326 (a) "Qualifying general obligation bond" means a bond:

327 (i) issued pursuant to Title 11, Chapter 14, Local Government Bonding Act; and

328 (ii) authorized by an election held on or after July 1, 2014.

329 (b) "Private placement bond" means a bond that a school district issues, within the  
330 general obligation bond market:

331 (i) without a public offering;

332 (ii) in a private sale to one purchaser or a limited number of purchasers; and

333 (iii) through a negotiated sale process, including direct placement, rather than through  
334 a competitive bid.

- 335           ~~(b)~~ (c) "Voter information pamphlet" means the notification required by Section  
336           11-14-202.
- 337       (2) A local school board may require the qualified electors of the district to vote on a  
338           proposition as to whether to incur indebtedness, subject to conditions provided in Title  
339           11, Chapter 14, Local Government Bonding Act, if:
- 340           (a) the debts of the district are equal to school taxes and other estimated revenues for the  
341               school year, and it is necessary to create and incur additional indebtedness in order to  
342               maintain and support schools within the district; or
- 343           (b) the local school board determines it advisable to issue school district bonds to  
344               purchase school sites, buildings, or furnishings or to improve existing school property.
- 345       (3) A local school board shall specify, in the voter information pamphlet for a bond  
346           election, a plan of finance, including:
- 347           (a) the specific project or projects for which a bond is to be issued; and  
348           (b) a priority designation for each project.
- 349       (4) Except as provided in Subsection (5), a local school board shall ensure that qualifying  
350           general obligation bond proceeds are used to complete projects in accordance with the  
351           plan of finance described in Subsection (3).
- 352       (5)(a) After distribution to the public of the voter information pamphlet, with two-thirds  
353           majority approval of the local school board, a local school board may upon a  
354           determination of compelling circumstances adjust the plan of finance described in  
355           Subsection (3) by:
- 356               (i) changing the priority designation of a project;  
357               (ii) adding a project that was not listed in the voter information pamphlet; or  
358               (iii) removing a project that was listed in the voter information pamphlet.
- 359       (b) A local school board may not vote on more than one adjustment described in  
360           Subsection (5)(a) per meeting.
- 361       (6) For a qualifying general obligation bond, a local school board shall:
- 362           (a) in accordance with Subsection (6)(b), post on the local school board's website:
- 363               (i) the plan of finance as described in the voter information pamphlet; and  
364               (ii) a progress report detailing the status of the projects listed in the plan of finance,  
365                   including:
- 366                       (A) the status of any construction contracts related to a project;  
367                       (B) the bid amount;  
368                       (C) the estimated and actual construction start date;

- 369 (D) the estimated and actual construction end date; and  
 370 (E) the final cost; and  
 371 (b) update the information described in Subsection (6)(a):  
 372 (i) before the beginning of each new fiscal year; and  
 373 (ii) no less than 30 days before any vote on the issuance of a new bond by the local  
 374 school board or the public.

375 (7)(a) If a local school board violates Subsection (4), a registered voter in the school  
 376 district may file an action for an extraordinary writ to prohibit the local school board  
 377 from adjusting the plan of finance without obtaining the necessary local school board  
 378 approval.

379 (b) If a registered voter prevails in an action under Subsection (7)(a), the court shall  
 380 award reasonable costs and attorney fees to the registered voter.

381 (c) The action described in Subsection (7)(a) may not be used to challenge the validity  
 382 of a bond.

383 (8) A school district may not:

384 (a) issue a private placement bond; or

385 (b) incur any indebtedness except as provided in this part.

386 Section 9. Section **53G-7-203** is amended to read:

387 **53G-7-203 (Effective 07/01/26). Kindergartens -- Establishment -- Funding --**  
 388 **Assessment.**

389 (1) Kindergartens are an integral part of the state's public education system.

390 (2)(a) Each LEA governing board shall provide kindergarten classes free of charge for  
 391 kindergarten children residing within the district or attending [the] a charter school.

392 (b) Each LEA governing board shall:

393 (i) provide a half-day kindergarten option for a student that comprises the minimum  
 394 standards for half-day kindergarten that the state board establishes, in accordance  
 395 with Subsection (4)(a)(iii), if the student's parent requests a half-day option;[and]

396 (ii)(A) inform parents of the availability of the option to register for a designated  
 397 full-curriculum half-day kindergarten option at the time of all kindergarten  
 398 registration, by email, posters, or other announcements when a parent requests  
 399 kindergarten registration; and

400 (B) provide the option to register for a designated half-day kindergarten option at  
 401 the time of registration;

402 (iii) provide a dedicated kindergarten class specifically designated as a half-day

- 403 kindergarten class when enrollment of half-day kindergarten students at an  
404 individual school or a regional school exceeds a minimum of 18 students;
- 405 (iv) when enrollment of half-day kindergarten students at an individual school  
406 exceeds a minimum of 18 students, designate the school as a half-day  
407 kindergarten provider for the improvement of recruiting teachers that prefer  
408 half-day teaching;
- 409 (v) inform parents regarding the additional educational resources and opportunities  
410 available to parents who select the half-day kindergarten option; and
- 411 (vi) ensure that a half-day kindergarten student who is registered in a class that  
412 includes full-day kindergarten students receives instruction that at least meets the  
413 minimum standards for half-day kindergarten that the state board establishes, in  
414 accordance with Subsection (4)(a)(iii).
- 415 (c) Nothing in this Subsection (2):
- 416 (i) allows an LEA governing board to require a student to participate in a full-day  
417 kindergarten program;
- 418 (ii) modifies the non-compulsory status of kindergarten under Chapter 6, Part 2,  
419 Compulsory Education; or
- 420 (iii) requires a student who only attends a half day of kindergarten to participate in  
421 dual enrollment under Section 53G-6-702.
- 422 (3) Kindergartens established under Subsection (2) shall receive state money under Title  
423 53F, Public Education System -- Funding.
- 424 (4)(a) The state board shall:
- 425 (i) develop and collect data from a kindergarten assessment that the board selects by  
426 rule;
- 427 (ii) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative  
428 Rulemaking Act, regarding the administration of and reporting regarding the  
429 assessment described in Subsection (4)(a)(i); and
- 430 (iii) establish minimum standards for half-day kindergarten.
- 431 (b) An LEA shall:
- 432 (i) administer the assessment described in Subsection (4)(a) to each kindergarten  
433 student; and
- 434 (ii) report to the state board the results of the assessment described in Subsection  
435 (4)(b)(i) in relation to each kindergarten student in the LEA.
- 436 (5) The state board shall require LEAs to report average daily membership for all

437 kindergarten students who attend kindergarten on a schedule that is equivalent in length  
 438 to the schedule for grades 1 through 3 with the October 1 data described in Section  
 439 53F-2-302.

440 [~~(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~  
 441 ~~state board shall make rules to:]~~

442 [~~(a) beginning with the 2025-2026 school year, require a student to be toilet trained~~  
 443 ~~before being enrolled in public school;]~~

444 [~~(b) establish requirements for an LEA's enrollment process to include assurances from a~~  
 445 ~~parent that the parent's student is toilet trained; and]~~

446 [~~(c) create exemptions from the requirement in Subsection (6)(a) for a student who is not~~  
 447 ~~able to be toilet trained before enrolling because of a condition that is subject to~~  
 448 ~~federal child find requirements or described in an IEP or Section 504 accommodation~~  
 449 ~~plan.]~~

450 Section 10. Section **53G-7-228** is enacted to read:

451 **53G-7-228 (Effective 07/01/26). Personal care independence standards -- School**  
 452 **enrollment.**

453 In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state  
 454 board shall make rules to:

455 (1) beginning with the 2026-2027 school year, require a student to demonstrate personal  
 456 care independence by being toilet trained before being enrolled in a public school;

457 (2) establish requirements for an LEA's enrollment process to include assurances from a  
 458 parent that the parent's student meets the personal care independence requirements  
 459 described in Subsection (1); and

460 (3) create exemptions from the requirement in Subsection (1) for a student who is not able  
 461 to meet personal care independence requirements because of a condition that is subject  
 462 to federal child find requirements found in Section 20 U.S.C. 1412(a)(3), Individuals  
 463 with Disabilities Education Act, and 34 C.F.R. Sec. 300.111 or described in an IEP or  
 464 Section 504 accommodation plan.

465 Section 11. **Effective Date.**

466 This bill takes effect on July 1, 2026.