

Reintegration for Disciplined Students

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor:

LONG TITLE

General Description:

This bill modifies provisions related to reintegration and enrollment of students with disciplinary issues.

Highlighted Provisions:

This bill:

- modifies grounds for denying open enrollment applications;
 - modifies timelines and requirements for transferring student records;
 - modifies reintegration plan requirements for students who have committed serious offenses;
 - requires local education agencies to digitally maintain and transfer certain student records;
 - modifies notification requirements when a minor is taken into temporary custody; and
 - makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-6-403, as last amended by Laws of Utah 2019, Chapter 293

53G-6-604, as renumbered and amended by Laws of Utah 2018, Chapter 3

53G-8-213, as last amended by Laws of Utah 2025, Chapter 348

53G-8-403, as last amended by Laws of Utah 2024, Chapter 532

63M-7-208, as last amended by Laws of Utah 2024, Chapter 240

80-6-103, as last amended by Laws of Utah 2025, Chapters 173, 208

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

Section 1. Section **53G-6-403** is amended to read:

31 **53G-6-403 . Policies for acceptance and rejection of applications.**

- 32 (1)(a) A local school board shall adopt policies governing acceptance and rejection of
33 applications required under Section 53G-6-402.
- 34 (b) The policies adopted under Subsection (1)(a) shall include policies and procedures to
35 assure that decisions regarding enrollment requests are administered fairly without
36 prejudice to any student or class of student, except as provided in Subsection (2).
- 37 (2) Standards for accepting or rejecting an application for enrollment may include:
- 38 (a) for an elementary school, the capacity of the grade level;
- 39 (b) for a secondary school, the capacity of a comprehensive program;
- 40 (c) maintenance of heterogeneous student populations if necessary to avoid violation of
41 constitutional or statutory rights of students;
- 42 (d) not offering, or having capacity in, an elementary or secondary special education or
43 other special program the student requires;
- 44 (e) maintenance of reduced class sizes:
- 45 (i) in a Title I school that uses federal, state, and local money to reduce class sizes for
46 the purpose of improving student achievement; or
- 47 (ii) in a school that uses school trust money to reduce class size;
- 48 (f) willingness of prospective students to comply with district policies; and
- 49 (g) giving priority to intradistrict transfers over interdistrict transfers.
- 50 (3)(a) Standards for accepting or rejecting applications for enrollment may not include:
- 51 (i) previous academic achievement;
- 52 (ii) athletic or other extracurricular ability;
- 53 (iii) the fact that the student requires special education services for which space is
54 available;
- 55 (iv) proficiency in the English language; or
- 56 (v) previous disciplinary proceedings, except as provided in Subsection (3)(b).
- 57 (b) A local school board may provide for the denial of applications from students who:
- 58 (i) have committed serious infractions of the law or school policies, including
59 policies of the district in which enrollment is sought; ~~or~~
- 60 (ii) have been guilty of chronic misbehavior which would, if it were to continue after
61 the student was admitted:
62 (A) endanger persons or property;
63 (B) cause serious disruptions in the school; or
64 (C) place unreasonable burdens on school staff~~[.]~~ ; or

- (iii) have any school safety incidents or safe-school violations.

(c) A local school board may also provide for provisional enrollment of students with prior behavior problems, establishing conditions under which enrollment of a nonresident student would be permitted or continued.

(4)(a) The state board, in consultation with the Utah High School Activities Association, shall establish policies regarding nonresident student participation in interscholastic competition.

(b) Nonresident students shall be eligible for extracurricular activities at a public school consistent with eligibility standards as applied to students that reside within the school attendance area, except as provided by policies established under Subsection (4)(a).

(5) For each school in the district, the local school board shall post on the school district's website:

 - (a) the school's maximum capacity;
 - (b) the school's adjusted capacity;
 - (c) the school's projected enrollment used in the calculation of the open enrollment threshold;
 - (d) actual enrollment on October 1, January 2, and April 1;
 - (e) the number of nonresident student enrollment requests;
 - (f) the number of nonresident student enrollment requests accepted; and
 - (g) the number of resident students transferring to another school.

Section 2. Section **53G-6-604** is amended to read:

53G-6-604 . Requirement of school record for transfer of student -- Procedures.

- (1) Except as provided in Section 53E-3-905, a school shall request a certified copy of a transfer student's record, directly from the transfer student's previous school[~~, within 14 days after enrolling the transfer student~~].

(2)(a)(i) Except as provided in Subsection (2)(b) and Section 53E-3-905, a school requested to forward a certified copy of a transferring student's record to the new school shall comply within [30] five school days of the request.

(ii) The student record shall include the student's discipline file including any safe-school violation, reintegration, or threat assessment.

(b) If the record has been flagged [pursuant to] in accordance with Section 53G-6-602, a school may not forward the record to the new school and the requested school shall notify the division of the request.

99 (c) A school may not enroll a student unless the student record from the previous school
100 is received or the school administrator or designee reviews the data gateway for any
101 safe-school violation, reintegration, or threat assessment.

102 Section 3. Section **53G-8-213** is amended to read:

103 **53G-8-213 . Reintegration plan for student alleged to have committed violent**
104 **felony or weapon offense.**

105 (1) As used in this section, "multidisciplinary team" means:

- 106 (a) the local education agency or designee;
- 107 (b) the juvenile court or designee;
- 108 (c) the Division of Juvenile Justice and Youth Services or designee;
- 109 (d) a school safety and security specialist designated under Section 53G-8-701.6 or
110 designee;
- 111 (e) school safety and security director designated under Section 53G-8-701.8 or designee;
- 112 (f) a school resource officer if applicable; [and] or
- 113 (g) any other relevant party that should be involved in a reintegration plan.

114 (2)(a) If a school district receives a notification from the juvenile court or a law
115 enforcement agency that a student was arrested for, charged with, or adjudicated in
116 the juvenile court for a serious offense, the school shall develop a reintegration plan
117 for the student with a multidisciplinary team, the student, and the student's parent or
118 guardian, within [five] seven school days after the day on which the school receives a
119 notification while school is in session.

120 (b) If a school district receives a notification when school is not in session from the
121 juvenile court or a law enforcement agency that a student was arrested for, charged
122 with, or adjudicated in the juvenile court for a serious offense, the school shall
123 develop a reintegration plan for the student with a multidisciplinary team, the student,
124 and the student's parent or guardian, before school is back in session.

125 (3) The school may deny admission to the student until the school completes the
126 reintegration plan under Subsection (2).

127 (4)(a) The reintegration plan under Subsection (2) shall [address] include:
128 [(a)] (i) a behavioral intervention for the student;
129 [(b)] (ii) a short-term mental health or counseling service for the student;
130 [(c)] (iii) an academic intervention for the student; [and] or
131 [(d)] (iv) any other interventions that the multidisciplinary team, the student, and the
132 student's parent or guardian determine are necessary.

133 [(d)] (b) If the serious offense was directed at a school employee or another student
134 within the school, notification of the reintegration plan to that school employee or
135 student and the student's parent.

- 136 (5) A school district may not reintegrate a student into a school where:
- 137 (a) a student or staff member has a protective order against the student being
138 reintegrated; or
- 139 (b) a student or staff member is the victim of a ~~sexual crime or forcible felony~~
140 committed by the student being reintegrated] sex-related offense listed in Section
141 76-3-203.5 where the student seeking reintegration or continued enrollment has been
142 found to be adjudicated.

- 143 (6) A reintegration plan under this section will remain in effect for an entire school year or
144 180 days from the plan's implementation, or as long as the multidisciplinary team deems
145 it necessary.

- 146 [(f)] (7)(a) Notwithstanding Subsection (2), a school district may elect to not integrate a
147 student into a school if the student has committed, or allegedly committed, a forcible
148 felony.

149 (b) If a school district elects to not integrate a student under [(6)(a)] (7)(a),
150 the school district shall provide alternative education options for the student.

- 151 [(f)] (8) A reintegration plan under this section is classified as a protected record under
152 Section 63G-2-305.

- 153 [(f)] (9) All other records of disclosures under this section are governed by Title 63G,
154 Chapter 2, Government Records Access and Management Act, and the Family
155 Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

156 Section 53G-8-403 is amended to read:

157 **53G-8-403 . Superintendent required to notify school.**

- 158 (1) "LEA head" means the superintendent of a school district or the director of a charter
159 school.
- 160 (2) Within three days of receiving a notification from the juvenile court or a law
161 enforcement agency under Section 80-6-103, the LEA head or LEA head's designee
162 shall notify the principal of the school the juvenile attends or last attended.
- 163 (3) Upon receipt of the information, the principal shall:
- 164 (a) make a notation in a secure file other than the student's permanent file; and
- 165 (b) if the student is still enrolled in the school, notify staff members who, in his opinion,
166 should know of the adjudication.

- 167 (4) A person receiving information [pursuant to] in accordance with this part may only
168 disclose the information to other persons having both a right and a current need to know.
169 (5) Access to secure files shall be limited to persons authorized to receive information
170 under this part.
171 (6) Beginning no later than July 1, 2025, an LEA shall digitally maintain the [secure]
172 cumulative file described in Subsection (3) or, if available, the [students-] student's
173 related reintegration plan described in 53G-8-213, for one year from the day the notice is
174 received and ensure the secure file follows the student if the student transfers to a
175 different school or LEA.

176 Section 5. Section **63M-7-208** is amended to read:

177 **63M-7-208 . Juvenile justice oversight -- Delegation -- Effective dates.**

- 178 (1) The State Commission on Criminal and Juvenile Justice shall:
179 (a) support implementation and expansion of evidence-based juvenile justice programs
180 and practices, including assistance regarding implementation fidelity, quality
181 assurance, and ongoing evaluation;
182 (b) examine and make recommendations on the use of third-party entities or an
183 intermediary organization to assist with implementation and to support the
184 performance-based contracting system authorized in Subsection (1)(m);
185 (c) oversee the development of performance measures to track juvenile justice reforms,
186 and ensure early and ongoing stakeholder engagement in identifying the relevant
187 performance measures;
188 (d) evaluate currently collected data elements throughout the juvenile justice system and
189 contract reporting requirements to streamline reporting, reduce redundancies,
190 eliminate inefficiencies, and ensure a focus on recidivism reduction;
191 (e) review averted costs from reductions in out-of-home placements for juvenile justice
192 youth placed with the Division of Juvenile Justice and Youth Services and the
193 Division of Child and Family Services, and make recommendations to prioritize the
194 reinvestment and realignment of resources into community-based programs for youth
195 living at home, including the following:
196 (i) statewide expansion of:
197 (A) juvenile receiving centers, as defined in Section 80-1-102;
198 (B) mobile crisis outreach teams, as defined in Section 26B-5-101;
199 (C) youth courts; and
200 (D) victim-offender mediation;

- 201 (ii) statewide implementation of nonresidential diagnostic assessment;
- 202 (iii) statewide availability of evidence-based programs and practices including
- 203 cognitive behavioral and family therapy programs for minors assessed by a
- 204 validated risk and needs assessment as moderate or high risk;
- 205 (iv) implementation and infrastructure to support the sustainability and fidelity of
- 206 evidence-based juvenile justice programs, including resources for staffing,
- 207 transportation, and flexible funds; and
- 208 (v) early intervention programs such as family strengthening programs, family
- 209 wraparound services, and proven truancy interventions;
- 210 (f) assist the Administrative Office of the Courts in the development of a statewide
- 211 sliding scale for the assessment of fines, fees, and restitution, based on the ability of
- 212 the minor's family to pay;
- 213 (g) analyze the alignment of resources and the roles and responsibilities of agencies,
- 214 such as the operation of early intervention services, receiving centers, and diversion,
- 215 and make recommendations to reallocate functions as appropriate, in accordance with
- 216 Section 80-5-401;
- 217 (h) comply with the data collection and reporting requirements under Section 80-6-104;
- 218 (i) develop a reasonable timeline within which all programming delivered to minors in
- 219 the juvenile justice system ~~must~~ shall be evidence-based or consist of practices that
- 220 are rated as effective for reducing recidivism by a standardized program evaluation
- 221 tool;
- 222 (j) provide guidelines to be considered by the Administrative Office of the Courts and
- 223 the Division of Juvenile Justice and Youth Services in developing tools considered
- 224 by the Administrative Office of the Courts and the Division of Juvenile Justice and
- 225 Youth Services in developing or selecting tools to be used for the evaluation of
- 226 juvenile justice programs;
- 227 (k) develop a timeline to support improvements to juvenile justice programs to achieve
- 228 reductions in recidivism and review reports from relevant state agencies on progress
- 229 toward reaching that timeline;
- 230 (l) subject to Subsection (2), assist in the development of training for juvenile justice
- 231 stakeholders, including educators, law enforcement officers, probation staff, judges,
- 232 Division of Juvenile Justice and Youth Services staff, Division of Child and Family
- 233 Services staff, and program providers;
- 234 (m) subject to Subsection (3), assist in the development of a performance-based

- 235 contracting system, which shall be developed by the Administrative Office of the
236 Courts and the Division of Juvenile Justice and Youth Services for contracted
237 services in the community and contracted out-of-home placement providers;
- 238 (n) assist in the development of a validated detention risk assessment tool that is
239 developed or adopted and validated by the Administrative Office of the Courts and
240 the Division of Juvenile Justice and Youth Services as provided in Section 80-5-203;
241 and
- 242 (o) annually issue and make public a report to the governor, president of the Senate,
243 speaker of the House of Representatives, and chief justice of the Utah Supreme Court
244 on the progress of the reforms and any additional areas in need of review.
- 245 (2) Training described in Subsection (1)(l) should include instruction on evidence-based
246 programs and principles of juvenile justice, such as risk, needs, responsivity, and
247 fidelity, and ~~shall~~ changes in legislation that impact the juvenile justice system and
248 may be supplemented by the following topics:
- 249 (a) adolescent development;
- 250 (b) identifying and using local behavioral health resources;
- 251 (c) cross-cultural awareness;
- 252 (d) graduated responses;
- 253 (e) Utah juvenile justice system data and outcomes; and
- 254 (f) gangs.
- 255 (3) The system described in Subsection (1)(m) shall provide incentives for:
- 256 (a) the use of evidence-based juvenile justice programs and practices rated as effective
257 by the tools selected in accordance with Subsection (1)(j);
- 258 (b) the use of three-month timelines for program completion; and
- 259 (c) evidence-based programs and practices for minors living at home in rural areas.
- 260 (4) The State Commission on Criminal and Juvenile Justice may delegate the duties
261 imposed under this section to a subcommittee or board established by the State
262 Commission on Criminal and Juvenile Justice in accordance with Subsection
263 63M-7-204(2).

264 Section 6. Section **80-6-103** is amended to read:

265 **80-6-103 . Notification to a school -- Civil and criminal liability.**

- 266 (1) As used in this section:
- 267 (a) "School" means a school in a local education agency.
- 268 (b) "Local education agency" means a school district, a charter school, or the Utah

269 Schools for the Deaf and the Blind.

- 270 (c) "School official" means the superintendent of a school district or the director of a
271 charter school or designee in which the minor resides or attends school.
- 272 (d) "Serious offense" means:
- 273 (i) a violent felony as defined in Section 76-3-203.5;
- 274 (ii) an offense that is a violation of an offense under Title 76, Chapter 6, Part 4, Theft,
275 and the property stolen is a firearm; or
- 276 (iii) an offense that is a violation of an offense under Title 76, Chapter 11, Weapons.
- 277 (e) "Transferee school official" means the superintendent of a school district or the
278 director of a charter school or designee in which the minor resides or attends school if
279 the minor is admitted to home detention.
- 280 (2) A notification under this section is provided for a minor's supervision and student safety.
- 281 (3)(a) If a minor is taken into temporary custody under Section 80-6-201 for a serious
282 offense, the peace officer, or other person who has taken the minor into temporary
283 custody, shall notify a school official within five days after the day on which the
284 minor is taken into released from temporary custody.
- 285 (b) A notification under this Subsection (3) shall only disclose:
- 286 (i) the name of the minor;
- 287 (ii) the offense for which the minor was taken into temporary custody or admitted to
288 detention; and
- 289 (iii) if available, the name of the victim if the victim resides in the same school
290 district as the minor or attends the same school as the minor.
- 291 (4) After a detention hearing for a minor who is alleged to have committed a serious
292 offense, the juvenile court shall order a juvenile probation officer to notify a school
293 official, or a transferee school official, and the appropriate local law enforcement agency
294 of the juvenile court's decision, including any disposition, order, or no-contact order.
- 295 (5) If a designated staff member of a detention facility admits a minor to home detention
296 under Section 80-6-205 and notifies the juvenile court of that admission, the juvenile
297 court shall order a juvenile probation officer to notify a school official, or a transferee
298 school official, and the appropriate local law enforcement agency that the minor has
299 been admitted to home detention.
- 300 (6)(a) If the juvenile court adjudicates a minor for a serious offense, the juvenile court
301 shall order a juvenile probation officer to notify a school official, or a transferee
302 school official, of the adjudication.

- 303 (b) A notification under this Subsection (6) shall be given to a school official, or a
304 transferee school official, within three days after the day on which the minor is
305 adjudicated.
- 306 (c) A notification under this section shall include:
307 (i) the name of the minor;
308 (ii) the offense for which the minor was adjudicated; and
309 (iii) if available, the name of the victim if the victim:
310 (A) resides in the same school district as the minor; or
311 (B) attends the same school as the minor.
- 312 (7) If the juvenile court orders formal probation under Section 80-6-702, the juvenile court
313 shall order a juvenile probation officer to notify the appropriate local law enforcement
314 agency and the school official of the juvenile court's order for formal probation.
- 315 (8)(a) An employee of the local law enforcement agency, or the school the minor
316 attends, who discloses a notification under this section is not:
317 (i) civilly liable except when the disclosure constitutes fraud or willful misconduct as
318 provided in Section 63G-7-202; and
319 (ii) civilly or criminally liable except when the disclosure constitutes a knowing
320 violation of Section 63G-2-801.
- 321 (b) An employee of a governmental agency is immune from any criminal liability for
322 failing to provide the information required by this section, unless the employee fails
323 to act due to malice, gross negligence, or deliberate indifference to the consequences.
- 324 (9)(a) A notification under this section shall be classified as a protected record under
325 Section 63G-2-305.
- 326 (b) All other records of disclosures under this section are governed by Title 63G,
327 Chapter 2, Government Records Access and Management Act, and the Family
328 Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.
- 329 **Section 7. Effective Date.**
- 330 This bill takes effect on May 6, 2026.