

Luz Escamilla proposes the following substitute bill:

School Discipline Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: Jason E. Thompson

LONG TITLE

General Description:

This bill establishes minimum safety standards for seclusion rooms in schools and creates a one-time grant program to help a local education agency (LEA) bring existing rooms into compliance.

Highlighted Provisions:

This bill:

- ▶ establishes minimum physical standards for seclusion rooms including room size, ceiling height, construction materials, and structural integrity requirements;
- ▶ requires proper lighting with fixtures located outside the room and controls that prevent student access;
- ▶ mandates adequate ventilation, heating, and cooling systems comparable to other school rooms;
- ▶ sets safety requirements including prohibition of dangerous objects, unbreakable windows, and specific door and locking mechanism standards;
- ▶ requires audio and video recording equipment that records all activities during seclusion use with one-year retention requirements;
- ▶ ensures compliance with state and local fire and building codes;
- ▶ applies standards to both existing seclusion rooms and any new school construction that includes seclusion rooms;
- ▶ creates a one-time grant program with required matching funds to help an LEA modify existing rooms to meet the new standards;
- ▶ prohibits grant funds from being used to construct new seclusion rooms;
- ▶ gives the State Board of Education authority to adopt additional rules for safety standards, compliance verification, and grant program administration;
- ▶ integrates the new standards into existing policy, documentation, and enforcement

29 requirements; and
30 ▸ makes conforming changes.

31 **Money Appropriated in this Bill:**

32 This bill appropriates \$2,500,000 in operating and capital budgets for fiscal year 2027, all
33 of which is from the various sources as detailed in this bill.

34 **Other Special Clauses:**

35 This bill provides a special effective date.

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **53G-8-301**, as repealed and reenacted by Laws of Utah 2025, Chapter 327



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

41 Section 1. Section **53G-8-301** is amended to read:

42 **53G-8-301 . Emergency safety interventions -- Appropriate uses -- Penalties.**

43 (1) As used in this section:

- 44 (a) "Corporal punishment" means the intentional infliction of physical pain upon the
45 body of a student as a disciplinary measure.
- 46 (b) "Emergency safety intervention" means the use of seclusion or physical restraint
47 when a student presents an immediate danger to self or others.
- 48 (c) "Physical escort" means a temporary touching or holding of the hand, wrist, arm,
49 shoulder, or back for the purpose of guiding a student to another location.
- 50 (d) "Physical restraint" means a personal restriction that immobilizes or significantly
51 reduces the ability of a student to move the student's arms, legs, body, or head freely.
- 52 (e) "School" means a public or private elementary school, secondary school, or
53 preschool.
- 54 (f) "Seclusion" means seclusionary time out that is the involuntary confinement of a
55 student alone in a room or area from which the student is physically prevented from
56 leaving, including:
 - 57 (i) placing a student in a locked room; or
 - 58 (ii) placing a student in a room where the door is blocked by furniture or held closed
59 by staff.
- 60 (g) "Student" means an individual who is:
 - 61 (i) under the age of 19 and receiving educational services; or
 - 62 (ii) under the age of 23 and receiving educational services as an individual with a

- 63 disability.
- 64 (2)(a) A school employee shall first use the least restrictive intervention available to the
65 school employee, including a physical escort, to address circumstances described in
66 Subsection (4).
- 67 (b) Nothing in this section prohibits a school employee from subsequently using less
68 restrictive interventions to address circumstances described in Subsection (4).
- 69 (3)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
70 the state board shall make rules to:
- 71 (i) establish guidelines and best practices that consider individual student needs
72 related to emergency safety interventions described in Subsection (10)(b);
- 73 (ii) establish intervention reporting requirements;
- 74 (iii) create school staff training standards that may be included in an existing training;
- 75 (iv) develop parental notification procedures;
- 76 (v) implement data collection and review processes;
- 77 (vi) establish ~~[investigation]~~ data review protocols;
- 78 (vii) establish data collection and reporting requirements for an LEA regarding:
- 79 (A) incidents of seclusion;
- 80 (B) alternative interventions used;
- 81 (C) student demographic information, including sex, gender, age, grade in school,
82 and applicable disability status; and
- 83 (D) incident outcomes~~[-]~~; and
- 84 (viii) establish standards for seclusion rooms as described in Subsection (14).
- 85 (b) The state board shall include ~~[the information described in Subsection (3)(a)]~~ data
86 collected under Subsection (3)(a)(vii) in the State Superintendent's Annual Report
87 described in Section 53E-1-203.
- 88 (4) A school employee may use reasonable and necessary physical restraint only:
- 89 (a) in self defense;
- 90 (b) to obtain possession of a weapon or other dangerous object in the possession or
91 under the control of a student;
- 92 (c) to protect a student or another individual from physical injury;
- 93 (d) to remove from a situation a student who is violent; or
- 94 (e) to protect property from being damaged, when physical safety is at risk.
- 95 (5)(a) A school employee may not inflict or cause the infliction of corporal punishment
96 upon a student.

- 97 (b) The reporting and investigation requirements of Title 80, Chapter 2, Part 6, Child
98 Abuse and Neglect Reports, apply to complaints on corporal punishment.
- 99 (c) Evidence of corporal punishment that would qualify as reasonable discipline under
100 Section 76-2-401 is insufficient to establish liability in a civil or criminal action.
- 101 (d) Subject to the Rules of Evidence, evidence of corporal punishment that exceeds
102 reasonable discipline under Section 76-2-401 may be used by a court to establish
103 civil or criminal liability.
- 104 (6) School authorities shall take prompt and appropriate action, including in-service
105 training and other administrative action, upon confirming a violation of this section with
106 respect to corporal punishment violations.
- 107 (7) The Division of Child and Family Services shall maintain all violation reports made in
108 accordance with this section under the confidentiality requirements of Section 80-2-1005.
- 109 (8) A school or individual who makes a good faith report or cooperates in an investigation
110 shall receive immunity from civil or criminal liability.
- 111 (9) A court with jurisdiction under Title 78A, Judiciary and Judicial Administration may
112 take appropriate action against any employing entity if the court finds that the
113 employing entity has not taken reasonable steps to enforce the provisions of this part.
- 114 (10) A school:
- 115 (a) may not:
- 116 (i) enforce any rule, policy, or directive that permits acts prohibited by this section;
- 117 (ii) sanction an employee who refuses to commit a prohibited act; or
- 118 (iii) except as provided in Subsection (10)(b), use seclusion:
- 119 (A) as ~~an~~ a behavior intervention or disciplinary practice;
- 120 (B) for coercion, retaliation, or humiliation; or
- 121 (C) due to inadequate staffing or for the staff member's convenience;
- 122 (b) for a student in grade 1 or higher, may use seclusion as an emergency safety
123 intervention only when:
- 124 (i) the LEA has developed and implemented written policies and procedures that:
- 125 (A) describe the circumstances under which a staff member may use seclusion,
126 including compliance with Subsection (14);
- 127 (B) describe which staff members are authorized to use seclusion;
- 128 (C) describe procedures for monitoring a student that is in seclusion;
- 129 (D) describe time limitations on the use of seclusion;
- 130 (E) require immediate and continuous review of the decision to use seclusion;

- 131 (F) require documenting the use of seclusion;
- 132 (G) describe record keeping requirements for records related to the use of
133 seclusion; and
- 134 (H) require debriefing of all witnesses, involved staff members, the student who
135 was secluded, and the parent of the student who was secluded;
- 136 (ii) a student poses an immediate and significant threat to the student or others;
- 137 (iii) less restrictive interventions have failed;
- 138 (iv) a staff member who is familiar to the student is actively supervising the student
139 for the duration of the seclusion; and
- 140 (v) the use is time-limited to a maximum time of 30 minutes and monitored;
- 141 (c) if seclusion was used, shall document the reason for its use, duration, and any
142 alternative strategies attempted, and whether the room complied with Subsection (14);
143 and
- 144 (d) shall notify parents immediately, and not to exceed 15 minutes after the use, of any
145 emergency safety intervention used on the parent's child, including seclusion or
146 physical restraint.
- 147 (11) An LEA shall collect and report data to the state board annually regarding:
- 148 (a) an incident; and
- 149 (b) for each incident, the:
- 150 (i) duration of an emergency safety intervention used to respond to the incident;
- 151 (ii) stated purpose for any emergency safety intervention used;
- 152 (iii) alternative [~~interventions~~] de-escalation strategies attempted;
- 153 (iv) student demographic information, including sex, gender, age, grade in school,
154 and applicable disability status; and
- 155 (v) relevant training offered to staff and if the staff involved received the relevant
156 training without revealing the identity of the staff member.
- 157 (12) This section does not apply to:
- 158 (a) a law enforcement officer as defined in Section 53-13-103;
- 159 (b) a parochial or private school that:
- 160 (i) does not receive state funds;
- 161 (ii) adopts a policy of exemption from this section; and
- 162 (iii) notifies the parents of students in the school of the exemption; or
- 163 (c) behavior support intervention which is in compliance with:
- 164 (i) Section 76-2-401; and

- 165 (ii) state and local rules adopted under Section 53E-7-204.
- 166 [~~(13) Any violations of this section, including violations of any standards for seclusion or~~
 167 ~~physical restraint established by the state board pursuant to this section, shall:]~~
- 168 [~~(a) constitute an act of unlawful detention and is subject to the penalty described in~~
 169 ~~Section 76-5-304; and]~~
- 170 [~~(b) result in a referral to:~~
- 171 [~~(i) local law enforcement; and]~~
- 172 [~~(ii) the Utah Professional Practices Advisory Commission established in Section~~
 173 ~~53E-6-501.]~~
- 174 (13)(a) A violation of the physical standards for seclusion rooms established in
 175 Subsection (14) shall result in:
- 176 (i) notification to the LEA's local school board or charter school governing board;
 177 (ii) development of a corrective action plan; and
 178 (iii) if not corrected within a reasonable timeframe established by the state board,
 179 referral to the state board for further action.
- 180 (b) A violation of the use requirements in Subsection (10), including improper use of
 181 seclusion or physical restraint, failure to notify parents within the required time
 182 frame, or failure to properly document use, shall result in:
- 183 (i) investigation by the LEA;
 184 (ii) appropriate disciplinary action against involved staff; and
 185 (iii) corrective measures to prevent future violations.
- 186 (c) A violation that constitutes unlawful detention, including use of seclusion or physical
 187 restraint that does not meet the requirements of Subsection (10)(b) or involves
 188 prohibited conduct under Subsection (10)(a), shall:
- 189 (i) constitute an act of unlawful detention and is subject to the penalty described in
 190 Section 76-5-304; and
- 191 (ii) result in a referral to:
- 192 (A) local law enforcement; and
 193 (B) the Utah Professional Practices Advisory Commission established in Section
 194 53E-6-501.
- 195 (14)(a) If an LEA operates a seclusion room, the seclusion room shall comply with the
 196 standards described in this Subsection (14).
- 197 (b) All new school construction that includes plans for a seclusion room shall have
 198 seclusion rooms that comply with this Subsection (14).

- 199 (c) A seclusion room shall meet the following physical standards:
200 (i) have a minimum interior area of 60 square feet;
201 (ii) have a minimum distance of seven feet between opposing walls;
202 (iii) have a ceiling height that is comparable to other rooms in the building in which
203 the seclusion room is located, but in no case less than eight feet;
204 (iv) be constructed of materials that cannot be used to harm the occupant or others;
205 (v) be free of open electrical outlets and exposed wiring;
206 (vi) be designed so that a student cannot climb the walls;
207 (vii) have walls that are part of the structural integrity of the building and may not
208 consist of free-standing cells or portable units attached to existing walls or floors,
209 except that manufactured safety units that are permanently anchored and bolted to
210 the building structure and that meet all other requirements of this Subsection (14)
211 are permitted;
212 (viii) be free of objects, fixtures, and materials that pose a danger to the occupant;
213 (ix) have ceilings, floors, and walls that are free of loose, torn, or potentially
214 hazardous materials; and
215 (x) contain no free-standing furniture.
216 (d) A seclusion room shall meet the following lighting requirements:
217 (i) be properly lighted at all times;
218 (ii) have light fixtures and electrical receptacles that are recessed or constructed to
219 prevent the occupant from causing harm to the occupant's self; and
220 (iii) have light controls located outside the seclusion room.
221 (e) A seclusion room shall meet the following ventilation and climate requirements:
222 (i) be properly ventilated;
223 (ii) be equipped with heating, cooling, ventilation, and lighting that is comparable to
224 other rooms in the building;
225 (iii) have natural or mechanical ventilation in compliance with state law including
226 relevant administrative rules; and
227 (iv) be maintained at a temperature that is within the normal comfort range and
228 consistent with the rest of the building.
229 (f) A seclusion room shall meet the following safety requirements:
230 (i) if the seclusion room has windows, the windows shall be transparent and made of
231 unbreakable or shatterproof glass or plastic;
232 (ii) the door shall permit continuous visual and auditory monitoring by staff;

- 233 (iii) the door shall have a vision panel that:
- 234 (A) consists of clear, one-fourth inch thick, unbreakable material;
- 235 (B) is flush with the interior face of the door;
- 236 (C) is positioned to allow staff to continuously observe the student; and
- 237 (D) is not covered with any material;
- 238 (iv) the door shall have only a push panel exposed on the interior of the room; and
- 239 (v) if a locking mechanism is used on the door, the mechanism shall:
- 240 (A) engage only when a key, handle, knob, or similar device is actively held in
- 241 position by a person; or
- 242 (B) be an electrically or electronically controlled mechanism that automatically
- 243 releases when the building's fire alarm system is triggered.
- 244 (g) A seclusion room shall be equipped with audio and video recording equipment that:
- 245 (i) records all activities that occur in the seclusion room during use;
- 246 (ii) includes audio recording capability;
- 247 (iii) maintains recordings in accordance with retention requirements established by
- 248 the state board in rule, which shall balance evidence preservation needs with data
- 249 storage costs and student privacy protections;
- 250 (iv) provides immediate access to recordings for administrative review; and
- 251 (v) complies with applicable student privacy requirements.
- 252 (h) A seclusion room shall comply with:
- 253 (i) state and local fire codes;
- 254 (ii) state school safety building standards;
- 255 (iii) other applicable building codes; and
- 256 (iv) relevant administrative rules.
- 257 (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 258 state board shall make rules regarding:
- 259 (i) additional safety standards for seclusion rooms;
- 260 (ii) procedures for verifying LEA compliance with this Subsection (14);
- 261 (iii) requirements for periodic safety inspections of seclusion rooms; and
- 262 (iv) transition timelines for existing seclusion rooms to achieve compliance with this
- 263 Subsection (14).
- 264 (15)(a) Subject to legislative appropriation, the state board may establish a grant
- 265 program to assist an LEA in modifying an existing seclusion room to comply with
- 266 Subsection (14).

- 267 (b) A grant under Subsection (15)(a):
- 268 (i) may only be used to modify an existing seclusion room to achieve compliance
- 269 with Subsection (14);
- 270 (ii) may not be used to construct a new seclusion room;
- 271 (iii) requires the LEA to provide matching funds equal to the grant amount, except
- 272 that the state board may waive or reduce the matching requirement for an LEA
- 273 that demonstrates financial hardship; and
- 274 (iv) is contingent on the LEA's demonstration of compliance with Subsection (10).
- 275 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 276 state board shall make rules to administer the grant program described in Subsection
- 277 (15)(a), including:
- 278 (i) application procedures;
- 279 (ii) application timelines;
- 280 (iii) eligibility criteria;
- 281 (iv) procedures for evaluating applications;
- 282 (v) required documentation;
- 283 (vi) verification procedures for completed modifications;
- 284 (vii) reporting requirements for grant recipients; and
- 285 (viii) procedures for recovery of grant funds if an LEA fails to achieve compliance.
- 286 (d) In awarding grants under this Subsection (15), the state board shall give priority to an
- 287 LEA that:
- 288 (i) demonstrates significant safety deficiencies in an existing seclusion room;
- 289 (ii) commits to implementing alternatives to seclusion; or
- 290 (iii) provides evidence that staff have received training in de-escalation techniques.
- 291 (e) The grant program described in this Subsection (15) terminates on the earlier of:
- 292 (i) the date that all appropriated funds are expended; or
- 293 (ii) June 30, 2029.
- 294 (16)(a) An existing seclusion room that does not comply with the requirements of
- 295 Subsection (14) on the effective date of this section may continue to operate until:
- 296 (i) July 1, 2027, if the LEA has applied for a grant under Subsection (15) or has an
- 297 approved plan for achieving compliance; or
- 298 (ii) July 1, 2028, if the LEA is actively implementing modifications to achieve
- 299 compliance.
- 300 (b) An LEA operating a seclusion room under the transition period in Subsection (16)(a)

- 301 shall:
- 302 (i) ensure the room meets all safety requirements that can be reasonably implemented
- 303 without major construction;
- 304 (ii) report to the state board on progress toward compliance; and
- 305 (iii) prioritize student safety through enhanced supervision and monitoring
- 306 procedures.
- 307 (c) This Subsection (16) does not exempt an LEA from compliance with the use
- 308 requirements in Subsection (10).

309 **Section 2. FY 2027 Appropriations.**

310 The following sums of money are appropriated for the fiscal year beginning July 1,

311 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for

312 fiscal year 2027.

313 Subsection 2(a). **Operating and Capital Budgets**

314 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the

315 Legislature appropriates the following sums of money from the funds or accounts indicated for

316 the use and support of the government of the state of Utah.

317	ITEM 1	To State Board of Education - Contracted Initiatives and Grants	
318		From Public Education Economic Stabilization	
319		Restricted Account, One-time	2,500,000
320		Schedule of Programs:	
321		Contracts and Grants	2,500,000

322 **Section 3. Effective Date.**

323 This bill takes effect on July 1, 2026.