

**High School Activities Governance**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keith Grover**

House Sponsor:

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**LONG TITLE****General Description:**

This bill establishes the Office of Interscholastic Activities within the State Board of Education to govern interscholastic activities.

**Highlighted Provisions:**

This bill:

- defines terms;
- establishes the Office of Interscholastic Activities (office) within the State Board of Education (state board) to govern interscholastic activities and provides the office's duties;
- allows the office to contract with a private association to carry out certain functions regarding operation of interscholastic activities;
- amends provisions regarding the scope of authority of an activities association;
- establishes an advisory council and provides the council's duties;
- requires reporting to the state board and the Education Interim Committee; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:****AMENDS:**

**52-4-103 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

**53E-1-201 (Effective 07/01/27) (Partially Repealed 07/01/27)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

**53G-6-703 (Effective 07/01/27)**, as last amended by Laws of Utah 2023, Chapter 340

**53G-6-704 (Effective 07/01/27)**, as last amended by Laws of Utah 2023, Chapter 340

**53G-6-705 (Effective 07/01/27)**, as last amended by Laws of Utah 2023, Chapter 340  
**53G-7-1101 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, First Special  
Session, Chapter 9  
**53G-7-1102 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, Chapter 408  
**63G-2-103 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, First Special  
Session, Chapter 17

## ENACTS:

**53E-3-1301 (Effective 07/01/27)**, Utah Code Annotated 1953  
**53E-3-1302 (Effective 07/01/27)**, Utah Code Annotated 1953  
**53E-3-1303 (Effective 07/01/27)**, Utah Code Annotated 1953

## RENUMBERS AND AMENDS:

**53E-3-1304 (Effective 07/01/27)**, (Renumbered from 53G-7-1104, as last amended  
by Laws of Utah 2019, Chapter 293)

## REPEALS:

**53G-7-1106 (Effective 07/01/27)**, as last amended by Laws of Utah 2019, Chapter 293

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

Section 1. Section **52-4-103** is amended to read:

**52-4-103 (Effective 07/01/27). Definitions.**

As used in this chapter:

(1) "Anchor location" means:

- (a) the physical location where the public body conducting an electronic meeting under  
Section 52-4-207 normally conducts meetings of the public body; or
- (b) a location other than the location described in Subsection (1)(a) that is reasonably as  
accessible to the public as the location described in Subsection (1)(a).

(2) "Capitol hill complex" means the grounds and buildings within the area bounded by 300  
North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt  
Lake City.

(3) "Electronic meeting" means a meeting that some or all public body members attend  
through an electronic video, audio, or both video and audio connection, as provided in  
Section 52-4-207.

(4) "Fiduciary or commercial information" means information:

- (a) related to any subject if disclosure:
  - (i) would conflict with a fiduciary obligation; or

- 65 (ii) is prohibited by insider trading provisions; or  
66 (b) that is commercial in nature including:  
67 (i) account owners or borrowers;  
68 (ii) demographic data;  
69 (iii) contracts and related payments;  
70 (iv) negotiations;  
71 (v) proposals or bids;  
72 (vi) investments;  
73 (vii) management of funds;  
74 (viii) fees and charges;  
75 (ix) plan and program design;  
76 (x) investment options and underlying investments offered to account owners;  
77 (xi) marketing and outreach efforts;  
78 (xii) financial plans; or  
79 (xiii) reviews and audits.

80 (5) "Meeting" means a gathering:

- 81 (a) of a public body or specified body;  
82 (b) with a quorum present; and  
83 (c) that is convened:  
84 (i) by an individual:  
85 (A) with authority to convene the public body or specified body; and  
86 (B) following the process provided by law for convening the public body or  
87 specified body; and  
88 (ii) for the express purpose of acting as a public body or specified body to:  
89 (A) receive public comment about a relevant matter;  
90 (B) deliberate about a relevant matter; or  
91 (C) take action upon a relevant matter.

92 (6) "Participate" means the ability to communicate with all of the members of a public  
93 body, either verbally or electronically, so that each member of the public body can hear  
94 or observe the communication.

95 (7)(a) "Public body" means:

- 96 (i) any administrative, advisory, executive, or legislative body of the state or its  
97 political subdivisions that:  
98 (A) is created by the Utah Constitution, statute, rule, ordinance, or resolution;

- 99 (B) consists of two or more individuals;  
100 (C) expends, disburses, or is supported in whole or in part by tax revenue; and  
101 (D) is vested with the authority to make decisions regarding the public's business;  
102 or  
103 (ii) any administrative, advisory, executive, or policymaking body of an association,  
104 as that term is defined in Section 53G-7-1101, that:  
105 (A) consists of two or more individuals;  
106 (B) expends, disburses, or is supported in whole or in part by dues paid by a  
107 public school or whose employees participate in a benefit or program described  
108 in Title 49, Utah State Retirement and Insurance Benefit Act; and  
109 (C) [is] may be vested with authority to make decisions regarding the participation  
110 of a public school or student in an interscholastic activity, as that term is  
111 defined in Section ~~[53G-7-1101]~~ 53E-3-1301.  
112 (b) "Public body" includes:  
113 (i) an interlocal entity or joint or cooperative undertaking, as those terms are defined  
114 in Section 11-13-103, except for the Water District Water Development Council  
115 created ~~[pursuant to]~~ in accordance with Section 11-13-228;  
116 (ii) a governmental nonprofit corporation as that term is defined in Section  
117 11-13a-102;  
118 (iii) the Utah Independent Redistricting Commission; and  
119 (iv) a project entity, as that term is defined in Section 11-13-103.  
120 (c) "Public body" does not include:  
121 (i) a political party, a political group, or a political caucus;  
122 (ii) a conference committee, a rules committee, a sifting committee, or an  
123 administrative staff committee of the Legislature;  
124 (iii) a school community council or charter trust land council, as that term is defined  
125 in Section 53G-7-1203;  
126 (iv) a taxed interlocal entity, as that term is defined in Section 11-13-602, if the taxed  
127 interlocal entity is not a project entity;  
128 (v) the following Legislative Management subcommittees, which are established in  
129 Section 36-12-8, when meeting for the purpose of selecting or evaluating a  
130 candidate to recommend for employment, except that the meeting in which a  
131 subcommittee votes to recommend that a candidate be employed shall be subject  
132 to the provisions of this act:

- 133 (A) the Research and General Counsel Subcommittee;
- 134 (B) the Budget Subcommittee; and
- 135 (C) the Audit Subcommittee; or
- 136 (vi) a search committee that selects finalists for a position as an institution of higher
- 137 education president under Section 53H-3-302.
- 138 (8) "Public statement" means a statement made in the ordinary course of business of the
- 139 public body with the intent that all other members of the public body receive it.
- 140 (9) "Quorum" means a simple majority of the membership of a public body, unless
- 141 otherwise defined by applicable law.
- 142 (10) "Recording" means an audio, or an audio and video, record of the proceedings of a
- 143 meeting that can be used to review the proceedings of the meeting.
- 144 (11)(a) "Relevant matter" means a matter that is within the scope of the authority of a
- 145 public body or specified body.
- 146 (b) "Relevant matter" does not include, for a public body with both executive and
- 147 legislative responsibilities, a managerial or operational matter.
- 148 (12) "Specified body":
- 149 (a) means an administrative, advisory, executive, or legislative body that:
- 150 (i) is not a public body;
- 151 (ii) consists of three or more members; and
- 152 (iii) includes at least one member who is:
- 153 (A) a legislator; and
- 154 (B) officially appointed to the body by the president of the Senate, speaker of the
- 155 House of Representatives, or governor; and
- 156 (b) does not include a body listed in Subsection (7)(c)(ii) or (7)(c)(v).
- 157 Section 2. Section **53E-1-201** is amended to read:
- 158 **53E-1-201 (Effective 07/01/27) (Partially Repealed 07/01/27). Reports to and**
- 159 **action required of the Education Interim Committee.**
- 160 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring
- 161 reports are due to the Education Interim Committee:
- 162 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
- 163 including the information described in Section 9-22-113 on the status of the computer
- 164 science initiative and Section 9-22-114 on the Computing Partnerships Grants
- 165 Program;
- 166 (b) the prioritized list of data research described in Section 53H-15-303 and the report

on research and activities described in Section 53H-15-305 by the Utah Data Research Center;

(c) the report described in Section 53H-1-203 by the Utah Board of Higher Education on career and technical education issues and addressing workforce needs;

(d) the annual report of the Utah Board of Higher Education described in Section 53H-1-203;

(e) the reports described in Section 53H-7-603 by the Utah Board of Higher Education regarding activities related to campus safety;

(f) the State Superintendent's Annual Report by the state board described in Section 53E-1-203;

(g) the annual report described in Section 53E-2-202 by the state board on the strategic plan to improve student outcomes;

(h) the report described in Section 53E-3-501 by the state board on students in an LEA who receive academic credit through the packet method;

(i) the report described in Section 53E-3-1304 by the state board regarding interscholastic activities;

~~[(f)]~~ (j) the report described in Section 53E-8-204 by the state board on the Utah Schools for the Deaf and the Blind;

~~[(j)]~~ (k) the report described in Section 53E-10-703 by the Utah Leading through Effective, Actionable, and Dynamic Education director on research and other activities;

~~[(k)]~~ (l) the report described in Section 53F-2-522 regarding mental health screening programs;

~~[(l)]~~ (m) the report described in Section 53F-4-203 by the state board and the independent evaluator on an evaluation of early interactive reading software;

~~[(m)]~~ (n) the report described in Section 53F-6-412 by the program manager of the Utah Fits All Scholarship Program;

~~[(n)]~~ (o) the report described in Section 63N-20-107 by the Governor's Office of Economic Opportunity on UPSTART;

~~[(o)]~~ (p) the report described in Section 53F-5-215 by the state board related to a grant for an elementary teacher preparation assessment;

~~[(p)]~~ (q) upon request, the report described in Section 53F-5-219 by the state board on the Local Innovations Civics Education Pilot Program;

~~[(q)]~~ (r) the report described in Section 53F-5-405 by the state board regarding an

evaluation of a partnership that receives a grant to improve educational outcomes for students who are low-income;

~~[(t)]~~ (s) the report described in Section 53H-1-604 regarding the Higher Education and Corrections Council;

~~[(s)]~~ (t) the report described in Section 53G-7-221 by the state board regarding innovation plans; and

~~[(t)]~~ (u) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship Program.

(2) In accordance with applicable provisions and Section 68-3-14, the following occasional reports are due to the Education Interim Committee:

(a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53H-1-502, 53H-1-503, and 53H-1-504;

(b) in 2025, the report described in Section 53H-6-203 by a degree-granting institution regarding policies on abusive coaching practices;

(c) if required, the report described in Section 53E-4-309 by the state board explaining the reasons for changing the grade level specification for the administration of specific assessments;

(d) if required, the report described in Section 53E-5-210 by the state board of an adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

(e) the report described in Section 53E-10-702 by Utah Leading through Effective, Actionable, and Dynamic Education;

(f) if required, the report described in Section 53F-2-513 by the state board evaluating the effects of salary bonuses on the recruitment and retention of effective teachers in high-poverty schools;

(g) upon request, the report described in Section 53F-10-303 by the state board regarding the Rural School Sports Facilities Grant Program;

(h) upon request, a report described in Section 53G-7-222 by an LEA regarding expenditure of a percentage of state restricted funds to support an innovative education program;

(i) the reports described in Section 53G-11-304 by the state board regarding proposed rules and results related to educator exit surveys; and

(j) the report described in Section 26B-5-113 by the Office of Substance Use and Mental Health, the state board, and the Department of Health and Human Services regarding

recommendations related to Medicaid reimbursement for school-based health services.

- (3) In accordance with applicable provisions and Section 68-3-14, every five years the Education Interim Committee shall review the programs described in the following sections of code:
- (a) beginning July 1, 2027, Title 53E, Chapter 10, Part 3, Concurrent Enrollment;
  - (b) beginning July 1, 2027, Section 53F-2-408, Enhancement for Accelerated Students Program;
  - (c) beginning July 1, 2027, Section 53F-2-409, Concurrent enrollment funding;
  - (d) beginning July 1, 2027, Section 53F-2-415, Student health and counseling support -- Qualifying personnel -- Distribution formula -- Rulemaking;
  - (e) beginning July 1, 2028, Section 53F-2-416, Appropriation and distribution for the Teacher and Student Success Program;
  - (f) beginning July 1, 2028, Section 53F-2-510, Digital Teaching and Learning Grant Program;
  - (g) beginning July 1, 2028, Section 53F-9-306, Teacher and Student Success Account;
  - (h) beginning July 1, 2028, Title 53G, Chapter 7, Part 13, Teacher and Student Success Program; and
  - (i) beginning July 1, 2029, Section 53F-2-502, Dual language immersion.

Section 3. Section **53E-3-1301** is enacted to read:

**53E-3-1301 (Effective 07/01/27). Definitions.**

As used in this part:

- (1) "Advisory council" means the Interscholastic Activities Advisory Council that Section 53E-3-1303 creates.
- (2) "Alignment" means the initial or subsequent act, respectively, of assigning a public school a classification or region for purposes of organizing interscholastic activities.
- (3) "Association" means the same as that term is defined in Section 53G-7-1101.
- (4) "Classification" means the designation of a school based on the size of the school's student enrollment population for purposes of interscholastic activities.
- (5) "Director" means the director of interscholastic activities who serves as the director of the office.
- (6) "Eligibility" means a student's qualification to participate in an interscholastic activity.
- (7) "Interscholastic activity" means an activity within the state in which:
  - (a) a student who participates represents the student's school in the activity; and



(b) the participating student is enrolled in grade 9, 10, 11, or 12.

(8) "Office" means the Office of Interscholastic Activities that section 53E-3-1302 creates.

(9) "Region" means a grouping of schools of the same classification for purposes of interscholastic activities.

Section 4. Section **53E-3-1302** is enacted to read:

**53E-3-1302 (Effective 07/01/27). Office of Interscholastic Activities -- Scope of governance authority -- Director.**

(1) This section creates the Office of Interscholastic Activities as an agency of the state board.

(2)(a) The office shall govern interscholastic activities within the state, including:

(i) establishing rules and policies regarding:

(A) student eligibility;

(B) transfers;

(C) recruiting;

(D) classification and alignment;

(E) student practice and participation;

(F) post-season standards;

(G) logistical operation; and

(H) other issues necessary to the operation and governance of interscholastic activities; and

(ii) providing for the organization and classification of schools competing in interscholastic activities.

(b) The office shall:

(i) facilitate the drafting of rules described in Subsection (2)(a);

(ii) in coordination with the Office of the Attorney General or a neutral third-party who has not previously assisted an association with appeals, facilitate advisory council hearings on appeals described in Subsection 53E-3-1303(3)(b);

(iii) control all public and media communications regarding an interscholastic activity;

(iv) facilitate the advisory council's analysis and adoption of classification models;

(v) conduct audits and compliance reviews, including mechanisms for receiving, investigating, and addressing alleged violations of interscholastic activity rules; and

(vi) facilitate advisory council hearings and stakeholder town halls.

(c)(i) The office may contract with an association through a memorandum of understanding to manage day-to-day operations regarding interscholastic activities that do not relate to the creation of rules described in this part or appeals.

(ii) The office shall ensure that a memorandum of understanding described in Subsection (2)(c)(i) addresses responsibilities regarding:

(A) scheduling events, including regular season and post-season events;

(B) managing venue logistics and tournament staffing;

(C) maintaining a system for recruitment, training, and assignment of activity officials;

(D) training for athletic directors, coaches, and school liaisons; and

(E) submitting implementation reports and compliance updates to the office and the state board, including an annual financial statement that includes the total revenue and operational costs of the association.

(iii) The office shall:

(A) review and, if necessary, modify the memorandum of understanding described in this Subsection (2)(c) at least once every four years; and

(B) submit the memorandum of understanding to the state board for review.

(3)(a) The state board shall:

(i) as the state board determines necessary, establish committees, policies, or processes necessary to the function and oversight of the office;

(ii) appoint a director of interscholastic activities who serves as the director of the office; or

(iii) authorize the state superintendent to appoint and supervise the director described in Subsection (3)(a)(ii), under the approval of the state board.

(b) The state board may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, regarding the qualifications, terms of employment, and duties of the director.

(4) Subject to legislative appropriations and to state board budgeting, the director may hire staff necessary to carry out the functions of the office.

Section 5. Section **53E-3-1303** is enacted to read:

**53E-3-1303 (Effective 07/01/27). Interscholastic Activities Advisory Council.**

(1) This section creates the Interscholastic Activities Advisory Council.

(2) The director, subject to the approval of the state board, shall organize a public advisory council that includes:

- (a) members from public and private schools that participate in interscholastic activities;
- (b) athletic directors;
- (c) coaches;
- (d) parents;
- (e) at least one student athlete; and
- (f) if the office contracts with an association in accordance with Subsection 53E-3-1302(2)(c), a representative of the association.

(3) Under the direction of the director and the office, the advisory council shall:

- (a) subject to modification or rejection by the state board, draft and adopt the rules described in Subsection 53E-3-1302(2)(a), including:
  - (i) eligibility policies that reflect the most inclusive possible interpretation of student circumstances, mobility, and school choice;
  - (ii) transfer policies that create minimal friction, honoring the principle that students and families may transfer for many valid reasons; and
  - (iii) exceptions or restrictions in the rural alignment track described in Subsection (3)(c)(iii) where student movement is less common;
- (b) resolve appeals regarding the application of a rule described in Subsection (3)(a);
- (c) subject to modification or rejection by the state board, analyze and adopt classification models for regions that:
  - (i) include:
    - (A) each year, minor modifications as necessary; and
    - (B) no sooner than once every four years, a third-party contracted classification model to assess travel logistics, historical performance, and enrollment volatility;
  - (ii) prioritize a competitive balance above raw population size and geography; and
  - (iii) considers the creation of:
    - (A) a rural alignment track that follows traditional classification and transfer policies and acknowledges geographical distance and limited access; and
    - (B) an urban alignment track that adopts an expansive and fluid model for transfers and alignment, reflecting modern student mobility; and
- (d) in conjunction with the office, hold hearings and town halls regarding:
  - (i) interscholastic activities;
  - (ii) the duties described in this section; and
  - (iii) the duties of the office described in Section 53E-3-1303.

- (4) A member of the advisory council may not receive compensation or benefits for the member's service but may receive per diem and travel expenses in accordance with:
- (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.

Section 6. Section **53E-3-1304**, which is renumbered from Section 53G-7-1104 is renumbered and amended to read:

**[53G-7-1104] 53E-3-1304 (Effective 07/01/27). Reporting requirements.**

- (1) ~~[ An]~~ Before August 1 of each year, the association shall provide a verbal report, accompanied by a written report, [annually-]to the state board, including:
- ~~[(1)]~~ (a) the association's annual budget in accordance with Section 53G-7-1105;
  - ~~[(2)]~~ (b) a schedule of events scheduled or facilitated by the association;
  - ~~[(3)]~~ (c) procedures for alignment or realignment;
  - ~~[(4)]~~ (d) any amendments or changes to the association's governing document or bylaws;
  - and
  - ~~[(5)]~~ (e) any other information requested by the state board.
- (2) The state board shall annually report to the Education Interim Committee, at or before the committee's November interim meeting, regarding:
- (a) eligibility appeals data;
  - (b) financial transparency;
  - (c) realignment models and maps;
  - (d) the performance of the office; and
  - (e) a review of a memorandum of understanding described in Subsection 53E-3-1302(2)(b).

Section 7. Section **53G-6-703** is amended to read:

**53G-6-703 (Effective 07/01/27). Private school and home school students' participation in extracurricular activities in a public school.**

- (1) As used in this section:
- (a) "Academic eligibility requirements" means the academic eligibility requirements that a home school student is required to meet to participate in an extracurricular activity in a public school.
  - (b) "Association" means the same as that term is defined in Section 53G-7-1101.
  - (c) "Extracurricular activity" means the same as that term is defined in Section

53G-7-501.

(d) "Initial establishment of eligibility requirements" means ~~[an association's]~~ the eligibility requirements, policies, procedures, and transfer rules of the Office of Interscholastic Activities described in Section 53E-3-1302 that a school student in grade 9 or 10 must meet, and to which the student is bound, to participate on a high school sports team when the student:

(i) attends the high school in which the student is selected for membership on a high school sports team; or

(ii) does not attend the high school in which the student tries out for and is selected for membership on a high school sports team.

(e) "Minor" means the same as that term is defined in Section 53G-6-201.

(f) "Parent" means the same as that term is defined in Section 53G-6-201.

(g) "Principal" means the principal of the school in which a home school student participates or intends to participate in an extracurricular activity.

(2)(a) A minor who is enrolled in a private school or a home school is eligible to participate in an extracurricular activity at a public school as provided in this section.

(b) A private school student may only participate in an extracurricular activity at a public school that is not offered by the student's private school.

(c)(i) Except as provided in Subsection (2)(d), a private school student or a home school student may only participate in an extracurricular activity at:

(A) the school with attendance boundaries within which the student's custodial parent resides; or

(B) the school from which the student withdrew for the purpose of attending a private or home school.

(ii) A private school student or a home school student retains the ability to participate in an extracurricular activity at a school described in Subsection (2)(c)(i) if the student did not initially establish the student's eligibility at another school in grade 9 or 10.

(d) A school other than a school described in Subsection (2)(c)(i) may allow a private school student or a home school student to participate in an extracurricular activity that the public school sponsors and supports if:

(i) for an interscholastic competition of athletic teams, the private school student or the home school student meets the initial establishment of eligibility requirements;

(ii) for an interscholastic contest or competition for music, drama, or forensic groups

- 439 or teams, the private school student, subject to Subsection (2)(b), or the home  
440 school student meets the entry requirements for participation;
- 441 (iii) the private school student or the home school student meets the eligibility  
442 requirements under this section; and
- 443 (iv) the private school student or the home school student meets the enrollment  
444 requirements for public school in accordance with Part 4, School District  
445 Enrollment.
- 446 (3)(a) Except as provided in Subsections (4) through (13), a private school student or a  
447 home school student is eligible to participate in an extracurricular activity at a public  
448 school consistent with eligibility standards:
- 449 (i) applied to a fully enrolled public school student;
- 450 (ii) of the public school where the private school student or the home school student  
451 participates in an extracurricular activity; and
- 452 (iii) for the extracurricular activity in which the private school or the home school  
453 student participates.
- 454 (b) A school district or public school may not impose additional requirements on a  
455 private school student or a home school student to participate in an extracurricular  
456 activity that are not imposed on a fully enrolled public school student.
- 457 (c)(i) A private school student or a home school student who participates in an  
458 extracurricular activity at a public school shall pay the same fees as required of a  
459 fully enrolled public school student to participate in an extracurricular activity.
- 460 (ii) If a local school board or a charter school governing board imposes a mandatory  
461 student activity fee for a student enrolled in a public school, the fee may be  
462 imposed on a private school student or a home school student who participates in  
463 an extracurricular activity at the public school if the same benefits of paying the  
464 mandatory student activity fee that are available to a fully enrolled public school  
465 student are available to a private school student or a home school student who  
466 participates in an extracurricular activity at the public school.
- 467 (4) Eligibility requirements based on school attendance are not applicable to a home school  
468 student.
- 469 (5) A home school student meets academic eligibility requirements to participate in an  
470 extracurricular activity if:
- 471 (a) the student is mastering the material in each course or subject being taught; and  
472 (b) the student is maintaining satisfactory progress towards achievement or promotion.

- (6)(a) To establish a home school student's academic eligibility, a parent, teacher, or organization providing instruction to the student shall submit an affidavit to the principal indicating the student meets academic eligibility requirements.
- (b) Upon submission of an affidavit pursuant to Subsection (6)(a), a home school student shall:
- (i) be considered to meet academic eligibility requirements; and
  - (ii) retain academic eligibility for all extracurricular activities during the activity season for which the affidavit is submitted, until:
    - (A) a panel established under Subsection (10) determines the home school student does not meet academic eligibility requirements; or
    - (B) the person who submitted the affidavit under Subsection (6)(a) provides written notice to the school principal that the student no longer meets academic eligibility requirements.
- (7)(a) A home school student who loses academic eligibility pursuant to Subsection (6)(b)(ii)(B) may not participate in an extracurricular activity until the person who submitted the affidavit under Subsection (6)(a) provides written notice to the school principal that the home school student has reestablished academic eligibility.
- (b) If a home school student reestablishes academic eligibility pursuant to Subsection (7)(a), the home school student may participate in extracurricular activities for the remainder of the activity season for which an affidavit was submitted under Subsection (6)(a).
- (8) A person who has probable cause to believe a home school student does not meet academic eligibility requirements may submit an affidavit to the principal:
- (a) asserting the home school student does not meet academic eligibility requirements; and
  - (b) providing information indicating that the home school student does not meet the academic eligibility requirements.
- (9) A principal shall review the affidavit submitted under Subsection (8), and if the principal determines it contains information which constitutes probable cause to believe a home school student may not meet academic eligibility requirements, the principal shall request a panel established pursuant to Subsection (10) to verify the student's compliance with academic eligibility requirements.
- (10)(a) A school district superintendent shall:
- (i) appoint a panel of three individuals to verify a home school student's compliance

- 507 with academic eligibility requirements when requested by a principal pursuant to  
508 Subsection (9); and
- 509 (ii) select the panel members from nominees submitted by national, state, or regional  
510 organizations whose members are home school students and parents.
- 511 (b) Of the members appointed to a panel under Subsection (10)(a):
- 512 (i) one member shall have experience teaching in a public school as a licensed  
513 teacher and in home schooling high school-age students;
- 514 (ii) one member shall have experience teaching in a higher education institution and  
515 in home schooling; and
- 516 (iii) one member shall have experience in home schooling high school-age students.
- 517 (11) A panel appointed under Subsection (10):
- 518 (a) shall review the affidavit submitted under Subsection (8);
- 519 (b) may confer with the person who submitted the affidavit under Subsection (8);
- 520 (c) shall request the home school student to submit test scores or a portfolio of work  
521 documenting the student's academic achievement to the panel;
- 522 (d) shall review the test scores or portfolio of work; and
- 523 (e) shall determine whether the home school student meets academic eligibility  
524 requirements.
- 525 (12) A home school student who meets academic eligibility requirements pursuant to  
526 Subsection (11), retains academic eligibility for all extracurricular activities during the  
527 activity season for which an affidavit is submitted pursuant to Subsection (6).
- 528 (13)(a) A panel's determination that a home school student does not comply with  
529 academic eligibility requirements is effective for an activity season and all  
530 extracurricular activities that have academic eligibility requirements.
- 531 (b) A home school student who is not in compliance with academic eligibility  
532 requirements as determined by a panel appointed under Subsection (11) may seek to  
533 establish academic eligibility under this section for the next activity season.
- 534 (14)(a) A public school student who has been declared to be academically ineligible to  
535 participate in an extracurricular activity and who subsequently enrolls in a home  
536 school shall lose eligibility for participation in the extracurricular activity until the  
537 student:
- 538 (i) demonstrates academic eligibility by providing test results or a portfolio of the  
539 student's work to the school principal, provided that a student may not reestablish  
540 academic eligibility under this Subsection (14)(a) during the same activity season



- 541 in which the student was declared to be academically ineligible;  
542 (ii) returns to public school and reestablishes academic eligibility; or  
543 (iii) enrolls in a private school and establishes academic eligibility.
- 544 (b) A public school student who has been declared to be behaviorally ineligible to  
545 participate in an extracurricular activity and who subsequently enrolls in a home  
546 school shall lose eligibility for participation in the extracurricular activity until the  
547 student meets eligibility standards as provided in Subsection (3).
- 548 (15) When selection to participate in an extracurricular activity at a public school is made  
549 on a competitive basis, a private school student or a home school student is eligible to  
550 try out for and participate in the activity as provided in this section.
- 551 (16)(a) If a student exits a public school to enroll in a private school or a home school  
552 mid-semester or during an activity season, and the student desires to participate in an  
553 extracurricular activity at the public school, the public school shall issue an interim  
554 academic assessment based on the student's work in each class.
- 555 (b) A student's academic eligibility to participate in an extracurricular activity under the  
556 circumstances described in Subsection (16)(a) is dependent on the student meeting  
557 public school academic eligibility standards at the time of exiting public school.
- 558 (c) A student may appeal an academic eligibility determination made under Subsection  
559 (16)(b) in accordance with procedures for appealing a public school student's  
560 academic eligibility.
- 561 Section 8. Section **53G-6-704** is amended to read:
- 562 **53G-6-704 (Effective 07/01/27). Charter school students' participation in**  
563 **extracurricular activities at other public schools.**
- 564 (1) As used in this section:
- 565 [~~(a) "Association" means the same as that term is defined in Section 53G-7-1101.~~]  
566 [~~(b)~~] (a) "Extracurricular activity" means the same as that term is defined in Section  
567 53G-7-501.
- 568 [~~(c)~~] (b) "Initial establishment of eligibility requirements" means the same as that term is  
569 defined in Section 53G-6-703.
- 570 (2) A charter school student is eligible to participate in an extracurricular activity not  
571 offered by the student's charter school at:
- 572 (a) the school with attendance boundaries within which the student's custodial parent  
573 resides, if, for an interscholastic competition of athletic teams, the student did not  
574 initially establish the student's eligibility at another public school in grade 9 or 10;

- (b) the public school from which the student withdrew for the purpose of attending a charter school; or
- (c) a public school that is not a charter school if the student's charter school is located on the campus of the public school or has local school board approval to locate on the campus of the public school.

(3) In addition to the public schools listed in Subsection (2), the state board may establish rules to allow a charter school student to participate in an extracurricular activity at a public school other than a public school listed in Subsection (2).

(4) A school other than a school described in Subsection (2) may allow a charter school student to participate in an extracurricular activity a public school sponsors and supports if:

- (a) for interschool competitions of athletic teams, the charter school student meets the initial establishment of eligibility requirements;
- (b) for interschool contests or competitions for music, drama, or forensic groups or teams, the charter school student meets the entry requirements for participation;
- (c) the charter school student meets the eligibility requirements under this section; and
- (d) the charter school student meets the enrollment requirements for public school in accordance with Part 4, School District Enrollment.

(5) A charter school student is eligible for an extracurricular activity at a public school consistent with eligibility standards as applied to full-time students of the public school.

(6) A school district or a public school may not impose additional requirements on a charter school student to participate in an extracurricular activity that are not imposed on full-time students of the public school.

(7)(a) The state board shall make rules establishing fees for charter school students' participation in an extracurricular activity at school district schools.

(b) The rules shall provide that:

- (i) charter school students pay the same fees as other students to participate in an extracurricular activity;
- (ii) charter school students are eligible for fee waivers pursuant to Section 53G-7-504;
- (iii) for each charter school student who participates in an extracurricular activity at a school district school, the charter school shall pay a share of the school district's costs for the extracurricular activity; and
- (iv) a charter school's share of the costs of an extracurricular activity shall reflect state and local tax revenues expended, except capital facilities expenditures, for an

extracurricular activity in a school district or a school divided by total student enrollment of the school district or the school.

(c) In determining a charter school's share of the costs of an extracurricular activity under Subsections (7)(b)(iii) and (iv), the state board may establish uniform fees statewide based on average costs statewide or average costs within a sample of school districts.

(8) When selection to participate in an extracurricular activity at a public school is made on a competitive basis, a charter school student is eligible to try out for and participate in the activity as provided in this section.

Section 9. Section **53G-6-705** is amended to read:

**53G-6-705 (Effective 07/01/27). Online students' participation in extracurricular activities.**

(1) As used in this section:

~~[(a) "Association" means the same as that term is defined in Section 53G-7-1101.]~~

~~[(b)] (a)~~ "Extracurricular activity" means the same as that term is defined in Section 53G-7-501.

~~[(c)] (b)~~ "Initial establishment of eligibility requirements" means the same as that term is defined in Section 53G-6-703.

~~[(d)] (c)~~ "Online education" means the use of information and communication technologies to deliver educational opportunities to a student in a location other than a school.

~~[(e)] (d)~~ "Online student" means a student who:

(i) participates in an online education program sponsored or supported by the state board, a school district, or a charter school; and

(ii) generates funding for the school district or the school pursuant to Subsection 53F-2-102(4) and rules of the state board.

(2) An online student is eligible to participate in an extracurricular activity at:

(a) the school with attendance boundaries within which the student's custodial parent resides, if, for an interscholastic competition of athletic teams, the student did not initially establish the student's eligibility at another public school in grade 9 or 10; or  
(b) the public school from which the student withdrew for the purpose of participating in an online education program.

(3) A public school other than a school described in Subsection (2) may allow an online student to participate in an extracurricular activity that the public school sponsors and

643 supports if:

644 (a) for interschool competitions of athletic teams sponsored and supported by a public  
645 school, the online school student meets the initial establishment of eligibility  
646 requirements;

647 (b) for interschool contests or competitions for music, drama, or forensic groups or  
648 teams sponsored and supported by a public school, the online school student meets  
649 the entry requirements for participation;

650 (c) the online school student meets the eligibility requirements under this section; and

651 (d) the online school student meets the enrollment requirements for public school in  
652 accordance with Part 4, School District Enrollment.

653 (4) An online student is eligible to participate in an extracurricular activity at a public  
654 school consistent with eligibility standards as applied to full-time students of the public  
655 school.

656 (5) A school district or public school may not impose additional requirements on an online  
657 school student to participate in an extracurricular activity that are not imposed on  
658 full-time students of the public school.

659 (6)(a) The state board shall make rules establishing fees for an online school student's  
660 participation in an extracurricular activity at school district schools.

661 (b) The rules shall provide that:

662 (i) online school students pay the same fees as other students to participate in an  
663 extracurricular activity;

664 (ii) online school students are eligible for fee waivers pursuant to Section 53G-7-504;

665 (iii) for each online school student who participates in an extracurricular activity at a  
666 school district school, the online school shall pay a share of the school district's  
667 costs for the extracurricular activity; and

668 (iv) an online school's share of the costs of an extracurricular activity shall reflect  
669 state and local tax revenues expended, except capital facilities expenditures, for an  
670 extracurricular activity in a school district or school divided by total student  
671 enrollment of the school district or school.

672 (c) In determining an online school's share of the costs of an extracurricular activity  
673 under Subsections (6)(b)(iii) and (iv), the state board may establish uniform fees  
674 statewide based on average costs statewide or average costs within a sample of  
675 school districts.

676 (7) When selection to participate in an extracurricular activity at a public school is made on

a competitive basis, an online student is eligible to try out for and participate in the activity as provided in this section.

Section 10. Section **53G-7-1101** is amended to read:

**53G-7-1101 (Effective 07/01/27). Definitions.**

As used in this part:

(1) "Alignment" or "realignment" means the ~~[initial or subsequent act, respectively, of assigning a public school a classification or region]~~ same as that term is defined in Section 53E-3-1301.

~~[(2) "Appeals panel" means the appeals panel created in Section 53G-7-1106.]~~

~~[(3)] (2)(a)~~ "Association" means an organization that ~~[governs or regulates a student's participation in an]~~ facilitates the operation of athletic interscholastic [activity] activities in accordance with a memorandum of understanding with the Office of Interscholastic Activities described in Subsection 53E-3-1302(2)(c).

(b) "Association" does not include an institution of higher education described in Section 53H-1-102.

~~[(4)] (3)~~ "Classification" means ~~[the designation of a school based on the size of the school's student enrollment population for purposes of interscholastic activities]~~ the same as that term is defined in Section 53E-3-1301.

~~[(5)] (4)~~ "Eligibility" means ~~[eligibility to participate in an interscholastic activity regulated or governed by an association]~~ the same as that term is defined in Section 53E-3-1301.

~~[(6)] (5)~~ "Governing body" means a body within an association that:

(a) is responsible for:

(i) adopting standards or policies that govern the organization and operation of interscholastic activities or the administration of the association;

(ii) adopting or amending the association's governing document or bylaws;

(iii) enforcing the standards and policies of the association; and

(iv) adopting the association's budget; and

(b) has oversight of other boards, committees, councils, or bodies within the association.

~~[(7)] (6)~~ "Interscholastic activity" means ~~[an activity within the state in which:]~~ the same as that term is defined in Section 53E-3-1301.

~~[(a) a student that participates represents the student's school in the activity; and]~~

~~[(b) the participating student is enrolled in grade 9, 10, 11, or 12.]~~

~~[(8)] (7)~~ "Public hearing" means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

711 [(9)] (8) "Region" means [a grouping of schools of the same classification for purposes of  
712 interscholastic activities] the same as that term is defined in Section 53E-3-1301.

713 Section 11. Section **53G-7-1102** is amended to read:

714 **53G-7-1102 (Effective 07/01/27). Public schools prohibited from membership.**

715 (1) A public school may not be a member of or pay dues to an association that:

716 (a) operates outside a memorandum of understanding described in Subsection  
717 53E-3-1302(2)(c);

718 [(a)] (b) is not in compliance with:

719 (i) this part;

720 (ii) Title 52, Chapter 4, Open and Public Meetings Act;

721 (iii) Title 63G, Chapter 2, Government Records Access and Management Act; and

722 (iv) Title 67, Chapter 16, Utah Public Officers' and Employees' Ethics Act; or

723 [(b)] (c) to the extent the memorandum of understanding described in Subsection  
724 53E-3-1302(2)(c) authorizes the association's involvement:

725 (i) does not collect each student's unamended birth certificate, as that term is defined  
726 in Section 53G-6-1001, or subject to Subsection (3), equivalent documentation, as  
727 described in Subsection (2)(a), to determine eligibility as a condition of the  
728 association's registration process for an athletic team, event, or category; or

729 [(e)] (ii) does not require a student to provide the student's date of birth and sex as a  
730 condition of the registration process for an athletic team, event, or category.

731 (2)(a) For a student who is not a United States citizen and who is unable to provide an  
732 unamended birth certificate, as that term is defined in Section 53G-6-1001, the  
733 association may collect the student's:

734 (i) state-issued identification document, including a driver's license or passport; or

735 (ii) federally recognized identification document, including a document that the  
736 Department of Homeland Security issues.

737 (b) If a student who is not a United States citizen is unable to provide a document under  
738 Subsection (2)(a), the association may collect other reliable proof of a student's date  
739 of birth and sex, including:

740 (i) an affidavit from the student's parent or legal guardian attesting:

741 (A) to the student's date of birth and sex; and

742 (B) that the parent or legal guardian is unable to obtain a document described in  
743 Subsection (2)(a); and

744 (ii) one of the following:

- 745 (A) a religious, hospital, or physician certificate;
- 746 (B) verified school records;
- 747 (C) verified immunization records; or
- 748 (D) documentation from a social service provider.
- 749 (3)(a) Subsection [~~(1)(b)~~] (1)(c)(i) does not apply to an association for a student who is a
- 750 homeless child or youth, as defined in the McKinney-Vento Homeless Assistance
- 751 Act, 42 U.S.C. Sec. 11431 et seq.
- 752 (b) For a student who is a homeless child or youth, including an unaccompanied
- 753 homeless child or youth, an association may collect:
- 754 (i) an affidavit from the student's parent or guardian, or the student if the student is an
- 755 unaccompanied homeless child or youth, indicating that the student does not meet
- 756 the necessary requirements to obtain a document described in Subsection (2)(a);
- 757 and
- 758 (ii) a document described in Subsection (2)(b)(ii).
- 759 (4) Nothing in this section limits or impairs an LEA's requirement to verify a student's
- 760 initial review of eligibility to participate in an athletic team, event, or category under
- 761 applicable state or federal law or state board rule, including the student's:
- 762 (a) residency status;
- 763 (b) age;
- 764 (c) sex, verified by the student's unamended birth certificate, as that term is defined in
- 765 Section 53G-6-1001;
- 766 (d) academic requirements; or
- 767 (e) school enrollment capacity.
- 768 (5) Unless otherwise specified, an association's compliance with or an association employee
- 769 or officer's compliance with the provisions described in Subsection (1) does not alter:
- 770 (a) the association's public or private status; or
- 771 (b) the public or private employment status of the employee or officer.
- 772 (6) A power described in this part applies to the extent a memorandum of understanding
- 773 described in Section 53E-3-1302 involves an association in the operation of
- 774 interscholastic activities.
- 775 Section 12. Section **63G-2-103** is amended to read:
- 776 **63G-2-103 (Effective 07/01/27). Definitions.**
- 777 As used in this chapter:
- 778 (1) "Audit" means:

(a) a systematic examination of financial, management, program, and related records for the purpose of determining the fair presentation of financial statements, adequacy of internal controls, or compliance with laws and regulations; or

(b) a systematic examination of program procedures and operations for the purpose of determining their effectiveness, economy, efficiency, and compliance with statutes and regulations.

(2) "Chief administrative officer" means the chief administrative officer of a governmental entity who is responsible to fulfill the duties described in Section 63A-12-103.

(3) "Chronological logs" mean the regular and customary summary records of law enforcement agencies and other public safety agencies that show:

(a) the time and general nature of police, fire, and paramedic calls made to the agency; and

(b) any arrests or jail bookings made by the agency.

(4) "Classification," "classify," and their derivative forms mean determining whether a record series, record, or information within a record is public, private, controlled, protected, or exempt from disclosure under Subsection 63G-2-201(3)(b).

(5)(a) "Computer program" means:

(i) a series of instructions or statements that permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system; and

(ii) any associated documentation and source material that explain how to operate the computer program.

(b) "Computer program" does not mean:

(i) the original data, including numbers, text, voice, graphics, and images;

(ii) analysis, compilation, and other manipulated forms of the original data produced by use of the program; or

(iii) the mathematical or statistical formulas, excluding the underlying mathematical algorithms contained in the program, that would be used if the manipulated forms of the original data were to be produced manually.

(6)(a) "Contractor" means:

(i) any person who contracts with a governmental entity to provide goods or services directly to a governmental entity; or

(ii) any private, nonprofit organization that receives funds from a governmental entity.

(b) "Contractor" does not mean a private provider.



- (7) "Controlled record" means a record containing data on individuals that is controlled as provided by Section 63G-2-304.
- (8) "Designation," "designate," and their derivative forms mean indicating, based on a governmental entity's familiarity with a record series or based on a governmental entity's review of a reasonable sample of a record series, the primary classification that a majority of records in a record series would be given if classified and the classification that other records typically present in the record series would be given if classified.
- (9) "Elected official" means each person elected to a state office, county office, municipal office, school board or school district office, special district office, or special service district office, but does not include judges.
- (10) "Explosive" means a chemical compound, device, or mixture:
- (a) commonly used or intended for the purpose of producing an explosion; and
  - (b) that contains oxidizing or combustive units or other ingredients in proportions, quantities, or packing so that:
    - (i) an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause a sudden generation of highly heated gases; and
    - (ii) the resultant gaseous pressures are capable of:
      - (A) producing destructive effects on contiguous objects; or
      - (B) causing death or serious bodily injury.
- (11) "Government audit agency" means any governmental entity that conducts an audit.
- (12)(a) "Governmental entity" means:
- (i) executive department agencies of the state, the offices of the governor, lieutenant governor, state auditor, attorney general, and state treasurer, the Board of Pardons and Parole, the Board of Examiners, the National Guard, the Career Service Review Office, the State Board of Education, the Utah Board of Higher Education, and the State Archives;
  - (ii) the Office of the Legislative Auditor General, Office of the Legislative Fiscal Analyst, Office of Legislative Research and General Counsel, the Legislature, and legislative committees, except any political party, group, caucus, or rules or sifting committee of the Legislature;
  - (iii) courts, the Judicial Council, the Administrative Office of the Courts, and similar administrative units in the judicial branch;
  - (iv) any state-funded institution of higher education or public education; or
  - (v) any political subdivision of the state, but, if a political subdivision has adopted an

ordinance or a policy relating to information practices pursuant to Section 63G-2-701, this chapter shall apply to the political subdivision to the extent specified in Section 63G-2-701 or as specified in any other section of this chapter that specifically refers to political subdivisions.

(b) "Governmental entity" also means:

(i) every office, agency, board, bureau, committee, department, advisory board, or commission of an entity listed in Subsection (12)(a) that is funded or established by the government to carry out the public's business;

(ii) as defined in Section 11-13-103, an interlocal entity or joint or cooperative undertaking, except for the Water District Water Development Council created pursuant to Section 11-13-228;

(iii) as defined in Section 11-13a-102, a governmental nonprofit corporation;

(iv) an association as defined in Section 53G-7-1101;

(v) the Utah Independent Redistricting Commission; and

(vi) a law enforcement agency, as defined in Section 53-1-102, that employs one or more law enforcement officers, as defined in Section 53-13-103.

(c) "Governmental entity" does not include the Utah Educational Savings Plan created in Section 53H-10-202.

(13) "Government Records Office" means the same as that term is defined in Section 63A-12-201.

(14) "Gross compensation" means every form of remuneration payable for a given period to an individual for services provided including salaries, commissions, vacation pay, severance pay, bonuses, and any board, rent, housing, lodging, payments in kind, and any similar benefit received from the individual's employer.

(15) "Individual" means a human being.

(16)(a) "Initial contact report" means an initial written or recorded report, however titled, prepared by peace officers engaged in public patrol or response duties describing official actions initially taken in response to either a public complaint about or the discovery of an apparent violation of law, which report may describe:

(i) the date, time, location, and nature of the complaint, the incident, or offense;

(ii) names of victims;

(iii) the nature or general scope of the agency's initial actions taken in response to the incident;

(iv) the general nature of any injuries or estimate of damages sustained in the incident;

(v) the name, address, and other identifying information about any person arrested or charged in connection with the incident; or

(vi) the identity of the public safety personnel, except undercover personnel, or prosecuting attorney involved in responding to the initial incident.

(b) "Initial contact reports" do not include follow-up or investigative reports prepared after the initial contact report. However, if the information specified in Subsection (16)(a) appears in follow-up or investigative reports, it may only be treated confidentially if it is private, controlled, protected, or exempt from disclosure under Subsection 63G-2-201(3)(b).

(c) "Initial contact reports" do not include accident reports, as that term is described in Title 41, Chapter 6a, Part 4, Accident Responsibilities.

(17) "Legislative body" means the Legislature.

(18) "Notice of compliance" means a statement confirming that a governmental entity has complied with an order of the director of the Government Records Office.

(19) "Person" means:

(a) an individual;

(b) a nonprofit or profit corporation;

(c) a partnership;

(d) a sole proprietorship;

(e) other type of business organization; or

(f) any combination acting in concert with one another.

(20) "Private provider" means any person who contracts with a governmental entity to provide services directly to the public.

(21) "Private record" means a record containing data on individuals that is private as provided by Section 63G-2-302.

(22) "Protected record" means a record that is classified protected as provided by Section 63G-2-305.

(23) "Public record" means a record that is not private, controlled, or protected and that is not exempt from disclosure as provided in Subsection 63G-2-201(3)(b).

(24) "Reasonable search" means a search that is:

(a) reasonable in scope and intensity; and

(b) not unreasonably burdensome for the government entity.

(25)(a) "Record" means a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of

physical form or characteristics:

(i) that is prepared, owned, received, or retained by a governmental entity or political subdivision; and

(ii) where all of the information in the original is reproducible by photocopy or other mechanical or electronic means.

(b) "Record" does not include:

(i) a personal note or personal communication prepared or received by an employee or officer of a governmental entity:

(A) in a capacity other than the employee's or officer's governmental capacity; or

(B) that is unrelated to the conduct of the public's business;

(ii) a temporary draft or similar material prepared for the originator's personal use or prepared by the originator for the personal use of an individual for whom the originator is working;

(iii) material that is legally owned by an individual in the individual's private capacity;

(iv) material to which access is limited by the laws of copyright or patent unless the copyright or patent is owned by a governmental entity or political subdivision;

(v) proprietary software;

(vi) junk mail or a commercial publication received by a governmental entity or an official or employee of a governmental entity;

(vii) a book that is cataloged, indexed, or inventoried and contained in the collections of a library open to the public;

(viii) material that is cataloged, indexed, or inventoried and contained in the collections of a library open to the public, regardless of physical form or characteristics of the material;

(ix) a daily calendar ;

(x) a note prepared by the originator for the originator's own use or for the sole use of an individual for whom the originator is working;

(xi) a computer program that is developed or purchased by or for any governmental entity for its own use;

(xii) a note or internal memorandum prepared as part of the deliberative process by:

(A) a member of the judiciary;

(B) an administrative law judge;

(C) a member of the Board of Pardons and Parole; or

(D) a member of any other body, other than an association [~~or appeals panel~~] as

- 949                    that term is defined in Section 53G-7-1101, charged by law with performing a  
950                    quasi-judicial function;
- 951                    (xiii) a telephone number or similar code used to access a mobile communication  
952                    device that is used by an employee or officer of a governmental entity, provided  
953                    that the employee or officer of the governmental entity has designated at least one  
954                    business telephone number that is a public record as provided in Section  
955                    63G-2-301;
- 956                    (xiv) information provided by the Public Employees' Benefit and Insurance Program,  
957                    created in Section 49-20-103, to a county to enable the county to calculate the  
958                    amount to be paid to a health care provider under Subsection 17-63-706(2)(e)(ii);
- 959                    (xv) information that an owner of unimproved property provides to a local entity as  
960                    provided in Section 11-42-205;
- 961                    (xvi) a video or audio recording of an interview, or a transcript of the video or audio  
962                    recording, that is conducted at a Children's Justice Center established under  
963                    Section 67-5b-102;
- 964                    (xvii) child sexual abuse material, as defined by Section 76-5b-103;
- 965                    (xviii) before final disposition of an ethics complaint occurs, a video or audio  
966                    recording of the closed portion of a meeting or hearing of:
- 967                    (A) a Senate or House Ethics Committee;
- 968                    (B) the Independent Legislative Ethics Commission;
- 969                    (C) the Independent Executive Branch Ethics Commission, created in Section  
970                    63A-14-202; or
- 971                    (D) the Political Subdivisions Ethics Review Commission established in Section  
972                    63A-15-201;
- 973                    (xix) confidential communication described in Section 58-60-102, 58-61-102, or  
974                    58-61-702;
- 975                    (xx) any item described in Subsection (25)(a) that is:
- 976                    (A) described in Subsection 63G-2-305(17), (18), or (23)(b); and
- 977                    (B) shared between any of the following entities:
- 978                    (I) the Division of Risk Management;
- 979                    (II) the Office of the Attorney General;
- 980                    (III) the governor's office; or
- 981                    (IV) the Legislature;
- 982                    (xxi) the email address that a candidate for elective office provides to a filing officer

- 983 under Subsection 20A-9-201(5)(c)(ii) or 20A-9-203(4)(c)(iv); or  
984 (xxii) except as provided in Sections 31A-16-105, 31A-16-107.5, and 27a-3-303, an  
985 investment policy, or information related to an investment policy, provided to the  
986 insurance commissioner as described in Title 31A, Chapter 18, Investments.
- 987 (26) "Record series" means a group of records that may be treated as a unit for purposes of  
988 designation, description, management, or disposition.
- 989 (27) "Records officer" means the individual appointed by the chief administrative officer of  
990 each governmental entity, or the political subdivision to work with state archives in the  
991 care, maintenance, scheduling, designation, classification, disposal, and preservation of  
992 records.
- 993 (28) "Schedule," "scheduling," and their derivative forms mean the process of specifying  
994 the length of time each record series should be retained by a governmental entity for  
995 administrative, legal, fiscal, or historical purposes and when each record series should be  
996 transferred to the state archives or destroyed.
- 997 (29) "Sponsored research" means research, training, and other sponsored activities as  
998 defined by the federal Executive Office of the President, Office of Management and  
999 Budget:
- 1000 (a) conducted:
- 1001 (i) by an institution within the state system of higher education described in Section  
1002 53H-1-102; and
- 1003 (ii) through an office responsible for sponsored projects or programs; and
- 1004 (b) funded or otherwise supported by an external:
- 1005 (i) person that is not created or controlled by the institution within the state system of  
1006 higher education; or
- 1007 (ii) federal, state, or local governmental entity.
- 1008 (30) "State archives" means the Division of Archives and Records Service created in  
1009 Section 63A-12-101.
- 1010 (31) "State archivist" means the director of the state archives.
- 1011 (32) "Summary data" means statistical records and compilations that contain data derived  
1012 from private, controlled, or protected information but that do not disclose private,  
1013 controlled, or protected information.
- 1014 Section 13. **Repealer.**
- 1015 This bill repeals:
- 1016 Section **53G-7-1106, Procedures for disputes -- Appeals -- Appeals panel --**

- 1017      **Compensation.**
- 1018              Section 14. **Effective Date.**
- 1019      This bill takes effect on July 1, 2027.