

High School Activities Governance

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keith Grover

House Sponsor:

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53E-1-201 (Effective 07/01/27) (Partially Repealed 07/01/27), as last amended by Laws of Utah 2025, First Special Session, Chapter 9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

31 **53G-6-705 (Effective 07/01/27)**, as last amended by Laws of Utah 2023, Chapter 340
 32 **53G-7-1101 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, First Special
 33 Session, Chapter 9
 34 **53G-7-1102 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, Chapter 408
 35 **63G-2-103 (Effective 07/01/27)**, as last amended by Laws of Utah 2025, First Special
 36 Session, Chapter 17

37 ENACTS:

38 **53E-3-1301 (Effective 07/01/27)**, Utah Code Annotated 1953
 39 **53E-3-1302 (Effective 07/01/27)**, Utah Code Annotated 1953
 40 **53E-3-1303 (Effective 07/01/27)**, Utah Code Annotated 1953

41 RENUMBERS AND AMENDS:

42 **53E-3-1304 (Effective 07/01/27)**, (Renumbered from 53G-7-1104, as last amended
 43 by Laws of Utah 2019, Chapter 293)

44 REPEALS:

45 **53G-7-1106 (Effective 07/01/27)**, as last amended by Laws of Utah 2019, Chapter 293

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

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

49 **52-4-103 (Effective 07/01/27). Definitions.**

50 As used in this chapter:

- 51 (1) "Anchor location" means:
- 52 (a) the physical location where the public body conducting an electronic meeting under
 53 Section 52-4-207 normally conducts meetings of the public body; or
 54 (b) a location other than the location described in Subsection (1)(a) that is reasonably as
 55 accessible to the public as the location described in Subsection (1)(a).
- 56 (2) "Capitol hill complex" means the grounds and buildings within the area bounded by 300
 57 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt
 58 Lake City.
- 59 (3) "Electronic meeting" means a meeting that some or all public body members attend
 60 through an electronic video, audio, or both video and audio connection, as provided in
 61 Section 52-4-207.
- 62 (4) "Fiduciary or commercial information" means information:
- 63 (a) related to any subject if disclosure:
 64 (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

- 167 on research and activities described in Section 53H-15-305 by the Utah Data
168 Research Center;
- 169 (c) the report described in Section 53H-1-203 by the Utah Board of Higher Education on
170 career and technical education issues and addressing workforce needs;
- 171 (d) the annual report of the Utah Board of Higher Education described in Section
172 53H-1-203;
- 173 (e) the reports described in Section 53H-7-603 by the Utah Board of Higher Education
174 regarding activities related to campus safety;
- 175 (f) the State Superintendent's Annual Report by the state board described in Section
176 53E-1-203;
- 177 (g) the annual report described in Section 53E-2-202 by the state board on the strategic
178 plan to improve student outcomes;
- 179 (h) the report described in Section 53E-3-501 by the state board on students in an LEA
180 who receive academic credit through the packet method;
- 181 (i) the report described in Section 53E-3-1304 by the state board regarding
182 interscholastic activities;
- 183 ~~(j)~~ (j) the report described in Section 53E-8-204 by the state board on the Utah Schools
184 for the Deaf and the Blind;
- 185 ~~(k)~~ (k) the report described in Section 53E-10-703 by the Utah Leading through
186 Effective, Actionable, and Dynamic Education director on research and other
187 activities;
- 188 ~~(l)~~ (l) the report described in Section 53F-2-522 regarding mental health screening
189 programs;
- 190 ~~(m)~~ (m) the report described in Section 53F-4-203 by the state board and the
191 independent evaluator on an evaluation of early interactive reading software;
- 192 ~~(n)~~ (n) the report described in Section 53F-6-412 by the program manager of the Utah
193 Fits All Scholarship Program;
- 194 ~~(o)~~ (o) the report described in Section 63N-20-107 by the Governor's Office of
195 Economic Opportunity on UPSTART;
- 196 ~~(p)~~ (p) the report described in Section 53F-5-215 by the state board related to a grant
197 for an elementary teacher preparation assessment;
- 198 ~~(q)~~ (q) upon request, the report described in Section 53F-5-219 by the state board on
199 the Local Innovations Civics Education Pilot Program;
- 200 ~~(r)~~ (r) the report described in Section 53F-5-405 by the state board regarding an

- 201 evaluation of a partnership that receives a grant to improve educational outcomes for
 202 students who are low-income;
- 203 ~~[(†)]~~ (s) the report described in Section 53H-1-604 regarding the Higher Education and
 204 Corrections Council;
- 205 ~~[(*)]~~ (t) the report described in Section 53G-7-221 by the state board regarding
 206 innovation plans; and
- 207 ~~[(†)]~~ (u) the reports described in Section 53F-6-412 regarding the Utah Fits All
 208 Scholarship Program.
- 209 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional
 210 reports are due to the Education Interim Committee:
- 211 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53H-1-502,
 212 53H-1-503, and 53H-1-504;
- 213 (b) in 2025, the report described in Section 53H-6-203 by a degree-granting institution
 214 regarding policies on abusive coaching practices;
- 215 (c) if required, the report described in Section 53E-4-309 by the state board explaining
 216 the reasons for changing the grade level specification for the administration of
 217 specific assessments;
- 218 (d) if required, the report described in Section 53E-5-210 by the state board of an
 219 adjustment to the minimum level that demonstrates proficiency for each statewide
 220 assessment;
- 221 (e) the report described in Section 53E-10-702 by Utah Leading through Effective,
 222 Actionable, and Dynamic Education;
- 223 (f) if required, the report described in Section 53F-2-513 by the state board evaluating
 224 the effects of salary bonuses on the recruitment and retention of effective teachers in
 225 high-poverty schools;
- 226 (g) upon request, the report described in Section 53F-10-303 by the state board
 227 regarding the Rural School Sports Facilities Grant Program;
- 228 (h) upon request, a report described in Section 53G-7-222 by an LEA regarding
 229 expenditure of a percentage of state restricted funds to support an innovative
 230 education program;
- 231 (i) the reports described in Section 53G-11-304 by the state board regarding proposed
 232 rules and results related to educator exit surveys; and
- 233 (j) the report described in Section 26B-5-113 by the Office of Substance Use and Mental
 234 Health, the state board, and the Department of Health and Human Services regarding

- 235 recommendations related to Medicaid reimbursement for school-based health
 236 services.
- 237 (3) In accordance with applicable provisions and Section 68-3-14, every five years the
 238 Education Interim Committee shall review the programs described in the following
 239 sections of code:
- 240 (a) beginning July 1, 2027, Title 53E, Chapter 10, Part 3, Concurrent Enrollment;
 241 (b) beginning July 1, 2027, Section 53F-2-408, Enhancement for Accelerated Students
 242 Program;
 243 (c) beginning July 1, 2027, Section 53F-2-409, Concurrent enrollment funding;
 244 (d) beginning July 1, 2027, Section 53F-2-415, Student health and counseling support --
 245 Qualifying personnel -- Distribution formula -- Rulemaking;
 246 (e) beginning July 1, 2028, Section 53F-2-416, Appropriation and distribution for the
 247 Teacher and Student Success Program;
 248 (f) beginning July 1, 2028, Section 53F-2-510, Digital Teaching and Learning Grant
 249 Program;
 250 (g) beginning July 1, 2028, Section 53F-9-306, Teacher and Student Success Account;
 251 (h) beginning July 1, 2028, Title 53G, Chapter 7, Part 13, Teacher and Student Success
 252 Program; and
 253 (i) beginning July 1, 2029, Section 53F-2-502, Dual language immersion.

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

255 **53E-3-1301 (Effective 07/01/27). Definitions.**

256 As used in this part:

- 257 (1) "Advisory council" means the Interscholastic Activities Advisory Council that Section
 258 53E-3-1303 creates.
- 259 (2) "Alignment" means the initial or subsequent act, respectively, of assigning a public
 260 school a classification or region for purposes of organizing interscholastic activities.
- 261 (3) "Association" means the same as that term is defined in Section 53G-7-1101.
- 262 (4) "Classification" means the designation of a school based on the size of the school's
 263 student enrollment population for purposes of interscholastic activities.
- 264 (5) "Director" means the director of interscholastic activities who serves as the director of
 265 the office.
- 266 (6) "Eligibility" means a student's qualification to participate in an interscholastic activity.
- 267 (7) "Interscholastic activity" means an activity within the state in which:
 268 (a) a student who participates represents the student's school in the activity; and

- 269 (b) the participating student is enrolled in grade 9, 10, 11, or 12.
 270 (8) "Office" means the Office of Interscholastic Activities that section 53E-3-1302 creates.
 271 (9) "Region" means a grouping of schools of the same classification for purposes of
 272 interscholastic activities.

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

274 **53E-3-1302 (Effective 07/01/27). Office of Interscholastic Activities -- Scope of**
 275 **governance authority -- Director.**

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

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

279 (i) establishing rules and policies regarding:

280 (A) student eligibility;

281 (B) transfers;

282 (C) recruiting;

283 (D) classification and alignment;

284 (E) student practice and participation;

285 (F) post-season standards;

286 (G) logistical operation; and

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

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

291 (b) The office shall:

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

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

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

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

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

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

- 303 (c)(i) The office may contract with an association through a memorandum of
304 understanding to manage day-to-day operations regarding interscholastic activities
305 that do not relate to the creation of rules described in this part or appeals.
306 (ii) The office shall ensure that a memorandum of understanding described in
307 Subsection (2)(c)(i) addresses responsibilities regarding:
308 (A) scheduling events, including regular season and post-season events;
309 (B) managing venue logistics and tournament staffing;
310 (C) maintaining a system for recruitment, training, and assignment of activity
311 officials;
312 (D) training for athletic directors, coaches, and school liaisons; and
313 (E) submitting implementation reports and compliance updates to the office and
314 the state board, including an annual financial statement that includes the total
315 revenue and operational costs of the association.
316 (iii) The office shall:
317 (A) review and, if necessary, modify the memorandum of understanding described
318 in this Subsection (2)(c) at least once every four years; and
319 (B) submit the memorandum of understanding to the state board for review.
320 (3)(a) The state board shall:
321 (i) as the state board determines necessary, establish committees, policies, or
322 processes necessary to the function and oversight of the office;
323 (ii) appoint a director of interscholastic activities who serves as the director of the
324 office; or
325 (iii) authorize the state superintendent to appoint and supervise the director described
326 in Subsection (3)(a)(ii), under the approval of the state board.
327 (b) The state board may make rules in accordance with Title 63G, Chapter 3, Utah
328 Administrative Rulemaking Act, regarding the qualifications, terms of employment,
329 and duties of the director.
330 (4) Subject to legislative appropriations and to state board budgeting, the director may hire
331 staff necessary to carry out the functions of the office.
332 Section 5. Section **53E-3-1303** is enacted to read:
333 **53E-3-1303 (Effective 07/01/27). Interscholastic Activities Advisory Council.**
334 (1) This section creates the Interscholastic Activities Advisory Council.
335 (2) The director, subject to the approval of the state board, shall organize a public advisory
336 council that includes:

- 337 (a) members from public and private schools that participate in interscholastic activities;
338 (b) athletic directors;
339 (c) coaches;
340 (d) parents;
341 (e) at least one student athlete; and
342 (f) if the office contracts with an association in accordance with Subsection
343 53E-3-1302(2)(c), a representative of the association.
- 344 (3) Under the direction of the director and the office, the advisory council shall:
- 345 (a) subject to modification or rejection by the state board, draft and adopt the rules
346 described in Subsection 53E-3-1302(2)(a), including:
- 347 (i) eligibility policies that reflect the most inclusive possible interpretation of student
348 circumstances, mobility, and school choice;
- 349 (ii) transfer policies that create minimal friction, honoring the principle that students
350 and families may transfer for many valid reasons; and
- 351 (iii) exceptions or restrictions in the rural alignment track described in Subsection
352 (3)(c)(iii) where student movement is less common;
- 353 (b) resolve appeals regarding the application of a rule described in Subsection (3)(a);
- 354 (c) subject to modification or rejection by the state board, analyze and adopt
355 classification models for regions that:
- 356 (i) include:
- 357 (A) each year, minor modifications as necessary; and
358 (B) no sooner than once every four years, a third-party contracted classification
359 model to assess travel logistics, historical performance, and enrollment
360 volatility;
- 361 (ii) prioritize a competitive balance above raw population size and geography; and
- 362 (iii) considers the creation of:
- 363 (A) a rural alignment track that follows traditional classification and transfer
364 policies and acknowledges geographical distance and limited access; and
- 365 (B) an urban alignment track that adopts an expansive and fluid model for
366 transfers and alignment, reflecting modern student mobility; and
- 367 (d) in conjunction with the office, hold hearings and town halls regarding:
- 368 (i) interscholastic activities;
369 (ii) the duties described in this section; and
370 (iii) the duties of the office described in Section 53E-3-1303.

- 371 (4) A member of the advisory council may not receive compensation or benefits for the
 372 member's service but may receive per diem and travel expenses in accordance with:
 373 (a) Section 63A-3-106;
 374 (b) Section 63A-3-107; and
 375 (c) rules made by the Division of Finance in accordance with Sections 63A-3-106 and
 376 63A-3-107.

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

379 **[53G-7-1104] 53E-3-1304 (Effective 07/01/27). Reporting requirements.**

- 380 (1) [An] Before August 1 of each year, the association shall provide a verbal report,
 381 accompanied by a written report, [annually-]to the state board, including:
 382 [(1)] (a) the association's annual budget in accordance with Section 53G-7-1105;
 383 [(2)] (b) a schedule of events scheduled or facilitated by the association;
 384 [(3)] (c) procedures for alignment or realignment;
 385 [(4)] (d) any amendments or changes to the association's governing document or bylaws;
 386 and
 387 [(5)] (e) any other information requested by the state board.
 388 (2) The state board shall annually report to the Education Interim Committee, at or before
 389 the committee's November interim meeting, regarding:
 390 (a) eligibility appeals data;
 391 (b) financial transparency;
 392 (c) realignment models and maps;
 393 (d) the performance of the office; and
 394 (e) a review of a memorandum of understanding described in Subsection
 395 53E-3-1302(2)(b).

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

397 **53G-6-703 (Effective 07/01/27). Private school and home school students'**
 398 **participation in extracurricular activities in a public school.**

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

405 53G-7-501.

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

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

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

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

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

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

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

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

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

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

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

429 (ii) A private school student or a home school student retains the ability to participate
430 in an extracurricular activity at a school described in Subsection (2)(c)(i) if the
431 student did not initially establish the student's eligibility at another school in grade
432 9 or 10.

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

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

438 (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.

- 473 (6)(a) To establish a home school student's academic eligibility, a parent, teacher, or
474 organization providing instruction to the student shall submit an affidavit to the
475 principal indicating the student meets academic eligibility requirements.
- 476 (b) Upon submission of an affidavit pursuant to Subsection (6)(a), a home school student
477 shall:
- 478 (i) be considered to meet academic eligibility requirements; and
479 (ii) retain academic eligibility for all extracurricular activities during the activity
480 season for which the affidavit is submitted, until:
- 481 (A) a panel established under Subsection (10) determines the home school student
482 does not meet academic eligibility requirements; or
483 (B) the person who submitted the affidavit under Subsection (6)(a) provides
484 written notice to the school principal that the student no longer meets academic
485 eligibility requirements.
- 486 (7)(a) A home school student who loses academic eligibility pursuant to Subsection
487 (6)(b)(ii)(B) may not participate in an extracurricular activity until the person who
488 submitted the affidavit under Subsection (6)(a) provides written notice to the school
489 principal that the home school student has reestablished academic eligibility.
- 490 (b) If a home school student reestablishes academic eligibility pursuant to Subsection
491 (7)(a), the home school student may participate in extracurricular activities for the
492 remainder of the activity season for which an affidavit was submitted under
493 Subsection (6)(a).
- 494 (8) A person who has probable cause to believe a home school student does not meet
495 academic eligibility requirements may submit an affidavit to the principal:
- 496 (a) asserting the home school student does not meet academic eligibility requirements;
497 and
498 (b) providing information indicating that the home school student does not meet the
499 academic eligibility requirements.
- 500 (9) A principal shall review the affidavit submitted under Subsection (8), and if the
501 principal determines it contains information which constitutes probable cause to believe
502 a home school student may not meet academic eligibility requirements, the principal
503 shall request a panel established pursuant to Subsection (10) to verify the student's
504 compliance with academic eligibility requirements.
- 505 (10)(a) A school district superintendent shall:
- 506 (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 [~~(e)~~] (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;

- 575 (b) the public school from which the student withdrew for the purpose of attending a
576 charter school; or
- 577 (c) a public school that is not a charter school if the student's charter school is located on
578 the campus of the public school or has local school board approval to locate on the
579 campus of the public school.
- 580 (3) In addition to the public schools listed in Subsection (2), the state board may establish
581 rules to allow a charter school student to participate in an extracurricular activity at a
582 public school other than a public school listed in Subsection (2).
- 583 (4) A school other than a school described in Subsection (2) may allow a charter school
584 student to participate in an extracurricular activity a public school sponsors and supports
585 if:
- 586 (a) for interschool competitions of athletic teams, the charter school student meets the
587 initial establishment of eligibility requirements;
- 588 (b) for interschool contests or competitions for music, drama, or forensic groups or
589 teams, the charter school student meets the entry requirements for participation;
- 590 (c) the charter school student meets the eligibility requirements under this section; and
591 (d) the charter school student meets the enrollment requirements for public school in
592 accordance with Part 4, School District Enrollment.
- 593 (5) A charter school student is eligible for an extracurricular activity at a public school
594 consistent with eligibility standards as applied to full-time students of the public school.
- 595 (6) A school district or a public school may not impose additional requirements on a charter
596 school student to participate in an extracurricular activity that are not imposed on
597 full-time students of the public school.
- 598 (7)(a) The state board shall make rules establishing fees for charter school students'
599 participation in an extracurricular activity at school district schools.
- 600 (b) The rules shall provide that:
- 601 (i) charter school students pay the same fees as other students to participate in an
602 extracurricular activity;
- 603 (ii) charter school students are eligible for fee waivers pursuant to Section 53G-7-504;
- 604 (iii) for each charter school student who participates in an extracurricular activity at a
605 school district school, the charter school shall pay a share of the school district's
606 costs for the extracurricular activity; and
- 607 (iv) a charter school's share of the costs of an extracurricular activity shall reflect
608 state and local tax revenues expended, except capital facilities expenditures, for an

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

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

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

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

619 **53G-6-705 (Effective 07/01/27). Online students' participation in extracurricular**
620 **activities.**

621 (1) As used in this section:

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

623 [~~(b)~~] (a) "Extracurricular activity" means the same as that term is defined in Section
624 53G-7-501.

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

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

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

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

633 (ii) generates funding for the school district or the school pursuant to Subsection
634 53F-2-102(4) and rules of the state board.

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

636 (a) the school with attendance boundaries within which the student's custodial parent
637 resides, if, for an interscholastic competition of athletic teams, the student did not
638 initially establish the student's eligibility at another public school in grade 9 or 10; or

639 (b) the public school from which the student withdrew for the purpose of participating in
640 an online education program.

641 (3) A public school other than a school described in Subsection (2) may allow an online
642 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

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

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

680 **53G-7-1101 (Effective 07/01/27). Definitions.**

681 As used in this part:

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

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

686 ~~[(3)]~~ (2)(a) "Association" means an organization that ~~[governs or regulates a student's~~
687 ~~participation in an]~~ facilitates the operation of athletic interscholastic [activity]
688 activities in accordance with a memorandum of understanding with the Office of
689 Interscholastic Activities described in Subsection 53E-3-1302(2)(c).

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

692 ~~[(4)]~~ (3) "Classification" means ~~[the designation of a school based on the size of the school's~~
693 ~~student enrollment population for purposes of interscholastic activities]~~ the same as that
694 term is defined in Section 53E-3-1301.

695 ~~[(5)]~~ (4) "Eligibility" means ~~[eligibility to participate in an interscholastic activity regulated~~
696 ~~or governed by an association]~~ the same as that term is defined in Section 53E-3-1301.

697 ~~[(6)]~~ (5) "Governing body" means a body within an association that:

698 (a) is responsible for:

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

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

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

703 (iv) adopting the association's budget; and

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

705 ~~[(7)]~~ (6) "Interscholastic activity" means ~~[an activity within the state in which:]~~ the same as
706 that term is defined in Section 53E-3-1301.

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

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

709 ~~[(8)]~~ (7) "Public hearing" means a hearing at which members of the public are provided a
710 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 ~~inter-scholastic 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:

- 779 (a) a systematic examination of financial, management, program, and related records for
780 the purpose of determining the fair presentation of financial statements, adequacy of
781 internal controls, or compliance with laws and regulations; or
- 782 (b) a systematic examination of program procedures and operations for the purpose of
783 determining their effectiveness, economy, efficiency, and compliance with statutes
784 and regulations.
- 785 (2) "Chief administrative officer" means the chief administrative officer of a governmental
786 entity who is responsible to fulfill the duties described in Section 63A-12-103.
- 787 (3) "Chronological logs" mean the regular and customary summary records of law
788 enforcement agencies and other public safety agencies that show:
- 789 (a) the time and general nature of police, fire, and paramedic calls made to the agency;
790 and
- 791 (b) any arrests or jail bookings made by the agency.
- 792 (4) "Classification," "classify," and their derivative forms mean determining whether a
793 record series, record, or information within a record is public, private, controlled,
794 protected, or exempt from disclosure under Subsection 63G-2-201(3)(b).
- 795 (5)(a) "Computer program" means:
- 796 (i) a series of instructions or statements that permit the functioning of a computer
797 system in a manner designed to provide storage, retrieval, and manipulation of
798 data from the computer system; and
- 799 (ii) any associated documentation and source material that explain how to operate the
800 computer program.
- 801 (b) "Computer program" does not mean:
- 802 (i) the original data, including numbers, text, voice, graphics, and images;
- 803 (ii) analysis, compilation, and other manipulated forms of the original data produced
804 by use of the program; or
- 805 (iii) the mathematical or statistical formulas, excluding the underlying mathematical
806 algorithms contained in the program, that would be used if the manipulated forms
807 of the original data were to be produced manually.
- 808 (6)(a) "Contractor" means:
- 809 (i) any person who contracts with a governmental entity to provide goods or services
810 directly to a governmental entity; or
- 811 (ii) any private, nonprofit organization that receives funds from a governmental entity.
- 812 (b) "Contractor" does not mean a private provider.

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

847 ordinance or a policy relating to information practices pursuant to Section
848 63G-2-701, this chapter shall apply to the political subdivision to the extent
849 specified in Section 63G-2-701 or as specified in any other section of this chapter
850 that specifically refers to political subdivisions.

851 (b) "Governmental entity" also means:

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

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

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

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

860 (v) the Utah Independent Redistricting Commission; and

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

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

865 (13) "Government Records Office" means the same as that term is defined in Section
866 63A-12-201.

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

871 (15) "Individual" means a human being.

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

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

877 (ii) names of victims;

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

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

- 881 (v) the name, address, and other identifying information about any person arrested or
882 charged in connection with the incident; or
- 883 (vi) the identity of the public safety personnel, except undercover personnel, or
884 prosecuting attorney involved in responding to the initial incident.
- 885 (b) "Initial contact reports" do not include follow-up or investigative reports prepared
886 after the initial contact report. However, if the information specified in Subsection
887 (16)(a) appears in follow-up or investigative reports, it may only be treated
888 confidentially if it is private, controlled, protected, or exempt from disclosure under
889 Subsection 63G-2-201(3)(b).
- 890 (c) "Initial contact reports" do not include accident reports, as that term is described in
891 Title 41, Chapter 6a, Part 4, Accident Responsibilities.
- 892 (17) "Legislative body" means the Legislature.
- 893 (18) "Notice of compliance" means a statement confirming that a governmental entity has
894 complied with an order of the director of the Government Records Office.
- 895 (19) "Person" means:
- 896 (a) an individual;
- 897 (b) a nonprofit or profit corporation;
- 898 (c) a partnership;
- 899 (d) a sole proprietorship;
- 900 (e) other type of business organization; or
- 901 (f) any combination acting in concert with one another.
- 902 (20) "Private provider" means any person who contracts with a governmental entity to
903 provide services directly to the public.
- 904 (21) "Private record" means a record containing data on individuals that is private as
905 provided by Section 63G-2-302.
- 906 (22) "Protected record" means a record that is classified protected as provided by Section
907 63G-2-305.
- 908 (23) "Public record" means a record that is not private, controlled, or protected and that is
909 not exempt from disclosure as provided in Subsection 63G-2-201(3)(b).
- 910 (24) "Reasonable search" means a search that is:
- 911 (a) reasonable in scope and intensity; and
- 912 (b) not unreasonably burdensome for the government entity.
- 913 (25)(a) "Record" means a book, letter, document, paper, map, plan, photograph, film,
914 card, tape, recording, electronic data, or other documentary material regardless of

- 915 physical form or characteristics:
- 916 (i) that is prepared, owned, received, or retained by a governmental entity or political
917 subdivision; and
- 918 (ii) where all of the information in the original is reproducible by photocopy or other
919 mechanical or electronic means.
- 920 (b) "Record" does not include:
- 921 (i) a personal note or personal communication prepared or received by an employee
922 or officer of a governmental entity:
- 923 (A) in a capacity other than the employee's or officer's governmental capacity; or
924 (B) that is unrelated to the conduct of the public's business;
- 925 (ii) a temporary draft or similar material prepared for the originator's personal use or
926 prepared by the originator for the personal use of an individual for whom the
927 originator is working;
- 928 (iii) material that is legally owned by an individual in the individual's private capacity;
- 929 (iv) material to which access is limited by the laws of copyright or patent unless the
930 copyright or patent is owned by a governmental entity or political subdivision;
- 931 (v) proprietary software;
- 932 (vi) junk mail or a commercial publication received by a governmental entity or an
933 official or employee of a governmental entity;
- 934 (vii) a book that is cataloged, indexed, or inventoried and contained in the collections
935 of a library open to the public;
- 936 (viii) material that is cataloged, indexed, or inventoried and contained in the
937 collections of a library open to the public, regardless of physical form or
938 characteristics of the material;
- 939 (ix) a daily calendar ;
- 940 (x) a note prepared by the originator for the originator's own use or for the sole use of
941 an individual for whom the originator is working;
- 942 (xi) a computer program that is developed or purchased by or for any governmental
943 entity for its own use;
- 944 (xii) a note or internal memorandum prepared as part of the deliberative process by:
- 945 (A) a member of the judiciary;
- 946 (B) an administrative law judge;
- 947 (C) a member of the Board of Pardons and Parole; or
- 948 (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.