

PACT Act Facts

HB 399 by REP. TREVOR LEE

What HB399 *does*



Protects students from having their subjective social-emotional (SEL) attitudes, beliefs, or values categorized, measured, tracked, or graded by education system personnel



Respects parents' rights to not have the state define or determine their children's attitudes, beliefs, or values for them, or compete with parents for this purview



Rejects the premise that the education system has the right to create "personality passports" on children that can follow them into adulthood & be used to discriminate against them if they don't have the "correct" traits according to the state



Redirects the education system to focus on learning that's objectively measurable — math, English, science, and so on



Corrects the education system when it oversteps its boundaries and tries to collect or distribute invasive character data on children about their personal social-emotional attitudes, beliefs, and values



Effects a shift from collective, systemic control back to individual freedom, so children can naturally develop their characters according to their consciences, free will, faith, and family's values

What HB399 *says*

The privilege and purview to determine or provide for the character education of a child solely resides with a parent, and cannot be assumed by or ceded to the state (lines 403-404)

Instructional and administrative personnel may not categorize, grade, implement, measure, monitor, or track the character education of a student or students (lines 407-410)

Nothing prohibits ... basic methods of maintaining classroom order ... communicating an objective observation of student behavior or activity ... acting to protect an individual's immediate physical safety ... communicating personal knowledge of student behavior that is criminal, delinquent, related to self-harm or discipline, or of serious concern ... a specific IEP or 504 Accommodation plan (lines 418-437)

"Character education" means current or historical social emotional learning frameworks, models, practices, programs, systems, or tools developed by any public or private source (lines 370-372)

The Free Exercise Clause protects against state education institutions establishing or imposing sectarian or partisan tests, qualifications, or systems of thought and belief on students (lines 399-402)

STUDENT CHARACTER TRACKING & GRADING IN UTAH

PORTRAIT OF A GRADUATE: EXHIBIT A

An 11-year-old student in Jordan School District, Utah, was asked to grade his own **highly subjective** social-emotional (SEL) character traits as defined by the school in front of his parent, who held very different personal definitions for these traits and did not feel this was an appropriate expectation. The student showed discomfort and uncertainty with the task and did not complete it.

Simplified Portrait of a Graduate (to be expanded) Name _____

Adapted UTAH & JSD Competencies This list represents the essential skills and attributes our scholars should develop to become well-rounded, responsible, and engaged citizens prepared for lifelong success.

4-1 Proficiency Scale as follows: (4) Always (3) Mostly (2) Sometimes (1) Never

Curious Thinkers <input type="checkbox"/> I consider information from multiple sources when learning something new.		✓		
Creative Problem Solvers <input type="checkbox"/> I use tools and resources to create innovative solutions.			✓	
Engaged Citizens <input type="checkbox"/> I am part of a community, and my actions positively impact those around me	✓			
Empathetic Communicators <input type="checkbox"/> I think about how my words impact other people.			✓	
Resilient Lifelong Learners <input type="checkbox"/> I can learn from my mistakes and try again when I fail.			✓	
Responsible Teammates <input type="checkbox"/> I take responsibility for my actions and contribute to the group's productivity.			✓	

Utah schools across the state have adopted one version or another of Portrait of a Graduate (POG). This is one of many POG rubrics intended to track and grade students' **highly subjective** character traits.

HONESTY, INTEGRITY AND RESPONSIBILITY				
6-8	Emerging Competence	Approaching Competence	Competent	Extending Competence
Students will be able to recognize and acknowledge that their choices have intended and unintended outcomes now and in the future	Recognize how to use empathy Describe possible outcomes of choices	Apply empathy Acknowledge that choices have intended and unintended outcomes	Investigate alternative ways to show empathy Recognize and acknowledge choices have intended and unintended outcomes now and in the future	Display empathy while making decisions Determine the best choices based on possible outcomes
Students will be able to be proactive, organized and accountable in order to complete responsibilities, in addition to making contributions that positively impact their peers	Complete responsibilities Understand that contributions will impact peers	Evaluate the best way to complete responsibilities Predict how contributions will impact peers	Be proactive, organized and accountable when completing responsibilities Make contributions that positively impact peers	Predict implications of completed responsibilities Invite others to positively impact peers

STUDENT CHARACTER TRACKING & GRADING IN UTAH

PORTRAIT OF A GRADUATE: EXHIBIT B

5th grade student in Granite School District, Utah, receives grades for many highly subjective social-emotional (SEL) character traits based on the district's own Portrait of a Graduate definitions.

Note that academics are separately graded.

Teacher: _____		Principal: _____		School Year: 2024	
				Grade: 05	
Legend These skills are ranked on your child's ability to demonstrate them independently			Legend These skills are ranked on your child's ability to demonstrate them independently		
4	3	2	1	4	3
Highly Proficient	Proficient	Approaching Proficient	Below Proficient	Highly Proficient	Proficient
Grading Period			Grading Period		
Language Arts			Hard Work & Resilience		
Language Arts 5			3 3 3		
Mathematics			Communication		
Mathematics 5			3 3 3		
Science			Respect		
Science 5			3 3 3		
Social Studies			Responsibility		
			3 3 3		
			Dependability		
			4 3 4		

Graduate of Granite Characteristics	4 Highly Proficient	3 Proficient	2 Approaching Proficient: Needs some additional support	1 Not Proficient: Needs much additional support	0 Not Observed
Hard Work & Resilience: Set personal goals, apply best efforts to achieve them and persevere when faced with challenges and setbacks. <u>Have a well-grounded sense of confidence, optimism and self-efficacy.</u> * <ul style="list-style-type: none"> Actively participate in the classroom Show enthusiasm and positive outlook for learning Persevere through increasingly difficult challenges 	Demonstrates characteristic majority of the time (Consistently)	Demonstrates characteristic most of the time (Frequently)	Demonstrates characteristic some of the time (Occasionally)	Seldom demonstrates characteristic (Rarely)	Unable to
Communication: Communicate effectively to share and understand information in a variety of contexts. * <ul style="list-style-type: none"> Seek help and ask questions when needed <u>Understand how comments and actions impact others and/or the classroom as a whole</u> Work cooperatively in a group or team setting; <u>contribute to own learning and learning of others</u> 	Demonstrates characteristic majority of the time (Consistently)	Demonstrates characteristic most of the time (Frequently)	Demonstrates characteristic some of the time (Occasionally)	Seldom demonstrates characteristic (Rarely)	
Respect: Acknowledge differences by <u>looking for the good in everyone, including oneself, and show due regard for feelings, rights, cultures and traditions.</u> * <ul style="list-style-type: none"> <u>Demonstrate sensitivity and understanding for others</u> Avoid inappropriate language Respect self, others & property 	Demonstrates characteristic majority of the time (Consistently)	Demonstrates characteristic most of the time (Frequently)	Demonstrates characteristic some of the time (Occasionally)	Seldom demonstrates characteristic (Rarely)	
Responsibility: Be trustworthy, ethical, reliable and accountable for individual choices and the results produced. * <ul style="list-style-type: none"> Come to class prepared and use time and materials effectively Follow school and classroom policies regarding use of electronics Demonstrate accountability for actions and <u>consider the implications of choices</u> 	Demonstrates characteristic majority of the time (Consistently)	Demonstrates characteristic most of the time (Frequently)	Demonstrates characteristic some of the time (Occasionally)	Seldom demonstrates characteristic (Rarely)	Unable to observe due to lack of attendance
Dependability: Be reliable and accountable. <ul style="list-style-type: none"> Attend class and arrive on time Follow school procedures for excusing absences 	Has perfect attendance <u>or</u> all absences are excused, and no more than 1 tardy	Has no more than 1 unexcused absence <u>and</u> no more than 2 tardies	Has no more than 2 unexcused absences <u>and</u> no more than 3 tardies	Has no more than 3 unexcused absences <u>and/or</u> no more than 4 tardies	Has 4 or more unexcused absences <u>and/or</u> more than 5 tardies

Elementary Report Card Changes - Graduate of Granite Characteristics and Scores

Dear GSD Patron,

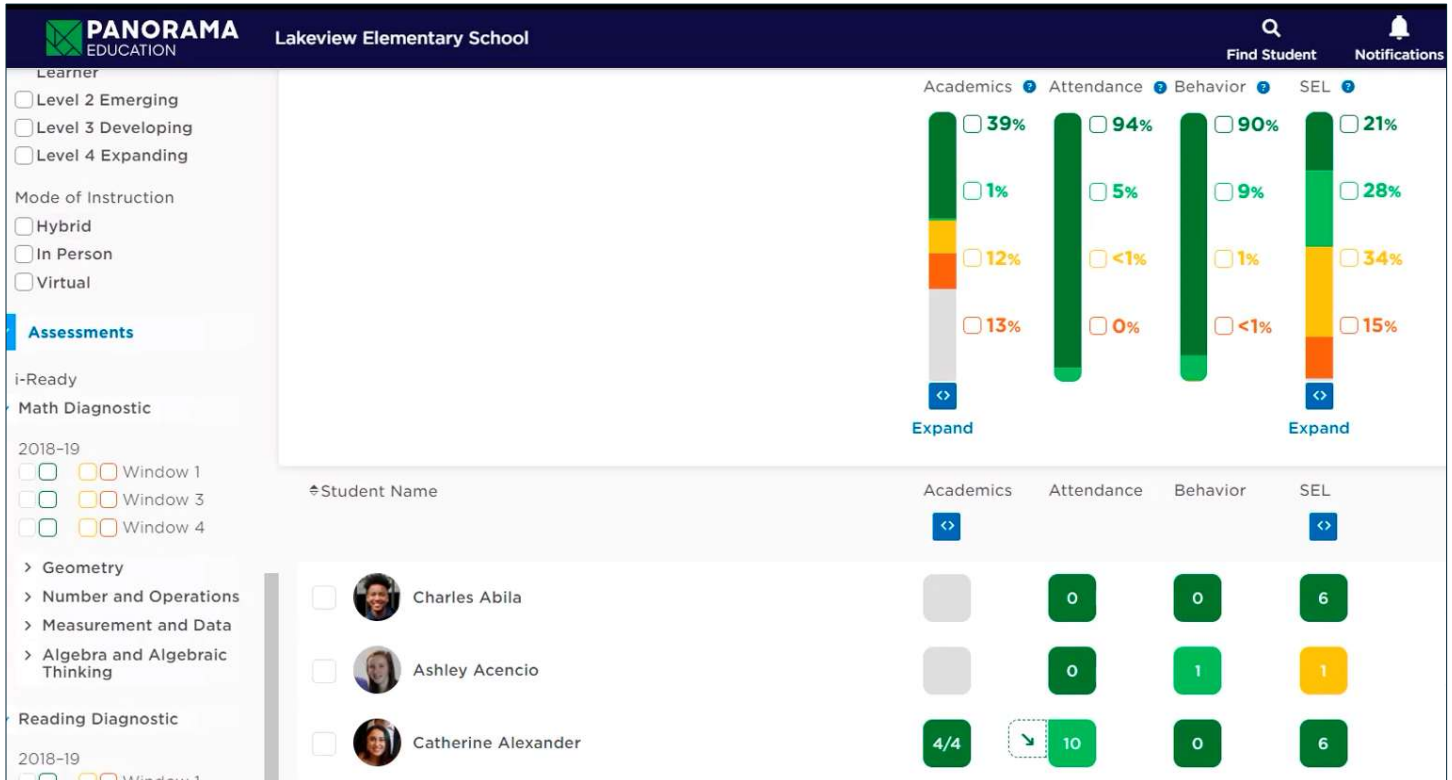
The grading period ended yesterday and report cards will be coming home next week. Elementary report cards have a new format this year. In addition to **academic proficiency** scores, your student will receive a score of 0-4 on the five characteristics of a *Graduate of Granite*: **hard work & resilience, communication, dependability, respect and responsibility.** These characteristics represent the ideal skills and dispositions students should possess upon graduation from Granite School District, and your child's teachers are building foundational skills necessary for future success. Each characteristic has three short descriptors associated with it on the report card. An



STUDENT CHARACTER TRACKING & GRADING IN UTAH

PANORAMA: EXHIBIT C

Over 325 Utah schools use Panorama to measure and track **highly subjective** social-emotional (SEL) character traits of thousands of students in addition to the objective ABCs (Attendance, Behavior, and Coursework). https://schools.utah.gov/datastatistics/_datastatisticsfiles/_reports/_researchreports/_EvaluationPanoramaPlatform.pdf



Sarah's Check In Live

Which students are you checking in with?
This check-in is accessible to 975 students at Lincoln Middle School. The roster was last updated about 2 hours ago.

What do you want to ask your students?
3 questions expected to take 1 minute to complete.

Instructions your students will see
To better support you, your school and teachers would like to ask you some questions about how you think and feel. Only your teachers and school leaders will be able to see your responses, which will not affect your class grades. Please respond honestly—there are no right or wrong answers!


How are you feeling today?

What emotion are you feeling most today?

Would you like to talk privately with an adult from school about how you're feeling or something on your mind?

STUDENT CHARACTER TRACKING & GRADING IN UTAH

PANORAMA: EXHIBIT D



Edward Alvarado

S2 (current)

03/21/2019

Notes

Type a note...

Did you take any actions? (optional)


- Call home
- Classroom observation
- Home visit
- Parent meeting
- Student meeting
- Check-in: Virtual Learning
- Check-in: Basic Needs
- Check-in: SEL
- Challenge: Basic Needs
- Challenge: Tech/Internet Access
- Challenge: Virtual Learning
- Challenge: SEL
- Notes for Back-To-School

Clear
Save

Notes are visible to all colleagues

Self-Management

Students with strong self-management are calm and focused on their work.




Suggestions for how Edward can improve:

Become a focus buddy with a classmate who sits near you. Ask your buddy to encourage you to stay focused if they see you get distracted.


Grit


Students with grit keep trying even when things get hard.



Emotion Regulation

Students with strong emotion regulation stay relaxed and calm, even when things go wrong.






Lakeview Elementary School

Find Student
Notifications
Help

Create individual intervention

* indicates required field



Edward Alvarado

* Intervention type

♥ SEL

* Tier

x Tier 2

Focus area

Sense of Belonging x

Social Awareness x

Positive Feelings x

Maximum 3

* What is the goal of this intervention?

Edward needs to be more aware of his peers, and to be more inclusive. He also doesn't seem like he wants to be at school and has expressed negative statements about school in general.

* Select strategy

Select strategy from library
+ Add custom strategy

Intervention start date

3/21/2019

* Duration

6 weeks
+ Add schedule

STUDENT CHARACTER TRACKING & GRADING IN UTAH

MASTERY TRANSCRIPT: EXHIBIT E

Almost 100 Utah K-12 schools use the Mastery Transcript to measure and track **highly subjective** social-emotional (SEL) character traits of thousands of students as a replacement for or parallel transcript to an academic transcript. Around 12 Utah colleges and universities accept the Mastery Transcript. <https://mastery.org/>

Kavita Singh

Kavita Singh is a STEM enthusiast and social justice-advocate. She is an aspiring biomedical engineer and hopes for her work to have a tangible impact on marginalized communities.

[The Nueva School](#)

10035 95th Ave NE
San Mateo, CA 94403

Credit Profile

Credits Achieved

32

Earned Credits
Group by [credit area](#) ▼

Advanced
Foundational

<p style="margin: 0;">Social and Emotional Acuity 5</p> <ul style="list-style-type: none"> Understanding of Self Understanding of Others Mind-Body Balance Self-Directed Learning Leadership in Learning ★ 	<p style="margin: 0;">Citizenship and Decision-Making 4</p> <ul style="list-style-type: none"> Awareness and Inclusion Responsible Decision-Making Compassionate Integrity ★ Activism and Justice ★
<p style="margin: 0;">Communication and Self-Expression 7</p> <ul style="list-style-type: none"> Cross-Cultural Connection Written Diction and Syntax Digital Media Visual and Artistic Performance Linguistic Systems ★ Visual and Artistic Creation ★ Public Deliberation ★ 	<p style="margin: 0;">Problem-Solving and Critical Analysis 3</p> <ul style="list-style-type: none"> Problem Identification Critical Consumption of Data Technical Design ★
<p style="margin: 0;">Quantitative, Technical, and Scientific Fluency 7</p> <ul style="list-style-type: none"> Technical and Scientific Knowledge 	

CREDITS

COURSES

BADGES

MASTERY
TRANSCRIPT
CONSORTIUM™

STUDENT CHARACTER TRACKING & GRADING IN UTAH

THE DIGNITY INDEX: EXHIBIT F

Multiple Utah public school districts, most notably Salt Lake City School District, are using the Dignity Index as a tool to measure and score the political and social value and merit of students' **highly subjective** social-emotional (SEL) speech.

8

"Each one of us is born with inherent worth, so we treat everyone with dignity—no matter what."

7

"We fully engage with the other side, discussing even values and interests we don't share, open to admitting mistakes or changing our minds."

6

"We always talk to the other side, searching for the values and interests we share."

5

"The other side has a right to be here and a right to be heard. It's their country too."

4

"We're better than those people. They don't really belong. They're not one of us."

3

"We're the good people and they're the bad people. It's us vs. them."

2

"Those people are evil and they're going to ruin our country if we let them. It's us or them."

1

"They're not even human. It's our moral duty to destroy them before they destroy us."

LEARN MORE AT [DIGNITY.US](https://dignity.us)

The Dignity Index
February 16, 2023

Tami Pyfer discusses the goals of The Dignity Index on Utah Public Radio. Link in bio. #dignity #respect #education #politics #politicalpolarization

What if we applied the social and emotional learning we teach our children in school, to politics?

THE DIGNITY INDEX

The Dignity Index
February 17, 2023

Start with yourself, and join us to change political behavior on a national stage. #dignity #respect #politics #uspolitics #politicalpolarization

WANT TO CHANGE BEHAVIOR?

1. LABEL IT

2. MEASURE IT

3. INTERVENE

THE DIGNITY INDEX

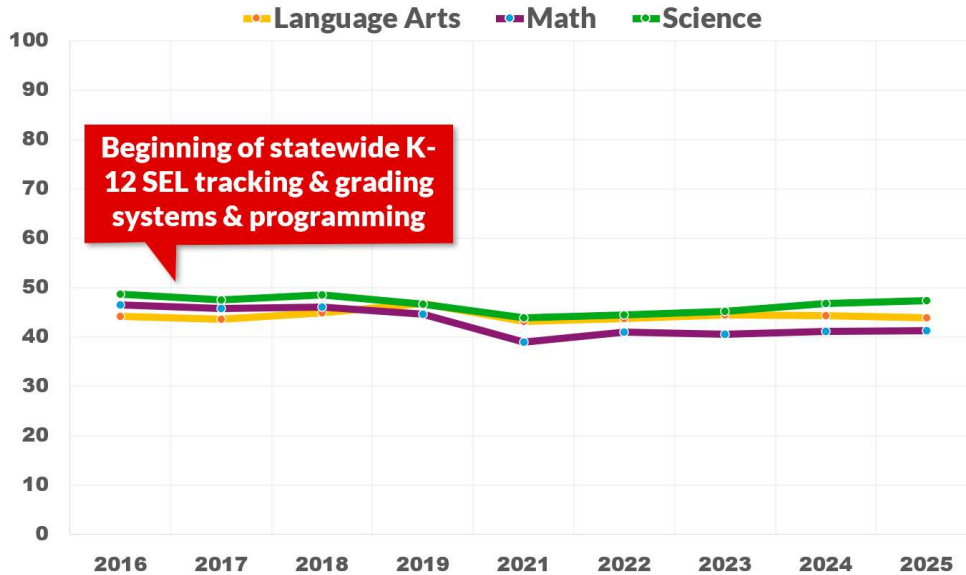
CLAIM

Character education, or Social Emotional Learning (SEL), brings an 11:1 return on investment. (2015 Columbia University study commissioned by CASEL)

FACT

10 years of SEL in Utah's schools has made **zero improvement** in student academic performance, which has actually either decreased or remained stagnant.

Academics: 10 years of downhill Utah student achievement State Proficiency Tests 2016-2025



SOURCES

Cortez, Marjorie. "Reported SAGE Scores Largely Unchanged from 2017, but Fewer Students Opt Out." *Deseret News*, 14 Sept. 2018. www.deseret.com/2018/9/13/20653481/reported-sage-scores-largely-unchanged-from-2017-but-fewer-students-opt-out/. Accessed 8 Feb. 2026.

Schmidt, Kelly. "Utah Students' SAGE Test Scores Dropped in All Subjects Last Year." *The Salt Lake Tribune*, 11 Sept. 2017. www.sltrib.com/news/2017/09/11/utahs-sage-scores-dipped-in-all-subjects-last-year/. Accessed 8 Feb. 2026.

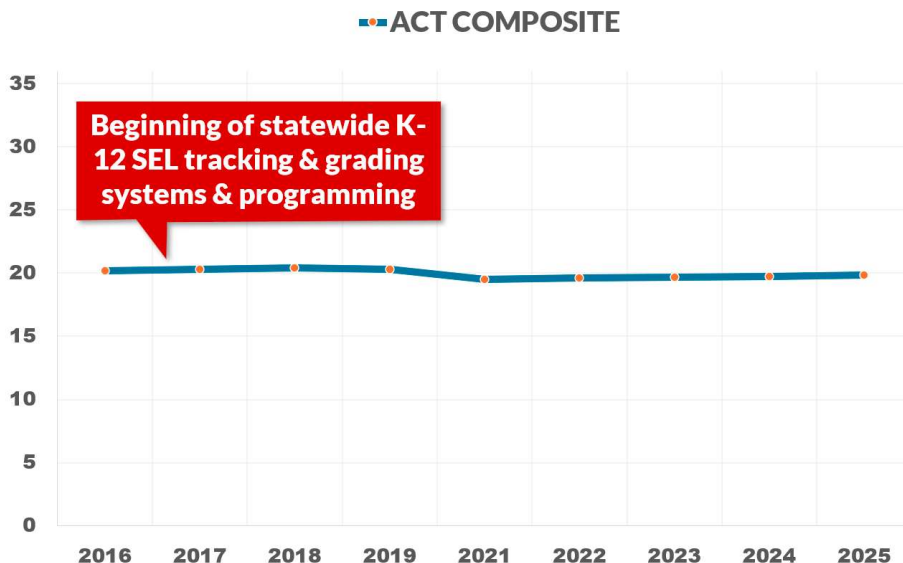
Utah Foundation. *UTAH K-12 SPENDING SERIES: PART 2 | a Level Playing Field? Funding for Utah Students at Risk of Academic Failure*. 2018.

"- USBE Data Gateway." *Utah.gov*. 2026. datagateway.schools.utah.gov/Assessment/StudentProficiency/2025/StudentProficiencyPublic. Accessed 8 Feb. 2026.

Utah State Board of Education. *Revised State Template for the Consolidated State Plan*. 2017.

---. *Revised State Template for the Consolidated State Plan*. 2017.

Academics: 10 years of flatlined Utah student achievement ACT Testing 2016-2025



SOURCES

Joe, Shelby, et al. "ACT Test Scores by State for Class of 2016." *Piqosity*, 22 Sept. 2016. www.piqosity.com/2016/09/21/act-test-scores-by-state-for-class-of-2016/. Accessed 8 Feb. 2026.

"- USBE Data Gateway." *Utah.gov*. 2026. datagateway.schools.utah.gov/Assessment/Act?action=Index. Accessed 8 Feb. 2026.

ACT. "The Condition of College and Career Readiness 2017: Utah Key Findings." ACT, 2017.

ACT. "The Condition of College & Career Readiness 2018: Utah Key Findings." ACT, 2018.

ACT. "The Condition of College & Career Readiness 2019: Utah Key Findings." ACT, 2019.

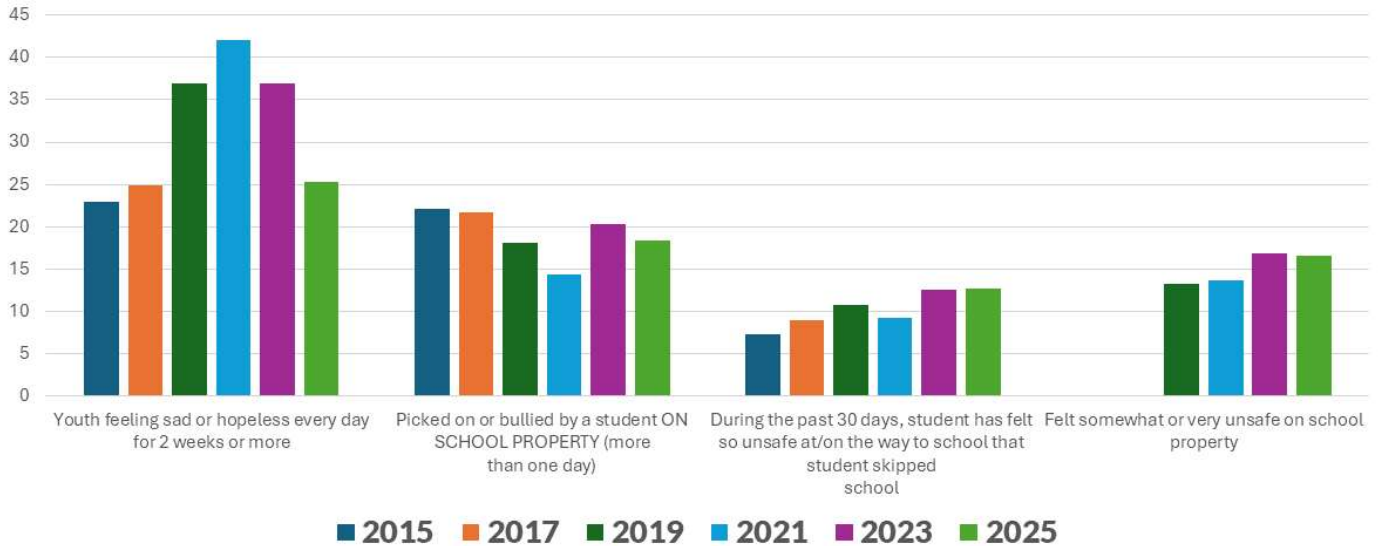
CLAIM

Character education, or Social Emotional Learning (SEL), contributes to healthy well-being and safe schools. (Collaborative for Academic Social and Emotional Learning [CASEL])

FACT

10 years of SEL in Utah's schools has delivered **zero or negligible** gains in perceived student well-being or school safety.

Mental Health & Safety: 10+ years of worsened student outcomes with increased SEL Utah Youth Risk Behavior Survey Results 2015-2025



SOURCES Bach Harrison. *Student Health and Risk Prevention: 2015 Prevention Needs Assessment Survey Results (PNA)*. Nov. 2015. Bach Harrison. *Student Health and Risk Prevention Survey: 2017 Prevention Needs Assessment Survey Results*. 2017. Bach Harrison. *Student Health and Risk Prevention: 2019 Prevention Needs Assessment Survey*. 2019. Bach Harrison. *Student Risk and Health Prevention: 2025 SHARP Survey (Prevention Needs Assessment) Results for State of Utah*. 2025.

SALT LAKE CITY (KUTV) — Funding for mental health screenings, crisis intervention and other efforts have increased \$60 million over the last three years.

Since 2019, the Utah State Legislature has added money to school budgets to help pay for mental health experts in what some described as an unprecedented increase.

The money is ongoing, meaning it will likely stay the same or increase in the years to come.

Chris Jones, KUTV, Wed, May 25, 2022 <https://kutv.com/news/crisis-in-the-classroom/utah-increases-funding-for-mental-health-resources-in-schools>

CLAIM

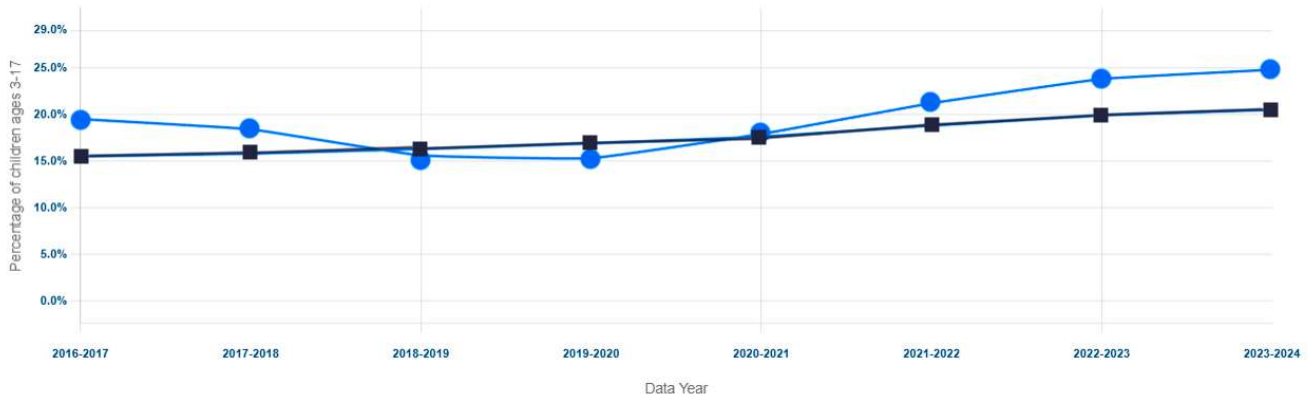
Character education, or Social Emotional Learning (SEL), cultivates protective factors that buffer against mental health risks. (Collaborative for Academic Social and Emotional Learning [CASEL])

FACT

10 years of SEL in Utah's schools correlates with one of the worst rates of poor mental health diagnoses in the entire nation, affecting **25%** of children in the state.

Mental Health Conditions (Diagnosed) - Children Trends

Percentage of children ages 3-17 told by a health care provider that they currently have ADHD, depression, or anxiety problems; or told by a doctor or educator that they have behavior or conduct problems (2-year estimate)



● Utah
■ United States

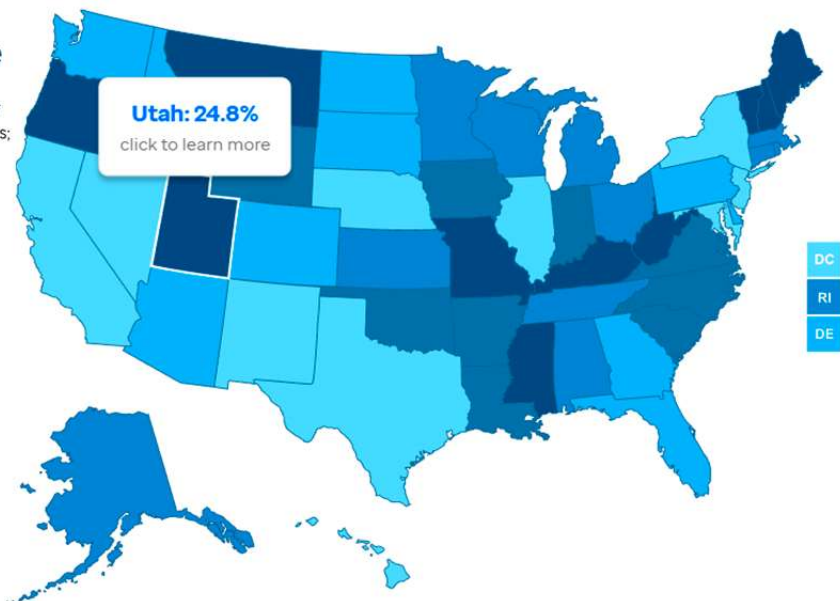
Source: U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau, National Survey of Children's Health

Mental Health Conditions (Diagnosed) - Children by State

Percentage of children ages 3-17 told by a health care provider that they currently have ADHD, depression, or anxiety problems; or told by a doctor or educator that they have behavior or conduct problems (2-year estimate)

SOURCE

"Explore Mental Health Conditions (Diagnosed) - Children in Utah | AHR." *Americashealthrankings.org*, 2025, www.americashealthrankings.org/explore/measures/mentalhealthconditions_overall/UT.



Data from U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau, National Survey of Children's Health, 2023-2024



Let schools
judge objective
academics,
and leave the
judging of a
child's character
to God.