



Sunset Review Process

Guidelines

Section [63I-1-103](#) provides guidelines for a committee conducting a sunset review and for the agencies that oversee the statutes due for review.

Committee Questions

1. Is the program **necessary**?
2. Is the program **accomplishing its objective**?
3. Are there ways to **improve it**?

Committee Options

1. Allow the program to expire without legislative action
2. Recommend legislation

<i>Options:</i>	
<i>Reauthorize program</i>	<i>For a specific time period</i>
	<i>OR</i>
	<i>Remove the sunset date to make it permanent</i>
<i>Repeal program</i>	
<i>Improve program</i>	

Education Statutes for Sunset Review, 2026 Interim

See [63I-1-253](#)

Statutes in six areas will repeal in 2027 and 2028. Details about the sunseting programs are listed below.

Higher Education Code

- Higher Education and Corrections Council (pages 1-2)
- Food Security Council (page 2)

Public Education Code

- Capital Projects Evaluation Panel (page 3)
- Coordinating councils for youth in custody (pages 3-4)
- Private right of action related to education environment requirements (page 4)
- Standards Review Committees (page 4)

Higher Education Code

Higher Education and Corrections Council	
Affected Code	53H-1-604 53H-1-402(1)(k) 53E-1-201(1)(r)
Sunset Date	July 1, 2027
Code Description	Statute tasks the Higher Education and Corrections Council (council) to advise the Utah Board of Higher Education (board) on developing and



	<p>delivering higher education curriculum to individuals in the state’s correctional system.</p> <p>Duties of the 11-member council include:</p> <ul style="list-style-type: none"> • Coordinate and facilitate higher education delivered in Utah’s correctional facilities, including county jails under contract with the Department of Corrections (department). • Make recommendations to the board and department on effective delivery of higher education to incarcerated persons. For example, evidence-based practices, ways to facilitate timely course completion, and emphasizing programs that provide sustainable wages following release. • Explore options and make recommendations for collecting data, such as enrollment and completion rates, federal and state aid awards, and outcomes for formerly incarcerated individuals. • Recommend requests for legislative appropriations to the board. • Report to the Education Interim Committee annually.
Background	Established in 2022 by H.B. 226 .
Funding Information	\$111,100 ongoing from the General Fund to the Department of Corrections (2023 COBI).

Food Security Council	
Affected Code	53H-4-313
Sunset Date	July 1, 2027
Code Description	<p>Statute tasks the 15-member Food Security Council (council) with coordinating statewide efforts to address food security. The council is housed at Utah State University.</p> <p>Other council duties include:</p> <ul style="list-style-type: none"> • Develop statewide goals and messaging about food security and nutrition. • Ensure any state programs that receive federal funding from the U.S. Department of Agriculture’s Nutrition Service provide consistent and coordinated messaging on nutrition education. • Promote programs and activities that advance Utah food products and that contribute to healthy eating and active lifestyles. • Share statewide goals and messaging to state agencies. • Report to the Education Interim Committee annually.
Background	Created in 2022 by S.B. 133 .
Funding Information	\$75,000 ongoing from the General Fund to Utah State University for the council (2023 COBI).



Public Education Code

Capital Project Evaluation Panel	
Affected Code	53F-10-201 53F-10-202
Sunset Date	July 1, 2027
Code Description	<p>The Capital Projects Evaluation Panel (panel) is responsible for reviewing, prioritizing, and approving proposals for state funding of public education capital projects.</p> <p>The state superintendent and governor appoint seven members to the panel.</p> <p>Duties of the panel include, among other things:</p> <ul style="list-style-type: none"> • Determine criteria for allowed uses of capital project fund resources. • Determine criteria for the prioritization of proposed capital projects, including the extent to which a proposed project does things like: eliminate risks to student life and safety through renewal or replacement; address essential program growth and capacity; and provide a cost-effective solution appropriate for the facility’s needs, among other things. • Prioritize capital development projects. • Evaluate capital development project proposals for viability, efficiency, and adherence to construction standards. • Report on the panel’s activities to the Utah State Board of Education.
Background	Created in 2022 by H.B. 475 .
Funding Information	53F-10-102(2) : “The state board may fund direct costs and administration of the panel, not to exceed \$200,000.”

Coordinating Councils for Youth in Custody	
Affected Code	53E-3-503(5) and (6)
Sunset Date	July 1, 2027
Code Description	<p>Statute directs the Utah State Board of Education (state board) and the Department of Health and Human Services to appoint a coordinating council to address issues for students in the custody of the Division of Juvenile Justice and Youth Services (JJYS) and the Division of Child and Family Services (DCFS).</p> <p>The coordinating council’s responsibilities include planning, coordinating, and recommending budget, policy, and program guidelines for the treatment of individuals in JJYS and DCFS custody.</p> <p>School districts contracting to provide educational, administrative, and support services must establish an advisory council to plan, coordinate, and review education and treatment programs for individuals held in custody in the district.</p>



Background	Legislative actions: <ul style="list-style-type: none"> • 1979: Created the coordinating council provisions. • 2020: Added the sunset provision (H.B. 10).
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Private Rights of Action Related to Education Environment Requirements	
Affected Code	53E-2-304(6) 53E-7-207(7)
Sunset Date	July 1, 2027
Code Description	<p>Existing statute provides the following:</p> <ul style="list-style-type: none"> • Requires public schools to provide an education to all students in the least restrictive environment possible that does not (1) threaten serious bodily injury to teachers, staff, or other students, or (2) create a behavior pattern that interferes substantially and materially with instruction of other students in the classroom. • Requires public schools to provide an educational environment for all students, staff, and educators that is (1) free from repeated verbal or physical harassment and (2) does not pose a threat of serious bodily injury. • Prohibits individuals from suing local education agencies for issues related to these requirements. <p>The provision prohibiting a private right of action or a waiver of immunity for these requirements is set to sunset.</p>
Background	Established in 2024 by H.B. 347 .

Standards Review Committees	
Affected Code	53E-4-202(8)(b) 53E-4-203
Sunset Date	January 1, 2028
Code Description	<p>Statute requires the Utah State Board of Education (state board) to establish a standards review committee in seven subject areas. The purpose is to (1) review Utah’s core standards and (2) recommend to the state board revisions to those standards.</p> <p>Subject areas required to have a standards review committee include: English language arts, mathematics, science, social studies, fine arts, physical education and health, and early childhood education.</p> <p>Statute outlines the membership, timelines, and processes for the standards review committees.</p>
Background	Legislative actions: <ul style="list-style-type: none"> • 2014: Created standards review committees (H.B. 342).



	<ul style="list-style-type: none">• 2021: Updated provisions for appointing committee members, including a requirement that the state board notify the House Speaker and Senate President before establishing a committee (H.B. 378).• 2022: Extended the sunset date by five years (S.B. 21).
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