

**Effective 5/7/2025**

**53G-6-204 School-age children exempt from school attendance.**

- (1)
  - (a) A local school board or charter school governing board may excuse a school-age child from attendance for any of the following reasons:
    - (i) a school-age child over 16 years old may receive a partial release from school to enter employment, or attend a trade school, if the school-age child has completed grade 8; or
    - (ii) on an annual basis, a school-age child may receive a full release from attending a public, regularly established private, or part-time school or class if:
      - (A) the school-age child has already completed the work required for graduation from high school;
      - (B) the school-age child is in a physical or mental condition, certified by a competent physician or physician assistant if required by the local school board or charter school governing board, which renders attendance inexpedient and impracticable;
      - (C) proper influences and adequate opportunities for education are provided in connection with the school-age child's employment; or
      - (D) the district superintendent or charter school governing board has determined that a school-age child over 16 years old is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.
  - (b) A school-age child receiving a partial release from school under Subsection (1)(a)(i) is required to attend:
    - (i) school part time as prescribed by the local school board or charter school governing board; or
    - (ii) a home school part time.
  - (c) In each case, evidence of reasons for granting an exemption under Subsection (1) must be sufficient to satisfy the local school board or charter school governing board.
  - (d) A local school board or charter school governing board that excuses a school-age child from attendance as provided by this Subsection (1) shall issue a certificate that the child is excused from attendance during the time specified on the certificate.
- (2)
  - (a) A parent or legal guardian of a school-age child who attends a home school is solely responsible for:
    - (i) the selection of instructional materials and textbooks;
    - (ii) the time, place, and method of instruction; and
    - (iii) the evaluation of the home school instruction.
  - (b) A local school board may not:
    - (i) require a parent or legal guardian of a school-age child who attends a home school to maintain records of instruction or attendance;
    - (ii) require credentials for individuals providing home school instruction;
    - (iii) inspect home school facilities; or
    - (iv) require standardized or other testing of home school students.
  - (c) Upon the request of a parent or legal guardian, a local school board shall identify the knowledge, skills, and competencies a student is recommended to attain by grade level and subject area to assist the parent or legal guardian in achieving college and career readiness through home schooling.
- (3) When a parent withdraws an enrolled school-age child from school for the purpose of home-schooling, or chooses not to enroll a school-age child, the parent shall provide a one-time initial

notification, that may include a letter of intent, to the local school board of the school-age child's district of residence.

- (4) A local school board may not require a notification described in Subsection (3) if a parent of a school-age child provided a notification to the local school board on or before May 7, 2025, including through a home-school affidavit.
- (5) Upon receiving the notification in Subsection (3):
  - (a) the local school board shall:
    - (i) maintain a record of the notification; and
    - (ii) acknowledge receipt of the notification to the parent within 30 days; and
  - (b) the local school board and school of enrollment are not liable for the education or services of the school-age child.
- (6)
  - (a) Nothing in this section may be construed to prohibit or discourage voluntary cooperation, resource sharing, or testing opportunities between a school or school district and a parent or legal guardian of a child attending a home school.
  - (b) The exemptions in this section apply regardless of whether:
    - (i) a parent or legal guardian provides education instruction to the parent's or legal guardian's child alone or in cooperation with other parents or legal guardians similarly exempted under this section; or
    - (ii) the parent or legal guardian makes payment for educational services the parent's or legal guardian's child receives.

Amended by Chapter 173, 2025 General Session

Amended by Chapter 284, 2025 General Session

Amended by Chapter 370, 2025 General Session