

**Effective 1/24/2018**

**Part 2**  
**Miscellaneous Requirements**

**53G-9-201 Definitions.**

Reserved

Enacted by Chapter 3, 2018 General Session

**53G-9-202 Notification to the parent of an injured or sick child.**

- (1) A public school shall notify the custodial parent and, if requested in writing by a noncustodial parent, make reasonable efforts to notify the noncustodial parent of a student who is injured or becomes ill at the school during the regular school day if:
  - (a) the injury or illness requires treatment at a hospital, doctor's office, or other medical facility not located on the school premises; and
  - (b) the school has received a current telephone number for the party it is required to notify or make reasonable efforts to notify.
- (2)
  - (a) Subsection (1) does not apply to a noncustodial parent forbidden to have contact with the student under a court order or similar procedure.
  - (b) The custodial parent is responsible for providing the school with the noncustodial parent's status under Subsection (2)(a) through a procedure adopted by the local school board.

Renumbered and Amended by Chapter 3, 2018 General Session

**53G-9-203 Definitions -- School personnel -- Medical recommendations -- Exceptions -- Penalties.**

- (1) As used in this section:
  - (a) "Health care professional" means a physician, physician assistant, nurse, dentist, or mental health therapist.
  - (b) "School personnel" means a school district or charter school employee, including a licensed, part-time, contract, or nonlicensed employee.
- (2) School personnel may:
  - (a) provide information and observations to a student's parent about that student, including observations and concerns in the following areas:
    - (i) progress;
    - (ii) health and wellness;
    - (iii) social interactions;
    - (iv) behavior; or
    - (v) topics consistent with Subsection 53E-9-203(6);
  - (b) communicate information and observations between school personnel regarding a child;
  - (c) refer students to other appropriate school personnel and agents, consistent with local school board or charter school policy, including referrals and communication with a school counselor or other mental health professionals working within the school system;
  - (d) consult or use appropriate health care professionals in the event of an emergency while the student is at school, consistent with the student emergency information provided at student enrollment;

- (e) exercise their authority relating to the placement within the school or readmission of a child who may be or has been suspended or expelled for a violation of Section 53G-8-205; and
  - (f) complete a behavioral health evaluation form if requested by a student's parent to provide information to a licensed physician or physician assistant.
- (3) School personnel shall:
- (a) report suspected child abuse consistent with Section 80-2-602;
  - (b) comply with applicable state and local health department laws, rules, and policies; and
  - (c) conduct evaluations and assessments consistent with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., and its subsequent amendments.
- (4) Except as provided in Subsection (2), Subsection (6), and Section 53G-9-604, school personnel may not:
- (a) recommend to a parent that a child take or continue to take a psychotropic medication;
  - (b) require that a student take or continue to take a psychotropic medication as a condition for attending school;
  - (c) recommend that a parent seek or use a type of psychiatric or psychological treatment for a child;
  - (d) conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child, except where this Subsection (4)(d) conflicts with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., and its subsequent amendments; or
  - (e) make a child abuse or neglect report to authorities, including the Division of Child and Family Services, solely or primarily on the basis that a parent refuses to consent to:
    - (i) a psychiatric, psychological, or behavioral treatment for a child, including the administration of a psychotropic medication to a child; or
    - (ii) a psychiatric or behavioral health evaluation of a child.
- (5) Notwithstanding Subsection (4)(e), school personnel may make a report that would otherwise be prohibited under Subsection (4)(e) if failure to take the action described under Subsection (4)(e) would present a serious, imminent risk to the child's safety or the safety of others.
- (6) Notwithstanding Subsection (4), a school counselor or other mental health professional acting in accordance with Title 58, Chapter 60, Mental Health Professional Practice Act, or licensed through the state board, working within the school system may:
- (a) recommend, but not require, a psychiatric or behavioral health evaluation of a child;
  - (b) recommend, but not require, psychiatric, psychological, or behavioral treatment for a child;
  - (c) conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child in accordance with Section 53E-9-203; and
  - (d) provide to a parent, upon the specific request of the parent, a list of three or more health care professionals or providers, including licensed physicians, physician assistants, psychologists, or other health specialists.
- (7) Local school boards or charter schools shall adopt a policy:
- (a) providing for training of appropriate school personnel on the provisions of this section; and
  - (b) indicating that an intentional violation of this section is cause for disciplinary action consistent with local school board or charter school policy and under Section 53G-11-513.
- (8) Nothing in this section shall be interpreted as discouraging general communication not prohibited by this section between school personnel and a student's parent.

Amended by Chapter 335, 2022 General Session

**53G-9-204 Nursing services in the public schools -- Collaborative efforts.**

- (1)
  - (a) Students in the state's public schools are better protected against risks to health and safety when schools have school nurses readily available to assist in providing educational and nursing services in the public schools.
  - (b) Educational and nursing services would be further enhanced if offered with the active support and participation of local public health departments and private medical providers, most particularly in those areas of the state without currently functioning collaborative programs.
  - (c)
    - (i) LEAs, local health departments, private medical providers, and parents of students shall work together in determining needs and risks to student health in the state's public schools and in developing and implementing plans to meet those needs and minimize risks to students.
    - (ii) School community councils or school directors of affected schools shall review the plans before the implementation of the plans.
- (2) LEAs are encouraged to provide nursing services equivalent to:
  - (a) the services of one school nurse for every 2,000 students; or
  - (b) in LEAs with fewer than 2,000 students, the level of services recommended by the Department of Health.

Amended by Chapter 214, 2022 General Session

**53G-9-205 School Breakfast Program -- Review of nonparticipants -- Reporting.**

- (1)
  - (a) Beginning with the 2020-21 academic year, each LEA governing board shall annually review each school in the LEA governing board's authority that does not participate in the School Breakfast Program as to the school's reasons for nonparticipation.
  - (b) Reasons for nonparticipation may include a recommendation from the respective school community council authorized under Section 53G-7-1202 or charter trust land council established under Section 53G-7-1205.
- (2) The requirements of this section shall be nullified by the termination of the entitlement status of the School Breakfast Program by the federal government.

Amended by Chapter 21, 2020 General Session

**53G-9-205.1 Start Smart Utah Program.**

- (1) As used in this section:
  - (a) "Alternative breakfast service model" means a method of serving breakfast to a student after the instructional day begins.
  - (b) "National School Lunch Program" means the same as that term is defined in 7 C.F.R. Sec. 210.2.
  - (c) "Public school" means:
    - (i) a school under the control of a school district;
    - (ii) a charter school; or
    - (iii) the Utah Schools for the Deaf and the Blind.
  - (d) "School Breakfast Program" means the same as that term is defined in 7 C.F.R. Sec. 220.2.
  - (e) "Start Smart Utah Program" or "program" means the Start Smart Utah Program created in Subsection (2).

- (f) "Traditional breakfast service model" means a method of serving breakfast to a student before the instructional day begins.
- (2)
- (a) There is created the Start Smart Utah Program.
- (b) Except as provided in Subsection (3), a public school that participates in the National School Lunch Program shall participate in the School Breakfast Program.
- (c)
- (i) Beginning with the 2021-22 school year, a public school in which 70% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
- (ii) Beginning with the 2022-23 school year, a public school in which 50% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
- (iii) Beginning with the 2023-24 school year, a public school in which 30% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
- (d) Notwithstanding Subsection (2)(c):
- (i) a public school that is subject to the requirements described in Subsection (2)(c) may use a traditional breakfast service model in addition to an alternative breakfast service model; and
- (ii) a public school in which 70% or more of the students who qualify for free or reduced lunch participate in the School Breakfast Program is exempt from the requirements described in Subsection (2)(c).
- (3)
- (a) A public school may apply to the state board for a waiver of the requirements described in Subsection (2), if the requirements cause undue hardship.
- (b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to create a waiver application, submission, review, and approval process.
- (4) The state board shall:
- (a) administer the program in accordance with this section and in conjunction with the state board's duties as the administering agency of federal child nutrition programs;
- (b) track implementation of alternative breakfast service models in public schools; and
- (c) provide guidance and technical assistance to public schools related to implementing the Start Smart Utah Program in accordance with the requirements of this section, including assistance with soliciting parent feedback on the program.
- (5) The requirements of this section shall be nullified by the termination of the entitlement status of the School Breakfast Program by the federal government.

Amended by Chapter 292, 2021 General Session

**53G-9-206 Eye protective devices for industrial education, physics laboratory, and chemistry laboratory activities.**

- (1) Any individual who participates in any of the following activities in public or private schools that may endanger his vision shall wear quality eye protective devices:
- (a) industrial education activities that involve:
- (i) hot molten metals;
- (ii) the operation of equipment that could throw particles of foreign matter into the eyes;
- (iii) heat treating, tempering, or kiln firing of any industrial materials;
- (iv) gas or electric arc welding; or
- (v) caustic or explosive material;

- (b) chemistry or physics laboratories when using caustic or explosive chemicals, and hot liquids and solids.
- (2) "Quality eye protective devices" means devices that meet the standards of the American Safety Code for Head, Eye, and Respiratory Protection, Z2.1-1959, promulgated by the American Standards Association, Inc.
- (3)
  - (a) The local school board shall furnish these protective devices to individuals involved in these activities.
  - (b) The local school board may sell these protective devices at cost or rent or loan them to individuals involved in these activities.

Amended by Chapter 293, 2019 General Session

***Superseded 7/1/2024***

**53G-9-207 Child sexual abuse prevention.**

- (1) As used in this section, "school personnel" means the same as that term is defined in Section 53G-9-203.
- (2) The state board shall approve, in partnership with the Department of Human Services, age-appropriate instructional materials for the training and instruction described in Subsections (3) (a) and (4).
- (3)
  - (a) A school district or charter school shall provide, once every three years, training and instruction on child sexual abuse and human trafficking prevention and awareness to:
    - (i) school personnel in elementary and secondary schools on:
      - (A) responding to a disclosure of child sexual abuse in a supportive, appropriate manner;
      - (B) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; and
      - (C) the mandatory reporting requirements described in Sections 53E-6-701 and 80-2-602; and
    - (ii) parents of elementary school students on:
      - (A) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; and
      - (B) effective, age-appropriate methods for discussing the topic of child sexual abuse with a child.
  - (b) A school district or charter school shall use the instructional materials approved by the state board under Subsection (2) to provide the training and instruction to school personnel and parents under Subsection (3)(a).
- (4)
  - (a) In accordance with Subsections (4)(b) and (5), a school district or charter school may provide instruction on child sexual abuse and human trafficking prevention and awareness to elementary school students using age-appropriate curriculum.
  - (b) A school district or charter school that provides the instruction described in Subsection (4) (a) shall use the instructional materials approved by the state board under Subsection (2) to provide the instruction.
- (5)
  - (a) An elementary school student may not be given the instruction described in Subsection (4) unless the parent of the student is:

- (i) notified in advance of the:
  - (A) instruction and the content of the instruction; and
  - (B) parent's right to have the student excused from the instruction;
- (ii) given an opportunity to review the instructional materials before the instruction occurs; and
- (iii) allowed to be present when the instruction is delivered.
- (b) Upon the written request of the parent of an elementary school student, the student shall be excused from the instruction described in Subsection (4).
- (c) Participation of a student requires compliance with Sections 53E-9-202 and 53E-9-203.
- (6) A school district or charter school may determine the mode of delivery for the training and instruction described in Subsections (3) and (4).
- (7) Upon request of the state board, a school district or charter school shall provide evidence of compliance with this section.

Amended by Chapter 86, 2024 General Session

***Effective 7/1/2024***

**53G-9-207 Child sexual abuse prevention.**

- (1) As used in this section:
  - (a)
    - (i) "Age-appropriate instructional material" means materials that provide instruction on:
      - (A) the responsibility of adults for the safety of children;
      - (B) how to recognize uncomfortable inner feelings;
      - (C) how to say no and leave an uncomfortable situation;
      - (D) how to set clear boundaries; and
      - (E) the importance of discussing uncomfortable situations with parents and other trusted adults.
    - (ii) "Age-appropriate instructional material" does not include materials that:
      - (A) invites a student to share personal experiences about abuse during instruction;
      - (B) gives instruction regarding consent as described in Section 76-5-406; or
      - (C) includes sexually explicit language or depictions.
  - (b) "Alternative provider" means a provider other than the provider selected by the state board under Subsection (8) that provides the training and instruction described in Subsection (4) with instructional materials approved under Subsection (2).
  - (c) "School personnel" means the same as that term is defined in Section 53G-9-203.
- (2) The state board shall approve, in partnership with the Department of Health and Human Services, age-appropriate instructional materials for the training and instruction described in Subsections (3)(a) and (4).
- (3)
  - (a) An LEA shall provide, once every three years, training and instruction on child sexual abuse and human trafficking prevention and awareness to:
    - (i) school personnel in elementary and secondary schools on:
      - (A) responding to a disclosure of child sexual abuse in a supportive, appropriate manner;
      - (B) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; and
      - (C) the mandatory reporting requirements described in Sections 53E-6-701 and 80-2-602; and
    - (ii) parents of elementary school students on:

- (A) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; and
  - (B) effective, age-appropriate methods for discussing the topic of child sexual abuse with a child.
- (b) An LEA:
- (i) shall use the instructional materials approved by the state board under Subsection (2) to provide the training and instruction under Subsections (3)(a) and (4); or
  - (ii) may use instructional materials the LEA creates to provide the instruction and training described in Subsections (3)(a) and (4), if the LEA's instructional materials are approved by the state board under Subsection (2).
- (4)
- (a) In accordance with Subsections (4)(b) and (5), an LEA may provide instruction on child sexual abuse and human trafficking prevention and awareness to elementary school students using age-appropriate curriculum.
  - (b) An LEA that provides the instruction described in Subsection (4)(a) shall use the instructional materials approved by the state board under Subsection (2) to provide the instruction.
- (5)
- (a) An elementary school student may not be given the instruction described in Subsection (4) unless the parent of the student is:
    - (i) notified in advance of the:
      - (A) instruction and the content of the instruction; and
      - (B) parent's right to have the student excused from the instruction;
    - (ii) given an opportunity to review the instructional materials before the instruction occurs; and
    - (iii) allowed to be present when the instruction is delivered.
  - (b) Upon the written request of the parent of an elementary school student, the student shall be excused from the instruction described in Subsection (4).
  - (c) Participation of a student requires compliance with Sections 53E-9-202 and 53E-9-203.
- (6) An LEA may determine the mode of delivery for the training and instruction described in Subsections (3) and (4).
- (7) Upon request of the state board, an LEA shall provide evidence of compliance with this section.
- (8) The state board shall select a provider to provide the training and instruction described in Subsection (4), including requiring the provider selected to:
- (a) engage in outreach efforts to support more schools to participate in the training and instruction;
  - (b) provide materials for the instruction involving students in accordance with Subsection (4);
  - (c) provide an outline of how many LEAs, schools, and students the provider could service; and
  - (d) submit a report to the state board that includes:
    - (i) information on the LEAs the provider engaged with in the outreach efforts, including:
      - (A) how many schools within an LEA increased instructional offerings for training and instruction; and
      - (B) the reasons why an LEA chose to participate or not in the offered training or instruction;
    - (ii) the number of schools and students that received the training and instruction;
    - (iii) budgetary information regarding how the provider utilized any funds the state board allocated; and
    - (iv) additional information the state board requests.

- (9) Subject to legislative appropriation, there is created a grant program to support an LEA that chooses to use an alternative provider other than the provider selected by the state board under Subsection (8) to provide the training and instruction described in Subsection (4).
- (10) The state board shall:
  - (a) establish a process to select alternative providers for an LEA to use, including:
    - (i) an application process for a provider to become an alternative provider;
    - (ii) required criteria for a provider to become an alternative provider; and
    - (iii) relevant timelines;
  - (b) create a process for an LEA to receive a grant award described in Subsection (9), including:
    - (i) an application process;
    - (ii) relevant timelines; and
    - (iii) a scoring rubric and corresponding formula for determining a grant amount; and
  - (c) make grant awards on a first come first served basis until the state board distributes all appropriated funds.
- (11) An LEA that receives a grant award described in Subsection (10)(b) shall:
  - (a) use the grant award to cover the costs needed for implementation of the training or instruction described in Subsection (4); and
  - (b) upon request of the state board, provide an itemized list of the uses of the grant award.

Amended by Chapter 520, 2024 General Session

**53G-9-208 Sunscreen -- Possession -- Administration -- Immunity.**

- (1) As used in this section, "sunscreen" means a compound topically applied to prevent sunburn.
- (2) A public school shall permit a student, without a parent's, physician's, or physician assistant's authorization, to possess or self-apply sunscreen that is regulated by the Food and Drug Administration.
- (3) If a student is unable to self-apply sunscreen, a volunteer school employee may apply the sunscreen on the student if the student's parent provides written consent for the assistance.
- (4) A volunteer school employee who applies sunscreen on a student in compliance with Subsection (3) and the volunteer school employee's employer are not liable for:
  - (a) an adverse reaction suffered by the student as a result of having the sunscreen applied; or
  - (b) discontinuing the application of the sunscreen at any time.

Amended by Chapter 354, 2020 General Session

**53G-9-209 Child abuse or neglect reporting requirement.**

- (1) As used in this section:
  - (a) "Educational neglect" means the same as that term is defined in Section 80-1-102.
  - (b) "School personnel" means the same as that term is defined in Section 53G-9-203.
- (2) School personnel shall comply with the child abuse and neglect reporting requirements described in Section 80-2-602.
- (3) When school personnel have reason to believe that a child may be subject to educational neglect, school personnel shall submit the report described in Subsection 53G-6-202(8) to the Division of Child and Family Services.
- (4) When school personnel have reason to believe that a child is subject to both educational neglect and another form of neglect or abuse, school personnel may not wait to report the other form of neglect or abuse pending preparation of a report regarding educational neglect.



- (5) School personnel shall cooperate with the Division of Child and Family Services and share all information with the division that is relevant to the division's investigation of an allegation of abuse or neglect.

Amended by Chapter 335, 2022 General Session

**53G-9-210 Requirement for in-person instruction -- Test to stay programs -- Face coverings.**

(1) As used in this section:

- (a) "Case threshold" means as applicable, the number of students in a school, or percentage of students in a school who meet the conditions described in Subsection (3).
- (b) "COVID-19" means:
  - (i) severe acute respiratory syndrome coronavirus 2; or
  - (ii) the disease caused by severe acute respiratory syndrome coronavirus 2.
- (c) "Estimated incubation period" means a period of time that the Department of Health and Human Services identifies as the number of days between exposure and symptom onset for a given variant of COVID-19.
- (d) "Extracurricular activity" means the same as that term is defined in Section 53G-7-501.
- (e) "Face covering" means a mask, shield, or other device that is intended to be worn in a manner to cover the mouth, nose, or face to prevent the spread of COVID-19.
- (f) "In-person instruction" means instruction offered by a school that allows a student to choose to attend school in-person at least four days per week if the student:
  - (i) is enrolled in a school that is not implementing a test to stay program; or
  - (ii)
    - (A) is enrolled in a school that is implementing a test to stay program; and
    - (B) meets the test to stay program's criteria for attending school in person.
- (g) "Local Education Agency" or LEA means:
  - (i) a school district;
  - (ii) a charter school, other than an online-only charter school; or
  - (iii) the Utah Schools for the Deaf and the Blind.
- (h) "School" means a school other than an online-only charter school or an online-only public school.
- (i) "Remote learning" means learning that occurs through technology that provides synchronous and asynchronous learning experiences that maximize student learning and instructional time.
- (j) "Test to stay program" means a program through which an LEA provides testing for COVID-19 for students during an outbreak of COVID-19 at a school in order to:
  - (i) identify cases of COVID-19; and
  - (ii) allow individuals to attend school in person who:
    - (A) test negative for COVID-19 during the test to stay program; or
    - (B) are cleared to return to school after the estimated incubation period.

(2)

- (a) An LEA shall:
  - (i) except as provided in Subsection (2)(b), beginning on March 22, 2021, ensure that a school offers in-person instruction; and
  - (ii) if the determination described in Subsection (2)(c) has been made, require a school that reaches the case threshold to:
    - (A) fulfill the requirement described in Subsection (2)(a)(i) by initiating a test to stay program for the school; and
    - (B) provide a remote learning option for students who do not wish to attend in person.

- (b) Beginning January 31, 2022, the requirement to provide in-person instruction described in Subsection (2)(a) does not apply for a temporary period of remote learning within an LEA or a given school within an LEA if:
    - (i) the COVID-19 case rates within one or more schools within the LEA have surpassed the case threshold;
    - (ii) the local governing board requests application of the exception by delivering to the governor, the president of the Senate, the speaker of the House of Representatives, and the state superintendent of public instruction a letter that details:
      - (A) information regarding the case threshold requirement described in Subsection (2)(b)(i);
      - (B) the local governing board's assessment that due to public health emergency circumstances within the LEA or given school, the risks related to in-person instruction temporarily outweigh the value of in-person instruction;
      - (C) a public meeting of the local governing board in which the board voted to request the exception described in this Subsection (2)(b);
      - (D) a specific and temporary period of time for which the local governing board seeks a pivot to remote learning within the LEA or given school; and
      - (E) the measures the local governing board will implement for the LEA or given school to return to in-person learning following the identified temporary remote learning period; and
    - (iii) the governor, the president of the Senate, the speaker of the House of Representatives, and the state superintendent of public instruction jointly confer and approve, or approve with modifications, the request described in Subsection (2)(b)(i).
  - (c) The requirement to initiate a test to stay program described in Subsection (2)(a)(ii) only applies if, in consultation with the Department of Health and Human Services, the governor, the president of the Senate, the speaker of the House of Representatives, and the state superintendent of public instruction jointly determine that a variant of COVID-19 currently affecting the public education system is of a type that testing and isolation under a test to stay program would be effective in mitigating the harmful public health effects of the variant.
- (3)
- (a) For purposes of determining whether a school has reached the school's case threshold, a student is included in positive cases for the school if the student:
    - (i) within the preceding number of days equal to the estimated incubation period:
      - (A) attended at least some in-person instruction at the school; and
      - (B) tested positive for COVID-19; and
    - (ii) did not receive the student's positive COVID-19 test results through regular periodic testing required to participate in LEA-sponsored athletics or another LEA-sponsored extracurricular activity.
  - (b)
    - (i) A school with 1,500 or more students meets the case threshold if at least 2% of the school's students meet the conditions described in Subsection (3)(a).
    - (ii) A school with fewer than 1,500 students meets the case threshold if 30 or more of the school's students meet the conditions described in Subsection (3)(a).
- (4)
- (a) An LEA may not test a student for COVID-19 who is younger than 18 years old without the consent of the student's parent.
  - (b) An LEA may seek advance consent from a student's parent for future testing for COVID-19.
- (5) An LEA, an LEA governing board, the state board, the state superintendent, or a school may not require an individual to wear a face covering to attend or participate in in-person instruction,

LEA-sponsored athletics, or another LEA-sponsored extracurricular activity, or in any other place on the campus of a school or school facility after the end of the 2020-2021 school year.

Amended by Chapter 5, 2022 General Session

**53G-9-211 Therapy animal handling -- Policy.**

(1) As used in this section:

- (a) "Animal-assisted intervention" means an intervention designed to promote improvement in an individual's physical, social, emotional, or cognitive functioning through interactions with a specially trained animal.
- (b) "Local education agency" means a school district or charter school.
- (c)
  - (i) "Therapy animal" means an animal that:
    - (A) provides affection and comfort to an individual for emotional support;
    - (B) is accompanied by a therapy animal handler; and
    - (C) is trained to provide animal-assisted intervention.
  - (ii) "Therapy animal" does not include a service animal or support animal as those terms are defined in Section 26B-6-801.
- (d) "Therapy animal handler" means an individual who is trained to handle a therapy animal for animal-assisted interventions.

(2)

- (a) If a school within a local education agency provides animal-assisted interventions through therapy animals, the local education agency shall adopt a policy for proper handling of a therapy animal on school grounds.
- (b) The policy described in Subsection (2)(a) shall include:
  - (i) local or national certification or registration requirements for a therapy animal and therapy animal handler;
  - (ii) guidelines for when a therapy animal and therapy animal handler are allowed on school grounds;
  - (iii) notice requirements for parents, students, and school faculty and staff regarding the use of a therapy animal on school grounds; and
  - (iv) guidelines to prevent students and staff who have an animal allergy or are uncomfortable around animals from interacting with a therapy animal on school grounds.
- (3) This section does not require a school to allow the use of a therapy animal.

Amended by Chapter 328, 2023 General Session

**53G-9-212 Drinking water quality in schools.**

A school, as defined in Section 19-4-115, shall comply with Section 19-4-115.

Enacted by Chapter 194, 2022 General Session

**53G-9-213 Seizure awareness.**

- (1)
  - (a) Beginning with the 2022-23 school year, an LEA shall provide, as described in Subsection (1)(b) and subject to Subsection (3), training to:
    - (i) a teacher who teaches a student who has informed the student's school or teacher that the student has epilepsy or a similar seizure disorder; and

- (ii) an administrator at the school where the student described in Subsection (1)(a)(i) attends.
- (b) The training shall:
  - (i) be offered once every three years; and
  - (ii) include:
    - (A) recognizing signs and symptoms of seizures; and
    - (B) appropriate steps for seizure first aid.
- (2) Beginning with the 2023-24 school year, an LEA shall provide, as described in Subsection (1)(b) and subject to Subsection (3), training to administrators, teachers, classroom aides, and other individuals who interact with or supervise students.
- (3)
  - (a) The state board shall adopt guidelines for the training described in Subsections (1)(a) and (2).
  - (b) The guidelines shall be consistent with programs and guidelines developed by the Epilepsy Foundation of America or another national nonprofit organization that supports individuals with epilepsy and seizure disorders.
- (4) A training offered under this section may not require a person to provide first aid to a student experiencing or showing symptoms of a seizure.

Amended by Chapter 86, 2024 General Session