

Effective 5/4/2022

53G-9-308 Conditional enrollment -- Suspension for noncompliance -- Procedure.

- (1) As used in this section:
 - (a) "Enroller" means the same as that term is defined in Section 53G-6-603.
 - (b) "Newcomer student" means the same as that term is defined in Section 53E-3-524.
 - (c) "Social service provider" means the same as that term is defined in Section 53E-3-524.
- (2) A student for whom a school has not received a complete immunization record may attend the school on a conditional enrollment:
 - (a) during the period in which the student's immunization record is under review by the school; or
 - (b) for 30 calendar days after the day on which the school provides the notice described in Subsection (3).
- (3)
 - (a) Within five days after the day on which a school places a student on conditional enrollment, the school shall provide notice to the enroller that:
 - (i) the school has placed the student on conditional enrollment for failure to comply with the requirements of Subsection 53G-9-302(1);
 - (ii) describes the identified deficiencies in the student's immunization record or states that the school has not received an immunization record for the student;
 - (iii) gives notice that the student will not be allowed to attend school unless the legally responsible individual cures the deficiencies, or provides an immunization record that complies with Subsection 53G-9-302(1), within the conditional enrollment period described in Subsection (2)(b); and
 - (iv) describes the process for obtaining a required vaccination.
 - (b) The school shall deliver the notice described in Subsection (3)(a):
 - (i) when possible, in the enroller's preferred language; and
 - (ii) using one of the following methods of delivery, as determined by mutual agreement between the school and the enroller:
 - (A) written notice delivered in person;
 - (B) written notice by mail;
 - (C) written notice by email or other electronic means; or
 - (D) by telephone, including voicemail.
- (4) A school shall remove the conditional enrollment status from a student after the school receives an immunization record for the student that complies with Subsection 53G-9-302(1).
- (5) Except as provided in Subsection (6), at the end of the conditional enrollment period, a school shall prohibit a student who does not comply with Subsection 53G-9-302(1) from attending the school until the student complies with Subsection 53G-9-302(1).
- (6) A school principal or administrator:
 - (a) shall grant an additional extension of the conditional enrollment period, if the extension is necessary to complete all required vaccination dosages, for a time period medically recommended to complete all required vaccination dosages; and
 - (b) may grant an additional extension of the conditional enrollment period in cases of extenuating circumstances, if the school principal or administrator and one of the following agree that an additional extension will likely lead to compliance with Subsection 53G-9-302(1):
 - (i) a school nurse;
 - (ii) a health official; or
 - (iii) a health official designee, including:
 - (A) a social service provider; or
 - (B) a culturally competent and trauma-informed community representative.

(7) For purposes of Subsection (6), a newcomer student enrolling in a school for the first time is an extenuating circumstance.

Amended by Chapter 329, 2022 General Session