

COMPULSORY EDUCATION REVISIONS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jefferson Moss

Senate Sponsor: Howard A. Stephenson

LONG TITLE

General Description:

This bill amends the definition of "valid excuse" in the compulsory education code.

Highlighted Provisions:

This bill:

► amends a definition to specify that "valid excuse" means a physical or mental illness.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-6-201, as renumbered and amended by Laws of Utah 2018, Chapter 3

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-6-201** is amended to read:

53G-6-201. Definitions.

For purposes of this part:

(1) (a) "Absence" or "absent" means, consistent with Subsection (1)(b), failure of a school-age minor assigned to a class or class period to attend the entire class or class period.



28 (b) A school-age minor may not be considered absent under this part more than one
29 time during one day.

30 (2) "Habitual truant" means a school-age minor who:

31 (a) is at least 12 years old;

32 (b) is subject to the requirements of Section 53G-6-202; and

33 (c) (i) is truant at least 10 times during one school year; or

34 (ii) fails to cooperate with efforts on the part of school authorities to resolve the
35 minor's attendance problem as required under Section 53G-6-206.

36 (3) "Minor" means a person under the age of 18 years.

37 (4) "Parent" includes:

38 (a) a custodial parent of the minor;

39 (b) a legally appointed guardian of a minor; or

40 (c) any other person purporting to exercise any authority over the minor which could be
41 exercised by a person described in Subsection (4)(a) or (b).

42 (5) "School-age minor" means a minor who:

43 (a) is at least six years old, but younger than 18 years old; and

44 (b) is not emancipated.

45 (6) "School year" means the period of time designated by a local school board or local
46 charter board as the school year for the school where the school-age minor:

47 (a) is enrolled; or

48 (b) should be enrolled, if the school-age minor is not enrolled in school.

49 (7) "Truant" means absent without a valid excuse.

50 (8) "Truant minor" means a school-age minor who:

51 (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and

52 (b) is truant.

53 (9) "Valid excuse" means:

54 (a) ~~is~~ an ~~illness~~ physical or mental ~~illness~~, which may be

54a either mental or

54a physical ;

55 (b) a family death;

56 (c) an approved school activity;

57 (d) an absence permitted by a school-age minor's:

58 (i) individualized education program, developed pursuant to the Individuals with

59 Disabilities Education Improvement Act of 2004, as amended; or

60 (ii) accommodation plan, developed pursuant to Section 504 of the Rehabilitation Act
61 of 1973, as amended; or

62 (e) any other excuse established as valid by a local school board, local charter board, or
63 school district.

Legislative Review Note
Office of Legislative Research and General Counsel