

1 **School Response to Sexual Offense**  
 2026 GENERAL SESSION  
 STATE OF UTAH  
**Chief Sponsor: Ashlee Matthews**  
 Senate Sponsor:

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 3 **LONG TITLE**

4 **General Description:**

5 This bill modifies conduct and discipline policy requirements for local education agencies.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ clarifies when LEA policies apply to students who have committed serious offenses or  
 9 sexual crimes; and

10 ▶ makes technical and conforming changes.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **53G-8-203**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

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

20 Section 1. Section **53G-8-203** is amended to read:

21 **53G-8-203 . Conduct and discipline policies and procedures.**

22 (1) For purposes of this section:

23 (a) "Adjudication" means:

24 (i) the same as that term is defined in Section 80-1-102; or

25 (ii) for an adult student 18 years or older, a conviction as that term is defined in  
 26 Section 77-38-302.

27 (b) "Arrest" means:

28 (i) temporary custody as that term is defined in Section 80-6-102; or

29 (ii) for an adult student 18 years or older, the same as that term is defined in Section  
 30 77-7-1.

- 31 (c) "Charge" means:
- 32 (i) format referral as that term is defined in Section 80-6-102; or
- 33 (ii) for an adult student 18 years or older, the formal accusation of a public offense
- 34 detailed in a filing such as an indictment or an information or otherwise the
- 35 official initiation of a criminal action.
- 36 [(+) (2)] The conduct and discipline policies required under Section 53G-8-202 shall include:
- 37 (a) provisions governing student conduct, safety, and welfare;
- 38 (b) standards and procedures for dealing with students who cause disruption in the
- 39 classroom, on school grounds, on school vehicles, or in connection with
- 40 school-related activities or events;
- 41 (c) procedures for the development of remedial discipline plans for students who cause a
- 42 disruption at any of the places referred to in Subsection [(+)(b)] (2)(b);
- 43 (d) procedures for the use of reasonable and necessary physical restraint in dealing with
- 44 students posing a danger to themselves or others, consistent with Section 53G-8-301;
- 45 (e) standards and procedures for dealing with student conduct in locations other than
- 46 those referred to in Subsection [(+)(b)] (2)(b), if the conduct threatens harm or does
- 47 harm to:
- 48 (i) the school;
- 49 (ii) school property;
- 50 (iii) a person associated with the school; or
- 51 (iv) property associated with a person described in Subsection [(+)(e)(iii)] (2)(e)(iii);
- 52 (f) procedures for the imposition of disciplinary sanctions, [~~including~~] suspension and
- 53 expulsion;
- 54 (g) specific provisions, consistent with Section 53E-3-509, for preventing and
- 55 responding to gang-related activities in the school, on school grounds, on school
- 56 vehicles, or in connection with school-related activities or events;
- 57 (h) standards and procedures for dealing with habitual disruptive or unsafe student
- 58 behavior in accordance with the provisions of this part; and
- 59 (i) procedures for responding to reports received through the SafeUT Crisis Line under
- 60 Subsection 53H-4-210(2)(c).
- 61 [(2)] (3)(a) Each local school board shall establish a policy on detaining students after
- 62 regular school hours as a part of the district-wide discipline plan required under
- 63 Section 53G-8-202.
- 64 (b)(i) The policy described in Subsection [(2)(a)] (3)(a) shall apply to elementary

- 65 school students, grades kindergarten through 6.
- 66 (ii) The local school board shall receive input from teachers, school administrators,  
67 and parents of the affected students before adopting the policy.
- 68 (c) The policy described in Subsection [~~(2)~~(a)] (3)(a) shall provide for:
- 69 (i) notice to the parent of a student [~~prior to~~] before holding the student after school  
70 on a particular day; and
- 71 (ii) exceptions to the notice provision if detention is necessary for the student's health  
72 or safety.
- 73 [~~(3)~~] (4)(a) Each LEA shall adopt a policy for responding to possession or use of  
74 electronic cigarette products by a student on school property.
- 75 (b) The policy described in Subsection [~~(3)~~(a)] (3)(a) shall:
- 76 (i) prohibit students from possessing or using electronic cigarette products on school  
77 property;
- 78 (ii) include policies or procedures for the confiscation or surrender of electronic  
79 cigarette products; and
- 80 (iii) require a school administrator or school administrator's designee to dispose of or  
81 destroy a confiscated electronic cigarette product.
- 82 (c) Notwithstanding Subsection [~~(3)~~(b)(iii)] (4)(b)(iii), an LEA may release a confiscated  
83 electronic cigarette product to local law enforcement if:
- 84 (i) a school official has a reasonable suspicion that a confiscated electronic cigarette  
85 product contains an illegal substance; and
- 86 (ii) local law enforcement requests that the LEA release the confiscated electronic  
87 cigarette product to local law enforcement as part of an investigation or action.
- 88 [~~(4)~~] (5)(a) Each LEA shall adopt a policy for responding to [~~when~~] the circumstance  
89 where a student has [~~committed~~] been arrested for, charged with, or adjudicated in the  
90 courts for committing a serious offense or sexual crime.
- 91 (b) The policy described in Subsection [~~(4)~~(a)] (5)(a) shall:
- 92 (i) address a serious offense or sexual misconduct related to hazing;
- 93 (ii) distinguish procedures for when the crime occurs on school property and off of  
94 school property;
- 95 (iii) if a student has committed a serious offense or sexual crime, provide a process  
96 for a school resource officer to provide input for the LEA to consider regarding  
97 the safety risks a student may pose upon reintegration;
- 98 (iv) establish a process to inform a school resource officer of any student who is on

- 99                   probation;
- 100               (v) create procedures for determining an alternative placement for a student if the
- 101               student attends the same school as:
- 102               (A) the victim of the student's crime; and
- 103               (B) an individual who has a protective order against the student; and
- 104               (vi) be compliant with state and federal law.

105               Section 2. **Effective Date.**

106               This bill takes effect on May 6, 2026.