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School Attendance Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Welton

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill creates citizenship grade standards, attendance-based grading, a student welfare check requirement, and a test-out option for core classes.

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Highlighted Provisions:

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This bill:

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- permits and establishes requirements for standardizing citizenship grades;

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- allows attendance-based grading;

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- repeals individualized attendance plans for attendance-based grading;

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- creates a test-out option for core classes;

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- requires LEA referrals for student welfare checks under specified conditions;

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- establishes a citizenship grade scholarship program in higher education funded through

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voluntary tax return contributions; and

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- makes technical changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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53G-6-206, as last amended by Laws of Utah 2024, Chapter 516

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53G-6-806, as last amended by Laws of Utah 2024, Chapter 21

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59-10-1304, as last amended by Laws of Utah 2025, Chapters 95, 322

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ENACTS:

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53E-4-208, Utah Code Annotated 1953

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53E-4-209, Utah Code Annotated 1953

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53G-6-213, Utah Code Annotated 1953

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53G-6-214, Utah Code Annotated 1953

31 **53H-11-416**, Utah Code Annotated 1953

32 **59-10-1324**, Utah Code Annotated 1953

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

35 Section 1. Section **53E-4-208** is enacted to read:

36 **53E-4-208 . Citizenship grading standards.**

37 (1) As used in this section:

38 (a) "Citizenship grade" means a grade or evaluation that reflects a student's
39 demonstration of character traits, civic responsibility, and social behavior in the
40 educational environment.

41 (b) "Character traits" means the same traits described in Section 53G-10-204, including
42 honesty, respect, responsibility, fairness, kindness, and citizenship.

43 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
44 state board shall make rules to establish consistent statewide standards for citizenship
45 grading that:

46 (a) define the character traits and civic behaviors to be evaluated;

47 (b) establish uniform criteria and methods for assessing citizenship;

48 (c) provide guidance for an LEA on implementing citizenship grading policies;

49 (d) ensure alignment with existing civic and character education requirements under
50 Section 53G-10-204; and

51 (e) specify how citizenship grades may be recorded and reported on a student's
52 transcripts.

53 (3) The state board may provide professional development and training resources to assist
54 an LEA in implementing citizenship grading standards established under this section.

55 (4) Beginning with the 2027-2028 school year, an LEA may adopt a citizenship grading
56 policy in accordance with the standards established by the state board under this section.

57 (5) An LEA's citizenship grading policy:

58 (a) shall incorporate attendance as a component of the citizenship grade;

59 (b) may not apply to students with a valid excuse as that term is used in Section
60 53G-6-201;

61 (c) shall align with any attendance-based grading policy adopted under Section
62 53G-6-213; and

63 (d) may be implemented in addition to, or as part of, attendance-based grading under
64 Section 53G-6-213.

65 (6) Only students who receive citizenship grades from an LEA using citizenship grading
 66 standards established by the state board under this section are eligible for the citizenship
 67 scholarship program described in Section 53H-11-416.

68 Section 2. Section **53E-4-209** is enacted to read:

69 **53E-4-209 . Test-out option for core classes.**

70 (1) As used in this section, "core class" means a course in English language arts,
 71 mathematics, science, or social studies and other courses required for high school
 72 graduation as described in Section 53E-4-204.

73 (2) Beginning with the 2027-2028 school year, the state board shall establish statewide
 74 test-out options for core classes that allow students in grades 7 through 12 to
 75 demonstrate proficiency in the content of a core class without attending or enrolling in
 76 the course.

77 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 78 state board shall make rules to:

- 79 (a) establish clear academic proficiency standards for each test-out option aligned with
 80 the state core standards;
 81 (b) develop standardized assessments or portfolio-based demonstrations of mastery;
 82 (c) establish procedures for grading or providing a pass or fail designation for transcript
 83 and grade point average purposes;
 84 (d) create procedures to notify students and parents of test-out opportunities; and
 85 (e) ensure consistency with graduation standards.

86 (4) An LEA shall:

- 87 (a) offer students the statewide test-out options established by the state board under this
 88 section; and
 89 (b) administer the test-out options in accordance with state board rules.

90 (5) A student who earns credit through the test-out process is not required to attend the
 91 course and is exempt from any attendance-based grading policy under Section
 92 53G-6-213.

93 (6) If a student enrolls in a core class despite being eligible to test out, the LEA shall
 94 require compliance with the course's attendance requirements described in Section
 95 53G-6-213 as part of the student's grade.

96 Section 3. Section **53G-6-206** is amended to read:

97 **53G-6-206 . of a local school board, charter school governing board, or school**
 98 **district in promoting regular attendance -- Parental involvement -- Liability not imposed**

99 -- Report to state board.

- 100 (1)(a) As used in this section, "intervention" means a series of non-punitive and
101 increasingly frequent and individualized activities that are designed to:
- 102 (i) create a trusting relationship between teachers, students, and parents;
 - 103 (ii) improve attendance;
 - 104 (iii) improve academic outcomes; and
 - 105 (iv) reduce negative behavior referrals.
- 106 (b) "Intervention" includes:
- 107 (i) mentorship programs;
 - 108 (ii) family connection to community resources;
 - 109 (iii) academic support through small group or individualized tutoring or similar
110 methods; and
 - 111 (iv) teaching executive function skills, including:
 - 112 (A) planning;
 - 113 (B) goal setting;
 - 114 (C) understanding and following multi-step directions; and
 - 115 (D) self-regulation.
- 116 (2)(a) Subject to Subsection (2)(b), an LEA shall make efforts to promote regular
117 attendance and resolve school absenteeism and truancy issues for each school-age
118 child who is, or should be, enrolled in the LEA.
- 119 (b) A school-age child exempt from school attendance under Section 53G-6-204 or
120 53G-6-702, or a school-age child who is enrolled in a regularly established private
121 school or part-time school, is not considered to be a school-age child who is or
122 should be enrolled in a school district or charter school under Subsection (2)(a).
- 123 (3) The efforts described in Subsection (2) shall include, as reasonably feasible:
- 124 (a) counseling of the school-age child by school authorities;
 - 125 (b)(i) issuing a notice of truancy to the school-age child in accordance with Section
126 53G-6-203; or
 - 127 (ii) issuing a notice of compulsory education violation to the school-age child's parent
128 in accordance with Section 53G-6-202;
 - 129 (c) making any necessary adjustment to the curriculum and schedule to meet special
130 needs of the school-age child;
 - 131 (d) considering alternatives proposed by the school-age child's parent;
 - 132 (e) incorporating attendance in the school-age child's course score or grade [~~if:~~] as

- 133 described in Section 53G-6-213;
 134 [~~(i) incorporation is determined appropriate through an individualized plan the~~
 135 ~~school-age child's parent and teacher develops;~~]
 136 [~~(ii) parental written consent is obtained for the individualized plan; and]~~
 137 [~~(iii) the parent retains the ability to revoke the parent's consent described in~~
 138 ~~Subsection (3)(e)(ii) at any time.]~~
 139 (f) monitoring school attendance of the school-age child;
 140 (g) voluntary participation in truancy mediation, if available; and
 141 (h) providing the school-age child's parent, upon request, with a list of resources
 142 available to assist the parent in resolving the school-age child's attendance problems.
 143 (4) In addition to the efforts described in Subsection (3), the local school board, charter
 144 school governing board, or school district may enlist the assistance of community and
 145 law enforcement agencies and organizations for early intervention services as
 146 appropriate and reasonably feasible in accordance with Section 53G-8-211.
 147 (5) This section does not impose civil liability on boards of education, local school boards,
 148 charter school governing boards, school districts, or their employees.
 149 (6) Proceedings initiated under this part do not obligate or preclude action by the Division
 150 of Child and Family Services under Section 53G-6-210.
 151 (7) [~~Each~~] An LEA shall annually report the following data separately to the state board:
 152 (a) absences with a valid excuse; and
 153 (b) absences without a valid excuse.

154 Section 4. Section **53G-6-213** is enacted to read:

155 **53G-6-213 . Attendance-based grading.**

- 156 (1) An LEA may adopt a policy that requires a student's attendance in a class to account for
 157 up to 20% of the student's final grade for a course in grades 7 through 12.
 158 (2) If an LEA adopts a policy for a course under Subsection (1), the LEA shall ensure the
 159 LEA's policy:
 160 (a) shall be publicly posted and available to parents and students, including through the
 161 parent portal described in Section 53G-6-806;
 162 (b) shall specify which courses the policy applies to and the percentage of the final grade
 163 that attendance will comprise, which may not exceed 20%;
 164 (c) may permit valid excused absences, as defined in Section 53G-6-201, to be excluded
 165 from attendance-based grade calculations; and
 166 (d) should establish reasonable limits on the number of valid excused absences that may

167 be excluded from attendance-based grade calculations to ensure accountability for
 168 class participation while accommodating student needs.

169 (3) If an LEA permits students to earn credit through a test-out option under Section
 170 53G-6-214, the LEA may require students who decline to test out and instead enroll in
 171 the course to comply with any attendance-based grading policy adopted under this
 172 section.

173 Section 5. Section **53G-6-214** is enacted to read:

174 **53G-6-214 . Student welfare check referrals -- Unknown whereabouts.**

175 (1) An LEA shall make a referral for a student welfare check if a student has been absent
 176 for 10 or more consecutive school days and all of the following conditions are met:
 177 (a) the student's parent has failed to notify the school of the student's absence;
 178 (b) the student's parent has not filed a home school affidavit under Section 53G-6-204;
 179 (c) the student's parent has not provided notice of unenrollment to the LEA;
 180 (d) the student's parent has failed to respond to repeated communications from the
 181 school, including communications through email, telephone, text message, postal
 182 mail, or other reasonable methods; and
 183 (e) one of the following is true:
 184 (i) the LEA has not received a request for student records from another educational
 185 entity; or
 186 (ii) there is no record of the student being enrolled in another LEA.

187 (2) An LEA shall make a referral described in Subsection (1) to:

188 (a) local law enforcement; or
 189 (b) the Division of Child and Family Services.

190 (3) A referral under this section is for the purpose of conducting a welfare check to verify
 191 the student's safety and well-being.

192 (4) This section does not preclude or obligate any other action under this part or Title 80,
 193 Chapter 3, Abuse, Neglect, and Dependency Proceedings.

194 Section 6. Section **53G-6-806** is amended to read:

195 **53G-6-806 . Parent portal.**

196 (1) As used in this section:

197 (a) "Parent portal" means the posting the state board is required to provide under this
 198 section.
 199 (b) "School" means a public elementary or secondary school, including a charter school.

200 (2)(a) The state board shall post information that allows a parent of a student enrolled in

- 201 a school to:
- 202 (i) access an LEA's policies required by Sections 53G-6-213, 53G-9-203, and
- 203 53G-9-605;
- 204 (ii) be informed of resources and steps to follow when a student has been the subject,
- 205 perpetrator, or bystander of bullying, cyber-bullying, hazing, retaliation, or
- 206 abusive conduct such as:
- 207 (A) resources for the student, including short-term mental health services;
- 208 (B) options for the student to make changes to the student's educational
- 209 environment;
- 210 (C) options for alternative school enrollment;
- 211 (D) options for differentiated start or stop times;
- 212 (E) options for differentiated exit and entrance locations; and
- 213 (F) the designated employee for an LEA who addresses incidents of bullying,
- 214 cyber-bullying, hazing, retaliation, and abusive conduct;
- 215 (iii) be informed of the steps and resources for filing a grievance with a school or
- 216 LEA regarding bullying, cyber-bullying, hazing, or retaliation;
- 217 (iv) be informed of the steps and resources for seeking accommodations under the
- 218 Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq;
- 219 (v) be informed of the steps and resources for seeking accommodations under state or
- 220 federal law regarding religious accommodations;
- 221 (vi) be informed of the steps and resources for filing a grievance for an alleged
- 222 violation of state or federal law, including:
- 223 (A) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d-2000d-4;
- 224 (B) Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1688;
- 225 (C) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794; and
- 226 (D) Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Sec.
- 227 12131-12165;
- 228 (vii) receive information about constitutional rights and freedoms afforded to families
- 229 in public education;
- 230 (viii) be informed of how to access an internal audit hotline if established by the state
- 231 board; and
- 232 (ix) be informed of services for military families.
- 233 (b) In addition to the information required under Subsection (2)(a), the state board:
- 234 (i) shall include in the parent portal:

- 235 (A) the comparison tool created under Section 53G-6-805;
- 236 (B) school level safety data, including data points described in Section 53E-3-516;
- 237 and
- 238 (C) a link to the public safety portal described in Section 63A-16-1002; and
- 239 (ii) may include in the parent portal other information that the state board determines
- 240 is helpful to parents.

241 (3)(a) The state board shall post the parent portal at a location that is easily located by a

242 parent.

243 (b) The state board shall update the parent portal at least annually.

244 (c) In accordance with state and federal law, the state board may collaborate with a

245 third-party to provide safety data visualization in comparison to other states' data.

246 (4) An LEA shall annually notify each of the following of how to access the parent portal:

247 (a) a parent of a student; and

248 (b) a teacher, principal, or other professional staff within the LEA.

249 Section 7. Section **53H-11-416** is enacted to read:

250 **53H-11-416 . Citizenship scholarship program.**

251 (1) As used in this section:

252 (a) "Citizenship grade" means the same as that term is defined in Section 53E-4-208.

253 (b) "Fund" means the Citizenship Scholarship Fund created in Section 59-10-1324.

254 (2) The board shall:

255 (a) collect citizenship grade and attendance data from an LEA as necessary to administer

256 this section;

257 (b) establish scholarship eligibility criteria that:

258 (i) includes demonstrated exemplary citizenship as reflected in citizenship grades

259 awarded under Section 53E-4-208;

260 (ii) includes student attendance records as a component of eligibility; and

261 (iii) prioritizes students who have demonstrated sustained exemplary citizenship

262 throughout high school;

263 (c) distribute scholarship funds to eligible students attending an institution within the

264 state system of higher education; and

265 (d) upon request, report to the Higher Education Appropriations Subcommittee on the

266 program's administration and outcomes.

267 (3) Upon receiving funds from the State Tax Commission in accordance with Section

268 59-10-1324, the board shall distribute scholarships in accordance with the eligibility

269 criteria and procedures established under this section.

270 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 271 board shall make rules to:

272 (a) establish detailed scholarship eligibility criteria;

273 (b) define the weight and consideration given to citizenship grades and attendance
 274 records;

275 (c) establish application procedures and deadlines;

276 (d) determine scholarship award amounts; and

277 (e) establish any other provisions necessary to administer this section.

278 Section 8. Section **59-10-1304** is amended to read:

279 **59-10-1304 . Removal of designation and prohibitions on collection for certain**
 280 **contributions on income tax return -- Conditions for removal and prohibitions on**
 281 **collection -- Commission publication requirements.**

282 (1)(a) If a contribution or combination of contributions described in Subsection (1)(b)
 283 generate less than \$30,000 per year for three consecutive years, the commission shall
 284 remove the designation for the contribution from the individual income tax return and
 285 may not collect the contribution from a resident or nonresident individual beginning
 286 two taxable years after the three-year period for which the contribution generates less
 287 than \$30,000 per year.

288 (b) The following contributions apply to Subsection (1)(a):

289 (i) the contribution provided for in Section 59-10-1306;

290 (ii) the sum of the contributions provided for in Subsection 59-10-1307(1);

291 (iii) the contribution provided for in Section 59-10-1308;

292 (iv) the contribution provided for in Section 59-10-1319;

293 (v) the contribution provided for in Section 59-10-1320;

294 (vi) the contribution provided for in Section 59-10-1321;

295 (vii) the contribution provided for in Section 59-10-1322; ~~or~~

296 (viii) the contribution provided for in Section 59-10-1323~~[-]~~ ; or

297 (ix) the contribution provided for in Section 59-10-1324.

298 (2) If the commission removes the designation for a contribution under Subsection (1), the
 299 commission shall report to the Revenue and Taxation Interim Committee by electronic
 300 means that the commission removed the designation on or before the November interim
 301 meeting of the year in which the commission determines to remove the designation.

302 (3)(a) Within a 30-day period after the day on which the commission makes the report

303 required by Subsection (2), the commission shall publish a list in accordance with
 304 Subsection (3)(b) stating each contribution that the commission will remove from the
 305 individual income tax return.

306 (b) The list shall:

307 (i) be published on:

308 (A) the commission's website; and

309 (B) the public legal notice website in accordance with Section 45-1-101;

310 (ii) include a statement that the commission:

311 (A) is required to remove the contribution from the individual income tax return;

312 and

313 (B) may not collect the contribution;

314 (iii) state the taxable year for which the removal described in Subsection (3)(a) takes
 315 effect; and

316 (iv) remain available for viewing and searching until the commission publishes a new
 317 list in accordance with this Subsection (3).

318 Section 9. Section **59-10-1324** is enacted to read:

319 **59-10-1324 . Contribution to the Citizenship Scholarship Fund.**

320 (1)(a) There is created an expendable special revenue fund known as the "Citizenship
 321 Scholarship Fund."

322 (b) The fund shall consist of all amounts deposited into the fund in accordance with
 323 Subsection (2).

324 (2) Except as provided in Section 59-10-1304, a resident or nonresident individual who
 325 files an income tax return under this chapter may designate on the resident or
 326 nonresident individual's income tax return a contribution to be:

327 (a) deposited into the Citizenship Scholarship Fund; and

328 (b) expended as provided in Subsection (3).

329 (3)(a) Each year, the commission shall:

330 (i) disburse from the Citizenship Scholarship Fund all money deposited into the fund
 331 since the last disbursement; and

332 (ii) transfer the money to the Utah Board of Higher Education for distribution to
 333 students in accordance with Section 53H-11-416.

334 (b) The commission shall complete the transfer of funds to the Utah Board of Higher
 335 Education by August 15 of each year.

336 Section 10. **Effective Date.**

337 This bill takes effect on May 6, 2026.