

Cheryl K. Acton proposes the following substitute bill:

Local School Board Reporting

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Cheryl K. Acton

Senate Sponsor:

LONG TITLE

General Description:

This bill requires a school district to report open enrollment data to the State Board of Education (state board) and requires the state board to publish that data.

Highlighted Provisions:

This bill:

- requires a school district to report open enrollment data to the state board;
- requires the state board to publish open enrollment data and contact information for open enrollment staff; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53G-6-403, as last amended by Laws of Utah 2019, Chapter 293

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

Section 1. Section **53G-6-403** is amended to read:

53G-6-403 . Policies for acceptance and rejection of applications -- Open enrollment data reporting.

(1)(a) A local school board shall adopt policies governing acceptance and rejection of applications required under Section 53G-6-402.

(b) The policies adopted under Subsection (1)(a) shall include policies and procedures to assure that decisions regarding enrollment requests are administered fairly without prejudice to any student or class of student, except as provided in Subsection (2).

- 30 (2) Standards for accepting or rejecting an application for enrollment may include:
- 31 (a) for an elementary school, the capacity of the grade level;
- 32 (b) for a secondary school, the capacity of a comprehensive program;
- 33 (c) maintenance of heterogeneous student populations if necessary to avoid violation of
- 34 constitutional or statutory rights of students;
- 35 (d) not offering, or having capacity in, an elementary or secondary special education or
- 36 other special program the student requires;
- 37 (e) maintenance of reduced class sizes:
- 38 (i) in a Title I school that uses federal, state, and local money to reduce class sizes for
- 39 the purpose of improving student achievement; or
- 40 (ii) in a school that uses school trust money to reduce class size;
- 41 (f) willingness of prospective students to comply with district policies; and
- 42 (g) giving priority to intradistrict transfers over interdistrict transfers.
- 43 (3)(a) Standards for accepting or rejecting applications for enrollment may not include:
- 44 (i) previous academic achievement;
- 45 (ii) athletic or other extracurricular ability;
- 46 (iii) the fact that the student requires special education services for which space is
- 47 available;
- 48 (iv) proficiency in the English language; or
- 49 (v) previous disciplinary proceedings, except as provided in Subsection (3)(b).
- 50 (b) A local school board may provide for the denial of applications from students who:
- 51 (i) have committed serious infractions of the law or school policies, including
- 52 policies of the district in which enrollment is sought; or
- 53 (ii) have been guilty of chronic misbehavior which would, if it were to continue after
- 54 the student was admitted:
- 55 (A) endanger persons or property;
- 56 (B) cause serious disruptions in the school; or
- 57 (C) place unreasonable burdens on school staff.
- 58 (c) A local school board may also provide for provisional enrollment of students with
- 59 prior behavior problems, establishing conditions under which enrollment of a
- 60 nonresident student would be permitted or continued.
- 61 (4)(a) The state board, in consultation with the Utah High School Activities Association,
- 62 shall establish policies regarding nonresident student participation in interscholastic
- 63 competition.

64 (b) Nonresident students shall be eligible for extracurricular activities at a public school
 65 consistent with eligibility standards as applied to students that reside within the
 66 school attendance area, except as provided by policies established under Subsection
 67 (4)(a).

68 (5)(a) ~~[For each school in the district, the local school board shall post on the school~~
 69 ~~district's website:]~~ A school district shall annually report to the state board for each
 70 school in the school district:

71 ~~[(a)]~~ (i) the school's maximum capacity;

72 ~~[(b)]~~ (ii) the school's adjusted capacity;

73 ~~[(c)]~~ (iii) the school's projected enrollment used in the calculation of the open
 74 enrollment threshold;

75 ~~[(d)]~~ (iv) actual enrollment on October 1, ~~[January 2]~~ December 1, and ~~[April 1]~~ June
 76 30;

77 ~~[(e)]~~ (v) the number of nonresident student enrollment requests;

78 ~~[(f)]~~ (vi) the number of nonresident student enrollment requests accepted; ~~[and]~~

79 ~~[(g)]~~ (vii) the number of resident students transferring to another school[-] ; and

80 (viii) the name and contact information for the open enrollment staff or specialist in
 81 the school district.

82 (b) A school district shall post the information described in Subsection (5)(a) on the
 83 school district's website.

84 (6)(a) The state board shall annually publish on the state board's website a report that
 85 includes:

86 (i) for each school in the state:

87 (A) the information described in Subsection (5)(a); and

88 (B) the open enrollment rate, calculated as the number of nonresident students
 89 enrolled divided by the total number of students enrolled; and

90 (ii) for each school district in the state, the aggregated data described in Subsection
 91 (6)(a)(i).

92 (b) The state board shall publish on the state board's website the name and contact
 93 information for the open enrollment staff or specialist in each school district.

94 Section 2. **Effective Date.**

95 This bill takes effect on November 30, 2026.