

Lincoln Fillmore proposes the following substitute bill:

Public School Attendance Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Jason E. Thompson

LONG TITLE

General Description:

This bill establishes comprehensive student attendance monitoring, chronic absenteeism supports, and accountability requirements for local education agencies.

Highlighted Provisions:

This bill:

- establishes comprehensive student attendance monitoring and accountability requirements;
- requires local education agencies to implement enhanced attendance tracking and intervention programs;
- mandates performance metrics for attendance notifications and enforcement actions;
- creates data quality standards for student participation reporting;
- expands personal care independence requirements; 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:

- 53F-2-102**, as last amended by Laws of Utah 2022, Chapter 17
- 53G-6-201**, as last amended by Laws of Utah 2025, Chapter 34
- 53G-6-202**, as last amended by Laws of Utah 2021, Chapter 359 and further amended by Revisor Instructions, Laws of Utah 2021, Chapter 359
- 53G-6-203**, as last amended by Laws of Utah 2023, Chapter 161
- 53G-6-206**, as last amended by Laws of Utah 2024, Chapter 516
- 53G-6-210**, as last amended by Laws of Utah 2024, Chapter 20

29 **53G-7-203**, as last amended by Laws of Utah 2025, Chapter 394

30 ENACTS:

31 **53G-6-213**, Utah Code Annotated 1953

32 **53G-6-214**, Utah Code Annotated 1953

33 **53G-7-228**, Utah Code Annotated 1953

34

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

36 Section 1. Section **53F-2-102** is amended to read:

37 **53F-2-102 . Definitions.**

38 As used in this chapter:

39 (1) "Attendance validated program" means an educational program where:

40 (a) student participation is measured by physical or virtual attendance at scheduled

41 instructional periods; and

42 (b) a student receives direct teacher interaction and instruction for the course or program

43 the student is enrolled in.

44 [(4)] (2) "Basic state-supported school program," "basic program," or "basic school

45 program" means public education programs for kindergarten, elementary, and secondary

46 school students that are operated and maintained for the amount derived by multiplying

47 the number of weighted pupil units for each [school district or charter school] LEA by

48 the value established each year in the enacted public education budget, except as

49 otherwise provided in this chapter.

50 (3) "Educational services" means providing learning opportunities and services designed to

51 support a student to be prepared to succeed and lead by having the knowledge and skills

52 to learn, engage civically, and lead meaningful lives through providing:

53 (a) high quality instruction for each student that includes direct interaction between a

54 teacher and students;

55 (b) personalized learning supports for each student; and

56 (c) appropriate instructional delivery methods based on the student's enrollment type as

57 defined in this section.

58 (4)(a) "Instructional day" means:

59 (i) for students enrolled in an attendance validated program, a school day on which an

60 LEA provides educational services through scheduled periods with direct teacher

61 interaction; or

62 (ii) for students enrolled in a learner validated program specifically designed for

63 competency-based or self-paced learning, any day during which educational
64 services are actively provided through the LEA's structured learning delivery
65 system.

66 (b) "Instructional day" does not include:

67 (i) days where educational services are not actively provided to students; or

68 (ii) any day in a program that an LEA designated as learner validated solely to avoid
69 providing direct educational services that would otherwise be required for an
70 attendance validated program.

71 (5) "Instructional hours" means:

72 (a) for students enrolled in an attendance validated program, the hours in an instructional
73 day during which an LEA provides educational services through scheduled
74 instructional periods; or

75 (b) for students enrolled in a learner validated program, the equivalent hours of
76 educational services made available to students, as measured by the LEA's continuing
77 enrollment measurement requirements established in the LEA's written policy.

78 [~~(2) "LEA governing board" means a local school board or charter school governing board.~~]

79 (6) "Learner validated program" means an educational program specifically designed for
80 competency-based or self-paced learning where:

81 (a) student participation is measured by demonstrated academic progress and completion
82 of learning objectives rather than by attendance at scheduled instructional periods;
83 and

84 (b) the LEA has established a written policy that:

85 (i) defines:

86 (A) continuing enrollment measurement requirements;

87 (B) standards for demonstrating academic progress;

88 (C) methods for calculating equivalent instructional hours; and

89 (D) procedures for ensuring equivalent educational rigor and support as provided
90 in attendance validated programs; and

91 (ii) meets any additional criteria the state board requires.

92 [~~(3) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.~~]

93 [~~(4)~~] (7)(a) "Minimum School Program" means the state-supported public school

94 programs for kindergarten, elementary, and secondary schools as described in this
95 Subsection [~~(4)~~] (7).

96 (b) The Minimum School Program established in [~~school districts and charter schools~~] an

97 LEA shall include the equivalent of a school term of nine months as determined by
98 the state board.

99 (c)(i) The state board shall establish the number of instructional days or equivalent
100 instructional hours that school is held for an academic school year.

101 (ii) Education, enhanced by utilization of technologically enriched delivery systems,
102 when approved by an LEA governing board, shall receive full support by the state
103 board as it pertains to fulfilling the attendance requirements, excluding time spent
104 viewing commercial advertising.

105 (d)(i) An LEA governing board may reallocate up to 32 instructional hours or four [
106 ~~school~~] instructional days established under Subsection [(4)(e)] (7)(c) for teacher
107 preparation time or teacher professional development.

108 (ii) A reallocation of instructional hours or [~~school~~] instructional days under
109 Subsection [(4)(d)(i)] (7)(d)(i) is subject to the approval of two-thirds of the
110 members of an LEA governing board voting in a regularly scheduled meeting:

111 (A) at which a quorum of the LEA governing board is present; and

112 (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.

113 (iii) If an LEA governing board reallocates instructional hours or [~~school~~] instructional
114 days as provided by this Subsection [(4)(d)] (7)(d), the [~~school district or charter~~
115 ~~school~~] LEA shall notify students' parents of the school calendar at least[:]

116 [(A)] 90 days before the beginning of the school year[; or] .

117 [(B) for the 2021-2022 and 2022-2023 school years, due to circumstances within
118 the LEA or a given school due to the COVID-19 pandemic, at least 14 calendar
119 days before the reallocated instructional hours or school days.]

120 (iv) Instructional hours or [~~school days~~] instructional days reallocated for teacher
121 preparation time or teacher professional development pursuant to this Subsection [
122 (4)(d)] (7)(d) is considered part of a school term referred to in Subsection [(4)(b)]
123 (7)(b).

124 (e) The Minimum School Program includes a program or allocation funded by a line
125 item appropriation or other appropriation designated as follows:

126 (i) Basic School Program;

127 (ii) Related to Basic Programs;

128 (iii) Voted and Board Levy Programs; or

129 (iv) Minimum School Program.

130 (8) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.

131 ~~[(5)]~~ (9) "Weighted pupil unit or units or WPU or WPU's" means the unit of measure of
 132 factors that is computed in accordance with this chapter for the purpose of determining
 133 the costs of a program on a uniform basis for each ~~[school district or charter school]~~ LEA.

134 Section 2. Section **53G-6-201** is amended to read:

135 **53G-6-201 . Definitions.**

136 As used in this part:

137 (1) "Absence" or "absent" means:

138 (a) for a student enrolled in an attendance validated program, the failure of a school-age
 139 child assigned to a class or class period to attend the class or class period for a given
 140 day or class period; or

141 (b) for a student enrolled in a learner validated program, the failure of a school-age child
 142 to meet the LEA's continuing enrollment measurement requirements as established in
 143 the LEA's written policy.

144 ~~[(1)(a) "Absence" or "absent" means the failure of a school-age child assigned to a class~~
 145 ~~or class period to attend a class or class period.]~~

146 ~~[(b) "Absence" or "absent" does not mean multiple tardies used to calculate an absence~~
 147 ~~for the sake of a truancy.]~~

148 (2) "Attendance validated program" means the same as that term is defined in Section
 149 53F-2-102.

150 (3) "Chronic absenteeism" means a student who:

151 (a) was enrolled in an LEA for at least 60 calendar days; and

152 (b) has been absent for at least 10% of days of instruction, whether the absence was
 153 excused or not excused.

154 ~~[(2)]~~ (4) "Educational neglect" means the same as that term is defined in Section 80-1-102.

155 (5) "Educational services" means the same as that term is defined in Section 53F-2-102.

156 ~~[(3)]~~ (6)(a) "Home-based microschool" means an individual or association of individuals
 157 that:

158 (i) registers as a business entity in accordance with state and local laws; and

159 (ii) for compensation, provides kindergarten through grade 12 education services to
 160 16 or fewer students from an individual's residential dwelling, accessory dwelling
 161 unit, or residential property.

162 (b) "Home-based microschool" does not include a daycare.

163 (7) "Instructional day" means the same as that term is defined in Section 53F-2-102.

164 ~~[(4)]~~ (8) "Instructor" means an individual who teaches a student as part of a home-based

165 microschool or micro-education entity.

166 (9) "Learner validated program" means the same as that term is defined in Section
167 53F-2-102.

168 [~~5~~] (10)(a) "Micro-education entity" means a person or association of persons that:

- 169 (i) registers as a business entity in accordance with state and local laws; and
- 170 (ii) for compensation, provides kindergarten through grade 12 education services to
- 171 100 students or fewer.

172 (b) "Micro-education entity" does not include:

- 173 (i) a daycare;
- 174 (ii) a home-based microschool;
- 175 (iii) a private school; or
- 176 (iv) a school within the public education system.

177 [~~6~~] (11) "Minor" means an individual who is under 18 years old.

178 [~~7~~] (12) "Parent" includes:

- 179 (a) a custodial parent of the minor;
- 180 (b) a legally appointed guardian of a minor; or
- 181 (c) any other person purporting to exercise any authority over the minor which could be
- 182 exercised by a person described in Subsection [~~7~~](a) or (b) (12)(a) or (b).

183 [~~8~~] (13) "School day" means the portion of a day that school is in session in which a
184 school-age child is required to be in school for purposes of receiving instruction.

185 [~~9~~] (14) "School year" means the period of time designated by a local school board or
186 charter school governing board as the school year for the school where the school-age
187 child:

- 188 (a) is enrolled; or
- 189 (b) should be enrolled, if the school-age child is not enrolled in school.

190 [~~10~~] (15) "School-age child" means a minor who:

- 191 (a) is at least six years old but younger than 18 years old; and
- 192 (b) is not emancipated.

193 (16) "Tardy" means a student's arrival after the designated start time for a class period or
194 instructional day, as defined by the LEA's written policy.

195 [~~11~~] (17)(a) "Truant" means a condition in which a school-age child, without a valid
196 excuse, and subject to Subsection [~~11~~](b) (17)(b), is absent for at least:

- 197 (i) half of the [~~school~~] instructional day for a student enrolled in an attendance
198 validated program; or

- 199 (ii) if the school-age child is enrolled in a learner verified program, as that term is
 200 defined by the state board, the relevant amount of time under the LEA's policy
 201 regarding the LEA's continuing enrollment measure as it relates to truancy.
- 202 (b) A school-age child may not be considered truant under this part more than one time
 203 during one day.
- 204 ~~[(12)]~~ (18) "Truant minor" means a school-age child who:
- 205 (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and
 206 (b) is truant.
- 207 ~~[(13)]~~ (19)(a) "Valid excuse" means:
- 208 (i) an illness, which may be either mental or physical, regardless of whether the
 209 school-age child or parent provides documentation from a medical professional;
 210 (ii) mental or behavioral health of the school-age child;
 211 (iii) a family death;
 212 (iv) an approved school activity;
 213 (v) an absence permitted by a school-age child's:
 214 (A) individualized education program; or
 215 (B) Section 504 accommodation plan;
 216 (vi) competition in a rodeo sanctioned by an international, non-profit organization
 217 dedicated to the development of sportsmanship, horsemanship, and character in
 218 youth through the sport of rodeo;
 219 (vii) an absence permitted in accordance with Subsection 53G-6-803(5); or
 220 (viii) any other excuse established as valid by a local school board, charter school
 221 governing board, or school district.
- 222 (b) "Valid excuse" does not mean a parent acknowledgment of an absence for a reason
 223 other than a reason described in Subsections ~~[(13)(a)(i) through (vii)]~~ (19)(a)(i)
 224 through (vii), unless specifically permitted by the local school board, charter school
 225 governing board, or school district under Subsection ~~[(13)(a)(viii)]~~ (19)(a)(viii).
- 226 Section 3. Section **53G-6-202** is amended to read:
- 227 **53G-6-202 . Compulsory education.**
- 228 (1) As used in this section:
- 229 (a) "Intentionally" means the same as that term is defined in Section 76-2-103.
 230 (b) "Notice of compulsory education violation" means a notice issued in accordance
 231 with Subsections (3) and (4).
 232 (c) "Remainder of the school year" means the portion of the school year beginning on

- 233 the day after the day on which a notice of compulsory education violation is served
234 and ending on the last day of the school year.
- 235 (2) Except as provided in Section 53G-6-204 or 53G-6-702, the parent of a school-age child
236 shall enroll and send the school-age child to a public or regularly established private
237 school.
- 238 (3) A school administrator, a designee of a school administrator, a law enforcement officer
239 acting as a school resource officer, or a truancy specialist may only issue a notice of
240 compulsory education violation to a parent of a school-age child if the school-age child
241 is:
- 242 (a) in grade 1 through 6; and
243 (b) truant at least five times during the school year.
- 244 (4) A notice of compulsory education violation issued to a parent:
- 245 (a) shall direct the parent to:
- 246 (i) meet with school authorities to discuss the school-age child's school attendance
247 problems; and
248 (ii) cooperate with the local school board, charter school governing board, or school
249 district in securing regular attendance by the school-age child;
- 250 (b) shall designate the school authorities with whom the parent is required to meet;
- 251 (c) shall state that it is a class B misdemeanor for the parent to intentionally or without
252 good cause:
- 253 (i) fail to meet with the designated school authorities to discuss the school-age child's
254 school attendance problems; or
255 (ii) fail to prevent the school-age child from being truant five or more times during
256 the remainder of the school year;
- 257 (d) shall be served on the parent by personal service or certified mail; and
258 (e) may not be issued unless the school-age child has been truant at least five times
259 during the school year.
- 260 (5) [~~Except during the period between March 17, 2021 and June 1, 2022, it~~] It is a class B
261 misdemeanor for a parent of a school-age child to intentionally or without good cause
262 fail to enroll the school-age child in school, unless the school-age child is exempt from
263 enrollment under Section 53G-6-204 or 53G-6-702.
- 264 (6) [~~Except during the period between March 17, 2021 and June 1, 2022, it~~] It is a class B
265 misdemeanor for a parent of a school-age child who is in grade 1 through 6 to, after
266 being served with a notice of compulsory education violation, intentionally or without

- 267 good cause:
- 268 (a) fail to meet with the school authorities designated in the notice of compulsory
269 education violation to discuss the school-age child's school attendance problems; or
- 270 (b) fail to prevent the school-age child from being truant five or more times during the
271 remainder of the school year.
- 272 (7) ~~[Except during the period described in Subsections (5) and (6), a]~~ A local school board,
273 charter school governing board, or [school district] LEA official shall report violations of
274 this section to the appropriate county or district attorney.
- 275 (8) ~~[Except during the period described in Subsections (5) and (6), if]~~ If school personnel
276 have reason to believe that, after a notice of compulsory education violation is issued,
277 the parent has failed to make a good faith effort to ensure that the school-age child
278 receives an appropriate education, the issuer of the compulsory education violation shall
279 report to the Division of Child and Family Services:
- 280 (a) identifying information of the school-age child and the parent who received the
281 notice of compulsory education violation;
- 282 (b) information regarding the longest number of consecutive ~~[school]~~ instructional days
283 the school-age child has been absent or truant from school and the percentage of [
284 ~~school~~] instructional days the school-age child has been absent or truant during each
285 relevant school term;
- 286 (c) whether the school-age child has made adequate educational progress;
- 287 (d) whether the requirements of Section 53G-6-206 have been met;
- 288 (e) whether the school-age child is two or more years behind the local public school's
289 age group expectations in one or more basic skills; and
- 290 (f) whether the school-age child is receiving special education services or systematic
291 remediation efforts.
- 292 (9) An LEA shall maintain records of each notice of compulsory education violation issued
293 and any resulting referrals and general outcomes.
- 294 ~~[(9) Notwithstanding this section, during the period described in Subsections (5) and (6), a~~
295 ~~school administrator, designee of a school administrator, law enforcement officer acting~~
296 ~~as a school resource officer, or truancy specialist may not issue or otherwise enforce a~~
297 ~~notice of compulsory education.]~~
- 298 Section 4. Section **53G-6-203** is amended to read:
- 299 **53G-6-203 . Truancy -- Notice of truancy -- Failure to cooperate with school**
300 **authorities.**

- 301 (1) Except as provided in Section 53G-6-204 or 53G-6-702, a school-age child who is
302 enrolled in a public school shall attend the public school in which the school-age child is
303 enrolled.
- 304 (2) In accordance with Section 53G-8-211, a local school board, charter school governing
305 board, or school district may impose administrative penalties on a school-age child who
306 is:
- 307 (a) in grade 7 or above, unless the school-age child is less than 12 years old; and
308 (b) truant.
- 309 (3) ~~[A local school board or charter school]~~ An LEA governing board:
- 310 (a) may authorize a school administrator, a designee of a school administrator, a law
311 enforcement officer acting as a school resource officer, or a truancy specialist to issue
312 a notice of truancy in accordance with Subsection (4); and
313 (b) shall establish a procedure for a school-age child, or the school-age child's parents, to
314 contest a notice of truancy.
- 315 (4) A notice of truancy described in Subsection (3):
- 316 (a) may not be issued until a school-age child has been truant at least five times during
317 the school year;
- 318 (b) may not be issued to a school-age child who is less than 12 years old or in a grade
319 below grade 7;
- 320 (c) may not be issued to a school-age child exempt from school attendance as provided
321 in Section 53G-6-204 or 53G-6-702;
- 322 (d) shall direct the school-age child who receives the notice of truancy and the parent of
323 the school-age child to:
- 324 (i) meet with school authorities to discuss the school-age child's trancies; and
325 (ii) cooperate with the ~~[local school board, charter school]~~ LEA governing board, or
326 school district in securing regular attendance by the school-age child; and
- 327 (e) shall be mailed to, or served on, the school-age child's parent.
- 328 (5) ~~[(a) Except as provided in Subsection (5)(b), nothing]~~ Nothing in this part prohibits a
329 local ~~[school board, charter school]~~ governing board[,;] or ~~[school district]~~ LEA official
330 from taking action to resolve a truancy problem with a school-age child who has been
331 truant fewer than five times, provided that the action does not conflict with the
332 requirements of this part.
- 333 ~~[(b) A local school board, charter school governing board, or school district may not~~
334 ~~take punitive action to resolve a truancy problem with a school-age child during the~~

335 period described in Subsection (2).]

336 (6) An LEA shall maintain records of each notice of truancy issued and any resulting
 337 referrals and general outcomes.

338 [~~(6) Notwithstanding this section, during the period described in Subsection (2), a school~~
 339 ~~administrator, designee of a school administrator, law enforcement officer acting as a~~
 340 ~~school resource officer, or truancy specialist may not issue or otherwise enforce a notice~~
 341 ~~of truancy.]~~

342 Section 5. Section **53G-6-206** is amended to read:

343 **53G-6-206 . Duties of a local school board, charter school governing board, or**
 344 **school district in promoting regular attendance -- Parental involvement -- Liability not**
 345 **imposed -- Report to state board.**

346 (1)(a) As used in this section, "intervention" means a series of non-punitive and
 347 increasingly frequent and individualized activities that are designed to:

- 348 (i) create a trusting relationship between teachers, students, and parents;
- 349 (ii) improve attendance;
- 350 (iii) improve academic outcomes; and
- 351 (iv) reduce negative behavior referrals.

352 (b) "Intervention" includes:

- 353 (i) mentorship programs;
- 354 (ii) family connection to community resources;
- 355 (iii) academic support through small group or individualized tutoring or similar
 356 methods; and
- 357 (iv) teaching executive function skills, including:
 - 358 (A) planning;
 - 359 (B) goal setting;
 - 360 (C) understanding and following multi-step directions; and
 - 361 (D) self-regulation.

362 (2)(a) Subject to Subsection (2)(b), an LEA shall make efforts to promote regular
 363 attendance and resolve school absenteeism and truancy issues for each school-age
 364 child who is, or should be, enrolled in the LEA.

365 (b) A school-age child exempt from school attendance under Section 53G-6-204 or
 366 53G-6-702, or a school-age child who is enrolled in a regularly established private
 367 school or part-time school, is not considered to be a school-age child who is or
 368 should be enrolled in a school district or charter school under Subsection (2)(a).

- 369 (3) The efforts described in Subsection (2) shall include, as reasonably feasible:
- 370 (a) counseling of the school-age child by school authorities;
- 371 (b)(i) issuing a notice of truancy to the school-age child in accordance with Section
- 372 53G-6-203; or
- 373 (ii) issuing a notice of compulsory education violation to the school-age child's parent
- 374 in accordance with Section 53G-6-202;
- 375 (c) making any necessary adjustment to the curriculum and schedule to meet special
- 376 needs of the school-age child;
- 377 (d) considering alternatives proposed by the school-age child's parent;
- 378 (e) incorporating attendance in the school-age child's course score or grade if:
- 379 (i) incorporation is determined appropriate through an individualized plan the
- 380 school-age child's parent and teacher develops;
- 381 (ii) parental written consent is obtained for the individualized plan; and
- 382 (iii) the parent retains the ability to revoke the parent's consent described in
- 383 Subsection (3)(e)(ii) at any time[-] ;
- 384 (f) monitoring school attendance of the school-age child;
- 385 (g) voluntary participation in truancy mediation, if available; and
- 386 (h) providing the school-age child's parent, upon request, with a list of resources
- 387 available to assist the parent in resolving the school-age child's attendance problems.
- 388 (4) In addition to the efforts described in Subsection (3), the [~~local school board, charter~~
- 389 ~~school governing board, or school district~~] LEA governing board or LEA official may
- 390 enlist the assistance of community and law enforcement agencies and organizations for
- 391 early intervention services as appropriate and reasonably feasible in accordance with
- 392 Section 53G-8-211.
- 393 (5) An LEA shall:
- 394 (a) conduct regular reviews of student attendance data to identify students at risk of
- 395 chronic absenteeism;
- 396 (b) implement tiered interventions for students with attendance concerns;
- 397 (c) notify parents within two instructional days of a student's unexcused absence,
- 398 including the total number for the school year; and
- 399 (d) maintain accurate and timely attendance records in the LEA's student information
- 400 system.
- 401 [~~(5)~~] (6) This section does not impose civil liability on boards of education, local school
- 402 boards, charter school governing boards, school districts, or their employees.

- 403 [(6)] (7) Proceedings initiated under this part do not obligate or preclude action by the
 404 Division of Child and Family Services under Section 53G-6-210.
- 405 [(7)] (8) Each LEA shall annually report the following data separately to the state board:
 406 (a) absences with a valid excuse; and
 407 (b) absences without a valid excuse.
- 408 Section 6. Section **53G-6-210** is amended to read:
 409 **53G-6-210 . Educational neglect of a minor -- Procedures -- Defenses.**
- 410 (1) With regard to a minor who is the subject of a petition under Section 80-3-201 based on
 411 educational neglect:
- 412 (a) if allegations include failure of a minor to make adequate educational progress, the
 413 juvenile court shall permit demonstration of the minor's educational skills and
 414 abilities based upon any of the criteria used in granting school credit, in accordance
 415 with Section 53G-6-702;
- 416 (b) parental refusal to comply with actions taken by school authorities in violation of
 417 Section 53G-10-202, 53G-10-205, 53G-10-403, or 53G-10-203, does not constitute
 418 educational neglect;
- 419 (c) parental refusal to support efforts by a school to encourage a minor to act in
 420 accordance with any educational objective that focuses on the adoption or expression
 421 of a personal philosophy, attitude, or belief that is not reasonably necessary to
 422 maintain order and discipline in the school, prevent unreasonable endangerment of
 423 persons or property, or to maintain concepts of civility and propriety appropriate to a
 424 school setting, does not constitute educational neglect; and
- 425 (d) an allegation of educational neglect may not be sustained, based solely on a minor's
 426 absence from school, unless the minor has ~~been absent~~ absences without a valid
 427 excuse from school or from any given class, that are also without good cause, for
 428 more than 10 consecutive ~~school~~ instructional days or more than 1/10 of the
 429 applicable school term.
- 430 (2) A minor may not be considered to be educationally neglected, for purposes of this
 431 chapter:
- 432 (a) unless there is clear and convincing evidence that:
- 433 (i) the minor has failed to make adequate educational progress, and school officials
 434 have complied with the requirements of Section 53G-6-206; or
- 435 (ii) the minor is two or more years behind the local public school's age group
 436 expectations in one or more basic skills, and is not receiving special educational

- 437 services or systematic remediation efforts designed to correct the problem;
- 438 (b) if the minor's parent or guardian establishes by a preponderance of the evidence that:
- 439 (i) school authorities have failed to comply with the requirements of this title;
- 440 (ii) the minor is being instructed at home in compliance with Section 53G-6-204;
- 441 (iii) there is documentation that the minor has demonstrated educational progress at a
- 442 level commensurate with the minor's ability;
- 443 (iv) the parent, guardian, or other person in control of the minor has made a good
- 444 faith effort to secure the minor's regular attendance in school;
- 445 (v) good cause or a valid excuse exists for the minor's absence from school;
- 446 (vi) the minor is not required to attend school under court order or is exempt under
- 447 other applicable state or federal law;
- 448 (vii) the minor has performed above the twenty-fifth percentile of the local public
- 449 school's age group expectations in all basic skills, as measured by a standardized
- 450 academic achievement test administered by the school district where the minor
- 451 resides; or
- 452 (viii) the parent or guardian presented a reasonable alternative curriculum to required
- 453 school curriculum, in accordance with Section 53G-10-205 or 53G-10-403, and
- 454 the alternative curriculum was rejected by the school district, but the parents have
- 455 implemented the alternative curriculum; or
- 456 (c) if the minor is attending school on a regular basis.

457 Section 7. Section **53G-6-213** is enacted to read:

458 **53G-6-213 . Data quality and monitoring requirements.**

459 (1) An LEA shall:

- 460 (a) ensure the LEA's student information system accurately captures and reports student
- 461 enrollment, attendance, and membership data; and
- 462 (b) conduct an annual internal ~~audit~~ → [audit] review ← ~~audit~~ of attendance data accuracy.

463 (2) The state board shall:

- 464 (a) establish minimum standards for LEA attendance data quality;
- 465 (b) conduct periodic audits of LEA attendance data;
- 466 (c) provide technical assistance to an LEA with data quality issues;
- 467 (d) publish annual reports on statewide attendance trends and data quality; and
- 468 (e) implement corrective action procedures for an LEA that fails to meet data quality
- 469 standards.

470 (3) An LEA that fails to meet state data quality standards shall:

- 471 (a) develop and implement a corrective action plan within 60 days and submit the plan
 472 to the state board;
 473 (b) submit monthly progress reports to the state board until compliance is achieved; and
 474 (c) as the state board determines, be subject to withholding of state funding until
 475 compliance is demonstrated.
 476 (4) Notwithstanding Subsection (3), an LEA may not be subject to corrective action
 477 procedures or withholding of state funding under Subsection (3) if the LEA's only
 478 failure to meet state data quality standards relates to the tracking or reporting of excused
 479 absences as described in Subsection 53G-6-206(8)(a).

480 Section 8. Section **53G-6-214** is enacted to read:

481 **53G-6-214 . LEA accountability measures.**

482 (1) An LEA shall:

- 483 (a) establish written policies and procedures for attendance tracking, intervention, and
 484 enforcement that comply with state law;
 485 (b) train all relevant staff on attendance policies and procedures annually;
 486 (c) ensure consistent implementation of attendance policies across all schools within the
 487 LEA; and
 488 (d) provide clear communication to parents and students regarding attendance
 489 expectations and consequences.

490 (2) An LEA governing board shall:

- 491 (a) review relevant attendance data;
 492 (b) evaluate the effectiveness of attendance interventions annually;
 493 (c) ensure adequate resources are allocated for attendance monitoring and intervention
 494 programs; and
 495 (d) approve any changes to attendance policies in a public meeting.

496 Section 9. Section **53G-7-203** is amended to read:

497 **53G-7-203 . Kindergartens -- Establishment -- Funding -- Assessment.**

- 498 (1) Kindergartens are an integral part of the state's public education system.
 499 (2)(a) Each LEA governing board shall provide kindergarten classes free of charge for
 500 kindergarten children residing within the district or attending [the] a charter school.
 501 (b) Each LEA governing board shall:
 502 (i) provide a half-day kindergarten option for a student that comprises the minimum
 503 standards for half-day kindergarten that the state board establishes, in accordance
 504 with Subsection (4)(a)(iii), if the student's parent requests a half-day option;[~~and~~]

- 505 (ii)(A) inform parents of the availability of the option to register for a designated
506 full-curriculum half-day kindergarten option at the time of all kindergarten
507 registration, by email, posters, or other announcements when a parent requests
508 kindergarten registration; and
- 509 (B) provide the option to register for a designated half-day kindergarten option at
510 the time of registration;
- 511 (iii) provide a dedicated kindergarten class specifically designated as a half-day
512 kindergarten class when enrollment of half-day kindergarten students at an
513 individual school or a regional school exceeds a minimum of 18 students;
- 514 (iv) when enrollment of half-day kindergarten students at an individual school
515 exceeds a minimum of 18 students, designate the school as a half-day
516 kindergarten provider for the improvement of recruiting teachers that prefer
517 half-day teaching;
- 518 (v) inform parents regarding the additional educational resources and opportunities
519 available to parents who select the half-day kindergarten option; and
- 520 (vi) ensure that a half-day kindergarten student who is registered in a class that
521 includes full-day kindergarten students receives instruction that at least meets the
522 minimum standards for half-day kindergarten that the state board establishes, in
523 accordance with Subsection (4)(a)(iii).
- 524 (c) Nothing in this Subsection (2):
- 525 (i) allows an LEA governing board to require a student to participate in a full-day
526 kindergarten program;
- 527 (ii) modifies the non-compulsory status of kindergarten under Chapter 6, Part 2,
528 Compulsory Education; or
- 529 (iii) requires a student who only attends a half day of kindergarten to participate in
530 dual enrollment under Section 53G-6-702.
- 531 (3) Kindergartens established under Subsection (2) shall receive state money under Title
532 53F, Public Education System -- Funding.
- 533 (4)(a) The state board shall:
- 534 (i) develop and collect data from a kindergarten assessment that the board selects by
535 rule;
- 536 (ii) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
537 Rulemaking Act, regarding the administration of and reporting regarding the
538 assessment described in Subsection (4)(a)(i); and

- 539 (iii) establish minimum standards for half-day kindergarten.
- 540 (b) An LEA shall:
- 541 (i) administer the assessment described in Subsection (4)(a) to each kindergarten
- 542 student; and
- 543 (ii) report to the state board the results of the assessment described in Subsection
- 544 (4)(b)(i) in relation to each kindergarten student in the LEA.
- 545 (5) The state board shall require LEAs to report average daily membership for all
- 546 kindergarten students who attend kindergarten on a schedule that is equivalent in length
- 547 to the schedule for grades 1 through 3 with the October 1 data described in Section
- 548 53F-2-302.
- 549 ~~[(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
- 550 ~~state board shall make rules to:]~~
- 551 ~~[(a) beginning with the 2025-2026 school year, require a student to be toilet trained~~
- 552 ~~before being enrolled in public school;]~~
- 553 ~~[(b) establish requirements for an LEA's enrollment process to include assurances from a~~
- 554 ~~parent that the parent's student is toilet trained; and]~~
- 555 ~~[(c) create exemptions from the requirement in Subsection (6)(a) for a student who is not~~
- 556 ~~able to be toilet trained before enrolling because of a condition that is subject to~~
- 557 ~~federal child find requirements or described in an IEP or Section 504 accommodation~~
- 558 ~~plan.]~~

559 Section 10. Section **53G-7-228** is enacted to read:

560 **53G-7-228 . Personal care independence standards -- School enrollment.**

561 In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state

562 board shall make rules to:

- 563 (1) beginning with the 2026-2027 school year, require a student to demonstrate personal
- 564 care independence by being toilet trained before being enrolled in a public school;
- 565 (2) establish requirements for an LEA's enrollment process to include assurances from a
- 566 parent that the parent's student meets the personal care independence requirements
- 567 described in Subsection (1); and
- 568 (3) create exemptions from the requirement in Subsection (1) for a student who is not able
- 569 to meet personal care independence requirements because of a condition that is subject
- 570 to federal child find requirements found in Section 20 U.S.C. 1412(a)(3), Individuals
- 571 with Disabilities Education Act, and 34 C.F.R. Sec. 300.111 or described in an IEP or
- 572 Section 504 accommodation plan.

573

Section 11. **Effective Date.**

574

This bill takes effect on July 1, 2026.