

Daniel McCay proposes the following substitute bill:

School Reintegration Plan Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill modifies provisions related to reintegration and enrollment of students with disciplinary issues.

Highlighted Provisions:

This bill:

- modifies grounds for denying open enrollment applications;
- modifies timelines and requirements for transferring student records;
- modifies reintegration plan requirements for students who have committed serious offenses;
- requires local education agencies to digitally maintain and transfer certain student records;
- modifies notification requirements when a minor is taken into temporary custody; and
- makes technical and conforming changes

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 53G-6-403**, as last amended by Laws of Utah 2019, Chapter 293
- 53G-6-604**, as renumbered and amended by Laws of Utah 2018, Chapter 3
- 53G-8-213**, as last amended by Laws of Utah 2025, Chapter 348
- 53G-8-403**, as last amended by Laws of Utah 2024, Chapter 532
- 53G-9-902**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9
- 63M-7-208**, as last amended by Laws of Utah 2024, Chapter 240
- 80-6-103**, as last amended by Laws of Utah 2025, Chapters 173, 208

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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.

- (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).
- (2) Standards for accepting or rejecting an application for enrollment may include:
- (a) for an elementary school, the capacity of the grade level;
 - (b) for a secondary school, the capacity of a comprehensive program;
 - (c) maintenance of heterogeneous student populations if necessary to avoid violation of constitutional or statutory rights of students;
 - (d) not offering, or having capacity in, an elementary or secondary special education or other special program the student requires;
 - (e) maintenance of reduced class sizes:
 - (i) in a Title I school that uses federal, state, and local money to reduce class sizes for the purpose of improving student achievement; or
 - (ii) in a school that uses school trust money to reduce class size;
 - (f) willingness of prospective students to comply with district policies; and
 - (g) giving priority to intradistrict transfers over interdistrict transfers.
- (3)(a) Standards for accepting or rejecting applications for enrollment may not include:
- (i) previous academic achievement;
 - (ii) athletic or other extracurricular ability;
 - (iii) the fact that the student requires special education services for which space is available;
 - (iv) proficiency in the English language; or
 - (v) previous disciplinary proceedings, except as provided in Subsection (3)(b).
- (b) A local school board may provide for the denial of applications from students who:
- (i) have committed serious infractions of the law or school policies, including policies of the district in which enrollment is sought; [or]
 - (ii) have been guilty of chronic misbehavior which would, if it were to continue after the student was admitted:

- 63 (A) endanger persons or property;
- 64 (B) cause serious disruptions in the school; or
- 65 (C) place unreasonable burdens on school staff[-] ; or
- 66 (iii) have any school safety incidents or safe-school violations.
- 67 (c) A local school board may also provide for provisional enrollment of students with
- 68 prior behavior problems, establishing conditions under which enrollment of a
- 69 nonresident student would be permitted or continued.
- 70 (4)(a) The state board, in consultation with the Utah High School Activities Association,
- 71 shall establish policies regarding nonresident student participation in interscholastic
- 72 competition.
- 73 (b) Nonresident students shall be eligible for extracurricular activities at a public school
- 74 consistent with eligibility standards as applied to students that reside within the
- 75 school attendance area, except as provided by policies established under Subsection
- 76 (4)(a).
- 77 (5) For each school in the district, the local school board shall post on the school district's
- 78 website:
- 79 (a) the school's maximum capacity;
- 80 (b) the school's adjusted capacity;
- 81 (c) the school's projected enrollment used in the calculation of the open enrollment
- 82 threshold;
- 83 (d) actual enrollment on October 1, January 2, and April 1;
- 84 (e) the number of nonresident student enrollment requests;
- 85 (f) the number of nonresident student enrollment requests accepted; and
- 86 (g) the number of resident students transferring to another school.

87 Section 2. Section **53G-6-604** is amended to read:

88 **53G-6-604 . Requirement of school record for transfer of student -- Procedures.**

- 89 (1) Except as provided in Section 53E-3-905, a school shall request a certified copy of a
- 90 transfer student's record, directly from the transfer student's previous school[~~, within 14~~
- 91 ~~days after enrolling the transfer student~~].
- 92 (2)(a)(i) Except as provided in Subsection (2)(b) and Section 53E-3-905, a school
- 93 requested to forward a certified copy of a transferring student's record to the new
- 94 school shall comply within [~~30~~] 10 school days of the request.
- 95 (ii) The student record shall include the student's discipline file including any
- 96 safe-school violation, reintegration, or threat assessment.

97 (b) If the record has been flagged [~~pursuant to~~] in accordance with Section 53G-6-602, a
98 school may not forward the record to the new school and the requested school shall
99 notify the division of the request.

100 (c) A school may not enroll a student unless the student record from the previous school
101 is received or the school administrator or designee reviews the data gateway for any
102 safe-school violation, reintegration, or threat assessment.

103 Section 3. Section **53G-8-213** is amended to read:

104 **53G-8-213 . Reintegration plan for student alleged to have committed violent**
105 **felony or weapon offense.**

106 (1) As used in this section, "multidisciplinary team" means:

107 (a) the local education agency or designee;

108 (b) the juvenile court or designee;

109 (c) the Division of Juvenile Justice and Youth Services or designee;

110 (d) a school safety and security specialist designated under Section 53G-8-701.6 or
111 designee if applicable;

112 (e) school safety and security director designated under Section 53G-8-701.8 or designee
113 if applicable;

114 (f) a school resource officer if applicable; [~~and~~] or

115 (g) any other relevant party that should be involved in a reintegration plan.

116 (2)(a) If [~~a school district~~] an LEA receives a notification from the juvenile court or a law
117 enforcement agency that a student was arrested for, charged with, or adjudicated in
118 the juvenile court for a serious offense, the LEA and the relevant school shall develop
119 a reintegration plan for the student with a multidisciplinary team, the student, and the
120 student's parent or guardian, within [~~five~~] seven school days after the day on which
121 the school receives a notification while school is in session.

122 (b) If a school district receives a notification when school is not in session from the
123 juvenile court or a law enforcement agency that a student was arrested for, charged
124 with, or adjudicated in the juvenile court for a serious offense, the school shall
125 develop a reintegration plan for the student with a multidisciplinary team, the student,
126 and the student's parent within seven school days of school being back in session
127 from summer break.

128 (3) The relevant school described in Subsection (2) may deny admission to the student until
129 the school completes the reintegration plan under Subsection (2).

130 (4)(a) The reintegration plan under Subsection (2) shall [~~address~~] include:

- 131 ~~[(a)]~~ (i) a behavioral intervention for the student;
- 132 ~~[(b)]~~ (ii) a short-term mental health or counseling service for the student;
- 133 ~~[(c)]~~ (iii) an academic intervention for the student; ~~[and]~~ or
- 134 (iv) any other interventions that the multidisciplinary team, the student, and the
- 135 student's parent or guardian determine are necessary.
- 136 ~~[(d)]~~ (b) ~~[if]~~ If the serious offense was directed at a school employee or another student
- 137 within the school, notification of the reintegration plan to that school employee or
- 138 student and the student's parent.
- 139 (5) ~~[A school district]~~ An LEA may not reintegrate a student into a school where:
- 140 (a) a student or staff member has a protective order against the student being
- 141 reintegrated; or
- 142 (b) a student or staff member is the victim of [a] ~~[sexual crime or forcible felony~~
- 143 ~~committed by the student being reintegrated]~~ an offense listed in Section 76-3-203.5
- 144 where the student is seeking reintegration or continued enrollment has been found to
- 145 be adjudicated.
- 146 (6) A reintegration plan under this section will remain in effect for an entire school year or
- 147 180 days from the plan's implementation, or as long as the multidisciplinary team deems
- 148 the reintegration plan necessary.
- 149 ~~[(6)]~~ (7)(a) Notwithstanding Subsection (2), ~~[a school district]~~ an LEA may elect to not
- 150 integrate a student into a school if the student has committed, or allegedly committed,
- 151 a forcible felony.
- 152 (b) If ~~[a school district]~~ an LEA elects to not integrate a student under Subsection ~~[(6)(a)]~~
- 153 ~~(7)(a)~~, the school district shall provide alternative education options for the student.
- 154 ~~[(7)]~~ (8) A reintegration plan under this section is classified as a protected record under
- 155 Section 63G-2-305.
- 156 ~~[(8)]~~ (9) All other records of disclosures under this section are governed by Title 63G,
- 157 Chapter 2, Government Records Access and Management Act, and the Family
- 158 Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.
- 159 Section 4. Section **53G-8-403** is amended to read:
- 160 **53G-8-403 . Superintendent required to notify school.**
- 161 (1) "LEA head" means the superintendent of a school district or the director of a charter
- 162 school.
- 163 (2) Within three days of receiving a notification from the juvenile court or a law
- 164 enforcement agency under Section 80-6-103, the LEA head or LEA head's designee

- 165 shall notify the principal of the school the juvenile attends or last attended.
- 166 (3) Upon receipt of the information, the principal shall:
- 167 (a) make a notation in a secure file other than the student's permanent file; and
- 168 (b) if the student is still enrolled in the school, notify staff members who, in his opinion,
- 169 should know of the adjudication.
- 170 (4) A person receiving information [~~pursuant to~~] in accordance with this part may only
- 171 disclose the information to other persons having both a right and a current need to know.
- 172 (5) Access to secure files shall be limited to persons authorized to receive information
- 173 under this part.
- 174 (6) Beginning no later than July 1, 2025, an LEA shall digitally maintain the [~~secure~~]
- 175 cumulative file described in Subsection (3) or, if available, the [~~students-~~] student's
- 176 related reintegration plan described in 53G-8-213, for one year from the day the notice is
- 177 received and ensure the secure file follows the student if the student transfers to a
- 178 different school or LEA.

179 Section 5. Section **53G-9-902** is amended to read:

180 **53G-9-902 . Informed parental consent required -- Parental notification required.**

- 181 (1) Except as provided in a student's IEP or Section 504 accommodation plan:
- 182 (a) an individual who is not authorized personnel may not provide a restricted service;
- 183 and
- 184 (b) authorized personnel may not provide a restricted service:
- 185 (i) outside the scope of the relevant license; or
- 186 (ii) with other students present.
- 187 (2) For authorized personnel to provide a restricted service,^[+]
- 188 [~~(a)~~] the relevant LEA, school, or authorized personnel shall obtain informed written
- 189 parental consent before the first session of a restricted service in a given school year,
- 190 using a standard form that includes:
- 191 [~~(i)~~] (a) fields for at least the following information:
- 192 [~~(A)~~] (i) the name of the student;
- 193 [~~(B)~~] (ii) the name of the individual giving informed consent; and
- 194 [~~(C)~~] (iii) the name of each authorized personnel who has authority under the
- 195 informed written consent to provide a restricted service;
- 196 [~~(ii)~~] (b) a statement that the authorized personnel will provide information about the
- 197 restricted service [~~in accordance with Subsection (2)(b)~~], including that the parent has
- 198 the right to opt out of receiving notifications at any time; and

199 ~~[(iii)]~~ (c) a statement that authorized personnel will adhere to the topics or issues the
 200 parent identifies, in collaboration with authorized personnel, for discussion or
 201 exclusion with the student under Subsection (3)(a), except that the authorized
 202 personnel may address topics if the omission would compromise the student's
 203 immediate safety, the omission would violate mandatory reporting obligations, or,
 204 based on behaviors or statements the authorized personnel observes, the authorized
 205 personnel determines a need to assess the student's safety~~[-and] .~~

206 ~~[(b) unless the student's parent opts out of receiving notifications from the authorized~~
 207 ~~personnel under this Subsection (2)(b), within one business day after each session of~~
 208 ~~a restricted service, the authorized personnel shall provide to the student's parent:]~~

209 ~~[(i) notice that the restricted service took place; and]~~

210 ~~[(ii) a description of the topic of the restricted service.]~~

211 (3)(a)(i) When obtaining the informed written parental consent described in

212 Subsection ~~[(2)(a)]~~ (2), the LEA, school, or authorized personnel shall, through
 213 consultation with the parent, provide the parent an opportunity to identify topics
 214 or issues the parent intends the authorized personnel to address or to not address
 215 with the student.

216 (ii) Except as described in Subsection (3)(a)(iii), authorized personnel may not
 217 address a topic or issue for which a parent has expressly stated an intent for
 218 authorized personnel to not address with the student under this Subsection (3)(a).

219 (iii) Subsection (3)(a)(ii) does not apply if:

220 (A) an omission within a restricted service would compromise the student's
 221 immediate safety; or

222 (B) the student discloses information that creates a duty on the authorized
 223 personnel to make a mandatory report for the purpose of discussing the
 224 information with the student to the extent necessary to make the report,
 225 including for suspected cases of child abuse or neglect under Section 80-2-602,
 226 abuse of a student under Section 53E-6-701, or any other legally mandated
 227 duty to report an incident.

228 (b)(i) The requirement to obtain prior informed written parental consent before
 229 providing a restricted service described in Subsection ~~[(2)(a)]~~ (2) does not apply in
 230 a case in which a delay to contact a parent would create an immediate serious risk
 231 of suicide or serious bodily injury, as defined in Section 76-1-101.5, to the student
 232 or to another individual.

- 233 (ii) For a circumstance described in Subsection (3)(b)(i), the LEA, school, or
 234 authorized personnel shall notify a parent in accordance with Section 53G-9-604.
- 235 (c) A student's IEP or Section 504 accommodation plan that includes a restricted service
 236 satisfies the informed parental consent requirement described in Subsection [~~(2)(a)~~] (2).
- 237 (4)(a) The state board may make rules, in accordance with Title 63G, Chapter 3, Utah
 238 Administrative Rulemaking Act, regarding the application of this section to the
 239 actions of educators and staff in the public education system.
- 240 (b) The state board shall, in consultation with the Department of Health and Human
 241 Services, provide guidance to authorized personnel, educators, and school support
 242 staff on conduct and practices that constitute and do not constitute a restricted service.
- 243 (5) Nothing in this part authorizes an individual to take an action that exceeds the scope of
 244 the individual's license or certification.
- 245 (6) This section does not apply to a service a student accesses through the SafeUT Crisis
 246 Line established in Section 53H-4-210.
- 247 Section 6. Section **63M-7-208** is amended to read:
- 248 **63M-7-208 . Juvenile justice oversight -- Delegation -- Effective dates.**
- 249 (1) The State Commission on Criminal and Juvenile Justice shall:
- 250 (a) support implementation and expansion of evidence-based juvenile justice programs
 251 and practices, including assistance regarding implementation fidelity, quality
 252 assurance, and ongoing evaluation;
- 253 (b) examine and make recommendations on the use of third-party entities or an
 254 intermediary organization to assist with implementation and to support the
 255 performance-based contracting system authorized in Subsection (1)(m);
- 256 (c) oversee the development of performance measures to track juvenile justice reforms,
 257 and ensure early and ongoing stakeholder engagement in identifying the relevant
 258 performance measures;
- 259 (d) evaluate currently collected data elements throughout the juvenile justice system and
 260 contract reporting requirements to streamline reporting, reduce redundancies,
 261 eliminate inefficiencies, and ensure a focus on recidivism reduction;
- 262 (e) review averted costs from reductions in out-of-home placements for juvenile justice
 263 youth placed with the Division of Juvenile Justice and Youth Services and the
 264 Division of Child and Family Services, and make recommendations to prioritize the
 265 reinvestment and realignment of resources into community-based programs for youth
 266 living at home, including the following:

- 267 (i) statewide expansion of:
- 268 (A) juvenile receiving centers, as defined in Section 80-1-102;
- 269 (B) mobile crisis outreach teams, as defined in Section 26B-5-101;
- 270 (C) youth courts; and
- 271 (D) victim-offender mediation;
- 272 (ii) statewide implementation of nonresidential diagnostic assessment;
- 273 (iii) statewide availability of evidence-based programs and practices including
- 274 cognitive behavioral and family therapy programs for minors assessed by a
- 275 validated risk and needs assessment as moderate or high risk;
- 276 (iv) implementation and infrastructure to support the sustainability and fidelity of
- 277 evidence-based juvenile justice programs, including resources for staffing,
- 278 transportation, and flexible funds; and
- 279 (v) early intervention programs such as family strengthening programs, family
- 280 wraparound services, and proven truancy interventions;
- 281 (f) assist the Administrative Office of the Courts in the development of a statewide
- 282 sliding scale for the assessment of fines, fees, and restitution, based on the ability of
- 283 the minor's family to pay;
- 284 (g) analyze the alignment of resources and the roles and responsibilities of agencies,
- 285 such as the operation of early intervention services, receiving centers, and diversion,
- 286 and make recommendations to reallocate functions as appropriate, in accordance with
- 287 Section 80-5-401;
- 288 (h) comply with the data collection and reporting requirements under Section 80-6-104;
- 289 (i) develop a reasonable timeline within which all programming delivered to minors in
- 290 the juvenile justice system [~~must~~] shall be evidence-based or consist of practices that
- 291 are rated as effective for reducing recidivism by a standardized program evaluation
- 292 tool;
- 293 (j) provide guidelines to be considered by the Administrative Office of the Courts and
- 294 the Division of Juvenile Justice and Youth Services in developing tools considered
- 295 by the Administrative Office of the Courts and the Division of Juvenile Justice and
- 296 Youth Services in developing or selecting tools to be used for the evaluation of
- 297 juvenile justice programs;
- 298 (k) develop a timeline to support improvements to juvenile justice programs to achieve
- 299 reductions in recidivism and review reports from relevant state agencies on progress
- 300 toward reaching that timeline;

- 301 (l) subject to Subsection (2), assist in the development of training for juvenile justice
302 stakeholders, including educators, law enforcement officers, probation staff, judges,
303 Division of Juvenile Justice and Youth Services staff, Division of Child and Family
304 Services staff, and program providers;
- 305 (m) subject to Subsection (3), assist in the development of a performance-based
306 contracting system, which shall be developed by the Administrative Office of the
307 Courts and the Division of Juvenile Justice and Youth Services for contracted
308 services in the community and contracted out-of-home placement providers;
- 309 (n) assist in the development of a validated detention risk assessment tool that is
310 developed or adopted and validated by the Administrative Office of the Courts and
311 the Division of Juvenile Justice and Youth Services as provided in Section 80-5-203;
312 and
- 313 (o) annually issue and make public a report to the governor, president of the Senate,
314 speaker of the House of Representatives, and chief justice of the Utah Supreme Court
315 on the progress of the reforms and any additional areas in need of review.
- 316 (2) Training described in Subsection (1)(l) should include instruction on evidence-based
317 programs and principles of juvenile justice, such as risk, needs, responsivity, and
318 fidelity, and ~~[shall-]~~ changes in legislation that impact the juvenile justice system and
319 may be supplemented by the following topics:
- 320 (a) adolescent development;
- 321 (b) identifying and using local behavioral health resources;
- 322 (c) cross-cultural awareness;
- 323 (d) graduated responses;
- 324 (e) Utah juvenile justice system data and outcomes; and
- 325 (f) gangs.
- 326 (3) The system described in Subsection (1)(m) shall provide incentives for:
- 327 (a) the use of evidence-based juvenile justice programs and practices rated as effective
328 by the tools selected in accordance with Subsection (1)(j);
- 329 (b) the use of three-month timelines for program completion; and
- 330 (c) evidence-based programs and practices for minors living at home in rural areas.
- 331 (4) The State Commission on Criminal and Juvenile Justice may delegate the duties
332 imposed under this section to a subcommittee or board established by the State
333 Commission on Criminal and Juvenile Justice in accordance with Subsection
334 63M-7-204(2).

335 Section 7. Section **80-6-103** is amended to read:

336 **80-6-103 . Notification to a school -- Civil and criminal liability.**

337 (1) As used in this section:

338 (a) "School" means a school in a local education agency.

339 (b) "Local education agency" means a school district, a charter school, or the Utah
340 Schools for the Deaf and the Blind.

341 (c) "School official" means the superintendent of a school district or the director of a
342 charter school or designee in which the minor resides or attends school.

343 (d) "Serious offense" means:

344 (i) a violent felony as defined in Section 76-3-203.5;

345 (ii) an offense that is a violation of an offense under Title 76, Chapter 6, Part 4, Theft,
346 and the property stolen is a firearm; or

347 (iii) an offense that is a violation of an offense under Title 76, Chapter 11, Weapons.

348 (e) "Transferee school official" means the superintendent of a school district or the
349 director of a charter school or designee in which the minor resides or attends school if
350 the minor is admitted to home detention.

351 (2) A notification under this section is provided for a minor's supervision and student safety.

352 (3)(a) If a minor is taken into temporary custody under Section 80-6-201 for a serious
353 offense, the peace officer, or other person who has taken the minor into temporary
354 custody, shall notify a school official within five days after the day on which the
355 minor is [~~taken into~~] released from temporary custody.

356 (b) A notification under this Subsection (3) shall only disclose:

357 (i) the name of the minor;

358 (ii) the offense for which the minor was taken into temporary custody or admitted to
359 detention; and

360 (iii) if available, the name of the victim if the victim resides in the same school
361 district as the minor or attends the same school as the minor.

362 (4) After a detention hearing for a minor who is alleged to have committed a serious
363 offense, the juvenile court shall order a juvenile probation officer to notify a school
364 official, or a transferee school official, and the appropriate local law enforcement agency
365 of the juvenile court's decision, including any disposition, order, or no-contact order.

366 (5) If a designated staff member of a detention facility admits a minor to home detention
367 under Section 80-6-205 and notifies the juvenile court of that admission, the juvenile
368 court shall order a juvenile probation officer to notify a school official, or a transferee

369 school official, and the appropriate local law enforcement agency that the minor has
370 been admitted to home detention.

371 (6)(a) If the juvenile court adjudicates a minor for a serious offense, the juvenile court
372 shall order a juvenile probation officer to notify a school official, or a transferee
373 school official, of the adjudication.

374 (b) A notification under this Subsection (6) shall be given to a school official, or a
375 transferee school official, within three days after the day on which the minor is
376 adjudicated.

377 (c) A notification under this section shall include:

378 (i) the name of the minor;

379 (ii) the offense for which the minor was adjudicated; and

380 (iii) if available, the name of the victim if the victim:

381 (A) resides in the same school district as the minor; or

382 (B) attends the same school as the minor.

383 (7) If the juvenile court orders formal probation under Section 80-6-702, the juvenile court
384 shall order a juvenile probation officer to notify the appropriate local law enforcement
385 agency and the school official of the juvenile court's order for formal probation.

386 (8)(a) An employee of the local law enforcement agency, or the school the minor
387 attends, who discloses a notification under this section is not:

388 (i) civilly liable except when the disclosure constitutes fraud or willful misconduct as
389 provided in Section 63G-7-202; and

390 (ii) civilly or criminally liable except when the disclosure constitutes a knowing
391 violation of Section 63G-2-801.

392 (b) An employee of a governmental agency is immune from any criminal liability for
393 failing to provide the information required by this section, unless the employee fails
394 to act due to malice, gross negligence, or deliberate indifference to the consequences.

395 (9)(a) A notification under this section shall be classified as a protected record under
396 Section 63G-2-305.

397 (b) All other records of disclosures under this section are governed by Title 63G,
398 Chapter 2, Government Records Access and Management Act, and the Family
399 Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

400 Section 8. **Effective Date.**

401 This bill takes effect on May 6, 2026.