

1 **COMPULSORY EDUCATION REVISIONS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jefferson Moss**

5 Senate Sponsor: Howard A. Stephenson

6 Cosponsors: Michael S. Kennedy

7 Steve Eliason Val K. Potter

 Justin L. Fawson

8

9 **LONG TITLE**

10 **General Description:**

11 This bill amends the definition of "valid excuse" in the compulsory education code.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ amends a definition to specify that "valid excuse" means a physical or mental
15 illness.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **53G-6-201**, as renumbered and amended by Laws of Utah 2018, Chapter 3

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

25 Section 1. Section **53G-6-201** is amended to read:

26 **53G-6-201. Definitions.**

27 For purposes of this part:

28 (1) (a) "Absence" or "absent" means, consistent with Subsection (1)(b), failure of a
29 school-age minor assigned to a class or class period to attend the entire class or class period.

30 (b) A school-age minor may not be considered absent under this part more than one
31 time during one day.

32 (2) "Habitual truant" means a school-age minor who:

33 (a) is at least 12 years old;

34 (b) is subject to the requirements of Section 53G-6-202; and

35 (c) (i) is truant at least 10 times during one school year; or

36 (ii) fails to cooperate with efforts on the part of school authorities to resolve the
37 minor's attendance problem as required under Section 53G-6-206.

38 (3) "Minor" means a person under the age of 18 years.

39 (4) "Parent" includes:

40 (a) a custodial parent of the minor;

41 (b) a legally appointed guardian of a minor; or

42 (c) any other person purporting to exercise any authority over the minor which could be
43 exercised by a person described in Subsection (4)(a) or (b).

44 (5) "School-age minor" means a minor who:

45 (a) is at least six years old, but younger than 18 years old; and

46 (b) is not emancipated.

47 (6) "School year" means the period of time designated by a local school board or local
48 charter board as the school year for the school where the school-age minor:

49 (a) is enrolled; or

50 (b) should be enrolled, if the school-age minor is not enrolled in school.

51 (7) "Truant" means absent without a valid excuse.

52 (8) "Truant minor" means a school-age minor who:

53 (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and

54 (b) is truant.

55 (9) "Valid excuse" means:

- 56 (a) an illness, which may be either mental or physical;
- 57 (b) a family death;
- 58 (c) an approved school activity;
- 59 (d) an absence permitted by a school-age minor's:
 - 60 (i) individualized education program, developed pursuant to the Individuals with
 - 61 Disabilities Education Improvement Act of 2004, as amended; or
 - 62 (ii) accommodation plan, developed pursuant to Section 504 of the Rehabilitation Act
 - 63 of 1973, as amended; or
 - 64 (e) any other excuse established as valid by a local school board, local charter board, or
 - 65 school district.