

1 **R277. Education, Administration.**

2 **R277-631. Student Toilet Training Requirements.**

3 **R277-631-1. Authority, Purpose, and Oversight Category.**

4 _____ (1) This rule is authorized by:

5 _____ (a) Utah Constitution [Article X, Section 3](#), which vests general control and
6 supervision over public education in the Board;

7 _____ (b) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute
8 the Board’s duties and responsibilities under the Utah Constitution and state law; and

9 _____ (c) Subsection [53G-7-203\(6\)](#), which requires the Board to make rules related to
10 student toilet training.

11 _____ (2) The purpose of this rule is to:

12 _____ (a) establish toilet training requirements and exceptions; and

13 _____ (b) require each LEA to adopt policies for dealing with individual students with
14 toilet training issues.

15 _____ (3) This Rule R277-631 is categorized as Category 2 as described in Rule R277-
16 111.

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18 **R277-631-2. Definitions.**

19 _____ (1)(a) “Toilet trained” means that a student can;

20 _____ (i) communicate the need to use the bathroom to an adult;

21 _____ (ii) sit down on a toilet;

22 _____ (iii) use the toilet without assistance;

23 _____ (iv) undress and dress as necessary; and

24 _____ (v) tend to personal hygienic needs after toileting.

25 _____ (b) If an accident occurs a “toilet trained” child can independently tend to hygienic
26 needs and change clothes.

27 _____ (2) A student is not “toilet trained” if the student has accidents with sufficient
28 frequency to impact the educational experience of the student or the student’s peers, as
29 determined by an LEA.

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R277-631-3. LEA Requirements.

(1)(a) Beginning in the 2024-2025 school year, except as provided in Subsection (b) an LEA may not enroll a student in kindergarten unless the student is toilet trained.

(b) An LEA may enroll a student who is not toilet trained if the student’s developmental delay is a result of a condition addressed by an IEP or Section 504 plan.

~~[(2) An LEA shall include assurances related to a student’s toilet training as part of the LEA’s kindergarten enrollment process.]~~

(2) As part of an LEA’s kindergarten enrollment process, an LEA shall require an assurance from the parent of an incoming student that the student is toilet trained as required under Subsection (1)(a).

(3) Each LEA shall establish a policy for addressing the needs of enrolled students who lack toilet training, which shall include:

(a) considering whether a student’s delay in toileting capability may be a sign of a disability that could impact the child’s education, including initial evaluation consistent with the LEA’s child find obligations, if appropriate;

(b) referring a student and the student’s parents to a school social worker or counselor;

(i) to provide additional family supports and resources; and

(ii) to create an individualized plan to address the student’s needs;

(c) establishing the circumstances under which a parent or a parent’s adult designee may aid in toilet training;

(d) coordinating with appropriate LEA personnel and parents to reintegrate a student, as appropriate, once the student has become toilet trained.

KEY: toilet training, kindergarten

Date of Enactment or Last Substantive Amendment:

Authorizing, and Implemented, or Interpreted Law: