

R277. Education, Administration.

R277-631. Student ~~[Toilet Training]~~ Personal Care Independence Requirements.

R277-631-1. Authority~~[,] and Purpose[, and Oversight Category].~~

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Subsection ~~[53G-7-203(6)]~~53G-7-230, which requires the Board to make rules ~~[related to student toilet training]~~establishing personal care independence standards for public school enrollment.

(2) The purpose of this rule is to establish ~~[toilet training]~~personal care independence requirements and exceptions for public school enrollment.

~~[(3) This Rule R277-631 is categorized as Category 2 as described in Rule R277-411.]~~

R277-631-2. Definitions.

(1)(a) ~~["Toilet-trained"]~~"Personal Care Independence" means that a student ~~[can]~~is toilet trained, including the ability to:

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

(ii) sit down on a toilet;

(iii) use the toilet without assistance;

(iv) undress and dress as necessary; and

(v) tend to personal hygienic needs after toileting.

(b) If an accident occurs a ~~["toilet trained" child]~~ student who demonstrates personal care independence can independently tend to hygienic needs and change clothes.

(2) A student ~~[is not "toilet trained"]~~does not meet the personal care independence requirements if the student:

- (a) does not meet the criteria in Subsection (1); or
- (b) has accidents with sufficient frequency to impact the educational experience of the student or the student's peers, as determined by an LEA.

R277-631-3. LEA Requirements.

(1)(a) Beginning in the ~~[2025-2026]~~2026-2027 school year, except as provided in Subsection (b) an LEA may not enroll a student unless the student ~~[is toilet trained]~~meets the personal care independence requirements.

(b) An LEA may enroll a school-aged student who is ~~[not able to be toilet trained]~~unable to meet the personal care independence requirements because of a suspected disability that is subject to federal child find requirements or that is described in an IEP or Section 504 plan.

(2) As part of an LEA's enrollment process, an LEA shall require an assurance from the parent of an incoming student ~~[that the student is toilet trained as required under]~~that the student meets the personal care independence requirements described in Subsection (1)(a).

(3) If an LEA denies enrollment under Subsection (1)(a), the LEA shall provide services consistent with the school's requirements under Subsection 53G-6-302(6) or 53G-6-502(3).

R277-631-4. Background Checks.

(1) An LEA may adopt a policy requiring a background check for a parent's designee entering in public multi-stall restrooms for the purposes of aiding in ~~[toilet training pursuant to Subsection R277-631-3(3)(c) or]~~personal care independence.

(2) An LEA shall ensure that toilet training assistance for a student who is ~~[not toilet trained, as provided under Subsection R277-631-3(3)(c)]~~unable to meet personal care independence requirements occurs in a private or cleared restroom.

KEY: personal care independence, toilet training, kindergarten

59 **Date of Last Change: August 7, 2025**

60 **Authorizing, and Implemented or Interpreted Law: Article X, Section 3; 53E-3-**

61 **401(4); [~~53G-7-203(6)~~]53G-7-230**

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