

## **R277. Education, Administration.**

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

#### **R277-631-1. Authority, 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), which requires the Board to make rules related to student toilet training.

(2) The purpose of this rule is to establish toilet training requirements and exceptions.

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

#### **R277-631-2. Definitions.**

(1)(a) "Toilet trained" means that a student can;

(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 can independently tend to hygienic needs and change clothes.

(2) A student is not "toilet trained" 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 school year, except as provided in Subsection (b) an LEA may not enroll a student unless the student is toilet trained.

(b) An LEA may enroll a school-aged student who is not able to be toilet trained 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 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

(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) occurs in a private or cleared restroom.

**KEY: toilet training, kindergarten**

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

**Authorizing, and Implemented or Interpreted Law: Article X, Section 3; 53E-3-401(4); 53G-7-203(6)**