

Derrin R. Owens proposes the following substitute bill:

School Safety Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derrin R. Owens

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This bill creates a system for the State Board of Education (state board) to collect and share information about student threats between local education agencies (LEAs).

Highlighted Provisions:

This bill:

- establishes a statewide student threat flag;
- defines terms related to student threats and threat assessments;
- requires LEAs to report certain student threat information to the state board;
- authorizes the state board to share threat information with other LEAs;
- provides protections for student privacy;
- establishes procedures for data collection, retention, and deletion;
- creates immunity provisions for good faith reporting; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53E-1-201 (Effective 07/01/26) (Partially Repealed 07/01/27), as last amended by Laws of Utah 2025, First Special Session, Chapter 9

53E-3-518 (Effective 07/01/26), as last amended by Laws of Utah 2024, Chapters 21, 24

53E-9-301 (Effective 07/01/26), as last amended by Laws of Utah 2023, Chapter 328

53E-9-305 (Effective 07/01/26), as last amended by Laws of Utah 2023, Chapter 161

53E-9-308 (Effective 07/01/26), as last amended by Laws of Utah 2023, Chapters 328,

381

53G-8-701.5 (Effective 07/01/26), as last amended by Laws of Utah 2025, Chapter 388

53G-8-802 (Effective 07/01/26), as last amended by Laws of Utah 2025, Chapter 388

ENACTS:

53G-8-806 (Effective 07/01/26), Utah Code Annotated 1953

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

Section 1. Section **53E-1-201** is amended to read:

53E-1-201 (Effective 07/01/26) (Partially Repealed 07/01/27). Reports to and action required of the Education Interim Committee.

(1) In accordance with applicable provisions and Section 68-3-14, the following recurring reports are due to the Education Interim Committee:

- (a) the report described in Section 9-22-109 by the STEM Action Center Board, including the information described in Section 9-22-113 on the status of the computer science initiative and Section 9-22-114 on the Computing Partnerships Grants Program;
- (b) the prioritized list of data research described in Section 53H-15-303 and the report on research and activities described in Section 53H-15-305 by the Utah Data Research Center;
- (c) the report described in Section 53H-1-203 by the Utah Board of Higher Education on career and technical education issues and addressing workforce needs;
- (d) the annual report of the Utah Board of Higher Education described in Section 53H-1-203;
- (e) the reports described in Section 53H-7-603 by the Utah Board of Higher Education regarding activities related to campus safety;
- (f) the State Superintendent's Annual Report by the state board described in Section 53E-1-203;
- (g) the annual report described in Section 53E-2-202 by the state board on the strategic plan to improve student outcomes;
- (h) the report described in Section 53E-3-501 by the state board on students in an LEA who receive academic credit through the packet method;
- (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for the Deaf and the Blind;
- (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,

- 63 Actionable, and Dynamic Education director on research and other activities;
- 64 (k) the report described in Section 53F-2-522 regarding mental health screening
- 65 programs;
- 66 (l) the report described in Section 53F-4-203 by the state board and the independent
- 67 evaluator on an evaluation of early interactive reading software;
- 68 (m) the report described in Section 53F-6-412 by the program manager of the Utah Fits
- 69 All Scholarship Program;
- 70 (n) the report described in Section 63N-20-107 by the Governor's Office of Economic
- 71 Opportunity on UPSTART;
- 72 (o) the report described in Section 53F-5-215 by the state board related to a grant for an
- 73 elementary teacher preparation assessment;
- 74 (p) upon request, the report described in Section 53F-5-219 by the state board on the
- 75 Local Innovations Civics Education Pilot Program;
- 76 (q) the report described in Section 53F-5-405 by the state board regarding an evaluation
- 77 of a partnership that receives a grant to improve educational outcomes for students
- 78 who are low-income;
- 79 (r) the report described in Section 53H-1-604 regarding the Higher Education and
- 80 Corrections Council;
- 81 (s) the report described in Section 53G-7-221 by the state board regarding innovation
- 82 plans;[-and]
- 83 (t) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship
- 84 Program[-] ; and
- 85 (u) the report described in Subsection 53G-8-806(7)(e) regarding operation and
- 86 effectiveness of the student threat information.
- 87 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional
- 88 reports are due to the Education Interim Committee:
- 89 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53H-1-502,
- 90 53H-1-503, and 53H-1-504;
- 91 (b) in 2025, the report described in Section 53H-6-203 by a degree-granting institution
- 92 regarding policies on abusive coaching practices;
- 93 (c) if required, the report described in Section 53E-4-309 by the state board explaining
- 94 the reasons for changing the grade level specification for the administration of
- 95 specific assessments;
- 96 (d) if required, the report described in Section 53E-5-210 by the state board of an

- 97 adjustment to the minimum level that demonstrates proficiency for each statewide
98 assessment;
- 99 (e) the report described in Section 53E-10-702 by Utah Leading through Effective,
100 Actionable, and Dynamic Education;
- 101 (f) if required, the report described in Section 53F-2-513 by the state board evaluating
102 the effects of salary bonuses on the recruitment and retention of effective teachers in
103 high-poverty schools;
- 104 (g) upon request, the report described in Section 53F-10-303 by the state board
105 regarding the Rural School Sports Facilities Grant Program;
- 106 (h) upon request, a report described in Section 53G-7-222 by an LEA regarding
107 expenditure of a percentage of state restricted funds to support an innovative
108 education program;
- 109 (i) the reports described in Section 53G-11-304 by the state board regarding proposed
110 rules and results related to educator exit surveys; and
- 111 (j) the report described in Section 26B-5-113 by the Office of Substance Use and Mental
112 Health, the state board, and the Department of Health and Human Services regarding
113 recommendations related to Medicaid reimbursement for school-based health
114 services.
- 115 (3) In accordance with applicable provisions and Section 68-3-14, every five years the
116 Education Interim Committee shall review the programs described in the following
117 sections of code:
- 118 (a) beginning July 1, 2027, Title 53E, Chapter 10, Part 3, Concurrent Enrollment;
- 119 (b) beginning July 1, 2027, Section 53F-2-408, Enhancement for Accelerated Students
120 Program;
- 121 (c) beginning July 1, 2027, Section 53F-2-409, Concurrent enrollment funding;
- 122 (d) beginning July 1, 2027, Section 53F-2-415, Student health and counseling support --
123 Qualifying personnel -- Distribution formula -- Rulemaking;
- 124 (e) beginning July 1, 2028, Section 53F-2-416, Appropriation and distribution for the
125 Teacher and Student Success Program;
- 126 (f) beginning July 1, 2028, Section 53F-2-510, Digital Teaching and Learning Grant
127 Program;
- 128 (g) beginning July 1, 2028, Section 53F-9-306, Teacher and Student Success Account;
- 129 (h) beginning July 1, 2028, Title 53G, Chapter 7, Part 13, Teacher and Student Success
130 Program; and

(i) beginning July 1, 2029, Section 53F-2-502, Dual language immersion.

Section 2. Section **53E-3-518** is amended to read:

**53E-3-518 (Effective 07/01/26). Utah school information management system --
Local education agency requirements.**

(1) As used in this section:

(a) "LEA data system" or "LEA's data system" means a data system that:

(i) is developed, selected, or relied upon by an LEA; and

(ii) the LEA uses to collect data or submit data to the state board related to:

(A) student information;

(B) educator information;

(C) financial information; or

(D) other information requested by the state board.

(b) "LEA financial information system" or "LEA's financial information system" means an LEA data system used for financial information.

(c) "Parent" means the same as that term is defined in Section 53G-6-201.

(d) "Utah school information management system" or "information management system" means the state board's data collection and reporting system described in this section.

(e) "User" means an individual who has authorized access to the information management system.

(2) ~~[On or before July 1, 2024, the]~~ The state board shall have in place an information management system that meets the requirements described in this section.

(3) The state board shall ensure that the information management system:

(a) interfaces with:

(i) an LEA's data systems that meet the requirements described in Subsection (7);

(ii) where appropriate, the systems described in Subsections 53-10-302(7) and (8);

and

(iii) the public safety portal described in Section 63A-16-1002;~~[and]~~

(b) serves as the mechanism for the state board to collect and report on all data that LEAs submit to the state board related to:

(i) student information;

(ii) educator information;

(iii) financial information;

(iv) student threat information as described in Section 53G-8-806; and

- 165 ~~[(iv)]~~ (v) other information requested by the state board;
- 166 (c) includes a web-based user interface through which a user may:
- 167 (i) enter data;
- 168 (ii) view data; and
- 169 (iii) generate customizable reports;
- 170 (d) includes a data warehouse and other hardware or software necessary to store or
- 171 process data submitted by an LEA;
- 172 (e) provides for data privacy, including by complying with Chapter 9, Student Privacy
- 173 and Data Protection;
- 174 (f) restricts user access based on each user's role; and
- 175 (g) meets requirements related to a student achievement backpack described in Section
- 176 53E-3-511.
- 177 (4) On or before January 31, 2026, the state board shall:
- 178 (a) ensure the information management system described in this section allows for the
- 179 transfer of a student's transcript, current IEP, or Section 504 accommodation plan,
- 180 including the tracking of necessary accommodations and services between:
- 181 (i) different LEA student information systems; and
- 182 (ii) an authorized online course provider and a primary LEA; and
- 183 (b) ensure the transfer capability described in Subsection (4)(a) is available for the same
- 184 use within the operating system the state board uses for the Statewide Online
- 185 Education Program described in Title 53F, Chapter 4, Part 5, Statewide Online
- 186 Education Program.
- 187 (5) The state board shall establish the restrictions on user access described in Subsection
- 188 (3)(f).
- 189 (6)(a) The state board shall make rules that establish the required capabilities for an LEA
- 190 financial information system.
- 191 (b) In establishing the required capabilities for an LEA financial information system, the
- 192 state board shall consider metrics and capabilities requested by the state treasurer or
- 193 state auditor.
- 194 (7)(a) ~~[On or before July 1, 2024, an]~~ An LEA shall ensure that:
- 195 (i) all of the LEA's data systems:
- 196 (A) meet the data standards established by the state board in accordance with
- 197 Section 53E-3-501;
- 198 (B) are fully compatible with the state board's information management system;

- 199 and
- 200 (C) meet specification standards determined by the state board; and
- 201 (ii) the LEA's financial information system meets the requirements described in
- 202 Subsection (6).
- 203 (b) An LEA shall ensure that an LEA data system purchased or developed on or after
- 204 May 14, 2019, will be compatible with the information management system when the
- 205 information management system is fully operational.
- 206 (8)(a) Subject to appropriations and Subsection (8)(b), the state board may use an
- 207 appropriation under this section to help an LEA meet the requirements in the rules
- 208 described in Subsection (6) by:
- 209 (i) providing to the LEA funding for implementation and sustainment of the LEA
- 210 financial information system, either through:
- 211 (A) awarding a grant to the LEA; or
- 212 (B) providing a reimbursement to the LEA; or
- 213 (ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, procuring a
- 214 financial information system on behalf of an LEA for the LEA to use as the LEA's
- 215 financial information system.
- 216 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 217 state board shall make rules describing:
- 218 (i) how an LEA may apply to the state board for the assistance described in
- 219 Subsection (8)(a); and
- 220 (ii) criteria for the state board to provide the assistance to an LEA.
- 221 (9)(a) ~~[Beginning July 1, 2024, the]~~ The state board may take action against an LEA that
- 222 is out of compliance with a requirement described in Subsection (7) until the LEA
- 223 complies with the requirement.
- 224 (b) An action described in Subsection (9)(a) may include the state board withholding
- 225 funds from the LEA.
- 226 (10)(a) For purposes of this Subsection (10), "education record" means the same as that
- 227 term is defined in 20 U.S.C. Sec. 1232g.
- 228 (b) The state board shall, by rule made in accordance with Title 63G, Chapter 3, Utah
- 229 Administrative Rulemaking Act, establish a procedure under which:
- 230 (i) a parent may submit information as part of the education records for the parent's
- 231 student;
- 232 (ii) the information submitted by the parent is maintained as part of the education

records for the parent's student;
(iii) information submitted by the parent and maintained as part of the education records for the parent's student may be removed at the request of the parent; and
(iv) a parent has access only to the education records of the parent's student in accordance with Subsection (10)(d).

(c) The rules made under this Subsection (10) shall allow a parent to submit or remove information submitted by the parent under this Subsection (10) at least annually, including at the time of:

- (i) registering a student in a school; or
- (ii) changing the school in which a student attends.

(d) Subject to the federal Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g, and related regulations, the state board shall provide a parent access to an education record concerning the parent's student.

(e) The state board shall create in the information management system a record tracking interoperability of education records described in this Subsection (10) when a student is transitioning between schools or between LEAs.

Section 3. Section **53E-9-301** is amended to read:

53E-9-301 (Effective 07/01/26). Definitions.

As used in this part:

(1) "Adult student" means a student who:

- (a) is at least 18 years old;
- (b) is an emancipated student; or
- (c) qualifies under the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. Sec. 11431 et seq.

(2) "Aggregate data" means data that:

- (a) are totaled and reported at the group, cohort, school, school district, region, or state level with at least 10 individuals in the level;
- (b) do not reveal personally identifiable student data; and
- (c) are collected in accordance with state board rule.

(3)(a) "Biometric identifier" means a:

- (i) retina or iris scan;
- (ii) fingerprint;
- (iii) human biological sample used for valid scientific testing or screening; or
- (iv) scan of hand or face geometry.

- (b) "Biometric identifier" does not include:
- (i) a writing sample;
 - (ii) a written signature;
 - (iii) a voiceprint;
 - (iv) a photograph;
 - (v) demographic data; or
 - (vi) a physical description, such as height, weight, hair color, or eye color.
- (4) "Biometric information" means information, regardless of how the information is collected, converted, stored, or shared:
- (a) based on an individual's biometric identifier; and
 - (b) used to identify the individual.
- (5) "Data breach" means an unauthorized release of or unauthorized access to personally identifiable student data that is maintained by an education entity.
- (6) "Data governance plan" means an education entity's comprehensive plan for managing education data that:
- (a) incorporates reasonable data industry best practices to maintain and protect student data and other education-related data;
 - (b) describes the role, responsibility, and authority of an education entity data governance staff member;
 - (c) provides for necessary technical assistance, training, support, and auditing;
 - (d) describes the process for sharing student data between an education entity and another person;
 - (e) describes the education entity's data expungement process, including how to respond to requests for expungement;
 - (f) describes the data breach response process; and
 - (g) is published annually and available on the education entity's website.
- (7) "Education entity" means:
- (a) the state board;
 - (b) a local school board;
 - (c) a charter school governing board;
 - (d) a school district;
 - (e) a charter school; or
 - (f) the Utah Schools for the Deaf and the Blind.
- (8) "Expunge" means to seal or permanently delete data, as described in state board rule

made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
under Section 53E-9-306.

(9) "General audience application" means an Internet website, online service, online
application, mobile application, or software program that:

(a) is not specifically intended for use by an audience member that attends kindergarten
or a grade from 1 to 12, although an audience member may attend kindergarten or a
grade from 1 to 12; and

(b) is not subject to a contract between an education entity and a third-party contractor.

(10) "Local education agency" or "LEA" means:

(a) a school district;

(b) a charter school; or

(c) the Utah Schools for the Deaf and the Blind.

(11) "Metadata dictionary" means a record that:

(a) defines and discloses all personally identifiable student data collected and shared by
the education entity;

(b) comprehensively lists all recipients with whom the education entity has shared
personally identifiable student data, including:

(i) the purpose for sharing the data with the recipient;

(ii) the justification for sharing the data, including whether sharing the data was
required by federal law, state law, or a local directive; and

(iii) how sharing the data is permitted under federal or state law; and

(c) without disclosing personally identifiable student data, is displayed on the education
entity's website.

(12) "Necessary student data" means data required by state statute or federal law to conduct
the regular activities of an education entity, including:

(a) name;

(b) date of birth;

(c) sex;

(d) parent contact information;

(e) custodial parent information;

(f) contact information;

(g) a student identification number;

(h) local, state, and national assessment results or an exception from taking a local, state,
or national assessment;

- (i) courses taken and completed, credits earned, and other transcript information;
- (j) course grades and grade point average;
- (k) grade level and expected graduation date or graduation cohort;
- (l) degree, diploma, credential attainment, and other school exit information;
- (m) attendance and mobility;
- (n) drop-out data;
- (o) immunization record or an exception from an immunization record;
- (p) race;
- (q) ethnicity;
- (r) tribal affiliation;
- (s) remediation efforts;
- (t) an exception from a vision screening required under Section 53G-9-404 or information collected from a vision screening described in Section 53G-9-404;
- (u) information related to the Utah Registry of Autism and Developmental Disabilities, described in Section 26B-7-115;
- (v) student injury information;
- (w) a disciplinary record created and maintained as described in Section 53E-9-306;
- (x) juvenile delinquency records;
- (y) English language learner status; and
- (z) child find and special education evaluation data related to initiation of an IEP.

(13)(a) "Optional student data" means student data that is not:

- (i) necessary student data; or
- (ii) student data that an education entity may not collect under Section 53E-9-305.

(b) "Optional student data" includes:

- (i) information that is:
 - (A) related to an IEP or needed to provide special needs services; and
 - (B) not necessary student data;
- (ii) biometric information; and
- (iii) information that is not necessary student data and that is required for a student to participate in a federal or other program.

(14) "Parent" means:

- (a) a student's parent;
- (b) a student's legal guardian; or
- (c) an individual who has written authorization from a student's parent or legal guardian

- 369 to act as a parent or legal guardian on behalf of the student.
- 370 (15)(a) "Personally identifiable student data" means student data that identifies or is used
371 by the holder to identify a student.
- 372 (b) "Personally identifiable student data" includes:
- 373 (i) a student's first and last name;
- 374 (ii) the first and last name of a student's family member;
- 375 (iii) a student's or a student's family's home or physical address;
- 376 (iv) a student's email address or other online contact information;
- 377 (v) a student's telephone number;
- 378 (vi) a student's social security number;
- 379 (vii) a student's biometric identifier;
- 380 (viii) a student's health or disability data;
- 381 (ix) a student's education entity student identification number;
- 382 (x) a student's social media user name and password or alias;
- 383 (xi) if associated with personally identifiable student data, the student's persistent
384 identifier, including:
- 385 (A) a customer number held in a cookie; or
- 386 (B) a processor serial number;
- 387 (xii) a combination of a student's last name or photograph with other information that
388 together permits a person to contact the student online;
- 389 (xiii) information about a student or a student's family that a person collects online
390 and combines with other personally identifiable student data to identify the
391 student; and
- 392 (xiv) information that, alone or in combination, is linked or linkable to a specific
393 student that would allow a reasonable person in the school community, who does
394 not have personal knowledge of the relevant circumstances, to identify the student
395 with reasonable certainty.
- 396 (16) "School official" means an employee or agent of an education entity, if the education
397 entity has authorized the employee or agent to request or receive student data on behalf
398 of the education entity.
- 399 (17)(a) "Student data" means information about a student at the individual student level.
- 400 (b) "Student data" does not include aggregate or de-identified data.
- 401 (18) "Student data manager" means:
- 402 (a) the state student data officer; or

(b) an individual designated as a student data manager by an education entity under Section 53E-9-303, who fulfills the duties described in Section 53E-9-308.

(19)(a) "Targeted advertising" means presenting advertisements to a student where the advertisement is selected based on information obtained or inferred over time from that student's online behavior, usage of applications, or student data.

(b) "Targeted advertising" does not include advertising to a student:

(i) at an online location based upon that student's current visit to that location; or

(ii) in response to that student's request for information or feedback, without retention of that student's online activities or requests over time for the purpose of targeting subsequent ads.

(20) "Third-party contractor" means a person who:

(a) is not an education entity; and

(b) ~~[pursuant to]~~ in accordance with a contract with an education entity, collects or receives student data in order to provide a product or service, as described in the contract, if the product or service is not related to school photography, yearbooks, graduation announcements, or a similar product or service.

(21) "Threat assessment information" means data related to a credible threat made by a student that has been evaluated through a threat assessment process and determined to pose a potential risk to school safety, including threats of violence against students, school personnel, or school property.

~~[(21)]~~ (22) "Written consent" means written authorization to collect or share a student's student data, from:

(a) the student's parent, if the student is not an adult student; or

(b) the student, if the student is an adult student.

Section 4. Section **53E-9-305** is amended to read:

53E-9-305 (Effective 07/01/26). Collecting student data -- Prohibition -- Student data collection notice -- Written consent.

(1) An education entity may not collect a student's:

(a) social security number; or

(b) except as required in Section 80-6-103, criminal record.

(2) Except as provided in Subsection (3), an education entity that collects student data shall, in accordance with this section, prepare and distribute to parents and students a student data collection notice statement that:

(a) is a prominent, stand-alone document;

- 437 (b) is annually updated and published on the education entity's website;
- 438 (c) states the student data that the education entity collects;
- 439 (d) states that the education entity will not collect the student data described in
- 440 Subsection (1);
- 441 (e) states the student data described in Section 53E-9-308 that the education entity may
- 442 not share without written consent;
- 443 (f) includes the following statement:
- 444 "The collection, use, and sharing of student data has both benefits and risks. Parents and
- 445 students should learn about these benefits and risks and make choices regarding student data
- 446 accordingly.";
- 447 (g) describes in general terms how the education entity stores and protects student data;
- 448 and
- 449 (h) states a student's rights under this part.
- 450 (3) The state board may publicly post the state board's collection notice described in
- 451 Subsection (2).
- 452 (4) An education entity may collect the necessary student data of a student if the education
- 453 entity provides a student data collection notice to:
- 454 (a) the student, if the student is an adult student; or
- 455 (b) the student's parent, if the student is not an adult student.
- 456 (5) An education entity may collect optional student data if the education entity:
- 457 (a) provides, to an individual described in Subsection (4), a student data collection
- 458 notice that includes a description of:
- 459 (i) the optional student data to be collected; and
- 460 (ii) how the education entity will use the optional student data; and
- 461 (b) obtains written consent to collect the optional student data from an individual
- 462 described in Subsection (4).
- 463 (6) An education entity may collect a student's biometric identifier or biometric information
- 464 if the education entity:
- 465 (a) provides, to an individual described in Subsection (4), a biometric information
- 466 collection notice that is separate from a student data collection notice, which states:
- 467 (i) the biometric identifier or biometric information to be collected;
- 468 (ii) the purpose of collecting the biometric identifier or biometric information; and
- 469 (iii) how the education entity will use and store the biometric identifier or biometric
- 470 information; and

(b) obtains written consent to collect the biometric identifier or biometric information from an individual described in Subsection (4).

(7) Except under the circumstances described in Subsection 53G-8-211(2), an education entity may not refer a student to an evidence-based alternative intervention described in Section 53G-8-211 without written consent.

(8) Nothing in this section prohibits an education entity from including additional information related to student and parent privacy in the notice described in Subsection (2).

(9) Notwithstanding any other provision of this section, an education entity may collect and share threat assessment information as authorized under Section 53G-8-806 without obtaining written consent if:

(a) the collection and sharing is necessary to protect the safety of a student, school personnel, or school property;

(b) the information is shared only with authorized personnel as described in Section 53G-8-806; and

(c) the education entity complies with all procedural requirements in Section 53G-8-806.

Section 5. Section **53E-9-308** is amended to read:

53E-9-308 (Effective 07/01/26). Sharing student data -- Prohibition -- Requirements for student data manager -- Authorized student data sharing.

(1)(a) Except as provided in Subsection (1)(b), an education entity, including a student data manager, may not:

(i) share personally identifiable student data without written consent; or

(ii) share student data with a federal agency.

(b) An education entity, including a student data manager, may share personally identifiable student data:

(i) in accordance with the Family Education Rights and Privacy Act and related provisions under 20 U.S.C. Secs. 1232g and 1232h;

(ii) as required by federal law; and

(iii) as described in Subsections (3), (5), and (6).

(2) A student data manager shall:

(a) authorize and manage the sharing, outside of the student data manager's education entity, of personally identifiable student data for the education entity as described in this section;

(b) act as the primary local point of contact for the state student data officer described in

505 Section 53E-9-302; and

506 (c) fulfill other responsibilities described in the data governance plan of the student data
507 manager's education entity.

508 (3) A student data manager may share a student's personally identifiable student data with a
509 caseworker or representative of the Department of Health and Human Services if:

510 (a) the Department of Health and Human Services is:

511 (i) legally responsible for the care and protection of the student, including the
512 responsibility to investigate a report of educational neglect, as provided in
513 Subsection 80-2-701(5); or

514 (ii) providing services to the student;

515 (b) the student's personally identifiable student data is not shared with a person who is
516 not authorized:

517 (i) to address the student's education needs; or

518 (ii) by the Department of Health and Human Services to receive the student's
519 personally identifiable student data; and

520 (c) the Department of Health and Human Services maintains and protects the student's
521 personally identifiable student data.

522 (4) The Department of Health and Human Services, a school official, or the Utah Juvenile
523 Court may share personally identifiable student data to improve education outcomes for
524 youth:

525 (a) in the custody of, or under the guardianship of, the Department of Health and Human
526 Services;

527 (b) receiving services from the Division of Juvenile Justice and Youth Services;

528 (c) in the custody of the Division of Child and Family Services;

529 (d) receiving services from the Division of Services for People with Disabilities; or

530 (e) under the jurisdiction of the Utah Juvenile Court.

531 (5)(a) A student data manager may share personally identifiable student data in response
532 to a subpoena issued by a court.

533 (b) A person who receives personally identifiable student data under Subsection (5)(a)
534 may not use the personally identifiable student data outside of the use described in
535 the subpoena.

536 (6)(a) A student data manager may share student data, including personally identifiable
537 student data, in response to a request to share student data for the purpose of research
538 or evaluation, if the student data manager:

- (i) verifies that the request meets the requirements of 34 C.F.R. Sec. 99.31(a)(6);
- (ii) submits the request to the education entity's research review process; and
- (iii) fulfills the instructions that result from the review process.

(b)(i) In accordance with state and federal law, and subject to Subsection (6)(b)(ii), the state board shall share student data, including personally identifiable student data, as requested by the Utah Registry of Autism and Developmental Disabilities described in Section 26B-7-115.

(ii)(A) At least 30 days before the state board shares student data in accordance with Subsection (6)(b)(i), the education entity from which the state board received the student data shall provide notice to the parent of each student for which the state board intends to share student data.

(B) The state board may not, for a particular student, share student data as described in Subsection (6)(b)(i) if the student's parent requests that the state board not share the student data.

(iii) A person who receives student data under Subsection (6)(b)(i):

(A) shall maintain and protect the student data in accordance with state board rule described in Section 53E-9-307;

(B) may not use the student data for a purpose not described in Section 26B-7-115; and

(C) is subject to audit by the state student data officer described in Section 53E-9-302.

(7) A student data manager may share threat assessment information described in Section 53G-8-806 if:

(a) the sharing is necessary to protect the safety of a student, school personnel, or school property;

(b) the recipient is an authorized education entity or law enforcement agency; and

(c) all procedural requirements in Section 53G-8-806 are followed.

Section 6. Section **53G-8-701.5** is amended to read:

53G-8-701.5 (Effective 07/01/26). School safety needs assessment -- School safety personnel -- Alternative requirements.

(1)(a) In accordance with Subsections (1)(c) through (e), no later than October 15 of an applicable year, an LEA shall:

- (i) ensure a school safety needs assessment the state security chief selects in collaboration with the school safety center is conducted in accordance with

- 573 Subsection (1)(b) for each school or K-12 campus within the LEA to determine
574 the needs and deficiencies regarding:
- 575 (A) appropriate school safety personnel, including necessary supports, training,
576 and policy creation for the personnel;
- 577 (B) physical building security and safety, including required upgrades to facilities
578 and safety technology;
- 579 (C) a school's current threat and emergency response protocols, including any
580 emergency response agreements with local law enforcement;
- 581 (D) student threat assessment information described in 53G-8-806;
- 582 ~~[(D)]~~ (E) cardiac emergency preparedness, including an inventory of whether
583 automated external defibrillators are present and accessible, maintenance
584 status, and current staff training offerings; and
- 585 ~~[(E)]~~ (F) compliance with universal access key box requirements under Section
586 53G-8-805; and
- 587 (ii) report the results of the school safety needs assessment for each school within the
588 LEA to the state security chief and the School Safety Center.
- 589 (b)(i) The school safety specialist described in Section 53G-8-701.6, in collaboration
590 with the county security chief, and with the local law enforcement of relevant
591 jurisdiction over the school as described in Section 53-25-701, shall conduct the
592 school safety needs assessment for each school.
- 593 (ii) A school safety and security director may fulfill the role of a school safety and
594 security specialist in conducting the school safety needs assessment.
- 595 (c) The school safety needs assessment required under Subsection (1)(a)(i) shall be
596 conducted at least once every three years for each school or K-12 campus.
- 597 (d) An LEA may implement a rotating or staggered schedule for conducting school
598 safety needs assessments among the buildings within the LEA, provided that:
- 599 (i) each school within a K-12 campus is assessed at least once every three years; and
600 (ii) the LEA documents the rotating or staggered assessment schedule and shares this
601 schedule with the state security chief, the School Safety Center, the county
602 security chief, and the local law enforcement of relevant jurisdiction as described
603 in Section 53-25-701.
- 604 (e) The LEA shall update the assessment schedule as necessary to ensure compliance
605 with the three-year assessment requirement under Subsection (1)(c).
- 606 (f) The state board shall use the results of the school safety needs assessment for each

607 school within an LEA to award a grant to an LEA in accordance with Section
608 53F-5-220.

609 (g) Any information or record detailing a school's needs assessment results is:

610 (i) a private, controlled, or protected record under Title 63G, Chapter 2, Government
611 Records Access and Management Act; and

612 (ii) available only to:

613 (A) the state security chief;

614 (B) the School Safety Center;

615 (C) members of an LEA governing board;

616 (D) administrators of the LEA and school the needs assessment concerns;

617 (E) only to the extent necessary to award a grant under Section 53F-5-220, the
618 state board;

619 (F) the applicable school safety personnel described in Subsection (2);

620 (G) a local law enforcement agency that would respond to the school in case of an
621 emergency; and

622 (H) the county security chief.

623 (h) An individual who intentionally or knowingly provides the information described in
624 Subsection (1)(g) to an individual or entity not listed in Subsection (1)(g)(ii) is guilty
625 of a class B misdemeanor.

626 (2)(a) An LEA shall ensure each school within the LEA has the following school safety
627 personnel:

628 (i) a school safety and security specialist described in Section 53G-8-701.6; and

629 (ii) based on the results of the needs assessment described in Subsection (1), at least
630 one of the following:

631 (A) a school resource officer;

632 (B) a school guardian; or

633 (C) an armed school security guard.

634 (b) In addition to the school safety personnel described in Subsection (2)(a), an LEA
635 shall designate a school safety and security director described in Section 53G-8-701.8.

636 (c) The same individual may serve in more than one of the roles listed in Subsections
637 (2)(a) and (b) if the school notifies the School Safety Center and the state security
638 chief of the decision to have the same individual serve in multiple roles as described
639 in this Subsection (2).

640 (d) An LEA may implement the requirements of Subsection (2)(a)(ii) before the LEA

has completed the school safety needs assessment described in Subsection (1).

(e) The state security chief in consultation with the School Safety Center shall establish a timeline for an LEA to comply with the school safety personnel requirements of this Subsection (2).

(3)(a) An LEA, school administrator, or private school may apply to the state security chief for an approved alternative to the requirements described in:

(i) Section 53-22-105;

(ii) this section;

(iii) Section 53G-8-701.6;

(iv) Section 53G-8-701.8; and

(v) Section 53G-8-704.

(b) In approving or denying an application described in Subsection (3)(a), the state security chief may consider factors that impact a school or LEA's ability to adhere to the requirements of this section, including the school or LEA's:

(i) population size;

(ii) staffing needs or capacity;

(iii) geographic location;

(iv) available funding; or

(v) general demonstration of need for an alternative to the requirements of this section.

(4) A private school shall identify an individual at the private school to serve as the safety liaison with the local law enforcement of relevant jurisdiction and the state security chief.

Section 7. Section **53G-8-802** is amended to read:

53G-8-802 (Effective 07/01/26). State Safety and Support Program -- State board duties -- LEA duties.

(1) There is created the School Safety Center.

(2) The School Safety Center shall:

(a) develop in conjunction with the Office of Substance Use and Mental Health and the state security chief model student safety and support policies for an LEA, including:

(i) requiring an evidence-based behavior threat assessment that includes

recommended interventions with an individual whose behavior poses a threat to school safety;

(ii) procedures for referrals to law enforcement; and

(iii) procedures for referrals to a community services entity, a family support

- 675 organization, or a health care provider for evaluation or treatment;
- 676 (b) provide training in consultation with the state security chief:
- 677 (i) in school safety;
- 678 (ii) in evidence-based approaches to improve school climate and address and correct
- 679 bullying behavior;
- 680 (iii) in evidence-based approaches in identifying an individual who may pose a threat
- 681 to the school community;
- 682 (iv) in evidence-based approaches in identifying an individual who may be showing
- 683 signs or symptoms of mental illness;
- 684 (v) on permitted disclosures of student data to law enforcement and other support
- 685 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec.
- 686 1232g;
- 687 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections
- 688 53E-9-203 and 53E-9-305; and
- 689 (vii) for administrators on rights and prohibited acts under:
- 690 (A) Chapter 9, Part 6, Bullying and Hazing;
- 691 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;
- 692 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;
- 693 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
- 694 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
- 695 (c) conduct and disseminate evidence-based research on school safety concerns;
- 696 (d) disseminate information on effective school safety initiatives;
- 697 (e) encourage partnerships between public and private sectors to promote school safety;
- 698 (f) provide technical assistance to an LEA in the development and implementation of
- 699 school safety initiatives;
- 700 (g) in conjunction with the state security chief, make available to an LEA the model
- 701 critical incident response training program a school and law enforcement agency
- 702 shall use during a threat;
- 703 (h) provide space for the public safety liaison described in Section 53-1-106 and the
- 704 school-based mental health specialist described in Section 26B-5-102;
- 705 (i) collaborate with the state security chief to determine appropriate application of school
- 706 safety requirements in Utah Code to an online school;
- 707 (j) create a model school climate survey that may be used by an LEA to assess
- 708 stakeholder perception of a school environment;

- (k) in accordance with Section 53G-5-202, establish a charter school liaison including defined responsibilities for charter school communication and coordination with the School Safety Center;[~~and~~]
- (l) assist a foundation described in Section 53-22-108 in distributing school safety products if a foundation seeks assistance;
- (m) establishes defined roles for a multidisciplinary team and school safety personnel described in Chapter 8, Part 7, School Safety Personnel;
- (n) assist LEAs in implementing and maintaining universal access key box requirements under Section 53G-8-805;
- (o) in consultation with the state security chief, select a system to track relevant data, including the tracking required in Sections 53-22-105, 53G-8-701.5, 53G-8-701.8, and 53G-8-704;[~~and~~]
- (p) collect aggregate data and school climate survey results from an LEA that administers the model school climate survey described in Subsection (2)(j)[~~;~~];
- (q) provide training to LEAs on threat assessment protocols; and
- (r) establish best practices for threat assessment teams and information sharing.
- (3) Nothing in this section requires:
- (a) an individual to respond to a school climate survey; or
- (b) an LEA to use the model school climate survey or any specified questions in the model school climate survey described in Subsection (2)(j).
- (4) The state board shall require an LEA to:
- (a)(i) if an LEA administers a school climate survey, review school climate data for each school within the LEA; and
- (ii) based on the review described in Subsection (4)(a)(i):
- (A) revise practices, policies, and training to eliminate harassment and discrimination in each school within the LEA;
- (B) adopt a plan for harassment- and discrimination-free learning; and
- (C) host outreach events or assemblies to inform students and parents of the plan adopted under Subsection (4)(a)(ii)(B);
- (b) no later than September 1 of each school year, send a notice to each student, parent, and LEA staff member stating the LEA's commitment to maintaining a school climate that is free of harassment and discrimination; and
- (c) report to the state board annually on the LEA's implementation of the plan under Subsection (4)(a)(ii)(B) and progress.

Section 8. Section **53G-8-806** is enacted to read:

53G-8-806 (Effective 07/01/26). Student threat information sharing -- Definitions

-- Requirements -- Procedures.

(1) As used in this section:

(a) "Credible threat" means a threat that has been evaluated by a threat assessment team and determined to pose a potential risk of physical violence, serious bodily injury, or significant property damage to students, school personnel, or school property, based on:

(i) the specificity and plausibility of the threat;

(ii) the student's access to means to carry out the threat;

(iii) the student's history of concerning behaviors; and

(iv) other relevant factors identified through evidence-based threat assessment protocols.

(b) "Threat assessment information" means:

(i) the nature and content of a credible threat;

(ii) the name of the student who made the threat, including known aliases;

(iii) the target or targets of the threat;

(iv) the threat assessment team's evaluation and risk determination;

(v) any safety interventions or support services provided; and

(vi) other information relevant to preventing violence and ensuring school safety.

(c) "Threat assessment team" means a multidisciplinary team established by an LEA that includes:

(i) a school administrator;

(ii) school safety personnel, including:

(A) a school safety and security specialist described in Section 53G-7-701; or

(B) a school resource officer;

(iii) if available, a mental health professional; and

(iv) other individuals as determined appropriate by the LEA.

(2) The state board shall:

(a) require LEAs to report when a student has presented a credible threat;

(b) enables authorized personnel from other LEAs to access threat flag; and

(c) maintains appropriate security and access controls.

(3) An LEA shall place a flag on a student record when:

(a) a threat assessment team determines that a student has made a credible threat;

(b) the threat involves potential harm to:

(i) a student;

(ii) school personnel; or

(iii) school property; or

(c) the threat involves weapons or explosive devices; or

(d) the threat assessment team determines that sharing the information is necessary to protect student and school safety.

(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board may establish rules and procedures for the sharing of student threat information.

(5) The state board shall:

(a) provide training to LEAs on the sharing of the student threat information;

(b) conduct regular audits of student threat information sharing;

(c) ensure compliance with all privacy and security requirements; and

(d) report annually by October 1 to the Education Interim Committee on the operation and effectiveness of the student threat information, including:

(i) training completion rates for LEA personnel; and

(ii) aggregate data on threat prevention outcomes, appropriately anonymized to protect student privacy.

(6) An LEA, the state board, or any employee of an LEA or the state board acting within the scope of employment in reporting, accessing, or using threat assessment information under this section in compliance with the procedures established in this section:

(a) is entitled to the protections provided under Title 63G, Chapter 7, Governmental Immunity Act of Utah; and

(b) is presumed to be acting in good faith unless clear and convincing evidence demonstrates otherwise.

(7) Nothing in this section:

(a) requires an LEA to establish an additional threat assessment team if one already exists;

(b) supersedes any more stringent privacy protections under state or federal law;

(c) authorizes the collection or sharing of information beyond what is necessary for school safety; or

(d) creates a private right of action.

Section 9. Effective Date.

811 This bill takes effect on July 1, 2026.