

SCHOOL SAFETY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

LONG TITLE

General Description:

This bill establishes a system for school safety incidents.

Highlighted Provisions:

This bill:

- requires key boxes for buildings with restricted access to have secure accountability procedures for keys;
- amends the International Fire Code;
- requires certain state buildings and schools to have emergency communication systems;
- requires school resource officer training to be developed by the state security chief;
- establishes duties of the state security chief and a county security chief in relation to school safety initiatives;
- establishes a school guardian program;
- requires threat reporting by state employees and others if they become aware of threats to schools;
- establishes some reporting from the SafeUT Crisis Line to the state's intelligence databases;
- requires certain school safety data to be included in the annual school disciplinary report;
- expands requirements for school resource officer contracts and policies;
- requires designation of certain school safety personnel;
- requires panic alert devices and video camera access for schools and classrooms;
- requires coordination of emergency call information with the state's intelligence system;
- amends process for secure firearm storage under certain circumstances to include school guardians; and
- makes technical changes.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 None

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **15A-5-203**, as last amended by Laws of Utah 2023, Chapters 95, 327

40 **15A-5-205.5**, as last amended by Laws of Utah 2023, Chapter 95

41 **17-22-2**, as last amended by Laws of Utah 2023, Chapter 15

42 **53-10-302**, as last amended by Laws of Utah 2016, Chapter 302

43 **53-22-101**, as enacted by Laws of Utah 2023, Chapter 383

44 **53-22-102**, as enacted by Laws of Utah 2023, Chapter 383

45 **53-22-103**, as enacted by Laws of Utah 2023, Chapter 383

46 **53B-17-1202**, as renumbered and amended by Laws of Utah 2019, Chapter 446

47 **53B-17-1204**, as last amended by Laws of Utah 2020, Chapter 365

48 **53E-3-516**, as last amended by Laws of Utah 2023, Chapters 115, 161

49 **53E-3-518**, as last amended by Laws of Utah 2023, Chapter 70

50 **53E-3-702**, as last amended by Laws of Utah 2019, Chapter 186

51 **53E-3-706**, as last amended by Laws of Utah 2022, Chapter 421

52 **53F-4-207**, as last amended by Laws of Utah 2022, Chapter 208

53 **53G-6-806**, as enacted by Laws of Utah 2023, Chapter 70

54 **53G-8-213**, as enacted by Laws of Utah 2023, Chapter 161

55 **53G-8-701**, as last amended by Laws of Utah 2023, Chapter 383

56 **53G-8-701.5**, as enacted by Laws of Utah 2023, Chapter 383

57 **53G-8-702**, as last amended by Laws of Utah 2023, Chapter 383

58 **53G-8-703**, as last amended by Laws of Utah 2023, Chapter 383

59 **53G-8-703.2**, as enacted by Laws of Utah 2023, Chapter 383

60 **53G-8-801**, as enacted by Laws of Utah 2019, Chapter 441

61 **53G-8-802**, as last amended by Laws of Utah 2023, Chapters 328, 383

62 **53G-8-803**, as enacted by Laws of Utah 2023, Chapter 390

63 **63H-7a-103**, as last amended by Laws of Utah 2020, Chapter 368

64 **63H-7a-208**, as last amended by Laws of Utah 2020, Chapter 368

65 **76-10-505.5**, as last amended by Laws of Utah 2021, Chapter 141

66 ENACTS:

67 **53-22-105**, Utah Code Annotated 1953

68 **53-22-106**, Utah Code Annotated 1953

69 **53G-8-701.6**, Utah Code Annotated 1953

70 **53G-8-701.7**, Utah Code Annotated 1953

71 **53G-8-701.8**, Utah Code Annotated 1953

72 **53G-8-704**, Utah Code Annotated 1953

73 **53G-8-805**, Utah Code Annotated 1953

74

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

76 Section 1. Section **15A-5-203** is amended to read:

77 **15A-5-203. Amendments and additions to IFC related to fire safety, building,**
78 **and site requirements.**

79 (1) For IFC, Chapter 5, Fire Service Features:

80 (a) In IFC, Chapter 5, a new Section 501.5, Access grade and fire flow, is added as
81 follows: "An authority having jurisdiction over a structure built in accordance with the
82 requirements of the International Residential Code as adopted in the State Construction Code,
83 may require an automatic fire sprinkler system for the structure only by ordinance and only if
84 any of the following conditions exist:

85 (i) the structure:

86 (A) is located in an urban-wildland interface area as provided in the Utah Wildland
87 Urban Interface Code adopted as a construction code under the State Construction Code; and

88 (B) does not meet the requirements described in Utah Code, Subsection
89 65A-8-203(4)(a) and Utah Administrative Code, R652-122-1300, Minimum Standards for
90 County Wildland Fire Ordinance;

91 (ii) the structure is in an area where a public water distribution system with fire
92 hydrants does not exist as required in Utah Administrative Code, R309-550-5, Water Main
93 Design;

(iii) the only fire apparatus access road has a grade greater than 10% for more than 500 continual feet;

(iv) the total floor area of all floor levels within the exterior walls of the dwelling unit exceeds 10,000 square feet; or

(v) the total floor area of all floor levels within the exterior walls of the dwelling unit is double the average of the total floor area of all floor levels of unsprinkled homes in the subdivision that are no larger than 10,000 square feet.

(vi) Exception: A single family dwelling does not require a fire sprinkler system if the dwelling:

(A) is located outside the wildland urban interface;

(B) is built in a one-lot subdivision; and

(C) has 50 feet of defensible space on all sides that limits the propensity of fire spreading from the dwelling to another property."

(b) In IFC, Chapter 5, Section 506.1, Where Required, is deleted and rewritten as follows: "Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official, after consultation with the building owner, may require a key box to be installed in an approved location. The key box shall contain keys to gain necessary access as required by the fire code official. For each fire jurisdiction that has at least one building with a required key box, the fire jurisdiction shall adopt an ordinance, resolution, or other operating rule or policy that creates a process to ensure that each key to each key box is properly accounted for and secure."

(c) In IFC, Chapter 5, a new Section 507.1.1, Isolated one- and two-family dwellings, is added as follows: "Fire flow may be reduced for an isolated one- and two-family dwelling when the authority having jurisdiction over the dwelling determines that the development of a full fire-flow requirement is impractical."

(d) In IFC, Chapter 5, a new Section 507.1.2, Pre-existing subdivision lots, is added as follows:

"507.1.2 Pre-existing subdivision lots.

The requirements for a pre-existing subdivision lot shall not exceed the requirements described in Section 501.5."

(e) In IFC, Chapter 5, Section 507.5.1, here required, a new exception is added: "3. One interior and one detached accessory dwelling unit on a single residential lot."

(f) IFC, Chapter 5, Section 510.1, Emergency responder communication coverage in new buildings, is amended by adding: "When required by the fire code official, unless the new building is a public school as the term is defined in Section 53G-9-205.1 or a private school, then the fire code official shall require," at the beginning of the first paragraph.

(2) For IFC, Chapter 6, Building Services and Systems:

(a) IFC, Chapter 6, Section 604.6.1, Elevator key location, is deleted and rewritten as follows: "Firefighter service keys shall be kept in a "Supra-Stor-a-key" elevator key box or similar box with corresponding key system that is adjacent to the elevator for immediate use by the fire department. The key box shall contain one key for each elevator, one key for lobby control, and any other keys necessary for emergency service. The elevator key box shall be accessed using a 6049 numbered key."

(b) IFC, Chapter 6, Section 606.1, General, is amended as follows: On line three, after the word "Code", add the words "and NFPA 96".

(c) IFC, Chapter 6, Section 607.2, a new exception 5 is added as follows: "5. A Type 1 hood is not required for a cooking appliance in a microenterprise home kitchen, as that term is defined in Utah Code, Section 26B-7-401, for which the operator obtains a permit in accordance with Utah Code, Title 26, Chapter 15c, Microenterprise Home Kitchen Act."

(3) For IFC, Chapter 7, Fire and Smoke Protection Features, IFC, Chapter 7, Section 705.2, is amended to add the following: "Exception: In Group E Occupancies, where the corridor serves an occupant load greater than 30 and the building does not have an automatic fire sprinkler system installed, the door closers may be of the friction hold-open type on classrooms' doors with a rating of 20 minutes or less only."

Section 2. Section **15A-5-205.5** is amended to read:

15A-5-205.5. Amendments to Chapters 11 and 12 of IFC.

(1) For IFC, Chapter 11, Construction Requirements for Existing Buildings:

(a) IFC, Chapter 11, Section 1103.2, Emergency Responder Communication Coverage in Existing Buildings, is amended as follows: On line two after the title, the following is added: "When required by the fire code official, unless the existing building is a public school as the term is defined in Section 53G-9-205.1 or a private school, then the fire code official shall

156 require."

157 (b) IFC, Chapter 11, Section 1103.5.1, Group A-2, is deleted and replaced with the
158 following:

159 "1103.5.1 Group A-2. An automatic fire sprinkler system shall be provided throughout
160 existing Group A-2 occupancies where indoor pyrotechnics are used."

161 (c) IFC, Chapter 11, Section 1103.6, Standpipes, is deleted.

162 (d) IFC, Chapter 11, 1103.7, Fire Alarm Systems, is deleted and rewritten as follows:
163 "1103.7, Fire Alarm Systems. The following shall have an approved fire alarm system installed
164 in accordance with Utah Administrative Code, R710-4, Buildings Under the Jurisdiction of the
165 Utah Fire Prevention Board:

166 1. a building with an occupant load of 300 or more persons that is owned or operated
167 by the state;

168 2. a building with an occupant load of 300 or more persons that is owned or operated
169 by an institution of higher education; and

170 3. a building with an occupant load of 50 or more persons that is owned or operated by
171 a school district, private school, or charter school.

172 Exception: the requirements of this section do not apply to a building designated as an
173 Institutional Group I (as defined in IFC 202) occupancy."

174 (e) IFC, Chapter 11, 1103.7.1 Group E, 1103.7.2 Group I-1, 1103.7.3 Group I-2,
175 1103.7.4 Group I-3, 1103.7.5 Group R-1, 1103.7.5.1 Group R-1 hotel and motel manual fire
176 alarm system, 1103.7.5.1.1 Group R-1 hotel and motel automatic smoke detection system,
177 1103.7.5.2 Group R-1 boarding and rooming houses manual fire alarm system, 1103.7.5.2.1
178 Group R-1 boarding and rooming houses automatic smoke detection system, 1103.7.6 Group
179 R-2 are deleted.

180 (f) IFC, Chapter 11, Section 1103.5.4, High-rise buildings, is amended as follows: On
181 line two, delete "not been adopted" and replace with "been adopted."

182 (g) IFC, Chapter 11, Section 1103.9, Carbon monoxide alarms, is deleted and rewritten
183 as follows:

184 "1103.9 Carbon Monoxide Detection.

185 Existing Groups E, I-1, I-2, I-4, and R occupancies shall be equipped with carbon
186 monoxide detection in accordance with Section 915."

(2) For IFC, Chapter 12, Energy Systems:

(a) Delete the section title "1205.2.1 Solar photovoltaic systems for Group R-3 buildings" and replace with the section title "1205.2.1 Solar photovoltaic systems for Group R-3 and buildings constructed in accordance with IRC."

(b) Section 1205.2.1, Solar photovoltaic systems for Group R-3 buildings, Exception 1 is deleted, Exception 2 is renumbered to 1 and a second exception is added as follows: "2. Reduction in pathways and clear access width are permitted where a rational approach has been used and the reduction is warranted and approved by the Fire Code Official."

(c) Section 1205.3.1 Perimeter pathways, and 1205.3.2 Interior pathways, are deleted and rewritten as follows: "1204.3.1 Perimeter pathways. There shall be a minimum three foot wide (914 mm) clear perimeter around the edges of the roof. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.

2. The centerline axis pathways shall be provided in both axes of the roof. Centerline axis pathways shall run where the roof structure is capable of supporting the live load of fire fighters accessing the roof.

3. Smoke and heat vents required by Section 910.2.1 or 910.2.2 shall be provided with a clear pathway width of not less than three feet (914 mm) to the vents.

4. Access to roof area required by Section 504.3 or 1011.12 shall be provided with a clear pathway width of not less than three feet (914 mm) around access opening and at least three feet (914 mm) clear pathway to parapet or roof edge."

(d) Section 1205.3.3, Smoke ventilation, is deleted and rewritten as follows: "1205.3.2, Smoke ventilation. The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45720 mm) by 150 feet (45720 mm) in distance in either axis in order to create opportunities for fire department smoke ventilation operations.

2. Smoke ventilation options between array sections shall be one of the following:

2.1 A pathway six feet (1829 mm) or greater in width.

2.2 A pathway three feet (914 mm) or greater in width and bordering roof skylights or smoke and heat vents when required by Section 910.2.1 or Section 910.2.2.

2.3 Smoke and heat vents designed for remote operation using devices that can be connected to the vent by mechanical, electrical, or any other suitable means, protected as necessary to remain operable for the design period. Controls for remote operation shall be located in a control panel, clearly identified and located in an approved location.

3. Where gravity-operated dropout smoke and heat vents occur, a pathway three feet (914 mm) or greater in width on not fewer than one side."

Section 3. Section 17-22-2 is amended to read:

17-22-2. Sheriff -- General duties.

(1) The sheriff shall:

(a) preserve the peace;

(b) make all lawful arrests;

(c) attend in person or by deputy the Supreme Court and the Court of Appeals when required or when the court is held within his county, all courts of record, and court commissioner and referee sessions held within his county, obey their lawful orders and directions, and comply with the court security rule, Rule 3-414, of the Utah Code of Judicial Administration;

(d) upon request of the juvenile court, aid the court in maintaining order during hearings and transport a minor to and from youth corrections facilities, other institutions, or other designated places;

(e) attend county justice courts if the judge finds that the matter before the court requires the sheriff's attendance for security, transportation, and escort of jail prisoners in his custody, or for the custody of jurors;

(f) command the aid of as many inhabitants of ~~his~~ the sheriff's county as ~~he~~ the sheriff considers necessary in the execution of these duties;

(g) take charge of and keep the county jail and the jail prisoners;

(h) receive and safely keep all persons committed to ~~his~~ the sheriff's custody, file and preserve the commitments of those persons in custody, and record the name, age, place of birth, and description of each person committed;

(i) release on the record all attachments of real property when the attachment ~~he~~ the sheriff receives has been released or discharged;

(j) endorse on all process and notices the year, month, day, hour, and minute of

reception, and, upon payment of fees, issue a certificate to the person delivering process or notice showing the names of the parties, title of paper, and the time of receipt;

(k) serve all process and notices as prescribed by law;

(l) if ~~he~~ the sheriff makes service of process or notice, certify on the process or notices the manner, time, and place of service, or, if ~~he~~ the sheriff fails to make service, certify the reason upon the process or notice, and return them without delay;

(m) extinguish fires occurring in the undergrowth, trees, or wooded areas on the public land within his county;

(n) perform as required by any contracts between the county and private contractors for management, maintenance, operation, and construction of county jails entered into under the authority of Section 17-53-311;

(o) for the sheriff of a county of the second through sixth class that enters into an interlocal agreement for law enforcement service under Title 11, Chapter 13, Interlocal Cooperation Act, provide law enforcement service as provided in the interlocal agreement;

(p) manage search and rescue services in his county;

(q) obtain saliva DNA specimens as required under Section 53-10-404;

(r) on or before January 1, 2003, adopt a written policy that prohibits the stopping, detention, or search of any person when the action is solely motivated by considerations of race, color, ethnicity, age, or gender;

(s) as applicable, select a representative of law enforcement to serve as a member of a child protection team, as defined in Section 80-1-102;

(t) appoint a county security chief in accordance with Section 53-22-103 and ensure the county security chief fulfills the county security chief's duties; and

~~(t)~~ (u) perform any other duties that are required by law.

(2) Violation of Subsection (1)(j) is a class C misdemeanor. Violation of any other subsection under Subsection (1) is a class A misdemeanor.

(3) (a) As used in this Subsection (3):

(i) "Police interlocal entity" has the same meaning as defined in Sections 17-30-3 and 17-30a-102.

(ii) "Police special district" means the same as that term is defined in Section 17-30-3.

(b) Except as provided in Subsections (3)(c) and 11-13-202(4), a sheriff in a county

which includes within its boundary a police special district or police interlocal entity, or both:

(i) serves as the chief executive officer of each police special district and police interlocal entity within the county with respect to the provision of law enforcement service within the boundary of the police special district or police interlocal entity, respectively; and

(ii) is subject to the direction of the police special district board of trustees or police interlocal entity governing body, as the case may be, as and to the extent provided by agreement between the police special district or police interlocal entity, respectively, and the sheriff.

(c) Notwithstanding Subsection (3)(b), and except as provided in Subsection 11-13-202(4), if a police interlocal entity or police special district enters an interlocal agreement with a public agency, as defined in Section 11-13-103, for the provision of law enforcement service, the sheriff:

(i) does not serve as the chief executive officer of any interlocal entity created under that interlocal agreement, unless the agreement provides for the sheriff to serve as the chief executive officer; and

(ii) shall provide law enforcement service under that interlocal agreement as provided in the agreement.

Section 4. Section **53-10-302** is amended to read:

53-10-302. Bureau duties.

The bureau shall:

(1) provide assistance and investigative resources to divisions within the Department of Public Safety;

(2) upon request, provide assistance and specialized law enforcement services to local law enforcement agencies;

(3) conduct financial investigations regarding suspicious cash transactions, fraud, and money laundering;

(4) investigate criminal activity of organized crime networks, gangs, extremist groups, and others promoting violence;

(5) investigate criminal activity of terrorist groups;

(6) enforce the Utah Criminal Code;

(7) cooperate and exchange information with other state agencies and with other law

enforcement agencies of government, both within and outside of this state, through a statewide information and intelligence center to obtain information that may achieve more effective results in the prevention, detection, and control of crime and apprehension of criminals including systems described in Subsections 53E-3-518, 53B-17-1202, and 63H-7a-103(14);

(8) create and maintain a statewide criminal intelligence system;

(9) provide specialized case support and investigate illegal drug production, cultivation, and sales;

(10) investigate, follow-up, and assist in highway drug interdiction cases;

(11) make rules to implement this chapter;

(12) perform the functions specified in Part 2, Bureau of Criminal Identification;

(13) provide a state cybercrime unit to investigate computer and network intrusion matters involving state-owned computer equipment and computer networks as reported under Section 76-6-705;

(14) investigate violations of Section 76-6-703 and other computer related crimes including:

(a) computer network intrusions;

(b) denial of services attacks;

(c) computer related theft or fraud;

(d) intellectual property violations; and

(e) electronic threats; and

(15) upon request, investigate the following offenses when alleged to have been committed by an individual who is currently or has been previously elected, appointed, or employed by a governmental entity:

(a) criminal offenses; and

(b) matters of public corruption.

(16) (a) The bureau is not prohibited from investigating crimes not specifically referred to in this section; and

(b) other agencies are not prohibited from investigating crimes referred to in this section.

Section 5. Section **53-22-101** is amended to read:

53-22-101. School Security Act -- Definitions.

As used in this chapter:

(1) "County security chief" means the individual whom a county sheriff appoints in accordance with Section 53-22-103 to oversee school safety.

(2) "Public school" means the same as that term is defined in Section 53G-9-205.1.

(3) "School" means an elementary school or a secondary school that:

(a) is a public or private school; and

(b) provides instruction for one or more of the grades of kindergarten through grade 12.

(4) "School is in session" means the same as the term is defined in Section 53E-3-516.

~~[(2)]~~ (5) "School resource officer" [or "SRO"] means [a law enforcement officer hired by a public school in accordance with Section 53G-8-703] the same as that term is defined in Section 53G-8-701.

~~[(3)]~~ (6) "State security chief" means an individual appointed by the commissioner under Section 53-22-102.

(7) "Local education agency" means the same as that term is defined in Section 53E-1-102.

Section 6. Section **53-22-102** is amended to read:

53-22-102. State security chief -- Creation -- Appointment.

(1) There is created within the department a state security chief.

(2) The state security chief:

(a) is appointed by the commissioner with the approval of the governor;

(b) is subject to the supervision and control of the commissioner;

(c) may be removed at the will of the commissioner;

(d) shall be qualified by experience and education to:

(i) enforce the laws of this state relating to school safety;

(ii) perform duties prescribed by the commissioner; and

(iii) enforce rules made under this chapter.

~~[(3) The duties and responsibilities of the state security chief shall be determined by the Commissioner of Public Safety in conjunction with the School Security Task Force created in Section 53-22-104.]~~

(3) The state security chief shall:

(a) oversee the school guardian program described in Section 53-22-105, including

- approving and coordinating the relevant training programs;
- (b) examine plans and specifications for school buildings, in accordance with Section 53E-3-706;
- (c) coordinate with the State Board of Education to establish the required minimum safety and security standards for all public and private school facilities including:
- (i) single entry point;
- (ii) video surveillance of entrances when school is in session;
- (iii) ground level windows protected by security film or ballistic windows;
- (iv) internal classroom door locks;
- (v) bleed kits and first aid kits;
- (vi) exterior cameras on entrances, parking areas, and campus grounds; and
- (vii) fencing around playgrounds;
- (d) ensure that each school complies with the building safety evaluation and safety personnel requirements of Section 53G-8-701.5;
- (e) determine the mental health crisis intervention training as described in Section 53G-8-701.7;
- (f) select training requirements for school safety and security specialists in consultation with the state board of education as described in Section 53G-8-701.6;
- (g) as required by Section 53G-8-701.8, track each school safety and security director for a local education agency or private school and ensure that the contact information for the school safety and security directors is readily available to law enforcement;
- (h) review and approve the State Board of Education's school resource officer training program as described in Section 53G-8-702;
- (i) as required by Section 53G-8-704, track schools that contract with contract security companies to provide armed school security guards at the school and ensure that the contact information for those companies is readily available to law enforcement;
- (j) approve safety and security criteria the state superintendent of public instruction establishes for building inspectors;
- (k) consult with the State Board of Education to develop or establish the model critical incident response that all schools and law enforcement will use during a threat including:
- (i) protocols for conducting a building safety evaluation including building security

during an incident, as required in Section 53G-8-701.5;

(ii) standardized response protocol terminology for use throughout the state, including what constitutes a threat;

(iii) protocols for planning and safety drills;

(iv) integration and appropriate use of a panic alert device described in Subsection 53G-8-805;

(v) the establishment of an incident command for a threat or safety incident;

(vi) the required components for a communication plan to be followed during an incident or threat;

(vii) reunification plan protocols including the appropriate design and use of an incident command; and

(viii) recommendations for safety equipment for schools including amounts and types of first aid supplies;

(l) review and suggest any changes to the response plans and training under Section 53G-8-803;

(m) create minimum standards for radio communication equipment in every school;

(n) create the official standard response protocol described in Section 53G-8-803 for use by schools and law enforcement for school safety incidents;

(o) establish a manner for any security personnel described in Section 53G-8-701.5 by law enforcement; and

(p) fulfill any other duties and responsibilities determined by the commissioner.

(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act the department in consultation with the state security chief shall make rules to fulfill the duties described in Subsection .

Section 7. Section **53-22-103** is amended to read:

53-22-103. County sheriff responsibilities -- Coordination.

(1) Each county sheriff shall identify an individual as a county security chief within the sheriff's office.

(2) The county security chief shall:

(a) [to] coordinate security responsibilities between the state security chief, the county sheriff's office, and the corresponding police chiefs whose jurisdiction includes a public school

435 within the county[-];

436 (b) assist in the creation of the building safety evaluation described in Section

437 53G-8-701.5;

438 (c) collaborate and maintain effective communications regarding school safety with

439 each:

440 (i) school safety and security specialist in the county security chief's county, as

441 described in Section 53G-8-701.6;

442 (ii) school safety and security director in the county security chief's county, as

443 described in Section 53G-8-701.8; and

444 (iii) local law enforcement agency within the county.

445 (d) administer the trainings described in Sections 53-22-105, 53G-8-701.7, and

446 53G-8-704;

447 (e) ensure school safety standards as described in Section 53E-3-706; and

448 (f) in conjunction with the state security chief, administer the school guardian program

449 established in Section 53-22-105 at any school participating in the program in the county

450 security chief's county.

451 Section 8. Section **53-22-105** is enacted to read:

452 **53-22-105. School Guardian Program.**

453 (1) As used in this section:

454 (a) "Annual training" means and annual four-hour training that:

455 (i) a county security chief administers;

456 (ii) the state security chief approves; and

457 (iii) allows an individual to practice and demonstrate firearms proficiency at a firearms

458 range using the firearm the individual carries for self defense and defense of others.

459 (b) "Biannual training" means a twice-yearly four-hour training that:

460 (i) a county security chief administers;

461 (ii) the state security chief approves; and

462 (iii) through which a school guardian at the school guardian's school of employment:

463 (A) receives training on the specifics of the building or buildings of the school,

464 including the location of emergency supplies and security infrastructure; and

465 (B) participates in a live-action practice plan with school administrators in responding

466 to active threats at the school.

467 (c) "Initial training" means an in-person training that:

468 (i) a county security chief administers;

469 (ii) the state security chief approves; and

470 (iii) provides:

471 (A) training on general familiarity with the types of firearms that can be concealed for
472 self-defense and defense of others;

473 (B) training on the safe loading, unloading, storage, and carrying of firearms in a
474 school setting;

475 (C) training at a firearms range with instruction regarding firearms fundamentals,
476 marksmanship, the demonstration and explanation of the difference between sight picture, sight
477 alignment, and trigger control, and a recognized pistol course;

478 (D) current laws dealing with the lawful use of a firearm by a private citizen, including
479 laws on self-defense, defense of others, transportation of firearms, and concealment of
480 firearms;

481 (E) coordination with law enforcement officers in the event of an active threat;

482 (F) basic trauma first aid;

483 (G) the appropriate use of force, emphasizing the de-escalation of force and
484 alternatives to using force;

485 (H) situational response evaluations, including:

486 (I) protecting and securing a crime or accident scene;

487 (II) notifying law enforcement; and

488 (III) controlling information; and

489 (I) any additional training that the county sheriff or department deems appropriate.

490 (d) "Program" means the school guardian program created in this section.

491 (e) (i) "School employee" means an employee of a school whose duties and
492 responsibilities require the employee to be physically present at a school's campus while school
493 is in session.

494 (ii) "School employee" does not include a principal, teacher, or individual whose
495 primary responsibilities require the employee to be primarily present in a classroom to teach,
496 care for, or interact with students.

(f) "School guardian" means an individual who meets the requirements of Subsection (3).

(2) (a) (i) There is created within the department the school guardian program;

(ii) the state security chief shall oversee the school guardian program;

(iii) the applicable county security chief shall administer the school guardian program in each county.

(b) The state security chief shall ensure that the school guardian program includes:

(i) initial training;

(ii) biannual training; and

(iii) annual training.

(c) A county sheriff may partner or contract with another county sheriff to support the respective county security chiefs in joint administering the school guardian program in the relevant counties.

(3) (a) A school employee is eligible to join the program as a school guardian if:

(i) the school that employs the employee to be a school guardian;

(ii) the school employee satisfactorily completes initial training within six months before the day on which the school employee joins the program;

(iii) the school employee holds a valid concealed carry permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act;

(iv) the school employee certifies to the sheriff of the county where school employee is employed that the school employee has undergone the training in accordance with Subsection (3)(a)(ii) and intends to serve as a school guardian; and

(v) completes a mental health screening selected by the state security chief in collaboration with the Office of Substance Abuse and Mental Health.

(b) After joining the program a school guardian shall complete annual training and biannual training to retain the school guardian's active status in the program.

(4) The state security chief shall:

(a) for each school that participates in the program, track each school guardian at the school by collecting the photograph and the name and contact information for each guardian;

(b) make the information described in Subsection (4)(a) readily available to each law enforcement agency in the state categorized by school; and

(c) provide each school guardian with a one time stipend of \$500.

(5) A school guardian:

(a) may store the school guardian's firearm on the grounds of a school only if:

(i) the firearm is stored in a biometric gun-safe;

(ii) the biometric gun-safe is located in the school guardian's office; and

(iii) the school guardian is physically present on the grounds of the school while the firearm is stored in the safe;

(b) shall carry the school guardian's firearm in a concealed manner; and

(c)) may not, unless during an active threat, display or open carry a firearm while on school grounds.

(6) Except as provided in Subsection (5)(c), this section does not prohibit an individual who has a valid concealed carry permit but is not participating in the program from carrying a firearm on the grounds of a public school or charter school under Subsection 76-10-505.5(4).

(7) A school guardian:

(a) does not have authority to act in a law enforcement capacity; and

(b) may, at the school where the school guardian is employed:

(i) take actions necessary to prevent or abate an active threat; and

(ii) temporarily detain an individual when the school guardian has reasonable cause to believe the individual has committed or is about to commit a forcible felony, as that term is defined in Section 76-2-402.

(8) A school may designate a single employee or multiple employees to participate in the school guardian program to satisfy the requirements of Section 53G-8-701.5.

(9) The department may adopt, according to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, rules to administer this section.

Section 9. Section **53-22-106** is enacted to read:

53-22-106. Threats against a school reporting requirements -- Exceptions.

(1) Except as provided in Subsection (3), if a state employee or person in a position of special trust as defined in Section 76-5-404.1, including an individual licensed under Title 58, Chapter 31b, Nurse Practice Act, or Title 58, Chapter 67, Utah Medical Practice Act, has reason to believe that a threat against a school, school employee, or student attending a school or is aware of circumstances that would reasonably result in a threat against a school, school

employee, or student attending a school, the state employee or person in a position of special trust shall immediately report the suspected threat to:

(a) the state security chief;

(b) the local education agency that the threat would impact; or

(c) to the nearest peace officer or law enforcement agency.

(2) (a) (i) If a peace officer or law enforcement agency receives a report under Subsection (1), the peace officer or law enforcement agency shall immediately notify the local education agency that the threat would impact.

(ii) If the local education agency that the threat would impact receives a report under Subsection (1), the local education agency that the threat would impact shall immediately notify the appropriate local law enforcement agency and the state security chief.

(b) (i) A local education agency that the threat would impact shall coordinate with the law enforcement agency on the law enforcement agency's investigation of the report described in Subsection (1).

(ii) If a law enforcement agency undertakes an investigation of a report under Subsection (1), the law enforcement agency shall provide a final investigatory report to the local education agency that the threat would impact upon request.

(3) Subject to Subsection (4), the reporting requirement described in Subsection (1) does not apply to:

(a) a member of the clergy with regard to any confession an individual makes to the member of the clergy while functioning in the ministerial capacity of the member of the clergy if:

(i) the individual made the confession directly to the member of the clergy; and

(ii) the member of the clergy is, under canon law or church doctrine or practice, bound to maintain the confidentiality of the confession; and

(iii) the member of the clergy does not have the consent of the individual making the confession to disclose the content of the confession; or

(b) an attorney, or an individual whom the attorney employs, if:

(i) the knowledge or belief of the threat arises from the representation of a client; and

(ii) if disclosure of the threat would not reveal the threat to prevent reasonably certain death or substantial bodily harm in accordance with Utah Rules of Professional Conduct, Rule

1.6.

(4) (a) When a member of the clergy receives information about the threat from any source other than confession a confession, the member of the clergy shall report the information even if the member of the clergy also received information about the threat from the confession of the perpetrator.

(b) Exemption of the reporting requirement for an individual described in Subsection (3) does not exempt the individual from any other actions required by law to prevent further threats or actual harm related to the threat.

(5) The physician-patient privilege does not:

(a) excuse an individual who is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, from reporting under this section; or

(b) constitute grounds for excluding evidence in a judicial or administrative proceeding resulting from a report under this section.

Section 10. Section **53B-17-1202** is amended to read:

53B-17-1202. SafeUT Crisis Line established.

The University Neuropsychiatric Institute shall:

(1) establish a SafeUT Crisis Line to provide:

(a) a means for an individual to anonymously report:

(i) unsafe, violent, or criminal activities, or the threat of such activities at or near a public school;

(ii) incidents of bullying, cyber-bullying, harassment, or hazing; and

(iii) incidents of physical or sexual abuse committed by a school employee or school volunteer; and

(b) crisis intervention, including suicide prevention, to individuals experiencing emotional distress or psychiatric crisis;

(2) provide the services described in Subsection (1) 24 hours a day, seven days a week;

[and]

(3) when necessary, or as required by law, promptly forward a report received under Subsection (1)(a) to appropriate:

(a) school officials; and

(b) law enforcement officials[?];

(4) in accordance with Subsection (5), report the services described in Subsection (1) to the state bureau of investigation's systems described in Subsections 53-10-302(7) and (8); and

(5) coordinate with the state security chief to determine the appropriate circumstances necessitating a report described in Subsection (4).

Section 11. Section **53B-17-1204** is amended to read:

53B-17-1204. SafeUT and School Safety Commission duties -- LEA governing board duties -- Fees.

(1) As used in this section:

(a) "LEA governing board" means:

(i) for a school district, the local school board;

(ii) for a charter school, the charter school governing board; or

(iii) for the Utah Schools for the Deaf and the Blind, the State Board of Education.

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

(i) a school district;

(ii) a charter school; or

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

(2) The commission shall coordinate:

(a) statewide efforts related to the SafeUT Crisis Line; ~~and~~

(b) with the State Board of Education and the board to promote awareness of the services available through the SafeUT Crisis Line[?]; and

(c) with the state security chief appointed under Section 53-22-102 to ensure appropriate reporting described in Subsections 53B-17-1202(4) and (5).

(3) An LEA governing board shall inform students, parents, and school personnel about the SafeUT Crisis Line.

(4) (a) Except as provided in Subsection (4)(b), the University Neuropsychiatric Institute may charge a fee to an institution of higher education or other entity for the use of the SafeUT Crisis Line in accordance with the method described in Subsection (4)(c).

(b) The University Neuropsychiatric Institute may not charge a fee to the State Board of Education or a local education agency for the use of the SafeUT Crisis Line.

(c) The commission shall establish a standard method for charging a fee described in Subsection (4)(a).

Section 12. Section **53E-3-516** is amended to read:

53E-3-516. School disciplinary and law enforcement action report -- Rulemaking authority.

(1) As used in this section:

(a) "Dangerous weapon" means the same as that term is defined in Section 53G-8-510.

(b) "Disciplinary action" means an action by a public school meant to formally discipline a student of that public school that includes a suspension or expulsion.

(c) "Law enforcement agency" means the same as that term is defined in Section 77-7a-103.

(d) "Minor" means the same as that term is defined in Section 80-1-102.

(e) "Other law enforcement activity" means a significant law enforcement interaction with a minor that does not result in an arrest, including:

(i) a search and seizure by ~~[an SRO]~~ a school resource officer;

(ii) issuance of a criminal citation;

(iii) issuance of a ticket or summons;

(iv) filing a delinquency petition; or

(v) referral to a probation officer.

(f) "School is in session" means the hours of a day during which a public school conducts instruction for which student attendance is counted toward calculating average daily membership.

(g) (i) "School-sponsored activity" means an activity, fundraising event, club, camp, clinic, or other event or activity that is authorized by a specific public school, according to LEA governing board policy, and satisfies at least one of the following conditions:

(A) the activity is managed or supervised by a school district, public school, or public school employee;

(B) the activity uses the school district or public school facilities, equipment, or other school resources; or

(C) the activity is supported or subsidized, more than inconsequentially, by public funds, including the public school's activity funds or Minimum School Program dollars.

(ii) "School-sponsored activity" includes preparation for and involvement in a public performance, contest, athletic competition, demonstration, display, or club activity.

(h) " School resource officer" [~~or "SRO"~~] means the same as that term is defined in Section 53G-8-701.

(2) Beginning on July 1, 2023, the state board shall develop an annual report regarding the following incidents that occur on school grounds while school is in session or during a school-sponsored activity:

- (a) arrests of a minor;
- (b) other law enforcement activities;
- (c) disciplinary actions; and
- (d) minors found in possession of a dangerous weapon.

(3) Pursuant to state and federal law, law enforcement agencies shall collaborate with the state board and LEAs to provide and validate data and information necessary to complete the report described in Subsection (2), as requested by an LEA or the state board.

(4) The report described in Subsection (2) shall include the following information listed separately for each LEA:

- (a) the number of arrests of a minor, including the reason why the minor was arrested;
- (b) the number of other law enforcement activities, including the following information for each incident:

- (i) the reason for the other law enforcement activity; and
- (ii) the type of other law enforcement activity used;
- (c) the number of disciplinary actions imposed, including:
 - (i) the reason for the disciplinary action; and
 - (ii) the type of disciplinary action;
- (d) the number of [~~SROs~~] school resource officers employed;
- (e) if applicable, the demographics of an individual who is subject to, as the following are defined in Section 53G-9-601, bullying, hazing, cyber-bullying, or retaliation; and
- (f) the number of minors found in possession of a dangerous weapon on school grounds while school is in session or during a school-sponsored activity.

(5) The report described in Subsection (2) shall include the following information, in aggregate, for each element described in Subsections (4)(a) through (c):

714 (a) age;
715 (b) grade level;
716 (c) race;
717 (d) sex; and
718 (e) disability status.
719 (6) Information included in the annual report described in Subsection (2) shall comply
720 with:

721 (a) Chapter 9, Part 3, Student Data Protection;
722 (b) Chapter 9, Part 2, Student Privacy; and
723 (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.
724 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
725 state board shall make rules to compile the report described in Subsection (2).
726 (8) The state board shall provide the report described in Subsection (2):
727 (a) in accordance with Section 53E-1-203 for incidents that occurred during the
728 previous school year; and
729 (b) to the State Commission on Criminal and Juvenile Justice before July 1 of each
730 year for incidents that occurred during the previous school year.

731 Section 13. Section **53E-3-518** is amended to read:

732 **53E-3-518. Utah school information management system -- Local education**
733 **agency requirements.**

734 (1) As used in this section:
735 (a) "LEA data system" or "LEA's data system" means a data system that:
736 (i) is developed, selected, or relied upon by an LEA; and
737 (ii) the LEA uses to collect data or submit data to the state board related to:
738 (A) student information;
739 (B) educator information;
740 (C) financial information; or
741 (D) other information requested by the state board.
742 (b) "LEA financial information system" or "LEA's financial information system" means
743 an LEA data system used for financial information.
744 (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 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 (6);

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

(iii) the public safety portal described in Section 63A-16-2002; 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; and

(iv) other information requested by the state board;

(c) includes a web-based user interface through which a user may:

(i) enter data;

(ii) view data; and

(iii) generate customizable reports;

(d) includes a data warehouse and other hardware or software necessary to store or process data submitted by an LEA;

(e) provides for data privacy, including by complying with Title 53E, Chapter 9, Student Privacy and Data Protection;

(f) restricts user access based on each user's role; and

(g) meets requirements related to a student achievement backpack described in Section 53E-3-511.

(4) The state board shall establish the restrictions on user access described in Subsection (3)(f).

(5) (a) The state board shall make rules that establish the required capabilities for an

776 LEA financial information system.

777 (b) In establishing the required capabilities for an LEA financial information system,
778 the state board shall consider metrics and capabilities requested by the state treasurer or state
779 auditor.

780 (6) (a) On or before July 1, 2024, an LEA shall ensure that:

781 (i) all of the LEA's data systems:

782 (A) meet the data standards established by the state board in accordance with Section
783 53E-3-501;

784 (B) are fully compatible with the state board's information management system; and

785 (C) meet specification standards determined by the state board; and

786 (ii) the LEA's financial information system meets the requirements described in
787 Subsection (5).

788 (b) An LEA shall ensure that an LEA data system purchased or developed on or after
789 May 14, 2019, will be compatible with the information management system when the
790 information management system is fully operational.

791 (7) (a) Subject to appropriations and Subsection (7)(b), the state board may use an
792 appropriation under this section to help an LEA meet the requirements in the rules described in
793 Subsection (5) by:

794 (i) providing to the LEA funding for implementation and sustainment of the LEA
795 financial information system, either through:

796 (A) awarding a grant to the LEA; or

797 (B) providing a reimbursement to the LEA; or

798 (ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, procuring a
799 financial information system on behalf of an LEA for the LEA to use as the LEA's financial
800 information system.

801 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
802 state board shall make rules describing:

803 (i) how an LEA may apply to the state board for the assistance described in Subsection
804 (7)(a); and

805 (ii) criteria for the state board to provide the assistance to an LEA.

806 (8) (a) Beginning July 1, 2024, the state board may take action against an LEA that is

out of compliance with a requirement described in Subsection (6) until the LEA complies with the requirement.

(b) An action described in Subsection (8)(a) may include the state board withholding funds from the LEA.

(9) (a) For purposes of this Subsection (9), "education record" means the same as that term is defined in 20 U.S.C. Sec. 1232g.

(b) The state board shall, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establish a procedure under which:

(i) a parent may submit information as part of the education records for the parent's student;

(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 (9)(d).

(c) The rules made under this Subsection (9) shall allow a parent to submit or remove information submitted by the parent under this Subsection (9) 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 (9) when a student is transitioning between schools or between LEAs.

Section 14. Section **53E-3-702** is amended to read:

53E-3-702. State board to adopt public school construction guidelines.

(1) As used in this section, "public school construction" means construction work on a new public school.

(2) (a) The state board shall:

(i) adopt guidelines for public school construction; and

(ii) consult with the Division of Facilities Construction and Management

Administration and the state security chief appointed under Section 53-22-102 on proposed guidelines before adoption.

(b) The state board shall ensure that guidelines adopted under Subsection (2)(a)(i)

maximize funds used for public school construction and reflect efficient and economic use of those funds, including adopting guidelines that address a school's safety and a school's essential needs rather than encouraging or endorsing excessive costs per square foot of construction or nonessential facilities, design, or furnishings.

(3) Before a school district or charter school may begin public school construction, the school district or charter school shall:

(a) review the guidelines adopted by the state board under this section; and

(b) take into consideration the guidelines when planning the public school construction.

(4) In adopting the guidelines for public school construction, the state board shall consider the following and adopt alternative guidelines as needed:

(a) location factors, including whether the school is in a rural or urban setting, and climate factors;

(b) variations in guidelines for significant or minimal projected student population growth;

(c) guidelines specific to schools that serve various populations and grades, including high schools, junior high schools, middle schools, elementary schools, alternative schools, and schools for people with disabilities; and

(d) year-round use.

(5) The guidelines shall address the following:

(a) square footage per student;

(b) minimum and maximum required real property for a public school;

(c) athletic facilities and fields, playgrounds, and hard surface play areas;

(d) necessary specifications to meet the safety standards created by the state security chief in Section 53E-3-706;

869 ~~[(d)]~~ (e) cost per square foot;
870 ~~[(e)]~~ (f) minimum and maximum qualities and costs for building materials;
871 ~~[(f)]~~ (g) design efficiency;
872 ~~[(g)]~~ (h) parking;
873 ~~[(h)]~~ (i) furnishing;
874 ~~[(i)]~~ (j) proof of compliance with applicable building codes; and
875 ~~[(j)]~~ (k) safety.

876 Section 15. Section **53E-3-706** is amended to read:

877 **53E-3-706. Enforcement of part by state superintendent -- Employment of**
878 **personnel -- School districts and charter schools -- Certificate of inspection verification.**

879 (1) Notwithstanding Subsection (4), (5) and (6), ~~[The]~~ the state superintendent shall
880 enforce this part.

881 (2) The state superintendent may employ architects or other qualified personnel, or
882 contract with the Division of Facilities Construction and Management, the state fire marshal,
883 the state security chief appointed under Section 53-22-102, or a local governmental entity to:

884 (a) examine the plans and specifications of any school building or alteration submitted
885 under this part;

886 (b) verify the inspection of any school building during or following construction; and

887 (c) perform other functions necessary to ensure compliance with this part.

888 (3) (a) ~~[(i)]~~ If a local school board uses the school district's building inspector under
889 Subsection 10-9a-305(6)(a)(ii) or 17-27a-305(6)(a)(ii) and issues its own certificate authorizing
890 permanent occupancy of the school building, the local school board shall file a certificate of
891 inspection verification with the local governmental entity's building official and the state board,
892 advising those entities that the school district has complied with the inspection provisions of
893 this part.

894 ~~[(ii)]~~ (b) If a charter school uses a school district building inspector under Subsection
895 10-9a-305(6)(a)(ii) or 17-27a-305(6)(a)(ii) and the school district issues to the charter school a
896 certificate authorizing permanent occupancy of the school building, the charter school shall file
897 with the state board a certificate of inspection verification.

898 ~~[(iii)]~~ (c) If a local school board or charter school uses a local governmental entity's
899 building inspector under Subsection 10-9a-305(6)(a)(i) or 17-27a-305(6)(a)(i) and the local

governmental entity issues the local school board or charter school a certificate authorizing permanent occupancy of the school building, the local school board or charter school shall file with the state board a certificate of inspection verification.

~~[(iv)]~~ (d) ~~[(A)]~~ (i) If a local school board or charter school uses an independent, certified building inspector under Subsection 10-9a-305(6)(a)(iii) or 17-27a-305(6)(a)(iii), the local school board or charter school shall, upon completion of all required inspections of the school building, file with the state board a certificate of inspection verification and a request for the issuance of a certificate authorizing permanent occupancy of the school building.

~~[(B)]~~ (ii) Upon the local school board's or charter school's filing of the certificate and request as provided in Subsection ~~[(3)(a)(iv)(A)]~~ (3)(d)(i), the school district or charter school shall be entitled to temporary occupancy of the school building that is the subject of the request for a period of 90 days, beginning the date the request is filed, if the school district or charter school has complied with all applicable fire and life safety code requirements.

~~[(C)]~~ (iii) Within 30 days after the local school board or charter school files a request under Subsection ~~[(3)(a)(iv)(A)]~~ (3)(d)(i) for a certificate authorizing permanent occupancy of the school building, the state superintendent shall:

~~[(F)]~~ (A) ~~[(Aa)]~~ issue to the local school board or charter school a certificate authorizing permanent occupancy of the school building; or

~~[(Bb)]~~ (B) deliver to the local school board or charter school a written notice indicating deficiencies in the school district's or charter school's compliance with the inspection provisions of this part; and

~~[(H)]~~ (C) mail a copy of the certificate authorizing permanent occupancy or the notice of deficiency to the building official of the local governmental entity in which the school building is located.

~~[(D)]~~ (iv) Upon the local school board or charter school remedying the deficiencies indicated in the notice under Subsection ~~[(3)(a)(iv)(C)(F)(Bb)]~~ (3)(d)(iii)(B) and notifying the state superintendent that the deficiencies have been remedied, the state superintendent shall issue a certificate authorizing permanent occupancy of the school building and mail a copy of the certificate to the building official of the local governmental entity in which the school building is located.

~~[(E)]~~ (v) ~~[(F)]~~ (A) The state superintendent may charge the school district or charter

931 school a fee for an inspection that the state superintendent considers necessary to enable the
932 state superintendent to issue a certificate authorizing permanent occupancy of the school
933 building.

934 ~~[(H)] (B)~~ A fee under Subsection ~~[(3)(a)(iv)(E)(F)] (3)(d)(v)(A)~~ may not exceed the
935 actual cost of performing the inspection.

936 ~~[(b)] (e)~~ For purposes of this Subsection (3):

937 (i) "local governmental entity" means either a municipality, for a school building
938 located within a municipality, or a county, for a school building located within an
939 unincorporated area in the county; and

940 (ii) "certificate of inspection verification" means a standard inspection form developed
941 by the state superintendent in consultation with local school boards and charter schools to
942 verify that inspections by qualified inspectors have occurred.

943 (4) The state security chief appointed under Section 53-22-102 shall establish
944 minimum safety and security standards for school construction and design projects.

945 (5) The county security chief appointed under Section 53-22-103 shall ensure a local
946 school district or charter school shall adhere to all safety and security standards for a school
947 construction or design project the state security chief creates.

948 (6) A building inspector described in this part shall coordinate with the relevant county
949 security chief to ensure compliance described in Subsection (5) before issuing a issuance of a
950 certificate authorizing permanent occupancy for a school.

951 Section 16. Section **53F-4-207** is amended to read:

952 **53F-4-207. Student intervention early warning program.**

953 (1) As used in this section:

954 (a) "Digital program" means a program that provides information for student early
955 intervention as described in this section.

956 (b) "Online data reporting tool" means a system described in Section 53E-4-311.

957 ~~[(c) "Participating LEA" means an LEA that receives access to a digital program under~~
958 ~~Subsection (5).]~~

959 (2) (a) The state board shall, subject to legislative appropriations:

960 (i) subject to Subsection (2)(c), enhance the online data reporting tool and provide
961 additional formative actionable data on student outcomes; and

(ii) select through a competitive contract process a provider to provide to an LEA a digital program as described in this section.

(b) Information collected or used by the state board for purposes of enhancing the online data reporting tool in accordance with this section may not identify a student individually.

(c) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to define the primary exceptionalities described in Subsection (3)(e)(ii).

(3) The enhancement to the online data reporting tool and the digital program shall:

(a) be designed with a user-appropriate interface for use by teachers, school administrators, and parents;

(b) provide reports on a student's results at the student level on:

(i) a national assessment;

(ii) a local assessment; and

(iii) a standards assessment described in Section 53E-4-303;

(c) have the ability to provide data from aggregate student reports based on a student's:

(i) teacher;

(ii) school;

(iii) school district, if applicable; or

(iv) ethnicity;

(d) provide a viewer with the ability to view the data described in Subsection (2)(c) on a single computer screen;

(e) have the ability to compare the performance of students, for each teacher, based on a student's:

(i) gender;

(ii) special needs, including primary exceptionality as defined by state board rule;

(iii) English proficiency;

(iv) economic status;

(v) migrant status;

(vi) ethnicity;

(vii) response to tiered intervention;

993 (viii) response to tiered intervention enrollment date;
994 (ix) absence rate;
995 (x) feeder school;
996 (xi) type of school, including primary or secondary, public or private, Title I, or other
997 general school-type category;
998 (xii) course failures; and
999 (xiii) other criteria, as determined by the state board; and
1000 (f) have the ability to load data from a local, national, or other assessment in the data's
1001 original format within a reasonable time.

1002 (4) Subject to legislative appropriations, the online data reporting tool and digital
1003 program shall:

1004 (a) integrate criteria for early warning indicators, including the following criteria:
1005 (i) discipline including school safety violations;
1006 (ii) attendance;
1007 (iii) behavior;
1008 (iv) course failures; and
1009 (v) other criteria as determined by a local school board or charter school governing
1010 board;

1011 (b) provide a teacher or administrator the ability to view the early warning indicators
1012 described in Subsection (4)(a) with a student's assessment results described in Subsection
1013 (3)(b);

1014 (c) provide data on response to intervention using existing assessments or measures
1015 that are manually added, including assessment and nonacademic measures;

1016 (d) provide a user the ability to share interventions within a reporting environment and
1017 add comments to inform other teachers, administrators, and parents;

1018 (e) save and share reports among different teachers and school administrators, subject
1019 to the student population information a teacher or administrator has the rights to access;

1020 (f) automatically flag a student profile when early warning thresholds, that the state
1021 board defines, are met so that a teacher can easily identify a student who may be in need of
1022 intervention;

1023 (g) incorporate a variety of algorithms to support student learning outcomes and

1024 provide student growth reporting by teacher;

1025 (h) integrate response to intervention tiers and activities as filters for the reporting of

1026 individual student data and aggregated data, including by ethnicity, school, or teacher;

1027 (i) have the ability to generate parent communication to alert the parent of ~~[academic]~~

1028 plans or interventions; and

1029 (j) configure alerts based upon student academic results, including a student's

1030 performance on the previous year's standards assessment described in Section 53E-4-303 or

1031 results to appropriate behavior interventions.

1032 (5) (a) ~~[The state board shall, subject to legislative appropriations, select an LEA to~~

1033 ~~receive]~~ The state board shall ensure that each LEA receives access to a digital program

1034 through a provider described in Subsection (2)(a)(ii).

1035 (b) An LEA ~~[that receives access to a digital program]~~ shall:

1036 (i) pay for 50% of the cost of providing access to the digital program to the LEA; and

1037 (ii) no later than one school year after accessing a digital program, report to the state

1038 board in a format required by the state board on:

1039 (A) the effectiveness of the digital program;

1040 (B) positive and negative attributes of the digital program;

1041 (C) recommendations for improving the online data reporting tool; and

1042 (D) any other information regarding a digital program requested by the state board.

1043 (c) The state board shall consider recommendations from an LEA for changes to the

1044 online data reporting tool.

1045 (6) ~~[Information]~~ A person shall provide or use information described in this section

1046 ~~[shall be used]~~ in accordance with ~~[and provided subject to]~~:

1047 (a) Title 53E, Chapter 9, Student Privacy and Data Protection;

1048 (b) Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and

1049 (c) the parental consent requirements in Section 53E-9-203.

1050 (7) (a) A parent or guardian may opt the parent's or guardian's student out of

1051 participating in a survey prepared by ~~[a participating]~~ an LEA's online data reporting tool

1052 described in this section.

1053 (b) An LEA shall provide notice to a parent of:

1054 (i) the administration of a survey described in Subsection (7)(a);

(ii) if applicable, that the survey may request information from students that is non-academic in nature;

(iii) where the parent may access the survey described in Subsection (7)(a) to be administered; and

(iv) the opportunity to opt a student out of participating in a survey as described in Subsection (7)(a).

(c) ~~[A participating]~~ An LEA shall annually provide notice to parents and guardians on how the ~~[participating]~~ LEA uses student data through the online data reporting tool to provide instruction and intervention to students.

(8) An LEA may use a different platform from the platform described in Subsection (2)(a)(ii) if the different platform accomplishes the requirements of this section.

Section 17. Section **53G-6-806** is amended to read:

53G-6-806. Parent portal.

(1) As used in this section:

(a) "Parent portal" means the posting the state board is required to provide under this section.

(b) "School" means a public elementary or secondary school, including a charter school.

(2) (a) The state board shall post information that allows a parent of a student enrolled in a school to:

(i) access an LEA's policies required by Sections 53G-9-203 and 53G-9-605;

(ii) be informed of resources and steps to follow when a student has been the subject, perpetrator, or bystander of bullying, cyber-bullying, hazing, retaliation, or abusive conduct such as:

(A) resources for the student, including short-term mental health services;

(B) options for the student to make changes to the student's educational environment;

(C) options for alternative school enrollment;

(D) options for differentiated start or stop times;

(E) options for differentiated exit and entrance locations; and

(F) the designated employee for an LEA who addresses incidents of bullying, cyber-bullying, hazing, retaliation, and abusive conduct;

1086 (iii) be informed of the steps and resources for filing a grievance with a school or LEA
1087 regarding bullying, cyber-bullying, hazing, or retaliation;

1088 (iv) be informed of the steps and resources for seeking accommodations under the
1089 Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq;

1090 (v) be informed of the steps and resources for seeking accommodations under state or
1091 federal law regarding religious accommodations;

1092 (vi) be informed of the steps and resources for filing a grievance for an alleged
1093 violation of state or federal law, including:

1094 (A) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d-2000d-4;

1095 (B) Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1688;

1096 (C) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794; and

1097 (D) Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Sec.
1098 12131-12165;

1099 (vii) receive information about constitutional rights and freedoms afforded to families
1100 in public education;

1101 (viii) be informed of how to access an internal audit hotline if established by the state
1102 board; and

1103 (ix) be informed of services for military families.

1104 (b) In addition to the information required under Subsection (2)(a), the state board:

1105 (i) shall include in the parent portal:

1106 (A) the comparison tool created under Section 53G-6-805; [and]

1107 (B) school level safety data including data points described in Section 53E-3-516; and

1108 (C) a link to the public safety portal described in Section 63A-16-1002; and

1109 (ii) may include in the parent portal other information that the state board determines is
1110 helpful to parents.

1111 (3) (a) The state board shall post the parent portal at a location that is easily located by
1112 a parent.

1113 (b) The state board shall update the parent portal at least annually.

1114 (c) In accordance with state and federal law, the state board may collaborate with a
1115 third-party to provide safety data visualization in comparison to other states' data.

1116 (4) An LEA shall annually notify each of the following of how to access the parent

1117 portal:

1118 (a) a parent of a student; and

1119 (b) a teacher, principal, or other professional staff within the LEA.

1120 Section 18. Section **53G-8-213** is amended to read:

1121 **53G-8-213. Reintegration plan for student alleged to have committed violent**
1122 **felony or weapon offense.**

1123 (1) As used in this section:

1124 (a) "Multidisciplinary team" means:

1125 (i) the local education agency,

1126 (ii) the juvenile court[;];

1127 (iii) the Division of Juvenile Justice Services[;];

1128 (iv) a school safety and security specialist designated under Section 53G-8-701.6;

1129 (v) school safety and security director designated under Section 53G-8-701.8;

1130 (vi) a school resource officer if applicable[;]; and

1131 (vii) any other relevant party that should be involved in a reintegration plan.

1132 (b) "Violent felony" means the same as that term is defined in Section 76-3-203.5.

1133 (2) If a school district receives a notification from the juvenile court or a law
1134 enforcement agency that a student was arrested for, charged with, or adjudicated in the juvenile
1135 court for a violent felony or an offense in violation of Title 76, Chapter 10, Part 5, Weapons,
1136 the school shall develop a reintegration plan for the student with a multidisciplinary team, the
1137 student, and the student's parent or guardian, within five days after the day on which the school
1138 receives a notification.

1139 (3) The school may deny admission to the student until the school completes the
1140 reintegration plan under Subsection (2).

1141 (4) The reintegration plan under Subsection (2) shall address:

1142 (a) a behavioral intervention for the student;

1143 (b) a short-term mental health or counseling service for the student; and

1144 (c) an academic intervention for the student.

1145 Section 19. Section **53G-8-701** is amended to read:

1146 **Part 7. School Safety Personnel**

1147 **53G-8-701. Definitions.**

1148 As used in this part:

1149 (1) "Armed school security guard" means the same as that term is defined in Section
 1150 53G-8-804.

1151 (2) "County security chief" means the same as that term is defined in Section
 1152 53-22-101.

1153 ~~[(+)]~~ (3) "Law enforcement agency" means the same as that term is defined in Section
 1154 53-1-102.

1155 ~~[(+)]~~ (4) "Public school" means the same as that term is defined in Section
 1156 53G-9-205.1.

1157 (5) "School guardian" means the same as that term is defined in Section 53-22-106.

1158 (6) "School is in session" means the same as that term is defined in Section 53E-3-516.

1159 (7) "School safety and security director" means an individual whom an LEA or private
 1160 school designates in accordance with Section 53G-8-701.8.

1161 (8) "School safety and security officer" means a law enforcement officer whom an
 1162 LEA or private school hires in accordance with Section 53G-8-701.7.

1163 ~~[(+)]~~ (9) "School resource officer" [or "SRO"] means a law enforcement officer, as
 1164 defined in Section 53-13-103, who contracts with or whose law enforcement agency contracts
 1165 with an LEA to provide law enforcement services for the LEA.

1166 ~~[(+)]~~ (10) "School safety and security specialist" means a school employee designated
 1167 under Subsection 53G-8-701.6 who is responsible for supporting school safety initiatives
 1168 including the threat assessment described in Subsection 53G-8-802(2)(g)(i).

1169 (11) "State security chief" means the same as that term is defined in Section 53-22-101.

1170 Section 20. Section **53G-8-701.5** is amended to read:

1171 **53G-8-701.5. Building safely evaluation and required safety personnel.**

1172 (1) ~~[Every public primary and secondary school]~~ Subject to Subsection (2), at each
 1173 school and private school shall:

1174 ~~[(+)]~~ (a) conduct a [threat assessment] building safety evaluation for each school as
 1175 described in Subsection 53-22-102(3)(k); and [53G-8-802(2)(g)(i); and]

1176 ~~[(+)]~~ (b) designate a school safety and security director at LEA level;

1177 (c) have a school safety and security specialist as described in Section 53G-8-701.6 at
 1178 each school; and

(d) have one of the following individuals on the grounds of each school when the school is in session:

(i) a school resource officer;

(ii) a school safety and security officer;

(iii) a school guardian; or

(iv) an armed school security guard.

(2) If a school has more than 350 students enrolled at the school the same individual may not serve in more than one of the roles listed in Subsection (1)(b) through (1)(d).

(3) A school under this section may implement any combination of the options described in Subsection (1)(d) to satisfy the requirements of Subsection (1)(d).

Section 21. Section **53G-8-701.6** is enacted to read:

53G-8-701.6. School safety and security specialist.

(1) As used in this section, "principal" means the chief administrator at a private or public school, including:

(a) a school principal;

(b) a charter school director; or

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

(2) (a) Subject to Subsection (2)(b), every private and public school shall designate a school safety and security specialist from the employee of the relevant public or private school.

(b) The school safety and security specialist may not be a principal.

(3) The school safety and security specialist shall:

(a) report directly to the principal;

(b) oversee school safety and security practices to ensure a safe and secure school environment for students and staff;

(c) collaborate and maintain effective communications with, if applicable, the principal, school staff, school resource officer, armed school security guard, school guardian, school safety and security officer, local law enforcement, county security chief, school safety and security director, LEA, and school-based behavioral and mental health professionals to ensure adherence with all policies, procedures, protocols, rules, and regulations relating to school safety and security;

(d) conduct a building safety assessment at least annually and use the results of the

1210 assessment to recommend improvements to school facilities, policies, procedures, protocols,
1211 rules, and regulations relating to school safety and security;
1212 (e) if an employee of an LEA, participate on the multi-disciplinary team that the LEA
1213 establishes;
1214 (f) conduct behavioral threat assessment when the school safety and security specialist
1215 deems necessary using an evidence-based tool the state security chief recommends in
1216 consultation with the state board;
1217 (g) regularly monitor and report to the principal, local law enforcement, and, if
1218 applicable, the LEA superintendent or designee, security risks for the school resulting from:
1219 (i) issues with school facilities; or
1220 (ii) the implementation of practices, policies, procedures, and protocols relating to
1221 school safety and security;
1222 (h) coordinate with local first responder agencies to implement and monitor safety and
1223 security drills in accordance with policy and applicable procedures and protocols;
1224 (i) ensure that school staff, and when appropriate students, receive training on and
1225 remain current on the schools safety and security procedures and protocols;
1226 (j) following an event where security of the school has been significantly
1227 compromised, organize a debriefing with, if applicable, school administrators, school
1228 guardians, school safety and security officers, armed school security guards, or school resource
1229 officers regarding strengthening school safety and security practices, policies, procedures, and
1230 protocols;
1231 (k) abide by any LEA, school, or law enforcement agency policy outlining the chain of
1232 command;
1233 (l) during an emergency, coordinate with, if applicable, the school resource officer, any
1234 school guardians, any school safety and security officers, any armed school security guards,
1235 school administrators, and responding law enforcement officers;
1236 (m) follow any LEA, school, or law enforcement agency student privacy policies
1237 including state and federal laws on privacy;
1238 (n) participate in an annual training the state security chief selects in consultation with
1239 the state board; and
1240 (o) remain current on:

(i) a comprehensive school threat assessment guideline the state security chief selects;
(ii) the duties of a school safety and security specialist describe in Subsection (3);and
(iii) the school's emergency response plan.
(4) During an active emergency at the school, the school safety and security specialist
is subordinate to any responding law enforcement officers.

Section 22. Section **53G-8-701.7** is enacted to read:

53G-8-701.7. School safety and security officer.

(1) As used in this section:

(a) "Biannual training" means a the same as the term is defined in Section 53-22-105.

(b) "Law enforcement officer" means a sworn and certified peace officer under Title
53, Chapter 6, Peace Officer Standards and Training Act.

(2) A public or private school may hire a former law enforcement officer who meets
the requirements of Subsection (3) to be a school safety and security officer.

(3) A former law enforcement officer is eligible to be hired as a school safety and
security officer if the former officer:

(a) has completed school resource officer training described in Section 53G-8-701.8;

(b) has completed mental health crisis intervention training using a curriculum that:

(i) a national organization with expertise in mental health crisis intervention develops;
and the state security chief selects; and

(ii) would not simultaneously be an employee of a law enforcement agency;

(c) has no history of disciplinary issues while serving as a law enforcement office
including an issue resulting in a resignation or termination;

(d) is certified by POST, as defined in Section 53-6-102, or another comparable
certifying agency if the officer is currently employed, or has previously been employed, by a
law enforcement agency in a different state; and

(e) completes a background check that contains the information in Subsection
53-14-103(3).

(4) A school safety and security officer has the power to make arrests under Section
77-7-2 on the school grounds that employs the school safety and security officer.

(5) A school safety and security officer:

(a) shall participate in bi-annual training; and

1272 (b) may conceal or openly carry a firearm at the school where the school safety and
1273 security officer is employed.

1274 (6) A public or private school that hires a school safety and security officer under this
1275 section shall inform the state security chief and the county security chief of the county of the
1276 employment and provide the contact information of the school safety and security officer for
1277 use during an emergency.

1278 (7) The state security chief shall:

1279 (a) for each public or private school that hires a school safety and security officer under
1280 this section, track, by collecting the photograph and the name and contact information for each
1281 school safety and security officer for use in case of an emergency; and

1282 (b) make the information described in Subsection (7)(a) readily available to each law
1283 enforcement agency in the state by school.

1284 (8) A school safety and security officer hired under this section shall:

1285 (a) abide by all applicable requirements described in Title 53, Chapter 6, Peace Officer
1286 Standards and Training Act and Title 53, Chapter 13, Peace Officer Classifications; and

1287 (b) report directly to the school safety and security director that oversees the school that
1288 employs the school safety and security officer.

1289 (9) A public or private school may hire a single school safety and security officer or
1290 multiple school safety and security officers to satisfy the requirements of Section 53G-8-701.5

1291 Section 23. Section **53G-8-701.8** is enacted to read:

1292 **53G-8-701.8. School safety and security director.**

1293 (1) Each LEA and private school shall designate a school safety and security director as
1294 the point of contact for the county security chief, local law enforcement, and the state security
1295 chief.

1296 (2) A school safety and security director shall:

1297 (a) participate in and satisfy the training requirements, including the annual and
1298 bi-annual requirements, described in:

1299 (i) Section 53-22-105 for school guardians;

1300 (ii) Section 53G-8-702 for school resource officers; and

1301 (iii) Section 53G-8-704 for armed school security guards;

1302 (b) have a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,

1303 Concealed Firearm Act:
1304 (c) if the designee is an employee of an LEA, participate on the multi-disciplinary
1305 team the LEA establishes;
1306 (d) coordinate security responses among, if applicable, the following individuals in the
1307 LEA or private school that employs the school safety and security director:
1308 (i) school safety and security specialists;
1309 (ii) school resource officers;
1310 (iii) armed school security guards;
1311 (iv) school guardians; and
1312 (v) school safety and security officers; and
1313 (e) collaborate and maintain effective communications with local law enforcement,
1314 county security chief, school safety and security director, LEA, and school-based behavioral
1315 and mental health professionals to ensure adherence with all policies, procedures, protocols,
1316 rules, and regulations relating to school safety and security.
1317 (3) A school safety and security director:
1318 (a) does not have authority to act in a law enforcement capacity; and
1319 (b) may, at the LEA or private school that employs the school guardian:
1320 (i) take actions necessary to prevent or abate an active threat; and
1321 (ii) temporarily detain an individual when the school safety and security director has
1322 reasonable cause to believe the individual has committed or is about to commit a forcible
1323 felony, as that term is defined in Section 76-2-402.
1324 (4) Notwithstanding Subsection 76-10-505.5(4), a school safety and security director
1325 shall carry the school safety and security director's firearm in a concealed manner and may not,
1326 unless during an active threat, display or open carry a firearm while on school grounds.
1327 (5) A school may use the services of the school safety and security director on a
1328 temporary basis to satisfy the requirement of Subsection 53G-8-701.5(d).
1329 (6) The state security chief shall:
1330 (a) for each school safety and security director, track each school safety and security
1331 director by collecting the photograph and the name and contact information for each school
1332 safety and security director; and
1333 (b) make the information described in Subsection (6)(a) readily available to each law

1334 enforcement agency in the state by LEA or private school.

1335 Section 24. Section **53G-8-702** is amended to read:

1336 **53G-8-702. School resource officer training -- Curriculum.**

1337 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1338 state board, in consultation with the state security chief appointed under Section 53-22-102,
1339 shall make rules that prepare and make available [~~a training~~] an annual program for school
1340 principals, school personnel, and school resource officers to attend.

1341 (2) To create the curriculum and materials for the training program described in
1342 Subsection (1), the state board shall:

1343 (a) work in conjunction with the State Commission on Criminal and Juvenile Justice
1344 created in Section 63M-7-201;

1345 (b) solicit input from local school boards, charter school governing boards, and the
1346 Utah Schools for the Deaf and the Blind;

1347 (c) consult with a nationally recognized organization that provides resources and
1348 training for school resource officers;

1349 (d) solicit input from local law enforcement and other interested community
1350 stakeholders; and

1351 (e) consider the current United States Department of Education recommendations on
1352 school discipline and the role of a school resource officer.

1353 (3) The training program described in Subsection (1) may include training on the
1354 following:

1355 (a) childhood and adolescent development;

1356 (b) responding age-appropriately to students;

1357 (c) working with disabled students;

1358 (d) techniques to de-escalate and resolve conflict;

1359 (e) cultural awareness;

1360 (f) restorative justice practices;

1361 (g) identifying a student exposed to violence or trauma and referring the student to
1362 appropriate resources;

1363 (h) student privacy rights;

1364 (i) negative consequences associated with youth involvement in the juvenile and

1365 criminal justice systems;
1366 (j) strategies to reduce juvenile justice involvement;
1367 (k) roles of and distinctions between a school resource officer and other school staff
1368 who help keep a school secure;
1369 (l) developing and supporting successful relationships with students; and
1370 (m) legal parameters of searching and questioning students on school property.
1371 (4) The state board shall work together with the Department of Public Safety, the State
1372 Commission on Criminal and Juvenile Justice, and state and local law enforcement to establish
1373 policies, procedures, and training requirements for school resource officers.
1374 Section 25. Section **53G-8-703** is amended to read:
1375 **53G-8-703. Contracts between an LEA or private school and law enforcement for**
1376 **school resource officer services -- Requirements.**
1377 (1) (a) An LEA or private school may use a school resource officer to satisfy the
1378 requirements of Section 53G-8-701.5
1379 (b) An LEA [may] or private school that uses a school resource officer under
1380 Subsection (1)(a) shall contract with a local law enforcement agency to provide school resource
1381 officer services [~~at the LEA~~].
1382 (2) An LEA contract with a law enforcement agency to provide [~~SRO~~] school resource
1383 officer services at the LEA shall require in the contract:
1384 (a) an acknowledgment by the law enforcement agency that [~~an SRO~~] a school
1385 resource officer hired under the contract shall:
1386 (i) provide for and maintain a safe, healthy, and productive learning environment in a
1387 school;
1388 (ii) act as a positive role model to students;
1389 (iii) work to create a cooperative, proactive, and problem-solving partnership between
1390 law enforcement and the LEA;
1391 (iv) emphasize the use of restorative approaches to address negative behavior; and
1392 (v) at the request of the LEA, teach a vocational law enforcement class;
1393 (b) a description of the shared understanding of the LEA and the law enforcement
1394 agency regarding the roles and responsibilities of law enforcement and the LEA to:
1395 (i) maintain safe schools;

1396 (ii) improve school climate; and
1397 (iii) support educational opportunities for students;
1398 (c) a designation of student offenses that, in accordance with Section 53G-8-211, the
1399 ~~[SRØ]~~ school resource officer:
1400 (i) may refer to the juvenile court;
1401 (ii) shall confer with the LEA to resolve; and
1402 (iii) shall refer to a school administrator for resolution as an administrative issue with
1403 the understanding that the ~~[SRØ]~~ school resource officer will be informed of the outcome of
1404 the administrative issue;
1405 (d) a detailed description of the rights of a student under state and federal law with
1406 regard to:
1407 (i) searches;
1408 (ii) questioning;
1409 (iii) arrests; and
1410 (iv) information privacy;
1411 (e) a detailed description of:
1412 (i) job assignment and duties, including:
1413 (A) the school to which the ~~[SRØ]~~ school resource officer will be assigned;
1414 (B) the hours the ~~[SRØ]~~ school resource officer is expected to be present at the school;
1415 (C) the point of contact at the school;
1416 (D) specific responsibilities for providing and receiving information; and
1417 (E) types of records to be kept, and by whom;
1418 (ii) training requirements; and
1419 (iii) other expectations of the ~~[SRØ]~~ school resource officer and school administration
1420 in relation to law enforcement at the LEA;
1421 (f) that ~~[an SRØ]~~ a school resource officer who is hired under the contract and the
1422 principal at the school where ~~[an SRØ]~~ a school resource officers will be working, or the
1423 principal's designee, will jointly complete the ~~[SRØ]~~ school resource officer training described
1424 in Section 53G-8-702;
1425 (g) that both parties agree to jointly discuss ~~[SRØ]~~ school resource officer applicants;
1426 ~~[and]~~

(h) that the law enforcement agency will, at least annually, seek out and accept feedback from an LEA about ~~[an SRO's]~~ a school resource officer's performance[-]; and

(i) a designation of the school resource officer and the officer's law enforcement agency as "school officials" for purposes of the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99.

(3) An LEA may not require or prohibit mandatory rotations of school resource officers as part of the contract described in Subsection (2).

Section 26. Section **53G-8-703.2** is amended to read:

53G-8-703.2. LEA establishment of a school resource officer policy -- Public comment.

(1) An LEA shall establish ~~[an SRO]~~ a school resource officer policy.

(2) The ~~[SRO]~~ school resource officer policy described in Subsection (1) shall include:

(a) the contract described in Section 53G-8-703; and

(b) all other procedures and requirements governing the relationship between the LEA and ~~[an SRO]~~ a school resource officer.

(3) Before implementing the ~~[SRO]~~ school resource officer policy described in Subsection (1), the LEA shall present the ~~[SRO]~~ school resource officer policy at a public meeting and receive public comment on the ~~[SRO]~~ school resource officer policy.

Section 27. Section **53G-8-704** is enacted to read:

53G-8-704. Contracts between an LEA or private school and a contract security company for armed school security guards.

(1) As used in this section

(a) "Armed private security officer" means the same as that term is defined in Section 58-63-102.

(b) "Armed school security guard" means an armed private security officer who is:

(i) licensed as an armed private security officer under Title 58, Chapter 63, Security Personnel Licensing Act; and

(ii) has met the requirements described in Subsection (4)(a).

(c) "Biannual training" means the same as the term is defined in Section 53-22-105.

(d) "Contract security company" means the same as that term is defined in Section 58-63-102.

- 1458 (e) "State security chief" means the same as the term is defined in Section 53-22-102.
- 1459 (2) (a) An LEA or private school may use an armed school security guard to satisfy the
- 1460 requirements of Section 53G-8-701.5.
- 1461 (b) An LEA or private school that uses an armed school security guard under
- 1462 Subsection (2)(a) shall contract with a contract security company to provide armed school
- 1463 security guards at the private school or at each school within the LEA.
- 1464 (3) The contract described in Subsection (2)(b) shall include a detailed description of:
- 1465 (a) the rights of a student under state and federal law with regard to:
- 1466 (i) searches;
- 1467 (ii) questioning;
- 1468 (iii) arrests; and
- 1469 (iv) information privacy;
- 1470 (b) job assignment and duties of an armed school security guard, including:
- 1471 (i) the school to which an armed school security guard will be assigned;
- 1472 (ii) the hours an armed school security guard is present at the school;
- 1473 (iii) the point of contact at the school that an armed school security guard will contact
- 1474 in case of an emergency;
- 1475 (iv) specific responsibilities for providing and receiving information; and
- 1476 (v) types of records to be kept, and by whom;
- 1477 (vi) training requirements; and
- 1478 (c) other expectations of the contract security company in relation to school security at
- 1479 the private school or LEA.
- 1480 (4) (a) In addition to the requirements for licensure under Title 58, Chapter 63, Security
- 1481 Personnel Licensing Act an armed private security officer may only serve as an armed school
- 1482 security guard under a contract described in Subsection (2)(b) if the armed private security
- 1483 officer:
- 1484 (b) has a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,
- 1485 Concealed Firearm Act; and
- 1486 (c) has undergone training from a county security chief regarding:
- 1487 (i) the safe loading, unloading, storage, and carrying of firearms in a school setting;
- 1488 (ii) the role of armed security guards in a school setting; and

(iii) coordination with law enforcement and school officials during an active threat.

(d) An armed school security guard that meets the requirements of Subsection (4)(a) shall, in order remain eligible to be assigned as an armed school security guard at any school under a contract described in Subsection (2)(b), participate in bi-annual training.

(5) An armed school security guard may conceal or openly carry a firearm at the school at which the armed school security guard is employed under the contract described in Subsection (2)(b).

(6) A private school or LEA that enters a contract under this section shall inform the state security chief and the relevant county security chief of the contract and provide the contact information of the contract security company employing the armed security guard for use during an emergency.

(7) The state security chief shall:

(a) for each private school or LEA that contracts with a contract security company under this section, track each contract security company providing armed school security guards by name and the contact information for use in case of an emergency; and

(b) make the information described in Subsection (7)(a) readily available to each law enforcement agency in the state by school.

Section 28. Section **53G-8-801** is amended to read:

53G-8-801. Definitions.

As used in this section:

(1) "Bullying" means the same as that term is defined in Section 53G-9-601.

(2) "Law enforcement officer" means the same as that term is defined in Section 53-13-103.

(3) "Program" means the State Safety and Support Program established in Section 53G-8-802.

(4) "State security chief" means the same as the term is defined in Section 53-22-101.

Section 29. Section **53G-8-802** is amended to read:

53G-8-802. School Safety Center -- LEA duties.

(1) There is created the [~~State Safety and Support Program~~] School Safety Center.

(2) The [~~state board~~] School Safety Center shall:

(a) develop in conjunction with the Office of Substance Use and Mental Health and the

1520 state security chief model student safety and support policies for an LEA, including:

1521 (i) requiring an evidence-based [~~procedures for the~~] a behavior threat assessment [~~of~~

1522 ~~and intervention~~] that includes:

1523 (A) recommended interventions with an individual whose behavior poses a threat to

1524 school safety; and

1525 (B) establishes defined roles for a multidisciplinary team and school safety personnel

1526 described in Title 53G, Chapter 8, Part 7 School Safety Personnel including .

1527 (ii) procedures for referrals to law enforcement; and

1528 (iii) procedures for referrals to a community services entity, a family support

1529 organization, or a health care provider for evaluation or treatment;

1530 (b) provide training in consultation with the state security chief:

1531 (i) in school safety;

1532 (ii) in evidence-based approaches to improve school climate and address and correct

1533 bullying behavior;

1534 (iii) in evidence-based approaches in identifying an individual who may pose a threat

1535 to the school community;

1536 (iv) in evidence-based approaches in identifying an individual who may be showing

1537 signs or symptoms of mental illness;

1538 (v) on permitted disclosures of student data to law enforcement and other support

1539 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

1540 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections

1541 53E-9-203 and 53E-9-305; and

1542 (vii) for administrators on rights and prohibited acts under:

1543 (A) Chapter 9, Part 6, Bullying and Hazing;

1544 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;

1545 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;

1546 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and

1547 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;

1548 (c) conduct and disseminate evidence-based research on school safety concerns;

1549 (d) disseminate information on effective school safety initiatives;

1550 (e) encourage partnerships between public and private sectors to promote school safety;

(f) provide technical assistance to an LEA in the development and implementation of school safety initiatives;

(g) in conjunction with the ~~[Department of Public Safety, develop and]~~ state security chief, make available to an LEA ~~[a] the model critical incident response training program [that includes:]~~ described in Section 53-22-102 a school and law enforcement shall use during a threat;

~~[(i) protocols for conducting a threat assessment, and ensuring building security during an incident, as required in Section 53G-8-701.5;]~~

~~[(ii) standardized response protocol terminology for use throughout the state;]~~

~~[(iii) protocols for planning and safety drills; and]~~

~~[(iv) recommendations for safety equipment for schools including amounts and types of first aid supplies;]~~

(h) provide space for the public safety liaison described in Section 53-1-106 and the school-based mental health specialist described in Section 26B-5-211;

(i) collaborate with the state security chief to determine appropriate application of school safety requirements in Utah code to an online school;

~~[(j)]~~ (j) create a model school climate survey that may be used by an LEA to assess stakeholder perception of a school environment and, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules:

(i) requiring an LEA to:

(A) create or adopt and disseminate a school climate survey; and

(B) disseminate the school climate survey;

(ii) recommending the distribution method, survey frequency, and sample size of the survey; and

(iii) specifying the areas of content for the school climate survey; and

~~[(k)]~~ (k) collect aggregate data and school climate survey results from each LEA.

(3) Nothing in this section requires an individual to respond to a school climate survey.

(4) The state board shall require an LEA to:

(a) (i) review data from the state board-facilitated surveys containing 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:

(i) no later than August 1, 2023, on the LEA's plan adopted under Subsection (4)(a)(ii)(B); and

(ii) after August 1, 2023, annually on the LEA's implementation of the plan and progress.

Section 30. Section **53G-8-803** is amended to read:

53G-8-803. Standard response protocol to active threats in schools.

The state board in consultation with the state security chief shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

(1) in accordance with the standard response protocol the state security chief establishes, require an LEA or school to develop emergency preparedness plans and emergency response plans for use during an emergency that include developmentally appropriate training for students and adults regarding:

(a) active threats;

(b) emergency preparedness;

(c) drills as required under Subsection 15A-5-202.5; and

(d) standard response protocols coordinated with community stakeholders;

(2) identify the necessary components of emergency preparedness and response plans, including underlying standard response protocols and emerging best practices for an emergency; and

(3) define what constitutes an "active threat" and "developmentally appropriate" for purposes of the emergency response training described in this section.

Section 31. Section **53G-8-805** is enacted to read:

53G-8-805. Panic alert device -- Security cameras.

(1) An LEA shall provide each classroom with a panic alert device that allows for immediate contact with emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments.

(2) An LEA shall ensure all school building personnel receive training on the protocol and appropriate use of the panic alert device described in Subsection (1).

(3) An LEA shall:

(a) ensure all security cameras within a school building are accessible by a local law enforcement agency; and

(b) coordinate with a local law enforcement agency to establish appropriate access protocols.

Section 32. Section **63H-7a-103** is amended to read:

63H-7a-103. Definitions.

As used in this chapter:

(1) "911 account" means the Unified Statewide 911 Emergency Service Account, created in Subsection 63H-7a-304(1).

(2) "911 call transfer" means the redirection of a 911 call from the person who initially receives the call to another person within the state.

(3) "Association of governments" means an association of political subdivisions of the state, established pursuant to an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act.

(4) "Authority" means the Utah Communications Authority created in Section 63H-7a-201.

(5) "Backhaul network" means the portion of a public safety communications network that consists primarily of microwave paths, fiber lines, or ethernet circuits.

(6) "Board" means the Utah Communications Authority Board created in Section 63H-7a-203.

(7) "CAD" means a computer-based system that aids PSAP dispatchers by automating selected dispatching and record-keeping activities.

(8) "CAD-to-CAD" means standardized connectivity between PSAPs or between a PSAP and a dispatch center for the transmission of data between CADs.

(9) "Dispatch center" means an entity that receives and responds to an emergency or nonemergency communication transferred to the entity from a public safety answering point.

(10) "FirstNet" means the federal First Responder Network Authority established in 47 U.S.C. Sec. 1424.

(11) "Lease" means any lease, lease purchase, sublease, operating, management, or similar agreement.

(12) "Public agency" means any political subdivision of the state dispatched by a public safety answering point.

(13) "Public safety agency" means the same as that term defined in Section 69-2-102.

(14) "Public safety answering point" or "PSAP" means an entity in this state that:

(a) receives, as a first point of contact, direct 911 emergency communications from the 911 emergency service network requesting a public safety service;

(b) has a facility with the equipment and staff necessary to receive the communication;

(c) assesses, classifies, and prioritizes the communication; ~~and~~

(d) dispatches the communication to the proper responding agency~~[-]; and~~

(e) submit information as described in Section 63H-7a-208.

(15) "Public safety communications network" means:

(a) a regional or statewide public safety governmental communications network and related facilities, including real property, improvements, and equipment necessary for the acquisition, construction, and operation of the services and facilities; and

(b) 911 emergency services, including radio communications, connectivity, and 911 call processing equipment.

Section 33. Section **63H-7a-208** is amended to read:

63H-7a-208. PSAP advisory committee.

(1) There is established a PSAP advisory committee composed of nine members appointed by the board as follows:

(a) one representative from a PSAP managed by a city;

(b) one representative from a PSAP managed by a county;

(c) one representative from a PSAP managed by a special service district;

(d) one representative from a PSAP managed by the Department of Public Safety;

(e) one representative from a PSAP from a county of the first class;

- 1675 (f) one representative from a PSAP from a county of the second class;
1676 (g) one representative from a PSAP from a county of the third or fourth class;
1677 (h) one representative from a PSAP from a county of the fifth or sixth class; and
1678 (i) one member from the telecommunications industry.
- 1679 (2) (a) Except as provided in Subsection (2)(b), each member shall be appointed to a
1680 four-year term beginning July 1, 2019.
- 1681 (b) Notwithstanding Subsection (2)(a), the board shall:
- 1682 (i) at the time of appointment or reappointment, adjust the length of terms to ensure
1683 that the terms of committee members are staggered so that the terms of approximately half of
1684 the committee end every two years; and
- 1685 (ii) not reappoint a member for more than two consecutive terms.
- 1686 (3) If a vacancy occurs in the membership for any reason, the replacement shall be
1687 appointed by the board for the unexpired term.
- 1688 (4) (a) Each January, the committee shall organize and select one of its members as
1689 chair and one member as vice chair.
- 1690 (b) The committee may organize standing or ad hoc subcommittees, which shall
1691 operate in accordance with guidelines established by the committee.
- 1692 (5) (a) The chair shall convene a minimum of four meetings per year.
- 1693 (b) The chair may call special meetings.
- 1694 (c) The chair shall call a meeting upon request of five or more members of the
1695 committee.
- 1696 (6) Five members of the committee constitute a quorum for the transaction of business,
1697 and the action of a majority of the members present is the action of the committee.
- 1698 (7) A member may not receive compensation or benefits for the member's service.
- 1699 (8) The PSAP advisory committee shall, on behalf of stakeholders, make
1700 recommendations to the director and the board regarding:
- 1701 (a) the authority operations and policies;
1702 (b) the 911 division and interoperability division strategic plans;
1703 (c) the operation, maintenance, and capital development of the public safety
1704 communications network;
1705 (d) the authority's administrative rules relative to the 911 division and the

1706 interoperability division; and

1707 (e) the development of minimum standards and best practices as described in

1708 Subsection 63H-7a-302(1)(a).

1709 (9) No later than September 30, 2020, the PSAP advisory committee shall propose to

1710 the board a statewide CAD-to-CAD call handling and 911 call transfer protocol.

1711 (10) The chair of the PSAP advisory committee is a nonvoting member of the board.

1712 (11) (a) The committee is not subject to Title 52, Chapter 4, Open and Public Meetings

1713 Act.

1714 (b) The committee shall:

1715 (i) at least 24 hours before a committee meeting, post a notice of the meeting, with a

1716 meeting agenda, on the authority's website;

1717 (ii) within 10 days after a committee meeting, post to the authority's website the audio

1718 and draft minutes of the meeting; and

1719 (iii) within three days after the committee approves minutes of a committee meeting,

1720 post the approved minutes to the authority's website.

1721 (c) The committee's vice chair is responsible for preparing minutes of committee

1722 meetings.

1723 (12) On or before December 31, 2024, the PSAP advisory committee shall coordinate

1724 with the State Bureau of Investigation to use the intelligence system described in Subsections

1725 53-10-302(7) and (8) to:

1726 (a) establish the information a PSAP is required to submit to the intelligence system;

1727 and

1728 (b) a format for submitting information.

1729 Section 34. Section **76-10-505.5** is amended to read:

1730 **76-10-505.5. Possession of a dangerous weapon, firearm, or short barreled**

1731 **shotgun on or about school premises -- Penalties.**

1732 (1) As used in this section, "on or about school premises" means:

1733 (a) (i) in a public or private elementary or secondary school; or

1734 (ii) on the grounds of any of those schools;

1735 (b) (i) in a public or private institution of higher education; or

1736 (ii) on the grounds of a public or private institution of higher education; and

(iii) (A) inside the building where a preschool or child care is being held, if the entire building is being used for the operation of the preschool or child care; or

(B) if only a portion of a building is being used to operate a preschool or child care, in that room or rooms where the preschool or child care operation is being held.

(2) A person may not possess any dangerous weapon, firearm, or short barreled shotgun, as those terms are defined in Section 76-10-501, at a place that the person knows, or has reasonable cause to believe, is on or about school premises as defined in this section.

(3) (a) Possession of a dangerous weapon on or about school premises is a class B misdemeanor.

(b) Possession of a firearm or short barreled shotgun on or about school premises is a class A misdemeanor.

(4) This section does not apply if:

(a) the person is authorized to possess a firearm as ~~[provided under]~~ described in Section 53-5-704, 53-5-705, 76-10-511, or 76-10-523, or as otherwise authorized by law;

(b) the person is authorized to possess a firearm as ~~[provided under]~~ described in Section 53-5-704.5, unless the person is in a location where the person is prohibited from carrying a firearm under Subsection 53-5-710(2);

(c) the possession is approved by the responsible school administrator;

(d) the item is present or to be used in connection with a lawful, approved activity and is in the possession or under the control of the person responsible for its possession or use;

~~(e) the person is as an armed school security guard as described in Section 53G-8-704;~~
or

~~(f)~~ (f) the possession is:

(i) at the person's place of residence or on the person's property; or

(ii) in any vehicle lawfully under the person's control, other than a vehicle owned by the school or used by the school to transport students.

(5) This section does not:

(a) prohibit prosecution of a more serious weapons offense that may occur on or about school premises; or

(b) prevent a person from securely storing a firearm on the grounds of a school if the person participates in the school guardian program created in Section 53-22-105 and complies

1768 with the requirements for securely storing the firearm described in Subsection 53-22-105(5)(a).
1769 Section 35. **Effective date.**
1770 This bill takes effect on July 1, 2024.