

Effective 5/1/2024

Superseded 5/7/2025

53-22-105 School guardian program.

(1) As used in this section:

- (a) "Annual training" means an annual four-hour training that:
 - (i) a county security chief or a designee administers;
 - (ii) the state security chief approves;
 - (iii) can be tailored to local needs;
 - (iv) allows an individual to practice and demonstrate firearms proficiency at a firearms range using the firearm the individual carries for self defense and defense of others;
 - (v) includes the following components:
 - (A) firearm safety, including safe storage of a firearm;
 - (B) de-escalation tactics;
 - (C) the role of mental health in incidents; and
 - (D) disability awareness and interactions; and
 - (vi) contains other training needs as determined by the state security chief.
- (b) "Biannual training" means a twice-yearly training that:
 - (i) is at least four hours, unless otherwise approved by the state security chief;
 - (ii) a county security chief or a designee administers;
 - (iii) the state security chief approves;
 - (iv) can be tailored to local needs; and
 - (v) through which a school guardian at a school or simulated school environment:
 - (A) receives training on the specifics of the building or buildings of the school, including the location of emergency supplies and security infrastructure; and
 - (B) participates in a live-action practice plan with school administrators in responding to active threats at the school; and
 - (vi) shall be taken with at least three months in between the two trainings.
- (c) "Firearm" means the same as that term is defined in Section 76-10-501.
- (d) "Initial training" means an in-person training that:
 - (i) a county security chief or a designee administers;
 - (ii) the state security chief approves;
 - (iii) can be tailored to local needs; and
 - (iv) provides:
 - (A) training on general familiarity with the types of firearms that can be concealed for self-defense and defense of others;
 - (B) training on the safe loading, unloading, storage, and carrying of firearms in a school setting;
 - (C) training at a firearms range with instruction regarding firearms fundamentals, marksmanship, the demonstration and explanation of the difference between sight picture, sight alignment, and trigger control, and a recognized pistol course;
 - (D) current laws dealing with the lawful use of a firearm by a private citizen, including laws on self-defense, defense of others, transportation of firearms, and concealment of firearms;
 - (E) coordination with law enforcement officers in the event of an active threat;
 - (F) basic trauma first aid;
 - (G) the appropriate use of force, emphasizing the de-escalation of force and alternatives to using force;
 - (H) situational response evaluations, including:
 - (i) protecting and securing a crime or accident scene;

- (II) notifying law enforcement;
 - (III) controlling information; and
 - (IV) other training that the county sheriff, designee, or department deems appropriate.
- (e) "Program" means the school guardian program created in this section.
- (f)
- (i) "School employee" means an employee of a school whose duties and responsibilities require the employee to be physically present at a school's campus while school is in session.
 - (ii) "School employee" does not include a principal, teacher, or individual whose primary responsibilities require the employee to be primarily present in a classroom to teach, care for, or interact with students, unless:
 - (A) the principal, teacher, or individual is employed at a school with 100 or fewer students;
 - (B) the principal, teacher, or individual is employed at a school with adjacent campuses as determined by the state security chief; or
 - (C) as provided in Subsection 53G-8-701.5(3).
 - (g) "School guardian" means a school employee 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:
- (i) another county sheriff to support the respective county security chiefs in jointly administering the school guardian program in the relevant counties; and
 - (ii) a local law enforcement agency of relevant jurisdiction to provide the:
 - (A) initial training;
 - (B) biannual training; and
 - (C) annual training.
- (3)
- (a) A school employee that volunteers to participate is eligible to join the program as a school guardian if:
- (i) the school administrator approves the volunteer school employee to be designated as 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 the school is located 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) the school employee successfully completes a mental health screening selected by the state security chief in collaboration with the Office of Substance Abuse and Mental Health established in Section 26B-5-102.

- (b) After joining the program a school guardian shall complete annual training and biannual training to retain the designation of a school guardian 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 volunteer or multiple volunteers to participate in the school guardian program to satisfy the school safety personnel 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.
- (10) A school guardian who has active status in the guardian program is not liable for any civil damages or penalties if the school guardian:
 - (a) when carrying or storing a firearm:
 - (i) is acting in good faith; and
 - (ii) is not grossly negligent; or
 - (b) threatens, draws, or otherwise uses a firearm reasonably believing the action to be necessary in compliance with Section 76-2-402.
- (11) A school guardian shall file a report described in Subsection (12) if, during the performance of the school guardian's duties, the school guardian points a firearm at an individual.
- (12)
 - (a) A report described in Subsection (11) shall include:
 - (i) a description of the incident;
 - (ii) the identification of the individuals involved in the incident; and
 - (iii) any other information required by the state security chief.
 - (b) A school guardian shall submit a report required under Subsection (11) to the school administrator, school safety and security director, and the state security chief within 48 hours after the incident.

- (c) The school administrator, school safety and security director, and the state security chief shall consult and review the report submitted under Subsection (12)(b).
- (13) The requirements of Subsections (11) and (12) do not apply to a training exercise.
- (14) A school guardian may have the designation of school guardian revoked at any time by the school principal, county sheriff, or state security chief.
- (15)
 - (a) Any information or record created detailing a school guardian's participation in the program is:
 - (i) a private, controlled, or protected record under Title 63G, Chapter 2, Government Records Access and Management Act; and
 - (ii) available only to:
 - (A) the state security chief;
 - (B) administrators at the school guardian's school;
 - (C) if applicable, other school safety personnel described in Section 53G-8-701.5;
 - (D) a local law enforcement agency that would respond to the school in case of an emergency; and
 - (E) the individual designated by the county sheriff in accordance with Section 53-22-103 of the county of the school where the school guardian in the program is located.
 - (b) The information or record described in Subsection (15)(a) includes information related to the school guardian's identity and activity within the program as described in this section and any personal identifying information of a school guardian participating in the program collected or obtained during initial training, annual training, and biannual training.
 - (c) An individual who intentionally or knowingly provides the information described in Subsection (15)(a) to an individual or entity not listed in Subsection (15)(a)(ii) is guilty of a class B misdemeanor.