

Effective 5/3/2023

Chapter 22 School Security Act

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

As used in this chapter:

- (1) "Advisory board" means the Education Advisory Board created in Section 53-22-104.2.
- (2) "County security chief" means the individual whom a county sheriff appoints in accordance with Section 53-22-103 to oversee school safety.
- (3) "Local education agency" means the same as that term is defined in Section 53E-1-102.
- (4) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- (5) "School" means an elementary school or a secondary school that:
 - (a) is a public school; and
 - (b) provides instruction for one or more of the grades of kindergarten through grade 12.
- (6) "School is in session" means the same as the term is defined in Section 53E-3-516.
- (7) "School resource officer" means the same as that term is defined in Section 53G-8-701.
- (8) "State security chief" means an individual appointed by the commissioner under Section 53-22-102.
- (9) "Task force" means the School Security Task Force created in Section 53-22-104.1.

Amended by Chapter 21, 2024 General Session

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 state security chief shall:
 - (a) establish building and safety standards for all public and private schools, including:
 - (i) coordinating with the State Board of Education to establish the required minimum safety and security standards for all public and private school facilities, including:
 - (A) limited entry points, including, if applicable, secured entry points for specific student grades or groups;
 - (B) video surveillance of entrances when school is in session;
 - (C) ground level windows protected by security film or ballistic windows;
 - (D) internal classroom door locks;
 - (E) bleed kits and first aid kits;
 - (F) exterior cameras on entrances, parking areas, and campus grounds; and
 - (G) fencing around playgrounds;
 - (ii) establishing a schedule or timeline for existing buildings to come into compliance with this section;

- (iii) creating a process to examine plans and specifications for construction or remodeling of a school building, in accordance with Section 53E-3-706;
- (iv) recommending to the commissioner the denial or revocation a public or private school's occupancy permit for a building if:
 - (A) the building does not meet the standards established in this section; and
 - (B) after consultation with the local governing board, the building remains non-compliant with the standards established in this section;
- (v) creating minimum standards for radio communication equipment in every school; and
- (vi) establishing a process to approve the safety and security criteria the state superintendent of public instruction establishes for building inspectors described in Section 53E-3-706;
- (b) oversee the implementation of the school safety personnel requirements described in Section 53G-8-701.5, including:
 - (i) in consultation with a county security chief, overseeing the school guardian program described in Section 53-22-105, including approving and coordinating the relevant training programs;
 - (ii) establishing an application process for approved alternatives to the school safety personnel requirements described in Section 53G-8-701.5;
 - (iii) selecting training requirements for school safety and security specialists in consultation with the State Board of Education as described in Section 53G-8-701.6;
 - (iv) as required by Section 53G-8-701.8, tracking each school safety and security director for a local education agency and ensuring that the contact information for the school safety and security directors is readily available to the local law enforcement agency of relevant jurisdiction; and
 - (v) reviewing and approving the State Board of Education's school resource officer training program as described in Section 53G-8-702;
- (c) oversee the creation of school safety trainings, protocols, and incident responses, including:
 - (i) in consultation with the State Board of Education, defining what constitutes an "active threat" and "developmentally appropriate" for purposes of the emergency response training described in Section 53G-8-803;
 - (ii) in consultation with the Office of Substance Abuse and Mental Health, establishing or selecting an adolescent mental health and de-escalation training for school safety personnel;
 - (iii) consulting with the School Safety Center to develop the model critical incident response that all schools and law enforcement will use during a threat, including:
 - (A) standardized response protocol terminology for use throughout the state, including what constitutes a threat;
 - (B) protocols for planning and safety drills, including drills required in a school before the school year begins;
 - (C) integration and appropriate use of a panic alert device described in Subsection 53G-8-805;
 - (D) the establishment of incident command for a threat or safety incident, including which entity and individual runs the incident command;
 - (E) the required components for a communication plan to be followed during an incident or threat;
 - (F) reunification plan protocols, including the appropriate design and use of an incident command by others responding to or involved in an incident; and
 - (G) recommendations for safety equipment for schools, including amounts and types of first aid supplies;

- (iv) reviewing and suggesting any changes to the response plans and training under Section 53G-8-803;
 - (v) creating the official standard response protocol described in Section 53G-8-803 for use by schools and law enforcement for school safety incidents; and
 - (vi) establishing a manner for any security personnel described in Section 53G-8-701.5 to be quickly identified by law enforcement during an incident;
- (d) in consultation with the School Safety Center established in Section 53G-8-802:
- (i) create a process to receive and analyze the school safety needs assessments described in Section 53G-8-701.5; and
 - (ii) establish a required data reporting system for public schools to report serious and non-serious threats and other data related to threat assessment that the state security chief determines to be necessary; and
- (e) 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 this section.
- (5) The state security chief may delegate duties under this section to a sworn department member with the approval of the commissioner.

Amended by Chapter 21, 2024 General Session

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 to coordinate security responsibilities, protocols, and required trainings between the state security chief, the county sheriff's office, and the corresponding police chiefs whose jurisdiction includes a public school within the county.
- (2) The county security chief shall:
- (a) in collaboration with the school safety and security specialist described in Section 53G-8-701.6:
 - (i) conduct, or coordinate with a designee from the local law enforcement agency of relevant jurisdiction to conduct the school safety needs assessment described in Section 53G-8-701.5; and
 - (ii) conduct a building safety evaluation at least annually using the results of the school safety needs assessment to recommend and implement improvements to school facilities, policies, procedures, protocols, rules, and regulations relating to school safety and security;
 - (b) collaborate and maintain effective communications regarding school safety with each:
 - (i) school safety and security specialist in the county security chief's county, as described in Section 53G-8-701.6;
 - (ii) school safety and security director in the county security chief's county, as described in Section 53G-8-701.8; and
 - (iii) local law enforcement agency within the county;
 - (c) administer with the corresponding police chiefs whose jurisdiction includes a public school, the trainings described in Sections 53-22-105 and 53G-8-704, including:
 - (i) assessing if an individual is capable of the duties and responsibilities that the trainings cover; and
 - (ii) denying an individual the ability to be a school safety personnel described in Section 53G-8-701.5 if the county security chief finds the individual is not capable of the duties and responsibilities that the trainings cover; and

- (d) in conjunction with the state security chief, administer the school guardian program established in Section 53-22-105 at any school participating in the program in the county security chief's county.

Amended by Chapter 21, 2024 General Session

53-22-104.1 School Security Task Force -- Membership -- Duties -- Per diem -- Report -- Expiration.

- (1) There is created a School Security Task Force composed of the following members:
 - (a) the House chair and vice chair of the House Law Enforcement and Criminal Justice Standing Committee during the 2024 General Session, with the House chair serving as the co-chair of the task force;
 - (b) two members from the Senate, whom the president of the Senate selects and one of whom the president of the Senate appoints as co-chair of the task force;
 - (c) the state security chief;
 - (d) one member of the State Board of Education, whom the chair of State Board of Education selects;
 - (e) a member of the School Safety Center, whom the state security chief selects;
 - (f) the director of the Utah Division of Juvenile Justice Youth Services or the director's designee;
 - (g) a member of the Utah School Superintendents Association, whom the chairs select;
 - (h) one member of the Chiefs of Police Association from a county of the first or second class;
 - (i) one member of the Sheriff's Association from a county of the third, fourth, fifth, or sixth class, whom the president of the association selects;
 - (j) one county security chief, whom the state security chief selects;
 - (k) a school safety and security director, whom the chairs select;
 - (l) a school resource officer, whom the state security chief selects; and
 - (m) a member of the SafeUT and School Safety Commission, whom the chairs select.
- (2) The task force shall:
 - (a) review school safety updates;
 - (b) consult with the Education Advisory Board created in Section 53-22-104.2; and
 - (c) develop legislation recommendations as necessary.
- (3)
 - (a) A majority of the members of the task force constitutes a quorum.
 - (b) The action of a majority of a quorum constitutes an action of the task force.
- (4) The Office of Legislative Research and General Counsel shall provide staff for the task force.
- (5)
 - (a) Salaries and expenses of the members of the task force who are legislators shall be paid in accordance with:
 - (i) Section 36-2-2;
 - (ii) Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation Expenses; and
 - (iii) Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.
 - (b) A member of the task force who is not a legislator may not receive compensation for the member's work associated with the task force but may receive per diem and reimbursement for travel expenses incurred as a member of the task force at the rates established by the Division of Finance under:
 - (i) Sections 63A-3-106 and 63A-3-107; and
 - (ii) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.

Enacted by Chapter 21, 2024 General Session

53-22-104.2 The School Security Task Force -- Education Advisory Board.

- (1) There is created an advisory board to the task force called the Education Advisory Board.
- (2) The advisory board shall consist of the following members:
 - (a) the state security chief, who acts as chair of the advisory board;
 - (b) the construction and facility specialist at the State Board of Education;
 - (c) a superintendent from a county of the fourth, fifth, or sixth class, whom the state security chief selects;
 - (d) a superintendent from a county of the first, second, or third class, whom the state security chief selects;
 - (e) a charter school director from a county of the fourth, fifth, or sixth class, whom the state security chief selects;
 - (f) a charter school director from a county of the first, second, or third class, whom the state security chief selects;
 - (g) the president of the Utah School Boards Association or the president's designee;
 - (h) a parent representative from a school community council or parent teacher organization, whom the state security chief selects;
 - (i) a facilities manager from an LEA in a county of the fourth, fifth, or sixth class, whom the state security chief selects;
 - (j) a facilities manager from an LEA in county of the first, second, or third class, whom the state security chief selects;
 - (k) a representative of private schools, whom the state security chief selects; and
 - (l) a member of the Office of Substance Abuse and Mental Health, whom the state security chief selects.
- (3) The advisory board's purpose is to:
 - (a) review and provide input on official business of the task force;
 - (b) provide recommendations and suggestions for the task force's consideration; and
 - (c) study and evaluate the policies, procedures, and programs implemented for school safety and provide proactive information regarding the implementation.
- (4)
 - (a) A majority of the members of the advisory board constitutes a quorum.
 - (b) The action of a majority of a quorum constitutes an action of the advisory board.
- (5)
 - (a) The advisory board shall select two members to serve as co-chairs.
 - (b) The co-chairs are responsible for the call and conduct of meetings.
- (6) The staff of the state security chief shall provide staff for the advisory board.
- (7) A member of the advisory board who is not a legislator may not receive compensation for the member's work associated with the task force but may receive per diem and reimbursement for travel expenses incurred as a member of the task force at the rates established by the Division of Finance under:
 - (a) Sections 63A-3-106 and 63A-3-107; and
 - (b) rules made by the Division of Finance in accordance with Sections 63A-3-106 and 63A-3-107.

Enacted by Chapter 21, 2024 General Session

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.

Enacted by Chapter 21, 2024 General Session

53-22-106 Substantial threats against a school reporting requirements -- Exceptions.

- (1) As used in this section, "substantial threat" means a threat made with serious intent to cause harm.
- (2) 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 a substantial threat against a school, school employee, or student attending a school or is aware of circumstances that would reasonably result in a substantial 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 substantial threat to:
 - (a) the state security chief;
 - (b) the local education agency that the substantial threat would impact; or
 - (c) to the nearest peace officer or law enforcement agency.
- (3)
 - (a)
 - (i) If the state security chief, a peace officer, or law enforcement agency receives a report under Subsection (2), the state security chief, peace officer, or law enforcement agency shall immediately notify the local education agency that the substantial threat would impact.
 - (ii) If the local education agency that the substantial threat would impact receives a report under Subsection (2), the local education agency that the substantial 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 substantial 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 (2), the law enforcement agency shall provide a final investigatory report to the local education agency that the substantial threat would impact upon request.
- (4) Subject to Subsection (5), the reporting requirement described in Subsection (2) 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;
 - (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 substantial threat arises from the representation of a client; and
 - (ii) if disclosure of the substantial threat would not reveal the substantial threat to prevent reasonably certain death or substantial bodily harm in accordance with Utah Rules of Professional Conduct, Rule 1.6.
- (5)
- (a) When a member of the clergy receives information about the substantial threat from any source other than a confession, the member of the clergy shall report the information even if the member of the clergy also received information about the substantial threat from the confession of the perpetrator.
 - (b) Exemption of the reporting requirement for an individual described in Subsection (4) does not exempt the individual from any other actions required by law to prevent further substantial threats or actual harm related to the substantial threat.
- (6) 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.

Enacted by Chapter 21, 2024 General Session

53-22-107 Educator-Protector Program.

- (1) As used in this section:
- (a) "Annual classroom response training" means a training for a teacher:
 - (i) that is held at least once a year and is administered, at no cost to a teacher, by the individual identified by the county sheriff as described in Section 53-22-103; and
 - (ii) where the teacher is trained:
 - (A) on how to defend a classroom against active threats emphasizing the teacher's role in stationary defense; and
 - (B) on the safe loading, unloading, storage, and carrying of firearms in a school setting.
 - (b) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201.

- (c) "Local education agency" means the same as that term is defined in Section 53E-1-102.
 - (d) "Program" means the Educator-Protector Program created under this section.
 - (e) "Teacher" means an individual employed by a local education agency who has an assignment to teach in a classroom.
- (2) There is created the Educator-Protector Program to incentivize a teacher to responsibly secure or carry a firearm on the grounds of the school where the teacher is employed.
- (3)
- (a) To participate in the program, a teacher shall:
 - (i) have completed an annual classroom response training within six months before the day on which the teacher joins the program;
 - (ii) have a valid concealed carry permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act; and
 - (iii) certify to the department that:
 - (A) the teacher satisfies the requirements described in Subsections (3)(a)(i) and (3)(a)(ii); and
 - (B) if applicable, intends to securely store or carry a firearm on the grounds of a school where the teacher is employed.
 - (b) After joining the program, to retain the teacher's active status in the program, a teacher shall:
 - (i) participate in annual classroom response training; and
 - (ii) comply with any rules established by the department in accordance with Subsection (10).
- (4)
- (a) The state security chief shall:
 - (i) track each teacher that participates in the program by collecting a photograph, name, and contact information for each teacher;
 - (ii) make the information described in Subsection (4)(a) readily available to each law enforcement agency in the state; and
 - (iii) provide reasonable reimbursement, using funds appropriated by the Legislature, to a county sheriff for providing a teacher with annual classroom response training.
 - (b) The state security chief shall categorize the information described in Subsection (4)(a)(i) by school.
- (5) A teacher participating in the program:
- (a) may store the teacher'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 teacher's classroom or office; and
 - (iii) the teacher is physically present on the grounds of the school while the firearm is stored in the biometric gun safe; and
 - (b) shall carry the teacher's firearm in a concealed manner unless during an active threat.
- (6) This section does not prohibit an individual who has a valid concealed carry permit but is not participating in the program from carrying firearms on the grounds of a school as described in Subsection 76-10-505.5(4).
- (7)
- (a) A teacher who has active status in the program is not liable for any civil damages or penalties if the teacher:
 - (i) when carrying or storing a firearm:
 - (A) is acting in good faith; and
 - (B) is not grossly negligent; or
 - (ii) threatens, draws, or otherwise uses a firearm reasonably believing the action to be necessary in compliance with Section 76-2-402.

- (b) A local education agency is not liable for civil damages or penalties resulting from a teacher who is participating in the program carrying, using, or storing a firearm at a school.
- (8) A local education agency may not prevent a teacher from participating in the program under this section.
- (9)
 - (a) Any information or record created detailing a teacher'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) a local law enforcement agency that would respond to the school in case of an emergency; and
 - (C) the individual identified by the county sheriff as described in Section 53-22-103.
 - (b) The information or record described in Subsection (9)(a) includes the information described in Subsection (4)(a)(i) and any personal identifying information of a teacher participating in the program collected or obtained during annual classroom response training.
 - (c) An individual who intentionally or knowingly provides the information described in Subsection (9)(a) to an individual or entity not listed in Subsection (9)(a)(ii) is guilty of a class A misdemeanor.
- (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may adopt rules to administer this section.

Enacted by Chapter 117, 2024 General Session