

SCHOOL SAFETY AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sandra Hollins

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends student safety and support provisions.

Highlighted Provisions:

This bill:

▶ requires the State Board of Education to provide training on certain state and federal law;

▶ requires a local education agency (LEA) to:

- review information on harassment and discrimination within the LEA;
- adopt a plan for harassment- and discrimination-free learning; and
- report on the plan;

▶ requires an LEA to report data on the race of a victim of bullying, hazing, or cyber-bullying; and

▶ makes conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-8-802, as last amended by Laws of Utah 2020, Chapter 408



28 **53G-9-606**, as last amended by Laws of Utah 2019, Chapter 293



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

31 Section 1. Section **53G-8-802** is amended to read:

32 **53G-8-802. State Safety and Support Program -- State board duties -- LEA**
33 **duties.**

34 (1) There is created the State Safety and Support Program.

35 (2) The state board shall:

36 (a) develop in conjunction with the Division of Substance Abuse and Mental Health
37 model student safety and support policies for an LEA, including:

38 (i) evidence-based procedures for the assessment of and intervention with an individual
39 whose behavior poses a threat to school safety;

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

41 (iii) procedures for referrals to a community services entity, a family support
42 organization, or a health care provider for evaluation or treatment;

43 (b) provide training:

44 (i) in school safety;

45 (ii) in evidence-based approaches to improve school climate and address and correct
46 bullying behavior;

47 (iii) in evidence-based approaches in identifying an individual who may pose a threat
48 to the school community;

49 (iv) in evidence-based approaches in identifying an individual who may be showing
50 signs or symptoms of mental illness;

51 (v) on permitted disclosures of student data to law enforcement and other support
52 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g; [~~and~~]

53 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections
54 **53E-9-203** and **53E-9-305**; and

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

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

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

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

- 59 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
60 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
61 (c) conduct and disseminate evidence-based research on school safety concerns;
62 (d) disseminate information on effective school safety initiatives;
63 (e) encourage partnerships between public and private sectors to promote school safety;
64 (f) provide technical assistance to an LEA in the development and implementation of
65 school safety initiatives;
66 (g) in conjunction with the Department of Public Safety, develop and make available to
67 an LEA a model critical incident response training program that includes protocols for
68 conducting a threat assessment, and ensuring building security during an incident;
69 (h) provide space for the public safety liaison described in Section 53-1-106 and the
70 school-based mental health specialist described in Section 62A-15-103;
71 (i) create a model school climate survey that may be used by an LEA to assess
72 stakeholder perception of a school environment and, in accordance with Title 63G, Chapter 3,
73 Utah Administrative Rulemaking Act, adopt rules:
74 (i) requiring an LEA to:
75 (A) create or adopt and disseminate a school climate survey; and
76 (B) disseminate the school climate survey;
77 (ii) recommending the distribution method, survey frequency, and sample size of the
78 survey; and
79 (iii) specifying the areas of content for the school climate survey; and
80 (j) collect aggregate data and school climate survey results from each LEA.
81 (3) Nothing in this section requires an individual to respond to a school climate survey.
82 (4) An LEA shall:
83 (a) (i) review data from the three most recent school climate surveys for each school
84 within the LEA;
85 (ii) solicit input on harassment and discrimination issues within the LEA from a
86 diverse population of students in the LEA; and
87 (iii) based on the review described in Subsection (4)(a)(i) and input described in
88 Subsection (4)(a)(ii):
89 (A) revise practices, policies, and training to eliminate harassment and discrimination

90 in each school within the LEA;

91 (B) adopt a plan for harassment- and discrimination-free learning; and

92 (C) host outreach events and assemblies to inform students and parents of the plan
93 adopted under Subsection (4)(a)(iii)(B);

94 (b) no later than September 1 of each school year, send a notice to each student, parent,
95 and LEA staff member stating the LEA's commitment to maintaining a school climate that is
96 free of harassment and discrimination; and

97 (c) report to the state board:

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

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

102 Section 2. Section **53G-9-606** is amended to read:

103 **53G-9-606. Model policy and state board duties.**

104 (1) On or before September 1, 2018, the state board shall:

105 (a) update the state board's model policy on bullying, cyber-bullying, hazing, and
106 retaliation to include abusive conduct; and

107 (b) post the model policy described in Subsection (1)(a) on the state board's website.

108 (2) The state board shall require [a] an LEA governing board to report annually to the
109 state board on:

110 (a) the LEA governing board's policy, including implementation of the signed
111 statement requirement described in Subsection **53G-9-605**(3);

112 (b) the LEA governing board's training of school employees relating to bullying,
113 cyber-bullying, hazing, and retaliation described in Section **53G-9-607**; [and]

114 (c) the race of an individual who is subject to bullying, hazing, or cyber-bullying,
115 subject to:

116 (i) Title 53E, Chapter 9, Part 2, Student Privacy;

117 (ii) Title 53E, Chapter 9, Part 3, Student Data Protection;

118 (iii) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and

119 (iv) 34 C.F.R. Part 99; and

120 ~~(e)~~ (d) other information related to this part, as determined by the state board.