

**SCHOOL SAFETY REQUIREMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ryan D. Wilcox**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**Committee Note:**

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

Legislative Vote: 12 voting for 0 voting against 5 absent

**General Description:**

This bill creates the School Security Act and a task force to address school security issues.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates a state security chief position within the Department of Public Safety;
- ▶ creates the School Security Task Force;
- ▶ requires the task force to develop the qualifications, duties, and scope of authority of the state security chief;
- ▶ requires that all secondary schools have a school resource officer; and
- ▶ makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



28 AMENDS:

29 [53G-8-701](#), as last amended by Laws of Utah 2019, Chapter 293

30 [53G-8-702](#), as last amended by Laws of Utah 2021, Chapter 279

31 [53G-8-703](#), as last amended by Laws of Utah 2019, Chapter 293

32 [53G-8-802](#), as last amended by Laws of Utah 2022, Chapter 399

33 [63I-2-253](#), as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,

34 and 409

35 ENACTS:

36 [53-22-101](#), Utah Code Annotated 1953

37 [53-22-102](#), Utah Code Annotated 1953

38 [53-22-103](#), Utah Code Annotated 1953

39 [53-22-104](#), Utah Code Annotated 1953

40 [53G-8-701.5](#), Utah Code Annotated 1953



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

43 Section 1. Section **53-22-101** is enacted to read:

44 **53-22-101. School Security Act -- Definitions.**

45 As used in this chapter:

46 (1) "Public school" means the same as that term is defined in Section [53G-9-205.1](#).

47 (2) "School resource officer" or "SRO" means a law enforcement officer hired by a  
48 public school in accordance with Section [53G-8-703](#).

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

51 Section 2. Section **53-22-102** is enacted to read:

52 **53-22-102. State security chief -- Creation -- Appointment.**

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

54 (2) The state security chief:

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

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

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

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

- 59 (i) enforce the laws of this state relating to school safety;
- 60 (ii) perform duties prescribed by the commissioner; and
- 61 (iii) enforce rules made under this chapter.

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

65 Section 3. Section **53-22-103** is enacted to read:

66 **53-22-103. County sheriff responsibilities.**

67 Each county sheriff shall identify an individual within the sheriff's office to coordinate  
68 security responsibilities with the state security chief.

69 Section 4. Section **53-22-104** is enacted to read:

70 **53-22-104. School Security Task Force -- Membership -- Duties -- Per diem --**  
71 **Report -- Expiration.**

72 (1) There is created a School Security Task Force composed of the following 15  
73 members:

74 (a) the House chair of the Law Enforcement and Criminal Justice Interim Committee,  
75 who shall serve as chair;

76 (b) the House chair of the Criminal Code Evaluation Task Force;

77 (c) a member of the Senate, appointed by the president of the Senate;

78 (d) a member of the State Board of Education security team;

79 (e) the school safety specialist to the State Board of Education;

80 (f) the public safety liaison described in Section [53-1-106](#);

81 (g) the commissioner of the Department of Public Safety or the commissioner's  
82 designee;

83 (h) a member of the Utah School Superintendents Association, selected by the  
84 president of the association;

85 (i) a member of the Chiefs of Police Association selected by the president of the  
86 association;

87 (j) two members of the Sheriffs Association, one from a county of the first, second, or  
88 third class and one from a county of the fourth, fifth, or sixth class, selected by the president of  
89 the association;

90 (k) a representative from the Utah Association of Public Charter Schools selected by  
91 the president of the association;

92 (l) a representative from a school district, selected by the chair;

93 (m) a representative from a private school recommended by the commissioner of the  
94 Department of Public Safety; and

95 (n) a member of a local law enforcement agency recommended by the commissioner of  
96 the Department of Public Safety.

97 (2) The task force shall:

98 (a) determine the specific qualifications, duties, and responsibilities of the state  
99 security chief created in Section [53-22-102](#);

100 (b) create statewide standardized training requirements and hiring policies for school  
101 resource officers;

102 (c) review and revise, if necessary, the model critical incident response training  
103 program developed under Section [53G-8-802](#);

104 (d) develop training standards for active shooter and emergency response in schools;

105 (e) recommend safety and security protocols for the design, construction, and  
106 reconstruction of new and existing schools;

107 (f) develop legislation to accomplish Subsections (a) through (e) for introduction in the  
108 2024 General Session; and

109 (g) prepare a report and present any legislation developed to the Law Enforcement and  
110 Criminal Justice Interim Committee by November 30, 2023.

111 (3) (a) A majority of the members of the task force constitutes a quorum.

112 (b) The action of a majority of a quorum constitutes an action of the task force.

113 (4) The Office of Legislative Research and General Counsel shall provide staff for the  
114 task force.

115 (5) (a) Salaries and expenses of the members of the task force who are legislators shall  
116 be paid in accordance with:

117 (i) Section [36-2-2](#);

118 (ii) Legislative Joint Rules, Title 5, Chapter 2, Lodging, Meal, and Transportation  
119 Expenses; and

120 (iii) Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

121 (b) A member of the task force who is not a legislator may not receive compensation  
122 for the member's work associated with the task force but may receive per diem and  
123 reimbursement for travel expenses incurred as a member of the task force at the rates  
124 established by the Division of Finance under:

125 (i) Sections [63A-3-106](#) and [63A-3-107](#); and  
126 (ii) rules made by the Division of Finance in accordance with Sections [63A-3-106](#) and  
127 [63A-3-107](#).

128 (6) This task force expires December 31, 2023.

129 Section 5. Section **53G-8-701** is amended to read:

130 **53G-8-701. Definitions.**

131 As used in this part:

132 (1) "Law enforcement agency" means the same as that term is defined in Section  
133 [53-1-102](#).

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

135 ~~(3)~~ (3) "School resource officer" or "SRO" means a law enforcement officer, as  
136 defined in Section [53-13-103](#), who contracts with or whose law enforcement agency contracts  
137 with an LEA to provide law enforcement services for the LEA.

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

139 **53G-8-701.5. School resource officers -- Required in all secondary schools.**

140 Each public secondary school shall have at least one school resource officer.

141 Section 7. Section **53G-8-702** is amended to read:

142 **53G-8-702. School resource officer training -- Curriculum.**

143 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
144 state board shall make rules that prepare and make available a training program for school  
145 principals, school personnel, and school resource officers to attend.

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

148 (a) work in conjunction with the State Commission on Criminal and Juvenile Justice  
149 created in Section [63M-7-201](#);

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

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

154 [~~(c)~~] (d) solicit input from local law enforcement and other interested community  
155 stakeholders; and

156 [~~(d)~~] (e) consider the current United States Department of Education recommendations  
157 on school discipline and the role of a school resource officer.

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

160 (a) childhood and adolescent development;

161 (b) responding age-appropriately to students;

162 (c) working with disabled students;

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

164 (e) cultural awareness;

165 (f) restorative justice practices;

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

168 (h) student privacy rights;

169 (i) negative consequences associated with youth involvement in the juvenile and  
170 criminal justice systems;

171 (j) strategies to reduce juvenile justice involvement;

172 (k) roles of and distinctions between a school resource officer and other school staff  
173 who help keep a school secure;

174 (l) developing and supporting successful relationships with students; and

175 (m) legal parameters of searching and questioning students on school property.

176 (4) The state board shall work together with the Department of Public Safety, the State  
177 Commission on Criminal and Juvenile Justice, and state and local law enforcement to establish  
178 policies, ~~and~~ procedures, ~~that govern~~ and training requirements for school resource officers.

179 Section 8. Section **53G-8-703** is amended to read:

180 **53G-8-703. Contracts between an LEA and law enforcement for school resource**  
181 **officer services -- Requirements.**

182 (1) An LEA ~~may~~ shall contract with a local law enforcement agency ~~or an~~

183 ~~individual~~] to provide school resource officer services at the LEA [~~if the LEA governing board~~  
184 ~~reviews and approves the contract~~].

185 (2) The LEA governing board and the local law enforcement agency shall develop a  
186 mutually agreed upon contract for an SRO.

187 ~~[(2)] (3) [If an LEA contracts]~~ An LEA contract with a law enforcement agency [~~or an~~  
188 ~~individual~~] to provide SRO services at the LEA[~~, the LEA governing board~~] shall require in the  
189 contract:

190 (a) an acknowledgment by the law enforcement agency [~~or the individual~~] that an SRO  
191 hired under the contract shall:

192 (i) provide for and maintain a safe, healthy, and productive learning environment in a  
193 school;

194 (ii) act as a positive role model to students;

195 (iii) work to create a cooperative, proactive, and problem-solving partnership between  
196 law enforcement and the LEA;

197 (iv) emphasize the use of restorative approaches to address negative behavior; and

198 (v) at the request of the LEA, teach a vocational law enforcement class;

199 (b) a description of the shared understanding of the LEA and the law enforcement  
200 agency [~~or individual~~] regarding the roles and responsibilities of law enforcement and the LEA  
201 to:

202 (i) maintain safe schools;

203 (ii) improve school climate; and

204 (iii) support educational opportunities for students;

205 (c) a designation of student offenses that the SRO shall confer with the LEA to resolve,  
206 including [~~an offense~~] offenses that:

207 (i) [~~is~~] are a minor violation of the law; and

208 (ii) would not violate the law if the [~~offense was~~] offenses were committed by an adult;

209 (d) a designation of student offenses that are administrative issues that an SRO shall  
210 refer to a school administrator for resolution in accordance with Section 53G-8-211, with the  
211 understanding that the SRO will be informed of the outcome of the administrative issue;

212 (e) a detailed description of the rights of a student under state and federal law with  
213 regard to:

- 214 (i) searches;
- 215 (ii) questioning;
- 216 (iii) arrests; and
- 217 ~~[(iii)]~~ (iv) information privacy;
- 218 (f) a detailed description of:
- 219 (i) job assignment and duties[;], including:
- 220 (A) the LEA the SRO will be assigned to;
- 221 (B) hours the SRO is expected to be present at the LEA;
- 222 (C) the point of contact at the LEA;
- 223 (D) specific responsibilities for providing and receiving information; and
- 224 (E) types of records to be kept, and by whom;
- 225 (ii) training requirements; and
- 226 (iii) other expectations of the SRO and school administration in relation to law
- 227 enforcement at the LEA;

228 (g) that an SRO who is hired under the contract and the principal at the school where  
 229 an SRO will be working, or the principal's designee, will jointly complete the SRO training  
 230 described in Section 53G-8-702; ~~[and]~~

- 231 ~~[(h) if the contract is between an LEA and a law enforcement agency, that:]~~
- 232 ~~[(i)]~~ (h) that both parties agree to jointly discuss SRO applicants; and
- 233 ~~[(ii)]~~ (i) the law enforcement agency will, at least annually, seek out and accept  
 234 feedback from an LEA about an SRO's performance.

235 Section 9. Section 53G-8-802 is amended to read:

236 **53G-8-802. State Safety and Support Program -- State board duties -- LEA**  
 237 **duties.**

- 238 (1) There is created the State Safety and Support Program.
- 239 (2) The state board shall:
- 240 (a) develop in conjunction with the Division of Substance Abuse and Mental Health
- 241 model student safety and support policies for an LEA, including:
- 242 (i) evidence-based procedures for the assessment of and intervention with an individual
- 243 whose behavior poses a threat to school safety;
- 244 (ii) procedures for referrals to law enforcement; and



- 245 (iii) procedures for referrals to a community services entity, a family support  
246 organization, or a health care provider for evaluation or treatment;
- 247 (b) provide training:
- 248 (i) in school safety;
- 249 (ii) in evidence-based approaches to improve school climate and address and correct  
250 bullying behavior;
- 251 (iii) in evidence-based approaches in identifying an individual who may pose a threat  
252 to the school community;
- 253 (iv) in evidence-based approaches in identifying an individual who may be showing  
254 signs or symptoms of mental illness;
- 255 (v) on permitted disclosures of student data to law enforcement and other support  
256 services under the Family Education Rights and Privacy Act, 20 U.S.C. Sec. 1232g;
- 257 (vi) on permitted collection of student data under 20 U.S.C. Sec. 1232h and Sections  
258 [53E-9-203](#) and [53E-9-305](#); and
- 259 (vii) for administrators on rights and prohibited acts under:
- 260 (A) Chapter 9, Part 6, Bullying and Hazing;
- 261 (B) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d et seq.;
- 262 (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.;
- 263 (D) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.; and
- 264 (E) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.;
- 265 (c) conduct and disseminate evidence-based research on school safety concerns;
- 266 (d) disseminate information on effective school safety initiatives;
- 267 (e) encourage partnerships between public and private sectors to promote school safety;
- 268 (f) provide technical assistance to an LEA in the development and implementation of  
269 school safety initiatives;
- 270 (g) in conjunction with the Department of Public Safety, develop and make available to  
271 an LEA a model critical incident response training program that includes:
- 272 (i) protocols for conducting a threat assessment, and ensuring building security during  
273 an incident; and
- 274 (ii) standardized response protocol terminology for use throughout the state;
- 275 (h) provide space for the public safety liaison described in Section [53-1-106](#) and the

276 school-based mental health specialist described in Section 62A-15-103;

277 (i) create a model school climate survey that may be used by an LEA to assess

278 stakeholder perception of a school environment and, in accordance with Title 63G, Chapter 3,

279 Utah Administrative Rulemaking Act, adopt rules:

280 (i) requiring an LEA to:

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

282 (B) disseminate the school climate survey;

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

284 survey; and

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

286 (j) collect aggregate data and school climate survey results from each LEA.

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

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

289 (a) (i) review data from the state board-facilitated surveys containing school climate

290 data for each school within the LEA; and

291 (ii) based on the review described in Subsection (4)(a)(i):

292 (A) revise practices, policies, and training to eliminate harassment and discrimination

293 in each school within the LEA;

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

295 (C) host outreach events or assemblies to inform students and parents of the plan

296 adopted under Subsection (4)(a)(ii)(B);

297 (b) no later than September 1 of each school year, send a notice to each student, parent,

298 and LEA staff member stating the LEA's commitment to maintaining a school climate that is

299 free of harassment and discrimination; and

300 (c) report to the state board:

301 (i) no later than August 1, 2023, on the LEA's plan adopted under Subsection

302 (4)(a)(ii)(B); and

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

304 progress.

305 Section 10. Section **63I-2-253** is amended to read:

306 **63I-2-253. Repeal dates: Titles 53 through 53G.**

- 307 (1) Section 53-22-104 is repealed December 31, 2023.
- 308 (2) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a  
309 technical college board of trustees, is repealed July 1, 2022.
- 310 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and  
311 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make  
312 necessary changes to subsection numbering and cross references.
- 313 [~~2~~] (3) Section 53B-6-105.7 is repealed July 1, 2024.
- 314 [~~3~~] (4) Section 53B-7-707 regarding performance metrics for technical colleges is  
315 repealed July 1, 2023.
- 316 [~~4~~] (5) Section 53B-8-114 is repealed July 1, 2024.
- 317 [~~5~~] (6) The following provisions, regarding the Regents' scholarship program, are  
318 repealed on July 1, 2023:
- 319 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship  
320 established under Sections 53B-8-202 through 53B-8-205";
- 321 (b) Section 53B-8-202;
- 322 (c) Section 53B-8-203;
- 323 (d) Section 53B-8-204; and
- 324 (e) Section 53B-8-205.
- 325 [~~6~~] (7) Section 53B-10-101 is repealed on July 1, 2027.
- 326 [~~7~~] (8) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is  
327 repealed July 1, 2023.
- 328 [~~8~~] (9) Subsection 53E-1-201(1)(s) regarding the report by the Educational  
329 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.
- 330 [~~9~~] (10) Section 53E-1-202.2, regarding a Public Education Appropriations  
331 Subcommittee evaluation and recommendations, is repealed January 1, 2024.
- 332 [~~10~~] (11) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed  
333 July 1, 2024.
- 334 [~~11~~] (12) In Subsections 53F-2-205(4) and (5), regarding the State Board of  
335 Education's duties if contributions from the minimum basic tax rate are overestimated or  
336 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,  
337 2023.

338           ~~[(12)]~~ (13) Section [53F-2-209](#), regarding local education agency budgetary flexibility,  
339 is repealed July 1, 2024.

340           ~~[(13)]~~ (14) Subsection [53F-2-301\(1\)](#), relating to the years the section is not in effect, is  
341 repealed July 1, 2023.

342           ~~[(14)]~~ (15) Section [53F-2-302.1](#), regarding the Enrollment Growth Contingency  
343 Program, is repealed July 1, 2023.

344           ~~[(15)]~~ (16) Subsection [53F-2-314\(4\)](#), relating to a one-time expenditure between the  
345 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

346           ~~[(16)]~~ (17) Section [53F-2-524](#), regarding teacher bonuses for extra work assignments,  
347 is repealed July 1, 2024.

348           ~~[(17)]~~ (18) In Subsection [53F-2-515\(1\)](#), the language that states "or [53F-2-301.5](#), as  
349 applicable" is repealed July 1, 2023.

350           ~~[(18)]~~ (19) Subsection [53F-4-401\(3\)\(b\)](#), regarding a child enrolled or eligible for  
351 enrollment in kindergarten, is repealed July 1, 2022.

352           ~~[(19)]~~ (20) In Subsection [53F-4-404\(4\)\(c\)](#), the language that states "Except as provided  
353 in Subsection (4)(d)" is repealed July 1, 2022.

354           ~~[(20)]~~ (21) Subsection [53F-4-404\(4\)\(d\)](#) is repealed July 1, 2022.

355           ~~[(21)]~~ (22) In Subsection [53F-9-302\(3\)](#), the language that states "or [53F-2-301.5](#), as  
356 applicable" is repealed July 1, 2023.

357           ~~[(22)]~~ (23) In Subsection [53F-9-305\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as  
358 applicable" is repealed July 1, 2023.

359           ~~[(23)]~~ (24) In Subsection [53F-9-306\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as  
360 applicable" is repealed July 1, 2023.

361           ~~[(24)]~~ (25) In Subsection [53G-3-304\(1\)\(c\)\(i\)](#), the language that states "or [53F-2-301.5](#),  
362 as applicable" is repealed July 1, 2023.

363           ~~[(25)]~~ (26) On July 1, 2023, when making changes in this section, the Office of  
364 Legislative Research and General Counsel shall, in addition to the office's authority under  
365 Subsection [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections  
366 identified in this section are complete sentences and accurately reflect the office's perception of  
367 the Legislature's intent.