

HB0084S04 compared with HB0084S03

~~text~~ shows text that was in HB0084S03 but was deleted in HB0084S04.

text shows text that was not in HB0084S03 but was inserted into HB0084S04.

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Representative Ryan D. Wilcox proposes the following substitute bill:

SCHOOL SAFETY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: ~~{}Ryan D. Wilcox~~

Senate Sponsor: ~~{}~~Don L. Ipson

Cosponsors:

Cheryl K. Acton

Melissa G. Ballard

Jefferson S. Burton

Tyler Clancy

Matthew H. Gwynn

Dan N. Johnson

Trevor Lee

A. Cory Maloy

Jefferson Moss

LONG TITLE

General Description:

This bill establishes a system for school safety incidents.

Highlighted Provisions:

This bill:

- ▶ amends the International Fire Code;
- ▶ requires certain state buildings and schools to have emergency communication systems;

HB0084S04 compared with HB0084S03

- ▶ 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 a local education agency (LEA) to ensure that each school within the LEA conduct a school safety needs assessment;
- ▶ requires designation of certain school safety personnel;
- ▶ requires notification to a victim of a reintegration plan;
- ▶ clarifies that a school may share certain information regarding an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation with a parent upon request;
- ▶ requires a school to provide regular communication updates to a parent regarding the implementation of an action plan to address an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation;
- ▶ requires an LEA to update the LEA's bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy related to certain social media use of a student;
- ▶ requires an LEA to designate an individual for bullying incident response and outlines the individual's duties;
- ▶ 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.

HB0084S04 compared with HB0084S03

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

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

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

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

53-1-108, as last amended by Laws of Utah 2016, Chapter 302

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

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

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

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

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

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

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

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

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

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

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

53F-5-220, as enacted by Laws of Utah 2023, Chapter 383

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

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

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

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

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

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

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

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

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

HB0084S04 compared with HB0084S03

53G-9-601, as last amended by Laws of Utah 2023, Chapter 423

53G-9-602, as renumbered and amended by Laws of Utah 2018, Chapter 3

53G-9-603, as renumbered and amended by Laws of Utah 2018, Chapter 3

53G-9-604, as last amended by Laws of Utah 2023, Chapter 423

53G-9-605, as last amended by Laws of Utah 2019, Chapter 293

53G-9-606, as last amended by Laws of Utah 2022, Chapter 399

53G-9-607, as last amended by Laws of Utah 2020, Chapter 408

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

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

63I-2-253 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 7, 21, 33, 142, 167, 168, 380, 383, and 467

63I-2-253 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 7, 21, 33, 142, 167, 168, 310, 380, 383, and 467

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

ENACTS:

53-10-117, Utah Code Annotated 1953

53-22-104.1, Utah Code Annotated 1953

53-22-104.2, Utah Code Annotated 1953

53-22-105, Utah Code Annotated 1953

53-22-106, Utah Code Annotated 1953

53G-8-701.6, Utah Code Annotated 1953

53G-8-701.8, Utah Code Annotated 1953

53G-8-704, Utah Code Annotated 1953

53G-8-805, Utah Code Annotated 1953

53G-9-605.5, Utah Code Annotated 1953

REPEALS AND REENACTS:

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

REPEALS:

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

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

HB0084S04 compared with HB0084S03

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

15A-5-203. ~~{ }~~ **Amendments and additions to IFC related to fire safety, building, and site requirements.**

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

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

(i) the structure:

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

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

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

HB0084S04 compared with HB0084S03

(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 that 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."

HB0084S04 compared with HB0084S03

(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 that term is defined in Section 53G-9-205.1 or a private school, then the fire code official shall require.".

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

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

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

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

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

HB0084S04 compared with HB0084S03

by an institution of higher education; and

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

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

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

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

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

"1103.9 Carbon Monoxide Detection.

Existing Groups E, I-1, I-2, I-4, and R occupancies shall be equipped with carbon 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

HB0084S04 compared with HB0084S03

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

HB0084S04 compared with HB0084S03

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

HB0084S04 compared with HB0084S03

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) (a) Violation of Subsection (1)(j) is a class C misdemeanor.

(b) 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]~~ means the same as that term is 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

HB0084S04 compared with HB0084S03

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 53-1-108 is amended to read:

53-1-108. Commissioner's powers and duties.

(1) In addition to the responsibilities contained in this title, the commissioner shall:

(a) administer and enforce this title and Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act;

(b) appoint deputies, inspectors, examiners, clerical workers, and other employees as required to properly discharge the duties of the department;

(c) make rules:

(i) governing emergency use of signal lights on private vehicles; and

(ii) allowing privately owned vehicles to be designated for part-time emergency use, as provided in Section 41-6a-310;

(d) set standards for safety belt systems, as required by Section 41-6a-1803;

(e) serve as the cochair of the Emergency Management Administration Council, as required by Section 53-2a-105;

(f) designate vehicles as "authorized emergency vehicles," as required by Section 41-6a-102; and

(g) 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.

(2) The commissioner may:

(a) subject to the approval of the governor, establish division headquarters at various places in the state;

(b) issue to a special agent a certificate of authority to act as a peace officer and revoke that authority for cause, as authorized in Section 56-1-21.5;

(c) create specialized units within the commissioner's office for conducting internal affairs and aircraft operations as necessary to protect the public safety;

(d) cooperate with any recognized agency in the education of the public in safety and

HB0084S04 compared with HB0084S03

crime prevention and participate in public or private partnerships, subject to Subsection (3);

(e) cooperate in applying for and distributing highway safety program funds;

(f) receive and distribute federal funding to further the objectives of highway safety in compliance with Title 63J, Chapter 5, Federal Funds Procedures Act; ~~and~~

(g) authorize off-duty personal use of Department of Public Safety emergency vehicles~~[-]; and~~

(h) deny or revoke a public or private school's occupancy permit based on the recommendations of the state security chief as described in Section 53-22-102.

(3) (a) Money may not be expended under Subsection (2)(d) for public safety education unless it is specifically appropriated by the Legislature for that purpose.

(b) Any recognized agency receiving state money for public safety shall file with the auditor of the state an itemized statement of all its receipts and expenditures.

Section ~~{4}~~5. Section **53-10-117** is enacted to read:

53-10-117. Law enforcement agency with school resource officer unit -- Policy.

(1) A law enforcement agency with a school resource officer unit shall develop a school resource officer policy.

(2) The law enforcement agency shall ensure the policy described in Subsection (1) includes:

(a) the process for assignment and selection of a school resource officer;

(b) required training of a school resource officer;

(c) internal reporting requirements;

(d) arrest and use of force protocols;

(e) general oversight and accountability; and

(f) other duties required of a school resource officer.

(3) The state security chief described in Section 53-22-102 shall create a model policy consistent with this section.

(4) A law enforcement agency may adopt the model policy described in Subsection (3).

Section ~~{5}~~6. 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

HB0084S04 compared with HB0084S03

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 Sections 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

HB0084S04 compared with HB0084S03

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~~[-]; and~~

(16) (a) [~~The bureau is~~] not be 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 ~~{6}7~~. Section **53-22-101** is amended to read:

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.

(~~{1}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.

(~~{2}4~~) "Public school" means the same as that term is defined in Section 53G-9-205.1.

(~~{3}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.

(~~{4}6~~) "School is in session" means the same as the term is defined in Section 53E-3-516.

(~~{2}~~) (~~{5}7~~) "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}8~~) "State security chief" means an individual appointed by the commissioner under Section 53-22-102.

(~~{7}9~~) "~~{Local education agency}~~ Task force" means the ~~{same as that term is defined}~~ School Security Task Force created in Section ~~{53E-1-102}~~ 53-22-104.1.

Section ~~{7}8~~. Section **53-22-102** is amended to read:

HB0084S04 compared with HB0084S03

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) (i) examine plans and specifications for school buildings, in accordance with Section 53E-3-706; and~~
~~(ii) be authorized to deny or revoke occupancy permits of a public or private school building in consultation with the state board if the building does not meet the standards established in this section, including specifying reasonable timelines related to a denial or revocation of an occupancy permit;~~
- ~~(c) coordinate~~ establish building and safety standards for all public and private schools including:
 - (i) coordinating with the State Board of Education to establish
 - ~~(i) 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;

HB0084S04 compared with HB0084S03

(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; ~~and~~

(ii) **establishing** a schedule or timeline for existing buildings to come into compliance with this section;

~~(d) ensure that each school within an LEA complies with the building safety evaluation and safety personnel requirements of Section 53G-8-701.5;~~

~~(e) establish an application process for approved alternatives to the school safety personnel requirements described in Section 53G-8-701.5 for a school with 100 or fewer students or schools with adjacent campuses;~~

~~(f) in consultation with the Office of Substance Abuse and Mental Health, establish or select the mental health crisis intervention training;~~

~~(g) 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;~~

~~(h) as required by Section 53G-8-701.8, track each school safety and security director for a local education agency and ensure that the contact information for the school safety and security directors is readily available to the local law enforcement of relevant jurisdiction;~~

~~(i) review and approve the State Board of Education's school resource officer training program as described in Section 53G-8-702;~~

~~(j) as required by Section 53G-8-704, track schools that contract with security companies to provide armed school security guards at the school and ensure that the contact information for those companies is readily available to the local law enforcement of relevant jurisdiction;~~

~~(k) in consultation with the State Board of Education, define what constitutes an "active threat" and "developmentally appropriate" for purposes of the emergency response training described in Section 53G-8-803;~~

~~(l) approve the safety and security criteria the state superintendent of public instruction establishes for building inspectors described in~~ **iii) creating a process to examine plans and specifications for construction or remodeling of a school building, in accordance with** Section 53E-3-706;

HB0084S04 compared with HB0084S03

~~(m) establish protocols and standards for conducting an annual building safety evaluation as required in Section 53G-8-701.5;~~

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

~~—— (ii) protocols for planning and safety drills, including drills that shall be required in a school;~~

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

~~—— (iv) the establishment of incident command for a threat or safety incident, including which entity and individual runs the incident command;~~

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

~~—— (vi) reunification plan protocols, including the appropriate design and use of an incident command by others responding or involved in an incident; and~~

~~—— (vii) recommendations for safety equipment for schools, including amounts and types of first aid supplies;~~

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

~~—— (p) create; 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;~~

~~—— (q) create; 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~~

HB0084S04 compared with HB0084S03

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 ensure that the contact information for the school safety and security directors is readily available to the local law enforcement 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 State Board of Education 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;

HB0084S04 compared with HB0084S03

(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 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

(~~fr~~vi) ~~establish~~establishing a manner for any security personnel described in Section 53G-8-701.5 to be quickly identified by law enforcement during an incident; ~~f~~and
~~s~~

(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 ~~f~~Subsection (3); ~~this section~~.

(5) The state security chief may delegate duties under this section to a sworn department member with the approval of the commissioner.

Section ~~f~~8)9. 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.

(a) [~~to~~] coordinate security responsibilities, protocols, and required trainings between the state security chief, the county sheriff's office, and the corresponding police chiefs whose

HB0084S04 compared with HB0084S03

jurisdiction includes a public school within the county[-];

(2) The county security chief shall:

(a) ~~{assist in the creation of the protocols and standards for conducting the annual}~~ 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 ~~{described in Section 53-22-102(3) and conduct or oversee building safety evaluations}~~ 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.

Section ~~{9}~~ 10. Section **53-22-104.1** is enacted to read:

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

HB0084S04 compared with HB0084S03

(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, who shall serve as chair and vice chair, and who shall ensure that at least three members}~~two members of the House of Representatives, whom the speaker of the House of Representatives appoints with one serving as the co-chair of the task force~~{are parents of children in Utah schools}~~;

(b) the state security chief;

(c) ~~{a member}~~two members of the Senate, ~~{appointed by}~~whom the president of the Senate appoints with one serving as the co-chair of the task force;

(d) the state superintendent of the State Board of Education or the state superintendent's designee;

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

(f) the public safety liaison described in Section 53-1-106;

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

(h) the director of the Utah Division of Juvenile Justice Youth Services or the director's designee;

(i) a member of the Utah School Superintendents Association, {selected by} whom the president of the association selects;

(j) ~~{two members}~~one member of the Chiefs of Police Association~~{, one from a city}~~and one members of the Sheriff's Association, whom the presidents of the associations jointly select, ensuring that:

(i) one is from a county of the first or second class; and

(ii) one is from a {city} county of the third, fourth, fifth, or sixth class{, selected by the president of the association};

~~——— (k) two members of the Sheriffs Association, one from a county of the first, second, or third class and one from a county of the fourth, fifth, or sixth class, selected by the president of the association}~~;

~~{k}~~ a representative from the Utah Association of Public Charter Schools{selected by}, whom the president of the association{;

~~——— (m) a representative from a school district, selected by the chair;~~

HB0084S04 compared with HB0084S03

~~(n)~~ selects;

(l) a school safety and security specialist or director, whom the chairs select;

(m) an expert in school security, ~~{selected by}~~whom the ~~{chair}~~chairs select;

~~{o}~~n) a member of a local law enforcement agency ~~{recommended by}~~the commissioner of the Department of Public Safety recommends; and

~~{p}~~o) a member of the SafeUT and School Safety Commission, ~~{selected by}~~whom the ~~{chair}~~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

~~{b}~~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.

Section 11. Section 53-22-104.2 is enacted to read:

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

~~{6}~~ This task force expires December 31, 2025.

HB0084S04 compared with HB0084S03

~~Section 10~~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) the director of the Utah School Superintendents Association or the director's designee;

(d) a superintendent from a county of the fourth, fifth, or sixth class, whom the state security chief selects;

(e) a superintendent from a county of the first, second, or third class, whom the state security chief selects;

(f) the director of the Utah School Boards Association or the director's designee

(g) the director of the Utah Business Administrators or the director's designee;

(h) the president of the Utah chapter of the Parent Teacher Association or the president's designee;

(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;

(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

HB0084S04 compared with HB0084S03

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.

Section 12. Section **53-22-105** is enacted to read:

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

HB0084S04 compared with HB0084S03

(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

HB0084S04 compared with HB0084S03

primary responsibilities require the employee to be primarily present in a classroom to teach, care for, or interact with students unless the principal, teacher, or individual is employed at a school with 100 or fewer students or adjacent campuses as determined by the state security chief.

(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 school is located that the school employee has undergone the training in accordance with Subsection (3)(a)(ii)

HB0084S04 compared with HB0084S03

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.

HB0084S04 compared with HB0084S03

(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 ~~{(1)(d)}~~.

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

(10) A school guardian acting in an official capacity under this section is immune from any liability, civil or criminal, that otherwise might result by reason of action taken in fulfillment of this section if the action was reasonably taken in good faith.

(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 ~~{Subsection}~~[Section](#)

HB0084S04 compared with HB0084S03

53G-8-701.5~~(1)(d)~~;

(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 under 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.

Section ~~44~~13. Section **53-22-106** is enacted to read:

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

HB0084S04 compared with HB0084S03

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

HB0084S04 compared with HB0084S03

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.

Section ~~{12}~~14. 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 uses of the SafeUT Crisis Line 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); and

(6) subject to legislative appropriations and in consultation with the school safety task

HB0084S04 compared with HB0084S03

force described in Section 53-22-104.1, state security chief described in Section 53-22-102, and school safety center described in Section 53G-8-802, develop and deploy additional supports and enhancements for school safety efforts.

Section ~~{13}~~15. 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 ~~{14}~~16. Section **53E-3-516** is amended to read:

HB0084S04 compared with HB0084S03

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

HB0084S04 compared with HB0084S03

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):

- (a) age;
- (b) grade level;
- (c) race;

HB0084S04 compared with HB0084S03

- (d) sex; and
- (e) disability status.
- (6) Information included in the annual report described in Subsection (2) shall comply

with:

- (a) Chapter 9, Part 3, Student Data Protection;
- (b) Chapter 9, Part 2, Student Privacy; and
- (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to compile the report described in Subsection (2).

- (8) The state board shall provide the report described in Subsection (2):

- (a) in accordance with Section 53E-1-203 for incidents that occurred during the previous school year; and

- (b) to the State Commission on Criminal and Juvenile Justice before July 1 of each year for incidents that occurred during the previous school year.

Section ~~15~~17. Section **53E-3-518** is amended to read:

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

- (1) As used in this section:

- (a) "LEA data system" or "LEA's data system" means a data system that:

- (i) is developed, selected, or relied upon by an LEA; and

- (ii) the LEA uses to collect data or submit data to the state board related to:

- (A) student information;

- (B) educator information;

- (C) financial information; or

- (D) other information requested by the state board.

- (b) "LEA financial information system" or "LEA's financial information system" means an LEA data system used for financial information.

- (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

HB0084S04 compared with HB0084S03

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);

(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 LEA financial information system.

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

HB0084S04 compared with HB0084S03

auditor.

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

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

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

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

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

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

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

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

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

(A) awarding a grant to the LEA; or

(B) providing a reimbursement to the LEA; or

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

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

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

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

(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

HB0084S04 compared with HB0084S03

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 ~~16~~18. 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

HB0084S04 compared with HB0084S03

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;

~~(d)~~ (e) cost per square foot;

~~(e)~~ (f) minimum and maximum qualities and costs for building materials;

~~(f)~~ (g) design efficiency;

HB0084S04 compared with HB0084S03

~~[(g)]~~ (h) parking;

~~[(h)]~~ (i) furnishing;

~~[(i)]~~ (j) proof of compliance with applicable building codes; and

~~[(j)]~~ (k) safety.

Section ~~{17}~~19. Section **53E-3-706** is amended to read:

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

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

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

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

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

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

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

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

~~[(iii)]~~ (c) If a local school board or charter school uses a local governmental entity's 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.

HB0084S04 compared with HB0084S03

~~(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 school a fee for an inspection that the state superintendent considers necessary to enable the state superintendent to issue a certificate authorizing permanent occupancy of the school

HB0084S04 compared with HB0084S03

building.

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

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

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

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

(4) The state security chief appointed under Section 53-22-102 shall establish:

(a) minimum safety and security standards for school construction and design projects, including buildings for private schools;

(b) a timeline for an LEA or private school to comply with the safety and security standards for school construction and design project requirements of this Subsection (4); and

(c) a process for an LEA or private school to seek alternative safety and security standards established under this Subsection (4).

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

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

Section ~~{18}~~20. Section **53F-4-207** is amended to read:

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

(1) As used in this section:

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

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

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

HB0084S04 compared with HB0084S03

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

(i) subject to Subsection (2)(c), enhance the online data reporting tool and provide 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;

HB0084S04 compared with HB0084S03

- (v) migrant status;
 - (vi) ethnicity;
 - (vii) response to tiered intervention;
 - (viii) response to tiered intervention enrollment date;
 - (ix) absence rate;
 - (x) feeder school;
 - (xi) type of school, including primary or secondary, public or private, Title I, or other general school-type category;
 - (xii) course failures; and
 - (xiii) other criteria, as determined by the state board; and
- (f) have the ability to load data from a local, national, or other assessment in the data's original format within a reasonable time.
- (4) Subject to legislative appropriations, the online data reporting tool and digital program shall:
- (a) integrate criteria for early warning indicators, including the following criteria:
 - (i) discipline, including school safety violations;
 - (ii) attendance;
 - (iii) behavior;
 - (iv) course failures; and
 - (v) other criteria as determined by a local school board or charter school governing board;
 - (b) provide a teacher or administrator the ability to view the early warning indicators described in Subsection (4)(a) with a student's assessment results described in Subsection (3)(b);
 - (c) provide data on response to intervention using existing assessments or measures that are manually added, including assessment and nonacademic measures;
 - (d) provide a user the ability to share interventions within a reporting environment and add comments to inform other teachers, administrators, and parents;
 - (e) save and share reports among different teachers and school administrators, subject to the student population information a teacher or administrator has the rights to access;
 - (f) automatically flag a student profile when early warning thresholds, that the state

HB0084S04 compared with HB0084S03

board defines, are met so that a teacher can easily identify a student who may be in need of intervention;

(g) incorporate a variety of algorithms to support student learning outcomes and provide student growth reporting by teacher;

(h) integrate response to intervention tiers and activities as filters for the reporting of individual student data and aggregated data, including by ethnicity, school, or teacher;

(i) have the ability to generate parent communication to alert the parent of [~~academic~~] plans or interventions; and

(j) configure alerts based upon student academic results, including a student's performance on the previous year's standards assessment described in Section 53E-4-303 or results to appropriate behavior interventions.

(5) (a) [~~The state board shall, subject to legislative appropriations, select an LEA to receive~~] The state board shall ensure that each LEA receives access to a digital program through a provider described in Subsection (2)(a)(ii).

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

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

(ii) no later than one school year after accessing a digital program, report to the state board in a format required by the state board on:

(A) the effectiveness of the digital program;

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

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

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

(c) The state board shall consider recommendations from an LEA for changes to the online data reporting tool.

(6) [~~Information~~] A person shall provide or use information described in this section [~~shall be used~~] in accordance with [~~and provided subject to~~]:

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

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

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

(7) (a) A parent or guardian may opt the parent's or guardian's student out of participating in a survey prepared by [~~a participating~~] an LEA's online data reporting tool

HB0084S04 compared with HB0084S03

described in this section.

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

(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 21. Section 53F-5-220 is amended to read:

53F-5-220. School Safety and Support Grant Program -- Rulemaking.

(1) ~~[The]~~ In accordance with the results of the school safety needs assessment described in Section 53G-8-701.5 and based on recommendations from the school safety task force grant subcommittee described in Subsection (6), the state board may award a grant to an LEA in response to an LEA request for proposal to provide a school with:

(a) school resource officer services;

(b) school safety specialists and school safety specialist training;

(c) safety and security training by law enforcement agencies for school employees;

(d) interoperable communication hardware, software, equipment maintenance, and training for first responder communication systems;

(e) enhanced physical security at a school upon completion of the school's ~~[threat]~~ safety needs assessment;

(f) first-aid kits for classrooms; or

(g) bleeding control kits.

(2) An LEA may not apply for a grant under this section to fund services already in place, but an LEA may submit a request for proposal to fund an expansion of or enhancement

HB0084S04 compared with HB0084S03

to existing services.

(3) The state board shall prioritize grant funding for LEAs ~~[with low student counts that have designated a school safety specialist in each school]~~ based on greatest need as determined by the results of the school safety needs assessment.

(4) The state board may adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer this section.

(5) The state board shall ensure information from the results of a school's school safety needs assessment is kept confidential in accordance with Section 53G-8-701.5.

(6) (a) There is created a grant subcommittee comprised of members of the school safety task force described in Section 53-22-104.1.

(b) The co-chairs of the task force shall appoint no more than half of the task force to the grant subcommittee.

(c) The grant subcommittee shall review LEA applications and provide recommendations for awards to the state board based on the criteria described in this section.

(d) The school safety center described in Section 53G-8-802 shall staff the grant subcommittee.

Section ~~{19}~~22. 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;

HB0084S04 compared with HB0084S03

- (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;
- (iii) be informed of the steps and resources for filing a grievance with a school or LEA regarding bullying, cyber-bullying, hazing, or retaliation;
 - (iv) be informed of the steps and resources for seeking accommodations under the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq;
 - (v) be informed of the steps and resources for seeking accommodations under state or federal law regarding religious accommodations;
 - (vi) be informed of the steps and resources for filing a grievance for an alleged violation of state or federal law, including:
 - (A) Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000d-2000d-4;
 - (B) Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681-1688;
 - (C) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 794; and
 - (D) Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131-12165;
 - (vii) receive information about constitutional rights and freedoms afforded to families in public education;
 - (viii) be informed of how to access an internal audit hotline if established by the state board; and
 - (ix) be informed of services for military families.
- (b) In addition to the information required under Subsection (2)(a), the state board:
 - (i) shall include in the parent portal:
 - (A) the comparison tool created under Section 53G-6-805; [and]
 - (B) school level safety data, including data points described in Section 53E-3-516; and
 - (C) a link to the public safety portal described in Section 63A-16-1002; and
 - (ii) may include in the parent portal other information that the state board determines is helpful to parents.
- (3) (a) The state board shall post the parent portal at a location that is easily located by

HB0084S04 compared with HB0084S03

a parent.

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

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

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

(a) a parent of a student; and

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

Section ~~{20}~~23. Section **53G-8-213** is amended to read:

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

(1) As used in this section:

(a) "Multidisciplinary team" means:

(i) the local education agency[;];

(ii) the juvenile court[;];

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

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

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

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

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

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

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

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

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

(a) a behavioral intervention for the student;

HB0084S04 compared with HB0084S03

- (b) a short-term mental health or counseling service for the student; and
- (c) an academic intervention for the student.

Section ~~{21}~~24. Section **53G-8-701** is amended to read:

Part 7. School Safety Personnel

53G-8-701. Definitions.

As used in this part:

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

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

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

~~[(2)]~~ (4) "Public school" means the same as that term is defined in Section 53G-9-205.1.

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

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

~~{~~ (7) "School safety and security director" means an individual whom an LEA designates in accordance with Section 53G-8-701.8.

~~†~~ ~~[(3)]~~ ~~[(8+7)]~~ "School resource officer" [or "SRO"] means a law enforcement officer, as defined in Section 53-13-103, who contracts with or whose law enforcement agency contracts with an LEA to provide law enforcement services for the LEA.

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

~~[(4)]~~ (9) "School safety and security specialist" means a school employee designated under Section 53G-8-701.6 who is responsible for supporting school safety initiatives ~~{~~2~~}~~ ~~[including the threat assessment described in Subsection 53G-8-802(2)(g)(i)].~~

(10) "~~{State security chief}~~ School safety center" means the same as that term is defined in Section 53G-8-801.

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

Section ~~{22}~~25. Section **53G-8-701.5** is ~~amended to read:~~

~~53G-8-701.5. Building safety evaluation and required~~ repealed and reenacted to

HB0084S04 compared with HB0084S03

read:

53G-8-701.5. School safety needs assessment -- School safety personnel

~~— (1) [Every public primary and secondary school] Subject to Subsection (2), an LEA shall:~~

~~— [(1)] (a) conduct [a threat assessment] an annual building safety evaluation~~ --

Alternative requirements.

(1) (a) No later than December 31, 2024, an LEA shall:

(i) ensure a school safety needs assessment is conducted in accordance with Subsection

(1)(b) for each school {as [described] established by} within the LEA to determine the needs and deficiencies regarding:

(A) appropriate school safety personnel, including necessary supports, training, and policy creation for the personnel;

(B) physical building security and safety, including required upgrades to facilities and safety technology; and

(C) a school's current threat and emergency response protocols, including any emergency response agreements with local law enforcement; and

(ii) report the results of the school safety needs assessment for each school within the LEA to the state security chief {in Subsection [53G-8-802(2)(g)(i); and] 53-22-102(3); and

~~— [(2)] (b) designate a school safety and security director at the LEA level;~~

~~— (c) have a school safety and security specialist as} and the school safety center.~~

(b) The school safety specialist described in Section 53G-8-701.6 {at 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 guardian; or~~

~~— (iii) 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} in collaboration with the county security chief or designee described in Section 53-22-103 shall conduct the school safety needs assessment for each school.~~

(c) In collaboration with the school safety center described in Section 53G-8-802, the

HB0084S04 compared with HB0084S03

state security chief described in Section 53-22-102 shall create a school safety needs assessment that an LEA shall use to ensure compliance with this Subsection (1).

~~(3) A school under this section may implement any combination of the options}d)~~

The state board shall use the results of the school safety needs assessment for each school within an LEA to award a grant to an LEA in accordance with Section 53F-5-220.

(e) Any information or record detailing a school's needs assessment results 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) the school safety center;

(C) administrators of the LEA and school the needs assessment concerns;

(D) only to the extent necessary to award a grant under Section 53F-5-220, the state board;

(E) the applicable school safety personnel described in Subsection (2);

(F) a local law enforcement agency that would respond to the school in case of an emergency; and

(G) the county security chief.

(f) An individual who intentionally or knowingly provides the information described in Subsection (1)(~~d~~) to satisfy the requirements of Subsection (1)(~~d~~):

~~(4) If a school has 100 or fewer students or if an LEA has schools with adjacent campuses, the school administrator may:~~

~~(a) apply to the state security chief for an approved alternative to the safety personnel requirements}e) to an individual or entity not listed in Subsection (1){, and~~

~~(b) serve as the school safety}{(e)(ii) is guilty of a class B misdemeanor.~~

(2) (a) An LEA shall ensure each school within the LEA has the following school safety personnel:

(i) a school safety and security specialist described in Section 53G-8-701.6{;

~~(5); and~~

(ii) based on the results of the needs assessment described in Subsection (1), at least one of the following:

HB0084S04 compared with HB0084S03

(A) a school resource officer;

(B) a school guardian; or

(C) an armed school security guard.

(b) In addition to the school safety personnel described in Subsection (2)(a), an LEA shall designate a school safety and security director described in Section 53G-8-701.8.

(c) 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 Subsections (2)(a) and (b).

(d) An LEA may implement the requirements of Subsection (2)(a)(ii) before the LEA has completed the school safety needs assessment described in Subsection (1).

(e) The state security chief in consultation with the school safety center shall establish a timeline for an LEA to comply with the school safety personnel requirements of this Subsection (2).

(3) (a) An LEA, school administrator, or private school may apply to the state security chief for an approved alternative to the requirements described in:

(i) Section 53-22-105;

(ii) this section;

(iii) Section 53G-8-701.6;

(iv) Section 53G-8-701.8; and

(v) Section 53G-8-704.

(b) In approving or denying an application described in Subsection (3)(a), the state security chief may consider factors that impact a school or LEA's ability to adhere to the requirements of this section, including the school or LEA's:

(i) population size;

(ii) staffing needs or capacity;

(iii) geographic location;

(iv) available funding; or

(v) general demonstration of need for an alternative to the requirements of this section.

(4) A private school shall identify an individual at the private school to serve as the safety liaison with the local law enforcement of relevant jurisdiction and the state security chief.

Section ~~{23}~~26. Section **53G-8-701.6** is enacted to read:

HB0084S04 compared with HB0084S03

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

(1) As used in this section, "principal" means the chief administrator at a 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) and except as provided in Subsection 53G-8-701.5(3), every campus within an LEA shall designate a school safety and security specialist from the employees of the relevant campus.

(b) The school safety and security specialist:

- (i) may not be a principal ~~{ except as described in Subsection 53G-8-701.5(4) }~~; and
- (ii) may be the school safety and security director at one campus within the LEA.

(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, 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) through collaborating and maintaining effective communications with the following as applicable:~~

(i) the principal;

(ii) school staff;

(iii) the school resource officer;

(iv) the armed school security guard;

(v) the school guardian;

(vi) local law enforcement;

(vii) the county security chief;

(viii) the school safety and security director;

HB0084S04 compared with HB0084S03

(ix) the LEA; and

(x) school-based behavioral and mental health professionals;

(d) in collaboration with the county security chief or designee described in Section 53-22-103;

(i) conduct the school safety needs assessment described in Section 53G-8-701.5; and

(ii) conduct a building safety evaluation at least annually ~~and use~~ using the results of the ~~evaluation~~ school safety needs assessment to recommend and implement improvements to school facilities, policies, procedures, protocols, rules, and regulations relating to school safety and security;

(e) if ~~the specialist is also~~ an employee of an LEA, participate on the multidisciplinary team that the LEA establishes;

(f) conduct a behavioral threat assessment when the school safety and security specialist deems necessary using an evidence-based tool the state security chief recommends in consultation with the ~~state board~~ school safety center and the Office of Substance Abuse and Mental Health;

(g) regularly monitor and report to the principal, local law enforcement, and, if applicable, the LEA superintendent or designee, security risks for the school resulting from:

(i) issues with school facilities; or

(ii) the implementation of practices, policies, procedures, and protocols relating to school safety and security;

(h) coordinate with local first responder agencies to implement and monitor safety and security drills in accordance with policy and applicable procedures and protocols;

(i) ensure that school staff, and when appropriate students, receive training on and remain current on the school's safety and security procedures and protocols;

(j) following an event where security of the school has been significantly compromised, organize a debriefing with ~~if applicable, school administrators, school guardians, armed school security guards, or school resource officers~~ the individuals listed in Subsection (3)(c) regarding strengthening school safety and security practices, policies, procedures, and protocols;

(k) abide by any LEA, school, or law enforcement agency policy outlining the chain of command;

HB0084S04 compared with HB0084S03

- (l) during an emergency, coordinate with ~~-, if-~~ the following individuals as applicable ~~-, -~~ the:
- (i) school resource officer ~~-, any-~~;
 - (ii) school guardians ~~-, any-~~;
 - (iii) armed school security guards ~~-, -~~;
 - (iv) school administrators ~~-, -~~; and
 - (v) responding law enforcement officers;
- (m) follow any LEA, school, or law enforcement agency student privacy policies, including state and federal ~~{laws on}~~ privacy laws;
- (n) participate in an annual training the state security chief selects in consultation with the ~~{state board}~~ school safety center; and
- (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 described in this 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 ~~{24}~~ 27. Section **53G-8-701.8** is enacted to read:
- 53G-8-701.8. School safety and security director.**
- (1) ~~{Each}~~ Except as provided in Subsection 53G-8-701.5(3), an LEA shall designate a school safety and security director as the LEA point of contact for the county security chief, local law enforcement, and the state security chief.
 - (2) A school safety and security director shall:
 - (a) participate in and satisfy the training requirements, including the annual and biannual requirements, described in:
 - (i) Section 53-22-105 for school guardians;
 - (ii) Section 53G-8-702 for school resource officers; and
 - (iii) Section 53G-8-704 for armed school security guards;
 - (b) have a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,

HB0084S04 compared with HB0084S03

Concealed Firearm Act;

(c) if the designee is an employee of an LEA, participate on the multidisciplinary team the LEA establishes;

(d) coordinate security responses among, if applicable, the following individuals in the LEA that employs the school safety and security director:

(i) school safety and security specialists;

(ii) school resource officers;

(iii) armed school security guards; and

(iv) school guardians; and

(e) collaborate and maintain effective communications with local law enforcement, a county security chief, the 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.

(3) A school safety and security director:

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

(b) may, at the LEA that employs the director:

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

(ii) temporarily detain an individual when the school safety and security director 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;

(4) Notwithstanding Subsection 76-10-505.5(4), if a school safety and security director is carrying a firearm, the school safety and security director shall carry the school safety and security director's firearm in a concealed manner and may not, unless during an active threat, display or open carry a firearm while on school grounds.

(5) A school may use the services of the school safety and security director on a temporary basis to satisfy the school safety personnel requirement of Subsection 53G-8-701.5(~~(1)(d)2~~).

(6) The state security chief shall:

(a) for each school safety and security director, track each school safety and security director by collecting the photograph and the name and contact information for each school safety and security director; and

HB0084S04 compared with HB0084S03

(b) make the information described in Subsection (6)(a) readily available to each law enforcement agency in the state ~~categorized~~ by LEA.

Section ~~{25}~~28. Section **53G-8-702** is amended to read:

53G-8-702. School administrator and school resource officer training --

Curriculum.

(1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, ~~[the state board]~~ the state security chief appointed under Section 53-22-102 in consultation with the state board, shall make rules that prepare and make available ~~[a training]~~ an annual program for school principals, school personnel, school safety personnel described in Section 53G-8-701.5, and school resource officers to attend.

(2) To create the curriculum and materials for the training program described in Subsection (1), the ~~[state board]~~ state security chief in consultation with the ~~{ state board }~~ school safety center shall:

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

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

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

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

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

(3) The training program described in Subsection (1) shall be for a minimum time established by the state security chief in accordance with Subsection (1) and may include training on the following:

(a) childhood and adolescent development;

(b) responding age-appropriately to students;

(c) working with disabled students;

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

(e) cultural awareness;

HB0084S04 compared with HB0084S03

- (f) restorative justice practices;
 - (g) identifying a student exposed to violence or trauma and referring the student to appropriate resources;
 - (h) student privacy rights;
 - (i) negative consequences associated with youth involvement in the juvenile and criminal justice systems;
 - (j) strategies to reduce juvenile justice involvement;
 - (k) roles of and distinctions between a school resource officer and other school staff who help keep a school secure;
 - (l) the standard response protocol and drills described in Section 53G-8-803;
 - (m) an overview of the agreement described in Section 53G-8-703;
 - ~~[(t)]~~ (n) developing and supporting successful relationships with students; and
 - ~~[(m)]~~ (o) legal parameters of searching and questioning students on school property.
- (4) The ~~[state board]~~ school safety center shall work together with the Department of Public Safety, the State Commission on Criminal and Juvenile Justice, and state and local law enforcement to establish policies, procedures, and training requirements for school resource officers.

Section ~~26~~29. Section **53G-8-703** is amended to read:

53G-8-703. Contracts between an LEA and law enforcement for school resource officer services -- Requirements -- LEA establishment of a school resource officer policy -- Public comment.

(1) (a) An LEA may use a school resource officer to satisfy the school safety personnel requirements of Section 53G-8-701.5~~[(1)(d)]~~.

(b) An LEA ~~[may]~~ that uses a school resource officer under Subsection (1)(a) shall contract with a local law enforcement agency to provide school resource officer services ~~[at the LEA]~~.

(2) An LEA contract with a law enforcement agency to provide ~~[SRØ]~~ school resource officer services at the LEA shall require in the contract:

(a) an acknowledgment by the law enforcement agency that ~~[an SRØ]~~ a school resource officer hired under the contract shall:

- (i) provide for and maintain a safe, healthy, and productive learning environment in a

HB0084S04 compared with HB0084S03

school;

- (ii) act as a positive role model to students;
- (iii) work to create a cooperative, proactive, and problem-solving partnership between

law enforcement and the LEA;

- (iv) emphasize the use of restorative approaches to address negative behavior; and
- (v) at the request of the LEA, teach a vocational law enforcement class;

(b) a description of the shared understanding of the LEA and the law enforcement agency regarding the roles and responsibilities of law enforcement and the LEA to:

- (i) maintain safe schools;
- (ii) improve school climate; and
- (iii) support educational opportunities for students;
- (c) a designation of student offenses that, in accordance with Section 53G-8-211, the

[SRØ] school resource officer:

- (i) may refer to the juvenile court;
- (ii) shall confer with the LEA to resolve; and
- (iii) shall refer to a school administrator for resolution as an administrative issue with

the understanding that the [SRØ] school resource officer will be informed of the outcome of the administrative issue;

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

- (i) searches;
- (ii) questioning;
- (iii) arrests; and
- (iv) information privacy;
- (e) a detailed description of:
 - (i) job assignment and duties, including:
 - (A) the school to which the [SRØ] school resource officer will be assigned;
 - (B) the hours the [SRØ] school resource officer is expected to be present at the school;
 - (C) the point of contact at the school;
 - (D) specific responsibilities for providing and receiving information; and
 - (E) types of records to be kept, and by whom;

HB0084S04 compared with HB0084S03

(ii) training requirements; and

(iii) other expectations of the ~~[SRØ]~~ school resource officer and school administration in relation to law enforcement at the LEA;

(f) that ~~[an SRØ]~~ a school resource officer who is hired under the contract and the principal at the school where ~~[an SRØ]~~ a school resource officer will be working, or the principal's designee, will jointly complete the ~~[SRØ]~~ school resource officer training described in Section 53G-8-702;

(g) that both parties agree to jointly discuss ~~[SRØ]~~ school resource officer applicants; ~~[and]~~

(h) that the law enforcement agency will, at least annually, seek out and accept feedback from an LEA about ~~[an SRØ'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).

(4) An LEA that uses a school resource officer under Subsection (1)(a) shall establish a school resource officer policy.

(5) The school resource officer policy described in Subsection (4) shall include:

(a) the contract described in Subsection (2); and

(b) all other procedures and requirements governing the relationship between the LEA and a school resource officer.

(6) Before implementing the school resource officer policy described in Subsection (4), the LEA shall present the school resource officer policy at a public meeting and receive public comment on the school resource officer policy.

Section ~~{27}~~30. Section **53G-8-704** is enacted to read:

53G-8-704. Contracts between an LEA 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.

HB0084S04 compared with HB0084S03

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

(d) "State security chief" means the same as the term is defined in Section 53-22-102.

(2) (a) An LEA may use an armed school security guard to satisfy the school safety personnel requirements of Section 53G-8-701.5~~+(1)(d)~~.

(b) An LEA that uses an armed school security guard under Subsection (2)(a) shall contract with a contract security company to provide armed school security guards at each school within the LEA.

(3) The contract described in Subsection (2)(b) shall include a detailed description of:

(a) the rights of a student under state and federal law with regard to:

(i) searches;

(ii) questioning;

(iii) arrests; and

(iv) information privacy;

(b) job assignment and duties of an armed school security guard, including:

(i) the school to which an armed school security guard will be assigned;

(ii) the hours an armed school security guard is present at the school;

(iii) the point of contact at the school that an armed school security guard will contact in case of an emergency;

(iv) specific responsibilities for providing and receiving information;

(v) types of records to be kept, and by whom;

(vi) training requirements; and

(c) other expectations of the contract security company in relation to school security at the LEA.

(4) (a) In addition to the requirements for licensure under Title 58, Chapter 63, Security Personnel Licensing Act, an armed private security officer may only serve as an armed school security guard under a contract described in Subsection (2)(b) if the armed private security

HB0084S04 compared with HB0084S03

officer:

(i) has a valid concealed carry permit issued under Title 53, Chapter 5, Part 7,

Concealed Firearm Act; and

(ii) has undergone training from a county security chief regarding:

(A) the safe loading, unloading, storage, and carrying of firearms in a school setting;

(B) the role of armed security guards in a school setting; and

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

(b) An armed school security guard that meets the requirements of Subsection (4)(a) shall, in order to remain eligible to be assigned as an armed school security guard at any school under a contract described in Subsection (2)(b), participate in and satisfy the training requirements of the initial, annual, and biannual trainings as defined in Section 53-22-105.

(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) An 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 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.

(8) An armed school security guard shall file a report described in Subsection (9) if, during the performance of the armed school security guard's duties the armed school security guard:

(a) points a firearm at an individual; or

(b) aims a conductive energy device at an individual and displays the electrical current.

(9) (a) A report described in Subsection (8) shall include:

(i) a description of the incident;

(ii) the identification of the individuals involved in the incident; and

HB0084S04 compared with HB0084S03

(iii) any other information required by the state security chief.

(b) An armed school security guard shall submit a report required under Subsection (8) 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 (9)(b).

Section ~~{28}~~31. 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.]~~

(3) "School safety center" means the entity established in Section 53G-8-802.

~~{3}~~4 "State security chief" means the same as that term is defined in Section 53-22-101.

Section ~~{29}~~32. 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 state security chief model student safety and support policies for an LEA, including:

(i) requiring an evidence-based ~~[procedures for the]~~ behavior threat assessment ~~[of and intervention]~~ that includes:

(A) recommended interventions with an individual whose behavior poses a threat to school safety; and

(B) establishes defined roles for a multidisciplinary team and school safety personnel described in Title 53G, Chapter 8, Part 7, School Safety Personnel, including:

(ii) procedures for referrals to law enforcement; and

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

HB0084S04 compared with HB0084S03

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

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

(i) in school safety;

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

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

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

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

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

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

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

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

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

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

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

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

(d) disseminate information on effective school safety initiatives;

(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 agency 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;]~~

HB0084S04 compared with HB0084S03

~~[(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) 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) 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:

HB0084S04 compared with HB0084S03

(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}~~33. Section 53G-8-803 is amended to read:

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

~~[The state board]~~ The state security chief described in Section 53-22-102 in consultation with the ~~{state board}~~ school safety center shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

(1) in accordance with the standard response protocol established ~~{under Subsection 53-22-102(3)}~~ by the state security chief, 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 by the state security chief; and
- (d) standard response protocols coordinated with community stakeholders; and

(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}~~34. Section 53G-8-805 is enacted to read:

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

(1) ~~{An}~~ In accordance with the results of the school safety needs assessment described in Section 53G-8-701.5, an LEA shall provide a staff person in each classroom with a wearable 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 before the school year begins, all school building personnel receive training on the protocol and appropriate use of the panic alert device described in Subsection (1).

HB0084S04 compared with HB0084S03

(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.

(4) This section is not subject to the restrictions in Section 41-6a-2003.

Section 35. Section 53G-9-601 is amended to read:

53G-9-601. Definitions.

As used in this part:

(1) (a) "Abusive conduct" means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress.

(b) A single act does not constitute abusive conduct.

(2) "Action plan" means a process to address an incident as described in Section 53G-9-605.5.

~~(2)~~ (3) "Bullying" means a school employee or student intentionally committing a written, verbal, or physical act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:

(a) causing physical or emotional harm to the school employee or student;

(b) causing damage to the school employee's or student's property;

(c) placing the school employee or student in reasonable fear of:

(i) harm to the school employee's or student's physical or emotional well-being; or

(ii) damage to the school employee's or student's property;

(d) creating a hostile, threatening, humiliating, or abusive educational environment due

to:

(i) the pervasiveness, persistence, or severity of the actions; or

(ii) a power differential between the bully and the target; or

(e) substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

~~(3)~~ (4) "Communication" means the conveyance of a message, whether verbal,

HB0084S04 compared with HB0084S03

written, or electronic.

~~[(4)]~~ [(5)] "Cyber-bullying" means using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

~~[(5)]~~ [(6)] (a) "Hazing" means a school employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that:

(i) (A) endangers the mental or physical health or safety of a school employee or student;

(B) involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;

(C) involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a school employee or student; or

(D) involves any activity that would subject a school employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a school employee or student to extreme embarrassment, shame, or humiliation; and

(ii) (A) is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a school or school sponsored team, organization, program, club, or event; or

(B) is directed toward a school employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

(b) The conduct described in Subsection ~~[(5)(a)]~~ [(6)(a)] constitutes hazing, regardless of whether the school employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

~~[(6)]~~ [(7)] "Incident" means an incident of bullying, cyber-bullying, hazing, or retaliation

HB0084S04 compared with HB0084S03

that is prohibited under this part.

~~[(6)]~~8 "LEA governing board" means a local school board or charter school governing board.

~~[(7)]~~9 "Policy" means an LEA governing board policy described in Section 53G-9-605.

~~[(8)]~~10 "Public education suicide prevention coordinator" means the public education suicide prevention coordinator described in Section 53G-9-702.

~~[(9)]~~11 "Retaliate" means an act or communication intended:

- (a) as retribution against a person for reporting bullying or hazing; or
- (b) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

~~[(10)]~~12 "School" means a public elementary or secondary school, including a charter school.

~~[(11)]~~13 "School employee" means an individual working in the individual's official capacity as:

- (a) a school teacher;
- (b) a school staff member;
- (c) a school administrator; or
- (d) an individual:
 - (i) who is employed, directly or indirectly, by a school, an LEA governing board, or a school district; and
 - (ii) who works on a school campus.

~~[(12)]~~14 "State suicide prevention coordinator" means the state suicide prevention coordinator described in Section 26B-5-611.

~~[(13)]~~15 "State superintendent" means the state superintendent of public instruction appointed under Section 53E-3-301.

Section 36. Section 53G-9-602 is amended to read:

53G-9-602. Bullying, hazing, and cyber-bullying prohibited.

(1) A school employee or student may not engage in bullying a school employee or student:

- (a) on school property;

HB0084S04 compared with HB0084S03

- (b) at a school related or sponsored event;
- (c) on a school bus;
- (d) at a school bus stop; or
- (e) while the school employee or student is traveling to or from a location or event described in Subsections (1)(a) through (d).

(2) A school employee or student may not engage in ~~[hazing or cyber-bullying]~~ cyber-bullying or hazing a school employee or student at any time or in any location.

Section 37. Section 53G-9-603 is amended to read:

53G-9-603. Retaliation and making a false allegation prohibited.

- (1) A school employee or student may not engage in retaliation against:
- (a) a school employee;
 - (b) a student; or
 - (c) an investigator for, or a witness of, an alleged incident of bullying, cyber-bullying, hazing, or retaliation.

(2) A school employee or student may not make a false allegation of bullying, cyber-bullying, hazing, abusive conduct, or retaliation against a school employee or student.

Section 38. Section 53G-9-604 is amended to read:

53G-9-604. Parental notification of certain incidents and threats required.

- (1) A school shall:
- (a) notify a parent if the parent's student threatens suicide; or
 - (b) notify the parents of each student involved in an incident ~~[of bullying, cyber-bullying, hazing, abusive conduct, or retaliation of the incident involving each parent's student]~~ and the action plan to address the incident.

(2) (a) ~~[If a school notifies a parent of an incident or threat required to be reported under Subsection (1), the school shall]~~ When a student threatens suicide or is involved in an incident, the school shall produce and maintain a record that:

(i) ~~[produce and maintain a record that verifies that the parent was notified of the incident or threat];~~

~~———(ii) maintain];~~ verifies that the school notified each parent in accordance with Subsection (1);

(ii) tracks implementation of the action plan addressing the incident, if applicable;

HB0084S04 compared with HB0084S03

~~[(ii)] (iii)~~ maintain maintains a record described in Subsection ~~[(2)(a)(i)]~~ (2)(a) in accordance with the requirements of:

- (A) Title 53E, Chapter 9, Part 2, Student Privacy;
- (B) Title 53E, Chapter 9, Part 3, Student Data Protection;
- (C) the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g; and
- (D) 34 C.F.R. Part 99; and

~~[(iii)]~~ (iv) provide the parent with:

- (A) suicide prevention materials and information; and
- (B) information on ways to limit the student's access to fatal means, including a firearm or medication.

(b) The state superintendent shall select the materials and information described in Subsection ~~[(2)(a)(iii)]~~ (2)(a)(iv) in collaboration with the state suicide prevention coordinator and public education suicide prevention coordinator.

~~[(3)]~~ A local school board or charter school governing board shall adopt a policy regarding the process for:

- ~~[(a)]~~ notifying a parent as required in Subsection (1); and
- ~~[(b)]~~ producing and retaining a record that verifies that a parent was notified of an incident or threat as required in Subsection (2).

~~[(4)]~~ (3) At the request of a parent, a school may provide information and make recommendations related to an incident or threat described in Subsection (1).

~~[(5)]~~ (4) A school shall:

- (a) provide a student a copy of a record maintained in accordance with this section that relates to the student if the student requests a copy of the record; and
- (b) expunge a record maintained in accordance with this section that relates to a student if the student:
 - (i) has graduated from high school; and
 - (ii) requests the record be expunged.

Section 39. Section 53G-9-605 is amended to read:

53G-9-605. Bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy.

- (1) ~~On or before September 1, 2018, an LEA governing board shall update the LEA~~

HB0084S04 compared with HB0084S03

governing board's bullying, cyber-bullying, hazing, and retaliation policy to include abusive conduct;

~~(2) A policy shall:~~

~~(a)] An LEA governing board shall adopt a bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy.~~

(2) [A policy] The LEA governing board shall:

(a) [be developed only] develop the policy with input from:

- (i) students;
 - (ii) parents;
 - (iii) teachers;
 - (iv) school administrators;
 - (v) school staff; or
 - (vi) local law enforcement agencies; and
- (b) provide protection to a student, regardless of the student's legal status.

(3) [A policy shall include the following components] The LEA governing board shall include the following components in the policy:

- (a) definitions of bullying, cyber-bullying, hazing, ~~[and]~~ abusive conduct, and retaliation that are consistent with this part;
- (b) language prohibiting bullying, cyber-bullying, hazing, and abusive conduct;
- (c) language prohibiting retaliation ~~[against an individual who reports conduct that is prohibited under this part]~~ as described in Section 53G-9-603;
- (d) language prohibiting making a false report of bullying, cyber-bullying, hazing, abusive conduct, or retaliation;

~~[(e)]~~ (e) language outlining appropriate punishments for a student who is recording an act of bullying, cyber-bullying, hazing, abusive conduct, and retaliation with the intent to encourage the act or future acts through the use of the recording on social media;

~~[(e)]~~ (f) as required in Section 53G-9-604, a process for parental notification of:

- (i) a student's threat ~~[to commit]~~ of suicide; ~~[and]~~
- (ii) an incident ~~[of bullying, cyber-bullying, hazing, abusive conduct, or retaliation]~~, involving the parent's student;

~~(f)]~~ and

HB0084S04 compared with HB0084S03

(iii) implementation of the school's action plan to address the incident;

~~[(f)]~~ (g) a grievance process for a school employee who has experienced abusive conduct;

~~[(g)]~~ (h) ~~[an action plan to address a reported incident of bullying, cyber-bullying, hazing, or retaliation]; and~~

~~—~~ (h)}] a requirement that the school or LEA create and implement an action plan for each incident in accordance with Section 53G-9-605.5; [and]

(i) a communication process requiring the school or LEA regularly updates each parent of a student involved in an incident regarding implementation of an action plan, including:

(i) the outcome of the school's or LEA's investigation;

(ii) a discussion of safety considerations for the student who is the subject of the incident; and

(iii) an explanation of the school's or LEA's process for addressing the incident; and

~~[(h)]~~ (j) a requirement for a signed statement annually, indicating that the individual signing the statement has received the LEA governing board's policy, from each:

(i) school employee;

(ii) student who is at least eight years old; and

(iii) parent of a student enrolled in the ~~[charter school or school district]~~ LEA.

(4) ~~[A copy of a { policy shall be:~~

~~—~~ (a) included}] An LEA shall, in relation to the policy [shall be] described in this section:

(a) [included] include a copy in student conduct handbooks;

(b) [included] include a copy in employee handbooks; and

(c) [provided] provide a copy to a parent of a student enrolled in the charter school or school district.

(5) A policy may not permit formal disciplinary action that is based solely on an anonymous report of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.

(6) Nothing in this part is intended to infringe upon the right of a school employee, parent, or student to exercise the right of free speech.

Section 40. Section 53G-9-605.5 is enacted to read:

53G-9-605.5. Bullying incident action plan.

HB0084S04 compared with HB0084S03

(1) A school or LEA shall create an action plan for an incident.

(2) In an action plan, the school or LEA shall include:

(a) a communication plan designed to keep each parent updated on the implementation of the action plan;

(b) with respect to the student to whom the incident was directed and in direct coordination with the student's parent:

(i) a tailored response to the incident that addresses the student's needs;

(ii) a mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident;

(iii) notification of the consequences and plan to address the behavior of the student who caused the incident;

(iv) supportive measures designed to preserve the student's access to educational services and opportunities; and

(v) to the extent available, access to other resources the parent requests for the student;

and

(c) with respect to the student who caused the incident and in direct coordination with the student's parent:

(i) a range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities;

(ii) a process to determine and provide any needed resources related to the underlying cause of the incident;

(iii) supportive measures designed to preserve the student's access to educational services and opportunities while protecting the safety and well-being of other students; and

(iv) a process to remove the student from school in an emergency situation, including a description of what constitutes an emergency.

(3) A school or LEA may not include in an action plan a requirement that the student to whom the incident was directed change the student's:

(a) educational schedule or placement; or

(b) participation in a school sponsored sport, club, or activity.

(4) A school or LEA shall establish an appeals process for a student who causes an incident or the student's parent to appeal one or more of the consequences included in an action

HB0084S04 compared with HB0084S03

plan.

(5) If, after a school or LEA attempts to involve a parent in the development and implementation of an action plan, the parent chooses not to participate in the process, the school or LEA may develop and implement an action plan without the parent's involvement.

Section 41. Section 53G-9-606 is amended to read:

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

(1) ~~[On or before September 1, 2018, the]~~ The state board shall:

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

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

(2) The state board shall require an LEA governing board to report annually to the state board on:

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

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

(c) the demographics of an individual who is subject to bullying, hazing, cyber-bullying, or retaliation subject to:

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

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

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

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

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

Section 42. Section 53G-9-607 is amended to read:

53G-9-607. Training, education, and prevention -- Standards.

~~{(1)}~~ (1) An LEA shall designate at least one individual at the LEA level who:

(a) provides training to an individual described in Subsection (2);

(b) oversees the implementation of an action plan;

(c) for each incident, monitors implementation of the LEA's policy regarding a communication process with a parent described in Section 53G-9-605;

(d) acts as the LEA liaison to the state board regarding bullying, cyber-bullying,

HB0084S04 compared with HB0084S03

hazing, abusive conduct, and retaliation; and

(e) assists a school with case-specific needs when the school is addressing an incident.

~~[(1)]~~ (2) (a) An LEA governing board shall include in the training of a school employee training regarding:

(i) bullying, cyber-bullying, hazing, abusive conduct, and retaliation ~~{that};~~ and

(ii) applicable civil rights laws.

(b) [that] An LEA governing board shall ensure the training described in Subsection
(2)(a) meets the standards described in Subsection ~~[(4)]~~ (5).

~~[(b)]~~ (c) An LEA governing board may offer voluntary training to parents and students regarding ~~{abusive conduct.~~

~~— (2)}~~ [abusive conduct] bullying, cyber-bullying, hazing, abusive conduct, or retaliation.

~~[(2)]~~ (3) To the extent that state or federal funding is available for this purpose, LEA governing boards are encouraged to implement programs or initiatives, in addition to the training described in Subsection ~~[(1)]~~ (2), to provide for training and education regarding, and the prevention of, bullying, cyber-bullying, hazing, abusive conduct, and retaliation.

~~[(3)]~~ (4) The programs or initiatives described in Subsection ~~[(2)]~~ (3) may involve:

(a) the establishment of a bullying task force; or

(b) the involvement of school employees, students, or law enforcement.

~~[(4)]~~ (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules that establish standards for high quality training related to:

(a) bullying, cyber-bullying, hazing, abusive conduct, and retaliation~~[-];~~ and

(b) applicable civil rights laws.

Section ~~{32}~~ 43. 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

HB0084S04 compared with HB0084S03

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) submits 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

HB0084S04 compared with HB0084S03

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

Section ~~33~~44. 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;
- (f) one representative from a PSAP from a county of the second class;
- (g) one representative from a PSAP from a county of the third or fourth class;
- (h) one representative from a PSAP from a county of the fifth or sixth class; and
- (i) one member from the telecommunications industry.

(2) (a) Except as provided in Subsection (2)(b), each member shall be appointed to a four-year term beginning July 1, 2019.

(b) Notwithstanding Subsection (2)(a), the board shall:

(i) at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that the terms of approximately half of the committee end every two years; and

(ii) not reappoint a member for more than two consecutive terms.

(3) If a vacancy occurs in the membership for any reason, the replacement shall be appointed by the board for the unexpired term.

(4) (a) Each January, the committee shall organize and select one of its members as chair and one member as vice chair.

(b) The committee may organize standing or ad hoc subcommittees, which shall operate in accordance with guidelines established by the committee.

(5) (a) The chair shall convene a minimum of four meetings per year.

(b) The chair may call special meetings.

(c) The chair shall call a meeting upon request of five or more members of the

HB0084S04 compared with HB0084S03

committee.

(6) Five members of the committee constitute a quorum for the transaction of business, and the action of a majority of the members present is the action of the committee.

(7) A member may not receive compensation or benefits for the member's service.

(8) The PSAP advisory committee shall, on behalf of stakeholders, make recommendations to the director and the board regarding:

(a) the authority operations and policies;

(b) the 911 division and interoperability division strategic plans;

(c) the operation, maintenance, and capital development of the public safety communications network;

(d) the authority's administrative rules relative to the 911 division and the interoperability division; and

(e) the development of minimum standards and best practices as described in Subsection 63H-7a-302(1)(a).

(9) No later than September 30, 2020, the PSAP advisory committee shall propose to the board a statewide CAD-to-CAD call handling and 911 call transfer protocol.

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

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

(b) The committee shall:

(i) at least 24 hours before a committee meeting, post a notice of the meeting, with a meeting agenda, on the authority's website;

(ii) within 10 days after a committee meeting, post to the authority's website the audio and draft minutes of the meeting; and

(iii) within three days after the committee approves minutes of a committee meeting, post the approved minutes to the authority's website.

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

(12) On or before December 31, 2024, the PSAP advisory committee shall coordinate with the State Bureau of Investigation to use the intelligence system described in Subsections 53-10-302(7) and (8) to:

HB0084S04 compared with HB0084S03

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

(b) create a format for submitting information.

Section ~~{34}~~45. Section **63I-2-253 (Superseded 07/01/24)** is amended to read:

63I-2-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.

(1) Section 53-1-118 is repealed on July 1, 2024.

(2) Section 53-1-120 is repealed on July 1, 2024.

(3) Section 53-7-109 is repealed on July 1, 2024.

(4) Section 53-22-104~~{1}~~ is repealed December 31, ~~{2023}~~2025.

~~(5)~~2023.

(5) Section 53-22-104.1, School Security Task Force -- Membership -- Duties -- Per diem -- Report -- Expiration, is repealed December 31, 2025.

(6) Section 53-22-104.2, School Security Task Force Education Advisory Board, is repealed December 31, 2025.

~~{5}~~(7) Section 53B-6-105.7 is repealed July 1, 2024.

~~{6}~~(8) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July 1, 2023.

~~{7}~~(9) Section 53B-8-114 is repealed July 1, 2024.

~~{8}~~(10) The following provisions, regarding the Regents' scholarship program, are repealed on July 1, 2023:

(a) in Subsection 53B-8-105(12), the language that states, "or any scholarship established under Sections 53B-8-202 through 53B-8-205";

(b) Section 53B-8-202;

(c) Section 53B-8-203;

(d) Section 53B-8-204; and

(e) Section 53B-8-205.

~~{9}~~(11) Section 53B-10-101 is repealed on July 1, 2027.

~~{10}~~(12) Subsection 53E-1-201(1)(s) regarding the report by the Educational Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

~~{11}~~(13) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee evaluation and recommendations, is repealed January 1, 2024.

HB0084S04 compared with HB0084S03

~~[(12)]~~1(14) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed July 1, 2024.

~~[(13)]~~1(15) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

~~[(14)]~~1(16) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is repealed July 1, 2024.

~~[(15)]~~1(17) Section 53F-5-221, regarding a management of energy and water pilot program, is repealed July 1, 2028.

~~[(16)]~~1(18) Section 53F-9-401 is repealed on July 1, 2024.

~~[(17)]~~1(19) Section 53F-9-403 is repealed on July 1, 2024.

~~[(18)]~~1(20) On July 1, 2023, when making changes in this section, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Section 36-12-12, make corrections necessary to ensure that sections and subsections identified in this section are complete sentences and accurately reflect the office's perception of the Legislature's intent.

Section ~~35~~46. Section **63I-2-253 (Effective 07/01/24)** is amended to read:

63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.

(1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed July 1, 2024.

(2) Section 53-1-118 is repealed on July 1, 2024.

(3) Section 53-1-120 is repealed on July 1, 2024.

(4) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1, 2024.

(5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 53-2d-702(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not

HB0084S04 compared with HB0084S03

paid by the patient's health insurer; and".

(6) Section 53-7-109 is repealed on July 1, 2024.

(7) Section 53-22-104~~(1)~~ is repealed December 31, ~~{2023}~~ 2025.

~~(8)~~ 2023.

(8) Section 53-22-104.1, School Security Task Force -- Membership -- Duties -- Per diem -- Report -- Expiration, is repealed December 31, 2025.

(9) Section 53-22-104.2, School Security Task Force Education Advisory Board, is repealed December 31, 2025.

~~(8)~~ (10) Section 53B-6-105.7 is repealed July 1, 2024.

~~(9)~~ (11) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July 1, 2023.

~~(10)~~ (12) Section 53B-8-114 is repealed July 1, 2024.

~~(11)~~ (13) The following provisions, regarding the Regents' scholarship program, are repealed on July 1, 2023:

(a) in Subsection 53B-8-105(12), the language that states, "or any scholarship established under Sections 53B-8-202 through 53B-8-205";

(b) Section 53B-8-202;

(c) Section 53B-8-203;

(d) Section 53B-8-204; and

(e) Section 53B-8-205.

~~(12)~~ (14) Section 53B-10-101 is repealed on July 1, 2027.

~~(13)~~ (15) Subsection 53E-1-201(1)(s) regarding the report by the Educational Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

~~(14)~~ (16) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee evaluation and recommendations, is repealed January 1, 2024.

~~(15)~~ (17) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed July 1, 2024.

~~(16)~~ (18) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

~~(17)~~ (19) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is repealed July 1, 2024.

HB0084S04 compared with HB0084S03

~~[(18)]~~ [(20)] Section 53F-5-221, regarding a management of energy and water pilot program, is repealed July 1, 2028.

~~[(19)]~~ [(21)] Section 53F-9-401 is repealed on July 1, 2024.

~~[(20)]~~ [(22)] Section 53F-9-403 is repealed on July 1, 2024.

~~[(21)]~~ [(23)] On July 1, 2023, when making changes in this section, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Section 36-12-12, make corrections necessary to ensure that sections and subsections identified in this section are complete sentences and accurately reflect the office's perception of the Legislature's intent.

Section ~~[(36)]~~ 47. Section **76-10-505.5** is amended to read:

76-10-505.5. Possession of a dangerous weapon, firearm, or short barreled shotgun on or about school premises -- Penalties.

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

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

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

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

(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;

HB0084S04 compared with HB0084S03

(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}~~actor is as an armed school security guard as described in Section 53G-8-704; ~~{}~~ or

~~{}~~ (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}~~an actor from securely storing a firearm on the grounds of a school if the ~~{person}~~actor:

(i) participates in the school guardian program created in Section 53-22-105; and

(ii) complies with the requirements for securely storing the firearm ~~{described in Subsection 53-22-105(5)(a)}.~~

Section ~~{37}~~48. **Repealer.**

This bill repeals:

Section **53G-8-703.2, LEA establishment of SRO policy -- Public comment.**

Section ~~{38}~~49. **Effective date.**

This bill takes effect on July 1, 2024.