



# H.B. 84, 5<sup>th</sup> Substitute School Safety Amendments

Bill Summary | Prepared for Rep. Wilcox | February 27, 2024

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This document summarizes the key provisions of [H.B. 84, School Safety Amendments, 5<sup>th</sup> Substitute](#). In this document, "LEA" refers to **local education agency**, which includes school districts and charter schools.

## Updates in H.B. 84, 5<sup>th</sup> Substitute

- Updates membership for the School Security Task Force and Education Advisory Board, created to advise the School Security Task Force.
- Allows an LEA governing board to see the results of a school safety needs assessment, otherwise protected under the Government Records Access and Management Act (GRAMA).
- Adds appropriations and intent language to the bill.
- Makes technical and conforming changes.

## Updates in H.B. 84, 4<sup>th</sup> Substitute

*Adopted February 26, 2024*

### *School Safety Needs Assessments and Approved Alternatives to School Safety Personnel Requirements*

- Requires every school to conduct a school safety needs assessment by December 31, 2024 and submit the results to the state security chief.
- Schools use the results to determine which type of armed security personnel they will utilize.
- Based on the results of the needs assessment, any school may seek an approved alternative from the state security chief for any of the school safety personnel requirements.

### *School Safety and Support Grants (53F-5-220)*

- Provides additional funding for the School Safety and Support Grant Program, which provides grants for schools to address safety and security needs.
- Directs the co-chairs of the School Security Task Force to convene a subcommittee to review grant applications and make recommendations for grant award prioritization based on needs identified in the school safety needs assessments.
- A subcommittee of the School Security Task Force will Directs the chairs to

### *Bullying Incidents and Action Plans*

- Adds provisions about bullying, cyber-bullying, hazing, or retaliation incidents in schools, including requiring LEAs to create action plans for incidents.
- When a student threatens suicide or is involved in an incident, the school must maintain records that school has notified the student's parents and tracks implementation of the action plan to address the incident.



## Local Education Agencies (LEAs) and Public Schools

### School Safety and Security Assessments

*53G-8-702.5*

Every school must conduct a school safety needs assessment by December 31, 2024 to determine needs and deficiencies in the following areas:

- Armed school safety personnel appropriate for the school, including necessary supports and training.
- Physical building security, including needed updates for facilities and safety technology.
- The school's current threat and emergency response protocols, including agreements with local law enforcement.

Each school's school safety specialist and the county security chief or local law enforcement conduct the assessment and report results to the state security chief and school safety center.

### Required School Safety Personnel and Approved Alternatives

*53-22-102(3); 53G-8-701.5*

This bill requires the following school safety personnel at schools and LEAs:

- A school safety and security director at each LEA.
- A school safety and security specialist at each school.
- Based on the results of the school safety needs assessment, one of the following armed security personnel at each school: school resource officer, school guardian, or contract security guards.

**Any school may seek an alternative to any aspects of these school safety personnel requirements from the state security chief.** The state security chief will consider the following in the application and decision process:

- School Population.
- Geographic location.
- Other issues raised by the school.
- Staffing
- Available funding.

### School Safety and Security Director

*53G-8-701.5(2)(b) and (c); 53G-8-701.8*

Each LEA must have a school safety and security director, responsible for the following:

- Serve as a point of contact for the county security chief, local law enforcement, the state security chief, and school safety and security specialists in the district.
- Collaborate and maintain communications with various school and district employees, local law enforcement, the county security chief, and school-based mental health professionals.
- Participate in all trainings required for guardians and contract security guards.
- May temporarily fill in for an SRO, school guardian, or armed security guard.
- This position does not have law enforcement authority but may take action to prevent or abate an active threat and temporarily detain someone in specific circumstances.
- Participate on the multidisciplinary team conducting behavior threat assessment.



## School Safety and Security Specialist

*53G-8-701.6*

[H.B. 61](#) (2023) created the school safety specialist position and requires each public school to have one. This bill renames the position and provides greater guidance for job responsibilities.

- Responsible for coordinating safety and security activities at the school.
- Conduct a building safety assessment annually.
- Monitor and report issues with facilities or implementation of school safety and security practices.
- Participate on the multidisciplinary team conducting behavior threat assessment.
- Coordinate with local first responder agencies on safety and security drills.
- Coordinate required staff training on school safety issues.

## Armed Security Personnel Options

*School Resource Officer (SRO) (53G-8-702; 53G-8-703)*

LEAs currently may contract with a local law enforcement agency for SRO services; existing code outlines multiple provisions for SROs.

This bill makes the following updates:

- Training for school personnel and SROs: Existing law requires the Utah State Board of Education (USBE) to provide a training program for school principals, personnel, and school resource officers (SROs). This bill would update the requirements for this training, including:
  - Require this training annually for a minimum amount of time determined by the state security chief.
  - Require all school safety personnel to attend the training.
  - Update topics that must be covered in the training.
- Contracts for SRO services: An LEA or a school may not require or prohibit mandatory rotations of school resource officers.

*School Guardian (53-22-105)*

Volunteer school employee approved by a school administrator who participates in required training on safety and security issues. The state security chief provides a \$500 one-time stipend.

Guardians have no law enforcement authority but may take action to prevent or abate an active threat and temporarily detain someone in some circumstances. A guardian may be removed from their position at any time by a principal, county sheriff, or state security chief.

Requirements for guardians include:

- Valid concealed carry permit.
- Training:
  - Initial training within 6 months from the county security chief on: firearms, de-escalation, coordinating with law enforcement, and administering basic trauma first aid.



- Annual, four-hour training from the county security chief or their a designee law enforcement agency on: firearm safety and storage, de-escalation tactics, mental health and incidents, and disability awareness and interactions.
- Biannual four-hour training on the school’s safety and security infrastructure and a live-action practice plan on responding to active threats.
- Successfully complete a mental health screening.
- May not be a principal, teacher, or other person who primarily works with students, except in schools with adjacent campuses or with 100 or fewer students.

*Contract Security Guards (53G-8-704)*

Security guards hired under contract with schools and LEAs. Guards must meet specific requirements and may conceal or open carry a firearm on school grounds. Requirements include:

- Valid concealed carry permit.
- Required to complete the same initial, annual, and biannual as school guardians.
- Report incidents to school administrators and others within 48 hours.
- Contracts with a school or school district must include:
  - A detailed job description.
  - Detailed information of the rights of students under state and federal law regarding information privacy, searches, questioning, and arrests.
  - Training requirements.

**Minimum Safety and Security Standards for School Facilities**

*State Security Chief: 53-22-102(3)(b) and (c)*

*County Security Chief: 53-22-103(2)*

*State board of education construction guidelines: 53E-3-702; 53E-3-706*

*Panic device: 53G-8-805*

This bill requires all new school construction and reconstruction projects to meet minimum safety and security standards established by the state security chief before occupancy, similar to fire code requirements. The state security chief will develop a schedule for existing buildings to come into compliance and may recommend that the commissioner of the Department of Public Safety revoke occupancy for facilities that do not comply.

These guidelines include, among others:

- Wearable panic button for a teacher in each classroom (Alyssa’s Law).
- Internal and external video surveillance.
- Limited entry points.
- Internal classroom door locks.
- Ballistic glass or security film on windows.
- Bleed and first aid kits.
- Periodically assess facilities and develop plans for needed improvements.

**Bullying Incidents and Action Plans**

*53G-9-602 through -607*

Requires LEAs to develop an action plan for each incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation. This should include measures to support the student to whom



the incident was directed and consequences for the student who caused the incident. This includes a communication plan for parents.

## Student Reintegration Plans

*53G-8-213*

Current law requires schools to develop a reintegration plan, including a multidisciplinary team, for students that have been arrested for, charged with, or adjudicated in the juvenile court for a violent felony.

This bill **requires the multidisciplinary team to include the school safety and security director and specialist.**

## Early Warning Systems

*53F-4-207*

Each local education agency must use a digital early warning system, which helps schools and districts identify students in need of academic assistance and other potential academic and behavioral issues within a school and district.

This bill requires all LEAs to have an early warning system and **requires those systems to include school safety violations.** LEAs may use the system selected by USBE or another system that meets criteria outlined in statute.

## Fire Code Exemptions for Communications Equipment

*15A-5-203; 15A-5-205.5*

Currently, the fire code requires certain buildings to have specific communications equipment but allows new and existing schools to be exempted from these requirements. This bill removes that exemption, thus **requiring all new and existing schools to have specific types of communications equipment.**

## Private Schools

*53-22-102(3)(b) and (c); 53G-8-701.5(4)*

- Requires private schools to comply with minimum safety and security standards for school facilities.
- Requires private schools to identify a person to act as a safety liaison with local law enforcement and the state security chief.

## State Security Chief

*53-22-102*

The state security chief position was created by [H.B. 61](#) (2023). This individual is responsible for state-level oversight of school safety and security issues, including the school guardian program and building safety and security standards.

This bill updates the responsibilities of the position to include, among others, the following new duties:

- Establish minimum building safety and security standards for all public and private schools, in coordination with the State Board of Education.



- Develop a timeline for all existing facilities to come into compliance.
  - Recommend to the commissioner of the Department of Public Safety denial or revocation of school’s occupancy permit in some circumstances.
  - Establish a process to approve the safety and security criteria the state superintendent of public instruction establishes for building inspectors.
- Oversee implementation of the school safety personnel requirements.
  - Establish an application process for approved alternatives to school safety personnel requirements.
  - Oversee the guardian program.
  - Review and approve the stat board’s SRO training program.
- Oversee the creation of the school safety trainings, protocols, and incident responses.
  - Consult with USBE to develop or establish the model critical incident response that all schools and law enforcement must use during a threat.
  - Create the official standard response protocol for schools and law enforcement to use during incidents.
- Consult with the school safety center to:
  - Create a process to receive and analyst schools’ needs assessments.
  - Establish a data reporting system.

## Law Enforcement

### Local Law Enforcement Agencies with SRO Units

*53-10-117*

Requires a law enforcement agency with an SRO unit to develop an SRO policy; requires the policy to include specific elements.

### County Sheriff and County Security Chief

*17-22-2; 53-22-103*

Current law requires each county sheriff to identify an individual in the sheriff’s office to coordinate school safety issues. This bill renames that individual the “county security chief” and outlines their responsibilities:

- With a school’s safety and security specialist, conduct the school safety needs assessment required by December 31, 2024 and conduct an annual building safety evaluation.
- Collaborate and maintain communications with each school safety and security specialist and director in the county and law enforcement agencies in the county.
- Administer the required trainings for school guardians or contract security guards, in conjunction with the police chief for the jurisdiction in which the school is located.

## Standardized Critical Incident Response

*53-22-102(3)(k); 53G-8-802; 53G-8-803*

Require every school, public and private, and first responder agency to implement the critical incident response selected by the state security chief, in consultation with USBE. The response plans must include:



- Reunification plan protocols, including a location that can be easily changed and communicated depending on the emergency type and location.
- Required components of communications plans.
- Protocols for planning and safety drills and drills required in schools.
- Standardized response protocol terminology.
- Protocols for conducting a building threat assessment during an incident.
- Establishing incident command.
- Recommendations for safety equipment in schools, including first aid supplies.
- Using panic alert devices.

## School Safety Data

*DPS, Bureau of Criminal Identification: 53-10-302(7) and (8); SafeUT Crisis Line: 53B-17-1202; School information management system: 53E-3-518(3)(a); Parent portal: 53G-6-806*

Provides school and district officials, state and local leaders, students, parents, and other community members access to information about safety issues in their local schools. The bill includes the following provisions:

- The parent portal must include school-level safety data and link to the public safety portal.
- USBE's school information management system must interface with the Department of Public Safety's statewide information and analysis center (SIAC), when appropriate, and the public safety portal.
- SafeUT and the state security chief determine SafeUT data that will be reported to the state bureau of investigation's systems.

## USBE – School Safety Center

*53G-8-802*

Renames the existing State Safety and Support Program the School Safety Center.

This program is housed at USBE and statute directs the program to, among other things: develop, in conjunction with the Office of Substance Use and Mental Health, model safety and support policies for LEAs; provide training in school safety, bullying prevention, and other safety-related issues; develop and provide to LEAs, in conjunction with the Department of Public Safety, model critical incident response training; and provide a model school climate survey.

## Mandatory Reporting for Threats of Violence Involving Schools

*53-22-106*

Individuals in a position of special trust who work with children – such as teachers, school employees, and therapists – will be **mandatory reporters for threats of violence** made against a school, school employee, or student attending a school.



These individuals must report to law enforcement, the local education agency that would be impacted, or the state security chief. The bill directs LEAs and local law enforcement agencies to coordinate on investigations.

## School Security Task Force

*53-22-104.1; 53-22-104.2*

H.B. 61 (2023) created the School Security Task Force (task force) and charged it with reviewing multiple school safety issues and developing legislation to introduce in the 2024 General Session. The task force expired on December 31, 2023.

This bill:

- Reinstates the task force for two years.
- Charges the task force with reviewing school safety issues and developing legislation as necessary.
- Creates a School Security Task Force Education Advisory Board to:
  - Review and provide input on the task force's official business.
  - Provide recommendations and suggestions for the task force's consideration.
  - Study and evaluate the policies, programs, and procedures implemented for school safety.

## Public Safety Answering Points

*53-10-302(7) and (8); 63H-7a-103; 63H-7a-208*

Directs the public safety answering points (PSAP) advisory committee to work with the Department of Public Safety and determine **what PSAP data will be shared with the SIAC.**

**Policy Analyst:** Micah Ann Wixom

**Drafting Attorney:** Jeffrey Van Hulten