**R698. Public Safety, Administration.**

**R698-13. School Safety.**

**R698-13-1. Authority.**

This rule is authorized by Section 53-22-102.

**R698-13-2. Purpose.**

This rule establishes building and safety standards for any public or private school.

**R698-13-3. Definitions.**

(1) Terms used in this rule are defined in Sections 53-1-102 and 53-22-101.

(2) In addition:

(a) "adjacent campuses" means any additional campus grounds within one-fourth of a mile that are not separated by a physical barrier or major multi-lane roadway or divided highway that are under the jurisdiction of the LEA;

(b) "campus grounds" means any area of the property under the jurisdiction of the LEA that are accessible to students during the school day;

(c) "fit to carry assessment" means a series of psychological assessments administered by a professional with Level C assessment qualifications to include:

(i) a personality assessment;

(ii) a symptoms screener;

(iii) an in-person interview; and

(iv) a reference check of at least one personal reference provided by the school guardian;

(c) "ground level" means the first floor of a structure above finished grade or the level of a building to which there is an entrance from the outside of the adjacent ground or street;

(d) "instructional area" means any location inside the campus buildings wherein instruction may occur;

(e) "managed point of entry" means an entrance into a school or classroom that is controlled by school staff or a video visitor management system that may allow remote access;

(f) "radio communication equipment" means a combination of components, radio frequency emitting devices, antennas, cables, power supplies, control circuitry, and programming installed at a specific location to improve wireless communication at that location that meets the National Fire Protection Association (NFPA) 1225 Standard for Emergency Services Communications (2022), incorporated by reference in this rule;

(g) "ballistic glass" means glass certified at a minimum level of:

(i) Underwriters Laboratories Standard UL752, Standard for Bullet-Resisting Equipment, Class Threat Level 7 (2023), incorporated by reference in this rule; or

(ii) ASTM F1233-21, Standard Test Method for Security Glazing Materials and Systems, Class R1 under Table 1, Ballistic Criteria (2021), incorporated by reference in this rule;

(h) "school" means an elementary school or secondary school that provides instruction for one or more of the grades of kindergarten through grade 12 and is:

(i) a public school as defined in Section 53G-9-205.1;

(ii) a private school; or

(iii) an online school that has a permanent physical location where students gather or receive instruction more than twice a month; and

(i) "security film" means a clear or tinted durable material applied to glass doors and windows that is virtually invisible and enhances the structural integrity of the glass by preventing it from shattering and falling to the ground when impacted by an object and meets the minimum standard established by:

(A) ASTM F3561, Standard Test Method for Forced-Entry-Resistance of Fenestration Systems After Simulated Active Shooter Attack, level 1 of Table 2, Potential Energy of Impactor and Drop Height (2023), incorporated by reference in this rule; or

(B) ASTM F1233-21, Standard Test Method for Security Glazing Materials and Systems, sequence 5 under Table 2, Forced Entry Sequence of Testing (2021), incorporated by reference in this rule.

**R698-13-4. Limited Entry Points and Windows.**

(1) Schools that have grade five to grade twelve shall establish and maintain a managed point of re-entry with proper visitor management beginning no later than ten minutes after the first bell rings until the final bell rings.

(2) Schools that have kindergarten to grade four shall establish and maintain a managed point of entry with proper visitor management beginning no later than 20 minutes before the first bell, and a secured point of entry ten minutes after the first bell until the final bell rings.

(3) Access doors, gates, and other access points that allow ingress to or egress from a school building must:

(a) operate as fully intended;

(b) remain closed and locked; and

(c) allow for emergency egress from the inside while remaining locked.

(4) Exterior ground level windows within 75 feet of an exterior entrance shall have ballistic glass or security film.

(5) Windows surrounding the interior of the classroom entrance or instructional areas shall have ballistic glass or security film.

**R698-13-5. Video Surveillance and Exterior Cameras.**

(1) A school shall install interior and exterior cameras for video surveillance of each entrance established under Section R698-13-4 in accordance with Section 53-22-102.

(2) Video recordings shall be:

(a) maintained by the school for a period of 14 days; and

(b) made available to the division upon request.

**R698-13-6. Internal Classroom Door Locks.**

(1) School classrooms and other instructional areas must be locked when occupied by students, except between class periods when students are moving between classrooms or other instructional spaces. Doors unlocked or open for any other reason must be actively staffed by a person standing or seated at the door.

(2) A school shall install an internal lock on each classroom or instructional area door that complies with Section 15A-5-205 of the State Fire Code.

(3) Classroom doors that do not satisfy the requirement in Subsection R698-13-6(2) shall remain locked while school is in session.

(4) Magnets or other methods to circumvent door locks may not be used while school is in session.

**R698-13-7. Bleed Kits and First Aid Kits.**

A school shall ensure that each classroom and large gathering areas are equipped with bleed kits and first aid kits.

(1) A bleed kit shall include:

(a) four C-A-T style tourniquets;

(b) four compressed gauze;

(c) four four inch emergency trauma dressings;

(d) four six inch emergency trauma dressings;

(e) one abdominal emergency trauma dressings;

(f) one HyFin style vent chest seal twin pack;

(g) two CPR microshields;

(h) one two inch roll of surgical tape;

(i) five pairs of large nitrile gloves;

(j) one 7.25 inch trauma shears;

(k) two permanent markers; and

(l) two survival blankets.

(2) A first aid kit shall include the following basic medical supplies:

(a) eyewash with eye pads and strip;

(b) bandages;

(c) alcohol wipes and hand sanitizer packets;

(d) burn dressing;

(e) cold pack;

(f) conforming gauze roll;

(g) one CPR face shield;

(h) first aid tape;

(i) triple antibiotic ointment and burn cream packets;

(j) nitrile exam gloves;

(k) sterile gauze pads;

(l) scissors and tweezer; and

(m) trauma pads.

**R698-13-8. Fencing Around Playgrounds.**

(1)(a) A school shall install fencing that is a minimum height of six feet tall around school playgrounds and outdoor areas where school sponsored activities may take place.

(b) Sufficient school staff observing the school playground and outdoor areas where school activities occur to ensure the area is not accessible to the public while students are present may substitute for fencing.

(2) School outdoor areas and playgrounds may be restricted from being accessed by the public during school hours or after hours as determined by the school.

**R698-13-9. Compliance Timeline for Safety and Security Standards.**

(1) Each school must comply with the safety and security standards under Sections R698-13-4 through R698-13-8;

(a) by school year 2034-2035 for limited entry points, ground level windows protected by security film or ballistic windows, and fencing playgrounds; and

(b) by school year 2029-2030 for video surveillance of entrances when school is in session, internal classroom door locks, bleed kits and first aid kits, and exterior cameras on entrances, parking areas, and campus grounds.

(2) If a school fails to comply with the safety and security standards described under Subsection R698-13-9(1), the State Security Chief shall:

(a) consult with the local governing board regarding compliance issues;

(b) establish a plan and timeline to remedy compliance issues; and

(c) if compliance issues are not remedied under Subsection R698-13-9(2)(b), recommend to the Commissioner the denial or revocation of the school's occupancy permit under Section 53-1-108.

**R698-13-10. Online School Temporary Location.**

An online school that gathers in a temporary physical location for periods of instruction longer than four hours and has more than 50 students present shall provide a law enforcement officer, armed security guard, or school guardian as provided under Section 53-22-105.

**R698-13-11. Guardian Mental Health Screening.**

(1) New school guardians must pass a fit to carry assessment before commencing their duties.

(2) Existing school guardians must participate in at least one mental health assessment provided by a mental health therapist per calendar year as part of the annual recertification requirements.

**R698-13-12. Examination of Plans and Specifications for Construction or Remodeling of a School Building.**

Plans and specifications for construction or remodeling of a school building shall be reviewed by department personnel in accordance with Section 53E-3-706.

**R698-13-13. Approval of Safety and Security Criteria for Building Inspectors.**

The State Security Chief shall coordinate with the state superintendent of public instruction to approve the safety and security criteria for building inspectors.

**R698-13-14. Required Reporting System for Public Schools to Report Threats.**

The State Security Chief shall coordinate with the Utah State Board of Education and Statewide Information and Analysis Center to report serious and non-serious threats and other data related to threat assessment.

**R698-13-15. Procedures Governing Formal Adjudicative Proceedings.**

(1) The commissioner or designee shall begin an agency action to revoke or deny a school's occupancy permit for a building if the building does not meet the standards established in this rule or the building remains non-compliant with the established standards after consultation with the local governing board.

(2) Any adjudicative proceeding initiated by the commissioner or designee to revoke or deny a school's occupancy permit shall be a formal proceeding as provided by Section 63G-4-202.

(3) Any adjudicative proceeding initiated by the commissioner or designee to revoke or deny a school's occupancy permit shall be commenced by filing of a Notice of Agency Action.

**R698-13-16. Responsive Pleadings.**

(1) The school shall file a written response with the division, signed by the school administrator or the school's attorney, within 30 days of the mailing date of the Notice of Agency Action.

(2) The written response shall comply with the requirements in Section 63G-4-204.

**R698-13-17. Scheduling a Hearing Before an ALJ.**

(1)(a) If the commissioner receives a responsive pleading from the school, a notice containing the location, date, and time for the hearing shall be issued by the commissioner.

(b) The notice of hearing shall be filed with the division and a copy sent to the school

(2) The hearing shall be held within a reasonable time after service of the responsive pleading unless a later scheduling is mutually agreed upon by the commissioner and the school.

(3) Each hearing shall be conducted by an ALJ in accordance with Section 63G-4-206.

**R698-13-18. Discovery and Subpoenas.**

(1)(a) In adjudicative proceedings parties may conduct only limited discovery.

(b) A school's right to discovery does not extend to interrogatories, requests for admissions, request for the production of documents, request for the inspection of items, or depositions.

(2) Upon request, the school is entitled to a copy of the materials contained in the division's investigative file that the division intends to use in the adjudicative proceeding. The school is only entitled to those materials after filing a written response with the division.

**R698-13-19. ALJ Decision.**

(1) Within 30 days from the date a hearing is held, the ALJ shall sign and issue a written decision that includes a statement of:

(a) the ALJ's findings of fact based exclusively on the evidence of record in the adjudicative hearing or on facts officially noted;

(b) the ALJ's conclusions of law; and

(c) the reasons for the ALJ's decision.

(2) If the ALJ determines there is insufficient evidence to find that the school violated, the matter shall be dismissed.

(3) The ALJ's decision shall be filed with the division and a copy sent to the school by mail.

**R698-13-20. Final Order.**

(1) After the ALJ has decided the matter, the commissioner shall issue a final order within 30 days of the hearing.

(2) The final order shall state the action taken by the commissioner with regard to the school's occupancy permit and shall include information on the appeal process.

(3) The action shall be effective on the date that the final order is signed by the commissioner.

**R698-13-20. Judicial Review.**

(1) A school may obtain judicial review of the council's action by filing a petition for judicial review with the Utah Court of Appeals within 30 days after the date that the final order is issued by the commissioner.

(2) The petition must meet requirements specified in Sections 63G-4-401 and 63G-4-403.

**R698-13-21. School Guardian Program.**

The school safety security specialist for each school shall inform the county security chief if the school guardian is no longer eligible to be employed by the school district or is removed from the school guardian program.

**KEY: school security, school safety**

**Date of Last Change: December 23, 2024**

**Authorizing, and Implemented or Interpreted Law: 53-1-108; 53-22-102**