

SCHOOL CLIMATE DATA AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: _____

LONG TITLE**General Description:**

This bill amends the required components for establishing and reporting data from the school climate survey.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education (state board) to:
 - establish a school climate survey;
 - make rules regarding survey logistics; and
 - report aggregated school-level survey results on the state board's parent portal;
- ▶ describes who should receive a survey;
- ▶ establishes the required components of the survey;
- ▶ requires a local education agency (LEA) to distribute and collect data from the survey; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

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

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

Section 1. 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) "Evidence-based" means a program, policy, or initiative that is grounded in empirical data and scientifically supported.

[~~(2)~~] (3) "Law enforcement officer" means the same as that term is defined in Section **53-13-103**.

[~~(3)~~] (4) "Program" means the State Safety and Support Program established in Section **53G-8-802**.

(5) "School climate" means the school environment consisting of physical facilities, policies, practices, and resources of an educational setting where a student attends.

(6) "School safety" means measures and practices implemented to safeguard the mental and physical well-being and security of individuals within a public school system.

(7) "Statistically sound" means a methodology or analysis that adheres to established statistical principles and practices, ensuring reliability, validity, and accuracy of the resulting data.

(8) "Student engagement" means the level of participation and intrinsic interest that a student shows in school.

Section 2. Section **53G-8-802** is amended to read:

53G-8-802. State School Safety Center -- State board duties -- LEA duties.

(1) There is created the State School Safety [~~and Support Program~~] Center.

(2) The state board shall:

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

(i) evidence-based procedures for the assessment of and intervention with an individual

whose behavior poses a threat to school safety;

- (ii) procedures for referrals to law enforcement; and
- (iii) procedures for referrals to a community services entity, a family support organization, or a health care provider for evaluation or treatment;

(b) provide training:

- (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 make available to an LEA a model critical incident response training program that includes:
 - (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;

(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) 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]~~

(i) establish a selected school climate survey that:

(i) surveys school community stakeholders including:

(A) elementary and secondary students as defined by the board in rule;

(B) parents of students;

(C) instructional staff at a school; and

(D) non-instructional staff at a school including a school resource officer;

(ii) measures the following school climate indicators:

(A) student engagement;

(B) school safety; and

(C) school environment;

(iii) surveys each stakeholder regarding if:

(A) a student is learning what the student should be learning in school;

(B) a student or other stakeholder is happy attending school; and

(C) a student or other stakeholder feels safe when at school;

(iv) is anonymous;

(v) is evidence-based and statistically sound; and

(vi) allows an LEA to add LEA-specific questions without removing the state board required survey questions;

(j) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules for the school climate survey requiring:

(i) the distribution method;

(ii) frequency; and

(iii) required minimum sample size; and

~~[(j)]~~ (k) collect;

(i) [aggregate data and] school climate survey results from each LEA[-];

(ii) disaggregated school climate survey results as determined by the board including sub-group populations; and

(iii) subject to the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g, report school climate survey results for each school in the Utah Data Gateway portal.

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

(4) ~~[The state board shall require an LEA to]~~ An LEA shall:

(a) distribute the selected school climate survey described in Subsection (2)(i); and

(b) provide the state board with the aggregate data resulting from the school climate survey for each school within the LEA;

~~[(a)]~~ (c) (i) review [data from] the [state board-facilitated surveys containing school climate] selected school climate survey data for each school within the LEA; and

(ii) based on the review described in Subsection ~~[(4)(a)(i):]~~ (4)(c)(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):]~~ (4)(c)(ii)(B);

~~[(b)]~~ (d) 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)]~~ (e) [report to the state board:] provide assurances of compliance with this part to the state board through the state board's annual assurances process.

152 ~~[(i) no later than August 1, 2023, on the LEA's plan adopted under Subsection~~
153 ~~(4)(a)(ii)(B); and]~~
154 ~~[(ii) after August 1, 2023, annually on the LEA's implementation of the plan and~~
155 ~~progress:]~~

156 (f) if survey participation is low:
157 (i) work with the state board to review survey policies and procedures; and
158 (ii) receive professional development from the state board to help increase survey
159 response rates.

160 (5) The state board shall audit an LEA's compliance with the requirements of this
161 section.

162 Section 3. **Effective date.**

163 This bill takes effect on July 1, 2024.