

R277-400 received final approval by the Utah State Board of Education on May 4, 2023. R277-400 will be published in the June 1, 2023, Utah State Bulletin, subject to a 30-day comment period, with a planned effective date of July 10, 2023.

## **R277. Education, Administration.**

### **R277-400. School Facility Emergency and Safety.**

#### **R277-400-1. Authority and Purpose.**

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board; and

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

(2) The purpose of this rule is to:

(a) establish general criteria for emergency preparedness and emergency response plans; and

(b) direct an LEA to:

(i) develop prevention, intervention, and response measures; and

(ii) prepare staff and students to respond promptly and appropriately to school emergencies; and

(c) protect the health and safety of all students.

#### **R277-400-2. Definitions.**

(1) "Active threat" means any incident which creates an immediate threat or imminent danger to the school campus community, facilities and transportation systems.

([1]2) "Crisis" means an event that leads to physical or emotional distress;

([2]3) "Crisis Response" means a protocol for the actions to take and individuals to involve following a crisis event.

(4) "Developmentally appropriate" means adapted to what a student is able to do chronologically, cognitively, physically, or emotionally.

([3]5) "Elementary School" means a school with grades K-6.

([4]6) "Emergency" means a natural or man-made disaster, accident, act of war, or other circumstance that could reasonably endanger the safety of school children or disrupt the operation of the school.

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([5]7) "Emergency Preparedness Plan" means policies and procedures developed to promote the safety and welfare of students, protect school property, or regulate the operation of schools during an emergency occurring within an LEA or a school.

([6]8) "Emergency Response Plan" means a plan developed by an LEA or a school to prepare and protect students and staff in the event of school violence emergencies.

(9) "Evidence-based" has the same meaning as defined in Subsection 53G-11-303(1)(a).

(10) "Evidence-informed" has the same meaning as defined in Subsection 53G-11-303(1)(b).

([7]11) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

([8]12) "Plan[~~s~~]" means an LEA's or a school's emergency preparedness and emergency response plan.

([9]13) "Safe Messaging" means strategies and styles for communicating about the topic of suicide.

([10]14) "SafeUT" means the crisis line established in Section 53B-17-1202[;].

(15) "School safety specialist" means a school employee who is responsible for supporting school safety initiatives, including the threat assessment described in Subsection 53G-8-802(2)(g)(i).

([14]16) "Secondary School" means a school with any of the grades 7-12.

(17) "Threat assessment" means a prevention strategy that involves:

(a) identifying threats;

(b) determining the seriousness of the threat; and

(c) developing intervention plans that address the threat.

### **R277-400-3. Establishing LEA Emergency Preparedness and Emergency Response Plans.**

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(1) By July 1 of each year, an LEA shall certify to the Superintendent that the LEA's emergency preparedness and emergency response plan has been:

(a) practiced at the school level; and  
(b) presented to and reviewed by its teachers, administrators, students and ~~[guardians]~~parents, local law enforcement, and public safety representatives consistent with Subsection 53G-4-402(18).

(2)(a) An LEA's plans shall be designed to meet individual school needs and features.

(b) An LEA may direct schools within the LEA to develop and implement individual plans.

(3)(a) An LEA shall appoint a committee to prepare or modify plans to satisfy this Rule R277-400 and Section 53G-4-402(18).

(b) The committee shall consist of appropriate school and community representatives, which may include:

- (i) school and LEA administrators;
- (ii) teachers;
- (iii) parents;
- (iv) community and municipal governmental officers; and
- (v) fire and law enforcement personnel.

(c) The committee shall include governmental agencies and bodies vested with responsibility for directing and coordinating emergency services on local and state levels.

(4) An LEA shall review plans at least once every three years.

(5) The Superintendent shall develop Emergency Response Plan models under Subsection 53G-4-402(18)(c).

#### **R277-400-4. Notice and Preparation.**

(1) Each school shall file a copy of plans required by this Rule R277-400 with the LEA superintendent or charter school director.

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(2) At the beginning of each school year, an LEA or school shall provide a written notice to parents and staff of sections of an LEA's and school's plans that are applicable to that school.

(3) A school shall designate an Emergency Preparedness/Emergency Response week each year before April 30 which shall have activities that may include:

- (a) community, student and teacher awareness;
- (b) emergency preparedness or active threat response training; or
- (c) other activities as outlined in Sections R277-400-7 and R277-400-8.

(4) A school's emergency response plan shall include procedures to notify students, to the extent practicable, who are off campus at the time of a school violence emergency consistent with Subsection 53G-4-402(18)(b)(v).

#### **R277-400-5. Plan Content--Educational Services and Student Supervision and Building Access.**

(1) An LEA's or a school's plan shall include:

(a) procedures to ensure reasonably adequate educational services and supervision are provided for during an emergency including an extended emergency situation;

(b) evacuation procedures that provide reasonable care and supervision of a student until the student is released to a responsible party.

(i) An LEA or school shall not release a student grade 8 or below unless a parent or other responsible person has been notified and assumed responsibility for the student.

(ii) A school official may release a student grade 9 and above without such notification if authorized by the LEA or school and the school official determines:

- (A) the student is reasonably responsible; and
- (B) notification is not practicable.

(c)(i) as determined by a local board or governing authority, procedures regarding access to public school buildings by:

- (A) students;

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(B) community members;

(C) lessees;

(D) invitees; and

(E) others.

(ii) procedures regarding access:

(A) may include restricted access for some individuals;

(B) shall address building access during identified time periods; and

(C) shall address possession and use of school keys by designated

administrators and employees.

(d) resources and materials available for emergency training for an LEA's employees.

#### **R277-400-6. Emergency Preparedness Training for School Occupants.**

(1) An LEA's or a school's plan shall include standard response protocols and shall provide procedures for [a student]students and adults to receive developmentally appropriate and age-appropriate emergency preparedness training including:

(a) rescue techniques;

(b) first aid;

(c) safety measures appropriate for specific emergencies; and

(d) other emergency skills.

~~[(2) During each school year, an elementary school shall conduct emergency drills at least once each month during school time.]~~

~~[(3)2] An LEA shall [alternate one of the following practices or]conduct emergency and fire drills [with required fire drills]in accordance with Section 15A-5-202.5.[:~~

~~——(a) shelter in place;~~

~~——(b) earthquake;~~

~~——(c) lock down or lock out for violence;~~

~~——(d) bomb threat;~~

~~——(e) civil disturbance;~~

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- ~~\_\_\_\_\_ (f) flood;~~
- ~~\_\_\_\_\_ (g) hazardous materials spill;~~
- ~~\_\_\_\_\_ (h) utility failure;~~
- ~~\_\_\_\_\_ (i) wind or other types of severe weather;~~
- ~~\_\_\_\_\_ (j) parent and student reunification;~~
- ~~\_\_\_\_\_ (k) shelter and mass care for natural and technological hazards; or~~
- ~~\_\_\_\_\_ (l) an emergency drill appropriate for the particular school location.~~
- ~~\_\_\_\_\_ (4)(a) Fire drills shall include the complete evacuation of all persons from the school building or the portion of the building used for educational purposes.~~
- ~~\_\_\_\_\_ (b) An LEA or a school may make an exception for the staff member responsible for notifying the local fire emergency contact and handling emergency communications.~~
- ~~\_\_\_\_\_ (5) Each school shall have one fire drill in the first 10 days of the regular school year and one fire drill every other month during the school year.~~
- ~~\_\_\_\_\_ (6) A secondary school shall conduct all drills in accordance with Section 15A-5-202.5~~
- ~~\_\_\_\_\_ (7) An LEA shall notify the local fire department prior to each fire drill if notice is required by the local fire chief.~~
- ~~\_\_\_\_\_ (8) When a fire alarm system is provided, an LEA shall initiate by activation of the fire alarm system.~~
- ~~\_\_\_\_\_ (9) Schools that include both elementary and secondary grades in the school shall comply with the elementary emergency drill requirements.~~
- ~~\_\_\_\_\_ (10) In cooperation with the LEA's local law enforcement agency, an LEA shall:~~
  - ~~\_\_\_\_\_ (a) establish a parent and student reunification plan for each school within the LEA;~~
  - ~~\_\_\_\_\_ (b) as part of the LEA's registration and enrollment process, annually provide parents a summary of parental expectations and notification procedures related to the LEA's parent and student reunification plan; and~~
  - ~~\_\_\_\_\_ (c) require each school within the LEA to publish the information described in Subsection (10)(b) on the school's website.]~~

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#### **R277-400-7. Emergency Response Review and Coordination.**

(1) For purposes of emergency response review and coordination an LEA shall:

(a) provide an annual training for LEA and school building staff regarding an employee's roles, responsibilities, and priorities in the emergency response plan.

~~[(b) require a school to conduct at least one annual drill for school emergencies in addition to the drills required under Section 15A-5-202.5 and R277-400-6 by October 4.]~~

~~[(b)]~~ require a school to review existing security measures and procedures within the school and make necessary adjustments as funding permits.

~~[(c)]~~ develop standards and protections for participants and attendees at school-related activities, especially school-related activities off school property.

(2) An LEA or school shall coordinate with local law enforcement and other public safety representatives in appropriate drills for school safety emergencies.

#### **R277-400-8. Prevention and Intervention.**

(1)(a) Each k-12 public school shall implement an evidence-based threat assessment that provides a process for multi-disciplinary teams to determine the severity of a threat and what course of action to take.

(b) Each k-12 public school shall utilize a multi-disciplinary team that may:

(i) review school safety related data;

(ii) consult on case-specific interventions and disciplinary actions;

(iii) use threat assessment outcomes to inform the disciplinary process;

(iv) involve parents in the intervention process; and

(v) suggest referrals to evidence-informed resources as appropriate.

(2) An LEA's multi-disciplinary team shall include a school administrator and other individuals as determined by the LEA to meet the school's needs, which may include:

(a) a school resource officer or local law enforcement officer;

(b) a mental health professional; and

(c) a classroom teacher.

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(3) In developing student assistance programs, an LEA may coordinate with other agencies and the Superintendent.

(4) Each k-12 public school shall designate a school safety specialist who:

(a) is employed at the school;

(b) attends relevant school safety specialist training provided by the Superintendent; and

(c) supports the school administration with implementing school safety policy, initiatives, training, and programs.

~~([4]5)~~ An LEA shall provide a school comprehensive violence prevention and intervention strategies as part of a school's regular curriculum including:

(a) resource lessons and materials on anger management;

(b) conflict resolution; and

(c) respect for diversity and other cultures.

~~([2]6)~~ As part of a violence prevention and intervention strategy in ~~[s]~~Subsection ~~([4]5)~~, a school may provide age-appropriate instruction on firearm safety including appropriate steps to take if a student sees a firearm or facsimile in school.

~~([3]7)~~ An LEA shall also develop or incorporate tiered student assistance programs to the extent resources permit~~;~~.

~~[(a) care teams;~~

~~(b) tiered student assistance programs;~~

~~(c) social-emotional learning;~~

~~(d) support though multi-disciplinary teams, such as care teams, that may:~~

~~(i) review school safety related data;~~

~~(ii) conduct threat assessments;~~

~~(iii) consult on case-specific interventions and disciplinary actions;~~

~~(iv) involve parents in the intervention process; and~~

~~(v) suggest referrals to resources as appropriate;~~

~~(4) An LEA's multi-disciplinary school team as described in Subsection R277-400-8(3) may include:~~

~~(a) administration personnel;~~



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- ~~—— (b) local law enforcement or a school resource officer;~~
- ~~—— (c) a mental health professional; and~~
- ~~—— (d) a general education or special education teacher.~~
- ~~—— (5) In developing student assistance programs, an LEA may coordinate with other state agencies and the Superintendent.]~~

#### **R277-400-9. School and Individual Crisis Response Protocol.**

- (1) An LEA shall be able to respond to a school or community crisis by:
  - (a) developing a staff notification process to inform staff of a crisis in a timely manner;
  - (b) identifying and keeping record of:
    - (i) crisis response professionals who may assist in crisis response; and
    - (ii) resources and community partnerships for follow-up or intensive care after a crisis.
  - (c) adopting a student and parent notification policy that utilizes safe messaging; and
  - (d) establishing a multi-disciplinary team as described in Subsection R277-400-8(3) to identify interventions for students who may be highly impacted by a crisis.
- (2) If an LEA has implemented SafeUT, the LEA shall identify one or more SafeUT liaisons who:
  - (a) provide information from SafeUT to relevant stakeholders;
  - (b) communicate with SafeUT concerning updates and feedback; and
  - (c) attend an annual SafeUT training provided by the Superintendent.

#### **R277-400-10. Cooperation With Governmental Entities.**

- (1) As appropriate, an LEA may enter into cooperative agreements with other governmental entities to establish proper coordination and support during emergencies.
- (2)(a) An LEA shall cooperate with other governmental entities to provide emergency relief services.

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(b) An LEA's or a school's plans shall contain procedures for assessing and providing the following for public emergency needs:

- (a) school facilities;
- (b) equipment; and
- (c) personnel.

(3) A plan shall delineate communication channels and lines of authority within the LEA, city, county, and state.

(a) The Superintendent, is the chief officer for emergencies involving more than one LEA, or for state or federal assistance; and

(b) A local governing board, through its superintendent or director, is the chief officer for an LEA emergencies.

#### **R277-400-11. Fiscal Accountability.**

(1) An LEA or a school plan shall address procedures for recording an LEA's funds expected for:

- (a) emergencies;
- (b) assessing and repairing damage; and
- (c) seeking reimbursement for emergency expenditures.

#### **R277-400-12. School Carbon Monoxide Detection.**

(1) A new educational facility shall have a carbon monoxide detection system installed consistent with International Fire Code (IFC), Chapter 9, Sections 915 through 915.4.5

(2) An existing educational facility shall have a carbon monoxide detection system installed consistent with International Fire Code (IFC), Chapter 11, Section 1103.9.

(3) Where required, an LEA shall provide a carbon monoxide detection system where a fuel-burning appliance, a fuel-burning fireplace, or a fuel-burning forced air furnace is present consistent with IFC 915.1.

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(4) An LEA shall install each carbon monoxide detection system consistent with NFPA 720 and the manufacturer's instructions, and listed systems as complying with UL 2034 and UL 2075.

(5) An LEA shall install each carbon monoxide detection system in the locations specified in NFPA 720.

(6) A combination carbon monoxide smoke detector is an acceptable alternative to a carbon monoxide detection system if the combination carbon monoxide<sup>[A]</sup> and smoke detector is listed consistent with UL 2075 and UL 268.

(7)(a) Each carbon monoxide detection system shall receive primary power from the building wiring if the wiring is served from a commercial source.

(b) If primary power is interrupted, a battery shall provide each carbon monoxide detection system with power.

(c) The wiring for a carbon monoxide detection system shall be permanent and without a disconnecting switch other than that required for over-current protection.

(8) An LEA shall maintain all carbon monoxide detection systems consistent with IFC 915 and NFPA 720.

(9) Performance-based alternative design of carbon monoxide detection systems is acceptable consistent with NFPA 720, Section 6.5.5.6.

(10) An LEA shall monitor carbon monoxide detection systems remotely consistent with NFPA 720.

(11) An LEA shall replace a carbon monoxide detection system that becomes inoperable or begins to produce end-of-life signals.

**KEY: carbon monoxide detectors, emergency preparedness, disasters, safety education**

**Date of Last Change: 2023~~[January 22, 2020]~~**

**Notice of Continuation: February 8, 2019**

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-4-402(1)(b)**