



# NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

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**SECTION:** C – General Administration  
**POLICY TITLE:** Firearms  
**FILE No.:** CK  
**DATED:** April 17, 2025

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### **1. PURPOSE AND PHILOSOPHY**

- 1.1. Nebo School District is committed to providing a safe environment for all students, staff, and community members. The safety of students and staff is of paramount importance and is essential for effective teaching and learning.
- 1.2. This policy outlines prohibited and permitted uses of firearms on District property.

### **2. FIREARMS GENERALLY PROHIBITED**

- 2.1. The federal Gun-Free School Zones Act of 1990, as amended, [18 U.S.C. § 922\(g\)](#), generally prohibits possession and discharge of a firearm on or near a school zone, with limited exceptions, some of which are outlined in this policy.
- 2.2. Utah law prohibits the possession of a firearm on or about school premises unless specifically excepted by law. [UTAH CODE ANN. § 76-10-505.5](#).

### **3. SCHOOL GUARDIAN PROGRAM**

- 3.1. Under [UTAH CODE ANN. § 53-22-105](#), an employee who completes all required training, permit, screening, and other requirements outlined in Utah law may be approved by the school principal as a school guardian.
- 3.2. A school guardian does not include a principal, teacher, or individual whose primary responsibilities require presence in the classroom to teach, care for, or interact with student. Exceptions may be made under Utah law based on student enrollment at a particular school.
- 3.3. A school guardian is a school employee who volunteers for the program. A school guardian must meet the following requirements:
  - 3.3.1. Have a valid concealed carry permit;
  - 3.3.2. Successfully complete the recommended mental health screening;
  - 3.3.3. Successfully complete the School Guardian Training Program requirements outlined in Utah law; and
  - 3.3.4. Be approved by the school principal.
- 3.4. A school guardian:

- 3.4.1. may store the school guardian's firearm on the grounds of a school only if:
  - 3.4.1.1. the firearm is stored in a biometric gun safe;
  - 3.4.1.2. the biometric gun safe is located in the school guardian's office; and
  - 3.4.1.3. the school guardian is physically present on the grounds of the school while the firearm is stored in the safe; and
- 3.4.2. shall carry the school guardian's firearm in a concealed manner; and
- 3.4.3. may not, unless during an active threat, display or open carry a firearm while on school grounds.
- 3.5. A school guardian:
  - 3.5.1. does not have authority to act in a law enforcement capacity; and
  - 3.5.2. may, at the school where the school guardian is employed:
    - 3.5.2.1. take actions necessary to prevent or abate an active threat; and
    - 3.5.2.2. 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 [UTAH CODE ANN. § 76-2-402](#).
- 3.6. A school guardian who has active status in the guardian program is not liable for any civil damages or penalties if the school guardian:
  - 3.6.1. when carrying or storing a firearm:
    - 3.6.1.1. is acting in good faith; and
    - 3.6.1.2. is not grossly negligent; or
  - 3.6.2. threatens, draws, or otherwise uses a firearm reasonably believing the action to be necessary in compliance with [UTAH CODE ANN. § 76-2-402](#).
- 3.7. The designation of a school employee as a school guardian is protected information. An individual who intentionally or knowingly provides the information regarding the identity of a school guardian to an unauthorized individual or entity is guilty of a class B misdemeanor.

#### 4. EDUCATOR-PROTECTOR PROGRAM

- 4.1. Under [UTAH CODE ANN. § 53-22-107](#), an educator who completes all required training, permit, and other requirements outlined in Utah law may participate in Utah's Educator-Protector Program.
- 4.2. To participate in the program, a teacher must have a valid Utah concealed firearm permit and complete all required program trainings under Utah law.
- 4.3. A teacher participating in the program:
  - 4.3.1. may store the teacher's firearm on the grounds of a school only if:
    - 4.3.1.1. the firearm is stored in a biometric gun safe;
    - 4.3.1.2. the biometric gun safe is located in the teacher's classroom or office; and
    - 4.3.1.3. the teacher is physically present on the grounds of the school while the firearm is stored in the biometric gun safe; and

- 4.3.2. shall carry the teacher's firearm in a concealed manner unless during an active threat.
- 4.4. A teacher who has active status in the program is not liable for any civil damages or penalties if the teacher:
- 4.4.1. when carrying or storing a firearm:
    - 4.4.1.1. is acting in good faith; and
    - 4.4.1.2. is not grossly negligent; or
  - 4.4.2. threatens, draws, or otherwise uses a firearm reasonably believing the action to be necessary in compliance with [UTAH CODE ANN. § 76-2-402](#).
- 4.5. Information detailing a teacher's participation in the educator-protector program is protected. An individual who intentionally or knowingly provides the information regarding the identity of a school guardian to an unauthorized individual or entity is guilty of a class A misdemeanor.

## 5. CONCEALED FIREARM PERMITS

- 5.1. A person who is at least 21 years old may possess a firearm on school grounds under Utah's Concealed Firearm Act, [UTAH CODE ANN. § 53-5-701, et seq.](#) Public schools do not have authority to govern, control, or monitor concealed firearm permit holders on school property. This applies to both employees and patrons. Except as provided in paragraph 7.2, Nebo School District maintains a neutral position with regards to concealed firearm permit holders.
- 5.2. Under [UTAH CODE ANN. § 53-5-710](#), no person under the age of 21, regardless of permit, may carry a firearm on or about school premises, concealed or otherwise. Employees found to be in violation of this provision are subject to disciplinary action up to and including termination.
- 5.3. Except for school guardians and educator-protectors, as described in sections 2 and 3, employees who carry a concealed firearm on school property do so in their personal capacity, and as such, are acting outside the scope of their employment. This means that if any damages or liabilities occur as a result of the employee carrying a concealed firearm, the employee is personally liable. There is no coverage or indemnification by Nebo School District or Utah State Risk Management for any such damages or liabilities.
- 5.4. Concealed firearm permit holders are bound by the parameters of Utah law in regards to carrying a concealed firearm. Any employee or patron who carries a concealed firearm on school property must strictly comply with the law, which includes keeping the firearm "covered, hidden, or secreted in a manner that the public would not be aware of its presence, and readily accessible for immediate use." [UTAH CODE ANN. § 76-10-501\(3\)](#). Failure to do so may subject the employee to disciplinary action up to and including termination.
- 5.5. District property, including but not limited to desks, file cabinets, drawers, cupboards, or other furniture or containers, may not be used to store, hold, or conceal an employee's firearm. Employees who place a firearm in District property may be subject to disciplinary action up to and including termination.
- 5.6. Employees may not notify others that they are carrying a firearm while acting in their official capacity or during school hours or activities when students are present. Such discussion may subject the employee to disciplinary action. The foregoing notwithstanding, an employee may respond in an appropriate and restrained manner to questions regarding whether or not the employee holds a permit.

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### EXHIBITS

None

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### REFERENCES

[18 U.S.C. § 922\(g\)](#)  
[UTAH CODE ANN. § 53-5-704](#)

[UTAH CODE ANN. § 53-5-710](#)  
[UTAH CODE ANN. § 76-2-402](#)  
[UTAH CODE ANN. § 76-10-501](#)  
[UTAH CODE ANN. § 76-10-505.5.](#)

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**FORMS**

None

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**HISTORY**

**Adopted 17 April 2025.** Adopted to outline implementation of HB 84 (2024). Section on concealed firearm permits taken from Policy GBHA, *Scope of Employment*.

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