Reporting Student Drug Possession Offenses

Drug Possession Offense Defined—

A "drug possession offense" means unlawfully possessing or using a controlled substance or controlled substance analog as described in Utah Code § 76-18-207.

Utah Code § 53G-8-211(1)(a) (2026) Utah Code § 76-18-207 (2026)

Duty to Report Alleged Student Drug Possession Offences—

Whenever a student allegedly commits a drug possession offense on school grounds when school is in session or at a school sponsored activity and that information is reported to or known by a school employee, the school employee shall notify the principal.

Utah Code § 53G-8-510(1) (2026)

Principal Reporting of Alleged Student Drug Possession Offences—

When a principal receives an employee report of an alleged student drug possession offense, the principal shall inform such school and district personnel that the principal determines should receive the information and shall inform the student's parent or guardian. However, the principal shall not disclose the identity of the reporting employee to the student or student's parent or guardian.

The principal shall inform a law enforcement officer or agency of the alleged drug possession offense if permitted under Utah Code § 53G-8-211. However, the principal, school resource officer, or designee of the principal shall refer the student directly to court if the offense was allegedly committed on school property and the student allegedly committed two prior drug possession offenses on school property.

Utah Code § 53G-8-211(9) (2026) Utah Code § 53G-8-510(2) (2026)

Investigation Into Allegations—

When the principal receives a report of an alleged student drug possession offense involving school property, a student, or a school employee, the principal may conduct or authorize another to conduct an administrative investigation into the offense, including a search on school property, before the principal makes a report to a law enforcement officer or agency. When the principal makes a report to law enforcement, the principal shall report and deliver the evidence discovered in such an investigation.

Utah Code § 53G-8-511(1) (2026)

A search conducted as part of such administrative investigation requires a reasonable belief that the search will turn up evidence of the drug offense and the search must be reasonably related to the objectives of locating evidence of the drug offense and must not be excessively intrusive considering the circumstances (including the age and sex of the individual involved and the nature of the offense).

Utah Code § 53G-8-511(2) (2026)

Immunity for Good Faith Reporting or Investigation—

A school employee or principal who in good faith reports an alleged student drug possession offense or who in good faith makes a report or conducts an investigation under the direction of school or law enforcement authorities is immune from any civil or criminal liability that otherwise might result from that action.

Utah Code § 53G-8-512 (2026)