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SCHOOL SAFETY PLANS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Patrice M. Arent

AN ACT RELATING TO PUBLIC SCHOOLS; REQUIRING EACH LOCAL SCHOOL BOARD TO ADOPT AND IMPLEMENT A COMPREHENSIVE EMERGENCY RESPONSE PLAN; PROVIDING THAT THE PLAN SHALL INCLUDE PREVENTION, INTERVENTION, AND RESPONSE COMPONENTS; REQUIRING INSERVICE TRAINING FOR DISTRICT AND SCHOOL BUILDING STAFF; AND PROVIDING FOR ANNUAL CERTIFICATION OF EACH PLAN.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-3-402, as last amended by Chapter 120, Laws of Utah 1994

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

Section 1. Section **53A-3-402** is amended to read:

53A-3-402. Powers and duties generally.

(1) Local school boards shall spend minimum school program funds for programs and activities for which the State Board of Education has established minimum standards or rules under Section 53A-1-402.

(2) (a) A board may purchase, sell, and make improvements on school sites, buildings, and equipment and construct, erect, and furnish school buildings.

(b) School sites or buildings may only be conveyed or sold on board resolution affirmed by at least two-thirds of the members.

(3) (a) A board may participate in the joint construction or operation of a school attended by children residing within the district and children residing in other districts either within or outside the state.

(b) Any agreement for the joint operation or construction of a school shall:

- 28 (i) be signed by the president of the board of each participating district;
- 29 (ii) include a mutually agreed upon pro rata cost; and
- 30 (iii) be filed with the State Board of Education.
- 31 (4) A board may establish, locate, and maintain elementary, secondary, and vocational
- 32 schools.
- 33 (5) A board may enroll children in school who are at least five years of age before
- 34 September 2 of the year in which admission is sought.
- 35 (6) A board may establish and support school libraries.
- 36 (7) A board may collect damages for the loss, injury, or destruction of school property.
- 37 (8) A board may authorize guidance and counseling services for children and their parents
- 38 or guardians prior to, during, or following enrollment of the children in schools.
- 39 (9) (a) A board may apply for, receive, and administer funds made available through
- 40 programs of the federal government.
- 41 (b) Federal funds are not considered funds within the school district budget under Title
- 42 53A, Chapter 19, School District Budgets.
- 43 (c) Federal funds may only be expended for the purposes for which they are received and
- 44 are accounted for by the board.
- 45 (10) (a) A board may organize school safety patrols and adopt rules under which the
- 46 patrols promote student safety.
- 47 (b) A student appointed to a safety patrol shall be at least ten years old and have written
- 48 parental consent for the appointment.
- 49 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of
- 50 a highway intended for vehicular traffic use.
- 51 (d) Liability may not attach to a school district, its employees, officers, or agents or to a
- 52 safety patrol member, a parent of a safety patrol member, or an authorized volunteer assisting the
- 53 program by virtue of the organization, maintenance, or operation of a school safety patrol.
- 54 (11) (a) A board may on its own behalf, or on behalf of an educational institution for which
- 55 the board is the direct governing body, accept private grants, loans, gifts, endowments, devises,
- 56 or bequests that are made for educational purposes.
- 57 (b) These contributions are not subject to appropriation by the Legislature.
- 58 (12) (a) A board may appoint and fix the compensation of a compliance officer to issue

59 citations for violations of Subsection 76-10-105(2).

60 (b) A person may not be appointed to serve as a compliance officer without the person's
61 consent.

62 (c) A teacher or student may not be appointed as a compliance officer.

63 (13) A board shall adopt bylaws and rules for its own procedures.

64 (14) (a) A board shall make and enforce rules necessary for the control and management
65 of the district schools.

66 (b) All board rules and policies shall be in writing, filed, and referenced for public access.

67 (15) A board may hold school on legal holidays other than Sundays.

68 (16) (a) Each board shall establish for each school year a school traffic safety committee
69 to implement this subsection.

70 (b) The committee shall be composed of one representative of:

71 (i) the schools within the district;

72 (ii) the Parent Teachers' Association of the schools within the district;

73 (iii) the municipality or county;

74 (iv) state or local law enforcement; and

75 (v) state or local traffic safety engineering.

76 (c) The committee shall:

77 (i) receive suggestions from parents, teachers, and others and recommend school traffic
78 safety improvements, boundary changes to enhance safety, and school traffic safety program
79 measures;

80 (ii) review and submit annually to the Department of Transportation and affected
81 municipalities and counties a child access routing plan for each elementary, middle, and junior
82 high school within the district;

83 (iii) consult the Utah Safety Council and the Division of Family Health Services and
84 provide training to all school children in kindergarten through grade six, within the district, on
85 school crossing safety and use; and

86 (iv) help ensure the district's compliance with rules made by the Department of
87 Transportation under Section 41-6-20.1.

88 (d) The committee may establish subcommittees as needed to assist in accomplishing its
89 duties under Subsection (c).

90 (e) The board shall require each elementary, middle, and junior high school within the
91 district to develop and submit annually to the committee a child access routing plan.

92 (17) (a) Each school board shall adopt and implement a comprehensive emergency
93 response plan to prevent and combat violence in its public schools, on school grounds, on its
94 school vehicles, and in connection with school-related activities or events.

95 (b) The board shall implement its plan by July 1, 2000.

96 (c) The plan shall:

97 (i) include prevention, intervention, and response components;

98 (ii) be consistent with the student conduct and discipline polices required for school
99 districts under Title 53A, Chapter 11, Part 9, School Discipline and Conduct Plans;

100 (iii) require inservice training for all district and school building staff on what their roles
101 are in the emergency response plan; and

102 (iv) provide for coordination with local law enforcement and other public safety
103 representatives in preventing, intervening, and responding to violence in the areas and activities
104 referred to in Subsection (17)(a).

105 (d) The State Board of Education, through the state superintendent of public instruction,
106 shall develop comprehensive emergency response plan models that local school boards may use,
107 where appropriate, to comply with Subsection (17)(a).

108 (e) Each local school board shall, by July 1 of each year, certify to the State Board of
109 Education that its plan has been practiced at the school level and presented to and reviewed by its
110 teachers, administrators, students, and their parents and local law enforcement and public safety
111 representatives.

112 [~~17~~] (18) A board shall do all other things necessary for the maintenance, prosperity, and
113 success of the schools and the promotion of education.

Legislative Review Note
as of 11-30-99 10:44 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel