

1 **SCHOOL EMERGENCY RESPONSE PLANS FOR**
2 **SPORTS INJURIES**

3 2002 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: John L. Valentine**

6 **This act modifies provisions related to the powers of local school boards by requiring each**
7 **local board to adopt an emergency response plan for the treatment of sports-related injuries.**
8 **The act provides for implementation of the emergency response plan in each secondary**
9 **school that has a sports program.**

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

11 AMENDS:

12 **53A-3-402**, as last amended by Chapter 119, Laws of Utah 2000

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

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

15 **53A-3-402. Powers and duties generally.**

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

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

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

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

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

27 (i) be signed by the president of the board of each participating district;



- 28 (ii) include a mutually agreed upon pro rata cost; and
- 29 (iii) be filed with the State Board of Education.
- 30 (4) A board may establish, locate, and maintain elementary, secondary, and [~~vocational~~
- 31 applied technology schools.
- 32 (5) A board may enroll children in school who are at least five years of age before
- 33 September 2 of the year in which admission is sought.
- 34 (6) A board may establish and support school libraries.
- 35 (7) A board may collect damages for the loss, injury, or destruction of school property.
- 36 (8) A board may authorize guidance and counseling services for children and their parents
- 37 or guardians prior to, during, or following enrollment of the children in schools.
- 38 (9) (a) A board may apply for, receive, and administer funds made available through
- 39 programs of the federal government.
- 40 (b) Federal funds are not considered funds within the school district budget under Title
- 41 53A, Chapter 19, School District Budgets.
- 42 (c) Federal funds may only be expended for the purposes for which they are received and
- 43 are accounted for by the board.
- 44 (10) (a) A board may organize school safety patrols and adopt rules under which the
- 45 patrols promote student safety.
- 46 (b) A student appointed to a safety patrol shall be at least ten years old and have written
- 47 parental consent for the appointment.
- 48 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of
- 49 a highway intended for vehicular traffic use.
- 50 (d) Liability may not attach to a school district, its employees, officers, or agents or to a
- 51 safety patrol member, a parent of a safety patrol member, or an authorized volunteer assisting the
- 52 program by virtue of the organization, maintenance, or operation of a school safety patrol.
- 53 (11) (a) A board may on its own behalf, or on behalf of an educational institution for which
- 54 the board is the direct governing body, accept private grants, loans, gifts, endowments, devises,
- 55 or bequests that are made for educational purposes.
- 56 (b) These contributions are not subject to appropriation by the Legislature.
- 57 (12) (a) A board may appoint and fix the compensation of a compliance officer to issue
- 58 citations for violations of Subsection 76-10-105(2).

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

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

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

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

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

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

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

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

70 (i) the schools within the district;

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

72 (iii) the municipality or county;

73 (iv) state or local law enforcement; and

74 (v) state or local traffic safety engineering.

75 (c) The committee shall:

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

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

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

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

87 (d) The committee may establish subcommittees as needed to assist in accomplishing its
88 duties under Subsection (16)(c).

89 (e) The board shall require each elementary, middle, and junior high school within the

90 district to develop and submit annually to the committee a child access routing plan.

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

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

95 (c) The plan shall:

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

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

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

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

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

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

111 (18) (a) Each local school board shall adopt an emergency response plan for the treatment
112 of sports-related injuries that occur during school sports practices and events.

113 (b) The plan shall be implemented by each secondary school in the district that has a sports
114 program for students.

115 (c) The plan shall:

116 (i) include emergency personnel, emergency communication, and emergency equipment
117 components;

118 (ii) require inservice training on the emergency response plan for school personnel who
119 are involved in sports programs in the district's secondary schools; and

120 (iii) provide for coordination with individuals and agency representatives who:

121 (A) are not employees of the school district; and

122 (B) would be involved in providing emergency services to students injured while
123 participating in sports events.

124 (d) The board, in collaboration with the schools referred to in Subsection (18)(b), shall
125 review the plan each year and make revisions when required to improve or enhance the plan.

126 (e) The State Board of Education, through the state superintendent of public instruction,
127 shall provide local school boards with an emergency plan response model that local boards may
128 use to comply with the requirements of this Subsection (18).

129 [~~18~~] (19) A board shall do all other things necessary for the maintenance, prosperity, and
130 success of the schools and the promotion of education.

Legislative Review Note
as of 1-30-02 10:43 AM

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

Office of Legislative Research and General Counsel