

**Representative Sheryl L. Allen** proposes the following substitute bill:

**SECURITY FOR PUBLIC SCHOOLS**

2005 GENERAL SESSION

STATE OF UTAH

**Sponsor: Sheryl L. Allen**

Greg J. Curtis  
John Dougall

David L. Hogue

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**LONG TITLE**

**General Description:**

This bill requires each local school board that employs law enforcement officers on a full-time, permanent basis to evaluate the cost effectiveness of methods of providing for school safety.

**Highlighted Provisions:**

This bill:

- ▶ requires each local school board that employs law enforcement officers on a full-time, permanent basis to make a report to the Legislature that:
  - compares the costs of employing law enforcement officers with other methods of providing for school safety; and
  - evaluates the effectiveness of different methods of providing for school safety.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 AMENDS:

27 **53A-3-402**, as last amended by Chapter 315, Laws of Utah 2003



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

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

31 **53A-3-402. Powers and duties generally.**

32 (1) Each local school board shall:

33 (a) implement the core curriculum utilizing instructional materials that best correlate to  
34 the core curriculum and graduation requirements;

35 (b) administer tests, required by the State Board of Education, which measure the  
36 progress of each student, and coordinate with the state superintendent and State Board of  
37 Education to assess results and create plans to improve the student's progress which shall be  
38 submitted to the State Office of Education for approval;

39 (c) use progress-based assessments as part of a plan to identify schools, teachers, and  
40 students that need remediation and determine the type and amount of federal, state, and local  
41 resources to implement remediation;

42 (d) develop early warning systems for students or classes failing to make progress;

43 (e) work with the State Office of Education to establish a library of documented best  
44 practices, consistent with state and federal regulations, for use by the local districts; and

45 (f) implement training programs for school administrators, including basic  
46 management training, best practices in instructional methods, budget training, staff  
47 management, managing for learning results and continuous improvement, and how to help  
48 every child achieve optimal learning in core academics.

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

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

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

56 (4) (a) A board may participate in the joint construction or operation of a school

57 attended by children residing within the district and children residing in other districts either  
58 within or outside the state.

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

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

61 (ii) include a mutually agreed upon pro rata cost; and

62 (iii) be filed with the State Board of Education.

63 (5) A board may establish, locate, and maintain elementary, secondary, and applied  
64 technology schools.

65 (6) A board may enroll children in school who are at least five years of age before  
66 September 2 of the year in which admission is sought.

67 (7) A board may establish and support school libraries.

68 (8) A board may collect damages for the loss, injury, or destruction of school property.

69 (9) A board may authorize guidance and counseling services for children and their  
70 parents or guardians prior to, during, or following enrollment of the children in schools.

71 (10) (a) A board may apply for, receive, and administer funds made available through  
72 programs of the federal government.

73 (b) Federal funds are not considered funds within the school district budget under Title  
74 53A, Chapter 19, School District Budgets.

75 (c) Federal funds may only be expended for the purposes for which they are received  
76 and are accounted for by the board.

77 (d) A program created with or expanded by federal funds may be reduced to the extent  
78 allowed by law when federal funds for that program are subsequently reduced or eliminated.

79 (11) (a) A board may organize school safety patrols and adopt rules under which the  
80 patrols promote student safety.

81 (b) A student appointed to a safety patrol shall be at least ten years old and have written  
82 parental consent for the appointment.

83 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion  
84 of a highway intended for vehicular traffic use.

85 (d) Liability may not attach to a school district, its employees, officers, or agents or to a  
86 safety patrol member, a parent of a safety patrol member, or an authorized volunteer assisting  
87 the program by virtue of the organization, maintenance, or operation of a school safety patrol.

88 (12) (a) A board may on its own behalf, or on behalf of an educational institution for  
89 which the board is the direct governing body, accept private grants, loans, gifts, endowments,  
90 devises, or bequests that are made for educational purposes.

91 (b) These contributions are not subject to appropriation by the Legislature.

92 (13) (a) A board may appoint and fix the compensation of a compliance officer to issue  
93 citations for violations of Subsection 76-10-105(2).

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

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

97 (14) A board shall adopt bylaws and rules for its own procedures.

98 (15) (a) A board shall make and enforce rules necessary for the control and  
99 management of the district schools.

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

102 (16) A board may hold school on legal holidays other than Sundays.

103 (17) (a) Each board shall establish for each school year a school traffic safety  
104 committee to implement this Subsection (17).

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

106 (i) the schools within the district;

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

108 (iii) the municipality or county;

109 (iv) state or local law enforcement; and

110 (v) state or local traffic safety engineering.

111 (c) The committee shall:

112 (i) receive suggestions from parents, teachers, and others and recommend school traffic  
113 safety improvements, boundary changes to enhance safety, and school traffic safety program  
114 measures;

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

118 (iii) consult the Utah Safety Council and the Division of Family Health Services and

119 provide training to all school children in kindergarten through grade six, within the district, on  
120 school crossing safety and use; and

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

123 (d) The committee may establish subcommittees as needed to assist in accomplishing  
124 its duties under Subsection (17)(c).

125 (e) The board shall require the school community council of each elementary, middle,  
126 and junior high school within the district to develop and submit annually to the committee a  
127 child access routing plan.

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

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

132 (c) The plan shall:

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

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

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

138 (iv) provide for coordination with local law enforcement and other public safety  
139 representatives in preventing, intervening, and responding to violence in the areas and activities  
140 referred to in Subsection (18)(a).

141 (d) The State Board of Education, through the state superintendent of public  
142 instruction, shall develop comprehensive emergency response plan models that local school  
143 boards may use, where appropriate, to comply with Subsection (18)(a).

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

148 (19) (a) Each local school board that employs law enforcement officers on a full-time,  
149 permanent basis, shall submit a report by August 31, 2006, to the Law Enforcement and

150 Criminal Justice Interim Committee and the Education Interim Committee evaluating the cost  
151 effectiveness of that practice.

152 (b) The report shall compare the costs of employing law enforcement officers with  
153 other methods of providing for the safety and security of students, school personnel, and school  
154 property, including one or more of the following:

155 (i) coordinating with local law enforcement agencies;

156 (ii) contracting with local law enforcement agencies; or

157 (iii) hiring or contracting with personnel other than peace officers to perform security  
158 functions.

159 (c) The report shall evaluate the effectiveness of employing law enforcement officers,  
160 including response times, and the expected effectiveness of the other methods of providing for  
161 school safety and security listed in Subsection (19)(b).

162 (d) A local school board shall consult with each local law enforcement agency having  
163 jurisdiction within the school district in preparing the report.

164 [~~(19)~~] (20) (a) Each local school board may adopt an emergency response plan for the  
165 treatment of sports-related injuries that occur during school sports practices and events.

166 (b) The plan may be implemented by each secondary school in the district that has a  
167 sports program for students.

168 (c) The plan may:

169 (i) include emergency personnel, emergency communication, and emergency  
170 equipment components;

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

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

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

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

177 (d) The board, in collaboration with the schools referred to in Subsection [~~(19)~~]  
178 (20)(b), may review the plan each year and make revisions when required to improve or  
179 enhance the plan.

180 (e) The State Board of Education, through the state superintendent of public

181 instruction, shall provide local school boards with an emergency plan response model that local  
182 boards may use to comply with the requirements of this Subsection [~~(19)~~] (20).

183 [~~(20)~~] (21) A board shall do all other things necessary for the maintenance, prosperity,  
184 and success of the schools and the promotion of education.