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SAFE SCHOOL ROUTE EVALUATIONS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill requires a school traffic safety committee and an affected highway authority to report on and make recommendations related to unsafe or hazardous routes for students who walk to school.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a school traffic safety committee to identify unsafe or hazardous routes within the school district;
- ▶ requires a highway authority to report on:
 - the estimated time and cost to address unsafe or hazardous routes identified by
 - 19 a
- school traffic safety committee;
- the highway authority's actions in the prior year to address unsafe or hazardous routes; and
- infrastructure improvements the highway authority has prioritized for the following year; and
- ▶ requires school traffic safety committees to report to the State Board of Education and the Transportation Advisory Committee on unsafe and hazardous routes, and deliver recommendations for new approved bus routes.

Money Appropriated in this Bill:



29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **53G-4-402**, as last amended by Laws of Utah 2019, Chapters 83, 293, and 451



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

37 Section 1. Section **53G-4-402** is amended to read:

38 **53G-4-402. Powers and duties generally.**

39 (1) A local school board shall:

40 (a) implement the core standards for Utah public schools using instructional materials
41 that best correlate to the core standards for Utah public schools and graduation requirements;

42 (b) administer tests, required by the state board, which measure the progress of each
43 student, and coordinate with the state superintendent and state board to assess results and create
44 plans to improve the student's progress, which shall be submitted to the state board for
45 approval;

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

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

50 (e) work with the state board to establish a library of documented best practices,
51 consistent with state and federal regulations, for use by the local districts;

52 (f) implement training programs for school administrators, including basic
53 management training, best practices in instructional methods, budget training, staff
54 management, managing for learning results and continuous improvement, and how to help
55 every child achieve optimal learning in basic academic subjects; and

56 (g) ensure that the local school board meets the data collection and reporting standards
57 described in Section **53E-3-501**.

58 (2) Local school boards shall spend Minimum School Program funds for programs and
59 activities for which the state board has established minimum standards or rules under Section

60 53E-3-501.

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

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

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

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

69 (i) be signed by the president of the local school board of each participating district;

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

71 (iii) be filed with the state board.

72 (5) A local school board may establish, locate, and maintain elementary, secondary,
73 and applied technology schools.

74 (6) Except as provided in Section 53E-3-905, a local school board may enroll children
75 in school who are at least five years of age before September 2 of the year in which admission
76 is sought.

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

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

80 (9) A local school board may authorize guidance and counseling services for children
81 and their parents before, during, or following enrollment of the children in schools.

82 (10) (a) A local school board shall administer and implement federal educational
83 programs in accordance with Title 53E, Chapter 3, Part 8, Implementing Federal or National
84 Education Programs.

85 (b) Federal funds are not considered funds within the school district budget under
86 Chapter 7, Part 3, Budgets.

87 (11) (a) A local school board may organize school safety patrols and adopt policies
88 under which the patrols promote student safety.

89 (b) A student appointed to a safety patrol shall be at least 10 years old and have written
90 parental consent for the appointment.

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

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

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

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

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

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

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

105 (14) A local school board shall adopt bylaws and policies for the local school board's
106 own procedures.

107 (15) (a) A local school board shall make and enforce policies necessary for the control
108 and management of the district schools.

109 (b) Local school board policies shall be in writing, filed, and referenced for public
110 access.

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

112 (17) (a) As used in this Subsection (17):

113 (i) "Committee" means the school traffic safety committee established in Subsection
114 (17)(b).

115 (ii) "Highway" means the same as that term is defined in Section 72-1-102.

116 (iii) "Highway authority" means the same as that term is defined in Section 72-1-102.

117 (iv) "Unsafe or hazardous route" means a route between a student's residence and
118 school that is dangerous for a student to walk due to a health or safety concern, and is shorter
119 than the distance described in:

120 (A) Subsection 53F-2-403(1)(a) for a student in kindergarten through grade 6; or

121 (B) Subsection 53F-2-403(1)(b) for a student in grades 7 through 12.

122 ~~[(17)(a)]~~ (b) A local school board shall establish for each school year a school traffic
123 safety committee to implement this Subsection (17).

124 ~~[(b)]~~ (c) The committee shall be composed of one representative of:

- 125 (i) the schools within the district;
- 126 (ii) the Parent Teachers' Association of the schools within the district;
- 127 (iii) the municipality or county;
- 128 (iv) state or local law enforcement; and
- 129 (v) state or local traffic safety engineering.

130 ~~[(c)]~~ (d) The committee shall:

131 (i) receive suggestions from school community councils, parents, teachers, and others
132 and recommend school traffic safety improvements, boundary changes to enhance safety, and
133 school traffic safety program measures;

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

137 (iii) consult the Utah Safety Council and the Division of Family Health Services and
138 provide training to all school children in kindergarten through grade 6, within the district, on
139 school crossing safety and use; and

140 (iv) help ensure the district's compliance with rules made by the Department of
141 Transportation under Section [41-6a-303](#).

142 (e) (i) The committee shall annually submit a report that identifies unsafe or hazardous
143 routes within the school district, including information supporting the committee's
144 determination that a route is unsafe or hazardous, to the highway authority that governs each
145 highway included in an unsafe or hazardous route.

146 (ii) A highway authority that receives a report described in Subsection (17)(e)(i), shall
147 annually evaluate the information in the report and submit a responding report to the committee
148 that:

149 (A) includes recommendations to reduce the danger of unsafe or hazardous routes,
150 including the estimated time and cost to address each unsafe or hazardous route; and

151 (B) reports on infrastructure improvements made to unsafe or hazardous routes in the
152 prior year, unsafe or hazardous routes that were not addressed in the prior year, and

153 infrastructure improvements to unsafe or hazardous routes that the highway authority has
154 prioritized for the following year.

155 (iii) The committee shall annually submit to the state board and the Transportation
156 Advisory Committee described in Section 53F-2-403, a report regarding the unsafe or
157 hazardous routes within the school district that:

158 (A) includes the information provided in a report described in Subsection (17)(e)(i);

159 (B) compiles the information provided in the report described in Subsection (17)(e)(ii);

160 (C) indicates whether the local school board has applied for an infrastructure grant to
161 address an unsafe or hazardous route under the program described in Section 72-8-109; and

162 (D) if necessary, makes recommendations to approve new bus routes.

163 ~~[(d)]~~ (f) The committee may establish subcommittees as needed to assist in
164 accomplishing its duties under ~~[Subsection (17)(c)]~~ Subsections (17)(d) and (e).

165 (18) (a) A local school board shall adopt and implement a comprehensive emergency
166 response plan to prevent and combat violence in the local school board's public schools, on
167 school grounds, on its school vehicles, and in connection with school-related activities or
168 events.

169 (b) The plan shall:

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

171 (ii) be consistent with the student conduct and discipline policies required for school
172 districts under Chapter 11, Part 2, Miscellaneous Requirements;

173 (iii) require professional learning for all district and school building staff on what their
174 roles are in the emergency response plan;

175 (iv) provide for coordination with local law enforcement and other public safety
176 representatives in preventing, intervening, and responding to violence in the areas and activities
177 referred to in Subsection (18)(a); and

178 (v) include procedures to notify a student, to the extent practicable, who is off campus
179 at the time of a school violence emergency because the student is:

180 (A) participating in a school-related activity; or

181 (B) excused from school for a period of time during the regular school day to
182 participate in religious instruction at the request of the student's parent.

183 (c) The state board, through the state superintendent, shall develop comprehensive

184 emergency response plan models that local school boards may use, where appropriate, to
185 comply with Subsection (18)(a).

186 (d) A local school board shall, by July 1 of each year, certify to the state board that its
187 plan has been practiced at the school level and presented to and reviewed by its teachers,
188 administrators, students, and their parents and local law enforcement and public safety
189 representatives.

190 (19) (a) A local school board may adopt an emergency response plan for the treatment
191 of sports-related injuries that occur during school sports practices and events.

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

194 (c) The plan may:

195 (i) include emergency personnel, emergency communication, and emergency
196 equipment components;

197 (ii) require professional learning on the emergency response plan for school personnel
198 who are involved in sports programs in the district's secondary schools; and

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

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

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

203 (d) The local school board, in collaboration with the schools referred to in Subsection
204 (19)(b), may review the plan each year and make revisions when required to improve or
205 enhance the plan.

206 (e) The state board, through the state superintendent, shall provide local school boards
207 with an emergency plan response model that local school boards may use to comply with the
208 requirements of this Subsection (19).

209 (20) A local school board shall do all other things necessary for the maintenance,
210 prosperity, and success of the schools and the promotion of education.

211 (21) (a) Before closing a school or changing the boundaries of a school, a local school
212 board shall:

213 (i) at least 120 days before approving the school closure or school boundary change,
214 provide notice to the following that the local school board is considering the closure or

215 boundary change:

216 (A) parents of students enrolled in the school, using the same form of communication
217 the local school board regularly uses to communicate with parents;

218 (B) parents of students enrolled in other schools within the school district that may be
219 affected by the closure or boundary change, using the same form of communication the local
220 school board regularly uses to communicate with parents; and

221 (C) the governing council and the mayor of the municipality in which the school is
222 located;

223 (ii) provide an opportunity for public comment on the proposed school closure or
224 school boundary change during at least two public local school board meetings; and

225 (iii) hold a public hearing as defined in Section [10-9a-103](#) and provide public notice of
226 the public hearing as described in Subsection (21)(b).

227 (b) The notice of a public hearing required under Subsection (21)(a)(iii) shall:

228 (i) indicate the:

229 (A) school or schools under consideration for closure or boundary change; and

230 (B) the date, time, and location of the public hearing;

231 (ii) at least 10 days before the public hearing, be:

232 (A) published:

233 (I) in a newspaper of general circulation in the area; and

234 (II) on the Utah Public Notice Website created in Section [63F-1-701](#); and

235 (B) posted in at least three public locations within the municipality in which the school
236 is located on the school district's official website, and prominently at the school; and

237 (iii) at least 30 days before the public hearing described in Subsection (21)(a)(iii), be
238 provided as described in Subsections (21)(a)(i)(A), (B), and (C).

239 (22) A local school board may implement a facility energy efficiency program
240 established under Title 11, Chapter 44, Performance Efficiency Act.

241 (23) A local school board may establish or partner with a certified youth court
242 program, in accordance with Section [78A-6-1203](#), or establish or partner with a comparable
243 restorative justice program, in coordination with schools in that district. A school may refer a
244 student to youth court or a comparable restorative justice program in accordance with Section
245 [53G-8-211](#).