

**Senator Kathleen Riebe** proposes the following substitute bill:

**SAFE SCHOOL ROUTE EVALUATIONS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: Todd Weiler

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**LONG TITLE**

**General Description:**

This bill addresses school traffic safety recommendations for a child access routing plan.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a school traffic safety committee to work with the local school board to submit a child access routing plan to the Department of Transportation and municipal and county highway authorities;
- ▶ permits a school traffic safety committee to include recommendations for infrastructure improvements in a child access routing plan;
- ▶ requires a highway authority to provide feedback on:
  - the estimated time and cost to complete infrastructure improvements recommended by a school traffic safety committee; and
  - infrastructure improvements the highway authority has prioritized for the following year; and
- ▶ permits school traffic safety committees to report to the State Board of Education and the Transportation Advisory Committee on recommended infrastructure



26 improvements included in a child access routing plan, and deliver recommendations for new  
27 approved bus routes.

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

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

120           (i) the schools within the district;

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

122           (iii) the municipality or county;

123           (iv) state or local law enforcement; and

124           (v) state or local traffic safety engineering.

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

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

129           ~~[(ii)]~~ ~~review and submit annually to the Department of Transportation and affected~~  
130 ~~municipalities and counties a child access routing plan for each elementary, middle, and junior~~  
131 ~~high school within the district;]~~

132           ~~[(iii)]~~ (ii) consult the Utah Safety Council and the Division of Family Health Services  
133 and provide training to all school children in kindergarten through grade 6, within the district,  
134 on school crossing safety and use; and

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

137           (e) (i) The committee shall work with the local school board to, for each elementary,  
138 middle, and junior high school within the district, annually submit a child access routing plan  
139 to the Department of Transportation and the municipal or county highway authority that  
140 governs each highway included in the child access routing plan.

141           (ii) The child access routing plan described in Subsection (17)(e)(i) may:

142           (A) include recommendations for improvements to enhance safety, including the  
143 recommendations received by the committee under Subsection (17)(d)(i); and

144           (B) consider the criteria and specifications established by Department of  
145 Transportation rule made under Subsection [41-6a-303\(6\)](#).

146           (iii) A municipal or county highway authority shall evaluate the recommendations for  
147 improvements in the child access routing plan and provide feedback to the committee on the  
148 improvements recommended in the child access routing plan that the municipal or county  
149 highway authority has prioritized for the following year.

150 (iv) The Department of Transportation may review a child access routing plan as  
151 resources allow, and provide feedback to the committee on recommended improvements.

152 (f) The committee may annually submit to the state board and the Transportation  
153 Advisory Committee described in Section 53F-2-403, a report that:

154 (i) includes the information provided in a child access routing plan;

155 (ii) indicates whether recommended improvements in a child access routing plan have  
156 been included in an infrastructure grant under the program described in Section 72-8-109; and

157 (iii) if necessary, makes recommendations to approve new bus routes.

158 ~~(g)~~ (g) The committee may establish subcommittees as needed to assist in  
159 accomplishing its duties under ~~Subsection (17)(c)]~~ Subsections (17)(d), (e), and (f).

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

164 (b) The plan shall:

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

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

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

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

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

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

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

178 (c) The state board, through the state superintendent, shall develop comprehensive  
179 emergency response plan models that local school boards may use, where appropriate, to  
180 comply with Subsection (18)(a).

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

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

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

189 (c) The plan may:

190 (i) include emergency personnel, emergency communication, and emergency  
191 equipment components;

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

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

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

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

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

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

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

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

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

211 (A) parents of students enrolled in the school, using the same form of communication

212 the local school board regularly uses to communicate with parents;

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

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

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

220 (iii) hold a public hearing as defined in Section 10-9a-103 and provide public notice of  
221 the public hearing as described in Subsection (21)(b).

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

223 (i) indicate the:

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

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

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

227 (A) published:

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

229 (II) on the Utah Public Notice Website created in Section 63F-1-701; and

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

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

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

236 (23) A local school board may establish or partner with a certified youth court  
237 program, in accordance with Section 78A-6-1203, or establish or partner with a comparable  
238 restorative justice program, in coordination with schools in that district. A school may refer a  
239 student to youth court or a comparable restorative justice program in accordance with Section  
240 53G-8-211.