

**Representative Melissa G. Ballard** proposes the following substitute bill:

**SAFE SCHOOL ROUTE EVALUATIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: Todd D. Weiler

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**LONG TITLE**

**General Description:**

This bill requires a school traffic safety committee to include recommendations for infrastructure improvements in a child access routing plan.

**Highlighted Provisions:**

This bill:

▶ defines terms;

▶ requires a school traffic safety committee to:

• submit a child access routing plan to the Department of Transportation and municipal and county highway authorities; and

• 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;

▶ requires school traffic safety committees to make recommendations to the State Board of Education and the Transportation Advisory Committee for new approved



26 bus routes; and  
27       ▶ makes technical and conforming changes.

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 2021, Chapters 84, 262, 324, and 345



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) for each grading period and for each course in which a student is enrolled, issue a  
50 grade or performance report to the student:

51       (i) that reflects the student's work, including the student's progress based on mastery,  
52 for the grading period; and

53       (ii) in accordance with the local school board's adopted grading or performance  
54 standards and criteria;

55       (e) develop early warning systems for students or classes failing to make progress;

56       (f) work with the state board to establish a library of documented best practices,

57 consistent with state and federal regulations, for use by the local districts;

58 (g) implement training programs for school administrators, including basic  
59 management training, best practices in instructional methods, budget training, staff  
60 management, managing for learning results and continuous improvement, and how to help  
61 every child achieve optimal learning in basic academic subjects; and

62 (h) ensure that the local school board meets the data collection and reporting standards  
63 described in Section [53E-3-501](#).

64 (2) Local school boards shall spend Minimum School Program funds for programs and  
65 activities for which the state board has established minimum standards or rules under Section  
66 [53E-3-501](#).

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

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

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

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

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

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

77 (iii) be filed with the state board.

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

80 (6) Except as provided in Section [53E-3-905](#), a local school board may enroll children  
81 in school who are at least five years old before September 2 of the year in which admission is  
82 sought.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

126 (i) the schools within the district;

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

128 (iii) the municipality or county;

129 (iv) state or local law enforcement; and

130 (v) state or local traffic safety engineering.

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

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

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

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

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

143 (e) (i) The committee shall, for each elementary, middle, and junior high school within  
144 the district:

145 (A) annually submit a child access routing plan to the Department of Transportation  
146 and the municipal or county highway authority that governs each highway included in the child  
147 access routing plan; and

148 (B) ensure that the child access routing plan complies with Subsection (17)(e)(ii).

149 (ii) The committee shall ensure that the child access routing plan described in

150 Subsection (17)(e)(i):

151 (A) includes recommendations for improvements to enhance safety, including the  
152 recommendations received by the committee under Subsection (17)(d)(i); and

153 (B) considers the criteria and specifications established by Department of  
154 Transportation rule made under Subsection 41-6a-303(6).

155 (iii) A municipal or county highway authority shall:

156 (A) evaluate the recommendations for improvements in the child access routing plan;  
157 and

158 (B) within 30 calendar days after the day on which the committee submits the child  
159 access routing plan, provide feedback to the committee on the improvements recommended in  
160 the child access routing plan, including the improvements the municipal or county highway  
161 authority has prioritized for the following year and the actions the municipal or county highway  
162 authority will take to mitigate risks and improve safety in relation to the child access routing  
163 plan.

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

166 (f) The committee shall make recommendations, as necessary, to the state board and  
167 the Transportation Advisory Committee described in Section 53F-2-403, to approve new bus  
168 routes.

169 ~~(d)~~ (g) The committee may establish subcommittees as needed to assist in  
170 accomplishing the committee's duties under ~~Subsection (17)(e)~~ Subsections (17)(d), (17)(e),  
171 and (17)(f).

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

176 (b) The plan shall:

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

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

180 (iii) require professional learning for all district and school building staff on what their

181 roles are in the emergency response plan;

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

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

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

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

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

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

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

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

201 (c) The plan may:

202 (i) include emergency personnel, emergency communication, and emergency  
203 equipment components;

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

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

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

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

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

212 enhance the plan.

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

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

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

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

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

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

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

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

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

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

235 (i) indicate the:

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

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

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

239 (A) published:

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

241 (II) on the Utah Public Notice Website created in Section 63A-16-601; and

242 (B) posted in at least three public locations within the municipality in which the school



243 is located on the school district's official website, and prominently at the school; and  
244 (iii) at least [30] 60 days before the public hearing described in Subsection (21)(a)(iii),  
245 be provided as described in Subsections (21)(a)(i)(A), (B), and (C).

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

248 (23) A local school board may establish or partner with a certified youth court in  
249 accordance with Section 80-6-902 or establish or partner with a comparable restorative justice  
250 program, in coordination with schools in that district. A school may refer a student to a youth  
251 court or a comparable restorative justice program in accordance with Section 53G-8-211.

252 (24) A local school board shall:

253 (a) make curriculum that the school district uses readily accessible and available for a  
254 parent to view;

255 (b) annually notify a parent of a student enrolled in the school district of how to access  
256 the information described in Subsection (24)(a); and

257 (c) include on the school district's website information about how to access the  
258 information described in Subsection (24)(a).