

Representative Melissa G. Ballard proposes the following substitute bill:

SAFE SCHOOL ROUTE EVALUATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Todd D. Weiler

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 priority 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 that a school traffic safety committee recommends; and
 - infrastructure improvements the highway authority has prioritized for the following year;
- ▶ requires school traffic safety committees to make recommendations to the local governing board for the local governing board's consideration and discretionary



26 referral to the State Board of Education and the Transportation Advisory Committee to approve
27 new bus routes; and

28 ▶ makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **53G-4-402**, as last amended by Laws of Utah 2023, Chapters 16, 252, 343, 352, and
36 435



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

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

40 **53G-4-402. Powers and duties generally.**

41 (1) A local school board shall:

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

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

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

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

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

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

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

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

59 consistent with state and federal regulations, for use by the special districts;

60 (g) implement training programs for school administrators, including basic

61 management training, best practices in instructional methods, budget training, staff

62 management, managing for learning results and continuous improvement, and how to help

63 every child achieve optimal learning in basic academic subjects; and

64 (h) ensure that the local school board meets the data collection and reporting standards

65 described in Section [53E-3-501](#).

66 (2) Local school boards shall spend Minimum School Program funds for programs and

67 activities for which the state board has established minimum standards or rules under Section

68 [53E-3-501](#).

69 (3) (a) A local school board may purchase, sell, and make improvements on school

70 sites, buildings, and equipment, and construct, erect, and furnish school buildings.

71 (b) School sites or buildings may only be conveyed or sold on local school board

72 resolution affirmed by at least two-thirds of the school board members.

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

74 school attended by students residing within the district and students residing in other districts

75 either within or outside the state.

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

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

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

79 (iii) be filed with the state board.

80 (5) A local school board may establish, locate, and maintain elementary, secondary,

81 and applied technology schools.

82 (6) A local school board may enter into cooperative agreements with other local school

83 boards to provide educational services that best utilize resources for the overall operation of the

84 school districts, including shared transportation services.

85 (7) An agreement under Subsection (6) shall:

86 (a) be signed by the president of the local school board of each participating district;

87 (b) specify the resource being shared;

88 (c) include a mutually agreed upon pro rata cost;

89 (d) include the duration of the agreement; and

90 (e) be filed with the state board.

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

94 (9) A local school board:

95 (a) may establish and support school libraries; and

96 (b) shall provide an online platform:

97 (i) through which a parent is able to view the title, author, and a description of any
98 material the parent's child borrows from the school library, including a history of borrowed
99 materials, either using an existing online platform that the LEA uses or through a separate
100 platform; and

101 (ii) (A) for a school district with 1,000 or more enrolled students, no later than August
102 1, 2024; and

103 (B) for a school district with fewer than 1,000 enrolled students, no later than August
104 1, 2026.

105 (10) A local school board may collect damages for the loss, injury, or destruction of
106 school property.

107 (11) A local school board may authorize guidance and counseling services for students
108 and the student's parents before, during, or following school enrollment.

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

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

114 (13) (a) A local school board may organize school safety patrols and adopt policies
115 under which the patrols promote student safety.

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

118 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion

119 of a highway intended for vehicular traffic use.

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

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

126 (b) The contributions made under Subsection (14)(a) are not subject to appropriation
127 by the Legislature.

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

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

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

133 (16) A local school board shall adopt bylaws and policies for the local school board's
134 own procedures.

135 (17) (a) A local school board shall make and enforce policies necessary for the control
136 and management of the district schools.

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

139 (18) A local school board may hold school on legal holidays other than Sundays.

140 (19) (a) As used in this Subsection (19):

141 (i) "Committee" means the school traffic safety committee established in Subsection
142 (19)(b).

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

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

145 [~~(a)~~] (b) A local school board shall establish for each school year a school traffic safety
146 committee to implement this Subsection (19).

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

148 (i) the schools within the district;

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

- 150 (iii) the municipality or county;
- 151 (iv) state or local law enforcement; and
- 152 (v) state or local traffic safety engineering.
- 153 ~~(c)~~ (d) The committee shall:
- 154 (i) receive suggestions from school community councils, parents, teachers, and others,
- 155 and recommend school traffic safety improvements, boundary changes to enhance safety, and
- 156 school traffic safety program measures;
- 157 (ii) review and submit annually to the Department of Transportation and affected
- 158 municipalities and counties a child access routing plan for each elementary, middle, and junior
- 159 high school within the district;
- 160 (iii) consult the Utah Safety Council and the Division of Family Health Services and
- 161 provide training to all students in kindergarten through grade 6, within the district, on school
- 162 crossing safety and use; and
- 163 (iv) help ensure the district's compliance with rules made by the Department of
- 164 Transportation under Section [41-6a-303](#).
- 165 (e) (i) The committee shall, for each elementary, middle, and junior high school within
- 166 the district:
- 167 (A) annually submit a child access routing plan to the Department of Transportation
- 168 and the municipal or county highway authority that governs each highway included in the child
- 169 access routing plan; and
- 170 (B) ensure that the child access routing plan complies with Subsection (19)(e)(ii).
- 171 (ii) The committee shall ensure that the child access routing plan described in
- 172 Subsection (19)(e)(i):
- 173 (A) includes some priority recommendations if the committee receives priority
- 174 recommendations for improvements to enhance safety under Subsection (19)(d)(i); and
- 175 (B) considers the criteria and specifications established by Department of
- 176 Transportation rule made under Subsection [41-6a-303\(6\)](#).
- 177 (iii) A municipal or county highway authority shall:
- 178 (A) evaluate the recommendations for improvements in the child access routing plan;
- 179 and
- 180 (B) within 60 calendar days after the day on which the committee submits the child

181 access routing plan, provide feedback to the committee on the improvements recommended in
182 the child access routing plan, including the improvements the municipal or county highway
183 authority has prioritized for the following year and the actions the municipal or county highway
184 authority will take to mitigate risks and improve safety in relation to the child access routing
185 plan.

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

188 (v) Nothing in this Subsection (19)(e) requires a municipality or a county highway
189 authority to implement a recommendation that the committee makes and submits in a child
190 access routing plan.

191 (f) The committee may make recommendations, as necessary, to the local governing
192 board for the local governing board's consideration and discretionary referral to the state board
193 and the Transportation Advisory Committee described in Section [53F-2-403](#), to approve new
194 bus routes.

195 ~~(g)~~ (g) The committee may establish subcommittees as needed to assist in
196 accomplishing the committee's duties under ~~[Subsection (19)(e)]~~ Subsections (19)(d), (e), and
197 (f).

198 (h) Nothing in this section creates a private right of action or constitutes a waiver of
199 immunity under Section [63G-7-301](#).

200 (20) (a) A local school board shall adopt and implement a comprehensive emergency
201 response plan to prevent and combat violence in the local school board's public schools, on
202 school grounds, on its school vehicles, and in connection with school-related activities or
203 events.

204 (b) The plan shall:

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

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

208 (iii) require professional learning for all district and school building staff on the staff's
209 roles in the emergency response plan;

210 (iv) provide for coordination with local law enforcement and other public safety
211 representatives in preventing, intervening, and responding to violence in the areas and activities

212 referred to in Subsection (20)(a); and

213 (v) include procedures to notify a student who is off campus at the time of a school
214 violence emergency because the student is:

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

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

218 (c) The state board, through the state superintendent, shall develop comprehensive
219 emergency response plan models that local school boards may use, where appropriate, to
220 comply with Subsection (20)(a).

221 (d) A local school board shall, by July 1 of each year, certify to the state board that its
222 plan has been practiced at the school level and presented to and reviewed by its teachers,
223 administrators, students, and the student's parents and local law enforcement and public safety
224 representatives.

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

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

229 (c) The plan may:

230 (i) include emergency personnel, emergency communication, and emergency
231 equipment components;

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

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

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

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

238 (d) The local school board, in collaboration with the schools referred to in Subsection
239 (21)(b), may review the plan each year and make revisions when required to improve or
240 enhance the plan.

241 (e) The state board, through the state superintendent, shall provide local school boards
242 with an emergency plan response model that local school boards may use to comply with the

243 requirements of this Subsection (21).

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

246 (23) (a) Before closing a school or changing the boundaries of a school, a local school
247 board shall:

248 (i) at least 90 days before approving the school closure or school boundary change,
249 provide notice that the local school board is considering the closure or boundary change to:

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

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

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

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

259 (iii) hold a public hearing as defined in Section 10-9a-103 and provide public notice of
260 the public hearing as described in Subsection (23)(b).

261 (b) The notice of a public hearing required under Subsection (23)(a)(iii) shall:

262 (i) indicate the:

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

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

265 (ii) for at least 10 days before the day of the public hearing, be published for the school
266 district in which the school is located, as a class A notice under Section 63G-30-102; and

267 (iii) at least [~~30~~] 60 days before the public hearing described in Subsection (23)(a)(iii),
268 be provided as described in Subsections (23)(a)(i).

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

271 (25) A local school board may establish or partner with a certified youth court in
272 accordance with Section 80-6-902 or establish or partner with a comparable restorative justice
273 program, in coordination with schools in that district. A school may refer a student to a youth

274 court or a comparable restorative justice program in accordance with Section [53G-8-211](#).

275 (26) (a) As used in this Subsection (26):

276 (i) "Learning material" means any learning material or resource used to deliver or
277 support a student's learning, including textbooks, reading materials, videos, digital materials,
278 websites, and other online applications.

279 (ii) (A) "Instructional material" means learning material that a local school board
280 adopts and approves for use within the LEA.

281 (B) "Instructional material" does not include learning material used in a concurrent
282 enrollment, advanced placement, or international baccalaureate program or class or another
283 class with required instructional material that is not subject to selection by the local school
284 board.

285 (iii) "Supplemental material" means learning material that:

286 (A) an educator selects for classroom use; and

287 (B) a local school board has not considered and adopted, approved, or prohibited for
288 classroom use within the LEA.

289 (b) A local school board shall:

290 (i) make instructional material that the school district uses readily accessible and
291 available for a parent to view;

292 (ii) annually notify a parent of a student enrolled in the school district of how to access
293 the information described in Subsection (26)(b)(i); and

294 (iii) include on the school district's website information about how to access the
295 information described in Subsection (26)(b)(i).

296 (c) In selecting and approving instructional materials for use in the classroom, a local
297 school board shall:

298 (i) establish an open process, involving educators and parents of students enrolled in
299 the LEA, to review and recommend instructional materials for board approval; and

300 (ii) ensure that under the process described in Subsection (26)(c)(i), the board:

301 (A) before the meetings described in Subsection (26)(c)(ii)(B), posts the recommended
302 learning material online to allow for public review or, for copyrighted material, makes the
303 recommended learning material available at the LEA for public review;

304 (B) before adopting or approving the recommended instructional materials, holds at

305 least two public meetings on the recommendation that provides an opportunity for educators
306 whom the LEA employs and parents of students enrolled in the LEA to express views and
307 opinions on the recommendation; and

308 (C) adopts or approves the recommended instructional materials in an open and regular
309 board meeting.

310 (d) A local school board shall adopt a supplemental materials policy that provides
311 flexible guidance to educators on the selection of supplemental materials or resources that an
312 educator reviews and selects for classroom use using the educator's professional judgment,
313 including whether any process or permission is required before classroom use of the materials
314 or resources.

315 (e) If an LEA contracts with another party to provide online or digital materials, the
316 LEA shall include in the contract a requirement that the provider give notice to the LEA any
317 time that the provider makes a material change to the content of the online or digital materials,
318 excluding regular informational updates on current events.

319 (f) Nothing in this Subsection (26) requires a local school board to review all learning
320 materials used within the LEA.

321 Section 2. **Effective date.**

322 This bill takes effect on May 1, 2024.