

1 **R277. Education, Administration.**

2 **R277-400. School Facility Emergency and Safety.**

3 **R277-400-~~[2]~~1. Authority and Purpose.**

4 ~~[A:]~~(1) This rule is authorized ~~[under]~~ by:

5 (a) Utah Constitution Article X, Section 3 which vests general control and
6 supervision of public education in the Board[;]; and

7 (b) Subsection 53E-3-401(4), which allows the Board to ~~[adopt]~~ make rules [in
8 accordance with its responsibilities] to execute the Board's duties and responsibilities
9 under the Utah Constitution and state law.

10 ~~[B:]~~(2) The purpose of this rule is to:

11 (a) establish general criteria for ~~[both]~~ ~~[E]~~emergency ~~[P]~~preparedness and
12 ~~[E]~~emergency ~~[R]~~response plans ~~[required of schools and LEAs in the event of school~~
13 ~~emergencies as defined in R277-400-1B. This rule also directs]; and~~

14 (b) direct LEAs to

15 (i) develop prevention, intervention, and response measures; and ~~[to]~~

16 (ii) prepare staff and students to respond promptly and appropriately to school
17 emergencies.

18 **R277-400-~~[1]~~2. Definitions.**

19 ~~[A. "Board" means the Utah State Board of Education.]~~

20 ~~[B:]~~1 "Emergency" means a natural or man-made disaster, accident, act of war, or
21 other circumstance ~~[which]~~ that could reasonably endanger the safety of school children or
22 disrupt the operation of the school.

23 ~~[C:]~~2 "Emergency Preparedness Plan" means policies and procedures developed
24 to promote the safety and welfare of students, protect school property, or regulate the
25 operation of schools during an emergency occurring within an LEA or a school.

26 ~~[D:]~~(3) "Emergency Response Plan" means a plan developed by an LEA or school
27 to prepare and protect students and staff in the event of school violence emergencies.

28 ~~[E:]~~(4) "LEA" ~~[means local education agency, including local school boards/ public~~
29 ~~school districts, charter schools, and]~~ includes, for purposes of this rule, the Utah Schools
30 for the Deaf and the Blind.

31 (5) "Plan" means an LEA's or school's emergency preparedness and emergency
32 response plan.

33 **R277-400-3. Establishing LEA Emergency Preparedness and Emergency**
34 **Response Plans.**

35 ~~[A:]~~(1) By July 1 of each year, each LEA shall certify to the ~~[Board]~~ Superintendent
36 that the LEA emergency preparedness and emergency response plan has been:

37 (a) practiced at the school level[;]; and

38 (b) presented to and reviewed by its teachers, administrators, students and their
39 parents, local law enforcement, and public safety representatives consistent with
40 Subsection 53G-4-402(18).

41 ~~[B:]~~(2) As a part of an LEA's annual application for state or federal Safe and Drug
42 Free School funds, the LEA shall reference its Emergency Response plan.

43 ~~[C:]~~(3)(a) ~~[The plan(s)]~~ LEA plans shall be designed to meet individual school needs
44 and features.

45 (b) An LEA may direct schools within the LEA to develop and implement individual
46 plans.

47 ~~[D:]~~(4)(a) ~~[The]~~ An LEA shall appoint a committee to prepare ~~[plan(s)]~~ plans or
48 modify existing ~~[plan(s)]~~ plans to satisfy this ~~[r]~~ Rule R277-400.

49 (b) The committee shall consist of appropriate school and community
50 representatives, which may include:

51 (i) school and LEA administrators[;];

52 (ii) teachers[;];

53 (iii) parents[;];

54 (iv) community and municipal governmental officers[;]; and

55 (v) fire and law enforcement personnel.

56 (c) The committee shall include governmental agencies and bodies vested with
57 responsibility for directing and coordinating emergency services on local and state levels.

58 [E-](5) [Each] An LEA shall review [the plan(s)] plans required this rule at least once
59 every three years.

60 [F-](6) The Board shall develop Emergency Response Plan models under
61 Subsection 53G-4-402(18)(c).

62 **R277-400-4. Notice and Preparation.**

63 [A-](1) Each school shall file a copy of [~~the plan(s)~~] plans required by this Rule
64 R277-400 with the LEA superintendent or charter school director.

65 [B-](2) At the beginning of each school year, [~~the~~] an LEA or school shall send or
66 provide online a written notice to parents and staff of [~~relevant~~] sections of LEA and school
67 plans, which are applicable to that school.

68 [C-](3)(a) [Each] A school shall designate an Emergency Preparedness/Emergency
69 Response week prior to April 30 of each school year.

70 (b) An LEA shall offer appropriate activities, such as [C]community, student, and
71 teacher awareness, or training, [such as] including those outlined in Sections R277-400-7
72 and 8, [would be appropriate activities offered] during the week.

73 [D-](4) [Each] A school's emergency response plan shall include procedures to
74 notify students, to the extent practicable, who are off campus at the time of a school
75 violence emergency consistent with Subsection 53G-4-402(18)(b)(v).

76 **R277-400-5. Plan[~~(s)~~] Content--Educational Services and Student Supervision and**
77 **Building Access.**

78 [A-](1) An LEA's plan shall contain measures [~~which~~] that assure that school
79 children receive reasonably adequate educational services and supervision during school
80 hours during an emergency and for education services in an extended emergency
81 situation.

82 ([1]2) An LEA plan shall include [E]evacuation procedures [shall] that assure
83 reasonable care and supervision of children until responsibility has been affirmatively

84 assumed by another responsible party.

85 ~~[(2)a]~~ An LEA[s] or school[s] shall not release children younger than ninth grade age
86 at other than regularly scheduled release times unless ~~[the]~~ a parent[s] or other responsible
87 person~~[s have]~~ has been notified and ~~[have]~~ assumed responsibility for the children.

88 (b) An LEA[s] or school[s] may release an older [children] student without such
89 notification if a school official determines that the ~~[children are]~~ student is reasonably
90 responsible and notification is not practicable.

91 ~~[B:]~~(3)(a) An LEA plan[s], as determined by the LEA board, shall address access to
92 public school buildings by: ~~[specific groups:]~~

93 (i) students[-];

94 (ii) community members[-];

95 (iii) lessees[-];

96 (iv) invitees[-]; and

97 (v) others.

98 ~~[(4)b]~~ An LEA [Access planning] access plan:

99 (i) may include restricted access for some individuals[-];

100 ~~[(2) Plans]~~ (ii) shall address building access during identified time periods[-]; and

101 ~~[(3) Plans]~~ (iii) shall address possession and use of school keys by designated
102 administrators and employees.

103 ~~[C:]~~(4) An LEA's or school's plan shall identify resources and materials available for
104 emergency training for LEA employees.

105 **R277-400-6. Emergency Preparedness Training for School Occupants.**

106 ~~[A:]~~(1) [The] An LEA's or school's emergency preparedness and emergency
107 response plan shall contain measures which assure that school children receive
108 emergency preparedness training.

109 ~~[B:]~~(2) LEAs [or schools] shall provide school children with training appropriate to
110 their ages in rescue techniques, first aid, safety measures appropriate for specific
111 emergencies, and other emergency skills.

112 ~~[C. Emergency drills:]~~

113 ~~[(1)]~~(3) During each school year, elementary schools shall conduct emergency drills
114 at least once each month during school time.

115 ~~[(2)]~~(4) LEAs shall alternate one of the following practices or drills with required fire
116 drills:

117 (a) shelter in place;

118 (b) earthquake;

119 (c) lock down for violence;

120 (d) bomb threat;

121 (e) civil disturbance;

122 (f) flood;

123 (g) hazardous materials spill;

124 (h) utility failure;

125 (i) wind or other types of severe weather;

126 (j) parent and student reunification;

127 ~~[(j)]~~(k) shelter and mass care for natural and technological hazards; or

128 ~~[(k)]~~(l) an emergency drill appropriate for the particular school location.

129 ~~[D. Fire drills:]~~

130 ~~[(1)]~~(5)(a) Fire drills shall include the complete evacuation of all persons from the
131 school building or the portion of the building used for educational purposes.

132 ~~(b)[LEAs or schools]~~ An LEA or school may make an exception for the staff member
133 responsible for notifying the local fire emergency contact and handling emergency
134 communications.

135 ~~[(2)]~~(6) All schools shall have one fire drill in the first 10 days of the regular school
136 year.

137 ~~[(3)]~~(7) Elementary schools (grades K-6) shall have at least one fire drill every other
138 month throughout the school year.

139 ~~[(4)]~~(8) ~~[Secondary schools]~~ In accordance with Section 15A-5-202.5, a secondary
140 school (grades 7-12) shall have:

141 (a) at least one fire drill every two months throughout the school year[-]; and

142 ~~[(5) Secondary schools (grades 7-12) shall have]~~

143 (b) one fire drill in the first 10 days of ~~[the calendar year.]~~ after the beginning of
144 classes.

145 ~~[(6)](9)~~ When required by the local fire chief, ~~[the]~~(an) LEA shall notify the local fire
146 department prior to each fire drill.

147 ~~[(7)](10)~~ When a fire alarm system is provided, an LEA shall initiate by activation of
148 the fire alarm system.

149 ~~[E:]~~(11) Schools that include both elementary and secondary grades in the school
150 shall comply, at a minimum, with the elementary emergency drill requirements.

151 (12)(a) In cooperation with the LEA's local law enforcement agency to establish a
152 parent and student reunification plan.

153 (b) Beginning with the 2019-20 school year, all schools shall have at least one
154 parent and student reunification drill per school year.

155 **R277-400-7. Emergency Response Review and Coordination.**

156 ~~[A:]~~(1) ~~[Each]~~ An LEA shall provide an annual training for LEA and school building
157 staff on employees' roles, responsibilities and priorities in the emergency response plan.

158 ~~[B:]~~(2) An LEA[s] shall require schools to conduct at least one annual drill for school
159 emergencies in addition to drills required under ~~[R277-400-6C(2)]~~ Section R277-400-6,
160 which shall be held no later than October 1 annually.

161 ~~[C:]~~(3) An LEA[s] shall require schools to review existing security measures and
162 procedures within their schools and make adjustments as needs demonstrate and funds
163 are available.

164 ~~[D:]~~(4) An LEA[s] shall develop standards and protections to the extent practicable
165 for participants and attendees at school-related activities, with special attention to those off
166 school property.

167 ~~[E:]~~(5) An LEA[s ~~and~~] or school[s] shall coordinate with local law enforcement and
168 other public safety representatives in appropriate drills for school safety emergencies.

169 **R277-400-8. Prevention and Intervention.**

170 ~~[A:]~~(1) An LEA[s] shall provide schools, as part of their regular curriculum,

171 comprehensive violence prevention and intervention strategies, such as resource lessons
172 and materials on anger management, conflict resolution, and respect for diversity and other
173 cultures.

174 [B:](2) As part of ~~[the]~~ a violence prevention and intervention ~~[strategies]~~ strategy, a
175 school[s] may provide age-appropriate instruction on firearm safety including appropriate
176 steps to take if a student sees a firearm or facsimile in school.

177 [C:](3) An LEA[s] shall also develop, to the extent resources permit, student
178 assistance programs, such as care teams, school intervention programs, and interagency
179 case management teams.

180 [D:](4) In developing student assistance programs, an LEA[s] should coordinate with
181 and seek support from other state agencies and the ~~[Utah State Office of Education]~~
182 Superintendent.

183 **R277-400-9. Cooperation With Governmental Entities.**

184 [A:](1) As appropriate, an LEA may enter into cooperative agreements with other
185 governmental entities to assure proper coordination and support during emergencies.

186 [B:](2)(a) An LEA[s] shall cooperate with other governmental entities, as reasonably
187 feasible, to provide emergency relief services.

188 (b) An LEA's or school's ~~[The plan(s)]~~ plans required by this rule shall contain
189 procedures for assessing and providing school facilities, equipment, and personnel to meet
190 public emergency needs.

191 [C:](3) ~~[The plan(s)]~~ A plan developed under ~~[R277-400-5]~~ this rule shall delineate
192 communication channels and lines of authority within the LEA, city, county, and state.

193 ([1]a) ~~[the Board, through its]~~ The superintendent, is the chief officer for
194 emergencies involving more than one LEA, or for state or federal assistance; and

195 ([2]b) ~~[the]~~ A local governing board, through its superintendent or director, is the
196 chief officer for LEA emergencies[;].

197 ~~[(3) the local charter school board through its director is the chief officer for local~~
198 ~~charter school emergencies; and~~

199 ~~———— (4) In the event of an emergency, school personnel shall maintain control of public~~
200 ~~school students and facilities during the regular school day or until students are released to~~
201 ~~parents or legal guardians.]~~

202 **R277-400-10. Fiscal Accountability.**

203 ~~[The plan(s) under R277-400-5]~~ An LEA or school plan required under this rule shall
204 address procedures for recording LEA funds expected for emergencies, for assessing and
205 repairing damage, and for seeking reimbursement for emergency expenditures.

206 **R277-400-11. School Carbon Monoxide Detection.**

207 ~~[A:]~~(1) A ~~[N]new educational [facilities]~~ facility shall have a carbon monoxide
208 detection system installed consistent with International Fire Code (IFC), Chapter 9,
209 Sections 908.7.2.1 through 908.7.2.6.

210 ~~[B:]~~(2) An ~~[Existing facilities]~~ existing educational facility shall have a carbon
211 monoxide detection system installed consistent with International Fire Code (IFC), Chapter
212 11, Section 1103.9.

213 ~~[C:]~~(3) Where required, an LEA[s] shall provide a carbon monoxide detection
214 system where a fuel-burning appliance, a fuel-burning fireplace, or a fuel-burning forced air
215 furnace is present consistent with IFC 908.7.2.1.

216 ~~[D:]~~(4) An LEA[s] shall install each carbon monoxide detection system consistent
217 with NFPA 720 and the manufacturer's instructions, and listed systems as complying with
218 UL 2034 and UL 2075.

219 ~~[E:]~~(5) An LEA[s] shall install each carbon monoxide detection system in the
220 locations specified in NFPA 720.

221 ~~[F:]~~(6) A combination carbon monoxide/smoke detector is an acceptable alternative
222 to a carbon monoxide detection system if the combination carbon monoxide/smoke
223 detector is listed consistent with UL 2075 and UL 268.

224 ~~[G:]~~(7)(a) Each carbon monoxide detection system shall receive primary power from
225 the building wiring if the wiring is served from a commercial source.

226 (b) If primary power is interrupted, a battery shall provide each carbon monoxide
227 detection system with power.

228 (c) The [W]wiring for a carbon monoxide detection system shall be permanent and
229 without a disconnecting switch other than that required for over-current protection.

230 [H.](8) An LEA[s] shall maintain all carbon monoxide detection systems consistent
231 with IFC 908.7.2.5 and NFPA 720.

232 [I.](9) Performance-based alternative design of carbon monoxide detection systems
233 is acceptable consistent with NFPA 720, Section 6.5.4.5.

234 [J.](10) An LEA[s] shall monitor carbon monoxide detection systems remotely
235 consistent with NFPA 720.

236 [K.](11) An LEA[s] shall replace a carbon monoxide detection system that becomes
237 inoperable or begins to produce end-of-life signals.

238 **KEY: emergency preparedness, disasters, safety, [~~safety education~~] carbon**
239 **monoxide detectors**

240 **Date of Enactment or Last Substantive Amendment: [~~October 9, 2014~~]**

241 **Notice of Continuation: February 13, 2014**

242 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4);**

243 **53G-4-402(1)(b)**