

R277-400 received final approval by the Utah State Board of Education on August 2, 2018. R277-400 is published in the September 1, 2018 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of October 8, 2018.

R277. Education, Administration.

R277-400. School Facility Emergency and Safety.

R277-400-[2]1. Authority and Purpose.

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

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

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

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

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

(b) direct LEAs to

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

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

R277-400-[1]2. Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) school and LEA administrators[.];

(ii) teachers[.];

(iii) parents[.];

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

(v) fire and law enforcement personnel.

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

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

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

R277-400-4. Notice and Preparation.

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

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

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

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

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

R277-400-5. Plan~~(s)~~ Content--Educational Services and Student Supervision and Building Access.

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

~~(1)~~(2) An LEA plan shall include ~~[E]~~evacuation procedures [shall] that assure

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reasonable care and supervision of children until responsibility has been affirmatively assumed by another responsible party.

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

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

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

(i) students[-];

(ii) community members[-];

(iii) lessees[-];

(iv) invitees[-]; and

(v) others.

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

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

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

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

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

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

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

~~[B:]~~(2) LEAs [or schools] shall provide school children with training appropriate to their ages in rescue techniques, first aid, safety measures appropriate for specific

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emergencies, and other emergency skills.

~~[C. Emergency drills:]~~

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

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

- (a) shelter in place;
- (b) earthquake;
- (c) lock down [or lock out](#) for violence;
- (d) bomb threat;
- (e) civil disturbance;
- (f) flood;
- (g) hazardous materials spill;
- (h) utility failure;
- (i) wind or other types of severe weather;
- (j) parent and student reunification;
- ~~[(j)](k)~~ shelter and mass care for natural and technological hazards; or
- ~~[(k)](l)~~ an emergency drill appropriate for the particular school location.

~~[D. Fire drills:]~~

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

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

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

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

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

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

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

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

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

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

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

(12)~~[(a)]~~ In cooperation with the LEA's local law enforcement agency, an LEA shall:

(a) establish a parent and student reunification plan [for each school within the LEA;](#)
[\[and\]](#)

[\[\(b\) publish the LEA's parent reunification procedures.\]](#)

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

(b) as part of the LEA's registration and enrollment process, annually provide parents a summary of parental expectations and notification procedures related to the LEA's parent and student reunification plan; and

(c) require each school within the LEA to publish the information described in Subsection (12)(b) on the school's website.

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

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

~~[B-](2)~~ An LEA[s] shall require schools to conduct at least one annual drill for school emergencies in addition to drills required under ~~[R277-400-6C(2)]~~ Section R277-400-6,

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which shall be held no later than October 1 annually.

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

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

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

R277-400-8. Prevention and Intervention.

[A:](1) An LEA[s] shall provide schools, as part of their regular curriculum, comprehensive violence prevention and intervention strategies, such as resource lessons and materials on anger management, conflict resolution, and respect for diversity and other cultures.

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

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

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

R277-400-9. Cooperation With Governmental Entities.

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

[B:](2)(a) An LEA[s] shall cooperate with other governmental entities, as reasonably

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feasible, to provide emergency relief services.

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

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

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

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

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

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

R277-400-10. Fiscal Accountability.

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

R277-400-11. School Carbon Monoxide Detection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-4-402(1)(b)