

CSBA Sample Board Policy

Students

BP 5142.2(a)

SAFE ROUTES TO SCHOOL PROGRAM

Note: The following **optional** policy may be revised to reflect district practice. ~~Districts are encouraged to review CSBA's policy brief, *Safe Routes to School: Program and Policy Strategies for School Districts*, when developing policy on this topic.~~

Education Code 44808 provides that districts are not responsible or in any way liable for the conduct or safety of students at any time when students are not on school property unless the district has undertaken to provide transportation for students to and from the school premises, has undertaken a school-sponsored activity off premises, has otherwise specifically assumed responsibility or liability, or has failed to exercise reasonable care under the circumstances. In addition, districts should consult legal counsel and/or the district's insurance provider regarding any potential liability issues. Also see BP/AR 5142 - Safety.

~~Both state and federal grants are available to support local efforts to increase the number of students walking and bicycling to school and to make it safer for them to do so. The federal Safe Routes to Schools (SRTS) program supports both infrastructure and noninfrastructure projects and focuses on grades K-8 (23 USC 148). The state program, referred to as SR2S, provides funding to cities and counties for infrastructure projects in the vicinity of K-12 schools, with up to 10 percent expenditure allowable for noninfrastructure activities (Streets and Highways Code 2333.5). Funding for both federal and state programs is distributed through the California Department of Transportation's (Caltrans) Division of Local Assistance. Questions about program administration may be directed to the Caltrans regional coordinator.~~

Strategies to promote walking, bicycling, and other forms of active transport to school may be **included** ~~referenced~~ in the district's school wellness policy, adopted pursuant to ~~the federal Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act of 2004 (42 USC 1758b)~~, which is required to include goals for physical activity, ~~see BP 5030 - Student Wellness~~. Strategies may also be included in the district's comprehensive safety plan adopted pursuant to Education Code 32282, ~~and see AR 0450 - Comprehensive Safety Plan~~, **the district's environmental programs**, ~~see BP 5030 - Student Wellness, AR 0450 - Comprehensive Safety Plan, and BP 3510 - Green School Operations.~~

The Governing Board recognizes that walking, bicycling, and other forms of active transport to school **promote increase** students' physical activity and reduce vehicle traffic and air pollution in the vicinity of schools. As part of the district's coordinated approach to supporting student wellness and safety and enhancing student learning **and achievement**, the Superintendent or designee shall develop and implement strategies to establish and **promote encourage** safe routes to school program activities.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3510 - Green School Operations)

(cf. 3514 - Environmental Safety)

(cf. 5030 - Student Wellness)

(cf. 5142 - Safety)

All students shall have equitable access and opportunity to participate in the district's safe routes to school program.

SAFE ROUTES TO SCHOOL PROGRAM (continued)*(cf. 0415 - Equity)*

Note: Districts that have a school wellness council and/or a committee that focuses on environmental efforts may want to identify those groups to assist with the planning and coordination of safe routes to school activities, as described below. Districts may revise the following paragraph to reflect district practice.

The Superintendent or designee may **identify appoint** a program coordinator ~~or~~ **and identify or** establish district and/or school site committees to oversee and coordinate related activities.

The Superintendent or designee may collaborate with local public works and public safety departments, transportation agencies, other city and county agencies, school staff, students, parents/guardians and parent organizations, health organizations, community organizations, and/or businesses in the development, implementation, and evaluation of strategies.

*(cf. 1220 - Citizen Advisory Committees)**(cf. 1230 - School-Connected Organizations)**(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)**(cf. 1700 - Relations Between Private Industry and the Schools)**(cf. 6020 - Parent Involvement)*

Strategies **in support of the safe routes to school program** shall be based on the grade levels of the students and an assessment of the conditions and needs of each school and the surrounding neighborhoods.

Note: Both state and federal grants are available to support local efforts to increase the number of students walking and bicycling to school and to make it safer for them to do so. The federal Safe Routes to Schools (SRTS) program supports both infrastructure and noninfrastructure projects and focuses on grades K-8 (23 USC 148). The state program, referred to as SR2S, provides funding to cities and counties for infrastructure projects in the vicinity of K-12 schools, with up to 10 percent expenditure allowable for noninfrastructure activities (Streets and Highways Code 2333.5). Pursuant to 23 USC 133, funding for infrastructure and noninfrastructure projects that support safe routes to schools may be available under the Surface Transportation Block Grant. At the state level, districts may apply for funding through the Active Transportation Program (ATP) (Streets and Highways Code 2380-2385). Funding for both federal and state programs is distributed through the California Department of Transportation's (Caltrans) Division of Local Assistance. Questions about program administration may be directed to the Caltrans regional coordinator.

When local agencies partner together to apply for a state or federal grant, the city or county is generally the lead applicant for infrastructure funding. A school district may be named as the responsible agency for a federal grant if it partners with a city, county, or transportation agency. However, **Additionally, the district may collaborate **with local agencies and organizations** to find funding sources and **also** may seek alternative funding sources for district projects and events that are not covered by a grant.**

Streets and Highways Code 2380 expresses legislative intent that disadvantaged communities fully share in the benefits of the ATP, and Streets and Highways Code 2382 requires that the guidelines for the ATP ensure that no less than 25 percent of overall program funds benefit disadvantaged communities, as defined, during each program cycle.

SAFE ROUTES TO SCHOOL PROGRAM (continued)

The Superintendent or designee shall explore the availability of grant funds and other sources of funding to support related projects and activities.

(cf. 1260 - Educational Foundation)

(cf. 3100 - Budget)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3470 - Debt Issuance and Management)

(cf. 3471 - Parcel Taxes)

(cf. 7110 - Facilities Master Plan)

Note: The following **optional** paragraph may be revised to reflect indicators agreed upon by the Governing Board and Superintendent ~~or designee~~ to assess progress toward program goals. To assist with program evaluation, the National Center for Safe Routes to School (NCSRTS) has developed a standardized survey of parents/guardians' attitudes about allowing their child to walk or bicycle to school as well as student tally forms for recording the modes of travel that students use. NCSRTS recommends that a district use these forms both before and after implementation of a project in order to evaluate changes in attitudes and behaviors. NCSRTS also provides **an online data system to enter and view data collected from the data analysis and report preparation of** parent surveys and student tallies. Caltrans requires the use of these evaluation forms by grant recipients.

The Superintendent or designee shall periodically report to the Board on the implementation of program activities and progress toward program goals. Such reports may include, but **are** not ~~be~~ limited to, levels of participation in promotional and educational activities, survey results of parent/guardian attitudes about allowing their child to walk or bicycle to school, tallies of the numbers of students using various modes of travel to and from school and how these numbers have changed over time, records of student attendance and on-time arrival, and injury data within the school and/or district attendance boundaries.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

32282 ~~32283~~ Comprehensive safety plan

44808 Liability for conduct or safety of students when not on district property

45450-45451 Crossing guards

GOVERNMENT CODE

65352.2 General planning; communication between cities, counties and school districts

STREETS AND HIGHWAYS CODE

2333.5 Safe routes to schools construction program

2380-2385 Active Transportation Program

VEHICLE CODE

21200-**21213 ~~21212~~** Operation of bicycles, especially:

21212 Helmet required for bicycle, nonmotorized scooter, skateboard, skates

21949-21971 Pedestrian rights and duties

Legal Reference continued: (see next page)

SAFE ROUTES TO SCHOOL PROGRAM (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 23

133 Surface transportation block grant program

148 Highway safety improvement program

UNITED STATES CODE, TITLE 42

1758b Local wellness policy

COURT DECISIONS

Cerna v. City of Oakland (2008) 161 Cal.App.4th 1340

Management Resources:

CSBA PUBLICATIONS

Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, August 2009

Building Collaboration: Tools and Ideas for Creating Active Living, Healthy Eating Communities, August 2009

CALIFORNIA DEPARTMENT OF TRANSPORTATION PUBLICATIONS

Active Transportation Program Fact Sheet, January 2020

ATP Purpose and Goals as Defined by the State Legislature and SB 99, March 2015

NATIONAL CENTER FOR SAFE ROUTES TO SCHOOL PUBLICATIONS

Safe Routes to School Guide

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PUBLICATIONS

Advancing Pedestrian and Bicyclist Safety: A Primer for Highway Safety Professionals, April 2016

Safe Routes to School Toolkit, 2002

SAFE ROUTES TO SCHOOL NATIONAL PARTNERSHIP PUBLICATIONS

Safe Routes to School by the Numbers: Using Data to Foster Walking and Biking to School, June 2016

Safe Routes to School 2009 Policy Report: Moving to the Future: Building on Early Achievements, March 2009

WEB SITES

CSBA: <http://www.csba.org>

California Center for Physical Activity: <http://www.caphysicalactivity.org>

California Department of Transportation, Safe Routes to School:

<http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm>

National Center for Safe Routes to School: <http://www.saferoutesinfo.org>

National Highway Traffic Safety Administration: <http://www.nhtsa.gov>

Safe Routes to School National Partnership: <http://www.saferoutespartnership.org>

U.S. Department of Transportation, Federal Highway Administration, Safe Routes to School:

~~<http://safety.fhwa.dot.gov/saferoutes>~~ https://www.fhwa.dot.gov/environment/safe_routes_to_school