



Promoting Health in Minnesota Schools:

SAFE ROUTES TO SCHOOL

As society becomes more aware of and concerned with children's health issues, communities are turning to their schools to provide an environment that promotes both healthy eating and physical activity.¹ School policies supporting healthy eating and physical activity are an important component of school efforts to promote the health and wellbeing of school children. Good nutrition and physical activity help "contribute to improved academic performance, attendance rates, behavior, and lifelong health and well-being."² Policies supporting Safe Routes to School can encourage children to be more physically active by encouraging active transportation to and from school through biking and walking.

What is Safe Routes to School?

Safe Routes to School (SRTS) is a movement focused on increasing the number of children who walk or bike to school.³ Safe Routes to School initiatives can include both policies and programs that support safe, efficient, and enjoyable opportunities for children to walk or bike to and from school.⁴

Local policies supporting SRTS may include:

- School wellness policies.
- Speed zone limits around schools.
- Local land use planning and zoning requirements that address school siting, crosswalks, and street design.
- Active School Day policies.
- Safe Routes to School plan.

A school's SRTS programs may include:

- Walking and/or biking maps.
- Consolidated bus pick-up points.
- Remote pick-up and drop-off locations.
- Bike and pedestrian curriculum.
- Walking school bus.
- Safe Routes to School Day.
- Designated team of stakeholders.
- Bicycle parking.
- Hand tallies to assess usage of various modes of student transportation.
- Hazard or zero-mile busing to transport children past areas unsafe for walking or biking.

Safe Routes to School policies and programs are often designed to remove barriers that may prevent children from walking or biking to and from school, including:

- A lack of safe infrastructure (such as sidewalks, cross-walks, or crossing guards) and other safety issues.
- A lack of programs that promote walking and biking through education and encouragement programs aimed at children, parents, and the community.
- A lack of cooperation between local stakeholders (school districts, cities, counties, or townships).
- A general fear of “liability” for injuries or other unwanted incidents.

Why is Safe Routes to School important?

Safe Routes to School can play a critical role in reversing the nationwide trend of childhood inactivity.⁵ In addition, SRTS efforts can help relieve traffic congestion around school zones, improve air quality, reduce accidents, and help improve a community’s quality of life.⁶ Safe Routes to School initiatives benefit local neighborhoods by supporting the health and well-being of children, parents, neighbors, plants, animals, and the environment.⁷

Do any federal or Minnesota laws require a Safe Routes to School initiative?

No. However, while neither federal nor Minnesota law require SRTS, both provide support for SRTS initiatives. Federal support for SRTS initiatives includes funding for state departments of transportation to develop SRTS programs.⁸ Financial assistance is then awarded to schools by a state department of transportation through a competitive grant program.⁹

A separate Minnesota SRTS program was created to provide additional “assistance in capital investments for safe and appealing non-motorized transportation to and from a school.”¹⁰ Financial assistance from Minnesota’s SRTS Program is intended to supplement or replace aid for infrastructure projects funded through the federal program.¹¹ This program is in development; it first received funding from the Minnesota bonding bill that was passed in May 2013.¹² The Minnesota Department of Health also supports SRTS by providing funding through its Statewide Health Improvement Program (SHIP) Active Living Strategy. In the first three years of SHIP, 215 schools that serve 143,000 students created SRTS programs.¹³

Does the Minnesota School Boards Association (MSBA)¹⁴ Model Wellness Policy¹⁵ address Safe Routes to School?

No, not specifically.

Could existing MSBA policies be used to support the creation and management of Safe Routes to School?

Yes. The MSBA has several model policies that could be used to support the creation and management of a Safe Routes to School program, such as:

- 707 (Transportation of Public School Students)
- 708 (Transportation of Nonpublic School Students)
- 709 (Student Transportation Safety Policy & Notification Forms)
- 710 (Extracurricular Transportation)

How can Minnesota schools incorporate Safe Routes to School into a school wellness policy?

The following language can be incorporated into a school board policy that follows the MSBA's model. This language can also be individually tailored to fit into a school board policy that does not follow the MSBA model policy.

Addition to the MSBA School Wellness Policy

533._ SAFE ROUTES TO SCHOOL POLICY

I. PURPOSE

The purpose of this policy is to provide the criteria that students, parents/guardians, and employees need to follow when biking, walking, or using other forms of active transportation to and from school. Biking, walking, and other forms of active transportation promote student and adult well-being by integrating more physical activity into a daily routine and provide active living skills and healthy habits that will last a lifetime.

In supporting active transportation to and from school:

- The district supports biking and walking as transportation as long as students and employees can do so safely.
- Students, parents/guardians, and employees have a responsibility to follow the laws and rules for safe walking, biking, and driving to ensure the safety of all road users - pedestrians, bikers, and motorists.
- The school district assumes no liability for injury or damage resulting from individuals biking or walking to school.

II. GUIDELINES

A. General

1. The school district will facilitate all schools developing a Safe Routes to School (SRTS) plan that incorporates action items from all "5 E's" (evaluation, engineering, education, encouragement, and enforcement).¹⁶
2. The school district will integrate SRTS strategies into district-wide and individual school wellness policies.
3. The school district will assess and, to the extent possible, make any necessary improvements to make it safer and easier for students to walk and bike to and from school. When appropriate, the district will work together with local public works, public safety, and/or police departments in those efforts. The school district will explore the availability of federal and state funds to finance such improvements.
4. The school district will form a school-community planning team that includes students, parent-teacher organizations, local public health representatives, school administrators, law enforcement representatives, city and/or county transportation engineers, city and/or county planners, city and/or county elected officials, fire/EMS representatives, neighborhood association representatives, and parents or other community volunteers.
5. The school district will encourage health and wellness councils at the school district and school level to advance SRTS goals and support successful, ongoing implementation.
6. The school district will encourage walking and biking to and from school based on age-appropriate standards for students living within certain distances of the school.
7. The school district will provide parents with information on the health benefits of walking and biking to and from school.

8. The school district will work with the appropriate local government authorities to ensure that sidewalks and/or bike paths exist to provide connectivity among neighborhoods and to allow safe access to recreation centers, libraries, and other after-school destinations.
9. The school district assumes no responsibility to ensure that students are trained in pedestrian or bike safety. Parents and guardians are expected to teach students the traffic safety laws and school district rules outlined in this policy.

B. Biking

1. The school district supports students, parents/guardians, and employees using biking as transportation as long as the bikers live within a comfortable biking distance for their level of skill, follow traffic safety laws, and use appropriate safety equipment, including a properly fitted helmet.
2. Children in 3rd grade and below are unlikely to have the developmental and judgment skills for unsupervised biking. These children should be accompanied by an adult when biking to or from school.
3. While on school grounds with a bike, students must comply with traffic safety laws and the following rules:
 - a. Bikers must exercise caution around motor vehicles and pedestrian students. Bikers must walk bikes on school sidewalks when others are present.
 - b. Bikes must be parked in the racks provided.
 - c. Students are encouraged to bring and use bike locks.
 - d. Helmets must be stored in a locker or backpack, or locked to a bike.
 - e. Students must respect the personal property of others and not interfere with other bikes. This includes stealing bikes or equipment, unlocking quick releases, touching helmets locked to bikes, or any other action that would damage property.

C. Walking

1. The school district supports students, parents/guardians, and employees walking to and from school, as long as the individuals live within a comfortable walking distance.
2. The school district recommends that students in 3rd grade and below walk with adult supervision.
3. Walkers must obey traffic safety laws and always use their common sense and good judgment.
 - a. If available, students, parents/guardians, and employees should use cross walks where painted.
 - b. Before crossing, look left, right, and left again to make sure the road is clear. Continue looking while you cross and listen for traffic.
 - c. Walkers should not cross the street from between parked cars.

What other ways can schools support Safe Routes to School initiatives?

In Minnesota, the superintendent is responsible for implementing and enforcing school board policy. Superintendents issue protocols, procedures, and guidelines to help implement the school board's policies. The following language can be incorporated into existing guidelines. However, as school boards and superintendents may adopt more specific or general guidelines based on their needs and goals, policy language can be interchangeable with the guidelines listed below.

Safe Routes to School Guidelines

- Students, faculty, and staff are encouraged and supported to safely walk or bike to and from school as often as possible.¹⁷
- Elementary schools will provide crossing guards near the school.¹⁸
- Schools will work with the community, including school board members, parents, and local public works, community planning, and public safety agencies, to create ways for students to walk, bike, rollerblade, or skateboard safely to and from school.¹⁹
- All schools will provide biking and walking safety education to students, parents, and faculty.²⁰
- Basic biking and walking safety will be taught when bus safety is taught.
- The school district will participate in national activity campaigns, like Kids Walk to School, Screen-Free Week, Bike to School Day, and International Walk to School Day.
- All schools will provide bike racks on the school campus.²¹ Bikes must be locked to school-provided racks when left unattended.²²
- The school district will develop a walking school bus and remote drop-off program at the elementary level.
- All schools will provide maps showing safe routes for students to walk and bike to and from school.²³
- Elementary school students living less than ___ mile(s) away from the closest school in their district, and middle and high school students living less than ___ mile(s) from the closest school in their district, will be encouraged to walk or bike to and from school.²⁴
- Transportation or an adult escort will be provided to students whose route to school has been surveyed and determined not to be reasonably safe for walking or biking.²⁵
- All persons on school grounds riding a bike, other pedal-powered vehicle, scooter, or any other device associated with a significant risk of causing a head injury will wear a safety helmet that meets the standards of the federal Consumer Product Safety Commission.²⁶
- Health education and physical education curricula will include topics of pedestrian and biker safety and traffic rules at appropriate grade levels.²⁷
- Schools will conduct hand tallies to measure the number of students biking, walking, and arriving in motor vehicle transit for assessment purposes.

Are there any other resources that may be helpful in implementing **Safe Routes to School**?

Yes. Several resources are available that can assist with implementing an SRTS program. These include:

- Public Health Law Center
 - *School Zone Speed Limits in Minnesota*, <http://publichealthlawcenter.org/sites/default/files/resources/ship-fs-ww-schoolzonespeedlimit-2010.pdf>
 - *Waivers and Releases*, <http://publichealthlawcenter.org/sites/default/files/resources/ship-fs-WaiversReleases-2011.pdf>
 - *Liability for Volunteers in the Walking School Bus Program*, http://publichealthlawcenter.org/sites/default/files/resources/ship-fs-wschoolbus-2010_0.pdf
 - *Liability Concerns in Minnesota: Recreational Maps*, http://publichealthlawcenter.org/sites/default/files/resources/ship-fs-communitymappingliability-2010_0.pdf

- Minnesota Department of Transportation, *Safe Routes to School Program*, <http://www.dot.state.mn.us/saferoutes/>
- Minnesota Department of Health, *Safe Routes to School Program*, <http://www.health.state.mn.us/divs/oshii/srts/>
- National Center for Safe Routes to School
 - *Walkability Checklist*, <http://www.saferoutesinfo.org/sites/default/files/walkabilitychecklist.pdf>
 - *Personal Security and Safe Routes to School*, http://www.saferoutesinfo.org/sites/default/files/Personal_Security_and_SRTS.pdf
 - *Plan the Event*, <http://www.walkbiketoschool.org/get-set/plan-the-event>
- Centers for Disease Control and Prevention, *Walk-to-School Programs*, http://www.cdc.gov/nccdphp/dnpa/kidswalk/pdf/kidswalk_programs_3_31_06.pdf
- Michigan Department of Transportation, *Effectively Planning and Implementing Safe Routes to School for Students with Disabilities*, http://saferoutesmichigan.org/userfiles/file/Resources/papers_and_presentations/sr2s_papers/EX_SUMMARY_SRTS_for_Students_with_Disabilities_FINAL.pdf

Last updated June 2013.

This publication was prepared by the Public Health Law Center at William Mitchell College of Law, St. Paul, Minnesota, made possible with funding from the Minnesota Department of Health and the Centers for Disease Control and Prevention. The Public Health Law Center provides information and technical assistance on issues related to public health. The Public Health Law Center does not provide legal representation or advice. This document should not be considered legal advice. For specific legal questions, consult with an attorney.



The Public Health Law Center thanks Terri Swartout from the Minnesota Department of Education, Lisa Austin with the Minnesota Department of Transportation, and Cathy Miller from the Minnesota School Boards Association for their assistance in reviewing and providing feedback on this document.

For related publications, visit www.publichealthlawcenter.org

Endnotes

¹ See, e.g., *Local Wellness Policy: A Guide for Development*, MINN. DEP'T OF EDUC. 5 (Sept. 2005), available at <http://www.health.state.mn.us/cdrr/nutrition/docsandpdf/localwellnesspolicy.pdf>.

² *School Wellness Policies*, IDAHO DEP'T OF EDUC., <http://www.sde.idaho.gov/site/cnp/wellness/> (last visited May 6, 2013).

³ See, e.g., *Safe Routes to School Program*, MINN. DEP'T OF TRANS., <http://www.dot.state.mn.us/saferoutes/index.html> (last visited Apr. 29, 2013) [hereinafter *MNDOT SRTS Program*].

⁴ See Nike, Inc. et al., *Designed to Move: A Physical Activity Action Agenda*, 78-79 (2012), available at http://designedtomove.org/downloads/Designed_To_Move_Full_Report.pdf.

⁵ *What is Safe Routes to School?*, SAFE ROUTES TO SCHOOL NAT'L PARTNERSHIP, <http://www.saferoutespartnership.org/about/history/what-is-safe-routes-to-school> (last visited Apr. 29, 2013). See also David Bassett

et al., *Estimated Energy Expenditures for School-Based Policies and Active Living*, 44 AM. J. PREV. MED. 108, 112 (2013) (reviewing scientific literature to conclude that walking or biking to school has “the potential to meaningfully increase children’s physical activity”).

⁶ *Build & Sustain a Program*, SAFE ROUTES NAT’L CENTER FOR SAFE ROUTES TO SCHOOL, <http://www.saferoutesinfo.org/program-tools/build-and-sustain-program> (last visited Apr. 29, 2013).

⁷ *Safe Routes to School Program: Talking Points*, MINN. DEP’T OF EDUC., <http://www.dot.state.mn.us/saferoutes/educators.html#classroom> (last visited Apr. 24, 2013).

⁸ See *MNDOT SRTS Program*, *supra* note 3. See also *MAP-21: Moving Ahead for Progress in the 21st Century*, MINN. DEP’T OF TRANS., <http://www.dot.state.mn.us/map-21/index.html> (referring to the Moving Ahead for Progress in the 21st Century Act, Pub. L. No. 112-141, 126 Stat. 405 (2012)) (last visited Apr. 29, 2013).

⁹ *Safe Routes to School Program: Safe Routes to School Funding and Special Requirements*, MINN. DEP’T OF TRANS. (last modified 2012), <http://www.dot.state.mn.us/saferoutes/funding.html>.

¹⁰ MINN. STAT. §174.40, Subd. 2 (2012).

¹¹ MINN. STAT. §174.40, Subd. 2 (2012).

¹² *Permanent Transportation Funding Increase Eludes 2013 Legislature*, LEAGUE OF MINNESOTA CITIES (May 28, 2013), <http://www.lmc.org/page/1/omnitranspo2013.jsp>.

¹³ *SHIP Stories*, Minn. Dep’t of Health (last updated May 2013), *available at* <http://www.health.state.mn.us/divs/oshii/ship/stories/pdf/saferoutesfairmont.pdf>.

¹⁴ LEAGUE OF MINNESOTA CITIES, *HANDBOOK FOR MINNESOTA CITIES 17:14* (2012), *available at* <http://www.lmc.org/media/document/1/chapter17.pdf> (“The Minnesota School Boards Association (MSBA) supports, promotes and enhances the work of public school boards. MSBA is a private nonprofit organization that provides technical assistance; cost-saving programs; and advocacy, training, research, and referral services for all of Minnesota’s public [school members]. Membership in MSBA is voluntary.”).

¹⁵ *MSBA/MASA Model Policy 533: Wellness*, MINN. SCHOOL BOARD ASS’N & MINN. ASS’N OF SCHOOL ADMIN. (2010).

¹⁶ *The “Five E’s” of Safe Routes to School*, SAFE ROUTES TO SCH. NAT’L P’SHIP, <http://www.saferoutespartnership.org/local/getting-started-locally/5es> (last visited Jun. 7, 2013).

¹⁷ *Fit, Healthy, and Ready to Learn: Chapter D: Policies to Promote Physical Activity and Physical Education*, NAT’L ASS’N OF STATE BOARDS OF EDUC. 39 (last updated 2012), *available at* http://www.nasbe.org/wp-content/uploads/FHRTL-D_Physical-Activity-NASBE-November-2012.pdf [hereinafter *Fit, Healthy, and Ready to Learn*].

¹⁸ *South Carolina Department of Education Recommendations for Improving Student Nutrition and Physical Activity*, TASK FORCE ON STUDENT NUTRITION AND PHYSICAL ACTIVITY, SOUTH CAROLINA DEP’T OF EDUC. 21 (2004), *available at* http://www.fns.usda.gov/tn/healthy/SC_report.pdf [hereinafter *S.C. Recommendations*].

¹⁹ *Wellness Policies: School Wellness Policies*, SAFE ROUTES TO SCHOOL NAT’L PARTNERSHIP, <http://www.saferoutespartnership.org/state/bestpractices/wellnesspolicies> (last visited Apr. 29, 2013).

²⁰ See *S.C. Recommendations*, *supra* note 18, at 21.

²¹ *Id.* at 20.

²² *Fit, Healthy, and Ready to Learn*, *supra* note 17, at 39.

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*