

R277. Education, Administration.

R277-611. Certified Volunteer Instructors and Material Approval Requirements and Process for Firearm Safety in the Public Schools.

R277-611-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53F-6-201, which creates a Firearms Safety and Violence Prevention Pilot Program for implementation in the public schools.

(2) The purpose of this rule is to:

(a) provide a definition of certified volunteer for purposes of providing firearm safety training in a public school;

(b) direct LEAs to designate public school areas that may be used for firearm safety training for adults or students or both; and

(c) provide for voluntary firearm safety training of public school district employees or school community members or both on public school property at times determined by the local school board or local governing board.

R277-611-2. Definitions.

(1) "Certified volunteer" means an individual who:

(a) volunteers to teach an LEA employee or student in a public school about firearm safety; and

(b) is certified as required by Section R277-611-3.

(2) "Public school classroom or auditorium" means a classroom or auditorium in a public school:

(a) identified as available and appropriate; and

(b) designated by an LEA, superintendent, or director as available for firearm safety instruction.

R277-611-3. Firearm Safety and Violence Prevention Pilot Program.

(1) A local school board or charter school governing board may choose to participate in a pilot program established in accordance with the standards and limitations set forth in Section 53F-6-201.

(2) An LEA may designate anyone identified in Subsection 53F-6-201(5)(b)(ii) to provide instruction under a pilot program approved in accordance with Subsection (1).

(3)(a) A "certified firearms safety instructor" as identified in Subsection 53F-6-201(5)(b)(ii)(D) means a volunteer who is certified by the Utah Bureau of Criminal Identification to teach firearm safety on public school property consistent with LEA policy and direction.

(b) A list of certified firearms instructors by county is available through the Utah Department of Public Safety.

(4) A certified volunteer shall provide documentation of required training to the designated school administrator prior to the advertisement or notice of available training.

(5) In addition to obtaining certification through the Bureau of Criminal Identification, prior to volunteering in the pilot program identified in Section 53F-6-201, a certified firearms safety instructor shall:

(a) complete a fingerprint background check and submit to ongoing monitoring consistent with the requirements of Title 53G, Chapter 11, Part 4, Background Checks; and

(b) have the background check reviewed by an LEA administrator prior to instructing a public school age student.

R277-611-4. Voluntary Training of Adults and Public Education Employees on Public School Property.

(1) An LEA may allow a community group to use public school property for voluntary firearm safety training for a public school employee or interested community member under conditions used to approve public school buildings for non-curriculum uses.

(2) An LEA shall give the greatest consideration to availability of space and the safety of school age children and school employees in the approval of a request to use public education property for voluntary firearm safety training and instruction.

(3) Live ammunition may not be brought on public school property as a part of firearm safety instruction under this R277-611-4.

R277-611-5. Use of Public School Property for Firearm Safety Instruction.

(1) An LEA may designate which classroom or auditorium or other appropriate public school area may be used for firearm safety instruction.

(2) An LEA shall give first priority to curriculum-related groups in allowing firearm safety instruction to be held on public school property.

(3) An LEA shall give the safety of all students and community patrons the greatest consideration in allowing for firearm safety instruction or training on public school property.

(4) If appropriate or necessary, at the LEA's discretion, the LEA may post notice in and around a public school area designated for firearm instruction and training.

KEY: firearms, instruction

Date of Enactment or Last Substantive Amendment: November 7, 2016

Notice of Continuation: October 15, 2015

Authorizing, and Implemented, or Interpreted Law: Art X, Sec 3; 53F-6-201; 53E-3-401(4)