

R277-461 received final approval by the Utah State Board of Education on February 4, 2021. R277-461 will be published in the March 1, 2021 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of April 7, 2021.

R277. Education, Administration.

R277-461. Elementary School Counselor Grant Program.

R277-461-1. 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) ~~[Section 53F-5-209, which directs the Board to make rules to administer the Elementary School Counselor Grant Program]~~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-5-209, which directs the Board to make rules to administer the Elementary School Counselor Grant Program.~~[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.]

(2) The purpose of this rule is to provide:

(a) an application procedure;

(b) criteria and procedures for awarding grants; and

(c) requirements for grant recipients.

R277-461-2. Definitions.

(1) "Childhood trauma" means a child who has been exposed to one or more traumas over the course of the child's life and develops reactions that persist and affect the child's daily life after the events have ended.

~~(1)~~(2) "Grant" means funding awarded by the Board to an LEA to hire qualifying personnel for purposes of supporting school-based mental health, in accordance with Section 53F-5-209.

(2) "Qualifying personnel" means[:

~~(a) a school counselor or school social worker, as defined in Section 53F-5-209(1)(e); or~~

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~~_____ (b) a Board-licensed school psychologist who is assigned to a school and funded by grant funds to carry out work described in Subsection 53F-5-209(1)(e)(ii)]the same as term is defined in Subsection 53F-5-209(1)(c).~~

_____ (4) "Risk factors for childhood trauma" means behaviors or indicators including:

_____ (a) office referrals or discipline reports;

_____ (b) increased absenteeism;

_____ (c) qualification for free or reduced-price lunch;

_____ (d) experiencing homelessness;

_____ (e) school-reported referrals to the Utah Division of Child and Family Services (DCFS);

_____ (f) participation in foster care;

_____ (g) experiencing intergenerational poverty; and

_____ (h) performing below benchmark reading levels.

R277-461-3. Grant Applications.

(1) The Superintendent shall develop and make available a grant application for LEAs, consistent with the requirements in Subsection 53F-5-209(4)(a).

(2) The grant application shall require the LEA to report how it intends to provide the matching funds required in Subsection 53F-5-209(4)(b), including the source of funding the LEA intends to use.

(3) For each grant cycle that the Superintendent is authorized to solicit grant applications, the Superintendent shall publish a timeline on the Board's website by March 30, including a date for the application release, and due dates for an LEA to submit required materials.

R277-461-4. Procedures and Criteria for Awarding a Grant.

(1) An LEA applying for a grant shall commit to establishing, at a minimum, a 3-year plan and program for using the grant funds.

(2) In accordance with Subsection 53F-5-209(3), the Superintendent shall prioritize

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LEA applications that propose to target funds as described in Section 53F-5-209~~[outlined in statute]~~.

(3) For purposes of prioritizing grants under this Rule, the Superintendent shall examine an LEA's ~~[behaviors and indicators in schools]~~risk factors for childhood trauma~~;~~ including:

~~_____ (a) office referrals or discipline reports;~~

~~_____ (b) absenteeism;~~

~~_____ (c) free or reduced-price lunch;~~

~~_____ (d) homelessness;~~

~~_____ (e) school-reported referrals to the Utah Division of Child and Family Services (DCFS);~~

~~_____ (f) foster care;~~

~~_____ (g) intergenerational poverty; and~~

~~_____ (h) grade 3 reading proficiency].~~

R277-461-5. Grant Recipient Requirements, Accountability, and Reporting.

~~[_____ (1) A grant recipient shall engage in systemic leadership and planning to align efforts in supporting school improvement and school-based mental health, based on the Utah School Counseling Program Model.]~~

~~[(2)1] Grant funds ~~[may]~~shall only be used to pay for salaries and benefits for qualified personnel.~~

~~[_____ (3) A full-time equivalent (FTE) position who is a qualifying personnel funded by grant funds may not be assigned to more than two schools.]~~

~~[(4)2] Qualifying personnel funded by these grant funds shall:~~

~~(a) implement a program to achieve an LEA's measurable goals as described in Subsection 53F-5-209(4)(a)~~;~~~~[systemic school-based mental health program];~~~~

~~(b) participate in USBE trainings;~~

~~(c) participate in ~~[quarterly]~~regular collaboration meetings with USBE; and~~

~~(d) in accordance with Subsection 53F-5-209(8), participate in trauma-informed~~

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modules~~]; and~~

~~—— (e) implement data projects.~~

~~—— (5) A data project is a process in which qualifying personnel and others:~~

~~—— (a) identify a school's needs based on analysis of school data;~~

~~—— (b) establish one or more interventions to address the needs or problems identified from the data;~~

~~—— (c) design and implement, through a systemic approach, the intervention; and~~

~~—— (d) examine and evaluate the effectiveness of the intervention, based on the school data.]~~

~~([6]3)~~ The Superintendent shall establish a process and accompanying forms for grant recipients to document grant requirements~~], which may include an initial implementation report and a year-end accountability report.]~~including annual reporting consistent with the requirements described in Subsection 53F-5-209(7).

~~[—— (7) A grant recipient shall report its findings and outcomes from a data project to:~~

~~—— (a) the school personnel;~~

~~—— (b) the local school board or charter governing board; and~~

~~—— (c) the Superintendent.~~

~~—— (8)(a) If a grant recipient plans to discontinue its program for any reason at any time in the three-year period, the grant recipient shall notify the Superintendent, or the Superintendent's designee, in writing.~~

~~—— (b) The written notification shall include a detailed explanation of why the grant recipient is discontinuing the program before the end of its three-year commitment.]~~

KEY: grant program, school counselor, mental health, trauma-informed practice

Date of Enactment or Last Substantive Amendment: ~~[July 9, 2018]~~ March 10, 2021

Authorizing, and Implemented or Interpreted Law: Art X, Sec 3; ~~[53A-1-401]~~53E-3-401(4); 53F-5-209(6)