

R277-436 received final approval by the Utah State Board of Education on September 8, 2022. R277-436 was published in the October 1, 2022, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of November 7, 2022.

R277. Education, Administration.

R277-436. Gang Prevention and Intervention Programs in the Schools.

R277-436-1. 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) Subsection 53F-2-410(1)(b), which appropriates funds to be used for Gang Prevention and Intervention Programs in the schools.

(2) The purpose of this rule is to establish standards and procedures for distributing funding for gang prevention and intervention programs in public schools.

R277-436-2. Definitions.

(1) "At-risk student" means any student who because of the student's individual needs requires some kind of uniquely designed intervention [~~in order to~~to] achieve literacy, graduate, and be prepared for transition from school to post-school options.

(2)(a) "Gang" means a group of three or more people who form an allegiance and engage in criminal activity, which uses violence or intimidation to further its criminal objectives.

(b) A gang may have a name, turf, colors, symbols, distinct dress, or any combination of the preceding characteristics.

(3)(a) "Gang prevention" means instructional and support strategies, activities, programs, or curricula designed and implemented to provide successful experiences for youth and families.

(b) Gang prevention activities shall promote cultural and social competence, self-management skills, citizenship, preparation for life skills, academic achievement, literacy, and interpersonal relationship skills required for school completion and full participation in society.

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(4) "Gang intervention" means specially designed services required by an individual student experiencing difficulty in cultural and social competence, self-management skills, citizenship, preparation for life skills, academic achievement, literacy, and interpersonal relationships, within or outside of the school, which may impact the individual's susceptibility to gang membership or gang-like activities.

([4]5) "Gang Prevention and Intervention Program" means specifically designed projects and activities to help at-risk students stay in school and enhance their cultural and social competence, self-management skills, citizenship, preparation for life skills, academic achievement, literacy, and interpersonal relationship skills required for school completion and full participation in society.

R277-436-3. Application, Distribution of Funds, and Administrative Support.

(1) An LEA may apply for gang intervention funds by submitting a proposal on a form approved by the Superintendent.

(a) An school district may submit:

(i) a proposal for a single school; or

(ii) a single district-wide proposal.

(b) A charter school may apply individually or jointly with other charter schools.

(2) A proposal submitted in accordance with Subsection (1) shall:

(a) provide for distribution of funds to individuals schools;

(b) explain prevention and intervention activities and strategies planned for individual schools;

(c) identify the school's at-risk student population and demonstrate how the prevention and intervention strategies will benefit at-risk students; and

(d) demonstrate interagency collaboration between the LEA and other service providers.

(3) The Superintendent shall award gang intervention funds based on proposals submitted in accordance with Subsection (1), and subject to the annual legislative appropriation.

(4) The Superintendent shall give priority in awarding funds to:

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(a) schools that demonstrate multiple risk factors for gang involvement; and
(b) schools with outcome data that show successful reduction of gang involvement.

(5) The Superintendent shall notify successful applicants of their awards by July 1 annually.

(6) An LEA or charter consortia may use up to ~~[ten percent]~~ 10% of its funding awarded in accordance with this rule for:

(a) administrative oversight; and
(b) professional development for licensed and non-licensed employees who directly engage in gang prevention or intervention activities[~~;~~ ~~and~~
~~——(c) professional and technical services].~~

R277-436-4. Evaluation and Reports.

(1) An LEA or charter school consortia shall provide the Superintendent a year-end evaluation report by June 30 for the previous fiscal year.

(2) A year-end report shall include:

(a) an expenditure report;
(b) a narrative description of all activities funded;
(c) copies of ~~[any and all]~~ products developed;
(d) an effectiveness report detailing evidence of individual and overall program impact on gang and gang-related activities and involvement; and
(e) any other information or data required by the Superintendent.

(3) The Superintendent may require additional evaluation or audit procedures from the grant recipient to demonstrate use of funds consistent with the law and Board rules.

R277-436-5. Waivers.

Notwithstanding Rule R277-121, the Superintendent may grant a written request for a waiver of a requirement or deadline contained in this rule, which a district or school finds unduly restrictive.

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KEY: public schools, disciplinary problems, students at risk, gangs

Date of Last Change: 2022~~[November 26, 2021]~~

Notice of Continuation: May 11, 2018

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53F-2-410; 53E-3-401(3)