

1 **R277. Education, Administration.**

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

3 **R277-436-~~[2]~~1. Authority and Purpose.**

4 ~~[A.](1)~~ This rule is authorized by:

5 ~~(a)~~ Utah Constitution Article X, Section 3, which vests general control and ~~[authority]~~
6 supervision over public education in the Board~~[-, by]~~;

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

9 ~~(c)~~ Subsection ~~[53A-17a-166]~~ 53F-2-410(1)(b), which appropriates funds to be used
10 for Gang Prevention and Intervention Programs in the schools~~[-, and Section 53A-1-401(3)]~~
11 which allows the Board to adopt rules in accordance with its responsibilities.

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

14 **R277-436-~~[1]~~2. Definitions.**

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

19 ~~[B. "Board" means the Utah State Board of Education.]~~

20 ~~[C.](2)(a)~~ "Gang" ~~[(as defined in this rule)]~~ means a group of three or more people
21 who form an allegiance and engage in ~~[a range of anti-social behaviors that may include~~
22 ~~violent or unlawful activity or both]~~ criminal activity, which uses violence or intimidation to
23 further its criminal objectives.

24 ~~(b) [These groups]~~ A gang may have a name, turf, colors, symbols, ~~[or]~~ distinct
25 dress, or any combination of the preceding characteristics.

26 ~~[D.](3)(a)~~ "Gang prevention" means instructional and support strategies, activities,
27 programs, or curricula designed and implemented to provide successful experiences for
28 youth and families.

29 ~~(b)~~ Gang prevention activities ~~[These components]~~ shall promote cultural and social

30 competence, self-management skills, citizenship, preparation for life skills, academic
31 achievement, literacy, and interpersonal relationship skills required for school completion
32 and full participation in society.

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

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

43 ~~[G. "In-kind services" means those materials, staff and equipment which are~~
44 ~~required to develop and implement gang prevention and intervention services, strategies,~~
45 ~~activities, programs, and curricula with individual students, families, or both. In-kind~~
46 ~~services do not include office space and related office support.~~

47 ~~—— H. "Superintendent" means the State Superintendent of Public Instruction.~~

48 ~~—— I. "USOE" means the Utah State Office of Education.]~~

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

50 ~~[A. Awards shall be made to individual schools and funds allocated to charter~~
51 ~~schools or to school districts to distribute to designated schools.~~

52 ~~—— B. School districts may submit a single district-wide proposal for one or more~~
53 ~~schools within the district. The proposal shall:~~

54 ~~—— (1) provide for distribution of funds to individual schools; and~~

55 ~~—— (2) provide explanations of prevention and intervention activities and strategies~~
56 ~~planned for individual schools.~~

57 ~~—— C. Charter schools may submit independent or joint proposals.~~

58 ~~—— D. School districts or charter schools or charter consortia may utilize up to ten~~

59 percent of their funding under the rule for the following specific purposes:

60 ~~—— (1) administrative oversight;~~

61 ~~—— (2) professional development for licensed and non-licensed employees who work~~
62 ~~directly in gang prevention/intervention activities; and~~

63 ~~—— (3) professional and technical services.~~

64 ~~—— E. Proposals/applications shall be provided by the USOE.~~

65 ~~—— F. Awards per school shall be based on funds available.~~

66 ~~—— G. Priority shall be given to applications reflecting interagency and intra-agency~~
67 ~~collaboration.~~

68 ~~—— H. Proposals receiving funding shall be notified by July 1.~~

69 ~~—— I. Schools or joint school applications that were funded and complied with all~~
70 ~~requirements of law and rule may reapply in subsequent years using an abbreviated~~
71 ~~proposal form provided by the USOE.~~

72 ~~—— J. The USOE may retain up to five percent of the annual legislative appropriation~~
73 ~~for the following specific purposes:~~

74 ~~—— (1) an amount not to exceed 2.5 percent for:~~

75 ~~—— (a) site visits; and~~

76 ~~—— (b) professional development, as determined and guided by the USOE.~~

77 ~~—— (2) an amount not to exceed 2.5 percent for:~~

78 ~~—— (a) administrative oversight; and~~

79 ~~—— (b) statewide coordination training.]~~

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

82 (a) An school district may submit:

83 (i) a proposal for a single school; or

84 (ii) a single district-wide proposal.

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

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

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

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

89 schools;

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

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

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

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

98 (a) schools that demonstrate multiple risk factors for gang involvement; and

99 (b) schools with outcome data that show successful reduction of gang involvement.

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

102 (6) An LEA or charter consortia may use up to ten percent of its funding awarded in
103 accordance with this rule for:

104 (a) administrative oversight;

105 (b) professional development for licensed and non-licensed employees who directly
106 in gang prevention or intervention activities; and

107 (c) professional and technical services.

108 **R277-436-4. Evaluation and Reports.**

109 ~~[A:]~~(1) ~~[School districts and charter schools or]~~ An LEA or charter school consortia
110 shall provide the [USOE with] Superintendent a year-end evaluation report by June 30 for
111 the previous fiscal year.

112 ~~[B:]~~(2) A [The] year-end report shall include:

113 ~~([1]a)~~ (a) an expenditure report;

114 ~~([2]b)~~ (b) a narrative description of all activities funded;

115 ~~([3]c)~~ (c) copies of any and all products developed;

116 ~~([4]d)~~ (d) an effectiveness report detailing evidence of individual and overall program
117 impact on gang and gang-related activities and involvement; and

118 (~~5~~e) any other information or data [~~as~~] required by the [USOE] Superintendent.

119 [~~C.~~](3) The [USOE] Superintendent may require additional evaluation or audit
120 procedures from the grant recipient to demonstrate use of funds consistent with the law and
121 Board rules.

122 **R277-436-5. Waivers.**

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

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

127 **Date of Enactment or Last Substantive Amendment: August 8, 2011**

128 **Notice of Continuation: May 15, 2013**

129 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53A-17a-166(1)(b);**
130 **53A-1-401(3)**

