

R277-630 received final approval by the Utah State Board of Education on October 6, 2022. R277-630 was published in the November 15, 2022, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 22, 2022.

R277. Education, Administration.

R277-630. Child Sex Abuse and Human Trafficking Prevention Training and Instruction.

R277-630-1. 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 53G-9-207, which requires the Board to approve, in partnership with the Utah Department of Health and Human Services, age-appropriate instructional materials for the child sex abuse and human trafficking prevention training and instruction.

(2) The purpose of this rule is to provide the process for a third-party provider of instructional materials for the child sex abuse and human trafficking prevention training and instruction to be approved for use by an LEA.

R277-630-2. Application Process and Criteria.

(1) A third-party provider offering child sex abuse or human trafficking training or instruction shall apply to the Superintendent and be approved by the Board before being utilized by an LEA.

(2) An LEA may only use instructional materials that have been approved by the Board.

(3) A third-party provider shall apply according to the form and deadlines established by the Superintendent and include the following within the application submission:

(a) a table showing how the materials and trainings align with state law including Sections:

(i) 53G-9-207; and

(ii) 53G-10-402;

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(b) an assurance that the materials and trainings are vetted and do not lead to the accessibility of materials or resources that violate Section 53G-10-103 or train school staff, educators, or administrators on topics prohibited by Rule R277-328;

(c) a copy of all materials to be used for instruction or training purposes and notation for each regarding the intended audience;

(d) a list of evidence-based research that has been used to inform the materials or training; and

(e) additional information as requested by the Superintendent.

(4) The Superintendent, in partnership with the Department of Health and Human Services, shall establish a review committee to determine a potential third-party provider's advancement to the Board for final approval.

(5) The review committee members shall sign a non-disclosure agreement regarding the materials provided

(6) The review committee shall use a scoring rubric to assess several key program components including:

(a) training expectations, including:

(i) familiarity with state and federal law including Subsection 80-4A-201(1);

(ii) specialized instruction that considers cultural differences and needs of specialized populations;

(iii) how to adapt instruction to be age appropriate; and

(iv) a general understanding of child sex abuse and human trafficking, including human trafficking as a form of abuse;

(b) required program concepts, including:

(i) human trafficking definition aligned with state law;

(ii) sex trafficking definition;

(iii) labor trafficking definition;

(iv) grooming cycle;

(v) examples of trafficker conduct or behavior;

(vi) risk factors;

(vii) populations that are vulnerable to being victims of human trafficking;

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(viii) concepts showing how human trafficking can happen to any individual; and

(ix) concepts surrounding refusal skills consistent with Section 53G-10-402.

(c) focus areas regarding prevention and reporting of sexual abuse or human trafficking including:

(i) how to be safe in various situations;

(ii) appropriate use of technology;

(iii) appropriate adult behavior;

(iv) concepts of self-awareness and trust;

(v) disclosure of inappropriate activities;

(vi) recognizing warning signs; and

(vii) appropriate mechanism, including time and place, for reporting when sexual abuse or human trafficking violations are suspected; and

(d) how an individual can create a reporting plan including a method of reporting sex abuse or human trafficking.

(7) A third-party provider that is sent to the Board for final approval shall make all application materials available to the Board for review and Board members shall be bound to keep the materials confidential;

(8) If the Board denies an application for approval, the Board shall notify the third-party provider within 30 days of the Board's determination the reason for the denial.

(9) A third-party provider that has been denied may reapply for approval if the reasons for the denial have been shown by the third-party provider to be remediated.

(10) An approved third-party provider shall reapply for approval of materials or trainings every three years and when updates to the approved materials or trainings are made.

KEY: child sex abuse, human trafficking, prevention

Date of Last Change: 2022

Authorizing and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-9-207