

R277-910 received final approval by the Utah State Board of Education on June 4, 2020. R277-910 will be published in the July 1, 2020 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of August 8, 2020.

**R277. Education Administration.**

**R277-910. Underage Drinking and Substance Abuse Prevention Program.**

**R277-910-1. 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 [53G-10-406](#) which directs the Board to establish rules regarding:

(i) a requirement that an LEA offer the Underage Drinking and Substance Abuse Prevention Program each school year to each student in grade 4 or 5, grade 7 or 8, and grade 9 or 10; and

(ii) the criteria for the board to use in selecting a provider for the Underage Drinking and Substance Abuse Prevention Program.

(2) The purpose of this rule is to establish the criteria for selecting a provider for the Underage Drinking and Substance Abuse Prevention Program and general requirements of an LEA when offering the program.

**R277-910-2. Criteria for Selecting a Provider.**

(1) The following criteria, along with the requirements found in [53G-10-406](#), shall be considered in selecting a provider for the Underage Drinking and Substance Abuse Prevention Program:

(a) a program that is evidence-based including peer reviewed journals, national registries, and research;

(b) a program that is focused on preventing underage consumption of alcohol and use of electronic cigarette products through a curriculum, course, or program that is taught through multiple days of instruction and not a one-time presentation.

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(c) a program that is delivered in the classroom by the classroom teacher or other trained professional;

(d) a program that addresses behavioral risk factors associated with underage drinking and use of electronic cigarette products and integrates skills practice into the curriculum; and

(e) a program that aligns with the core standards of the Utah Public School system.

(2) The vendor of the Underage Drinking and Substance Abuse Prevention Program shall:

(i) have prior experience in successfully reducing underage drinking and substance abuse; and

(ii) be available for deployment beginning in the 2018-19 school year.

**R277-910-3. Mandatory Offering of Underage Drinking and Substance Abuse Prevention Program.**

(1) Except as provided in Subsection (3), an [An] LEA shall offer to each student in grades 4 or 5, grades 7 or 8, and grades 9 or 10, respectively, the Underage Drinking and Substance Abuse Prevention Program procured by the Board.

(2) An LEA shall offer the Underage Drinking and Substance Abuse Prevention Program to students:

(a) in grades 7 or 8 and grades 9 or 10; and

(b) for students in grades 4 or 5, beginning on January 1, 2021 or later."~~[of the grades in subsection (1) of this section beginning in the 2018-19 school year.]~~

**R277-910-4. Reporting Requirements.**

(1) An LEA shall report to the Superintendent annually regarding the general participation and deployment of the Underage Drinking and Substance Abuse Prevention Program.

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(2) The report shall be made via the Annual Assurances Document described in [R277-108](#) and shall include:

(a) if the Underage Drinking and Substance Abuse Prevention Program was offered to students each school year in grades 4 or 5, grades 7 or 8, and in grades 9 or 10;

(b) for grades 7 or 8 and grades 9 or 10 only, the name of the course where the Underage Drinking and Substance Abuse Prevention Program was offered including if it was offered as a stand-alone course; and

(c) if the instructor has attended the one time training~~[, including online state level training]~~ for the Underage Drinking and Substance Abuse Prevention Program.

#### **R277-910-5. LEA Positive Behaviors Plan Annual Report.**

(1) An LEA governing Board shall submit an annual assurance to the Board as described in R277-108, confirming that each school under the governing Board's jurisdiction has an approved positive behaviors plan as required in Subsection 53G-10-407(5)(b).

**KEY: underage drinking prevention, substance abuse, alcohol, electronic cigarette products**

**Date of Enactment or Last Substantive Amendment: February 7, 2019**

**Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53G-10-405](#); [53G-10-406](#)**