

**Background:** In the January Law and Licensing Committee, the committee took the following action:

**Committee Action:** Member Lear moved that the Committee direct staff to:

1. identify a user group to work with on the items below, including local board members, principals, relevant educators, and district and charter representatives;
2. identify a list of training priorities informed by audit recommendations, the reports and requirements task force recommendations, and LEA recommendations, based on user group feedback, for approximately 15 training requirements USBE could develop state level modules for LEA use;
3. develop a funding proposal, including working with finance staff to identify potential funding, one-time and ongoing sources, to support the creation and maintenance of state level training modules to be uploaded to canvas for LEA use;
4. identify the reasons why state level training support is needed, including audit findings, cost and administrative burden efficiencies for LEAs, and UPPAC complaints; and
5. bring information back to the Committee in a future meeting.

**Purpose:** To address the Board’s motion, staff have prepared the following resources for the committee’s consideration to attend to Action #1, #2, #4 and #5. Action #3 will be brought forward at a future meeting due to the other actions impacting the ability to construct a response.

### **Motion 1: Identify a User Group**

Staff would propose the following educator positions to be included in the Annual Training Requirements Working Group:

- 1 Local Board Members (USBA recommended Mark Clement)
- 1 District Superintendent (USBA referred Duchesne’s Supt. Jason Young)
- 3 School Principals (UASSP and UAESSP to recommend)

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- 3 District Leaders (UPEHRA recommended Raven Rylander, Jessica Benington)
- 2 Charter Leaders (Utah Charter Association to recommend)
- Relevant educators/personnel (to be recommended by USBE specialists overseeing area)
- 1-2 USBE Staff (those who currently are responsible for the training being developed (e.g., Jodi Parker, CPR; Katy Challis, Privacy))

### **Motion 2: Identify a List of Training Priorities**

In considering the UPPAC offense data, Statute, Board Rule requirements, the Reports and Requirements Task Force Recommendations, Internal Licensing Audit, and the OLAG Audit on Curriculum and Teacher Training, and LEA recommendations, staff would recommend the following 3-year schedule to prioritize the more urgent needs as well as to distribute the amount of training evenly across years. The User Group will help to determine the order in which the prioritized trainings will be developed.

### **Proposed 3-year Rotating Training Schedule**

Background: In the January 2024 Law and Licensing Committee, the committee supported the Reporting Task Force's recommendation to design a draft three year rotating schedule to incorporate the required trainings for educators, classified staff, and others. In the development of this draft schedule, staff reviewed the data on UPPAC violations, State Code and Board Rule Requirements.

Given UPPAC data, state Code and Board Rule requirements and in response to the Reporting Task Force recommendation to create a three year rotating schedule for training requirements, this document provides a proposed draft schedule considering these elements.

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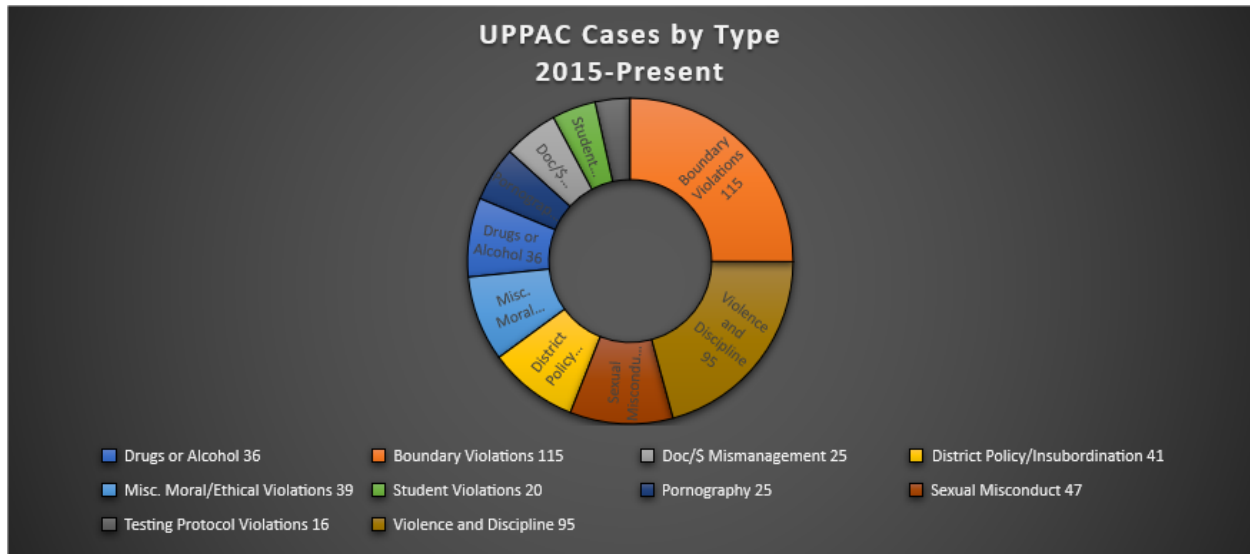


Figure 1. (above) Chart of UPPAC Cases by Type from 2015 to present

### Year 1 Schedule

Training Topic	Related Regulation	Required Audience	Additional Details
<i>Student Discipline Plans</i>	<ul style="list-style-type: none"> <li><a href="#">R277-609</a></li> <li><a href="#">R277-613</a></li> <li><a href="#">UCA 53G-8-201</a> et seq.</li> </ul>	School employees with the authority to discipline students.	<p>Rule will need to be revised as it not currently up to date.</p> <p>USBE Staff Member: Becca Rae</p>
<i>Use of Restraint and/or Seclusionary Time-Out with Special Education Students</i>	<ul style="list-style-type: none"> <li><a href="#">R277-609-5</a></li> <li><a href="#">UCA 53G-8-302</a></li> </ul>	School employees who have the responsibility to provide instruction to students or the authority to discipline.	<p>The training may be annually per the provider that LEA selects.</p> <p>USBE Staff Member(s): Becca Rae, Sarah Daniels, and Ashley Lower</p>

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<p><i>Child Abuse-Neglect</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-401</a></li> <li>• <a href="#">UCA 53E-6-701</a></li> <li>• <a href="#">UCA 62A-4A-412</a></li> </ul>	<p>All school employees.</p>	<p>USBE Staff Member: Rita Brock</p>
<p><i>Child Sexual Abuse and Human Trafficking Prevention and Awareness</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">UCA 53G-9-207</a></li> <li>• <a href="#">UCA 53E-6-701</a></li> <li>• <a href="#">UCA 62A-4A-403</a></li> </ul>	<p>All school employees and parents of elementary students.</p>	<p>Seeking Code to be amended in HB499 as it requires training every other year.</p> <p>USBE Staff Member: Rita Brock</p>
<p><i>School Instruction and Sex Education</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-474</a></li> </ul>	<p>Educators with responsibility for any aspect of sex education instruction.</p>	<p>Rule requires once every three years.</p> <p>USBE Staff Member: Jodi Parker</p>
<p><i>Title IX of the Education Amendments of 1972</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">20 USC §1681</a> et seq.</li> </ul>	<p>Title IX Coordinator Title IX Investigator Title IX Decision Maker Title IX Appellate</p>	<p>Frequency of training for positions required under Title IX is not defined. The law only states that they must be well-trained in their respective roles.</p> <p>USBE Staff Member: Holly Bell</p>

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<i>Harassment</i>	<ul style="list-style-type: none"> <li>• <a href="#">42 USC §2000e et seq.</a></li> <li>• Required for schools covered under State Risk Management</li> </ul>	All school employees.	Needs to be amended by the Department of Risk Management or Human Resources as it is required every two years in their <a href="#">rules</a> .  USBE Staff Member: Michelle Watts
Year 2 and 3 printed materials would be provided.			

### Year 2 Schedule

Training Topic	Related Regulation	Required Audience	Additional Details
<i>Student Searches</i>	<ul style="list-style-type: none"> <li>• <a href="#">U.S. Const. Amend. IV</a></li> <li>• <a href="#">R277-615</a></li> <li>• <a href="#">UCA 53G-8-509</a></li> </ul>	School employees who have the authority to search student and/or their belongings.	USBE Staff Member: Shauntelle Cota
<i>Bullying, Cyber Bullying, Hazing, Retaliation, and Abusive Conduct</i>	<ul style="list-style-type: none"> <li>• <a href="#">R277-613</a></li> <li>• <a href="#">UCA 53G-9-605</a> et seq.</li> <li>• <a href="#">Title VI of the Civil Rights Act of 1964</a></li> <li>• <a href="#">Title IX of the Education Amendments of 1972</a></li> <li>• <a href="#">Section 504 of the Rehabilitation Act of 1973</a></li> <li>• <a href="#">Title II of the Americans with Disabilities Act of 1990</a></li> </ul>	School employees.  For students, employees, and coaches who participate in extracurriculars training is required prior to participation.	Training required for new participants/ employees annually and every 3 years following.  USBE Staff Member: Becca Rae

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<p><i>Suicide Prevention</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-620</a></li> <li>• <a href="#">53G-9-704</a></li> <li>• <a href="#">UCA 26B-5-611,</a></li> </ul>	<p>All licensed school employees.</p>	<p>Statute requires the training to be 2-hours—requested this to be amended in HB499, but already required only every 3 years.</p> <p>USBE Staff Member: Cathy Davis</p>
<p><i>Student Data Privacy and Security Training</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-487</a></li> <li>• <a href="#">UCA 53E-9-201</a> et seq</li> <li>• <a href="#">UCA 53E-9-301</a> et seq</li> <li>• <a href="#">20 USC §1232g</a></li> </ul>	<p>All volunteers and employees, with access to personally identifiable information of students. Includes all licensed educators.</p>	<p>R277-487 will need to be revised as it currently requires training when renewing an educator license.</p> <p>HB491 may end up requiring this annually.</p> <p>USBE Staff Member: Katy Challis</p>
<p><i>Educator Data Privacy Training</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-487</a></li> <li>• <a href="#">UCA 53G-11-511</a></li> <li>• <a href="#">HB 491</a></li> </ul>	<p>Employees or contractors with access to educator personally identifiable information, including employee evaluations.</p>	<p>HB491 may end up requiring this annually</p> <p>USBE Staff Member: Katy Challis</p>
<p><i>Electronic Devices</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-495</a></li> <li>• </li> </ul>	<p>All school employees and students.</p>	<p>Rule will need to be revised as it requires it annually within the first 45 days of the school year.</p> <p>USBE Staff Member:</p>

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			Rick Gaisford
<i>Ethics and UPPAC (requirements and standards)</i>	<ul style="list-style-type: none"> <li>• <a href="#">R277-107</a></li> <li>• <a href="#">R277-404</a></li> <li>• <a href="#">R277-210-216</a></li> <li>• <a href="#">R277-217</a></li> <li>• <a href="#">R277-322</a></li> <li>• <a href="#">UCA 53G-11-406</a></li> <li>• <a href="#">UCA 53E-6-604</a></li> <li>• <a href="#">UCA 53G-8-503</a></li> </ul>	Administrators, educators and paraprofessionals.	USBE Staff Member: Ben Rasmussen
Year 1 and 3 printed materials would be provided.			

### Year 3 Schedule

Training Topic	Related Regulation	Required Audience	Additional Details
<i>Assessment of Student Achievement and Utilization of Assessment Results to Inform Instruction</i>	<ul style="list-style-type: none"> <li>• <a href="#">R277-404</a></li> <li>• <a href="#">UCA 53E-4-302</a> et seq.</li> <li>• <a href="#">UCA 53G-6-803</a></li> </ul>	All administrators, educators, and paraprofessionals responsible for implementing and administering the assessment system.	Rule will need to be revised as it currently requires training annually.  USBE Staff Member: Darin Nielsen
<i>Testing Ethics Training</i>	<ul style="list-style-type: none"> <li>• <a href="#">R277-404</a></li> <li>• <a href="#">Standard Test Administration and Testing Ethics Policy</a></li> </ul>	All educators, paraprofessionals, and third-party proctors who administer the statewide assessment.	Rule will need to be revised as it currently requires training annually.  USBE Staff Member: Darin Nielsen
<i>CPR/First Aid</i>	<ul style="list-style-type: none"> <li>• <a href="#">Utah Health and Sanitation Code</a></li> <li>• <a href="#">R277-311</a></li> <li>• <a href="#">R277-605</a></li> <li>• <a href="#">Endorsement Plans</a></li> </ul>	Required for Health, P.E., and Driver Education teachers, and coaches.	The required staff have to keep their certification current.  R392-200-7

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			<p>requires 2 staff members to have basic first-aid certification (Cert. valid 2 years)</p> <p>USBE Staff Member(s); Jodi Parker, Audra Urie, and Kendra Muir</p>
<i>Fire Hazards &amp; Prevention</i>	<ul style="list-style-type: none"> <li>• <a href="#">29 CFR §1910.39</a></li> </ul>	All employees.	<p>Plan must be shared with employees.</p> <p>Frequency not stated in the code.</p> <p>USBE Staff Member: Rhett Larsen</p>
<i>LEA Fiscal and Auditing</i>	<ul style="list-style-type: none"> <li>• <a href="#">UCA 63G-6a</a></li> <li>• <a href="#">53E-3-403</a></li> <li>• <a href="#">R277-113</a></li> </ul>	<p>Educators who manage, control, participate in fundraising or expending public funds</p> <p>Members of the LEA Governing Board and Audit Committee</p> <p>School employees based on the LEA specific job function</p>	<p>The rule requires USBE to provide online training and resources for LEAs.</p> <p>Rule will need to be revised as it currently requires training annually.</p> <p>USBE Staff Member: Sam Urie</p>

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<i>Students with Head Injuries/Concussion</i>	<ul style="list-style-type: none"> <li>• <a href="#">R277-614</a></li> <li>• <a href="#">UCA26B-4-403</a></li> <li>• <a href="#">UCA26B-4-404</a></li> <li>• </li> </ul>	Any coach, teacher, employee, representative, or volunteer that organizes, manages, or sponsors a sporting team or event.	Rule requires an annual notice to parents of student athletes.  USBE Staff Member: Kendra Muir
<i>Seizure Awareness</i>	<ul style="list-style-type: none"> <li>• <a href="#">53G-9-213</a></li> </ul>	Any personnel that interact with or supervise students.	Code currently requires it every two. There is an amendment in <a href="#">HB499</a> to change it to every three years.  USBE Staff Member: Kendra Muir
Year 1 and 2 printed materials would be provided to reinforce Year 1 and 2 training topics.			

**When Warranted**

Training Topic	Related Regulation	Required Audience	Additional Details
<i>Hazardous Communication Standard</i>	<ul style="list-style-type: none"> <li>• 29 CFR § 1910.1200</li> </ul>	All employees.	When a new hazardous chemical is introduced into their work area.  USBE Staff Member: Kendra Muir

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**Annually Required**

<p><i>Fire Extinguisher</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">29 CFR §1910.157 (g)</a></li> </ul>	<p>All employees</p>	<p>Required annually by OSHA</p> <p>USBE Staff Member: Rhett Larsen</p>
<p><i>Government Records Access and Management Act (GRAMA)</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">UCA 63A-12-110</a></li> <li>• <a href="#">UCA 63G-2</a></li> </ul>	<p>Records officer</p>	<p>Code needs to be changed as it is required annually</p> <p>USBE Staff Member: Katy Challis</p>
<p><i>School Facility Emergency and Safety (Safety Drills)</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">R277-400</a></li> <li>• <a href="#">UCA 53G-4-402</a></li> <li>• <a href="#">29 CFR § 1910.38</a></li> <li>• <a href="#">R710-4-3</a></li> </ul>	<p>All school employees and students.</p>	<p>The State Fire Marshall and State Security Chief are the oversight and rule making authority and would need to be consulted to institute a change.</p> <p>USBE Staff Member: Rhett Larsen</p>

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<p><i>Digital Citizenship</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">53G-7-1202(3)</a></li> <li>• <a href="#">53G-7-1205(7)</a></li> <li>• <a href="#">R277-491-6(3)</a></li> <li>• <a href="#">CIPA</a></li> </ul>	<p>All school employees, students, and School Community Councils.</p>	<p>To be eligible for e-Rate funds, all schools are required to provide annual <a href="#">digital citizenship training</a>.</p> <p>USBE Staff Member: Rick Gaisford; Paula Hull</p>
<p><i>Personal Protective Gear and Blood Borne Pathogens</i></p>	<ul style="list-style-type: none"> <li>• <a href="#">29 CFR §1910.132</a></li> <li>• <a href="#">R392-200</a></li> <li>• (OSHA 29 USC §654(a)(2))</li> </ul>	<p>Any staff supervising students who has risk of exposure to blood or other body fluids or hazards.</p>	<p>OSHA requires this training to staff annually</p> <p>USBE Staff Member: Kendra Muir</p>
<p><i>Asthma</i></p>	<p><a href="#">UCA 26B-4-408</a></p>	<p>Employee(s) who will be responsible for medications and medication records.</p>	<p>Code requires an annual refresher.</p> <p>USBE Staff Member: Kendra Muir</p>
<p><i>Diabetes &amp; Glucagon</i></p>	<p><a href="#">UCA 53G-9-504</a></p>	<p>Employee(s) who will be responsible for medications and medication records.</p>	<p>Code requires an annual refresher.</p> <p>USBE Staff Member: Kendra Muir</p>

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<i>Seizure Rescue Medication</i>	<a href="#">UCA 53G-9-505</a>	Any teacher or other school employee who volunteers to become a qualified adult.	Code requires an annual refresher.  USBE Staff Member: Kendra Muir
<i>Adrenal Crisis Rescue Medication</i>	<ul style="list-style-type: none"> <li><a href="#">53G-9-507</a></li> </ul>		New annual training requirement if HB468 passes  USBE Staff Member: Kendra Muir
<i>Administering Student Medications</i>	<ul style="list-style-type: none"> <li><a href="#">R156-31b-701b(2b)</a></li> </ul>	Any staff administering medication to students.	An annual refresher is required.  USBE Staff Member: Kendra Muir

### Required Every Two Years

Training Topic	Related Regulation	Required Audience	Additional Details
<i>Defensive Driving</i>	<ul style="list-style-type: none"> <li>Required for schools covered under State Risk Management</li> <li>Recommended for all schools</li> </ul>	All employees or approved volunteers who are asked to drive or are entitled to seek reimbursement for miles driven in the course or scope of employment.	Risk Management requires this every 2 years.  USBE Staff Member: Cammy Wilcox

### Motion 4: Why State Level Training Support is Needed

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Historically, the state has not provided the training modules for required statewide trainings. This has been left up to each LEA to attend to. The benefit of this strategy is LEAs can use their local context and language to communicate the training requirements and create consistency and coherence across their LEA.

If the state were to develop training modules for the statewide required trainings, there are several benefits:

- 1) Reduces the administrative and financial burden at each LEA to make a training for use in their local LEA as most, if not all, have no direct financial support provide for creation, staff time, etc.
- 2) Creates consistency across educators in the content and training they receive
- 3) Cost savings—the economy of scale the state
- 4) Prioritize developing training modules based on actual educator data (e.g., UPPAC violations)

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