

**R277. Education, Administration.**

**R277-126. Utah Fits All Scholarship.**

**R277-126-1. 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-6-404(7), which directs the Board to establish an appeals process for parents under the Utah Fits All Scholarship program.

(2) The purpose of this rule is to establish an appeals process as required by Subsection 53F-6-404(7).

**R277-126-2. Definitions.**

(1) "Program manager" means the contract organization chosen by the Board in accordance with Subsection 53F-6-404(1).

(2) "Utah Fits All Scholarship" means the program established by the Legislature in Title 53F, Chapter 6, Part 4, Utah Fits All Scholarship Program.

**R277-126-3. Appeals Process.**

(1) A parent may appeal an administrative decision of the program manager consistent with Subsection 53F-6-404(7) by filing a request as provided in this section.

(2) The program manager shall:

(a) notify a parent of the right to file a request under this section; and

(b) provide a form for a parent to file a request under this section.

(3) A parent shall file a written request with the program manager within ten days of the administrative decision at issue.

(4) The program manager shall forward the request to the Superintendent along with any information or evidence that may be required to consider the review within five business days of receiving a request under Subsection (3).

(5) The Superintendent shall review the request to determine if the program manager followed the law and the program manager's policies and procedures in making its administrative decision.

(6) The Superintendent shall either:

(a) uphold the program manager's decision; or

(b) grant the parent's request and provide direction to the program manager for any action to be taken.

(7) The Superintendent shall provide notice in writing to the parent and the program manager of the decision under Subsection (6) within 30 days of the date the parent submits a request to the program manager under Subsection (3).

(8) The Superintendent shall provide a quarterly report to the Board via email with information regarding appeals.

**KEY: utah fits all, appeal**

**Date of Last Change: February 7, 2024**

**Authorizing, and Implemented, or Interpreted Law: Article X, Section 3; 53E-3-401(4); 53F-6-404(7)**