

1 **R277. Education, Administration.**

2 **R277-750. Education Programs for Students with Disabilities.**

3 **R277-750-1. Authority and Purpose.**

4 (1) This rule is authorized by:

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

7 (b) Subsection 53E-3-501(1), which directs the Board to adopt rules regarding
8 services for persons with disabilities;

9 (c) Title 53E, Chapter 7, Part 2, Special Education Program, which requires the
10 Board to adopt rules regarding educational services to students with disabilities; and

11 (d) Subsection 53E-3-401(4) which allows the Board to make rules to execute
12 the Board's duties and responsibilities under the Utah Constitution and state law.

13 (2) The purpose of this rule is to specify standards and procedures for special
14 education programs.

15

16 **R277-750-2. Incorporation of Special Education Rules Manual by Reference.**

17 (1) This rule incorporates by reference the Special Education Rules manual
18 dated [~~November 2022~~]June 2023, which establishes policies and procedures for:

19 (a) appropriate and timely identification of a student with a disability;

20 (b) evaluation and classification of a student with a disability by qualified
21 personnel;

22 (c) standards for services provided to a student with a disability;

23 (d) provision for multi-district programs for a student with a disability;

24 (e) provision for delivery of service responsibilities;

25 (f) certification and qualifications for instructional staff; and

26 (g) the state's implementation of federal special education programs, including
27 IDEA.

28 (2) A copy of the manual is located at:

- 29 (a)
30 <https://www.schools.utah.gov/specialeducation/programs/rulespolicies?mid=4962&tid=1>
31 (insert new link once posted but before filing); and
32 (b) the Utah State Board of Education.

33

34 **R277-750-3. Standards and Procedures.**

35 (1) The Board hereby incorporates by reference the IDEA as the Board's rules
36 for students with disabilities.

37 (2) The Superintendent and LEAs shall provide services to a student with a
38 disability in accordance with:

39 (a) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794;

40 (b) this rule;

41 (c) the Special Education Rules, [~~November 2022~~June 2023], included in the
42 Special Education Rules manual described in Section R277-750-2; and

43 (d) the annual Utah State Federal Application under Part B of the IDEA.

44

45 **KEY: special education**

46 **Date of Last Change: January 11, 2023**

47 **Notice of Continuation: April 14, 2021**

48 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; Title 53E, Chapter**
49 **7, Part 2; 53E-3-501(1); 53E-3-401(4)**