

**R277. Education, Administration.**

**R277-752. Special Education Carry Forward Limitations.**

**R277-752-1. Authority, Purpose, and Oversight Category.**

(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; and

(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.

(2) The purpose of this rule is to establish special education budget carry forward limitations.

(3) This rule is categorized as Category 4 as described in Rule R277-111.

**R277-752-2. Definitions.**

(1) "Budget" means the total expenditures reported on an LEA's Annual Program Report, "APR."

(2) "Local education agency" or "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

**R277-752-3. Special Education Carry Forward Funds.**

(1) The Superintendent shall recoup any carry forward balance for special education funding in excess of 20% of an LEA's special education budget through June 30, 2026 and return the funds to the Uniform School Fund.

(2) The Superintendent shall recoup any carry forward balance for special education funding in excess of 10% of an LEA's special education budget after June 30, 2026 and return the funds to the Superintendent for future use as requested by the Board and authorized by the Legislature.

**KEY: special education, intensive services fund**

**Date of Last Change: January 10, 2025**

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