

R277. Education, Administration.

R277-753. LEA Reporting Requirements for Section 504 Students.

R277-753-1. 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-2-512(2)(a), which directs the Board to make rules for implementation of a reimbursement program for special education funds to address Section 504 accommodations.

(2) The purpose of this rule is to establish reporting requirements for LEAs providing Section 504 accommodations to students.

R277-753-2. Definitions.

(1) "Autism" means a disability of verbal, non-verbal or social interaction that substantially limits one or more major life activities and does not require specialized instruction under special education services.

(2) "Brain injury impairment" or "Concussion impairment" means a short term disability of the brain caused by an external physical force that substantially limits one or more major life activities, and which adversely affects a student's access to the student's education.

(3) "Hearing impairment" means a hearing disability that substantially limits one or more major life activity, which may require assistive technology but does not require specialized instruction under special education services.

(4) "Learning impairment" means a learning disability, which includes, but is not limited to, dyslexia, dysgraphia, and dyscalculia, that substantially limits one or more major life activities, but does not require specialized instruction under special education services.

(5) "Major bodily function impairment" means an impairment to any of the following functions that adversely limit a student's access to the student's education:

- (a) immune system function;
- (b) normal cell growth;
- (c) genitourinary function;
- (d) bladder function;
- (e) brain function;
- (f) circulatory function;
- (g) endocrine function;
- (h) lymphatic function;
- (i) special sensory organ and skin function;
- (j) digestive function;
- (k) bowel function;
- (l) neurological function;
- (m) respiratory function;
- (n) cardiovascular function;
- (o) hemic function;
- (p) musculoskeletal function; and
- (q) reproductive function.

(6) "Medical impairment" means a disability that is chronic or acute in nature, which may be active or in remission, and which substantially limits one or more major life activities, including, but not limited to:

- (a) allergies;
- (b) asthma;
- (c) attention deficit disorder or attention deficit hyperactivity disorder;
- (d) chemical sensitivities;
- (e) diabetes;
- (f) epilepsy;
- (g) a heart condition;
- (h) hemophilia;
- (i) lead poisoning;
- (j) leukemia;

(k) cancer;

(l) arthritis;

(m) nephritis;

(n) rheumatic fever;

(o) sickle cell anemia;

(p) Tourette syndrome;

(q) HIV/AIDS; or

(R) an acquired brain injury adversely affecting a student's access to the student's education, which may result from health problems such as:

(i) an hypoxic event;

(ii) encephalitis;

(iii) meningitis;

(iv) brain tumor; or

(v) stroke.

(7) "Mental health impairment" means a mental disability that is chronic or acute in nature, and which substantially limits one or more major life activities, including, but not limited to:

(a) anxiety;

(b) attention deficit disorder or attention deficit hyperactivity disorder;

(c) depression;

(d) post-traumatic stress disorder; or

(e) emotional or mental illnesses.

(8) "Orthopedic impairment" means a physical disability, which may be on-going or short term in nature, that substantially limits one or more major life activities, and which adversely affects a student's access to the student's education.

(9) "Other impairment" means any other disability not specifically defined in this rule, which substantially limits one or more major life activities.

(10) "Section 504" means section 504 of the Vocational Rehabilitation Act of 1973, 29 U.S.C. 701, et seq., which guarantees certain rights to disabled students.

(11) "Utah eTranscript and Record Exchange" or "UTREx" means a system that

allows individual detailed student records to be exchanged electronically between public education LEAs and the Board.

(12) “Utah Program Improvement Planning System” or “UPIPS” is a secure website utilized by the Board Special Education Services section to collect compliance and fiscal LEA data regarding students with disabilities, required under state and federal law.

R277-753-3. LEA Section 504 Reporting Requirements.

(1) An LEA shall include a count of students with Section 504 accommodations in its daily UTREx submission.

(2) An LEA shall report financial costs incurred as a result of Section 504 accommodations to the Superintendent through UPIPS by June 30 annually.

(3) An LEA’s data submissions under this rule shall be broken down in the following categories:

- (a) Autism;
- (b) Brain Injury or Concussion Impairment;
- (c) Hearing Impairment;
- (d) Learning Impairment;
- (e) Major Bodily Function Impairment;
- (f) Medical Impairment;
- (g) Mental Health Impairment;
- (h) Orthopedic Impairment; and
- (i) Other Impairment.

KEY: reporting, requirements, Section 504

Date of Enactment or Last Substantive Amendment: August 7, 2017

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