

1 **R277. Education, Administration.**

2 **R277-100. Definitions for Utah State Board of Education (Board) Rules.**

3 **R277-100-1. 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 of public education in the Board; and [by]

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

9 (2) The purpose of this rule is to provide definitions that are used in the Board rules
10 beginning with R277.

11 **R277-100-2. Definitions.**

12 (1) "Accreditation" means the formal process for internal and external review and
13 approval under the standards of an accrediting entity adopted by the Board.

14 ~~[(2) "Audit" means an independent appraisal activity established by the Board as a~~
15 ~~control system to examine and evaluate the adequacy and effectiveness of internal control~~
16 ~~systems within an agency.]~~

17 (2) "Agency" means:

18 (a) an entity governed by the Board;

19 (b) an LEA; or

20 (c) a grant sub-recipient.

21 (3) "Board" means the State Board of Education.

22 (4) "Charter school" means a school established as a charter school by a charter
23 school authorizer under Title 53G, Chapter 5, Charter Schools, and rule.

24 (5) "District school" means a public school under the control of a local school board
25 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School
26 Boards.

27 (6) "Dual enrollment student" means a student who:

28 (a) is enrolled simultaneously in:

- 29 (i) a private school or home school; and
30 (ii) a public school; and
31 (b) is counted by an LEA in membership for purposes of generating state or federal
32 funding for only those courses or subjects for which the LEA provides instruction.

33 ~~[(6)](7)~~ "Educator" means an individual licensed under Section 53E-6-201 and who
34 meets the requirements of ~~[R277-504]~~ Board rule.

35 ~~[(7)](8)~~(a) "Evaluate" or "review" means to observe and assess a program receiving
36 state or federal funds with an objective of making recommendations, if appropriate, for
37 necessary changes or improvement.

38 (b) An "evaluation" or "review" may include providing training and technical
39 assistance on program-related matters and performing on-site reviews of program
40 operations.

41 ~~[(8)](9)~~(a) "External audit" means an appraisal activity established under the direction
42 of an individual or entity outside of the subject agency to examine and evaluate the
43 adequacy and effectiveness of:

- 44 (i) agency control systems;
45 (ii) compliance;
46 (iii) performance; and
47 (iv) financial position.

48 (b) An external audit is conducted in accordance with current professional and
49 industry technical standards, as applicable, for external audits.

- 50 (10)(a) "Home school student" means a student who:
51 (a) attends a home school pursuant to Section 53G-6-204; and
52 (b) is not counted by an LEA in membership for purposes of generating state or
53 federal funding.

54 ~~[(7)](11)~~ "Individualized education program" or "IEP" means a written statement for
55 a student with a disability that is developed, reviewed, and revised in accordance with Part
56 B of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400 (2004),
57 and rule.

58 ~~[(8)](12)~~ "Individuals with Disabilities Education Act" or "IDEA," 20 U.S.C. Section

59 1400 et seq. (2004), is a four part (A-D) piece of federal legislation that ensures a student
60 with a disability is provided with a Free Appropriate Public Education (FAPE) that is tailored
61 to the student's individual needs.

62 (13)(a) "Internal audit" means an independent appraisal activity established within
63 an agency as a control system to examine and objectively evaluate the adequacy and
64 effectiveness of other internal control systems within the agency.

65 (b) An "internal audit" is conducted in accordance with the current:

66 (i) International Standards for the Professional Practice of Internal Auditing; or

67 (ii) Government Auditing Standards, issued by the Comptroller General of the United
68 States.

69 ([9]14)(a) "LEA" or "local education agency" means a school district or charter
70 school.

71 (b) For purposes of certain rules, "LEA" or "local education agency" may include the
72 Utah Schools for the Deaf and the Blind (USDB) if indicated in the specific rule.

73 (1[0]5)(a) "LEA governing board" means:

74 (i) for a school district, a local school board; and

75 (ii) for a charter school, a charter school governing board.

76 (b) For purposes of certain rules, "LEA governing board" may include the State
77 Board of Education as the governing board for the Utah Schools for the Deaf and the Blind
78 if indicated in the specific rule.

79 (16)(a) "Monitor" or "oversee" means to formally supervise, inspect, or examine the
80 compliance, performance, or finances of a program receiving state or federal education
81 funding.

82 (b) A monitoring or oversight program may include:

83 (i) review of financial and performance reports required of the subject program;

84 (ii) follow-up to ensure the subject program takes timely and appropriate actions to
85 correct identified deficiencies;

86 (iii) supervising remedial action recommended by audit or monitoring findings or
87 required by Board rule; and

88 (iv) any function performed in an evaluation or review.

89 (~~14~~17) "Parent" means a parent or guardian who has established residency of a
90 child under Sections 53G-6-302, 53G-6-303, or 53G-6-402, or another applicable Utah
91 guardianship provision.

92 (~~12~~18) "Plan for College and Career Readiness" or "SEOP" means a student
93 education occupation plan for college and career readiness that is a developmentally
94 organized intervention process that includes:

95 (a) a written plan, updated annually, for a secondary student's (grades 7-12)
96 education and occupational preparation;

97 (b) all Board, local board and local charter board graduation requirements;

98 (c) evidence of parent or guardian, student, and school representative involvement
99 annually;

100 (d) attainment of approved workplace skill competencies, including job placement
101 when appropriate; and

102 (e) identification of post secondary goals and approved sequence of courses.

103 (19)(a) "Private school student" means a student who:

104 (a) attends a private school; and

105 (b) is not counted by an LEA in membership for purposes of generating state or
106 federal funding.

107 (20) "Public school student" means a student who:

108 (a) attends an LEA governed public school; and

109 (b) is counted by an LEA in membership for purposes of generating state or federal
110 funding.

111 (21) "Split enrollment student" means a student who is:

112 (a) regularly enrolled at two schools within two LEAs at the same time;

113 (b) eligible for graduation and other services at both schools; and

114 (c) subject to the split enrollment provisions of R277-419, counted by each LEA in
115 membership for purposes of generating state or federal funding for only those courses or
116 subjects for which each LEA provides instruction.

117 (~~13~~22) "State Charter School Board" or "SCSB" means the State Charter School
118 Board created in Section 53G-5-201.

119 ([14]23) "Superintendent" means the State Superintendent of Public Instruction or
120 the Superintendent's designee.

121 ([15]24) "USDB" means the Utah Schools for the Deaf and the Blind.

122 [(16) "USOR" means the Utah State Office of Rehabilitation.]

123 **KEY: Board, rules, definitions**

124 **Date of Enactment of Last Substantive Amendment: August 11, 2016**

125 **Authorizing, Implemented, or Interpreted Law: Art X Sec 3; 53[A-1-401]E-3-401(4)**

