

1 **R277. Education, Administration.**

2 ~~[R277-525. Special Educator Stipends.~~

3 ~~R277-525-1. Authority and Purpose.~~

4 ~~——(1) This rule is authorized by:~~

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

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; and~~

9 ~~——(c) Subsection 53F-2-310(2), which requires the Board to distribute money appropriated~~
10 ~~for stipends for special educators for additional days of work.~~

11 ~~——(2) The purpose of this rule is provide standards and procedures for distributing money~~
12 ~~appropriated for stipends for special educators for additional days of work, recognizing:~~

13 ~~——(a) the added duties and responsibilities assumed by special educators to comply with~~
14 ~~federal law and Board special education rules regulating the education of students with~~
15 ~~disabilities; and~~

16 ~~——(b) the need to attract and retain qualified special educators.~~

17 ~~R277-525-2. Definitions.~~

18 ~~——(1)(a) "After the school year" means two weeks after the final day of the required~~
19 ~~contract period, as determined by the employer.~~

20 ~~——(b) For year-round schools, "after the school year" includes off-track periods, but not~~
21 ~~vacation periods.~~

22 ~~——(2) "Before the school year" means two weeks before the first day of the required~~
23 ~~contract period, as determined by the employer.~~

24 ~~——(3) "Comprehensive Administration of Credentials for Teachers in Utah Schools" or~~
25 ~~"CACTUS" means the electronic file maintained on all licensed Utah educators, which includes~~
26 ~~information such as:~~

27 ~~——(a) personal directory information;~~

28 ~~——(b) educational background;~~

- 29 ~~—— (c) endorsements;~~
30 ~~—— (d) employment history; and~~
31 ~~—— (e) a record of disciplinary action taken against the educator.~~
32 ~~—— (4)(a) "Duties related to the IEP process" means;~~
33 ~~—— (i) duties/responsibilities provided in Subsection 53(4)F-2-310(4);~~
34 ~~—— (ii) preparing paperwork related to the implementation of IDEA; and~~
35 ~~—— (iii) other duties or responsibilities related to the IEP process, as determined by the~~
36 ~~special educator.~~
37 ~~—— (b) "Duties related to the IEP process" do not include:~~
38 ~~—— (i) professional development;~~
39 ~~—— (ii) district level planning; and~~
40 ~~—— (iii) direct student instruction.~~
41 ~~—— (5) "Special educator" means:~~
42 ~~—— (a) a licensed "special education teacher;" or~~
43 ~~—— (b) a licensed speech-language pathologist.~~
44 ~~—— (6) "Special education teacher" has the same meaning as described in Subsection~~
45 ~~53F-2-310(1)(b).~~
46 ~~—— (7) "Speech-language pathologist" means:~~
47 ~~—— (a) an individual who has a Utah educator license with a speech-language pathologist~~
48 ~~area of concentration; or~~
49 ~~—— (b) a speech-language pathologist license; and~~
50 ~~—— (c) whose primary assignment is the instruction of students with disabilities who are~~
51 ~~eligible for special education services.~~
52 ~~—— (8) "Work day for special educator" means the special educator's contract day as~~
53 ~~determined by the employer.~~

54 **~~R277-525-3. LEA Responsibilities.~~**

- 55 ~~—— (1) An LEA shall contract with individual special educators and request in writing from~~
56 ~~the special educators:~~

- 57 ~~—— (a) the number of days that the special educator commits to work consistent with~~
58 ~~Subsection 53F-2-310(4)(b); and~~
- 59 ~~—— (b) whether the special educator will work the additional contract days before the school~~
60 ~~year begins or after the school year ends.~~
- 61 ~~—— (2) A special educator hired by an LEA after October 15 may receive funding for extra~~
62 ~~days to the extent of funds available.~~
- 63 ~~—— (3) An LEA shall report to the Superintendent the number of days worked by a special~~
64 ~~educator on UPIPS as follows:~~
- 65 ~~—— (a) no later than October 1 for a special educator who worked before the school year~~
66 ~~began; and~~
- 67 ~~—— (b) no later than June 30 for a special educator who worked after the school year~~
68 ~~ended.~~
- 69 ~~—— (4) An LEA may only pay special educator stipend under this rule for actual days~~
70 ~~worked.~~
- 71 ~~—— (5) An LEA may not transfer stipend work days under this rule among teachers.~~
- 72 ~~—— (6) An LEA shall submit a final report to the Superintendent no later than June 30~~
73 ~~annually that provides:~~
- 74 ~~—— (a) the number of contract days worked by designated special educators; and~~
- 75 ~~—— (b) other assessment or evaluation information requested by the Superintendent.~~

76 **~~R277-525-4. Superintendent Responsibilities.~~**

- 77 ~~—— (1) The Superintendent shall annually review this program and recommend to the~~
78 ~~Board, based upon the annual appropriation, the number of special education days to be~~
79 ~~funded.~~
- 80 ~~—— (2) To simplify accounting and evaluation requirements for LEAs, the Superintendent~~
81 ~~shall:~~
- 82 ~~—— (a) provide model tracking and accounting materials to LEAs;~~
- 83 ~~—— (b) provide a checklist of appropriate duties or tasks for special educators consistent~~
84 ~~with Subsection R277-525-2(4);~~

REPEAL
June 12, 2020

85 ~~—— (c) distribute funds to participating LEAs for eligible special educators on a semiannual~~
86 ~~basis; and~~

87 ~~**KEY: special educators, stipends**~~

88 ~~**Date of Enactment or Last Substantive Amendment: August 7, 2018**~~

89 ~~**Notice of Continuation: June 7, 2018**~~

90 ~~**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3); 53A-17a-**~~
91 ~~**158]**~~

92