

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

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
10 rules beginning with R277.

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12 **R277-100-2. Definitions.**

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

15 (2) "Agency" means:

16 (a) an entity governed by the Board;

17 (b) an LEA; or

18 (c) a grant sub-recipient.

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

20 (4) "Charter school" means a school established as a charter school by a charter
21 school authorizer under [Title 53G, Chapter 5](#), Charter Schools, and Board rule.

22 (5) "Comprehensive dropout intervention and prevention program" means a
23 program that:

24 (a) addresses needs of students who are not succeeding in a traditional school
25 environment;

26 (b) provides targeted instruction that increases student credit-earning rates toward
27 graduation; and

28 (c) partners with community entities to provide a continuum of services with the
29 focus of preparing students for life after high school.

30 (6)(a) "Cumulative file" or "cumulative folder" means a physical or digital record
31 maintained by an LEA for each student containing, at a minimum, the following
32 information:

- 33 (i) evidence of the student's legal name and date of birth;
- 34 (ii) student demographic data, including race, ethnicity, and gender;
- 35 (iii) name and contact information for the student's parents;
- 36 (iv) a record of the student's courses, teachers, and grades or progress;
- 37 (v) a record of the student's performance on statewide assessments;
- 38 (vi) documentation concerning a student's eligibility for IDEA or 504 services;
- 39 (vii) a record of suspensions and expulsions, in accordance with Subsection
40 53G-8-208(4)(a);
- 41 (viii) known allergies;
- 42 (ix) a record of vision and health screening results; and
- 43 (x) a record of required student immunizations; and
- 44 (xi) pertinent legal documents, including protective orders, custody orders, and
45 parenting or education plans.

46 (b) "Cumulative file" may include additional student information in accordance
47 with an LEA's policies.

48 (7) "District school" means a public school under the control of a local school
49 board elected under [Title 20A, Chapter 14](#), Nomination and Election of State and Local
50 School Boards.

51 (8) "Dual enrollment student" means a student who:

52 (a) is enrolled simultaneously in:

- 53 (i) a private school or home school; and
- 54 (ii) a public school; and

55 (b) is counted by an LEA in membership for purposes of generating state or federal
56 funding for only those courses or subjects for which the LEA provides instruction.

57 (9) "Educator" means an individual licensed under Section 53E-6-201 and who
58 meets the requirements of Board rule.

59 (10) "ESSA" or the "Every Student Succeeds Act" means the Congressional act,
60 which reauthorized the Elementary and Secondary Education Act of 1965, which is found
61 at [20 U.S.C. 6301](#), et seq.

62 (11)(a) "Evaluate" or "review" means to observe and assess a program receiving
63 state or federal funds with an objective of making recommendations, if appropriate, for
64 necessary changes or improvement.

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

68 (12)(a) "External audit" means an appraisal activity established under the direction
69 of an individual or entity outside of the subject agency to examine and evaluate the
70 adequacy and effectiveness of:

- 71 (i) agency control systems;
- 72 (ii) compliance;
- 73 (iii) performance; and
- 74 (iv) financial position.

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

77 (13)(a) "Home school student" means a student who:

78 (a) attends a home school pursuant to Section [53G-6-204](#); and

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

81 (14) "Individualized education program" or "IEP" means a written statement for a
82 student with a disability that is developed, reviewed, and revised in accordance with
83 Part B of the Individuals with Disabilities Education Act (IDEA), [20 U.S.C. Section 1400](#)
84 (2004), and rule.

85 (15) "Individuals with Disabilities Education Act" or "IDEA," 20 U.S.C. Section
86 1400 et seq. (2004), is a four part (A-D) piece of federal legislation that ensures a

87 student with a disability is provided with a Free Appropriate Public Education (FAPE)
88 that is tailored to the student's individual needs.

89 (16)(a) "Internal audit" means an independent appraisal activity established
90 within an agency as a control system to examine and objectively evaluate the adequacy
91 and effectiveness of other internal control systems within the agency.

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

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

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

96 (17)(a) "LEA" or "local education agency" means a school district or charter
97 school.

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

100 (18)(a) "LEA governing board" means:

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

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

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

106 (19)(a) "Monitor" or "oversee" means to formally supervise, inspect, or examine
107 the compliance, performance, or finances of a program receiving state or federal
108 education funding.

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

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

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

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

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

116 (20)(a) "Multi-disciplinary team" means a group of individuals from multiple
117 disciplines who meet to:

118 (i) pursue the common goal of evaluating and triaging the academic, social,
119 emotional, physical, and behavioral needs of a student or group of students; and

120 (ii) create individualized strategies and interventions to address identified needs.

121 (b) An LEA's multi-disciplinary school team as described in Subsection (20)(a)
122 may include:

123 (i) administrative personnel;

124 (ii) a local law enforcement officer or school resource officer;

125 (iii) a mental health professional;

126 (iv) a general education or special education teacher; and

127 (v) other community members as determined by the LEA.

128 (21) "Parent" means a parent or guardian who has established residency of a
129 child under Sections [53G-6-302](#), [53G-6-303](#), or [53G-6-402](#), or another applicable Utah
130 guardianship provision.

131 (22) "Plan for College and Career Readiness" or "SEOP" means a student
132 education occupation plan for college and career readiness that is a developmentally
133 organized intervention process that includes:

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

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

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

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

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

142 (23) "Preschool" means a school in which all the students enrolled are pre-
143 kindergarten.

144 (24)(a) "Private school student" means a student who:

- 145 (a) attends a private school; and
146 (b) is not counted by an LEA in membership for purposes of generating state or
147 federal funding.

148 (25) "Program" means an instructional environment that does not meet the
149 criteria to be classified a school, as described in Subsection (26).

150 (26) "Public school student" means a student who:

- 151 (a) attends an LEA governed public school; and
152 (b) is counted by an LEA in membership for purposes of generating state or
153 federal funding.

154 (27) "School" means an instructional environment that:

- 155 (a) is governed by an LEA board;
156 (b) has an assigned administrator;
157 (c) has enrolled students that generate average daily membership hours during
158 the school year;
159 (d) has assigned instructional staff;
160 (e) provides instruction in the Utah core standards;
161 (f) has one or more grade groups in the range from kindergarten through grade
162 12; and
163 (g) is not a program for students enrolled in another public school.

164 (28) "Social emotional learning" or "SEL" means the process through which
165 students acquire and effectively apply the knowledge, attitude, and skills necessary to:

- 166 (a) understand and manage emotions;
167 (b) set and achieve positive goals;
168 (c) feel and show empathy for others;
169 (d) establish and maintain positive relationships;
170 (e) make responsible decisions; and
171 (f) self-advocate.

172 (29) "Split enrollment student" means a student who is:

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

174 (b) eligible for graduation and other services at both schools; and
175 (c) subject to the split enrollment provisions of [R277-419](#), counted by each LEA
176 in membership for purposes of generating state or federal funding for only those
177 courses or subjects for which each LEA provides instruction.

178 (30) "State Charter School Board" or "SCSB" means the State Charter School
179 Board created in Section [53G-5-201](#).

180 (31) "Superintendent" means the State Superintendent of Public Instruction or
181 the Superintendent's designee.

182 (32) "Suspension" means:

183 (a) an in-school suspension that is a temporary removal of a student from the
184 student's regular classroom for disciplinary reasons for at least half a school day but
185 remains under the direct supervision of school personnel; or

186 (b) an out-of-school suspension that is the removal of a student from school
187 grounds for disciplinary reasons unless the student removed is:

188 (i) served solely under a Section 504 plan, where an out-of-school suspension
189 is the excluding of the student from school for disciplinary purposes for one day or
190 longer; or

191 (ii) a student with disabilities under IDEA, where an out-of-school suspension is
192 the temporary removal of the student from the student's regular school for disciplinary
193 reasons to another setting.

194 (33) "Threat" means an expression of intent to harm someone that is direct,
195 indirect, or implied and may be spoken, written, or expressed in some other way.

196 (34) "Threat assessment" means a problem-solving approach to violence
197 prevention that involves assessment and intervention with students who have
198 threatened violence in some way.

199 (~~33~~35) "USDB" means the Utah Schools for the Deaf and the Blind.

200

201 **KEY: Board of Education, rules, definitions**

202 **Date of Enactment or Last Substantive Amendment: March 12, 2020**

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