

1 **R277. Education, Administration.**

2 **R277-706. [~~Public Education~~] Regional Education Service [~~Centers~~] Agencies.**

3 **R277-706-1. Authority and Purpose.**

4 (1) This rule is authorized by:

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

7 (b) Section [53G-4-410](#), which directs the Board to make rules regarding [~~eligible~~]  
8 regional education service [~~center's~~] agencies; and

9 (c) Section [53E-3-401](#)(4), which permits the Board to adopt rules in accordance with  
10 the Board's responsibilities.

11 (2) The purpose of this rule is:

12 (a) to provide definitions and procedures for school districts to form interlocal  
13 agreements; and

14 (b) to provide for distribution of legislative funds to eligible regional education  
15 service [~~centers~~] agencies by the Board.

16 **R277-706-2. Definitions.**

17 (1) "Eligible regional education service agency" or "Eligible RESA" has the same  
18 meaning as the term is defined in Section [53G-4-410](#).

19 (2) "[Eligible r] Regional education service [~~centers~~] agency" or "RESA" has the  
20 same meaning as the term is defined in Section [53G-4-410](#).

21 **R277-706.3. [~~Eligible~~] Regional Education Service [~~Centers~~] Agencies.**

22 (1) Two or more school districts may enter into an interlocal agreement and form  
23 [~~an eligible~~] regional education service [~~center~~] agency as described in Section [53G-4-410](#).

24 (2) An interlocal agreement described in Subsection (1) shall confirm or formalize  
25 a [~~regional service center~~] RESA as described in Subsection [53G-4-410](#)(4) as of the  
26 effective date of the agreement.

27 (3) A RESA may provide services and participate in programs consistent with state  
28 law and Board rule, including:

- 29           (a) apply directly for any grant or program in which an LEA may participate if the  
30 RESA has consent from the LEAs that the RESA serves;  
31           (b) recommend educators to USBE for licensing;  
32           (c) provide student services as approved by the RESA's board;  
33           (d) access Board systems, on behalf of member LEAs, as approved by the  
34 Superintendent;  
35           (e) elect to participate as an employer for retirement programs in the Public  
36 Employees Contributory retirement program; and  
37           (f) may receive services from or partner with any department, division, or agency of  
38 the state, including coverage through the Division of Risk Management in accordance with  
39 Subsection [53G-4-410\(3\)\(c\)](#).  
40           (4) A RESA does not have authority over an LEA which the RESA serves.

41 **R277-706-4. Distribution of Funds.**

- 42           (1) The Superintendent shall distribute funds, if provided by the Legislature, in equal  
43 amounts to each eligible regional education service [center] agency if the [~~eligible regional~~  
44 ~~service center~~] RESA:
- 45           (a) submits a request for funds; and  
46           (b) satisfies all requirements established by the Board.
- 47           (2) The Superintendent shall provide notice to an eligible [~~regional service center~~]  
48 RESA of the deadlines and requirements for a request for funds described in Subsection  
49 (1).
- 50           (3) Subject to legislative appropriation, the Superintendent shall distribute funds to  
51 an eligible [~~regional service center~~] RESA after July 1 annually.
- 52           (4) The Board may provide additional funding, if available, to a RESA without  
53 prejudice to existing legislative appropriations to eligible RESAs.
- 54           (5) The Superintendent shall review the funding the legislature appropriates to  
55 support eligible RESAs by October 1 annually and make recommendations for  
56 consideration by the Board.

57 **R277-706-5. Eligible Regional Education Service ~~[Center]~~ Agency Responsibilities.**

58 (1) An eligible regional education service ~~[center]~~ agency shall submit an annual  
59 application for available funds to the Superintendent.

60 (2) An eligible ~~[regional service center's]~~ RESA's application for funds shall include:

61 (a) a copy of the eligible ~~[regional service center's]~~ RESA's completed interlocal  
62 agreement;

63 (b) a proposed budget and request for funds;

64 (c) a current external audit of the eligible ~~[regional service center's]~~ RESA's assets  
65 and liabilities;

66 (d) assurance, signed by all parties to the interlocal agreement, that the eligible  
67 ~~[regional service center]~~ RESA will provide the eligible ~~[regional service center's]~~ RESA's  
68 records to the Superintendent upon request;

69 (e) an annual financial report from the previous fiscal year; and

70 (f) a plan for the use and distribution of the eligible ~~[regional service center's]~~ RESA's  
71 funds for the applicable fiscal year with specific attention to:

72 (i) the delivery of Utah Education Network and Telehealth services to the LEAs  
73 within the eligible ~~[regional service center]~~ RESA; and

74 (ii) the delivery of education-related services.

75 (3) An eligible regional service center shall provide an annual performance report  
76 to the Superintendent and the Board, including the following information:

77 (a) the eligible regional service center's delivery of Utah Education and Telehealth  
78 Network services;

79 (b) the eligible regional service center's type, amount, and effectiveness of delivery  
80 of public and higher education related services; and

81 (c) the eligible regional service center's coordination of public and higher education  
82 related services.

83 **R277-706-6. Regional Education Service Agency Coordinating Council.**

84 (1) There is hereby created a regional education service agency coordinating  
85 council.

86 (2) The council is an advisory body, which shall consist of the following members:

87 (a) the executive director of each RESA;

88 (b) the board chair of each RESA's governing board;

89 (c) A member of the Board appointed by the Board chair; and

90 (d) the Superintendent.

91 (3) The council created in Subsection (1) shall be chaired by one of the RESA board  
92 chairs as selected by the council's members.

93 (4) The regional education service agency coordinating council shall meet at least  
94 biannually, but may meet more often if necessary to coordinate with the Superintendent  
95 on implementing state initiatives in the areas the RESAs cover.

96 **KEY: eligible regional service center**

97 **Date of Enactment or Last Substantive Amendment:**

98 **Notice of Continuation: August 6, 2019**

99 **Authorizing, and Implemented, or Interpreted Law: [Art X Sec 3](#); [53G-4-410](#); [53E-3-401](#)**