

R277-753 received final approval by the Utah State Board of Education on September 2, 2021. R277-753 will be published in the October 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of November 8, 2021.

1 **R277. Education, Administration.**

2 ~~[R277-753. LEA Reporting Requirements for Section 504 Students.~~

3 ~~R277-753-1. 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 over 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-213-512\(2\)\(a\)](#), which directs the Board to make rules for~~
10 ~~implementation of a reimbursement program for special education funds to address~~
11 ~~Section 504 accommodations.~~

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

14

15 ~~R277-753-2. Definitions.~~

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

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

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

26 ~~—— (4) "Learning impairment" means a learning disability, which includes, but is not~~
27 ~~limited to, dyslexia, dysgraphia, and dyscalculia, that substantially limits one or more major~~

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- 28 ~~life activities, but does not require specialized instruction under special education services.~~
- 29 ~~—— (5) "Major bodily function impairment" means an impairment to any of the~~
- 30 ~~following functions that adversely limit a student's access to the student's education:~~
- 31 ~~—— (a) immune system function;~~
- 32 ~~—— (b) normal cell growth;~~
- 33 ~~—— (c) genitourinary function;~~
- 34 ~~—— (d) bladder function;~~
- 35 ~~—— (e) brain function;~~
- 36 ~~—— (f) circulatory function;~~
- 37 ~~—— (g) endocrine function;~~
- 38 ~~—— (h) lymphatic function;~~
- 39 ~~—— (i) special sensory organ and skin function;~~
- 40 ~~—— (j) digestive function;~~
- 41 ~~—— (k) bowel function;~~
- 42 ~~—— (l) neurological function;~~
- 43 ~~—— (m) respiratory function;~~
- 44 ~~—— (n) cardiovascular function;~~
- 45 ~~—— (o) hemic function;~~
- 46 ~~—— (p) musculoskeletal function; and~~
- 47 ~~—— (q) reproductive function.~~
- 48 ~~—— (6) "Medical impairment" means a disability that is chronic or acute in nature,~~
- 49 ~~which may be active or in remission, and which substantially limits one or more major life~~
- 50 ~~activities, including, but not limited to:~~
- 51 ~~—— (a) allergies;~~
- 52 ~~—— (b) asthma;~~
- 53 ~~—— (c) attention deficit disorder or attention deficit hyperactivity disorder;~~
- 54 ~~—— (d) chemical sensitivities;~~

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- 55 ~~—— (e) diabetes;~~
56 ~~—— (f) epilepsy;~~
57 ~~—— (g) a heart condition;~~
58 ~~—— (h) hemophilia;~~
59 ~~—— (i) lead poisoning;~~
60 ~~—— (j) leukemia;~~
61 ~~—— (k) cancer;~~
62 ~~—— (l) arthritis;~~
63 ~~—— (m) nephritis;~~
64 ~~—— (n) rheumatic fever;~~
65 ~~—— (o) sickle cell anemia;~~
66 ~~—— (p) Tourette syndrome;~~
67 ~~—— (q) HIV/AIDS; or~~
68 ~~—— (r) an acquired brain injury adversely affecting a student's access to the student's~~
69 ~~education, which may result from health problems such as:~~
70 ~~—— (i) an hypoxic event;~~
71 ~~—— (ii) encephalitis;~~
72 ~~—— (iii) meningitis;~~
73 ~~—— (iv) brain tumor; or~~
74 ~~—— (v) stroke.~~
75 ~~—— (7) "Mental health impairment" means a mental disability that is chronic or acute in~~
76 ~~nature, and which substantially limits one or more major life activities, including, but not~~
77 ~~limited to:~~
78 ~~—— (a) anxiety;~~
79 ~~—— (b) attention deficit disorder or attention deficit hyperactivity disorder;~~
80 ~~—— (c) depression;~~
81 ~~—— (d) post-traumatic stress disorder; or~~

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82 ~~—— (e) emotional or mental illnesses.~~

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

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

88 ~~—— (10) "Section 504" means section 504 of the Vocational Rehabilitation Act of 1973,~~
89 ~~29 U.S.C. 701, et seq., which guarantees certain rights to disabled students.~~

90 ~~—— (11) "Utah eTranscript and Record Exchange" or "UTREx" means a system that~~
91 ~~allows individual detailed student records to be exchanged electronically between public~~
92 ~~education LEAs and the Board.~~

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

96

97 **~~R277-753-3. LEA Section 504 Reporting Requirements.~~**

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

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

102 ~~—— (3) An LEA's data submissions under this rule shall be broken down in the~~
103 ~~following categories:~~

104 ~~—— (a) Autism;~~

105 ~~—— (b) Brain Injury or Concussion Impairment;~~

106 ~~—— (c) Hearing Impairment;~~

107 ~~—— (d) Learning Impairment;~~

108 ~~—— (e) Major Bodily Function Impairment;~~

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109 ~~_____ (f) Medical Impairment;~~

110 ~~_____ (g) Mental Health Impairment;~~

111 ~~_____ (h) Orthopedic Impairment; and~~

112 ~~_____ (i) Other Impairment.~~

113

114 ~~**KEY: reporting, requirements, Section 504**~~

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

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