

R277. Education, Administration.

R277-750. Education Programs for Students with Disabilities.

R277-750-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-501(1), which directs the Board to adopt rules regarding services for persons with disabilities;

(c) Title 53E, Chapter 7, Part 2, Education of Children with Disabilities, which requires the Board to adopt rules regarding educational services to students with disabilities; and

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

(2) The purpose of this rule is to specify standards and procedures for special education programs.

R277-750-2. Incorporation of Special Education Rules Manual by Reference.

(1) This rule incorporates by reference the Special Education Rules manual dated October 2016, which establishes policies and procedures for:

(a) appropriate and timely identification of a student with a disability;

(b) evaluation and classification of a student with a disability by qualified personnel;

(c) standards for services provided to a student with a disability;

(d) provision for multi-district programs for a student with a disability;

(e) provision for delivery of service responsibilities;

(f) certification and qualifications for instructional staff; and

(g) the state's implementation of federal special education programs, including IDEA.

(2) A copy of the manual is located at:

(a) <https://www.schools.utah.gov/specialeducation/resources/lawsrulesregulations>;

and

(b) the Utah State Board of Education.

R277-750-3. Standards and Procedures.

(1) The Board adopts and hereby incorporates by reference the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C., 1400 as the Board's rules for students with disabilities.

(2) The Superintendent and LEAs shall provide services to a student with a disability in accordance with:

(a) Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. 794, incorporated by reference in R277-112;

(b) this rule;

(c) the Special Education Rules, August 2016, included in the Special Education Rules manual described in R277-750-2; and

(d) the annual Utah State Federal Application under Part B of the Individuals with Disabilities Education Act as amended in 2004.

KEY: special education

Date of Enactment or Last Substantive Amendment: October 11, 2016

Notice of Continuation: August 15, 2016

Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-501(1); Title 53E, Chapter 7 Part 2; 53E-3-401(4)