

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 rules
10 beginning with R277.

11 **R277-100-2. Definitions.**

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

14 (2) "Agency" means:

15 (a) an entity governed by the Board;

16 (b) an LEA; or

17 (c) a grant sub-recipient.

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

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

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

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

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

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

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

- 32 (i) ~~[verification]~~ evidence of the student’s legal name and date of birth;
- 33 (ii) student demographic data, including race, ethnicity, and gender;
- 34 (iii) name and contact information for the student’s parents;
- 35 (iv) a record of the student’s courses, teachers, and grades or progress;
- 36 (v) a record of the student’s performance on statewide assessments;
- 37 (vi) documentation concerning a student’s eligibility for IDEA or 504 services;
- 38 (vii) ~~[the student’s current discipline records, including]~~ a record of suspensions
39 and expulsions, in accordance with Subsection 53G-8-208(4)(a);

40 ~~[(viii) health information on a student, including:~~

41 ~~(i) health concerns;]~~

42 (viii) known allergies;

43 ~~[(iii) individualized health plans;~~

44 ~~(iv) emergency action plans;~~

45 ~~(v) S-9 medication orders; and]~~

46 (ix) a record of vision and health screening results; and

47 (x) a record of required student immunizations; and

48 (xi) pertinent legal documents, including protective orders, custody orders, and
49 parenting or education plans.

50 (b) [A] “Cumulative file” ~~[may contain]~~ includes additional student information in
51 accordance with an LEA’s policies.

52 ([6]7) "District school" means a public school under the control of a local school
53 board elected under [Title 20A, Chapter 14](#), Nomination and Election of State and Local
54 School Boards.

55 ([7]8) "Dual enrollment student" means a student who:

56 (a) is enrolled simultaneously in:

57 (i) a private school or home school; and

- 58 (ii) a public school; and
- 59 (b) is counted by an LEA in membership for purposes of generating state or federal
60 funding for only those courses or subjects for which the LEA provides instruction.
- 61 ([8]9) "Educator" means an individual licensed under Section 53E-6-201 and who
62 meets the requirements of Board rule.
- 63 ([9]10) "ESSA" or the "Every Student Succeeds Act" means the Congressional act,
64 which reauthorized the Elementary and Secondary Education Act of 1965, which is found
65 at [20 U.S.C. 6301](#), et seq.
- 66 ([10]11)(a) "Evaluate" or "review" means to observe and assess a program receiving
67 state or federal funds with an objective of making recommendations, if appropriate, for
68 necessary changes or improvement.
- 69 (b) An "evaluation" or "review" may include providing training and technical
70 assistance on program-related matters and performing on-site reviews of program
71 operations.
- 72 ([11]12)(a) "External audit" means an appraisal activity established under the
73 direction of an individual or entity outside of the subject agency to examine and evaluate
74 the adequacy and effectiveness of:
- 75 (i) agency control systems;
- 76 (ii) compliance;
- 77 (iii) performance; and
- 78 (iv) financial position.
- 79 (b) An external audit is conducted in accordance with current professional and
80 industry technical standards, as applicable, for external audits.
- 81 ([12]13)(a) "Home school student" means a student who:
- 82 (a) attends a home school pursuant to Section [53G-6-204](#); and
- 83 (b) is not counted by an LEA in membership for purposes of generating state or
84 federal funding.
- 85 ([13]14) "Individualized education program" or "IEP" means a written statement for
86 a student with a disability that is developed, reviewed, and revised in accordance with Part
87 B of the Individuals with Disabilities Education Act (IDEA), [20 U.S.C. Section 1400](#) (2004),

88 and rule.

89 ([14]15) "Individuals with Disabilities Education Act" or "IDEA," [20 U.S.C. Section](#)
90 [1400](#) et seq. (2004), is a four part (A-D) piece of federal legislation that ensures a student
91 with a disability is provided with a Free Appropriate Public Education (FAPE) that is tailored
92 to the student's individual needs.

93 ([15]16)(a) "Internal audit" means an independent appraisal activity established
94 within an agency as a control system to examine and objectively evaluate the adequacy
95 and effectiveness of other internal control systems within the agency.

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

- 97 (i) International Standards for the Professional Practice of Internal Auditing; or
98 (ii) Government Auditing Standards, issued by the Comptroller General of the United
99 States.

100 ([16]17)(a) "LEA" or "local education agency" means a school district or charter
101 school.

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

104 ([17]18)(a) "LEA governing board" means:

- 105 (i) for a school district, a local school board; and
106 (ii) for a charter school, a charter school governing board.

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

110 ([18]19)(a) "Monitor" or "oversee" means to formally supervise, inspect, or examine
111 the compliance, performance, or finances of a program receiving state or federal education
112 funding.

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

- 114 (i) review of financial and performance reports required of the subject program;
115 (ii) follow-up to ensure the subject program takes timely and appropriate actions to
116 correct identified deficiencies;

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

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

120 (20)(a) "Multi-disciplinary team" mean a group of individuals from multiple disciplines
121 who meet to:

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

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

125 (b) An LEA's multi-disciplinary school team as descibed in Subsection (20)(a) may
126 include:

127 (i) administrative personnel;

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

129 (iii) a mental health professional;

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

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

132 ~~(19)21~~ "Parent" means a parent or guardian who has established residency of a
133 child under Sections [53G-6-302](#), [53G-6-303](#), or [53G-6-402](#), or another applicable Utah
134 guardianship provision.

135 ~~(20)22~~ "Plan for College and Career Readiness" or "SEOP" means a student
136 education occupation plan for college and career readiness that is a developmentally
137 organized intervention process that includes:

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

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

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

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

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

146 ([21]23) "Preschool" means a school in which all the students enrolled are pre-
147 kindergarten.

148 ([22]24)(a) "Private school student" means a student who:

149 (a) attends a private school; and

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

152 ([23]25) "Program" means an instructional environment that does not meet the
153 criteria to be classified a school, as described in Subsection (26).

154 ([24]26) "Public school student" means a student who:

155 (a) attends an LEA governed public school; and

156 (b) is counted by an LEA in membership for purposes of generating state or federal
157 funding.

158 ([25]27) "School" means an instructional environment that:

159 (a) is governed by an LEA board;

160 (b) has an assigned administrator;

161 (c) has enrolled students that generate average daily membership hours during the
162 school year;

163 (d) has assigned instructional staff;

164 (e) provides instruction in the Utah core standards;

165 (f) has one or more grade groups in the range from kindergarten through grade 12;

166 and

167 (g) is not a program for students enrolled in another public school.

168 ([26]28) "Social emotional learning" or "SEL" means the process through which
169 students acquire and effectively apply the knowledge, attitude, and skills necessary to:

170 (a) understand and manage emotions;

171 (b) set and achieve positive goals;

172 (c) feel and show empathy for others;

173 (d) establish and maintain positive relationships;

174 (e) make responsible decisions; and

- 175 (f) self-advocate.
- 176 ([27]29) "Split enrollment student" means a student who is:
- 177 (a) regularly enrolled at two schools within two LEAs at the same time;
- 178 (b) eligible for graduation and other services at both schools; and
- 179 (c) subject to the split enrollment provisions of [R277-419](#), counted by each LEA in
- 180 membership for purposes of generating state or federal funding for only those courses or
- 181 subjects for which each LEA provides instruction.
- 182 ([28]30) "State Charter School Board" or "SCSB" means the State Charter School
- 183 Board created in Section [53G-5-201](#).
- 184 ([29]31) "Superintendent" means the State Superintendent of Public Instruction or
- 185 the Superintendent's designee.
- 186 ([30]32) "Suspension" means:
- 187 (a) an in-school suspension that is a temporary removal of a student from the
- 188 student's regular classroom for disciplinary reasons for at least half a school day but
- 189 remains under the direct supervision of school personnel; or
- 190 (b) an out-of-school suspension that is the removal of a student from school grounds
- 191 for disciplinary reasons unless the student removed is:
- 192 (i) served solely under a Section 504 plan, where an out-of-school suspension is
- 193 the excluding of the student from school for disciplinary purposes for one day or longer; or
- 194 (ii) a student with disabilities under IDEA, where an out-of-school suspension is the
- 195 temporary removal of the student from the student's regular school for disciplinary reasons
- 196 to another setting.
- 197 ([34]33) "USDB" means the Utah Schools for the Deaf and the Blind.

198 **KEY: Board, rules, definitions**

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

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