

R277-750 received final approval by the Utah State Board of Education on November 3, 2022. R277-750 was published in the December 1, 2022, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of January 10, 2022.

## **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~~]Special Education Program, 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 [~~July 2020~~]November 2022, 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:

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(a)

<https://www.schools.utah.gov/specialeducation/programs/rulespolicies?mid=4962&tid=1>  
; and

(b) the Utah State Board of Education.

### **R277-750-3. Standards and Procedures.**

(1) The Board [~~adopts and~~]hereby incorporates by reference the IDEA 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. 794;

(b) this rule;

(c) the Special Education Rules, [~~June 2020~~November 2022], included in the Special Education Rules manual described in Section R277-750-2; and

(d) the annual Utah State Federal Application under Part B of the IDEA.

**KEY: special education**

**Date of Last Change: 2023[~~December 3, 2021~~]**

**Notice of Continuation: April 14, 2021**

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