

**R277. Education, Administration.**

**R277-752. Special Education Carry Forward Limitations.**

**R277-752-1. Authority, Purpose, and Oversight Category.**

- (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; and
  - (b) 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 establish special education budget carry forward limitations.
- (3) This rule is categorized as Category 4 as described in Rule R277-111.

**R277-752-2. Definitions.**

- (1) "Budget" means the total expenditures reported on an LEA's Annual Program Report, "APR."
- (2) "Local education agency" or "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

**R277-752-3. Special Education Carry Forward Funds.**

- (1) The Superintendent shall recoup any carry forward balance for special education funding in excess of 20% of an LEA's special education budget through June 30, 2026 and return the funds to the Uniform School Fund.
- (2) The Superintendent shall recoup any carry forward balance for special education funding in excess of 10% of an LEA's special education budget after June 30, 2026 and return the funds to the Superintendent for future use as requested by the Board and authorized by the Legislature.

**KEY: special education, intensive services fund**

**Date of Last Change: January 10, 2025**

**Notice of Continuation: April 15, 2025**

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