

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

12 **R277-100-2. Definitions.**

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

15 (2) "Agency" means:

16 (a) an entity governed by the Board;

17 (b) an LEA; or

18 (c) a grant sub-recipient.

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

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

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

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

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

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

30 (6) "District school" means a public school under the control of a local school board  
31 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School  
32 Boards.

33 (7) "Dual enrollment student" means a student who:

34 (a) is enrolled simultaneously in:

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

36 (ii) a public school; and

37 (b) is counted by an LEA in membership for purposes of generating state or federal  
38 funding for only those courses or subjects for which the LEA provides instruction.

39 (8) "Educator" means an individual licensed under Section 53E-6-201 and who  
40 meets the requirements of Board rule.

41 (9) "ESSA" or the "Every Student Succeeds Act" means the Congressional act,  
42 which reauthorized the Elementary and Secondary Education Act of 1965, which is found  
43 at 20 U.S.C. 6301, et seq.

44 (10)(a) "Evaluate" or "review" means to observe and assess a program receiving  
45 state or federal funds with an objective of making recommendations, if appropriate, for  
46 necessary changes or improvement.

47 (b) An "evaluation" or "review" may include providing training and technical  
48 assistance on program-related matters and performing on-site reviews of program  
49 operations.

50 (11)(a) "External audit" means an appraisal activity established under the direction  
51 of an individual or entity outside of the subject agency to examine and evaluate the  
52 adequacy and effectiveness of:

53 (i) agency control systems;

54 (ii) compliance;

55 (iii) performance; and

56 (iv) financial position.

57 (b) An external audit is conducted in accordance with current professional and  
58 industry technical standards, as applicable, for external audits.

59 (12)(a) "Home school student" means a student who:

60 (a) attends a home school pursuant to Section 53G-6-204; and

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

63 (13) "Individualized education program" or "IEP" means a written statement for a  
64 student with a disability that is developed, reviewed, and revised in accordance with Part  
65 B of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400 (2004),  
66 and rule.

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

71 (15)(a) "Internal audit" means an independent appraisal activity established within  
72 an agency as a control system to examine and objectively evaluate the adequacy and  
73 effectiveness of other internal control systems within the agency.

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

75 (i) International Standards for the Professional Practice of Internal Auditing; or

76 (ii) Government Auditing Standards, issued by the Comptroller General of the United  
77 States.

78 (16)(a) "LEA" or "local education agency" means a school district or charter school.

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

81 (17)(a) "LEA governing board" means:

82 (i) for a school district, a local school board; and

83 (ii) for a charter school, a charter school governing board.

84 (b) For purposes of certain rules, "LEA governing board" may include the State  
85 Board of Education as the governing board for the Utah Schools for the Deaf and the Blind

86 if indicated in the specific rule.

87 (18)(a) "Monitor" or "oversee" means to formally supervise, inspect, or examine the  
88 compliance, performance, or finances of a program receiving state or federal education  
89 funding.

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

91 (i) review of financial and performance reports required of the subject program;

92 (ii) follow-up to ensure the subject program takes timely and appropriate actions to  
93 correct identified deficiencies;

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

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

97 (19) "Parent" means a parent or guardian who has established residency of a child  
98 under Sections 53G-6-302, 53G-6-303, or 53G-6-402, or another applicable Utah  
99 guardianship provision.

100 (20) "Plan for College and Career Readiness" or "SEOP" means a student education  
101 occupation plan for college and career readiness that is a developmentally organized  
102 intervention process that includes:

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

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

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

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

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

111 (21) "Preschool" means a school in which all the students enrolled are pre-  
112 kindergarten.

113 (22)(a) "Private school student" means a student who:

114 (a) attends a private school; and

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

117 (23) “Program” means an instructional environment that does not meet the criteria  
118 to be classified a school, as described in Subsection (26).

119 (24) “Public school student” means a student who:

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

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

123 (25) “School” means an instructional environment that:

124 (a) is governed by an LEA board;

125 (b) has an assigned administrator;

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

128 (d) has assigned instructional staff;

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

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

131 and

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

133 (26) “Social emotional learning” or “SEL” means the process through which students  
134 acquire and effectively apply the knowledge, attitude, and skills necessary to:

135 (a) understand and manage emotions;

136 (b) set and achieve positive goals;

137 (c) feel and show empathy for others;

138 (d) establish and maintain positive relationships;

139 (e) make responsible decisions; and

140 (f) self-advocate.

141 (27) “Split enrollment student” means a student who is:

142 (a) regularly enrolled at two schools within two LEAs at the same time;

143 (b) eligible for graduation and other services at both schools; and

144 (c) subject to the split enrollment provisions of R277-419, counted by each LEA in  
145 membership for purposes of generating state or federal funding for only those courses or  
146 subjects for which each LEA provides instruction.

147 (28) "State Charter School Board" or "SCSB" means the State Charter School Board  
148 created in Section 53G-5-201.

149 (29) "Superintendent" means the State Superintendent of Public Instruction or the  
150 Superintendent's designee.

151 (30) "Suspension" means:

152 (a) an in-school suspension that is a temporary removal of a student from the  
153 student's regular classroom for disciplinary reasons for at least half a school day but  
154 remains under the direct supervision of school personnel; or

155 (b) an out-of-school suspension that is the removal of a student from school grounds  
156 for disciplinary reasons unless the student removed is:

157 (i) served solely under a Section 504 plan, where an out-of-school suspension is  
158 the excluding of the student from school for disciplinary purposes for one day or longer; or

159 (ii) a student with disabilities under IDEA, where an out-of-school suspension is the  
160 temporary removal of the student from the student's regular school for disciplinary reasons  
161 to another setting.

162 ~~[(30)]~~(31) "USDB" means the Utah Schools for the Deaf and the Blind.

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164 **KEY: Board, rules, definitions**

165 **Date of Enactment of Last Substantive Amendment: August 11, 2016**

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

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