

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) "District school" means a public school under the control of a local school board

30 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School
31 Boards.

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

33 (a) is enrolled simultaneously in:

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

35 (ii) a public school; and

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

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

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

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

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

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

52 (i) agency control systems;

53 (ii) compliance;

54 (iii) performance; and

55 (iv) financial position.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 90 (i) review of financial and performance reports required of the subject program;
91 (ii) follow-up to ensure the subject program takes timely and appropriate actions to
92 correct identified deficiencies;
93 (iii) supervising remedial action recommended by audit or monitoring findings or
94 required by Board rule; and
95 (iv) any function performed in an evaluation or review.

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

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

- 102 (a) a written plan, updated annually, for a secondary student's (grades 7-12)
103 education and occupational preparation;
104 (b) all Board, local board and local charter board graduation requirements;
105 (c) evidence of parent or guardian, student, and school representative involvement
106 annually;
107 (d) attainment of approved workplace skill competencies, including job placement
108 when appropriate; and
109 (e) identification of post secondary goals and approved sequence of courses.

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

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

- 113 (a) attends a private school; and
114 (b) is not counted by an LEA in membership for purposes of generating state or
115 federal funding.

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

118 (24) "Public school student" means a student who:

- 119 (a) attends an LEA governed public school; and

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

122 (25) "School" means an instructional environment that:

123 (a) is governed by an LEA board;

124 (b) has an assigned administrator;

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

127 (d) has assigned instructional staff;

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

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

130 and

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

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

134 (a) understand and manage emotions;

135 (b) set and achieve positive goals;

136 (c) feel and show empathy for others;

137 (d) establish and maintain positive relationships;

138 (e) make responsible decisions; and

139 (f) self-advocate.

140 (27) "Split enrollment student" means a student who is:

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

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

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

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

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

150 (30) "Suspension" means:

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

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

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

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

161 ~~[(30)]~~(31) "USDB" means the Utah Schools for the Deaf and the Blind.

162

163 **KEY: Board, rules, definitions**

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

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