

R277-750 received final approval by the Utah State Board of Education on August 6, 2020. R277-750 will be published in the September 1, 2020 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of October 9, 2020.

**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, 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 ~~October~~ July 20~~16~~20, 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/resources/lawsrulesregulations>; and

(b) the Utah State Board of Education.

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

(1) The Board adopts and hereby incorporates by reference the ~~[Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C., 1400]~~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.~~[A.]~~ 794~~;~~  
~~incorporated by reference in R277-112~~;

(b) this rule;

(c) the Special Education Rules, ~~[August]~~June 20~~[16]~~20, 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 ~~[Individuals with Disabilities Education Act as amended in 2004]~~IDEA.

**KEY: special education**

**Date of Enactment or Last Substantive Amendment: October 11, 2016**

**Notice of Continuation: August 15, 2016**

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