

1 **R277. Education, Administration.**

2 **R277-126. Utah Fits All Scholarship.**

3 **R277-126-1. 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 over public education in the Board;

7 _____ (b) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute
8 the Board's duties and responsibilities under the Utah Constitution and state law; and

9 _____ (c) Subsection [53F-6-404\(7\)](#), which directs the Board to establish an appeals
10 process for parents under the Utah Fits All Scholarship program.

11 _____ (2) The purpose of this rule is to establish an appeals process as required by
12 Subsection [53F-6-404\(7\)](#).

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14 **R277-126-2. Definitions.**

15 _____ (1) "Program manager" means the contract organization chosen by the Board in
16 accordance with Subsection [53F-6-404\(1\)](#).

17 _____ (2) "Utah Fits All Scholarship" means the program established by the Legislature
18 in [Title 53F, Chapter 6, Part 4](#), Utah Fits All Scholarship Program.

19

20 **R277-126-3. Appeals Process.**

21 _____ (1) A parent may appeal an administrative decision of the program manager
22 consistent with Subsection [53F-6-404\(7\)](#) by filing a request as provided in this section.

23 _____ (2) The program manager shall:

24 _____ (a) notify a parent of the right to file a request under this section; and

25 _____ (b) provide a form for a parent to file a request under this section.

26 _____ (3) A parent shall file a request with the program manager within ten days of the
27 administrative decision at issue.

28 (4) The program manager shall forward the request to the Superintendent along
29 with any information or evidence that may be required to consider the review within two
30 business days of receiving a request under Subsection (3).

31 (5) The Superintendent shall review the request to determine if the program
32 manager followed the law and the program manager's policies and procedures in
33 making its administrative decision.

34 (6) The Superintendent shall either:

35 (a) uphold the program manager's decision; or

36 (b) grant the parent's request and provide direction to the program manager for
37 any action to be taken.

38 (7) The Superintendent shall provide notice in writing to the parent and the
39 program manager of the decision under Subsection (6) within 30 days of the date the
40 parent submits a request to the program manager under Subsection (3).

41

42 **KEY:**

43 **Date of Enactment or Last Substantive Amendment:**

44 **Authorizing, and Implemented, or Interpreted Law:** [Article X, Section 3; 53E-3-](#)

45 [401\(4\); 53F-6-404\(7\)](#)