

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
8 the 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
10 rules 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
23 program 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
27 toward 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)(a) "Cumulative file" or "cumulative folder" means a physical or digital record
31 maintained by an LEA for each student containing, at a minimum, the following
32 information:

- 33 (i) evidence of the student's legal name and date of birth;
- 34 (ii) student demographic data, including race, ethnicity, and gender;
- 35 (iii) name and contact information for the student's parents;
- 36 (iv) a record of the student's courses, teachers, and grades or progress;
- 37 (v) a record of the student's performance on statewide assessments;
- 38 (vi) documentation concerning a student's eligibility for IDEA or 504 services;
- 39 (vii) a record of suspensions and expulsions, in accordance with Subsection
40 [53G-8-208](#)(4)(a);
- 41 (viii) known allergies;
- 42 (ix) a record of vision and health screening results; and
- 43 (x) a record of required student immunizations; and
- 44 (xi) pertinent legal documents, including protective orders, custody orders, and
45 parenting or education plans.

46 (b) "Cumulative file" may include additional student information in accordance
47 with an LEA's policies.

48 (7) "District school" means a public school under the control of a local school
49 board elected under [Title 20A, Chapter 14](#), Nomination and Election of State and Local
50 School Boards.

51 (8) "Dual enrollment student" means a student who:

52 (a) is enrolled simultaneously in:

- 53 (i) a private school or home school; and
- 54 (ii) a public school; and

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

58 (9) "Educator" means an individual licensed under Section [53E-6-201](#) and who
59 meets the requirements of Board rule.

60 (10) "ESSA" or the "Every Student Succeeds Act" means the congressional act,
61 which reauthorized the Elementary and Secondary Education Act of 1965, which is
62 found at [20 U.S.C. 6301](#), et seq.

63 (11)(a) "Evaluate" or "review" means to observe and assess a program [or other](#)
64 [set of requirements](#) with an objective of making recommendations, if appropriate, for
65 necessary changes or improvement.

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

69 (12)(a) "External audit" means an appraisal activity established under the
70 direction of an individual or entity outside of the subject agency to examine and evaluate
71 the adequacy and effectiveness of:

72 (i) agency control systems;

73 (ii) compliance;

74 (iii) performance; and

75 (iv) financial position.

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

78 (13)(a) "Home school student" means a student who:

79 (a) attends a home school pursuant to Section [53G-6-204](#); and

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

82 (14) "Individualized education program" or "IEP" means a written statement for a
83 student with a disability that is developed, reviewed, and revised in accordance with
84 Part B of the Individuals with Disabilities Education Act (IDEA), [20 U.S.C. Section 1400](#)
85 (2004), and rule.

86 (15) "Individuals with Disabilities Education Act" or "IDEA," 20 U.S.C. Section
87 1400 et seq. (2004), is a four part (A-D) piece of federal legislation that ensures a
88 student with a disability is provided with a Free Appropriate Public Education (FAPE)
89 that is tailored to the student's individual needs.

90 (16)(a) "Internal audit" means an independent appraisal activity established
91 within an agency as a control system to examine and objectively evaluate the adequacy
92 and effectiveness of other internal control systems within the agency or the public
93 education system.

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

- 95 (i) International Standards for the Professional Practice of Internal Auditing; or
96 (ii) Government Auditing Standards, issued by the Comptroller General of the
97 United States.

98 (17)(a) "LEA" or "local education agency" means a school district or charter
99 school.

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

102 (18)(a) "LEA governing board" means:

- 103 (i) for a school district, a local school board; and
104 (ii) for a charter school, a charter school governing board.

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

108 (19)(a) "Monitor" [~~or "oversee"~~] means to formally supervise, inspect, or examine
109 the compliance, performance, or finances of a program or other set of requirements.

110 (b) A monitoring [~~or oversight~~] program may include:

- 111 (i) review of financial and performance reports required of the subject program;
112 (ii) follow-up to ensure the subject program takes timely and appropriate actions
113 to correct identified deficiencies;

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

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

117 (20)(a) "Multidisciplinary team" means a group of individuals from multiple
118 disciplines who meet to:

119 (i) pursue the common goal of evaluating and triaging the academic, social,
120 emotional, physical, and behavioral needs of a student or group of students; and

121 (ii) create individualized strategies and interventions to address identified needs.

122 (b) An LEA's multidisciplinary school team as described in Subsection (20)(a)
123 may include:

124 (i) administrative personnel;

125 (ii) a local law enforcement officer or school resource officer;

126 (iii) a mental health professional;

127 (iv) a general education or special education teacher; and

128 (v) other community members as determined by the LEA.

129 (21) "Parent" means a parent or guardian who has established residency of a
130 child under Sections [53G-6-302](#), [53G-6-303](#), or [53G-6-402](#), or another applicable Utah
131 guardianship provision.

132 (22) "Plan for College and Career Readiness" or "SEOP" means a student
133 education occupation plan for college and career readiness that is a developmentally
134 organized intervention process that includes:

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

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

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

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

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

143 (23) "Preschool" means a school in which all the students enrolled are pre-
144 kindergarten.

145 (24)(a) "Private school student" means a student who:

146 (a) attends a private school; and

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

149 (25) "Program" means an instructional environment that does not meet the
150 criteria to be classified a school, as described in Subsection (27).

151 (26) "Public school student" means a student who:

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

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

155 (27) "School" means an instructional environment that:

156 (a) is governed by an LEA board;

157 (b) has an assigned administrator;

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

160 (d) has assigned instructional staff;

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

162 (f) has one or more grade groups in the range from kindergarten through grade
163 12; and

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

165 (28) "Social emotional learning" or "SEL" means the process through which

166 students acquire and effectively apply the knowledge, attitude, and skills necessary to:

167 (a) understand and manage emotions;

168 (b) set and achieve positive goals;

169 (c) feel and show empathy for others;

170 (d) establish and maintain positive relationships;

171 (e) make responsible decisions; and

172 (f) self-advocate.

173 (29) "Split enrollment student" means a student who is:

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

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

176 (c) subject to the split enrollment provisions of Rule [R277-419](#), counted by each
177 LEA in membership for purposes of generating state or federal funding for only those
178 courses or subjects for which each LEA provides instruction.

179 (30) "State Charter School Board" or "SCSB" means the State Charter School
180 Board created in Section [53G-5-201](#).

181 (31) "Student Threat assessment" means a prevention strategy that involves: (a)
182 identifying student threats including to commit a violent act, (b) determining the
183 seriousness of the threat, and (c) developing intervention plans that protect potential
184 victims and address the underlying problem or conflict that stimulated the threatening
185 behavior.

186 (32) "Superintendent" means the State Superintendent of Public Instruction or
187 the Superintendent's designee.

188 (33) "Suspension" means:

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

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

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

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

200 (34) "Threat" means an expression of intent to harm someone that is direct,
201 indirect, or implied and may be spoken, written, or expressed in some other way.

202 (35) "USDB" means the Utah Schools for the Deaf and the Blind.

203

204 **KEY: Board of Education, rules, definitions**

205 **Date of Last Change: August 22, 2023**

206 **Notice of Continuation: July 14, 2020**

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