

1 **R277. Education, Administration.**

2 **R277-108. Annual Assurance of Compliance by Local School Boards.**

3 **R277-108-1. Authority, [and] Purpose, and Oversight Category.**

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; 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 and allows the
9 Board to interrupt disbursements of state aid to any district which fails to comply with rules
10 adopted in accordance with the law.

11 (2) The purpose of this rule is to provide local school boards with a list of laws
12 requiring local school board action and a means of assuring that local boards are in
13 compliance.

14 (3) This Rule R277-108 is categorized as Category 3 as described in R277-111.

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16 **R277-108-2. Definitions.**

17 (1) "Assurance document" means the Annual Assurances of Compliance list outlined
18 in Subsection R277-108-3.

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20 **R277-108-3. Incorporation of Annual Assurances of Compliance.**

21 (1) This rule incorporates by reference the Local Education Agency (LEA)
22 Compliance and Assurance Checklist for [~~2021-2022~~2024-2025 School Year[
23 (~~02/04/2021~~)], which lists the required state and federal compliance information for
24 identified programs and funds, including:

25 (a) Board Rule;

26 (b) State statute;

27 (c) Federal Code of Regulations; and

28 (d) Federal Law.

29 (2) A copy of the current Annual Assurances of Compliance List is located at:

30 (a)
31 [<https://www.schools.utah.gov/financialoperations/formsapplications?mid=2382&tid=2>]
32 <https://www.schools.utah.gov/financialoperations/formsapplications>; and

33 (b) the Utah State Board of Education - 250 East 500 South, Salt Lake City, Utah
34 84111.

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36 **R277-108-4. Assurance Document Creation and Availability.**

37 (1) The Superintendent shall provide a list of laws and a list of State Board of
38 Education Administrative Rules which require action or compliance by June 1 of each year
39 to school district superintendents, the superintendent for the Utah School for the Deaf and
40 the Blind and charter school directors.

41 (2) The list described in Subsection (1) shall be approved by the Board and shall
42 identify laws and rules along with required compliance dates and reporting forms, if different
43 or necessary than or in addition to the annual assurance document.

44 (3) The Superintendent shall consolidate all required reporting and compliance forms
45 and provide for electronic reporting, to the extent possible and ensure the assurance
46 document is available publicly.

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48 **R277-108-5. Process, Procedures, and Penalties.**

49 (1) An LEA shall submit the required annual responses to the assurance document
50 and other compliance forms on or before dates identified by the Board.

51 (2) An LEA's assurance document shall contain a signed attestation by the
52 appropriate authority attesting to the accuracy and validity of all responses and assurances
53 provided by an LEA.

54 (3) In the event that an LEA is unable to provide required assurances, compliance
55 information or forms by required dates, an LEA shall provide to the Superintendent a written
56 explanation of the LEA's inability and provide an anticipated submission date.

57 (4) An LEA's request for additional time to provide the assurance shall be reviewed
58 by the Superintendent and accepted or rejected in a timely manner.

59 (5) The Superintendent shall request a written explanation from an LEA and
60 identified schools that fail to meet the reporting and compliance deadlines and that have not
61 provided an explanation and request for a delayed submission date.

62 (6) Following an opportunity to provide explanations and request a delayed
63 submission date, an LEA and identified schools shall be notified of penalties assessed by
64 the Board against the LEA in accordance with rule R277-114, state law, or federal law.

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66 **R277-108-6. Reporting Deadlines.**

67 Responses for the assurance document from an LEA are due to the Superintendent
68 no later than July 1 of each year.

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70 **R277-108-7. Record Retention.**

71 (1) Responses to the assurance document, as required by the Board, shall be kept
72 on file by the Superintendent for five years, together with letters of explanation and
73 documentation of penalties, as directed by the Board.

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75 **KEY: local school boards, compliance, assurances**

76 **Date of Last Change: June 24, 2021**

77 **Notice of Continuation: December 13, 2022**

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