

## Utah State Board of Education 2022/ WCSD ~ Special Education Rules Revision Summary

### I. General Provisions

Updated Definitions:	New Definitions:
Behavior Intervention Plan (BIP)	Discipline
Co-Teaching	Functional Performance
Functional Behavior Assessment (FBA)	Inclusion
Post-Secondary Transition	Interim Alternative Education Setting
Specially Designed Instruction	Science of Reading
Student with a Disability	Shortened School Day in definition of Day
	Speech Language Technician

### II. Identification, Location, and Evaluation

- a. Updated components of reading instruction to include science of reading and to match United States Code.
- b. Updated Developmental Delay. Changed age range to ages three through eight to align with code of federal regulations (CFR) and practices. Removed language from Developmental Delay evaluation that limits assessment.
- c. Changed “Emotional Disturbance” to “Emotional-Behavioral Disability.” Provided clarifying language to the definition of emotional-behavioral disability. Revised emotional-behavioral eligibility criteria to consider interventions and observable emotional and behavioral responses more effectively. Revised emotional-behavioral disability evaluation to include a functional behavior assessment, and a social and developmental history.

### III. Individualized Education Program (IEP) Development and Service Delivery

- a. Added language about material and substantial changes to the individualized education program (IEP).
- b. Included language regarding an annual IEP goal related to postsecondary transition.
- c. Included section on inclusionary practices and local education agency (LEA) requirements and aligned to Full Educational Opportunity in the CFR.

### IV. Procedural Safeguards: Due Process Procedures for Parents and Students

- a. Added discipline to when parents and adult students receive procedural safeguards notice.
- b. Updated the State complaint procedures and clarified filing requirements, timing of filing, and State complaint dismissal.
- c. Added language regarding personally identifiable information (PII) and non-parent complainants.
- d. Updated mediation section and clarified language regarding USBE’s role and timing in communicating mediation requests.
- e. Added requirement that LEA inform hearing officer and State Director of Special Education (or designee) of all scheduled and completed resolution meetings to ensure compliance with the resolution timeline.

### V. Discipline Procedures

- a. Included shortened school days in change of placement section.
- b. Added language to expedited due process hearing timelines and the inability to extend the timeline.

### VI. Students with Disabilities in other Settings

- a. Included language about the Carson Smith Scholarship and Special Needs Opportunity Scholarship Program.
- b. Included language about evaluating students in private schools.
- c. Updated expenditure language to explain calculation.