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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Martell Menlove, Ph.D.
Chief Executive Officer

DATE: June 6, 2014

ACTION: R277-706 *Public Education Regional Service Centers* (Amendment and Continuation)

Background:

1. R277-706 *Public Education Regional Service Centers* is amended to include the "Telehealth Network" as part of the title of the Utah Education Network, consistent with H.B. 92 *Utah Education and Telehealth Network Amendments*, 2014 Legislative Session.
2. In addition to the amendments to R277-706 *Public Education Regional Service Centers*, the rule is continued consistent with Board policy for continuation of rules and the Utah Administrative Rulemaking Act.

Key Points:

1. R277-706 requires regional service centers to submit an annual application to the Board for funds. One of the requirements of the application is for regional service centers to submit a plan for the use and distribution of regional service center funds for the applicable fiscal year with specific attention to delivery of Utah Education Network services and the delivery of education-related services. The title and name of the former Utah Education Network (UEN) is changed by H.B. 92.
2. R277-706 continues to be necessary because it provides procedures for school districts to form interlocal agreements and to provide for distribution of legislative funds to eligible regional service centers by the Board.

Anticipated Action:

1. It is proposed that the Law and Licensing Committee consider approving R277-706, as amended, on first reading and, if approved by the Committee, the Board consider approving R277-706, as amended, on second reading.
2. It is proposed that the Law and Licensing Committee consider approving R277-706 for continuation on first reading, and if approved by the Committee, the Board consider approving R277-706 for continuation on second reading.

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1 **R277. Education, Administration.**

2 **R277-706. Public Education Regional Service Centers.**

3 **R277-706-1. Definitions.**

4 A. "Board" means the Utah State Board of Education.

5 B. "Eligible regional service center" means a regional
6 service center formed by two or more school districts by means
7 of an interlocal entity in accordance with Title 11, Chapter
8 13, Interlocal Cooperation Act.

9 C. "USOE" means the Utah State Office of Education.

10 **R277-706-2. Authority and Purpose.**

11 A. This rule is authorized by Utah Constitution Article
12 X, Section 3 which vests general control and supervision of
13 public education in the Board, Section 53A-3-429(6) that
14 directs the Board to make rules regarding eligible regional
15 services center, and Section 53A-1-401(3) which permits the
16 Board to adopt rules in accordance with its responsibilities.

17 B. The purpose of this rule is to provide definitions and
18 procedures for school districts to form interlocal agreements
19 and to provide for distribution of legislative funds to
20 eligible regional service centers by the Board.

21 **R277-706.3. Eligible Regional Service Centers.**

22 A. Two or more school districts may enter into an
23 interlocal agreement and form an interlocal entity.

24 B. An eligible regional service center may receive funds
25 if the Legislature appropriates money.

26 C. An interlocal agreement[~~entered into~~] shall confirm
27 and ratify the regional service center as of the effective
28 date of the interlocal agreement.

29 **R277-706-4. Distribution of Funds.**

30 A. The USOE shall distribute funds, if provided by the
31 Legislature, in equal amounts to eligible regional service
32 centers based on:

- 33 (1) requests from eligible regional service centers; and
34 (2) satisfaction and submission of all information and

35 requirements set by the Board.

36 B. The USOE shall provide notice that completed
37 applications for regional service center funds are due to the
38 USOE consistent with timelines provided by the USOE.

39 C. The Board may review and consider a different
40 distribution plan for future years.

41 D. Legislative funding, if provided, shall be distributed
42 to eligible regional service centers after July 1 [~~of each~~
43 ~~year~~]annually.

44 **R277-706-5. Eligible Regional Service Center Responsibilities.**

45 A. Eligible regional service centers shall submit an
46 annual application for available funds to the Board consistent
47 with USOE timelines.

48 B. A regional service center application for funds shall
49 include:

50 (1) a copy of completed interlocal agreement(s);

51 (2) a proposed budget and request for funds from the
52 Board;

53 (3) a current external audit of current regional service
54 center assets and liabilities in the initial application for
55 funds and with each annual application;

56 (4) assurance signed by all parties to the interlocal
57 agreement that the USOE shall have access to all regional
58 service center records upon request;

59 (5) an annual financial report from the previous fiscal
60 year; and

61 (6) a plan for the use and distribution of regional
62 service center funds for the applicable fiscal year with
63 specific attention to delivery of Utah Education Network and
64 Telehealth services and the delivery of education-related
65 services[~~and~~].

66 [~~7~~]C. A regional service center shall provide an annual
67 performance report beginning with fiscal year 2012 including
68 information about:

69 (1) the regional service center delivery of Utah
70 Education Network and Telehealth services;

71 (2) the type, amount, and effectiveness of delivery of
72 public and higher education related services; and
73 (3) the coordination of public and higher education
74 related services.

75 **KEY: eligible regional service center**

76 **Date of Enactment or Last Substantive Amendment: [~~July 11,~~**
77 **2011]2014**

78 **Notice of Continuation: 2014**

79 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3;**
80 **53A-3-429(6); 53A-1-401(3)**