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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Angie Stallings, Associate Superintendent
Policy and Communication

DATE: August 11-12, 2016

ACTION: R280-150 *Adjudicative Proceedings Under the Vocational Rehabilitation Act*
(Repeal)
R280-200 *Rehabilitation* (Repeal)
R280-202 *USOR Procedures for Individuals with the Most Significant Disabilities*
(Repeal)
R280-203 *Certification Requirements for Interpreters and Transliterators for the
Hearing Impaired* (Repeal)
R280-204 *Utah State Office of Rehabilitation Employee Background Check
Requirement* (Repeal)

Background: Repeal of the R280, Rehabilitation Administrative Rules is in response to HB0325, Office of Rehabilitation Services Amendments, 2016 Legislative Session. The amendments provide for the Utah State Office of Rehabilitation (USOR) to move from under the direction of the Board and Superintendent to under the direction of the Department of Workforce Services and its executive director effective October 1, 2016, at which time the Board will no longer have statutory and rulemaking authority over the USOR.

Board Strategic Plan:

This item supports the Educational Equity Imperative and Strategy in the Board's Strategic Plan by focusing on high quality instruction that is central to high student achievement and oversight for which the State Board has responsibility.

Anticipated Action:

It is proposed that the Standards and Assessment Committee consider repealing R280-150 through R280-204, as listed above, on first reading and, if approved by the Committee, the Board consider repealing R280-150 through R280-204 on second reading.

Contact: Angie Stallings, 801-538-7550
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REPEAL IN ITS ENTIRETY

R280. Education, Rehabilitation.

~~[R280-150. Adjudicative Proceedings Under the Vocational Rehabilitation Act.~~

R280-150-1. Definitions.

~~——“Board” means the Utah State Board of Education.~~

R280-150-2. Authority and Purpose.

~~——A. This rule is authorized by 53A-24-103 which places the Utah State Office of Rehabilitation under the policy direction of the Board and under the direction and general supervision of the Superintendent of Public Instruction, and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities:~~

~~——B. The purpose of this rule is to specify standards and procedures for adjudication of disputes under the Vocational Rehabilitation Act.~~

R280-150-3. Standards and Procedures.

~~——A. As its rules for adjudicative proceedings under the Vocational Rehabilitation Act, the Board adopts and hereby incorporates by reference: 34 C.F.R. 361.57, 2001 edition, which adopts, defines, and publishes procedures for review of state rehabilitation service decisions, including alternative dispute resolution through mediation; and~~

~~——B. The Board shall act in accordance with:~~

~~——(1) Subsection V of the Rehabilitation Act of 1973, 29 U.S.C.A. 794; and~~

~~——(2) The Utah State Office of Rehabilitation Case Service Manual, Chapter 21, approved on May 1, 2012.~~

~~**KEY: administrative procedures, rules and procedures**~~

~~**Date of Enactment or Last Substantive Amendment: July 8, 2014**~~

~~**Notice of Continuation: May 15, 2014**~~

~~**Authorizing, and Implemented or Interpreted Law: 53A-24-103; 53A-1-401(3)]**~~

REPEAL IN ITS ENTIRETY

R280. Education, Rehabilitation.

~~[R280-200. Rehabilitation.~~

~~R280-200-1. Authority and Purpose.~~

~~—— A. This rule is authorized by Section 53A-24-105 which permits the Utah State Board of Education to administer funds made available for vocational rehabilitation and independent living.~~

~~—— B. The purpose of this rule is to establish the standards and procedures for the Utah State Office of Rehabilitation.~~

~~R280-200-2. Standards and Procedures for Vocational Rehabilitation.~~

~~—— A. The Utah State Office of Rehabilitation shall adopt and incorporate by reference within this rule the standards and procedures of: the Rehabilitation Act of 1973, P.L. 102-569 (amended in 1998).~~

~~—— B. In addition, the Utah State Office of Rehabilitation shall conduct the Rehabilitation Program consistent with:~~

~~—— (1) All state plans which are required and submitted under P.L. 102-569, including those for Vocational Rehabilitation, Title VI C, and Independent Living Rehabilitation Services and~~

~~—— (2) The Case Service Manual for the Vocational Rehabilitation Program, developed by the Utah State Office of Rehabilitation, 2012, available from the Utah State Office of Rehabilitation and from vocational rehabilitation counselors employed by the Utah State Office of Rehabilitation.~~

~~R280-200-3. Board Approval for Federal Funding Requests.~~

~~—— A. The Utah State Office of Rehabilitation shall not make application for new federal grants or reallotment funding without prior approval of the Utah State Board of Education. As part of the approval process, the Utah State Office of Rehabilitation shall sufficiently inform the Utah State Board of Education about the implications of all match and maintenance of effort (MOE) requirements.~~

~~—— B. The Utah State Office of Rehabilitation may not borrow ahead from future federal or state years without approval from the Utah State Board of Education.~~

~~KEY: vocational education, rehabilitation~~

~~Date of Enactment or Last Substantive Amendment: May 8, 2015~~

~~Notice of Continuation: April 8, 2013~~

~~Authorizing, and Implemented or Interpreted Law: 53A-24-105]~~

REPEAL IN ITS ENTIRETY

R280. Education, Rehabilitation.

~~[R280-202. USOR Procedures for Individuals with the Most Significant Disabilities.~~

~~R280-202-1. Definitions.~~

~~_____ A. "Board" means the Utah State Board of Education.~~

~~_____ B. "Executive Director" means the Executive Director of the Utah State Office of Rehabilitation.~~

~~_____ C. "Individual with a disability" (hereinafter individual) means a person who has a disability which limits one or more of his major life activities and who meets the essential eligibility requirement for the receipt of services or the participation in programs or activities provided by the USOR or the State Board of Education.~~

~~_____ D. "Major life activities" means functions such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills.~~

~~_____ E. "Social Security Disability Insurance (SSDI)" means payments to disabled workers under 65 and their families, or people who become disabled before age 22, or disabled widows or widowers 50 or over who are found to be eligible under Social Security Administration criteria.~~

~~_____ F. "Supplemental Security Income (SSI)" means payments to adults and children who are determined to be severely disabled or blind and whose assets and income are below the limits set by the Social Security Administration.~~

~~_____ G. "USOR" means the Utah State Office of Rehabilitation.~~

~~R280-202-2. Authority and Purpose.~~

~~_____ A. This rule is authorized pursuant to PL 102-569, Title VI-C, October, 1992, which directs state agencies to define for themselves individuals with the most significant disabilities and Section 53A-24-103 which directs that the USOR shall be under the policy direction of the Board.~~

~~_____ B. The purpose of this rule is to define "persons with the most significant disabilities" for purposes of providing services and determining order of selection for services according to federal and state law.~~

~~R280-202-3. Eligibility Criteria.~~

~~_____ In order to be classified as an individual with the most significant disabilities an individual shall meet one of the criteria under Subsection A below or the criteria under Subsection B below:~~

~~_____ A. A state licensed USOR Vocational Rehabilitation Counselor (LVRC) shall make the determination based on medical, psychological, and other diagnostic documentation and a clinical assessment by the LVRC or may make the determination using the following documentation:~~

~~_____ (1) individual is eligible for services from Division of Services for People with Disabilities, (DSPD); or~~

~~_____ (2) individual is determined severely and persistently mentally ill (SPMI) by the State Division of Mental Health or any one of the private, non-profit mental health programs certified by the State Division of Mental Health; or~~

~~_____ (3) individual is found to be permanently and totally disabled by the State Labor Commission.~~

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~~———— B. Individuals who are allowed SSI/SSDI blind or disabled benefits may or may not be considered most significant under R280-202-3.~~

~~———— (1) To be considered most significant there shall be two or more functional limitations; and~~

~~———— (2) The individual will require multiple vocational rehabilitation services over an extended period of time.~~

~~———— C. If an appropriate determination has not been made by an LVRC, the individual shall exhibit functional deficits in two or more of the following areas as determined by the USOR to be considered an individual with the most significant disabilities. The seven categories:~~

~~———— (1) Mobility:~~

~~———— (a) Requires assistive device(s) (cane, crutches, prosthesis, walker, wheelchair) to be mobile;~~

~~———— (b) Is unable to climb one flight of stairs without pause;~~

~~———— (c) Is unable to walk 100 meters without pause;~~

~~———— (d) Cannot leave a building independently in less than three minutes; or~~

~~———— (e) Other mobility deficits as defined or approved by the USOR.~~

~~———— (2) Communication:~~

~~———— (a) Expressive and receptive primary mode of communication is unintelligible to non-family members;~~

~~———— (b) Does not demonstrate understanding of simple requests or is unable to understand one or two step instructions; or~~

~~———— (c) Other communication deficits as defined or approved by the USOR.~~

~~———— (3) Self-care: Is unable to perform normal activities of daily living without assistance.~~

~~———— (4) Self direction: Is unable to provide informed consent for life issues without the assistance of a court-appointed legal representative or guardian, or has been declared legally incompetent.~~

~~———— (5) Learning ability and inter-personal deficits:~~

~~———— (a) Valid psychological assessment of conceptual intelligence reflects performance approximately two standard deviations or more below the mean observed in a population of persons of a comparable background; commonly defined as an IQ of 70 or below on a standardized measure of intelligence;~~

~~———— (b) Disfigurement or deformity so pronounced as to cause social rejection;~~

~~———— (c) Demonstrated behavior such that the individual is a danger to self and others without supervision; or~~

~~———— (d) Other learning or interpersonal deficits as defined or approved by the USOR.~~

~~———— (6) Capacity for Independence:~~

~~———— (a) Unable to perform tasks such as locate and use telephone;~~

~~———— (b) Unable to access public transportation without assistance;~~

~~———— (c) Unable to understand money or change making;~~

~~———— (d) Unable to tell time; or~~

~~———— (e) Other deficits in independence as defined or approved by the USOR.~~

~~———— (7) Work skills and work tolerance:~~

~~———— (a) Unable to perform sustained work for more than four hours per day;~~

~~———— (b) Unable to perform work outside sheltered environment;~~

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- ~~—— (c) Unable to perform work in an integrated setting without support;~~
- ~~—— (d) Other work related deficits as defined or approved by the USOR; or~~
- ~~—— (e) The individual will require multiple vocational rehabilitation services over an extended period of time.~~
- ~~—— D. When the determination of individuals with the most significant disabilities is made under Subsection B above, the counselor shall document the functional deficits.~~

~~**KEY: disabled persons, rehabilitation**~~

~~**Date of Enactment or Last Substantive Amendment: May 8, 2014**~~

~~**Notice of Continuation: March 14, 2014**~~

~~**Authorizing, and Implemented or Interpreted Law: Pub. L. 102-569; 53A-24-103]**~~

REPEAL IN ITS ENTIRETY

R280. Education, Rehabilitation.

~~[R280-203. Certification Requirements for Interpreters and Transliterators for the Hearing Impaired.~~

~~R280-203-1. Authority and Purpose.~~

~~_____ (1) This rule is authorized by:~~

~~_____ (a) Section 53A-24-103, which places the USOR under the policy direction of the Board;~~

~~_____ (b) Sections 53A-26a-202 and 53A-26a-303 through 305, which authorize the Board to make rules to implement the Interpreter Services for the Hearing Impaired Act; and~~

~~_____ (c) Subsection 53A-1-401(3), which authorizes the Board to adopt rules in accordance with its responsibilities.~~

~~_____ (2) The purpose of this rule is to satisfy the directives of Subsection 53A-26a-202(2), including:~~

~~_____ (a) certification qualifications provided in the manual;~~

~~_____ (b) procedures governing an application for certification;~~

~~_____ (c) provisions for a fair and impartial method of examination of applicants;~~

~~_____ (d) a definition of unprofessional conduct by interpreters and transliterators; and~~

~~_____ (e) conditions for reinstatement and renewal of certification.~~

~~R280-203-2. Definitions.~~

~~_____ (1) "Advisory board" means the Interpreters Certification Board:~~

~~_____ (a) created to assist the Board; and~~

~~_____ (b) with the responsibilities established by Sections 53A-26a-201 and 202.~~

~~_____ (2) "Certified interpreter or transliterator" means a person who:~~

~~_____ (a) provides an interpreter or transliterator service; and~~

~~_____ (b) is certified or qualified as required by state or federal law.~~

~~_____ (3) "Hearing impaired or deaf" means a hearing loss that:~~

~~_____ (a) necessitates the visual acquisition of the language; or~~

~~_____ (b) adversely affects the acquisition of language and communication but that does not preclude the auditory acquisition of language.~~

~~_____ (4) "Interpreter or transliterator service" means a service that facilitates effective communication:~~

~~_____ (a) between a hearing person and a person who is hearing impaired or deaf, including:~~

~~_____ (i) a student to teacher;~~

~~_____ (ii) a student to staff; or~~

~~_____ (iii) a student to peer; and~~

~~_____ (b) through:~~

~~_____ (i) American Sign Language (ASL) or a language system or code that is modeled after or derived from ASL, in whole or in part; or~~

~~_____ (ii) cued language.~~

~~_____ (5) "Local education agency" or "LEA" means:~~

~~_____ (a) a school district;~~

~~_____ (b) a charter school; or~~

~~_____ (c) the Utah Schools for the Deaf and the Blind.~~

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~~—— (6) “Manual” means the Policy and Procedures Governing the Certification of Interpreters and Transliterators manual incorporated by reference in Section R280-203-3.~~

~~—— (7) “USOR” means the Utah State Office of Rehabilitation.~~

R280-203-3. Incorporation of Policy and Procedure Manual by Reference.

~~—— (1) This rule incorporates by reference the Policy and Procedures Governing the Certification of Interpreters and Transliterators manual dated September 2015, which establishes:~~

~~—— (a) the procedure and requirements for certification and certification renewal and exemption;~~

~~—— (b) the length and level of certification;~~

~~—— (c) the definition of unprofessional conduct;~~

~~—— (d) the requirement for continued education; and~~

~~—— (e) the disciplinary process.~~

~~—— (2) A copy of the manual is located at:~~

~~—— (a) http://uip.herokuapp.com/pages/laws_and_policies; and~~

~~—— (b) the Division of Services to the Deaf and Hard of Hearing.~~

R280-203-4. Certification Qualifications and Report to the Superintendent.

~~—— (1) A candidate for certification shall be at least 18 years old.~~

~~—— (2) A candidate shall pass written and performance evaluations provided by the Division of Services to the Deaf and Hard of Hearing, Utah Interpreter Program.~~

~~—— (3) A candidate shall meet the criteria of Section 53A-26a-302 and the manual.~~

~~—— (4) A person who provides an interpreter or transliterator service to an LEA shall complete a background check and submit to ongoing monitoring, prior to working in an LEA with a student:~~

~~—— (a) through the person’s employer whether the employer is an LEA or an agency that contracts with an LEA; and~~

~~—— (b) in accordance with the requirements of Title 53A, Chapter 15, Part 15, Background Checks.~~

~~—— (5) An LEA shall identify and report to the Superintendent a person, including a contractor, who provides an interpreter or transliterator service to a student for the LEA, annually upon request.~~

~~—— (6) An LEA shall identify and report to the Superintendent a student who receives an interpreter or transliterator service and the provider of the service, annually upon request.~~

R280-203-5. Examination of Applicants for Certification.

~~—— The Division of Services for the Deaf and Hard of Hearing, Utah Interpreter Program staff shall test and rate a candidate applying for interpreter or transliterator certification consistent with the manual.~~

R280-203-6. Temporary Exemptions from Certification.

~~—— (1) A person may provide an interpreter or transliterator service without being certified subject to the following circumstances and limitations, and as outlined in the~~

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manual:

~~— (a)(i) a candidate is engaged in providing an interpreters or transliterator service while in a training program approved by the Board to the extent the candidate's activities are supervised by qualified staff, or designee;~~

~~— (ii) the service is a defined part of the training program; and~~

~~— (iii) if the candidate is providing a service in a public school, the training program has a record that:~~

~~— (A) the candidate has had a successful fingerprint background check within one year prior to the date of the interpreting or transliterating service being provided; or~~

~~— (B) the candidate is subject to ongoing monitoring as described in Title 53A, Chapter 15, Part 15, Background Checks;~~

~~— (b)(i) a candidate is engaged in an internship, residency, apprenticeship, or an on-the-job training program approved by the Board while under the supervision of qualified persons; and~~

~~— (ii) the supervisor has a record of a successful fingerprint background check if the candidate is providing the service in a public school, consistent with Title 53A, Chapter 15, Part 15, Background Checks and Rule R277-516; or~~

~~— (c) a candidate meets the criteria consistent with Subsections 53A-26a-305(1)(d) through(f).~~

~~— (2) Violation of any limitation identified in this section is grounds for rescission of exemption, denial of certification, or other discipline as determined by the Board.~~

~~R280-203-7. Unprofessional Conduct.~~

~~— (1) The manual supplements the definition of unprofessional conduct provided in 53A-26a-502.~~

~~— (2) The Board designates the procedure in this section as an informal adjudicative proceeding under Section 63G-4-203.~~

~~— (3) A complaint alleging unprofessional conduct by a certified interpreter or transliterator may be filed consistent with the procedure in the manual.~~

~~— (4) A member of the advisory board shall assist the Board in reviewing the recommendation of the Ethical Standards subcommittee of the advisory board, as provided in Subsection 53A-26a-202(3) and upon request by the Board.~~

~~— (5) The Board shall make the final disciplinary decision consistent with the manual.~~

~~R280-203-8. Renewal and Reinstatement.~~

~~— (1) A person holding an interpreter or transliterator certificate may have that certificate renewed as provided in the manual.~~

~~— (2)(a) a person whose interpreter or transliterator certificate has been suspended or revoked for unlawful or unprofessional conduct may apply for reinstatement to the Board.~~

~~— (b) The Board may:~~

~~— (i) require the applicant for reinstatement to complete the procedure for certification;~~
~~or~~

~~— (ii) upon consultation with the advisory board, designate the areas of the application process in which the applicant will be reviewed.~~

REPEAL IN ITS ENTIRETY

~~KEY: certification, interpreters, transliterators~~

~~Date of Enactment or Last Substantive Amendment: November 23, 2015~~

~~Notice of Continuation: September 9, 2014~~

~~Authorizing, and Implemented or Interpreted Law: 53A-24-103; 53A-1-401(3); 53A-26a-201 and 202, 53A-26a-303 through 53A-26a-305]~~

REPEAL IN ITS ENTIRETY

R280. Education, Rehabilitation.

~~[R280-204. Utah State Office of Rehabilitation Employee Background Check Requirement.~~

~~R280-204-1. Authority and Purpose.~~

- ~~—— (1) This rule is authorized by:~~
 - ~~—— (a) Section 53A-24-103, which places the USOR under the policy direction of the Board; and~~
 - ~~—— (b) Subsection 53A-1-401(3), which allows the Board to adopt rules and policies in accordance with its responsibilities.~~
- ~~—— (2) The purpose of this rule is to establish procedures:~~
 - ~~—— (a) under which a criminal background check may be required of a designated USOR employee or volunteer; and~~
 - ~~—— (b) under which an employee, prospective employee, or volunteer may receive notice of required criminal background check requirements and review.~~

~~R280-204-2. Definitions.~~

- ~~—— (1) “BCI” means the Utah Bureau of Criminal Identification.~~
- ~~—— (2) “Criminal background check” means:~~
 - ~~—— (a) the submission by an employee of fingerprints:~~
 - ~~—— (i) through a law enforcement unit;~~
 - ~~—— (ii) through the paper or card fingerprinting process established by the Superintendent; or~~
 - ~~—— (iii) by means of an electronic fingerprinting scanning machine;~~
 - ~~—— (b) the review by BCI for comparison with recorded arrests and convictions; and~~
 - ~~—— (c) the discussion or explanation of resulting criminal arrest or conviction information as determined by this rule and USOR procedures.~~
- ~~—— (3) “Significant unsupervised access” means a period of time that an employee, volunteer, or intern, covered by this rule:~~
 - ~~—— (a) may spend with a USOR client during which the employee or volunteer is alone with the client for more than a brief time;~~
 - ~~—— (b) provides services for a USOR client protected under this rule on a regular basis by assignment; or~~
 - ~~—— (c) who generally works with USOR clients protected under this rule.~~
- ~~—— (4) “Superintendent” mean the State Superintendent of Public Instruction or the Superintendent’s designee.~~
- ~~—— (5) “USOR” means the Utah State Office of Rehabilitation.~~
- ~~—— (6) “USOR employee” means an employee, including a consultant, temporary employee, intern and traditional employee of the USOR or an agency or subdivision of the USOR.~~

~~R280-204-3. Criminal Background Check Requirement for Designated USOR Employees.~~

- ~~—— (1) The USOR Executive Director shall ensure that a criminal background check is completed by a USOR employee hired, transferred, or assigned to the USOR who has significant unsupervised access to a client.~~

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~~———— (2) A criminal background check shall be completed on a designated USOR employee hired before March 2, 2006.~~

~~———— (3) The USOR Executive Director shall review a supervisor's recommendations of a USOR employee position identified for a criminal background check under Subsection (1) and designate employee and volunteer positions for which a criminal background check is necessary.~~

~~———— (4) A designated USOR employee or volunteer shall receive adequate notice of the required criminal background check from the employee's or volunteer's supervisors.~~

~~———— (5) A USOR volunteer may be required, following reasonable notice, to complete a criminal background check.~~

~~R280-204-4. Criminal Background Check Requirement for USOR Employees.~~

~~———— (1) Except as provided in Subsection (2), the USOR shall require a criminal background check for the following:~~

~~———— (a) an employee hired for a USOR position after March 1, 2006 in a position designated by the USOR Executive Director prior to final and official hiring by the USOR;~~

~~———— (b) a prospective transfer from outside the USOR after March 1, 2006 for a designated position; and~~

~~———— (c) at the discretion of the USOR Executive Director, for a USOR employee reassigned or promoted to a designated position.~~

~~———— (2) A new USOR employee, transfer employee from another state government position, or volunteer may provide information from a criminal background check that was completed by the BCI or by the applicant at a live scan site no more than 12 months prior to the date of employment by the USOR instead of completing a new background check.~~

~~———— (3) The USOR shall provide a prospective transferee or employee notice of the criminal background check requirement in the job or employment notice.~~

~~R280-204-5. USOR Procedures for Review of Criminal Background Check Information.~~

~~———— (1) The USOR shall direct a designated USOR employee hired between February 28, 2003 and March 1, 2006 to complete a criminal background check using one of the following methods:~~

~~———— (a) fingerprint cards submitted to the BCI; or~~

~~———— (b) live scan process at any Utah live scan location.~~

~~———— (2) USOR staff shall review all criminal background checks that identify arrests or convictions.~~

~~———— (3) USOR staff shall notify the criminal background check applicant in a timely manner that an arrest, conviction, or both, were reported as a result of the criminal background check.~~

~~———— (4) Designated USOR staff shall review an arrest, conviction, or both, and determine if the arrest or conviction poses a risk to a USOR client.~~

~~———— (5) A USOR current or prospective employee whose background check reveals an arrest or conviction shall have an opportunity to provide an explanation or additional information to USOR staff.~~

~~———— (6) The review of criminal background check information may result in a prospective~~

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~~USOR employee not being hired, in disciplinary action for a current USOR employee, or termination of a volunteer's participation with the USOR.~~

~~(7) A current USOR employee shall have adequate due process, consistent with USOR policies, prior to discipline resulting from a background check review.~~

~~R280-204-6. Criminal Background Check Costs and Fees.~~

~~(1) The USOR shall pay the costs and fees associated with a criminal background check of a USOR employee hired before March 2, 2006.~~

~~(2)(a) A USOR employee or prospective employee hired after March 1, 2006 shall pay the costs and fees associated with a criminal background check.~~

~~(b) At the discretion of the USOR Executive Director, the USOR may contribute to the costs and fees of a criminal background check described in Subsection (2)(a) if funds are available.~~

~~(3) The responsibility for costs and fees for a criminal background check of an employee transferred within the USOR or from another government agency shall be determined on a case-by-case basis.~~

~~(4) The responsibility for costs and fees for a criminal background check of a USOR volunteer shall be determined on a case-by-case basis.~~

~~(5)(a) The USOR shall provide a criminal background check fee schedule to a prospective USOR employee.~~

~~(b) Costs may include a fee for review of a fingerprint card to the BCI, a fee for use of live scan equipment, or a fee for review of fingerprint results by the USOR.~~

~~R280-204-7. Miscellaneous Provisions.~~

~~(1) All criminal background information received by the USOR shall be secured by the Superintendent.~~

~~(2) All criminal background check records maintained by the USOR and the Superintendent are protected under Section 63G-2-305 with the exception of public employee information under Section 63G-2-201.~~

~~(3) The USOR or the Superintendent has no liability for any errors or misinformation received from the BCI as a result of a criminal fingerprint background check.~~

~~(4) Correction of any misinformation in a criminal background check is the responsibility of the fingerprint background check applicant.~~

KEY: criminal background checks

Date of Enactment or Last Substantive Amendment: March 9, 2016

Notice of Continuation: January 14, 2016

Authorizing, and Implemented or Interpreted Law: 53A-24-103; 53A-1-401(3)]