

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 the  
8 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 rules  
10 beginning with R277.

11 **R277-100-2. Definitions.**

12 (1) "Accreditation" means the formal process for internal and external review and  
13 approval under the standards of an accrediting entity adopted by the Board.

14 (2) "Agency" means:

15 (a) an entity governed by the Board;

16 (b) an LEA; or

17 (c) a grant sub-recipient.

18 (3) "Board" means the State Board of Education.

19 (4) "Charter school" means a school established as a charter school by a charter  
20 school authorizer under [Title 53G, Chapter 5](#), Charter Schools, and Board rule.

21 (5) "Comprehensive dropout intervention and prevention program" means a program  
22 that:

23 (a) addresses needs of students who are not succeeding in a traditional school  
24 environment;

25 (b) provides targeted instruction that increases student credit-earning rates toward  
26 graduation; and

27 (c) partners with community entities to provide a continuum of services with the  
28 focus of preparing students for life after high school.

29 (6)(a) “Cumulative file” or “cumulative folder” means a physical or digital record  
30 maintained by an LEA for each student containing, at a minimum, the following  
31 information:

- 32 (i) ~~[verification]~~ evidence of the student’s legal name and date of birth;
- 33 (ii) student demographic data, including race, ethnicity, and gender;
- 34 (iii) name and contact information for the student’s parents;
- 35 (iv) a record of the student’s courses, teachers, and grades or progress;
- 36 (v) a record of the student’s performance on statewide assessments;
- 37 (vi) documentation concerning a student’s eligibility for IDEA or 504 services;
- 38 (vii) the ~~[student’s] current [discipline records, including]~~ year’s suspensions or  
39 expulsions;

40 ~~[(viii) health information on a student, including:~~

41 ~~— (i) health concerns;]~~

42 (viii) known allergies;

43 ~~[(iii) individualized health plans;~~

44 ~~— (iv) emergency action plans;~~

45 ~~— (v) S-9 medication orders; and]~~

46 (ix) a record of vision and health screening results; and

47 (x) a record of required student immunizations; and

48 (xi) pertinent legal documents, including protective orders, custody orders, and  
49 parenting or education plans.

50 (b) A “cumulative file” may contain additional student information in accordance  
51 with an LEA’s policies.

52 [(6)7] "District school" means a public school under the control of a local school  
53 board elected under Title 20A, Chapter 14, Nomination and Election of State and Local  
54 School Boards.

55 [(7)8] "Dual enrollment student" means a student who:

56 (a) is enrolled simultaneously in:

57 (i) a private school or home school; and

58 (ii) a public school; and

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

61 ([8]9) "Educator" means an individual licensed under Section 53E-6-201 and who  
62 meets the requirements of Board rule.

63 ([9]10) "ESSA" or the "Every Student Succeeds Act" means the Congressional act,  
64 which reauthorized the Elementary and Secondary Education Act of 1965, which is found  
65 at [20 U.S.C. 6301](#), et seq.

66 ([10]11)(a) "Evaluate" or "review" means to observe and assess a program receiving  
67 state or federal funds with an objective of making recommendations, if appropriate, for  
68 necessary changes or improvement.

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

72 ([11]12)(a) "External audit" means an appraisal activity established under the  
73 direction of an individual or entity outside of the subject agency to examine and evaluate  
74 the adequacy and effectiveness of:

75 (i) agency control systems;

76 (ii) compliance;

77 (iii) performance; and

78 (iv) financial position.

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

81 ([12]13)(a) "Home school student" means a student who:

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

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

85 ([13]14) "Individualized education program" or "IEP" means a written statement for  
86 a student with a disability that is developed, reviewed, and revised in accordance with Part  
87 B of the Individuals with Disabilities Education Act (IDEA), [20 U.S.C. Section 1400](#) (2004),

88 and rule.

89 ([14]15) "Individuals with Disabilities Education Act" or "IDEA," [20 U.S.C. Section](#)  
90 [1400](#) et seq. (2004), is a four part (A-D) piece of federal legislation that ensures a student  
91 with a disability is provided with a Free Appropriate Public Education (FAPE) that is tailored  
92 to the student's individual needs.

93 ([15]16)(a) "Internal audit" means an independent appraisal activity established  
94 within an agency as a control system to examine and objectively evaluate the adequacy  
95 and effectiveness of other internal control systems within the agency.

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

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

100 ([16]17)(a) "LEA" or "local education agency" means a school district or charter  
101 school.

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

104 ([17]18)(a) "LEA governing board" means:

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

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

110 ([18]19)(a) "Monitor" or "oversee" means to formally supervise, inspect, or examine  
111 the compliance, performance, or finances of a program receiving state or federal education  
112 funding.

113 (b) A monitoring or oversight program may include:

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

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

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

120 (20)(a) "Multi-disciplinary team" mean a group of individuals from multiple disciplines  
121 who meet to:

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

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

125 (b) An LEA's multi-disciplinary school team as described in Subsection (20)(a) may  
126 include:

127 (i) administrative personnel;

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

129 (iii) a mental health professional;

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

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

132 ~~[(19)21]~~ "Parent" means a parent or guardian who has established residency of a  
133 child under Sections [53G-6-302](#), [53G-6-303](#), or [53G-6-402](#), or another applicable Utah  
134 guardianship provision.

135 ~~[(20)22]~~ "Plan for College and Career Readiness" or "SEOP" means a student  
136 education occupation plan for college and career readiness that is a developmentally  
137 organized intervention process that includes:

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

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

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

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

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

146 ([21]23) "Preschool" means a school in which all the students enrolled are pre-  
147 kindergarten.

148 ([22]24)(a) "Private school student" means a student who:

149 (a) attends a private school; and

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

152 ([23]25) "Program" means an instructional environment that does not meet the  
153 criteria to be classified a school, as described in Subsection (26).

154 ([24]26) "Public school student" means a student who:

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

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

158 ([25]27) "School" means an instructional environment that:

159 (a) is governed by an LEA board;

160 (b) has an assigned administrator;

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

163 (d) has assigned instructional staff;

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

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

166 and

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

168 ([26]28) "Social emotional learning" or "SEL" means the process through which  
169 students acquire and effectively apply the knowledge, attitude, and skills necessary to:

170 (a) understand and manage emotions;

171 (b) set and achieve positive goals;

172 (c) feel and show empathy for others;

173 (d) establish and maintain positive relationships;

174 (e) make responsible decisions; and

175 (f) self-advocate.

176 ([27]29) "Split enrollment student" means a student who is:

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

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

179 (c) subject to the split enrollment provisions of R277-419, counted by each LEA in  
180 membership for purposes of generating state or federal funding for only those courses or  
181 subjects for which each LEA provides instruction.

182 ([28]30) "State Charter School Board" or "SCSB" means the State Charter School  
183 Board created in Section [53G-5-201](#).

184 ([29]31) "Superintendent" means the State Superintendent of Public Instruction or  
185 the Superintendent's designee.

186 ([30]32) "Suspension" means:

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

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

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

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

197 ([34]33) "USDB" means the Utah Schools for the Deaf and the Blind.

198 **KEY: Board, rules, definitions**

199 **Date of Enactment of Last Substantive Amendment: March 12, 2020**

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