

1 **R277. Education, Administration.**

2 **R277-706. ~~[Public Education]~~ Regional Education Service ~~[Centers]~~ Agencies.**

3 **R277-706-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) the Utah Constitution Article X, Section 3, which vests general control and
6 supervision of public education in the Board;

7 (b) Section 53G-4-410, which directs the Board to make rules regarding ~~[eligible]~~
8 regional education service ~~[center's]~~ agencies; and

9 (c) Section 53E-3-401(4), which permits the Board to adopt rules in accordance with
10 the Board's responsibilities.

11 (2) The purpose of this rule is:

12 (a) to provide definitions and procedures for school districts to form interlocal
13 agreements; and

14 (b) to provide for distribution of legislative funds to eligible regional education
15 service ~~[centers]~~ agencies by the Board.

16 **R277-706-2. Definitions.**

17 (1) "Eligible Regional education service agency" or "Eligible RESA" has the same
18 meaning as the term is defined in Section 53G-4-410.

19 (2) "~~[Eligible r]~~ Regional education service ~~[centers]~~ agency" or "RESA" has the
20 same meaning as the term is defined in Section 53G-4-410.

21 **R277-706.3. ~~[Eligible]~~ Regional Education Service ~~[Centers]~~ Agencies.**

22 (1) Two or more school districts may enter into an interlocal agreement and form
23 ~~[an eligible]~~ regional education service ~~[center]~~ agency as described in Section 53G-4-410.

24 (2) An interlocal agreement described in Subsection (1) shall confirm or formalize
25 a ~~[regional service center]~~ RESA as described in Subsection 53G-4-410(4) as of the
26 effective date of the agreement.

27 (3) A RESA may provide services and participate in programs consistent with state
28 law and Board rule, including:

- 29 (a) apply ~~[directly]~~ for any grant or program in which an LEA may participate on
30 behalf of its LEAs if the RESA has written consent from the LEAs that the RESA serves;
31 (b) apply for any grant or program in addition to its LEAs in accordance with the
32 Board rule implementing the grant or program;
33 (c) recommend educators to USBE for licensing;
34 (d) provide student services as approved by the RESA's board;
35 (e) access, Board systems, on behalf of member LEAs, as approved by the
36 Superintendent;
37 (f) elect to participate as an employer for retirement programs in the Public
38 Employees Contributory retirement program; and
39 (g) may receive services from or partner with any department, division, or agency
40 of the state, including coverage through the Division of Risk Management in accordance
41 with Subsection 53G-4-410(3)(c).
42 (4) A RESA does not have authority over the LEAs which the RESA serves.

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

- 44 (1) The Superintendent shall distribute funds, if provided by the Legislature, in equal
45 amounts to each eligible regional education service ~~[center]~~ agency if the ~~[eligible regional~~
46 ~~service center]~~ RESA:
- 47 (a) submits a request for funds; and
48 (b) satisfies all requirements established by the Board.
- 49 (2) The Superintendent shall provide notice to an eligible ~~[regional service center]~~
50 RESA of the deadlines and requirements for a request for funds described in Subsection
51 (1).
- 52 (3) Subject to legislative appropriation, the Superintendent shall distribute funds to
53 an eligible ~~[regional service center]~~ RESA after July 1 annually.
- 54 (4) The Board may provide additional funding, if available, to a RESA without
55 prejudice to existing legislative appropriations to eligible RESAs.
- 56 (5) The Superintendent shall review the funding the legislature appropriates to
57 support eligible RESAs by October 1 annually and make recommendations for

58 consideration by the Board.

59 **R277-706-5. Eligible Regional Education Service [Center] Agency Responsibilities.**

60 (1) An eligible regional education service [~~center~~] agency shall submit an annual
61 application for available funds to the Superintendent.

62 (2) An eligible [~~regional service center's~~] RESA's application for funds shall include:

63 (a) a copy of the eligible [~~regional service center's~~] RESA's completed interlocal
64 agreement;

65 (b) a proposed budget and request for funds;

66 (c) a current external audit of the eligible [~~regional service center's~~] RESA's assets
67 and liabilities;

68 (d) assurance, signed by all parties to the interlocal agreement, that the eligible
69 [~~regional service center~~] RESA will provide the eligible [~~regional service center's~~] RESA's
70 records to the Superintendent upon request;

71 (e) an annual financial report from the previous fiscal year; and

72 (f) a plan for the use and distribution of the eligible [~~regional service center's~~] RESA's
73 funds for the applicable fiscal year with specific attention to:

74 (i) the delivery of Utah Education Network and Telehealth services to the LEAs
75 within the eligible [~~regional service center~~] RESA; and

76 (ii) the delivery of education-related services.

77 (3) An eligible regional service center shall provide an annual performance report
78 to the Superintendent and the Board, including the following information:

79 (a) the eligible regional service center's delivery of Utah Education and Telehealth
80 Network services;

81 (b) the eligible regional service center's type, amount, and effectiveness of delivery
82 of public and higher education related services; and

83 (c) the eligible regional service center's coordination of public and higher education
84 related services.

85 **R277-706-6. Regional Education Service Agency Coordinating Council.**

86 (1) There is hereby created a regional education service agency coordinating
87 council.

88 (2) The council is an advisory body, which shall consist of the following members:

89 (a) the executive director of each RESA;

90 (b) the board chair of each RESA's governing board;

91 (c) A member of the Board appointed by the Board chair; and

92 (d) the Superintendent.

93 (3) The council created in Subsection (1) shall be chaired by one of the RESA board
94 chairs as selected by the council's members.

95 (4) The regional education service agency coordinating council shall meet at least
96 biannually, but may meet more often if necessary to coordinate with the Superintendent
97 on implementing state initiatives in the areas the RESAs cover.

98 **KEY: eligible regional service center**

99 **Date of Enactment or Last Substantive Amendment:**

100 **Notice of Continuation: August 6, 2019**

101 **Authorizing, and Implemented, or Interpreted Law: [Art X Sec 3](#); [53G-4-410](#); [53E-3-401](#)**