R277. Education, Administration.

R277-319. Special Educator Stipends.

R277-319-1. Authority and Purpose.

(1) This rule is authorized by:

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

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Subsection 53F-2-310(2), which requires the Board to distribute money appropriated for stipends for special educators for additional days of work.

(2) The purpose of this rule is providing standards and procedures for distributing money appropriated for stipends for special educators for additional days of work, recognizing:

(a) the added duties and responsibilities assumed by special educators to comply with federal law and Board special education rules regulating the education of students with disabilities; and

(b) the need to attract and retain qualified special educators.

R277-319-2. Definitions.

(1) "After the school year" means two weeks after the final day of the required contract period, as determined by the employer.

(2) "Before the school year" means two weeks before the first day of the required contract period, as determined by the employer.

(3)(a) "Duties related to the IEP process" means the duties and responsibilities provided in Subsection 53F-2-310(4);

(b) "Duties related to the IEP process" do not include:

(i) professional development;

(ii) instructional planning;

(iii) classroom set-up and tear-down;

(iv) district level planning; and

(v) direct student instruction.

(4)(a) "Special educator" has the same meaning as described in Subsection 53F-2-310(1)(b).

(b) "Special educator" includes a pre-kindergarten special education teacher.

(5) "Work day" means a special educator's contract day as determined by the employer.

R277-319-3. Special Educator Stipend.

(1) A special educator eligible for funding shall complete a survey through an online provider approved by the Superintendent as follows:

(a) by a date determined by the special educator's LEA, but no later than September 30 for a special educator who worked before the school year began; and

(b) by a date determined by the special educator's LEA, but no later than July 31 for a special educator who worked after the school year ended.

(2) A special educator may only receive a stipend under this rule for actual days worked.

(3) An LEA may not transfer stipend workdays under this rule among special educators.

(4) A special educator hired by an LEA after the beginning of the school year may receive funding for extra days to the extent of funds available.

R277-319-4. Superintendent Responsibilities.

(1) The Superintendent shall annually review this program and determine, based upon the annual appropriation, the number of special education days to be funded.

(2) To simplify accounting and evaluation requirements for LEAs, the Superintendent shall:

(a) provide a methodology for tracking and accounting for special educator days to LEAs;

(b) provide a checklist of appropriate duties related to the IEP process for special educators; and

(c) distribute reimbursements to participating LEAs for eligible special educators on a semiannual basis.

R277-319-5. LEA Responsibilities.

(1) An LEA shall distribute the survey required under Subsection R277-319-3(1) to special educators semi-annually in time to meet the reporting deadlines of this rule.

(2)(a) An LEA shall submit a semi-annual report in a form approved by the Superintendent no later than September 30 and July 31 annually.

(b) In its report an LEA shall verify:

(i) that special educators have not exceeded the allowed days; and

(ii) that information submitted is complete and correct with no duplicate entries.