

**53A-15-301 Education programs for students with disabilities -- Supervision by the State Board of Education -- Enforcement.**

- (1)
  - (a) All students with disabilities, who are between the ages of three and 22 and have not graduated from high school with a regular diploma, are entitled to a free, appropriate public education.
  - (b) For purposes of Subsection (1)(a), if a student with a disability turns 22 during the school year, the entitlement extends to the:
    - (i) beginning of the school's winter holiday for those who turn 22 on or after the beginning of the school year and before December 31; and
    - (ii) end of the school year for those who turn 22 after December 31 and before the end of the school year.
  - (c) The State Board of Education shall adopt rules consistent with applicable state and federal law to implement this chapter.
- (2) The rules adopted by the state board shall include the following:
  - (a) appropriate and timely identification of students with disabilities;
  - (b) diagnosis, evaluation, and classification by qualified personnel;
  - (c) standards for classes and services;
  - (d) provision for multidistrict programs;
  - (e) provision for delivery of service responsibilities;
  - (f) certification and qualifications for instructional staff; and
  - (g) services for dual enrollment students attending public school on a part-time basis under Section 53A-11-102.5.
- (3)
  - (a) The state board shall have general control and supervision over all educational programs for students within the state who have disabilities.
  - (b) Those programs must comply with rules adopted by the state board under this section.
- (4) The state superintendent of public instruction shall enforce this chapter.

Amended by Chapter 82, 2002 General Session