

Effective 1/24/2018

Part 7 School Construction

53E-3-701 General provisions -- Definitions.

As used in this part, "division" means the same as that term is defined in Section 63A-5b-102.

Repealed and Re-enacted by Chapter 225, 2026 General Session

53E-3-702 State board coordination with Division of Facilities Construction and Management.

- (1) The state board shall coordinate with the division regarding public school construction oversight as described in Title 63A, Chapter 5b, Part 12, Public School Construction Oversight, through the school construction liaison designated under Section 63A-5b-1212.
- (2) In providing the coordination described in Subsection (1), the state board may:
 - (a) provide input on educational programming requirements that affect construction standards;
 - (b) participate in construction rules development and review;
 - (c) assist with training programs for LEA officials;
 - (d) coordinate on matters affecting educational programs and construction oversight; and
 - (e) maintain expertise in educational facility planning and design.
- (3) The state board shall maintain the state board's authority over:
 - (a) educational program requirements that may affect facility needs;
 - (b) coordination between construction projects and educational planning;
 - (c) policies related to educational use of facilities; and
 - (d) other matters not specifically described in Title 63A, Chapter 5b, Part 12, Public School Construction Oversight.

Repealed and Re-enacted by Chapter 225, 2026 General Session

53E-3-703 Educational facility planning requirements.

- (1) In planning school construction, an LEA shall consider:
 - (a) educational program requirements for different grade levels;
 - (b) year-round use requirements;
 - (c) specific needs of various student populations; and
 - (d) coordination between facility design and educational delivery.
- (2) An LEA shall ensure a licensed architect prepares plans and specifications for school construction or alteration, subject to cost oversight requirements established by the division described in Section 63A-5b-1204.
- (3) An LEA shall ensure all construction contracts include the provisions for construction contracts as the division determines.

Repealed and Re-enacted by Chapter 225, 2026 General Session

53E-3-704 Procurement, bonding, and contracting requirements.

- (1) An LEA shall comply with Title 63G, Chapter 6a, Utah Procurement Code, for all construction contracts.

- (2) An LEA shall require payment and performance bonds as provided in Section 14-1-18 for construction contracts exceeding \$50,000.
- (3) An LEA shall ensure a construction contract includes:
 - (a) contract provisions the division establishes under Subsection 53E-3-703(3);
 - (b) insurance requirements meeting division standards; and
 - (c) dispute resolution procedures.

Repealed and Re-enacted by Chapter 225, 2026 General Session