

**Effective 1/24/2018**

**Superseded 5/14/2019**

**53E-3-801 Definitions.**

As used in this part:

- (1)
  - (a) "Cost" means an estimation of state and local money required to implement a federal education agreement or national program.
  - (b) "Cost" does not include capital costs associated with implementing a federal education agreement or national program.
- (2) "Education entities" means the entities that may bear the state and local costs of implementing a federal program or national program, including:
  - (a) the State Board of Education;
  - (b) the state superintendent of public instruction;
  - (c) a local school board;
  - (d) a school district and its schools;
  - (e) a charter school governing board; and
  - (f) a charter school.
- (3) "Federal education agreement" means a legally binding document or representation that requires a school official to implement a federal program or set of requirements that originates from the U.S. Department of Education and that has, as a primary focus, an impact on the educational services at a district or charter school.
- (4) "Federal programs" include:
  - (a) the No Child Left Behind Act;
  - (b) the Individuals with Disabilities Education Act Amendments of 1997, Public Law 105-17, and subsequent amendments; and
  - (c) other federal educational programs.
- (5) "National program" means a national or multi-state education program, agreement, or standards that:
  - (a) originated from, or were received directly or indirectly from, a national or multi-state organization, coalition, or compact;
  - (b) have, as a primary focus, an impact on the educational services at a public school; and
  - (c) are adopted by the State Board of Education or state superintendent of public instruction with the intent to cause a local school official to implement the national or multi-state education program, agreement, or standards.
- (6) "No Child Left Behind Act" means the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301 et seq.
- (7) "School official" includes:
  - (a) the State Board of Education;
  - (b) the state superintendent;
  - (c) employees of the State Board of Education and the state superintendent;
  - (d) local school boards;
  - (e) school district superintendents and employees; and
  - (f) charter school board members, administrators, and employees.