

Effective 7/1/2024

53G-4-410 Regional education service agencies.

- (1) As used in this section:
 - (a) "Eligible regional education service agency" means a regional education service agency in existence before July 1, 2020.
 - (b) "Regional education service agency" means an entity formed by two or more school districts as an interlocal entity, in accordance with Title 11, Chapter 13, Interlocal Cooperation Act, with the authority and duties described in this section.
- (2) The Legislature strongly encourages school districts to collaborate and cooperate to provide educational services in a manner that will best utilize resources for the overall operation of the public education system.
- (3) A regional education service agency formed by an interlocal agreement, in accordance with Title 11, Chapter 13, Interlocal Cooperation Act:
 - (a) for an eligible regional education service agency, may receive a distribution described in Subsection (6) if the Legislature appropriates money for eligible regional education service agencies;
 - (b) may apply directly for any grant or program in which an LEA may participate if the agency has the written consent of the LEAs that the agency serves;
 - (c) may receive services from or partner with any department, division, or agency of the state, including coverage by the Division of Risk Management;
 - (d) may recommend educators for licensing;
 - (e) may provide services for students as approved by the regional education service agency's board;
 - (f) may access as necessary LEA systems that the board provides; and
 - (g) does not have authority over the LEAs which the agency serves.
- (4) A regional education service agency may elect to participate as an employer for retirement programs under:
 - (a) Title 49, Chapter 12, Public Employees' Contributory Retirement Act;
 - (b) Title 49, Chapter 13, Public Employees' Noncontributory Retirement Act; and
 - (c) Title 49, Chapter 22, New Public Employees' Tier II Contributory Retirement Act.
- (5)
 - (a) If local school boards enter into an interlocal agreement to confirm or formalize a regional education service agency in operation before July 1, 2011, the interlocal agreement may not eliminate any rights or obligations of the regional education service agency in effect before entering into the interlocal agreement.
 - (b) An interlocal agreement entered into to confirm or formalize an existing regional education service agency shall have the effect of confirming and ratifying in the regional education service agency, the title to any property held in the name, or for the benefit of the regional education service agency as of the effective date of the interlocal agreement.
- (6)
 - (a) The state board shall distribute any funding appropriated to eligible regional education service agencies as provided by the Legislature.
 - (b) The state board may provide funding to an eligible regional education service agency in addition to legislative appropriations.
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules regarding regional education service agencies including:
 - (a) the authority, scope, and duties of a regional education service agency;
 - (b) the creation of a regional education service agency coordinating council, including:

- (i) defining the council's role and authority; and
 - (ii) provisions for the council's membership;
 - (c) the distribution of legislative appropriations to eligible regional education service agencies;
 - (d) the designation of eligible regional education service agencies as agents to distribute Utah Education and Telehealth Network services; and
 - (e) the designation of eligible regional education service agencies as agents for regional coordination of public education and higher education services.
- (8) The board shall annually:
- (a) review the funding the Legislature appropriates to support regional education service agencies; and
 - (b) recommend any adjustments as part of the board's annual budget request.
- (9) Subject to future budgetary constraints, the Legislature shall increase the annual appropriation for regional education service agencies at the same percentage as the annual state labor market increase for state agencies.

Amended by Chapter 468, 2024 General Session