

CENTER FOR CREATIVITY, INNOVATION, AND DISCOVERY

Student Membership Policy and Procedures

Purpose

The Board of Directors of the Center for Creativity, Innovation, and Discovery (CCID) recognizes that accurate data and pupil accounting procedures are the basis of the apportioning and distribution of funds by the state and federal government, and integral to the school's financial and student accounting audits. The Board has established this policy in accordance with Utah Code §53E-3-602 and Utah Admin. Code R277-419 to ensure the school's compliance with student membership and accounting procedures.

Definitions

Aggregate Membership: means the sum of all days in membership during a school year for eligible students enrolled in public school.

Approved CTE Course: means a course approved by the Utah State Board of Education (USBE) within the Career and Technical Education (CTE) Pathways.

Attendance Validated Program: means a program within a Local Education Agency (LEA) that consists of eligible, enrolled public school students who physically attend school in a brick and mortar school.

Blended Learning Program: means a formal education program under the direction of an LEA in which a student learns through an integrated experience that is in part through online learning, with an element of student control over time, place, path, or pace; and in a supervised brick and mortar school away from home.

Brick and Mortar School: means a school where classes are conducted in a physical school building.

Data Clearinghouse: means the electronic data collection system used by the USBE to collect information required by law from LEAs about individual students at certain points throughout the school year to support the allocation of funds and accountability reporting.

Educational Services: means providing learning opportunities and services designed to support a student to be prepared to succeed and lead by having the knowledge and skills to learn, engage civically, and lead meaningful lives, including by providing: high quality instruction for each student; personalized learning supports for each student; and, implementation of evidence-based student health and wellness practices.

Eligible Student: means a student who satisfies the criteria for enrollment in an LEA, set forth in Utah Admin. Code R277-419 including:

- A student's birth certificate or other verification of age;
- Verification of immunization or exemption from immunization form;
- Proof of Utah public school residency;
- Family income verification; or,
- Special education program information including an individualized education program; a Section 504 accommodation plan; or an English learner plan.

Home School: means the formal instruction of children in their homes instead of in an LEA.

Homeschool Course: means instruction delivered in a home-school environment where the curriculum and instruction methods, evaluation of student progress or mastery, and reporting are provided or administered by the parent, guardian, custodian, or other group of individuals; and not supervised or directed by an LEA.

Influenza Pandemic or Pandemic: means a global outbreak of serious illness in people which may be caused by a strain of influenza that most people have no natural immunity to and that is easily spread from person to person.

ISI-1: means a student who receives 1 to 59 minutes of Youth-in-Care (YIC) related services during a typical school day.

ISI-2: means a student who receives 60 to 179 minutes of YIC related services during a typical school day.

Learner Validated Enrollment Measurement: means a methodology used to establish a student's membership or enrollment status for purposes of generating membership days.

Learner Validated Program: means a program within an LEA that consists of eligible, enrolled public school students where the student receives instruction through: an online learning program; a blended learning program; or, a personalized, competency-based learning program.

Membership: means a public school student is on the current roll of a public school class or public school as of a given date; or a student is a member of a class or school from the date of entrance at the school and is placed on the current roll until official removal from the class or school due to the student having left the school. Removal from the roll does not mean that an LEA should delete the student's record, only that the student should no longer be counted in membership.

Minimum School Program: means the same as that term is defined in Utah Code §53F-2-102.

Online Learning Program: means a program that is under the direction of an LEA in which students receive educational services primarily over the internet.

Online Student: means a student who receives instruction at home, but the student is enrolled in a public school that follows state Core Standards; is subject to laws and rules governing state and federal mandated tests; and is included in a school's accountability measures. An online student receives instruction under the direction of a

highly qualified, licensed teacher who is subject to the licensure requirements of Utah Admin. Code R277-301 and fingerprint and background checks consistent with Utah Admin. Codes R277-214 and R277-309.

Personalized, Competency-Based Learning Grants Program: means an education program that provides instruction through personalized, competency-based learning as defined in Utah Code §53F-5-501.

Private School: means an educational institution that is not an LEA; is owned or operated by a private person, firm, association, organization, or corporation; and, is not subject to governance by the USBE consistent with the Utah Constitution.

Program: means a course of instruction within a school that is designed to accomplish a predetermined curricular objective or set of objectives.

Qualifying School Age: means a person who is at least five years old and no more than 18 years old on or before September 1st; with respect to special education, a person who is at least three years old and no more than 21 years old on or before July 1st; with respect to YIC, a person who is at least five years old and no more than 21 years old on or before September 1st.

Resource: refers to a student who receives 1 to 179 minutes of special education services during a typical school day consistent with the student's Individualized Education Program (IEP) provided for under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Sec. 1400 et seq., amended in 2004.

Retained Senior: means a student beyond the general compulsory school age who is authorized at the discretion of an LEA to remain in enrollment as a high school senior in the years after the student's cohort has graduated due to sickness, hospitalization, pending court investigation or action, or other extenuating circumstances beyond the control of the student.

S1: means the record maintained by the USBE containing individual student demographic and school membership data in a Data Clearinghouse file.

S2: means the record maintained by the USBE containing individual student data related to participation in a special education program in a Data Clearinghouse file.

S3: means the record maintained by the USBE containing individual student data related to participation in a YIC program in a Data Clearinghouse file.

School: means an educational entity governed by an LEA that is supported with public funds; includes enrolled or prospectively enrolled full-time students; employs licensed educators as instructors that provide instruction consistent with Utah Admin. Code R277-301; has one or more assigned administrators; is accredited consistent with Utah Admin. Code R277-410; and administers required statewide assessments to the school's students.

School Day: means a day where an LEA provides educational services to students subject to the requirements described in Utah Admin. Code R277-419.

School Membership: means membership other than in a special education or YIC program in the context of the Data Clearinghouse.

School of Enrollment: means a student's school of record; and the school that maintains the student's cumulative file, enrollment information, and transcript for purposes of high school graduation.

School Year: means the 12-month period from July 1st through June 30th.

Self-Contained: means a public school student with an IEP or YIC who receives 180 minutes or more of special education or YIC related services during a typical school day.

Self-Contained Resource Attendance Management (SCRAM): means a record that tracks the aggregate membership of public school special education students for state funding purposes.

SSID: means Statewide Student Identifier.

Student with a Disability: means a student who is of an age during which it is mandatory under state law to provide educational services to persons with disabilities as described in Utah Code 53E-3-503; or, is of an age during which a student without a disability is provided educational services; and is entitled to receive a free, appropriate public education under the Individuals with Disabilities Education Act or USBE rules related to special education, including Utah Admin. Code R277-750; or is entitled to receive a free, appropriate public education under Section 504 of the Rehabilitation Act of 1973 because the student: has a physical or mental impairment which substantially limits one or more major life activities; has a record of an impairment described in Subsection (37)(b)(i); or is regarded as having an impairment described in Subsection (37)(b)(i).

Unexcused Absence: means an absence charged to a student when the student was not physically present at the school at any of the times attendance checks were made in accordance with Utah Admin. Code R277-419; and the student's absence could not be accounted for by evidence of a legitimate or valid excuse in accordance with local board policy on truancy as defined in Utah Code §53G-6-201.

Weighted Pupil Unit (WPU): means the same as that term is defined in Utah Code §53F-2-102.

Year-End Upload: means the Data Clearinghouse file due annually by July 15th from LEAs to the USBE for the prior school year.

Youth in Custody (YIC): means a person under the age of 21 who is in the custody of the Department of Health and Human Services; in the custody of an equivalent agency of a Native American tribe recognized by the United States Bureau of Indian Affairs and whose custodial parent or legal guardian resides within the state; or being held in a juvenile detention facility.

Minimum School Days

The Board of Directors annually approves a school calendar that includes the required 180 school days during a “school year” designated as the 12-month period beginning July 1st and ending June 30th. In approving a calendar for the school year, the Board recognizes the need for emergency or weather-related days during which school may need to be delayed or canceled. The Board acknowledges that, if the school is closed for any reason, students must continue to receive instruction through online delivery or through additional instructional days added to the school calendar.

The Board of Directors ensures that the school adheres to the following laws requirements related to minimum school days:

- Except as provided in Utah Code §53F-2-102, the school shall provide educational services over a minimum of 180 school days each school year.
- A school participating in the National School Lunch Program shall provide school meals on each day that the school schedules toward the school’s 180 educational service days. The requirement to provide school meals does not apply to:
 - An unplanned school closure or unplanned learn from home day due to snow, inclement weather, or other emergency;
 - A day that the school’s governing board reallocates as a teacher preparation or teacher professional development;
 - A day that a school counts in student membership for professional development or parent-teacher conference;
 - A day where the school provides educational services while all the school’s students engage in distance learning.
- The school may seek an exception to the number of school days per Utah Admin. Code R277-121 for a school closure due to snow, inclement weather, or other emergency; or for an individual student as described in Utah Admin. Code R277-419.
- The school may offer the required school days at any time during the school year consistent with law.
- Minimum standards apply to a public school in all settings unless Utah law or administrative rule provide for specific exceptions.
- The school’s governing board shall provide adequate contingency school days in the yearly calendar to avoid the necessity of requesting a waiver except in the most extreme circumstances.
- The school may conduct parent-teacher and student Plan for College and Career Readiness conferences during the school day.
- Parent-teacher and college and career readiness conferences may only be held for a total of the equivalent of three full school days for the school year.

- Student membership for professional development or parent-teacher conference days shall be counted as that of the previous school day.
- The final decision and approval regarding planning time, parent-teacher and Student Plan for College and Career Readiness conferences rests with the school, consistent with Utah Code and USBE administrative rules.
- Total instructional time and the school calendar shall be approved by the school's Board of Directors in an open meeting.

Emergency Waivers and Exemptions

CCID's Board of Directors acknowledges that city, county, state, and federal officials are authorized to declare public health emergencies or to take certain actions under laws governing disasters, emergencies, or acts of God that effectively limit the school's ability to comply with certain statutory requirements related to school calendars, school days, regular procedures for taking student attendance, and regular procedures for the monitoring of teacher attendance.

When waivers or modifications to statutory requirements are not given as a matter of course under such circumstances, the school's Board of Directors will seek such waivers, exemptions, or relief as allowed by law, while attempting to comply in good faith by all feasible measures.

Student Membership Eligibility and Learner Validated Enrollment Measurements

The school has a board-approved Admissions and Enrollment Policy that governs student admission, enrollment, dual enrollment, transfers, withdrawals, and other enrollment considerations at the school. However, a kindergarten student is prohibited from enrolling in more than one LEA at a time per Utah Admin. Code R277-419.

To generate membership for funding through the Minimum School Program on any school day, the school will ensure that a student being counted in membership:

- has not previously earned a basic high school diploma or certificate of completion;
- has not been enrolled in a YIC program with a YIC time code other than ISI-1 or ISI-2;
- does not have unexcused absences, which are determined using one of the learner validated enrollment measurements;
- is a resident of Utah;
- is of qualifying school age or is a retained senior;
- is expected to attend a regular learning facility operated or recognized by the school on each regularly scheduled school day, if enrolled in an attendance validated program;

- has direct instructional contact with a licensed educator provided by the school at a school-sponsored center for tutorial assistance or at the student's place of residence or convalescence for at least 120 minutes each week during an expected period of absence, if physically excused from such a facility for an extended time due to:
 - Injury;
 - Illness;
 - Surgery;
 - Suspension;
 - Pregnancy;
 - Pending court investigation or action;
 - Or a school determination that home instruction is necessary;
- is enrolled in an approved CTE course on the campus of another state-funded institution where such a course is not offered at the student's school of membership being used to meet USBE-approved CTE graduation requirements; or a course consistent with a student's Plan for College and Career Readiness.
- Is enrolled in a learner validated program under the direction of the school consistent with the student's Plan for College and Career Readiness, has been approved by the student's counselor, and includes regular instruction or facilitation by a designated employee of the school.
- The school shall use one of the following learner validated enrollment measures:
 - For a student primarily enrolled in an attendance validated program, the school may not count a student as an eligible student if the eligible student has unexcused absences during the prior ten consecutive school days;
 - For a student enrolled in a learner validated program, the school may not count a student as an eligible student if the eligible student has unexcused absences during the prior ten consecutive school days based on attendance measures for learner validated students as described below.
- The school will document each student's continued enrollment status in compliance with attendance validated and learner validated measures at least once every ten consecutive school days;
- The school will appropriately adjust and update student membership records in the student information system for students that did not meet enrollment measurements per USBE rule.
- For students enrolled in a learner validated program, the school will consider a student as "attending" by measuring any combination of the following:
 - A minimum hourly requirement, per day or week, when students have engaged in coursework;
 - Establishment of timelines for a student to provide or demonstrate completed assignments, coursework, or progress toward academic goals;

- A student's participation in digital communication, discussion boards, synchronous virtual learning;
- One-on-one interactions between teachers, staff, and students;
- Students' participation in learner validated programs as described above will constitute a student's attendance and will be tracked by teachers through the school's regular attendance-monitoring system.
- The school will submit each student's attendance validated or learner validated enrollment status through UTREx or Data Clearinghouse.
- For a student who participates in both attendance validated and learner validated programs, the school shall designate the student's status as learner validated enrollment.
- Under emergency circumstances, the school will offer its students digital or online learning in lieu of on-site learning. The school will track attendance of students during emergencies in accordance with learner validated attendance measures as described in this policy.

Exemptions for Students Receiving Specialized Instruction

The school shall continue to provide a student with a disability a free and appropriate public education even when the student has not attended school or engaged with the school during the prior ten consecutive days. The school shall maintain a student with a disability's enrollment in the school and may continue to count the student with a disability in membership for funding purposes up to 30 days if the school documents that the school is working to locate and engage with the student with a disability.

Student Membership Calculations

- A student enrolled in only one LEA during a school year is eligible for no more than 180 days of regular membership per school year.
- A student transferring to or from a year-round school is eligible for no more than 205 days of regular membership per school year.
- A student enrolled in two or more LEAs during a school year is eligible for no more than 180 days of regular membership per school year.
- A student transferring to or from an LEA with a schedule approved under Utah Admin. Code R277-419-4(1)(b) is eligible for no more than 220 days of regular membership per school year.
- If a student is enrolled in two or more LEAs during a school year and the aggregate regular membership generated for the student between the LEAs exceeds the amount allowed, the USBE will apportion the days of regular membership allowed between the LEAs.
- If a student was enrolled for only part of the school day or only part of the school year, the school shall prorate the student's membership according to the number

of hours, periods, or credits for which the student actually was enrolled in relation to the number of hours, periods, or credits for which a full-time student normally would have been enrolled.

- For the purposes of calculating the days in membership for all students, the school will use the method described in Utah Admin. Code R277-419 based on 990 hours and 180 days.
- The school acknowledges that the sum of regular plus self-contained special education and self-contained YIC members days may not exceed 180 days; and that the sum of regular and resource special education membership days may not exceed 360 days.
- The school may count a student in membership for the equivalent in hours of up to one period each school day, if the student has been:
 - Released by the school, upon a parent or guardian's request, during the school day for religious instruction or individual learning activity consistent with the student's Plan for College and Career Readiness; or
 - Participating in one or more co-curricular activities under Utah Admin. Code R277-438, but has otherwise been exempted from school attendance under Utah Code 53G-6-204 for homeschooling;
 - Two periods each school day per student for time spent in bus travel during the regular school day to and from another state-funded institution, if the student is enrolled in CTE instruction consistent with the student's Plan for College and Career readiness;
 - All periods each school day, if the student is enrolled in:
 - A concurrent enrollment program;
 - A private school without religious affiliation under a contract initiated by an LEA to provide special education services which directs that the instruction be paid by public funds if the contract with the private school is approved by the Board of Directors in an open meeting;
 - A foreign exchange student program;
 - A school operated by an LEA under a Utah Schools for the Deaf and the Blind IEP provided that the student may only be counted in S1 membership and may not have an S2 record; and the S2 record for the student is submitted by the Utah Schools for the Deaf and the Blind.
- A student receiving instruction delivered in a homeschool course or by a private school is not eligible to be claimed in an LEA's membership and does not qualify for funding under the Minimum School Program.
- The limitation above does not apply to public school instruction provided by the school to a homeschool or private school student participating in dual enrollment.

Reporting Requirements and Records

- The school will submit a Clearinghouse report to the USBE based on the USBE's required accountability reports and other state-mandated reports for the school type and grade range.
- The school shall employ at least one licensed educator and one administrator.
- A student who is enrolled in a program is considered a member of a public school.
- A student reported under the school's program shall be included in the school's WPU and the student enrollment calculations.
- A course taught at a program shall be credited to the appropriate school of enrollment.
- The school shall report aggregate membership via the School Membership field in the S1 record and special education membership in the SCRAM Membership field in the S2 record and YIC membership in the S3 record of the Year End upload of the Data Clearinghouse file. In the Data Clearinghouse, aggregate membership is calculated in days of membership.
- To determine student membership, the school shall ensure that records of daily student attendance or student engagement are maintained which clearly and accurately show for each student the:
 - entry date;
 - exit date;
 - exit or high school completion status;
 - whether or not an absence was excused;
 - disability status, resource or self-contained, if applicable; and
 - YIC status, ISI-1, ISI-2 or self-contained, if applicable.
- The school will ensure that computerized or manually produced records for CTE programs are kept by teacher, class, and core code; and the records clearly and accurately show for each student in a CTE class the:
 - entry date;
 - exit date; and
 - excused or unexcused status of absence.
- The school shall ensure that a minimum of one attendance check is conducted each school day.
- Due to school activities requiring schedule and program modification during the first days and last days of the school year:
 - For the first five school days, the school may report aggregate days of membership equal to the number recorded for the second five-day period of the school year;

- For the last five-day period, the school may report aggregate days of membership equal to the number recorded for the immediately preceding five-day period; and,
- The school shall continue educational service activities throughout required calendared days.

Student Identification and Tracking

The school will use the SSID system maintained by the USBE to assign every student enrolled in a program under the direction of the Board or in a program or a school that is supported by public school funding a unique student identifier; and display the SSID on student transcripts exchanged with LEAs and Utah public institutions of higher education. The unique student identifier:

- Shall be assigned to a student upon enrollment into a public school program or a public school-funded program;
- May not be the student's social security number or contain any personally identifiable information about the student.

The school requires all students to provide their legal first, middle, and last names at the time of registration to ensure that the correct SSID follows students who transfer among LEAs.

- The school shall transcribe the names from the student's birth certificate or other reliable proof of the student's identity and age, consistent with Utah Code §53G-6-603;
- The direct transcription of student names from birth certificates or other reliable proof of student identity and age shall be the student's legal name for purposes of maintaining school records; and,
- The school may modify the order of student names, provide for nicknames, or allow for different surnames, consistent with court documents or parent preferences, so long as legal names are maintained on student records and used in transmitting student information to the Superintendent.
- If there is a compelling need to protect a student by using an alias, the school will exercise discretion in recording the name of the student.
- The school acknowledges its responsibility to verify the accuracy and validity of enrollment verification data, prior to enrolling students in the school, and provide students and their parents with notification of enrollment.
- The school shall ensure enrollment verification data is collected, transmitted, and stored consistent with sound data policies, established by the school as required in Utah Admin. Code R277-487.

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