

1     **R277. Education, Administration.**

2     **R277-606. Dropout Prevention and Recovery [Program]Services.**

3     **R277-606-1. Authority, Purpose, and Oversight Category.**

4         (1) This rule is authorized by:

5             (a) Utah Constitution Article X, Section 3, which vests general control and  
6             supervision over public education in the Board;

7             (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute  
8             the Board's duties and responsibilities under the Utah Constitution and state law; and

9             (c) Section 53G-9-802, which requires the Board to develop rules to set policies  
10             related to a dropout prevention and recovery [program]services[ and plan].

11         (2) The purpose of this rule is to:

12             (a) develop policies related to an LEA's dropout prevention and recovery  
13             [program]services[ and plan]; and

14             (b) set reporting requirements for LEAs with a dropout prevention and recovery  
15             [program]services[ and plan].

16         (3) This Rule R277-606 is categorized as Category 2 as described in Rule R277-  
17         111.

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19     **R277-606-2. Definitions.**

20         For purposes of this rule:

21         [(1) "Attainment goal" has the same meaning as that term is defined in Section  
22         53G-9-801.]

23         [(2) "Average daily membership" means the same as that term is defined in  
24         Section 53F-2-102.

25         [(3) "Cohort" means the same as that term is defined in Section 53G-9-801.

26         [(4) "College and career readiness work" means the same as that term is defined  
27         in Section 53G-9-801.]

28         [(5) "Designated student" means a student:

29             (a)(i) who has withdrawn from a secondary school before earning a diploma;

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(ii) who was dropped from average daily membership; and

(iii) whose cohort has not yet graduated; or

(b) who is at risk of meeting the criteria described in Subsection (5)(a), as determined by the student's LEA, using the risk factors described in Subsection [(10)](5).

[ (6) "Graduation rate" means the same as that term is defined in Section 53G-9-801.]

[(7)](4) "LEA" means the same as that term is defined in Section [53G-9-801](#).

[ (8) "Nontraditional program" means the same as that term is defined in Section 53G-9-801.

— (9) "Proxy graduation rate" means the benchmark graduation percentage assigned by the Board, based on:

— (a) in a manner similar to the regular graduation rate for each year of grades 9 through 12

— (b) treating a student as having graduated if the student returned after each grade year; and

— (c) treating a student as dropping out if the student:

— (i) did not return after each year; or

— (ii) the student did not have an acceptable exit code entered into the UTREx system.]

[(10)](5) "Risk factors" means:

(a) low academic performance, as measured by grades, test scores, or course failure;

(b) poor behavior, as measured by office disciplinary referrals, suspensions, or expulsions; and

(c) absenteeism, whether excused or unexcused absences, and including days tardy and truant.

[(11)](6) "Third party" means the same as that term is defined in Section [53G-9-801](#).

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60 **R277-606-3. LEA Dropout Prevention and Recovery [Programs]Services.**

61 [ (1) An LEA that serves students in grades 9, 10, 11, or 12 shall provide [a] 62 dropout prevention and recovery [program]services for a designated student with the 63 dropout prevention and recovery services described in Sections 53G-9-802 and 53G-9- 64 803.

65 [ (2) To provide the dropout and recovery services described in Subsection (1) an 66 LEA may:

67 (a) contract with a third party; or

68 (b) create a dropout prevention and recovery services plan.

69 (3) An LEA that enrolls a designated student in a dropout prevention and 70 recovery program shall:

71 (a) develop a written policy that describes:

72 (i) how the LEA or the LEA's third party will measure and report if the designated 73 student made a year's worth of progress toward an attainment goal as required in 74 Section R277-606-4; and

75 (ii) how membership days will be determined for the designated student in 76 accordance with the LEA's established school schedule and enrollment policies; and 77 (b) indicate that the designated student is enrolling in the LEA's dropout 78 prevention and recovery program in accordance with current UTREx specifications.

79 (4)(a) If a designated student chooses to enroll in a dropout prevention and 80 recovery program, the LEA, in consultation with the designated student, shall prepare, 81 in accordance with the LEA's written policy described in Subsection (2), a learning plan 82 for the designated student that includes an attainment goal for the designated student.

83 (b) If an LEA chooses to contract with a third party to provide dropout prevention 84 and recovery services, the third party shall:

85 (i) work with the LEA to prepare a learning plan for a designated student 86 described in Subsection (3)(a);

87 ——— (ii) regularly report a designated student's progress toward the designated  
88 student's attainment goal in accordance with the LEA's written policy described in  
89 Subsection (2); and  
90 ——— (iii) maintain documentation required by the LEA for the LEA to meet the  
91 requirements of Subsection R277-606-4(4).  
92 ——— (5)(a) If a designated student is a student with a disability and an LEA provides  
93 dropout prevention and recovery services without using a third party, the LEA shall:  
94 ——— (i) prepare an IEP or Section 504 plan for the designated student; and  
95 ——— (ii) provide the dropout prevention and recovery services in accordance with the  
96 designated student's IEP or Section 504 plan.  
97 ——— (b) If a designated student is a student with a disability and an LEA contracts  
98 with a third party to provide dropout prevention and recovery services to the designated  
99 student:  
100 ——— (i) the LEA shall prepare an IEP or Section 504 plan for the designated student;  
101 and  
102 ——— (ii) the third party shall provide the dropout prevention and recovery services to  
103 the designated student in accordance with the designated student's IEP or Section 504  
104 plan.]

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#### **R277-606-4. Reporting Requirements and Audits.**

107 (1)[(a)] An LEA shall submit an annual report to the Superintendent on the LEA's  
108 dropout prevention and recovery services by October 30.

109 ——— (a) An LEA shall submit the report using a survey provided by the  
110 Superintendent.

111 ——— (b) The report described in Subsection (1)(a):  
112 ——— (i) the information described in Section 53G-9-802  
113 ——— (ii) the total number of designated students in the LEA  
114 ——— (iii) if applicable, the name of a third party the LEA is contracting with to provide  
115 dropout prevention and recovery services.

116 ——— (2) An LEA shall submit annually to the Superintendent, if applicable, the LEA's  
117 dropout prevention and recovery plan by October 30.

118 ——— (3) A third party working with an LEA on the LEA's dropout prevention and  
119 recovery program shall report any information requested by the LEA including any  
120 information required for the LEA to submit a report described in Subsection (1).]

121 (4)(2) The Superintendent shall:

122 (a) review LEA reports described in Subsection (1);

123 (b) by [April 1]December 15 each year, [inform]determine whether an LEA [that  
124 the LEA shall enter into a contract with a third party as]meets the conditions described  
125 in Subsection 53G-9-802(3);[-and]

126 (c) except as provided in Subsection 53G-9-802(5), ensure that an LEA  
127 [described in Subsection 53G-9-802(3) and Subsection R277-606-3(3)]identified under  
128 Subsection (4)(b) provides dropout prevention and recovery services as required under  
129 Subsection 53G-9-802(1), and implements such services through:

130 (i) a contract[s] with a third party provider as required in Section 53G-9-802(6)  
131 [and Section R277-606-3.]; or

132 (ii) an evidence-based or evidence-informed plan consistent with Subsection  
133 53G-9-802(4) and Section 53G-11-303;

134 (d) require an LEA identified under Subsection (4)(b) to notify the Superintendent  
135 of the method by which the LEA will implement dropout prevention and recovery  
136 services under Subsection (4)(c), no later than January 15;

137 (e) administer responsibilities delegated by the board pursuant to Subsection  
138 53G-9-804.

139 [(5)](3)(a) An LEA shall maintain documentation to comply with the requirements  
140 of Section 53G-9-802 and this rule.

141 (b) The Board or the Superintendent may request an audit of an LEA's dropout  
142 prevention and recovery [program]services.

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144 **KEY: dropout, prevention and recovery, pupil accounting**

145 **Date of Last Change:** March 10, 2025

146 **Notice of Continuation:** April 15, 2025

147 **Authorizing, and Implemented or Interpreted Law:** Art X, Sec 3; 53E-4-401(4);  
53G-9-802

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