

R277. Education, Administration.

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

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

(1) This rule is authorized by:

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

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

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

(2) The purpose of this rule is to:

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

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

(3) This Rule R277-606 is categorized as Category 2 as described in Rule [R277-111](#).

R277-606-2. Definitions.

For purposes of this rule:

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

~~[(2)](1)~~ "Average daily membership" means the same as that term is defined in Section [53F-2-102](#).

~~[(3)](2)~~ "Cohort" means the same as that term is defined in Section [53G-9-801](#).

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

~~[(5)](3)~~ "Designated student" means a student:

(a)(i) who has withdrawn from a secondary school before earning a diploma;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](#).

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

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

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

— (a) contract with a third party; or

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

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

— (a) develop a written policy that describes:

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

— (ii) how membership days will be determined for the designated student in accordance with the LEA's established school schedule and enrollment policies; and

— (b) indicate that the designated student is enrolling in the LEA's dropout prevention and recovery program in accordance with current UTREx specifications.

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

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

— (i) work with the LEA to prepare a learning plan for a designated student 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.]~~

105
106 **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.~~

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

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

~~[(4)]~~(2) The Superintendent shall:

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

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

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

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

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

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

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

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

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

KEY: dropout, prevention and recovery, pupil accounting

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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);**
148 **53G-9-802**
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