

R277. Education, Administration.

R277-419. Pupil Accounting.

R277-419-1. 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;

(c) Subsection 53E-3-501(1)(e), which directs the Board to establish rules and standards regarding:

(i) cost-effectiveness;

(ii) school budget formats; and

(iii) financial, statistical, and student accounting requirements;

(d) Subsection 53E-3-602(2), which requires a local school board's auditing standards to include financial accounting and student accounting;

(e) Subsection 53E-3-301(3)(d), which requires the Superintendent to present to the Governor and the Legislature data on the funds allocated to LEAs;

(f) Section 53G-4-404, which requires annual financial reports from school districts; and

(g) Subsection 53G-5-404(4), which requires charter schools to make the same annual reports required of other public schools.

(2) The purpose of this rule is to specify pupil accounting procedures used in apportioning and distributing state funds for education.

(3) This rule is categorized as Category 4 as described in Rule R277-111.

R277-419-2. Definitions.

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

29 (2) "Approved CTE course" means a course approved by the Board within the
30 Career and Technical Education (CTE) Pathways.

31 (3) "Attendance validated program" means a program within an LEA that
32 consists of eligible, enrolled public school students who physically attend school in a
33 brick and mortar school.

34 (4) "Blended learning program" means a formal education program under the
35 direction of an LEA in which a student learns through an integrated experience that is in
36 part:

37 (a) through online learning, with an element of student control over time, place,
38 path, or pace; and

39 (b) in a supervised brick and mortar school away from home.

40 (5) "Brick and mortar school" means a school where classes are conducted in a
41 physical school building.

42 (6) "Data Clearinghouse" means the electronic data collection system used by
43 the Superintendent to collect information required by law from LEAs about individual
44 students at certain points throughout the school year to support the allocation of funds
45 and accountability reporting.

46 (7) "Educational services" means providing learning opportunities and services
47 designed to support a student to be prepared to succeed and lead by having the
48 knowledge and skills to learn, engage civically, and lead meaningful lives, including by
49 providing:

50 (a) high quality instruction for each student;

51 (b) personalized learning supports for each student; and

52 (c) implementation of evidence-based student health and wellness practices.

53 (8) "Eligible student" means a student who satisfies the criteria for enrollment in
54 an LEA, set forth in Section R277-419-5.

55 (9) "Enrollment verification data" includes:

56 (a) a student's birth certificate or other verification of age;

57 (b) verification of immunization or exemption from immunization form;

(c) proof of Utah public school residency;

(d) family income verification; or

(e) special education program information, including:

(i) an individualized education program;

(ii) a Section 504 accommodation plan; or

(iii) an English learner plan.

(10)(a) "Home school" means the formal instruction of children in their homes instead of in an LEA.

(b) "Home school" does not include public school instruction provided in a home, including when:

(i) an online student receives instruction at home, but the student is enrolled in a public school that follows state Core Standards;

(ii) an online student is:

(A) subject to laws and rules governing state and federal mandated tests; and

(B) included in accountability measures; or

(iii) an online student receives instruction under the direction of a highly qualified, licensed teacher who is subject to the licensure requirements of Rule R277-301 and fingerprint and background checks consistent with Rules R277-214 and R277-309.

(iv) instruction is received by a home-based scholarship student consistent with Section 53F-6-401.

(11) "Home school course" means instruction:

(a) 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

(b) not supervised or directed by an LEA.

(12)(a) "Influenza pandemic" or "pandemic" means a global outbreak of serious illness in people.

86 (b) "Influenza pandemic" or "pandemic" may be caused by a strain of influenza
87 that most people have no natural immunity to and that is easily spread from person to
88 person.

89 (13) "ISI-1" means a student who receives 1 to 59 minutes of YIC related
90 services during a typical school day.

91 (14) "ISI-2" means a student who receives 60 to 179 minutes of YIC related
92 services during a typical school day.

93 (15) "Learner validated enrollment measurement" means a methodology used to
94 establish a student's membership or enrollment status for purposes of generating
95 membership days.

96 (16) "Learner validated program" means a program within an LEA that consists
97 of eligible, enrolled public school students where the student receives instruction
98 through:

99 (a) an online learning program;

100 (b) a blended learning program; or

101 (c) a personalized, competency-based learning program.

102 (17)(a) "Membership" means a public school student is on the current roll of a
103 public school class or public school as of a given date.

104 (b) A student is a member of a class or school from the date of entrance at the
105 school and is placed on the current roll until official removal from the class or school due
106 to the student having left the school.

107 (c) Removal from the roll does not mean that an LEA should delete the student's
108 record, only that the student should no longer be counted in membership.

109 (18) "Minimum School Program" means the same as that term is defined in
110 Section 53F-2-102.

111 (19) "Online learning program" means a program:

112 (a) that is under the direction of an LEA; and

113 (b) in which students receive educational services primarily over the internet.

114 (20) "Personalized, Competency-based Learning Grants Program" means an
115 education program that provides instruction through personalized, competency-based
116 learning as defined in Section 53F-5-501.

117 (21) "Private school" means an educational institution that:

118 (a) is not an LEA;

119 (b) is owned or operated by a private person, firm, association, organization, or
120 corporation; and

121 (c) is not subject to governance by the Board consistent with the Utah
122 Constitution.

123 (22) "Program" means a course of instruction within a school that is designed to
124 accomplish a predetermined curricular objective or set of objectives.

125 (23) "Qualifying school age" means:

126 (a) a person who is at least five years old and no more than 18 years old on or
127 before September 1;

128 (b) with respect to special education, a person who is at least three years old
129 and no more than 21 years old on or before July 1;

130 (c) with respect to YIC, a person who is at least five years old and no more than
131 21 years old on or before September 1.

132 (24) "Resource" means a student who receives 1 to 179 minutes of special
133 education services during a typical school day consistent with the student's IEP
134 provided for under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Sec.
135 1400 et seq., amended in 2004.

136 (25) "Retained senior" means a student beyond the general compulsory school
137 age who is authorized at the discretion of an LEA to remain in enrollment as a high
138 school senior in the years after the student's cohort has graduated due to:

139 (a) sickness;

140 (b) hospitalization;

141 (c) pending court investigation or action; or

142 (d) other extenuating circumstances beyond the control of the student.

143 (26) "S1" means the record maintained by the Superintendent containing
144 individual student demographic and school membership data in a Data Clearinghouse
145 file.

146 (27) "S2" means the record maintained by the Superintendent containing
147 individual student data related to participation in a special education program in a Data
148 Clearinghouse file.

149 (28) "S3" means the record maintained by the Superintendent containing
150 individual student data related to participation in a YIC program in a Data Clearinghouse
151 file.

152 (29) "School" means an educational entity governed by an LEA that:

153 (a) is supported with public funds;

154 (b) includes enrolled or prospectively enrolled full-time students;

155 (c) employs licensed educators as instructors that provide instruction consistent
156 with Rule R277-301;

157 (d) has one or more assigned administrators;

158 (e) is accredited consistent with Section R277-410-3; and

159 (f) administers required statewide assessments to the school's students.

160 (30) "School day" means a day where an LEA provides educational services to
161 students subject to the requirements described in Section R277-419-4.

162 (31) "School membership" means membership other than in a special education
163 or YIC program in the context of the Data Clearinghouse.

164 (32) "School of enrollment" means:

165 (a) a student's school of record; and

166 (b) the school that maintains the student's cumulative file, enrollment
167 information, and transcript for purposes of high school graduation.

168 (33) "School year" means the 12 month period from July 1 through June 30.

169 (34) "Self-contained" means a public school student with an IEP or YIC, who
170 receives 180 minutes or more of special education or YIC related services during a
171 typical school day.

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

175 (36) "SSID" means Statewide Student Identifier.

176 (37) "Student with a disability" means a student who:

177 (a)(i)(A) is of an age during which it is mandatory under state law to provide
178 educational services to persons with disabilities as described in Subsection 53E-3-
179 503(1)(a); or

180 (B) is of an age during which a student without a disability is provided
181 educational services; and

182 (ii) is entitled to receive a free appropriate public education under the Individuals
183 with Disabilities Education Act or Board rules related to special education, including
184 Rule R277-750; or

185 (b) is entitled to receive a free appropriate public education under Section 504 of
186 the Rehabilitation Act of 1973 because the student:

187 (i) has a physical or mental impairment which substantially limits one or more
188 major life activities;

189 (ii) has a record of an impairment described in Subsection (37)(b)(i); or

190 (iii) is regarded as having an impairment described in Subsection (37)(b)(i).

191 (38) "Unexcused absence" means an absence charged to a student when:

192 (a) the student was not physically present at school at any of the times
193 attendance checks were made in accordance with Subsection R277-419-8(5); and

194 (b) the student's absence could not be accounted for by evidence of a legitimate
195 or valid excuse in accordance with local board policy on truancy as defined in Section
196 53G-6-201.

197 (39) "Weighted pupil unit" or "WPU" means the same as that term is defined in
198 Section 53F-2-102.

199 (40) "Year end upload" means the Data Clearinghouse file due annually by July
200 15 from LEAs to the Superintendent for the prior school year.

- (41) "Youth in care or YIC" means a person under the age of 21 who is:
- (a) in the custody of the Department of Health and Human Services;
 - (b) 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
 - (c) being held in a juvenile detention facility.

R277-419-3. Schools and Programs.

- (1)(a) The Superintendent shall provide a list to each school detailing the required accountability reports and other state-mandated reports for the school type and grade range.
- (b) A school shall submit a Clearinghouse report to the Superintendent.
- (c) A school shall employ at least one licensed educator and one administrator.
- (2)(a) A student who is enrolled in a program is considered a member of a public school.
- (b) The Superintendent may not require programs to receive separate accountability and other state-mandated reports.
- (c) A student reported under an LEA's program shall be included in the LEA's WPU and student enrollment calculations of the LEA's school of enrollment.
- (d) A course taught at a program shall be credited to the appropriate school of enrollment.
- (3) A private school or program may not be required to submit data to the Superintendent.
- (4) A private school or program may not receive annual accountability reports.

R277-419-4. Minimum School Days.

- (1)(a) Except as provided in Subsection (1) and Subsection 53F-2-102(4), an LEA shall provide educational services over a minimum of 180 school days each school year.

Commented [JW1]: Staff Feedback: This is not currently being monitored by USBE.
Staff Feedback: Minimum school days have been defined by R277-419 in the past, but no longer does.

230 (b)(i) Except as provided in Subsection (1)(b)(ii), an LEA that participates in the
231 National School Lunch Program shall provide school meals on each day that the LEA
232 schedules toward the LEA's 180 educational service days described in Subsection
233 (1)(a).

234 (ii) The requirement to provide school meals described in Subsection (1)(b)(i)
235 does not apply to:

236 (A) an unplanned school closure or unplanned learn from home day due to
237 snow, inclement weather, or other emergency;

238 (B) a day that an LEA governing board reallocates as a teacher preparation or
239 teacher professional development day as described in Subsection 53F-2-102(4)(d);

240 (C) a day that an LEA counts in student membership for professional
241 development or parent-teacher conference days as described in Subsection (6); or

242 (D) a day where the LEA provides educational services while all the LEA's
243 students engage in distance learning.

244 (c) An LEA may seek an exception to the number of school days described in
245 Subsection (1)(a):

246 (i) except as provided in Subsection (1)(c)(ii), for a whole school or LEA as
247 described in Rule R277-121;

248 (ii) for a school closure due to snow, inclement weather, or other emergency as
249 described in Section R277-121-5; or

250 (iii) for an individual student as described in Section R277-419-11.

251 (2) An LEA may offer the required school days described in Subsection (1)(a) at
252 any time during the school year, consistent with the law.

253 (3) An LEA shall plan for emergency, activity, and weather-related exigency time
254 in its annual calendaring.

255 (4) Minimum standards apply to a public school in all settings unless Utah law or
256 this rule provides for a specific exception.

Commented [JW2]: Staff Feedback: It is unclear as to who is monitoring this at USBE.

257 (5) An LEA's governing board shall provide adequate contingency school days in
258 the LEA's yearly calendar to avoid the necessity of requesting a waiver except in the
259 most extreme circumstances.

260 (6)(a) A school may conduct parent-teacher and student Plan for College and
261 Career Readiness conferences during the school day.

262 (b) Parent-teacher and college and career readiness conferences may only be
263 held for a total of the equivalent of three full school days for the school year.

264 (c) Student membership for professional development or parent-teacher
265 conference days shall be counted as that of the previous school day.

266 (d) The final decision and approval regarding planning time, parent-teacher and
267 Student Plan for College and Career Readiness conferences rests with an LEA,
268 consistent with Utah Code and Board administrative rules.

269 (7)(a) An LEA may designate no more than a total of five educational service
270 days at the beginning of the school year for the assessment of students entering
271 kindergarten.

272 (b) If an LEA designates educational services days for kindergarten assessment:

273 (i) an LEA shall designate the days in an open meeting;

274 (ii) an LEA shall provide adequate notice and explanation to kindergarten
275 parents well in advance of the assessment period; and

276 (iii) assessment time per student shall be adequate to justify the forfeited
277 instruction time.

278 (8) An LEA shall approve total instructional time and school calendars in an
279 open meeting.

Commented [JW3]: Staff Feedback: It's unclear as to who is monitoring this approval.

281 **R277-419-5. Student Membership Eligibility and Learner Validated Enrollment**
282 **Measurements.**

283 (1) A student may enroll in two or more LEAs at the discretion of the LEAs.

284 (2) A kindergarten student may only enroll in one LEA at a time.

285 (3) To generate membership for funding through the Minimum School Program
286 on any school day, an LEA shall ensure that a student being counted by the LEA in
287 membership:

288 (a) has not previously earned a basic high school diploma or certificate of
289 completion;

290 (b) has not been enrolled in a YIC program with a YIC time code other than ISI-1
291 or ISI-2;

292 (c) does not have unexcused absences, which are determined using one of the
293 learner validated enrollment measurements described in Subsection (4);

294 (d) is a resident of Utah as defined under Section 53G-6-302;

295 (e) is of qualifying school age or is a retained senior;

296 (f)(i) is expected to attend a regular learning facility operated or recognized by
297 an LEA on each regularly scheduled school day, if enrolled in an attendance validated
298 program;

299 (ii) has direct instructional contact with a licensed educator provided by an LEA
300 at:

301 (A) an LEA-sponsored center for tutorial assistance; or

302 (B) the student's place of residence or convalescence for at least 120 minutes
303 each week during an expected period of absence, if physically excused from such a
304 facility for an extended time, due to:

305 (I) injury;

306 (II) illness;

307 (III) surgery;

308 (IV) suspension;

309 (V) pregnancy;

310 (VI) pending court investigation or action; or

311 (VII) an LEA determination that home instruction is necessary;

312 (iii) is enrolled in an approved CTE course on the campus of another state
313 funded institution where such a course is:

- 314 (A) not offered at the student's school of membership;
315 (B) being used to meet Board-approved CTE graduation requirements under
316 Subsection R277-700-6(16); and
317 (C) a course consistent with the student's Plan for College and Career
318 Readiness; or
319 (iv) is enrolled in a learner validated program under the direction of an LEA that:
320 (A) is consistent with the student's Plan for College and Career Readiness;
321 (B) has been approved by the student's counselor; and
322 (C) includes regular instruction or facilitation by a designated employee of an
323 LEA.
- 324 (4) An LEA shall use one of the following learner validated enrollment measures:
325 (a) For a student primarily enrolled in an attendance validated program, the LEA
326 may not count a student as an eligible student if the eligible student has unexcused
327 absences during the prior ten consecutive school days.
328 (b) For a student enrolled in a learner validated program, an LEA shall:
329 (i) adopt a written policy that designates a learner validated enrollment
330 measurement to document the learner validated membership or enrollment status for
331 each student enrolled in the learner validated program consistent with this section;
332 (ii) document each student's continued enrollment status in compliance with the
333 learner validated enrollment policy at least once every ten consecutive school days; and
334 (iii) appropriately adjust and update student membership records in the student
335 information system for students that did not meet the learner validated enrollment
336 measurement, consistent with this section.
337 (c) For a student enrolled in a learner validated program, the LEA may not count
338 a student as an eligible student if the LEA has not engaged with the student during the
339 prior ten consecutive school days.
- 340 (5) Notwithstanding Subsection (4), an LEA:

Commented [JW4]: Staff Feedback: Clarification may be needed between learner validated and attendance validated

341 (a) shall continue to provide a student with a disability a free and appropriate
342 public education even when the student has not attended school or engaged with the
343 LEA during the prior ten consecutive days;

344 (b) shall maintain the student with a disability's enrollment in the LEA; and
345 (c) may continue to count the student with a disability in membership for funding
346 purposes up to 30 days if the LEA documents that the LEA is working to locate and
347 engage with the student with a disability.

348 (6) The learner validated enrollment measurement described in Subsection
349 (4)(b) may include the following components, in addition to other components, as
350 determined by an LEA:

351 (a) a minimum student login or teacher contact requirement;
352 (b) required periodic contact with a licensed educator;
353 (c) a minimum hourly requirement, per day or week, when students are engaged
354 in course work; or
355 (d) required timelines for a student to provide or demonstrate completed
356 assignments, coursework, or progress toward academic goals.

357 (7)(a) Beginning with the 2021-22 school year, an LEA shall submit each
358 student's attendance validated or learner validated enrollment status through the
359 UTREx or Data Clearinghouse.

360 (b) For a student who participates in both attendance validated, and learner
361 validated programs, the LEA shall designate the student's status as learner validated
362 enrollment.

363 (8)(a) An LEA desiring to generate membership for student enrollment in
364 courses outlined in Subsection (3)(f)(iii), or to seek a waiver from a requirement in
365 Subsection (3)(f)(iii), shall submit an application for course approval by April 1 of the
366 year before which the membership will be counted.

367 (b) An LEA shall be notified within 30 days of the application deadline if courses
368 have been approved.
369

370 **R277-419-6. Student Membership Calculations.**

371 (1)(a) Except as provided in Subsection (1)(b) or (1)(c), a student enrolled in
372 only one LEA during a school year is eligible for no more than 180 days of regular
373 membership per school year.

374 (b) With written verification from the student's parent that the student intends to
375 graduate early, an early graduation student may be counted for more than 180 days of
376 regular membership in accordance with the student's Plan for College and Career
377 Readiness.

378 (c) A student transferring within an LEA to or from a year-round school is eligible
379 for no more than 205 days of regular membership per school year.

380 (2)(a) Except as provided in Subsection (2)(b), (2)(c), or (2)(d), a student
381 enrolled in two or more LEAs during a school year is eligible for no more than 180 days
382 of regular membership per school year.

383 (b) A student transferring to or from an LEA with a schedule approved under
384 Subsection R277-419-4(1)(b) is eligible for no more than 220 days of regular
385 membership per school year.

386 (c) A student transferring to or from an LEA where the student attended or will
387 attend a year-round school is eligible for no more than 205 days of regular membership
388 per school year.

389 (d) If the exceptions in Subsections (2)(b) and (2)(c) do not apply but a student
390 transfers from one LEA to another at least one time during the school year, the student
391 is eligible for regular membership in an amount not to exceed the sum of:

392 (i) 170 days; plus

393 (ii) 10 days multiplied by the number of LEAs the student attended during the
394 school year.

395 (3) If a student is enrolled in two or more LEAs during a school year and the
396 aggregate regular membership generated for the student between the LEAs exceeds
397 the amount allowed under Subsection (2), the Superintendent shall apportion the days
398 of regular membership allowed between the LEAs.

399 (4) If a student was enrolled for only part of the school day or only part of the
400 school year, an LEA shall prorate the student's membership according to the number of
401 hours, periods or credits for which the student was enrolled in relation to the number of
402 hours, periods or credits for which a full-time student normally would have been
403 enrolled, for example:

404 (a) if the student was enrolled for four periods each day in a seven period school
405 day for 180 school days, the student's aggregate membership would be $\frac{4}{7}$ of 180 days
406 or 103 days; or

407 (b) if the student was enrolled for seven periods each day in a seven period
408 school day for 103 school days, the student's membership would also be 103 days.

409 (5)(a) An LEA shall calculate the days in membership for all students using a
410 method equivalent to the following: total clock hours of educational services for which
411 the student was enrolled during the school year divided by 990 hours and then
412 multiplied by 180 days and finally rounded up to the nearest whole day.

413 (b) For example, if a student was enrolled for only 900 hours during the school
414 year, the student's aggregate membership would be $(900/990)*180$, and the LEA would
415 report 164 days.

416 (6) The sum of regular plus self-contained special education and self-contained
417 YIC membership days may not exceed 180 days.

418 (7) The sum of regular and resource special education membership days may
419 not exceed 360 days.

420 (8) The sum of regular, ISI-1 and ISI-2 YIC membership days may not exceed
421 360 days.

422 (9) An LEA may also count a student in membership for the equivalent in hours
423 of up to:

424 (a) one period each school day, if the student has been:

425 (i) released by the school, upon a parent or guardian's request, during the school
426 day for religious instruction or individual learning activity consistent with the student's
427 Plan for College and Career Readiness; or

Commented [JW5]: Staff Feedback: 990 Hours are no longer a requirement, however this formula is still used for data calculations.

428 (ii) participating in one or more co-curricular activities under Rule R277-438, but
429 has otherwise been exempted from school attendance under Section 53G-6-204 for
430 home schooling;

431 (b) two periods each school day per student for time spent in bus travel during
432 the regular school day to and from another state funded institution, if the student is
433 enrolled in CTE instruction consistent with the student's Plan for College and Career
434 Readiness;

435 (c) all periods each school day, if the student is enrolled in:

436 (i) a concurrent enrollment program that satisfies the Title 53E, Chapter 10, Part
437 3, Concurrent Enrollment;

438 (ii) a private school without religious affiliation under a contract initiated by an
439 LEA to provide special education services which directs that the instruction be paid by
440 public funds if the contract with the private school is approved by an LEA board in an
441 open meeting;

442 (iii) a foreign exchange student program under Section 53G-6-707; or

443 (iv) a school operated by an LEA under a Utah Schools for the Deaf and the
444 Blind IEP provided that:

445 (A) the student may only be counted in S1 membership and may not have an S2
446 record; and

447 (B) the S2 record for the student is submitted by the Utah Schools for the Deaf
448 and the Blind.

449 (10)(a) Except as provided in Subsection (10)(b), a student receiving instruction
450 delivered in a home school course or by a private school is not eligible to be claimed in
451 an LEA's membership and does not qualify for funding under the Minimum School
452 Program in Title 53F, Chapter 2, Minimum School Program Act.

453 (b) Subsection (10)(a) does not apply to public school instruction provided by an
454 LEA to a home school or private school student participating in dual enrollment as
455 described in Section 53G-6-702.

456

457 **R277-419-7. Calculations for a First Year Charter School.**

458 (1) For the first operational year of a charter school or a new satellite campus,
459 the Superintendent shall determine the charter school's WPU funding based on October
460 1 counts.

461 (2) For the second operational year of a charter school or a new satellite
462 campus, the Superintendent shall determine the charter school's WPU funding based
463 on Section 53F-2-302.

464

465 **R277-419-8. Reporting Requirements and LEA Records.**

466 (1) An LEA shall report aggregate membership for each student via the School
467 Membership field in the S1 record and special education membership in the SCRAM
468 Membership field in the S2 record and YIC membership in the S3 record of the Year
469 End upload of the Data Clearinghouse file.

470 (2) In the Data Clearinghouse, aggregate membership is calculated in days of
471 membership.

472 (3) To determine student membership, an LEA shall ensure that records of daily
473 student attendance or student engagement are maintained in each school which clearly
474 and accurately show for each student the:

475 (a) entry date;

476 (b) exit date;

477 (c) exit or high school completion status;

478 (d) whether or not an absence was excused;

479 (e) disability status, resource or self-contained, if applicable; and

480 (f) YIC status, ISI-1, ISI-2 or self-contained, if applicable.

481 (4) An LEA shall ensure that:

482 (a) computerized or manually produced records for CTE programs are kept by
483 teacher, class, and core code; and

484 (b) the records described in Subsection (4)(a) clearly and accurately show for
485 each student in a CTE class the:

Commented [JW6]: Staff Feedback: A reference to code or additional language could be added to clarify a valid excused absence.

- (i) entry date;
- (ii) exit date; and
- (iii) excused or unexcused status of absence.

(5) An LEA shall ensure that each school within the LEA completes a minimum of one attendance check each school day.

(6) Due to school activities requiring schedule and program modification during the first days and last days of the school year:

(a) for the first five school days, an LEA may report aggregate days of membership equal to the number recorded for the second five-day period of the school year;

(b) for the last five-day period, an LEA may report aggregate days of membership equal to the number recorded for the immediately preceding five-day period; and

(c) schools shall continue educational service activities throughout required calendared days.

(7) The Superintendent:

(a) shall review each LEA's student membership and fall enrollment reports as they relate to the allocation of state funds; and

(b) may periodically or for cause review LEA records and practices for compliance with federal and state laws and this rule.

R277-419-9. High School Completion Status.

(1) An LEA shall account for the final status of students who enter high school, grades 9-12, whether they graduate or leave high school for other reasons, using the following decision rules to state the high school completion or exit status of each student who leaves the Utah public education system:

(a) graduates are students who earn a basic high school diploma by satisfying one of the options consistent with Rule R277-705 or out-of-school youths of school age

Commented [JW7]: Staff Feedback: Should USBE have oversight to ensure this occurring.
Staff Feedback: Add additional language about following up with students who are chronically absent.

Commented [JW8]: Staff Feedback: Clarity could be added as to when this would need to occur. Possibly based in the 180 days rule.

514 who complete adult education secondary diploma requirements consistent with Rule
515 R277-733;
516 (b) completers are students who have not satisfied Utah's requirements for
517 graduation but who:
518 (i) are in membership in twelfth grade on the last day of the school year; and
519 (ii)(A) meet any additional criteria established by an LEA consistent with its
520 authority under Rule R277-705;
521 (B) meet any criteria established for special education students under Utah State
522 Board of Education Special Education Rules, Revised, June 2016, and available at:
523 <http://www.schools.utah.gov/sars/Laws.aspx> and the Utah State Board of Education;
524 (C) meet any criteria established for special education students under
525 Subsection R277-700-8(5); or
526 (D) pass a General Educational Development or GED test with a designated
527 score;
528 (c) continuing students are students who:
529 (i) transfer to higher education, without first obtaining a diploma;
530 (ii) transfer to the Utah Center for Assistive Technology without first obtaining a
531 diploma; or
532 (iii) age out of special education;
533 (d) dropouts are students who:
534 (i) leave school with no legitimate reason for departure or absence;
535 (ii) withdraw due to a situation so serious that educational services cannot be
536 continued even under the conditions of Subsection R277-419-5(3)(f)(ii);
537 (iii) are expelled and do not re-enroll in another public education institution; or
538 (iv) transfer to adult education;
539 (e) an LEA shall exclude a student from the cohort calculation if the student:
540 (i) transfers out of state, out of the country, to a private school, or to home
541 schooling;

Commented [JW9]: Staff Feedback: It's unclear what situations would apply here.

542 (ii) is a U.S. citizen who enrolls in another country as a foreign exchange
543 student;

544 (iii) is a non-U.S. citizen who enrolls in a Utah public school as a foreign
545 exchange student under Section 53G-6-707 in which case the student shall be identified
546 by resident status, J for those with a J-1 visa, F for all others, not by an exit code;

547 (iv) dies; or

548 (v) beginning with the 2015-2016 school year, is attending an LEA that is not the
549 student's school of enrollment.

550 (2)(a) An LEA shall report the high school completion status or exit code of each
551 student to the Superintendent as specified in Data Clearinghouse documentation.

552 (b) High School completion status or exit codes for each student are due to the
553 Superintendent by year end upload for review.

554 (c) Except as provided in Subsection (2)(d), an LEA shall submit any further
555 updates of completion status or exit codes by October 1 following the end of a student's
556 graduating cohort pursuant to Rule R277-484.

557 (d) An LEA with an alternative school year schedule where the students have an
558 extended break in a season other than summer, shall submit the LEA's data by the next
559 complete data submission update, following the LEA's extended break, as defined in
560 Rule R277-484.

561 (3)(a) The Superintendent shall report a graduation rate for each school, LEA,
562 and the state.

563 (b) The Superintendent shall calculate the graduation rates in accordance with
564 applicable federal law.

565 (c) The Superintendent shall include a student in a school's graduation rate if:
566 (i) the school was the last school the student attended before the student's
567 expected graduation date; and

568 (ii) the student does not meet any exclusion rules as stated in Subsection (1)(e).

569 (d) The last school a student attended will be determined by the student's exit
570 dates as reported to the Data Clearinghouse.

571 (e) A student's graduation status will be attributed to the school attended in the
572 student's final cohort year.

573 (f) If a student attended two or more schools during the student's final cohort
574 year, a tie-breaking logic to select the single school will be used in the following
575 hierarchical order of sequence:

576 (i) school with an attached graduation status for the final cohort year;

577 (ii) school with the latest exit date;

578 (iii) school with the earliest entry date;

579 (iv) school with the highest total membership;

580 (v) school of choice;

581 (vi) school with highest attendance; or

582 (vii) school with highest cumulative GPA.

583 (g) The Superintendent shall report the four-year cohort rate on the annual state
584 reports.

585

586 **R277-419-10. Student Identification and Tracking.**

587 (1)(a) Pursuant to Section 53E-4-308, an LEA shall:

588 (i) use the SSID system maintained by the Superintendent to assign every
589 student enrolled in a program under the direction of the Board or in a program or a
590 school that is supported by public school funding a unique student identifier; and

591 (ii) display the SSID on student transcripts exchanged with LEAs and Utah
592 public institutions of higher education.

593 (b) The unique student identifier:

594 (i) shall be assigned to a student upon enrollment into a public school program
595 or a public school-funded program;

596 (ii) may not be the student's social security number or contain any personally
597 identifiable information about the student.

598 (2)(a) An LEA shall require all students to provide their legal first, middle, and
599 last names at the time of registration to ensure that the correct SSID follows students
600 who transfer among LEAs.

601 (b) A school shall transcribe the names from the student's birth certificate or
602 other reliable proof of the student's identity and age, consistent with Section 53G-6-603;

603 (c) The direct transcription of student names from birth certificates or other
604 reliable proof of student identity and age shall be the student's legal name for purposes
605 of maintaining school records; and

606 (d) An LEA may modify the order of student names, provide for nicknames, or
607 allow for different surnames, consistent with court documents or parent preferences, so
608 long as legal names are maintained on student records and used in transmitting student
609 information to the Superintendent.

610 (3) The Superintendent and LEAs shall track students and maintain data using
611 students' legal names.

612 (4) If there is a compelling need to protect a student by using an alias, an LEA
613 should exercise discretion in recording the name of the student.

614 (5) An LEA is responsible to verify the accuracy and validity of enrollment
615 verification data, before enrolling students in the LEA, and provide students and their
616 parents with notification of enrollment in a public school.

617 (6) An LEA shall ensure enrollment verification data is collected, transmitted,
618 and stored consistent with sound data policies, established by the LEA as required in
619 Rule R277-487.

620

621 **R277-419-11. Exceptions.**

622 (1)(a) An LEA may, at its discretion, make an exception for school attendance
623 for a public school student, in the length of the school day or year, for a student with
624 compelling circumstances.

625 (b) The time an excepted student is required to attend school shall be
626 established by the student's IEP or Plan for College and Career Readiness.

Commented [JW10]: Staff Feedback: Clarity is needed as to how attendance data is calculated with these different breaks.

Commented [JW11]: Staff Feedback: Clarity as to what constitutes a compelling circumstance could be helpful.

Draft 1
August 18, 2025

627 (2) A school using a modified 45-day/15-day year-round schedule initiated
628 before July 1, 1995 is in compliance with this rule if the school's schedule includes a
629 minimum of 990 hours of time the LEA will provide educational services over a minimum
630 of 172 days.

631

632 **KEY: education finance, school enrollment, pupil accounting**

633 **Date of Last Change: February 7, 2025**

634 **Notice of Continuation: December 2, 2021**

635 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-**
636 **2-102(7); 53E-3-501(1)(e); 53E-3-602(2); 53E-3-301(3)(d); 53G-4-404**

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638