

## R277-419 Pupil Accounting

### **FAQ Document**

**Updated March 2024**

**1. *What are the minimum school day and instructional hour requirements for the 2024-25 school year and beyond?***

[R277-419 Pupil Accounting](#) requires LEAs to provide educational services over 180 days each year.

On September 7, 2023 the Utah State Board of Education updated R277-419 to eliminate the 990-hour requirement indefinitely, which had been previously eliminated for the 2021-22, 2022-23, and 2023-24 school years.

**2. *Are schools required to provide 990 hours of educational services to students each school year?***

No. Unless an LEA has an active four-day school week waiver (see question about waivers below) which requires 990 hours, schools are not required to provide 990 hours of educational services each school year.

**3. *Are schools required to provide educational services over a minimum of 180 days each school year?***

Yes. Unless an LEA has an active four-day school week [waiver](#), all schools are required to provide educational services over a minimum of 180 days each school year.

***3b. Does the 180 day requirement apply to half-day Kindergarten as well?***

Yes. LEAs are required to provide educational services to kindergarten students over a minimum of 180 days in the same way they are required to provide those days of service to students in grades 1-12. Attending kindergarten is optional for students and families, but providing kindergarten to students over a minimum of 180 days is not optional for LEAs.

**4. *What qualifies as an educational service?***

According to R277-419, "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.

**5. *What about school days without students, like teacher preparation days or parent-teacher conferences? Do those days count toward the 180 day requirement?***

LEAs may convert up to four educational services days (school days) for teacher preparation time or teacher professional development. LEAs that choose to do this in accordance with Subsection [53F-2-102\(4\)](#), must give notice to the LEA's parents/community during a public meeting at least 90 days before the beginning of the school year.

In addition to the four days allowed for teacher preparation or professional development, Subsection R277-419-4(6) allows an LEA to count up to three school days for parent teacher conferences.

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

(b) 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.

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

**6. *Is there a definition of what qualifies as a minimum school day?***

R277-419 does not define a minimum school day.

**7. *Can schools request a waiver from the 180 day requirement? If so, how?***

Yes. Waivers can be requested by following the procedures outlined in [R277-121 Board Waiver of Administrative Rules](#).

**8. *Does school foodservice need to provide meals when there is an e-learning day on the school calendar?***

Food service departments are not required to provide meals when regularly participating students are scheduled to engage in distance learning, but they may choose to provide congregate meals to students at their regular school building. Reference Virtual School and Meals [flyer](#).

**9. *Does school foodservice need to provide meals when there is a school building emergency preventing in person learning (i.e. gas leak, broken water pipes)?***

The LEA should contact the CNP assigned specialist for guidance. A waiver may be available to provide non-congregate meals during unanticipated school closures.

**10. *If there is a weather emergency (i.e. snow day), do meals need to be provided to students?***

There is no expectation or requirement to serve meals to students when there are weather related school closures. Reference Virtual School and Meals [flyer](#).

**11. *When a school has a late start or early dismissal time built into the bell schedule do we need to serve breakfast and/or lunch?***

Meals are to be provided to students during in person learning times. Breakfast may be served until 10:00 am ([7 CFR 220.8\(l\)](#)). Lunch service can be scheduled between 10:00 am-2:00 pm. There should be an appropriate time scheduled between breakfast and lunch period ([7 CFR 210.10\(l\)](#)).

**12. *How will LEAs track student participation when implementing a learner validated enrollment program?***

This depends on the LEA's instructional model and system. For an in-person learning only model, the LEA may continue to rely on daily attendance checks as required in Subsection R277-419-11(5) ("An LEA shall ensure that each

school within the LEA completes a minimum of one attendance check each school day."). For an LEA implementing an online, personalized competency-based, or blended learning program (learner validated program), the LEA shall establish a learner validated enrollment policy and track student engagement using the LEA's learner validated enrollment measurement(s) described in the LEA's policy. For all LEAs regardless of the instructional model, an LEA is required to submit each student's attendance validated or learner validated enrollment status through the UTREx/Data Clearinghouse. For a student who participates in both attendance validated and learner validated programs, the LEA shall designate the student's status as learner validated enrollment. (See Subsection R277-419-7(6))

**13. *What are examples of learner validated measurements?***

An LEA may choose the learner validated measurements that work best for their LEA or school, which may include some or all of the following components: (a) a minimum student login or teacher contact requirement; (b) required periodic contact with a licensed educator; (c) a minimum hourly requirement, per day or week, when students are engaged in course work; or (d) required timelines for a student to provide or demonstrate completed assignments, coursework or progress toward academic goals. An LEA's learner validated measurements are not limited to those above, rather they are examples. Additional information can be found in the [Guide to Educational Flexibility in Utah](#).

**14. *What if an LEA loses contact with a student participating in an online, personalized competency-based, or blended learning program or the student is unable to participate due to no access to broadband or wi-fi; can the LEA continue to count the student in membership?***

R277-419-7(4)(c) states that an LEA may not count a student participating in a learner validated program as an eligible student in membership if the LEA has not personally engaged with the student during the prior ten consecutive school days.

**15. *What happens if an LEA has a "lost student"? Meaning the student has had 10 consecutive school days of unexcused absences, or the student hasn't***

***attended school, participated in an online program, logged in, or had contact with a school for 10 consecutive school days or more. Does the LEA need to drop the student from membership?***

Yes. A student must be removed from an LEA's membership roll if the student met one of the following conditions:

According to R277-419-5(4)(a) "For a student primarily enrolled in an attendance validated program, the LEA may not count a student as an eligible student if the eligible student has unexcused absences during the prior ten consecutive school days."

According to R277-419-5(4)(c) "For a student enrolled in a learner validated program, the LEA may not count a student as an eligible student if the LEA has not engaged with the student during the prior ten consecutive school days."

According to R277-419-5(5) "An LEA: (a) shall continue to provide a student with a disability a free and appropriate public education [FAPE] even when the student has not attended school or engaged with the LEA during the prior ten consecutive days; (b) shall maintain the student with a disability's enrollment in the LEA; and (c) may continue to count the student with a disability in membership for funding purposes up to 30 days if the LEA documents that the LEA is working to locate and engage with the student with a disability." See also USBE Special Education Rules IX.G.

It is important to understand that, when the above conditions are met, removing a student from membership is a required pupil accounting action. An LEA receives funding for a student who is enrolled and eligible for membership. When a student becomes ineligible for membership the LEA must close the enrollment record that is being submitted to UTREx for purposes of reporting membership (among other purposes). Though the student is no longer eligible for membership the LEA may still have other obligations and responsibilities toward the student; therefore the LEA may want to continue to track these students in their SIS. It is up to the LEA to determine how to manage these students' information in their SIS.



**16. Does an online course count the same as a face-to-face course in calculating membership?**

Yes. R277-419 defines an online learning, personalized competency-based learning, or blended learning program as a “learner validated program”.

If an LEA provides an online program, full-time, or part-time (including once a week or for one class period per day) to a student attending in-person on alternating days or times during the school year, the LEA needs to establish a written policy that designates a learner validated enrollment measurement to document the student’s enrollment status in lieu of conducting a daily attendance check when the student is engaged in the learner validated program.

See the language from Subsection [R277-419-5](#).

**17. With the shift to full-day kindergarten, and the 12 days of testing being removed from R277-419-4, when should we test our kindergarten students?**

Kindergarten students should be tested with the benchmark reading and math assessments during the testing window as outlined in [R277-406](#). If you want to administer the KEEP, there are no specific administration timelines that you are required to follow and you may administer when it is best for your LEA.

**18. When should kindergarteners begin school?**

Kindergarten students should begin school on the same day as the other elementary grades.

**19. How should our LEA report kindergarten student membership for full-day versus half-day kindergarten?**

An LEA shall submit student membership information daily to the Superintendent using the appropriate kindergarten code through UTREx as outlined in Board Rule [R277-489](#). Utah Code [53F-2-302](#) requires LEAs to report as half-day kindergarten all kindergarten students who do not attend an equivalent length of schedule as grades 1 through 3.

All membership for students in grades Kindergarten through 12 should be reported in 180 day equivalents. It is critical for LEAs to report accurate kindergarten codes because they are used to determine whether the 180 days of membership are paid out at the rate of a full WPU (full day kindergarten) or at .55 of a WPU (half day kindergarten).

Membership examples:

- A kindergarten student who is enrolled for the entire school year would have 180 days of membership regardless of whether they are enrolled in a half day or a full day kindergarten program.
- A kindergarten student who exits the school 20 days prior to the end of the school year would be reported with 160 days of membership regardless of whether they are enrolled in a half day or a full day program.
- A kindergarten student who is enrolled for exactly half of the school year would be reported with 90 days of membership regardless of whether they are enrolled in a half day or a full day program.

**For additional questions, please contact:**

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