

1 **R277. Education, Administration.**

2 **R277-911. Secondary Career and Technical Education.**

3 **R277-911-1. Authority and Purpose.**

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;

9 (c) Section 53E-3-507, which allows the Board to establish minimum standards
10 for Career and Technical Education (CTE) [CTE] programs in the public education
11 system; and

12 (d) Sections 53F-2-311, which directs the Board to distribute specific amounts
13 and percentages for specific Career and Technical Education (CTE) programs and
14 facilitate administration of various programs.

15 (2) This rule establishes standards and procedures for an LEA to qualify for
16 funds administered by the Board for CTE programs in the public education system.

17

18 **R277-911-2. Definitions.**

19 (1) "Added instructional costs," "add-on funds," or "CTE add-on funds" means
20 program expenses beyond those normally encountered at the secondary level resulting
21 from higher program operations, maintenance, and improvement expenses and may not
22 include:

23 (a) direct charges that would otherwise be incurred by the LEA if CTE programs
24 were not offered;

25 (b) direct charges required by other non-CTE state or federal programs, rules or
26 laws;

27 (c) charges that have been submitted as part of the LEA's indirect cost rate
28 calculation; and

29 (d) charges that are used to supplant other LEA funding sources.

30 (2) "Advisory committee" means a group of individuals working in the
31 occupational area which provides industry feedback for each state funded and approved
32 CTE program at the State, LEA, or regional level.

33 (3) "Aggregate CTE membership" means the sum of all days in membership
34 during a school year for:

35 (a) the student;

36 (b) the course;

37 (c) the program;

38 (d) the school;

39 (e) the LEA; or

40 (f) the state.

41 (4) "Approved program" means a program annually approved by the Board
42 through the consent calendar process that meets or exceeds the state program
43 standards or outcomes for career and technical education programs.

44 (5) "Career and technical education" or "CTE" means organized educational
45 programs that:

46 (a) prepare students for a wide range of high-skill, high-demand or emerging
47 careers;

48 (b) provide all students with a seamless education system from public education
49 to postsecondary education, driven by a Plan for College and Career Readiness as
50 defined in Rule R277-462; and

51 (c) provide students competency-based instruction, hands-on experiences, and
52 certified occupational skills, culminating in meaningful employment.

53 (6) "Comprehensive high school" means an accredited district school providing a
54 range of courses and offerings including diverse academics, career and technical
55 education, and extracurricular activities from which students can graduate.

56 ~~(6)~~(7) "CTE career cluster" means approved CTE programs with related
57 knowledge and skills organized into industry sectors.

58 (8) "CTE leadership organization" means a qualifying organization that is
59 nationally and state chartered by March 15 annually, which may include:
60 (a) SkillsUSA;
61 (b) DECA;
62 (c) FFA;
63 (d) HOSA - Future Health Professionals;
64 (e) FBLA - Future Business Leaders of America;
65 (f) FCCLA;
66 (g) TSA (Technology Student Association); and
67 (h) Other organizations that may be approved by the Superintendent ~~[that meet~~
68 qualifications identified in Subsection R277-914-2(3)].

69 ~~[(7)](9)~~ "CTE pathway" means a planned sequence of courses within a program
70 of study structured to assure strong academic and technical preparation while
71 connecting high school course work including:

- 72 (a) concurrent enrollment opportunities to employment beyond high school; and
- 73 (b) other postsecondary options, including:
 - 74 (i) on-the-job training;
 - 75 (ii) certification opportunities; and
 - 76 (iii) two- and four-year college degrees.

77 ~~[(8)](10)~~ "Course" means an individual CTE class structured by state-approved
78 core codes and standards which may require one or two periods for up to one year and
79 may be completed by demonstrated competencies or by course completion.

80 ~~[(9)](11)~~ "Maintenance of Effort" or "MOE" means the expenditure plan outlined
81 in Subsection R277-911-4(1).

82 ~~[(10)](12)~~ "Pathway completion" means a student has met all course and credit
83 requirements of a CTE pathway and is on track to graduate from high school.

84 ~~[(11)](13)~~ "Program" means a structured sequence or combination of CTE
85 courses within a CTE pathway and cluster that provides the competencies needed for
86 specific certifications, job placement, or continued postsecondary training. .

87

88 [(42)](14) "School District Technical Center" means a career and technical
89 education center that meets the requirements in Section R277-911-7 [~~and is not~~] , which
90 may include a comprehensive high school and serves as a hub for a minimum of 3 high
91 schools or is 1 high school serving a minimum of 2 additional high schools within the
92 same LEA.

93 [(43)](15) "Skill certification" or "competency attainment" means a verification of
94 industry standard knowledge and skills including both state or nationally approved
95 program certifications and is an integral part of a CTE program.

96 [(44)](16) "Spend Plan" means an application submitted to the USBE
97 requesting the use of local CTE carryforward funds as described in Section R277-911-4.

98 [(45)](17) "Summer Agriculture Program" means a teacher or college intern
99 supervised, intensive, individualized educational experience that is the practical
100 application of instructional competencies in agriculture education.

101 [(46)](18) "Weighted pupil unit" or "WPU" means the same as the term is
102 defined in Subsection 53F-2-102(5).

103 [(47)](19) "Work-based learning" or "WBL" means the same as the term is
104 defined in Section R277-915-2.

105

106 **R277-911-3. CTE Program Approval and LEA CTE Program Annual Review or**
107 **Initial Application Review.**

108 (1) The Superintendent shall forward to the Board a comprehensive list of
109 proposed secondary CTE programs for the Board to approve as the approved
110 programs.

111 (2) The Superintendent shall determine if a secondary CTE program offering
112 shall be forwarded to the Board based upon needs in a specific area including:

113 (a) a program need supported by data, including:

114 (i) local, regional, state, and federal workforce projections;

- 115 (ii) State level advisory committee recommendations for a program or program
116 update in the related program area;
- 117 (iii) a need for new or updated technical training and marketable job skills for the
118 related program area; or
- 119 (iv) a need related to an industry upgrade or upskill specifications to keep a
120 program current or relevant; and
- 121 (b) new or emerging economic need with occupational opportunities for a
122 student in a program area with clear competencies.
- 123 (3) An LEA shall qualify for a funding disbursement pursuant to Section 53F-2-
124 311 and this rule only for approved programs and subsequently be subject to the
125 requirements for an annual review or application as described in Subsection (5).
- 126 (4) An LEA that implements an approved program and applies for a funding
127 disbursement shall provide all necessary materials required by the Superintendent to
128 conduct an annual review or initial application review by May 1.
- 129 (5) The annual review or initial application review shall include:
- 130 (a) the LEA's Plan for College and Career Readiness consistent with Sections
131 53E-2-304 and R277-462-5;
- 132 (b) the LEA's results of an annual placement survey for grade 12 CTE pathway
133 concentrators from the prior school year;
- 134 (c) adherence to current industry standards for each implemented CTE program
135 including a demonstration of the industry standards being reflected in:
- 136 (i) available resources for the program; and
- 137 (ii) program instructional materials including:
- 138 (A) textbooks;
- 139 (B) reference materials; and
- 140 (C) additional media.
- 141 (d) a demonstration the LEA:
- 142 (i) used curricula and instruction that is directly related to business and industry
143 validated competencies;

144 (ii) provided approved certification opportunities for students enrolled in each
145 CTE program to verify successful completion of competencies;

146 (iii) provided instruction in proper and safe use of equipment required within
147 each CTE program and maintained a local safety plan;

148 (iv) provided and safely maintained equipment and facilities, consistent with the
149 validated competencies identified in:

150 (A) the instruction standard for the CTE program;

151 (B) state risk management; and

152 (C) other applicable state and federal laws;

153 (v) employed instructional staff in each CTE program that:

154 (A) holds a valid Utah teaching licenses with appropriate endorsements pursuant
155 to Rule R277-301 for the CTE program; and

156 (B) maintains technical and professional skills current through professional
157 learning, business and industry partnerships to ensure that students are provided
158 current industry standard programs.

159 (vi) conducted a local needs assessment with stakeholder engagement;

160 (vii) performed an annual CTE program self-evaluation by the CTE director;

161 (viii) conducted CTE programs consistent with Board policies and state and
162 federal laws pertaining to CTE program access that prohibit discrimination as required
163 by law; and

164 (ix) established an active advisory committee to inform CTE programs annually
165 as described in Subsection (6); and

166 (e) any other requirements identified by the Superintendent.

167 (6) An LEA implementing an approved program shall:

168 (a) create an advisory committee that includes education and industry
169 stakeholders which may serve several LEAs or a region; or

170 (b) utilize an existing advisory committee created by an LEA that is implementing
171 an approved CTE program.

172 (7) An advisory committee described in Subsection (6) shall review and make
173 recommendations to an LEA that is implementing an approved CTE program regarding:

- 174 (a) program offerings;
- 175 (b) quality of programs;
- 176 (c) equipment needs; and
- 177 (d) work-based learning opportunities.

178 (8) An LEA may make the LEA's CTE leadership opportunities available through
179 Career and Technical Student Organization (CTSOs) for each career cluster offered by
180 the LEA.

181

182 **R277-911-4. Disbursement and Expenditure of CTE Funds -- General Standards**
183 **for Qualification.**

184 (1) To be eligible for any funding disbursement pursuant to Section 53F-2-311
185 and this rule, an LEA shall first expend for an approved CTE program, an amount
186 equivalent to the regular WPU for students in the approved CTE programs, grades 9
187 through 12, based on prior year aggregate membership in funded CTE programs,
188 multiplied by the current year WPU value and minus the amount for:

- 189 (a) college and career awareness;
- 190 (b) work-based learning; and
- 191 (c) school counseling.

192 (2) An LEA shall expend the amount required in Subsection (1) to remain eligible
193 for a funding disbursement for approved programs in grades 9 through 12.

194 (3) Expenses charged to state CTE add-on funds must use the unrestricted
195 indirect cost rate and be directly related to approved CTE programs.

196

197 **R277-911-5. Disbursement of Funds -- Administrative WPUs for School Districts**
198 **and Charter Schools.**

199 (1) Except as provided for in Subsection (3), pursuant to Subsection 53F-2-
200 311(3)(a), the Superintendent shall distribute 20 WPU to a school district for costs
201 associated with the administration of a CTE program.

202 (2) To qualify for an administrative WPU disbursement, an LEA shall:

203 (a) employ a minimum one-half time CTE director; and

204 (b) place the administrative assignment for CTE in the educator licensing
205 system.

206 (3) Except as provided for in Subsection (10) and pursuant to Subsection 53F-2-
207 311(3)(a), the Superintendent shall distribute 25 WPU to a school district that
208 consolidates CTE administrative services with one or more other school districts.

209 (4) To qualify for the consolidated CTE administrative WPU disbursement
210 described in Subsection (3), the school district consolidating the administrative services
211 shall employ a full-time CTE director.

212 (5) The Superintendent shall distribute 25 WPU to a single charter school
213 acting as fiscal agent, to provide CTE administrative services.

214 (6) To ~~quality~~ qualify for the administrative WPU described in Subsection (5), a
215 charter school shall:

216 (a) provide CTE administrative services to a group of at least 10, but not more
217 than 15, charter schools offering approved CTE programs to students in grades 9
218 through 12; and

219 (b) if the charter school services 11 through 15 charter schools the
220 Superintendent shall distribute an additional five administrative WPU for each charter
221 school up to 25 additional administrative WPU.

222 (7) To qualify for the charter school administrative WPU described in Subsection
223 (6), the charter school acting as fiscal agent shall employ a full-time CTE director.

224 (8) An LEA receiving additional WPU under Subsection (3) or (6) shall annually
225 submit to the Superintendent a memorandum of understanding with each partnering
226 LEA, which shall include:

227 (a) a scope of work to be performed by the full-time CTE director for each LEA
228 involved;

229 (b) provisions for sharing data under the agreement, including provisions for
230 protecting the privacy of student education records under FERPA 20 USC 1232g;

231 (c) maintenance of effort requirements; and

232 (d) other information as directed by the Superintendent.

233 (9) The Superintendent may withhold funds from an LEA for failure to submit a
234 memorandum of understanding as required by Subsection (8).

235 (10) The Superintendent shall distribute 10 WPUs to a small school district
236 consisting only of necessarily existent small high schools as described in Section 53F-2-
237 304, where multi-district CTE administration described in Subsection (3) is not feasible.

238 (11) To qualify for the administrative WPU described in Subsection (10) a small
239 school district shall assign a CTE director to a minimum of part-time CTE program
240 administration.

241 (12) To qualify for any administrative WPUs as provided in Subsections (1)
242 through (11) an LEA shall ensure a CTE director:

243 (a) hold requirements for a School Leadership License Area of Concentration
244 described in Rule R277-301;

245 (b) have an endorsement in at least one career and technical area listed in
246 Subsection R277-309-4(8)(a); and

247 (c) one of the following:

248 (i) have four years of experience as a full-time career and technical educator; or

249 (ii) complete a prescribed professional development program provided by the
250 Superintendent within a period of two years following board appointment as an LEA
251 CTE director.

252

253 **R277-911-6. Disbursement of Funds -- High School WPUs.**

254 (1) Pursuant to Subsection 53F-2-311(3)(b), the Superintendent shall allocate
255 funds to each high school offering approved CTE programs as described in this section.

256 (2) The Superintendent shall distribute 10 WPU's to an LEA for each high school
257 that:

258 (a) conducts approved programs in a minimum of two CTE career cluster areas;

259 (b) conducts a minimum of six different state approved CTE courses including at
260 least the ability to concentrate in two CTE pathways and complete one pathway; and

261 (c) has at least one approved career and technical student leadership
262 organization that aligns with the pathways offered by the LEA.

263 (3) The Superintendent shall distribute 15 WPU's to an LEA for each high school
264 that:

265 (a) conducts approved programs in a minimum of three CTE career cluster
266 areas.

267 (b) conducts a minimum of nine different state approved CTE courses including
268 at least the ability to concentrate in three CTE pathways and complete one pathway;
269 and

270 (c) has at least one approved CTE student leadership organizations that aligns
271 with a pathway offered by the LEA.

272 (4) The Superintendent shall distribute 20 WPU's to an LEA for each high school
273 that:

274 (a) conducts approved programs in a minimum of four CTE career cluster areas.

275 (b) conducts a minimum of 12 different state approved CTE courses including at
276 least the ability to concentrate in four CTE pathways and complete two pathways; and

277 (c) has at least two approved CTE student leadership organizations that align
278 with the pathways offered by the LEA.

279 (5) The Superintendent shall distribute 25 WPU's to an LEA for each high school
280 that:

281 (a) conducts approved programs in a minimum of five CTE career cluster areas.

282 (b) conducts a minimum of 15 different state approved CTE courses including
283 the ability to concentrate in at least five CTE pathways and complete three pathways;

284 and

285 (c) has at least three approved CTE student leadership organizations that align
286 with the pathways offered by the LEA.

287 (6) A maximum of one alternative high school per LEA may qualify for funds
288 under this section.

289 (7) Exceptions for advanced pathway completion requirements may be approved
290 annually for an LEA that has a sponsorship or partnership with a degree granting public
291 higher education institution by the Superintendent through specific contractual
292 agreements.

293 (8) Programs and courses provided through school district technical centers may
294 not receive funding under this section.

295

296 **R277-911-7. Disbursement of Funds -- School District Technical Centers.**

297 (1) Pursuant to Subsection 53F-2-311(3)(c), the Superintendent shall disburse
298 40 WPU to a school district operating an approved school district technical center.

299 (2) Except as provided in Subsection (4), to qualify for the school district
300 technical center WPU disbursement, the school district~~[, schools]~~ shall:

301 ~~[(a) provide at least one facility other than an existing high school as a~~
302 ~~designated school district technical center;~~

303 ~~— (b) employ a full-time CTE administrator for the center in addition to the district~~
304 ~~CTE director;]~~

305 (a) enroll a minimum of 400 students grades 9 through 12 in the school district
306 technical center courses;

307 ~~[(e)](b)~~ prevent unwarranted duplication by the school district technical center of
308 courses offered in existing high schools, and partnering higher education institutions;

309 ~~[(e)](c)~~ centralize high-cost programs in the school district technical center;

310 ~~[(f)](d)~~ conduct approved programs in a minimum of five CTE career cluster
311 areas;

312 ~~[(g)](e)~~ conduct a minimum of 15 different state approved CTE concentrator and
313 completer courses; and

314 ~~[(h)]~~(f) submit verification of all requirements stated in this section annually or as
315 requested to the Superintendent.

316 (3) A school district that serves 18,000 students or more in grades 9-12 may
317 qualify for up to two school district technical center locations through an application
318 process prescribed by the Superintendent.

319 (4) To qualify for the school district technical center WPU disbursement, a
320 school district serving rural and necessarily existent small schools, as described in
321 Section 53F-2-304 shall:

322 ~~[(a) provide at least one facility other than an existing high school as a
323 designated school district technical center;~~

324 ~~[(b) employ a full-time CTE administrator for the center in addition to the district
325 CTE director;]~~

326 (a) determine the administrative structure for the career and technical education
327 center, which may or may not include a separate administrator;

328 ~~[(e)]~~(b) enroll a minimum of 300 students in the school district technical center
329 courses;

330 ~~[(d)]~~(c) prevent unwarranted duplication by the school district technical center
331 of courses offered in existing high schools, and partnering higher education institutions;

332 ~~[(e)]~~(d) centralize high-cost programs in the school district technical center;

333 (f)(e) conduct approved programs in a minimum of four CTE career cluster
334 areas;

335 ~~[(g)]~~(f) conduct a minimum of 12 different state approved CTE concentrator and
336 completer courses; and

337 ~~[(h)]~~(g) submit verification of all requirements stated in this section annually and
338 as requested to the Superintendent.

339

340 **R277-911-8. Disbursement of Funds -- Skill Certification.**

341 (1) Pursuant to Subsection 53F-2-311(2)(c), an LEA may receive additional
342 disbursement for competency attainment of student achievement on approved program
343 certifications.

344 (2) To be eligible for skill certification compensation, an approved LEA shall
345 demonstrate the LEA's students have demonstrated mastery of established standards
346 for the CTE program.

347 (3) The LEA shall demonstrate the mastery through an authorized test
348 administrator that shall follow test administration and ethics requirements identified in
349 Rule R277-404.

350 (4) An LEA shall keep records of the certification and skill verification tests or
351 processes used to demonstrate mastery as described in Subsection (3) for monitoring
352 and auditing purposes.

353 (5) The Superintendent shall distribute funds to an LEA by the following formula:

354 (a) an amount determined by using a count of total points of skill certification
355 weight points determined by the Superintendent from a student's skill certification
356 earned by June 15 annually; and

357 (b) a proportionate amount of the available funding based on the LEA's number
358 of skill certification points earned proportionate to the total number of skill certification
359 points earned statewide for the prior year.

360

361 **~~[R277-911-9. Disbursement of Funds -- CTE Leadership Organization Funds.~~**

362 ~~—— (1) Pursuant to Subsection 53F-2-311(2)(d), an LEA may receive an additional~~
363 ~~disbursement for student participation costs in approved student leadership~~
364 ~~organizations also known as Career and Technical Student Organizations (CTSO) as~~
365 ~~described in Subsection (4).~~

366 ~~—— (2) The Superintendent shall distribute funds to an LEA with:~~

367 ~~—— (a) an approved CTE program; and~~

368 ~~—— (b) evidence of student participation in CTSOs with related expenses.~~

369 ~~—— (3) The Superintendent shall distribute funds to an LEA that meets the criteria~~
370 ~~listed in Subsection (2) using the following formula:~~
371 ~~—— (a) an amount using a count of the LEA's total CTSO student members by March~~
372 ~~15 annually; and~~
373 ~~—— (b) a proportionate amount of the available funding based on the LEA's number~~
374 ~~of CTSO members proportionate to the total number of student members in the state for~~
375 ~~the prior year.~~
376 ~~—— (4) An LEA shall use the student leadership disbursement for qualifying CTE~~
377 ~~leadership organizations that are nationally and state chartered by March 15 annually~~
378 ~~and include:~~
379 ~~—— (a) SkillsUSA;~~
380 ~~—— (b) DECA;~~
381 ~~—— (c) FFA;~~
382 ~~—— (d) HOSA – Future Health Professionals;~~
383 ~~—— (e) FBLA – Future Business Leaders of America;~~
384 ~~—— (f) FCCLA;~~
385 ~~—— (g) TSA (Technology Student Association); and~~
386 ~~—— (h) Other organizations that may be approved by the Superintendent that meet~~
387 ~~qualifications identified in Subsection R277-914-2(3).]~~
388 ~~[(5) An LEA shall use the funds disbursed under this section only for the LEA's~~
389 ~~CTE leadership organization expenses.]~~

390
391 **R277-911-[10] 9. Disbursement of Funds -- Summer CTE Agriculture Programs.**

- 392 (1) Pursuant to Subsection 53F-2-311(3)(d), an LEA shall receive a 5 WPU
393 disbursement for a qualifying summer CTE agriculture program as described in this
394 section.
- 395 (2) To receive state summer CTE agriculture program funds, an LEA shall apply
396 using a form and timeline specified by the Superintendent each year.
- 397 (3) If approved, the LEA shall:

398 (a) provide evidence or assure that a teacher of the summer CTE agriculture
399 program:

400 (i) holds a valid Utah teaching license, with an endorsement in agriculture, as
401 outlined in Subsection R277-911-3(5)(d)(v);

402 (ii) has developed a calendar of activities which shall be approved by the LEA's
403 administration and reviewed by the Superintendent;

404 (iii) has or will work a minimum of 360 hours in the summer CTE agriculture
405 program;

406 (iv) has or will not engage in other employment, including self-employment,
407 which conflicts with the teacher's performance in the summer CTE agriculture program;

408 (v) has developed and filed a weekly schedule and a monthly report outlining
409 accomplishments related to the calendar of activities with:

410 (A) the school principal;

411 (B) the LEA CTE director; and

412 (C) the Superintendent; and

413 (vi) has a minimum of 35 students enrolled in the summer CTE agriculture
414 program; and

415 (vii) visits the participating students a minimum of two times during the summer
416 program with a minimum average of four on-site visits to students; and

417 (b) provides evidence or assures that a student enrolled in the summer CTE
418 agriculture program:

419 (i) has on file in the LEA office the student's Plan for College and Career
420 Readiness goal related to agriculture;

421 (ii) in conjunction with the student's parent or employer and the teacher, has a
422 developed individualized plan of activities, including a supervised occupational
423 experience program;

424 (iii) has completed the eighth grade; and

425 (iv) has not graduated from high school.

426 (4) A college intern may be approved to be the instructor of a summer CTE
427 agriculture program upon approval by the Superintendent.

428 (5) To be approved as an instructor, the LEA shall provide evidence or assure
429 that the college intern shall:

430 (a) be enrolled in an approved postsecondary Agricultural Education-Teacher
431 Preparation program, minimally at the junior or senior level;

432 (b) under the guidance of the supervising teacher, develop a calendar of
433 activities which shall be approved by LEA administration and reviewed by the
434 Superintendent;

435 (c) work a minimum of 360 hours in the CTE summer agriculture program;

436 (d) not engage in other employment, including self-employment, which conflicts
437 with the intern's performance in the CTE summer agriculture program;

438 (e) under the guidance of the supervising teacher, develop and file a weekly
439 schedule and a monthly report outlining accomplishments related to the calendar of
440 activities with:

441 (i) the school principal;

442 (ii) the LEA CTE director; and

443 (iii) the Superintendent; and

444 (g) enroll a minimum of 20 students in the summer CTE agriculture program;

445 and

446 (h) visit the participating students a minimum of two times during the summer
447 program with a minimum average of four on-site visits to students.

448 (6) The Superintendent shall collect data from the program and staff of each
449 LEA to ensure compliance with approved standards.

450 (7) An LEA shall submit to the Superintendent a final program report through the
451 funding application due August 31 annually.

452 (8) The Superintendent shall allocate Summer CTE agricultural funding to each
453 LEA conducting an approved program for no more than 360 hours and 35 students.

454 (9) An LEA operating a program with a supervising teacher and college intern
455 shall receive a combined total of seven WPU's of the summer CTE agricultural
456 allocation.

457

458 **R277-911-[41] 10. Disbursement of Funds – [School Counseling,]College and**
459 **Career Awareness, and Work-Based Learning Programs.**

460 (1) Pursuant to Subsection 53F-2-311(2)(b)(ii), the Superintendent shall
461 distribute funds to an LEA as described by each respective provision listed in
462 Subsection (2).

463 ~~[(2) An LEA shall use the distributed funds for school counseling consistent with~~
464 ~~Subsection 53E-2-304(2)(b) and Rule R277-462.]~~

465 [(3)](2) An LEA may use funds distributed under this section for[:
466 ~~—(a)—] work-based learning programs consistent with Rule R277-915[; and~~
467 ~~—(b)— Career Awareness programs consistent with Rule R277-916].~~

468

469 **R277-911-[42] 11. Disbursement and Use of Funds -- Added Cost Funds.**

470 (1) Subject to remaining funds and pursuant to Subsection 53F-2-311(4), an
471 LEA may receive an additional distribution for added costs of a CTE program after all
472 other distributions have been allocated pursuant to Subsections 53F-2-311(2) and (3)
473 as further described in this rule.

474 (2) An LEA's added cost distribution shall be a proportionate amount of the
475 remaining funds calculated by:

476 (a) using the LEA's grades 9 through 12 aggregate membership in approved
477 CTE programs from the previous school year to calculate a CTE average daily
478 membership (ADM); and

479 (b) determining the LEA's proportionate amount of CTE ADM compared to the
480 statewide CTE ADM.

481 (3) An LEA may not utilize the following for purposes of generating CTE ADM:

482 (a) travel time, except as described in Subsection R277-419-8(9)(b);

483 (b) a student who has yet to attend an approved CTE course;

484 (c) a student who has been absent, without excuse, for the previous 10 days;

485 and

486 (d) for student enrollment in courses taken outside of the regular school day or
487 school year.

488 (4) Except as provided for in Rules R277-462, R277-915, and R277-916, an LEA
489 that experiences CTE membership growth of 1-10% from the LEA's previous CTE ADM
490 shall qualify for a growth factor equivalent to the growth percentage to be applied to the
491 LEA's added cost distribution amount described in Subsection (2).

492 (5) An LEA that receives an added cost distribution shall maintain records to
493 accurately demonstrate:

494 (a) the entry and exit date of each student; and

495 (b) whether a student has been absent from a CTE course ten consecutive days.

496 (6) An LEA shall maintain electronic records, including data system records, for
497 each CTE program which shall include:

498 (a) LEA name;

499 (b) school name;

500 (c) teacher of each CTE course;

501 (d) each CTE course name;

502 (e) each CTE course core code;

503 (f) each CTE course section;

504 (g) semester each CTE course is offered;

505 (h) period the student had each CTE course;

506 (i) student membership;

507 (j) total enrollments; and

508 (k) total membership.

509 (7) An LEA that receives an added cost distribution shall only use the funds for
510 the following expenditures:

511 (a) instructional and program materials and supplies;

- 512 (b) equipment necessary to the program above and beyond equipment provided
513 to non-CTE classrooms;
- 514 (c) CTE Instructor salaries;
- 515 (d) contracted services for equipment service and specialized program needs;
516 ~~and~~
- 517 (e) professional expenses for CTE-related professional learning, professional
518 organizations, and CTSOs; and
- 519 (f) college and career awareness middle school courses to purchase and
520 maintain needed student equipment and supplies for the course subject to the following:
- 521 (i) LEA expenditures shall be reasonable and necessary to sustain the College
522 and Career Awareness program;
- 523 (ii) LEA expenditures shall be adequately documented;
- 524 (iii) an LEA may not use for personnel costs;
- 525 (iv) an LEA may not use funds to cover the cost of goods and services for
526 teacher personal use, such as teacher equipment, materials, and supplies;
- 527 (v) an LEA may not use funds for costs associated with:
- 528 (A) entertainment;
- 529 (B) amusement;
- 530 (C) diversion;
- 531 (D) social activities;
- 532 (E) incentives;
- 533 (F) marketing materials; or
- 534 (G) thank you gifts; and
- 535 (vi) an LEA may only use funds for costs that will directly achieve program
536 outcomes for students.
- 537 (8) Notwithstanding, Subsection (f), an LEA may use up to 15% of available
538 funds for teachers and counselors to participate in ongoing professional development
539 sponsored by the Board.

540 ~~(8)~~(9) Programs and courses provided through technical colleges and degree
541 granting institutions may not qualify for an added cost distribution unless approved by
542 the Superintendent.

543

544 **R277-911-~~(13)~~ 12. Corrective Action.**

545 An LEA that does not comply with the requirements of this Rule R277-911,
546 including not providing MOE of CTE programs, may be subject to a corrective action
547 plan and potential reduction of funds or penalty in accordance with Rule R277-114.

548

549 **KEY: career and technical education**

550 **Date of Last Change: December 19, 2025**

551 **Notice of Continuation: May 16, 2022**

552 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-507; 53F-2-**
553 **311; 53G-6-708**

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555