R277. Education, Administration.

R277-927. Teacher and Student Success Act (TSSA) Program.

R277-927-1. Authority[~~,~~] and Purpose[~~, and Oversight Category~~].

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision of 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 53F-2-416, which requires the Board to calculate and distribute student and teacher success program money to LEAs;

(d) Section 53G-7-1304, which requires the Board to make rules for an LEA governing board to calculate and distribute a school's allocation of program money for each school within the LEA; and

(e) Section 53G-7-1306, which requires the Board to determine:

(i) a threshold of points under the statewide school accountability system that designates a school as succeeding in school performance and student academic achievement; and

(ii) performance standards for certain schools; and

(f) Section 53G-7-1305, which establishes the requirements for a school to develop and an LEA governing board to approve a teacher and student success plan.

(2) The purpose of this rule is to:

(a) set standards for the Board's distribution of student and teacher success program money to LEAs;

(b) set standards governing an LEA's distribution of student and teacher success program money to each school within the LEA; and

(c) to establish certain accountability standards related to the student and teacher success program.

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

R277-927-2. Definitions.

(1)(a) As used in Section 53G-7-1304, "capital expenditures" are funds used to acquire, maintain, or upgrade physical assets like property, building, technology infrastructure, or equipment and may include:

(i) improvements to a building or school grounds;

(ii) a school bus;

(iii) rent, lease, or bond payments; and

(iv) a portable classroom or costs related to moving a portable classroom.

(b) "Capital expenditures" does not include student technology devices.

(2) "Early childhood education" as used in Subsection 53G-7-1304(1) includes preschool programs.

(3)(a) "Evidence-based literacy strategy" means an instructional practice or intervention that is supported by scientifically based literacy and reading research.

(b) "Evidence-based early literacy strategy" does not include the three-cueing instructional method, or any method that relies heavily on meaning, structure, syntax, and visual cues to teach reading.

(4) "LEA governing board student success framework" means the same as the term is defined in Section 53G-7-1304.

[~~(3)~~](5) "Program" means the student and teacher success program created in Section 53G-7-1302.

[~~(4)~~](6) "Satellite school" means the same as that term is defined in Rule R277-550.

[~~(5)~~](7) "School personnel who work directly with and support students in an academic role" does not include:

(a) school level administrative or operational staff;

(b) building and maintenance staff, including custodial and grounds staff;

(c) transportation staff;

(d) child nutrition services staff;

(e) operational or facility support staff;

(f) financial staff;

(g) information technology staff;

(h) legal staff;

(i) secretarial staff; or

(j) other district level staff paid on an administrative salary schedule.

(8) "Teacher and student success plan" or "success plan" means the same as the term is defined in Section 53G-7-1305.

R277-927-3. Program Requirements and Board Distribution of Program Money.

(1)(a) The Superintendent shall distribute an LEA's annual program allocation, in equal payment amounts, to an LEA once the LEA submits the LEA's student success framework, developed in accordance with Section 53G-7-1304, through the Board's grant management system.

(b) If an LEA amends the LEA's student success framework, the LEA shall submit the amended student success framework through the Board's grant management system.

(c) An LEA governing board shall ensure that each school allocation is distributed only to a school that has a teacher and student success plan approved by the LEA governing board in accordance with Section 53G-7-1305.

(2) If the LEA previously submitted a student success framework, before the LEA receives the LEA's annual program allocation, the LEA shall submit annual assurances in accordance with the requirements of Rule R277-108.

(3) If an LEA fails to submit the LEA's student success framework as described in Subsection (1) or annual assurances described in Subsection (2) to the Superintendent:

(a) the LEA may not receive a program allocation for that fiscal year; and

(b) the undistributed balance will be included with the new year appropriation and distributed in the following fiscal year according to the formula described in Subsection 53F-2-416(3).

(4)(a) Before an LEA governing board approves a school's teacher and student success plan, the LEA shall verify that if a school’s third-grade students score below the statewide reading benchmark goal, the school’s teacher and student success plan allocates at least 50% of the Teacher and Student Success Act (TSSA) program funds toward evidence-based literacy strategies and practices as described in 53G-7-1304(2)(e).

[~~(4)~~] (5) For purposes of calculating the formula described in Subsection 53F-2-416(3), "weighted pupil units" means:

(a) for an existing LEA:

(i) the weighted pupil units for the prior year for the minimum school basic program; minus

(ii) the weighted pupil units allocated for foreign exchange students; and

(b) for a new LEA or a charter school opening a new satellite campus:

(i) the weighted pupil units based on the LEA's projected enrollment for the current year for the minimum school basic program; minus

(ii) the weighted pupil units allocated for foreign exchange students; and

(c) for the Utah Schools for the Deaf and Blind, the prior year October 1 headcount multiplied by two.

[~~(5)~~] (6) For a new LEA or a charter school opening a new satellite campus during the second year of operation, the Superintendent shall increase or decrease the LEA's first year distribution of funds to reflect the LEA's actual first year October 1 counts.

[~~(6)~~] (7) For purposes of determining whether a school district in a county of the first, second, or third class has an approved board local levy for the maximum amount allowed for the purposes described in Subsection 53G-7-1304(2)(c)(i)(A), the school district meets the property tax requirements of Subsection 53G-7-1304(2)(a)(i) if in the applicable fiscal year:

(a) the school district's rate imposed for the board local levy is equal to the maximum amount allowed under Section 53F-8-302; or (b)(i) the school district's board local levy rate meets or exceeds an amount equal to the certified board local levy rate; and

(ii) the school district's board local levy rate equaled the maximum amount allowed under Section 53F-8-302 sometime within the prior five fiscal years.

[~~(7)~~] (8) For purposes of determining whether a school district in a county of the first, second, or third class increased the school district's board local levy by at least .0001 per dollar of taxable value as described in Subsection 53G-7-1304(2)(c)(i)(B), a school district that does not meet the property tax requirements of Subsection (6), the school district meets the requirements of Subsection 53G-7-1304(2)(c)(i)(B) if the school district's board local levy rate for the current fiscal year is at least .0001 per dollar of taxable value more than the school district's board local levy rate imposed in the prior fiscal year.

[~~(8)~~] (9) The Superintendent shall determine the state average teacher salary using the most recent Superintendent's Annual Report of Average Teacher Salaries.

[~~(9)~~] (10) For a new LEA in the new LEA's first or second year of operation, the new LEA's average teacher salary is equal to the state average teacher salary.

R277-927-4. LEA Financial Reporting and Prohibited Uses of Program Funds.

(1) An LEA shall report expenditures of program money by location according to the Board approved chart of accounts.

(2) An LEA may not use program money:

(a) for a purpose described in Subsection 53G-7-1304(1);

(b) to support adult education; or

(c) to pay for contracted services commonly performed by the following staff:

(i) school level administration staff;

(ii) building and maintenance staff, including custodial staff;

(iii) transportation staff;

(iv) child nutrition services staff;

(v) operational or facility support staff; [~~or~~]

(vi) district level staff; or

(vii) literacy instruction, curricula, or interventions that utilize the three-cueing method.

(3) As used in Subsection 53G-7-1304(2), "district administration costs" does not include salary driven benefits for school personnel charged at the district level.

(4)(a) An LEA may carry over restricted program funds into the next fiscal year to support a purpose identified by the LEA governing board student success framework.

(b) If an LEA carries over funds as described in Subsection (4)(a), the LEA shall report the funds according to the Board approved chart of accounts.

R277-927-5. LEA Allocations to Schools.

(1) An LEA with two or more schools shall establish a policy that defines how the LEA will calculate and distribute program allocations based on prior year average daily membership as determined by the Superintendent, to all schools within the LEA, including how the LEA will calculate allocations for new schools within the LEA.

(2) For a new school within an LEA, the LEA shall calculate and distribute the school's allocation based on the school's projected October 1 headcount for the applicable school year.

(3) After calculating an LEA's school level allocations, an LEA may make adjustments to individual school ADM values and school level allocations due to changes in current year student enrollment for reasons including:

(a) changes in school boundaries;

(b) changes to feeder school patterns;

(c) changes in grade levels offered; or

(d) significant student growth of 30% or more.

R277-927-6. Accountability Performance Standards.

(1) For purposes of determining the threshold of points that designates a school as succeeding in school performance as described in Subsection 53G-7-1306(1)(a), a

school is succeeding in school performance if, in the most recently published school determinations, the school has:

(a) 43.5% or more of the total points possible for a school that is an elementary or middle school; or

(b) 46% or more of the total points possible for a school that enrolls students in grade 12.

(2) For purposes of determining the performance standards for a school described in Subsection 53G-7-1306(1)(b), a school meets the performance standards if the school meets the criteria described in Subsection 53E-5-203(2).

(3) During the 2026-2027 school year, LEAs may amend and approve the LEA framework, set up funding allocations to address literacy if needed, and address the TSSA plan development and approval process to fully implement amended requirements in 53G-7-1304 and 53G-7-1305 at the start of the 2027-2028 school year.

(4) For TSSA plans that will be approved during the 2027-2028 school year, LEAs may use the finalized 2025-2026 Acadience Reading data to determine if a school is below the statewide reading goal.

KEY: Teacher and Student Success Act (TSSA), program money, allocation

Date of Last Change: February 7, 2025

Notice of Continuation: November 16, 2023

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-2-416; 53G-7-1304; 53G-7-1306