

R277. Education, Administration.

R277-421. Out-of-State Tuition Reimbursement.

R277-421-1. Authority and Purpose.

(1) This rule is authorized by:

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

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

(c) Section 53G-6-305, which outlines when a school district may pay out-of-state tuition for a resident student to attend a school district out-of-state.

(2) The purpose of this rule is to establish procedures for:

(a) obtaining Board approval for reimbursement of out-of-state tuition expenses;

(b) calculating reimbursement costs; and

(c) recording out-of-state students in district records.

R277-421-2. Definitions.

(1) "ADM" means average daily membership.

~~[(2) "Minimum school program" or "MSP" means the same as that term is defined in Section 53F-2-102.]~~

~~[(3)2] "NESS" means the Necessarily Existent Small Schools [Fund] program.~~

~~[(4) "Utah eTranscript and Records Exchange" or "UTREx" means a system that allows individual detailed student records to be exchanged electronically between public education districts and the Superintendent, and allows electronic transcripts to be sent to any post-secondary institution, private or public, in-state or out-of-state, that participates in the e-transcript service.]~~

~~[(5) "WPU" means the weighted pupil unit.]~~

R277-421-3. Review of Out-of-State Tuition Agreements.

(1) A district shall submit to the Superintendent an agreement to pay tuition to an out-of-state district in accordance with Subsection 53G-6-305(1) ~~[by June 30]~~.

(2) A district requesting reimbursement for excess tuition costs under Subsection 53G-6-305(3) shall submit a request to the Superintendent, ~~[by June 30]~~ including:

(a) an estimate of ADM for out-of-state students for the upcoming school year; and

(b) an estimate of tuition payment amounts for the upcoming school year.

~~(3)[(a) The Superintendent shall review a request submitted under Subsection (2) no later than August 30.~~

~~——(b)—~~ The Superintendent may deny a request submitted under Subsection (2) if there are insufficient funds to cover the reimbursement.

R277-421-4. Calculation of Out-of-State Tuition Reimbursement.

(1) The Superintendent shall calculate out-of-state reimbursement to a district by subtracting state funds ~~[that are calculated based on the WPU]~~ generated by an out-of-state resident student's ADM from the total tuition payment ~~[per student]~~ for the following programs:

(a) Kindergarten ~~[WPU]~~;

(b) Grade 1-12 ~~[WPU]~~;

~~[(c) Professional Staff Costs;]~~

~~[(d)]~~ (c) NESS;

~~[(e) District Administrative Costs;]~~

~~[(f)]~~ (d) Class-Size Reduction;

(g) ~~[Flexible Allocation]~~ Teacher and Classroom Salary Support;

~~[(h) Gifted and Talented program;~~

~~——(i) K-3 Reading Improvement program;]~~

~~[(j)]~~ (e) Voted and Board Local Levy Guarantee programs; and

~~[(k)]~~ (f) Applicable Special Education programs.

~~[(2) A district shall not include out-of-state tuition payments in any other MSP formula.~~

~~—— (3) The Superintendent may include in a calculation under Subsection (1) mileage costs reimbursed by a district to parents for transporting students to the nearest bus stop in accordance with Section R277-600-7.~~

~~—— (4) The Superintendent shall reserve the estimated funds identified by a district under Subsection R277-421-3(2)(a) from the new year NESS appropriation, and pay Board-authorized reimbursement payments from reserved funds.]~~

R277-421-5. Recording Student Membership for Out-of-State Students.

(1) A district shall record student membership for students receiving out-of-state tuition reimbursement in accordance with District enrollment and membership policies.

(2) A district shall report students [in UTREx] for whom they are paying out-of-state tuition using codes identified by the Superintendent.

(3) A district shall report ADM for students attending school out-of-state pursuant to a tuition agreement under Section 53G-6-305 in the same manner as the district calculates ADM for students attending the district's schools.

KEY: out-of-state, tuition, reimbursements

Date of Last Change: December 9, 2021

Notice of Continuation:

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-6-305