

MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Aaron Brough
Data and Statistics | Chief Privacy Officer

DATE: May 12-13, 2016

ACTION: R277-419-2 *Pupil Accounting - Definitions* (Amendment)

Background:

The Standards and Assessment Committee reviewed R277-419-2 in a previous meeting and requested an update to the definition of “qualifying school age” from “no more than 17 years old on or before September 1” to “no more than 18 years old.”

Board Strategic Plan:

This item supports the following imperative(s) and strategies in the Board’s Strategic Plan:

- Imperatives: I. Educational Equity

Anticipated Action:

It is proposed that the Standards and Assessment Committee consider approving R277-419-2, as amended, on first reading and, if approved by the Committee, the Board consider approving R277-419-2, as amended, on second reading.

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1 **R277. Education, Administration.**

2 **R277-419. Pupil Accounting.**

3 **R277-419-2. Definitions.**

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

6 (2) "Approved CTE course" means a course approved by the Board within the
7 Career and Technical Education (CTE) Pathways in the eight areas of study.

8 (3) "Blended learning program" means a program under the direction of an
9 LEA:

10 (a) where a student learns at least in part:

11 (i) at a supervised brick and mortar location away from a student's home; and

12 (ii) through an online delivery; and

13 (b) that may include some element of student control over time, place, or
14 path, or pace.

15 (4) "Brick and mortar school" means a traditional school or traditional school
16 building.

17 (5) "Competency based learning program" means an education program that
18 requires a student to acquire a competency and includes a classroom structure and
19 operation that aid and facilitate the acquisition of specified competencies on an
20 individual basis wherein a student is allowed to master and demonstrate
21 competencies as fast as the student is able.

22 (6) "Continuing enrollment measurement" means a methodology used to
23 establish a student's continuing membership or enrollment status for purposes of
24 generating membership days.

25 (7) "Data Clearinghouse" means the electronic data collection system used
26 by the USOE to collect information required by law from LEAs about individual
27 students at certain points throughout the school year to support the allocation of
28 funds and accountability reporting.

29 (8) "Distance learning program" means a program, under the direction of an
30 LEA, in which students receive educational services in a location other than a brick
31 and mortar school, and may include educational services delivered over the internet.

32 (9) "Early graduation student" means a student who has an early graduation

33 student education plan as described in Rule R277-703.

34 (10) "Electronic High School" means a rigorous program offering 9-12 grade
35 level courses delivered over the Internet and coordinated by the USOE.

36 (11) "Eligible student" means a student who satisfies the criteria for enrollment
37 in an LEA, set forth in Subsection R277-419-5.

38 (12) "Enrollment verification data" includes:

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

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

41 (c) proof of Utah public school residency;

42 (d) family income verification; or

43 (e) special education program information, including:

44 (i) an individualized education program;

45 (ii) a Section 504 accommodation plan; or

46 (iii) an English learner plan.

47 (13) "Face-to-face learning program" means a program within an LEA that
48 consists of eligible, enrolled public school students who physically attend school in
49 a brick and mortar school.

50 (14) "Home school" means the formal instruction of children in their homes
51 instead of in an LEA. The differences between a home school student and an online
52 student include:

53 (a) an online student may receive instruction at home, but the student is
54 enrolled in a public school that follows state Core Standards;

55 (b) an online student is:

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

57 (ii) included in accountability measures;

58 (c) an online student receives instruction under the direction of highly
59 qualified, licensed teachers who are subject to the licensure requirements of Rule
60 R277-502 and fingerprint and background checks consistent with Rules R277-516
61 and R277-520;

62 (d) instruction delivered in a home school course is not eligible to be claimed
63 in membership of an LEA and does not qualify for funding under the Minimum
64 School Program in Title 53A, Chapter 17a, Minimum School Program Act.

- 65 (15) "Home school course" means instruction:
- 66 (a) delivered in a home school environment where the curriculum and
- 67 instruction methods, evaluation of student progress or mastery, and reporting, are
- 68 provided or administered by the parent, guardian, custodian, or other group of
- 69 individuals; and
- 70 (b) not supervised or directed by an LEA.
- 71 (16) "Influenza pandemic" or "pandemic" means a global outbreak of serious
- 72 illness in people. It may be caused by a strain of influenza that most people have no
- 73 natural immunity to and that is easily spread from person to person.
- 74 (17) "ISI-1" means a student who receives 1 to 59 minutes of YIC related
- 75 services during a typical school day.
- 76 (18) "ISI-2" means a student who receives 60 to 179 minutes of YIC related
- 77 services during a typical school day.
- 78 (19) "Membership" means a public school student is on the current roll of a
- 79 public school class or public school as of a given date:
- 80 (a) A student is a member of a class or school from the date of entrance at
- 81 the school and is placed on the current roll until official removal from the class or
- 82 school due to the student having left the school.
- 83 (b) Removal from the roll does not mean that an LEA should delete the
- 84 student's record, only that the student should no longer be counted in membership.
- 85 (20) "Minimum School Program" means the same as that term is defined in
- 86 Section 53A-17a-103.
- 87 (21) "Nontraditional Program" means a program within an LEA that consists
- 88 of eligible, enrolled public school students where the student receives instruction
- 89 through a:
- 90 (a) distance learning program;
- 91 (b) online learning program;
- 92 (c) blended learning program; or
- 93 (d) competency based learning program.
- 94 (22) "Online learning program" means a program:
- 95 (a) that is under the direction of an LEA; and
- 96 (b) in which students receive educational services primarily over the internet.

97 (23) "Private school" means an educational institution that:
98 (a) is not an LEA;
99 (b) is owned or operated by a private person, firm, association, organization,
100 or corporation; and
101 (c) is not subject to governance by the Board consistent with the Utah
102 Constitution.

103 (24) "Program" means a course of instruction within a school that is designed
104 to accomplish a predetermined curricular objective or set of objectives.

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

109 (26) "Qualifying school age" means:

110 (a) a person who is at least five years old and no more than ~~[17]~~18 years old
111 on or before September 1;

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

114 (3) with respect to YIC, a person who is at least five years old and no more
115 than ~~[24]~~18 years old on or before September 1.

116 (27). "Retained senior" means a student beyond the general compulsory
117 school age who is authorized at the discretion of an LEA to remain in enrollment as
118 a high school senior in the year(s) after the student's cohort has graduated due to:

119 (a) sickness;

120 (b) hospitalization;

121 (c) pending court investigation or action; or

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

123 (28) "S1" means the record maintained by the USOE containing individual
124 student demographic and school membership data in a Data Clearinghouse file.

125 (29) "S2" means the record maintained by the USOE containing individual
126 student data related to participation in a special education program in a Data
127 Clearinghouse file.

128 (30) "S3" means the record maintained by the USOE containing individual

129 student data related to participation in a YIC program in a Data Clearinghouse file.

130 (31) "School" means an educational entity governed by an LEA that:

131 (a) is supported with public funds;

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

133 (c) employs licensed educators as instructors that provide instruction
134 consistent with Rule R277-502-5;

135 (d) has one or more assigned administrators;

136 (e) is accredited consistent with Rule R277-410-3; and

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

138 (32) "School day" means:

139 (a) a minimum of two hours per day per session in kindergarten and a
140 minimum of four hours per day in grades one through twelve, subject to the following
141 constraints described in Subsection (32)(b).

142 (b)(i) All school day calculations shall exclude lunch periods and pass time
143 between classes but may include recess periods that include organization or
144 instruction from school staff.

145 (ii) Each day that satisfies hourly instruction time shall count as a school day,
146 regardless of the number or length of class periods or whether or not particular
147 classes meet.

148 (33) "School membership" means membership other than in a special
149 education or YIC program in the context of the Data Clearinghouse.

150 (34) "School of enrollment" means:

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

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

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

155 (36) "Self-contained" means a public school student with an IEP or YIC, who
156 receives 180 minutes or more of special education or YIC related services during a
157 typical school day.

158 (37) "Self-Contained Resource Attendance Management (SCRAM)" means
159 a record that tracks the aggregate membership of public school special education
160 students for state funding purposes.

- 161 (38) "SSID" means Statewide Student Identifier.
- 162 (39) "Unexcused absence" means an absence charged to a student when:
- 163 (a) the student was not physically present at school at any of the times
- 164 attendance checks were made in accordance with Subsection R277-419-4(8); and
- 165 (b) the student's absence could not be accounted for by evidence of a
- 166 legitimate or valid excuse in accordance with local board policy on truancy as
- 167 defined in Section 53A-11-101.
- 168 (40) "Year end upload" means the Data Clearinghouse file due annually by
- 169 July 15 from LEAs to the USOE for the prior school year.
- 170 (41) "Youth in Custody (YIC)" means a person under the age of 21 who is:
- 171 (a) in the custody of the Department of Human Services;
- 172 (b) in the custody of an equivalent agency of a Native American tribe
- 173 recognized by the United States Bureau of Indian Affairs and whose custodial parent
- 174 or legal guardian resides within the state; or
- 175 (c) being held in a juvenile detention facility.

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

177 **Date of Enactment or Last Substantive Amendment: 2016**

178 **Notice of Continuation: September 14, 2012**

179 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401;**

180 **53A-1-402(1)(e); 53A-1-404(2); 53A-1-301(3)(d); 53A-3-404; 53A-3-410**