

1 **R277. Education, Administration.**

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

3 **R277-419-1. 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 the
8 Board's duties and responsibilities under the Utah Constitution and state law;

9 (c) Subsection 53E-3-501(1)(e), which directs the Board to establish rules and
10 standards regarding:

11 (i) cost-effectiveness;

12 (ii) school budget formats; and

13 (iii) financial, statistical, and student accounting requirements;

14 (d) Subsection 53E-3-602(2), which requires a local school board's auditing
15 standards to include financial accounting and student accounting;

16 (e) Subsection 53E-3-301(3)(d), which requires the Superintendent to present to
17 the Governor and the Legislature data on the funds allocated to LEAs;

18 (f) Section 53G-4-404, which requires annual financial reports from all school
19 districts; and

20 (g) Subsection 53G-5-404(4), which requires charter schools to make the same
21 annual reports required of other public schools.

22 (2) The purpose of this rule is to specify pupil accounting procedures used in
23 apportioning and distributing state funds for education.

24

25 **R277-419-2. Definitions.**

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

28 (2) "Approved CTE course" means a course approved by the Board within the

29 Career and Technical Education (CTE) Pathway areas of study.

30 (3) "Attendance validated program" means a program within an LEA that consists
31 of eligible, enrolled public school students who physically attend school in a brick and
32 mortar school.

33 (4) "Blended learning program" means a formal education program under the
34 direction of an LEA in which a student learns through an integrated experience that is in
35 part:

36 (a) through online learning, with some element of student control over time, place,
37 path, or pace; and

38 (b) in a supervised brick-and-mortar school away from home.

39 (5) "Brick and mortar school" means a school where classes are conducted in a
40 physical school building.

41 (6) "Competency based learning program" means an education program that
42 provides instruction through competency-based education as defined in Section 53F-5-501.

43 (7) "Data Clearinghouse" means the electronic data collection system used by the
44 Superintendent to collect information required by law from LEAs about individual students
45 at certain points throughout the school year to support the allocation of funds and
46 accountability reporting.

47 (8) "Early graduation student" means a student who has an early graduation
48 student education plan as described in Section R277-703-4.

49 (9) "Educational services" means providing learning opportunities and services
50 designed to support a student to be prepared to succeed and lead by having the
51 knowledge and skills to learn, engage civically, and lead meaningful lives, including by
52 providing:

53 (a) high quality instruction for each student;

54 (b) personalized learning supports for each student; and

55 (c) implementation of evidence-based student health and wellness practices.

56 (10) "Eligible student" means a student who satisfies the criteria for enrollment in
57 an LEA, set forth in Section R277-419-7.

58 (11) "Enrollment verification data" includes:

- 59 (a) a student's birth certificate or other verification of age;
- 60 (b) verification of immunization or exemption from immunization form;
- 61 (c) proof of Utah public school residency;
- 62 (d) family income verification; or
- 63 (e) special education program information, including:
- 64 (i) an individualized education program;
- 65 (ii) a Section 504 accommodation plan; or
- 66 (iii) an English learner plan.
- 67 (12)(a) "Home school" means the formal instruction of children in their homes
- 68 instead of in an LEA.
- 69 (b) "Home school" does not include public school instruction provided in a home,
- 70 including when:~~[The differences between a home school student and an online student~~
- 71 ~~include:]~~
- 72 (i) an online student ~~[may]~~ receives instruction at home, but the student is enrolled
- 73 in a public school that follows state Core Standards;
- 74 (ii) an online student is:
- 75 (A) subject to laws and rules governing state and federal mandated tests; and
- 76 (B) included in accountability measures; or
- 77 (iii) an online student receives instruction under the direction of a highly qualified,
- 78 licensed teacher who is subject to the licensure requirements of ~~[R277-502]~~R277-301 and
- 79 fingerprint and background checks consistent with R277-214 and ~~[R277-520;]~~R277-309.
- 80 ~~[(iv) instruction delivered in a home school course is not eligible to be claimed in~~
- 81 ~~membership of an LEA and does not qualify for funding under the Minimum School~~
- 82 ~~Program in Title 53F, Chapter 2, Minimum School Program Act.]~~
- 83 (13) "Home school course" means instruction:
- 84 (a) delivered in a home school environment where the curriculum and instruction
- 85 methods, evaluation of student progress or mastery, and reporting, are provided or
- 86 administered by the parent, guardian, custodian, or other group of individuals; and

- 87 (b) not supervised or directed by an LEA.
- 88 (14)(a) "Influenza pandemic" or "pandemic" means a global outbreak of serious
89 illness in people.
- 90 (b) "Influenza pandemic" or "pandemic" may be caused by a strain of influenza that
91 most people have no natural immunity to and that is easily spread from person to person.
- 92 (15) "ISI-1" means a student who receives 1 to 59 minutes of YIC related services
93 during a typical school day.
- 94 (16) "ISI-2" means a student who receives 60 to 179 minutes of YIC related
95 services during a typical school day.
- 96 (17) "Learner validated enrollment measurement" means a methodology used to
97 establish a student's membership or enrollment status for purposes of generating
98 membership days.
- 99 (18) "Learner validated program" means a program within an LEA that consists of
100 eligible, enrolled public school students where the student receives instruction through:
- 101 (a) an online learning program;
- 102 (b) a blended learning program; or
- 103 (c) a competency based learning program.
- 104 (19)(a) "Membership" means a public school student is on the current roll of a
105 public school class or public school as of a given date.
- 106 (b) A student is a member of a class or school from the date of entrance at the
107 school and is placed on the current roll until official removal from the class or school due
108 to the student having left the school.
- 109 (c) Removal from the roll does not mean that an LEA should delete the student's
110 record, only that the student should no longer be counted in membership.
- 111 (20) "Minimum School Program" means the same as that term is defined in Section
112 53F-2-102.
- 113 (21) "Online learning program" means a program:
- 114 (a) that is under the direction of an LEA; and
- 115 (b) in which students receive educational services primarily over the internet.
- 116 (22) "Private school" means an educational institution that:

- 117 (a) is not an LEA;
- 118 (b) is owned or operated by a private person, firm, association, organization, or
119 corporation; and
- 120 (c) is not subject to governance by the Board consistent with the Utah Constitution.
- 121 (23) "Program" means a course of instruction within a school that is designed to
122 accomplish a predetermined curricular objective or set of objectives.
- 123 (24) "Qualifying school age" means:
- 124 (a) a person who is at least five years old and no more than 18 years old on or
125 before September 1;
- 126 (b) with respect to special education, a person who is at least three years old and
127 no more than 21 years old on or before July 1;
- 128 (c) with respect to YIC, a person who is at least five years old and no more than 21
129 years old on or before September 1.
- 130 (25) "Resource" means a student who receives 1 to 179 minutes of special
131 education services during a typical school day consistent with the student's IEP provided
132 for under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Sec. 1400 et
133 seq., amended in 2004.
- 134 (26) "Retained senior" means a student beyond the general compulsory school age
135 who is authorized at the discretion of an LEA to remain in enrollment as a high school
136 senior in the year(s) after the student's cohort has graduated due to:
- 137 (a) sickness;
- 138 (b) hospitalization;
- 139 (c) pending court investigation or action; or
- 140 (d) other extenuating circumstances beyond the control of the student.
- 141 (27) "S1" means the record maintained by the Superintendent containing individual
142 student demographic and school membership data in a Data Clearinghouse file.

143 (28) "S2" means the record maintained by the Superintendent containing individual
144 student data related to participation in a special education program in a Data
145 Clearinghouse file.

146 (29) "S3" means the record maintained by the Superintendent containing individual
147 student data related to participation in a YIC program in a Data Clearinghouse file.

148 (30) "School" means an educational entity governed by an LEA that:

149 (a) is supported with public funds;

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

151 (c) employs licensed educators as instructors that provide instruction consistent
152 with Section ~~R277-502~~[R277-301](#);

153 (d) has one or more assigned administrators;

154 (e) is accredited consistent with Section R277-410-3; and

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

156 (31) "School day" means a day where an LEA provides educational services to
157 students subject to the requirements described in Section R277-419-5.

158 (32) "School membership" means membership other than in a special education
159 or YIC program in the context of the Data Clearinghouse.

160 (33) "School of enrollment" means:

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

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

164 (34) "School reopening requirements template" means the template LEAs are
165 required to submit to Superintendent as an assurance that the LEA has addressed state
166 requirements for reopening schools for in person learning for the 2020-21 school year.

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

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

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

174 (38) "SSID" means Statewide Student Identifier.

175 (39) "Unexcused absence" means an absence charged to a student when:

176 (a) the student was not physically present at school at any of the times attendance
177 checks were made in accordance with Subsection R277-419-~~7(4)~~11(5); and

178 (b) the student's absence could not be accounted for by evidence of a legitimate
179 or valid excuse in accordance with local board policy on truancy as defined in Section 53G-
180 6-201.

181 (40) "Year end upload" means the Data Clearinghouse file due annually by July 15
182 from LEAs to the Superintendent for the prior school year.

183 (41) "Youth in custody (YIC)" means a person under the age of 21 who is:

184 (a) in the custody of the Department of Human Services;

185 (b) in the custody of an equivalent agency of a Native American tribe recognized
186 by the United States Bureau of Indian Affairs and whose custodial parent or legal guardian
187 resides within the state; or

188 (c) being held in a juvenile detention facility.

189

190 **R277-419-3. Incorporation by Reference of Continuity of Education Plan Form and**
191 **School Reopening Requirements Template.**

192 (1) This rule incorporates by reference:

193 (a) the Continuity of Education Plan form created by the Superintendent, which
194 requires planning for services in the event of a school closure, including:

195 (i) e-learning;

196 (ii) special education services;

197 (iii) student meals;

198 (iv) event planning; and

199 (v) staffing.
200 (b) the School Reopening Requirements Template created by the Superintendent
201 and based on the K-12 School Reopening Requirements and Recommendations approved
202 by the Board, which an LEA is required to submit to the Superintendent as an assurance
203 that the LEA has addressed state requirements for safely reopening schools for the 2020-
204 21 school year.

205 (2) A copy of [the](#) Continuity of Education Plan [~~the~~] form is located at:
206 (a) <http://schools.utah.gov/administrativerules/documentsincorporated>; and
207 (b) the Utah State Board of Education.
208 (3) A copy of the School Reopening Requirements template is located at:
209 (a) <https://www.schools.utah.gov>; and
210 (b) the Utah State Board of Education.

211

212 **R277-419-4. Schools and Programs.**

213 (1)(a) The Superintendent shall provide a list to each school detailing the required
214 accountability reports and other state-mandated reports for the school type and grade
215 range.

216 (b) All schools shall submit a Clearinghouse report to the Superintendent.

217 (c) All schools shall employ at least one licensed educator and one administrator.

218 (2)(a) A student who is enrolled in a program is considered a member of a public
219 school.

220 (b) The Superintendent may not require programs to receive separate
221 accountability and other state-mandated reports.

222 (c) A student reported under an LEA's program shall be included in the LEA's WPU
223 and student enrollment calculations of the LEA's school of enrollment.

224 (d) A course taught at a program shall be credited to the appropriate school of
225 enrollment.

226 (3) A private school or program may not be required to submit data to the
227 Superintendent.

228 (4) A private school or program may not receive annual accountability reports.

229 **R277-419-5. Minimum School Days.**

230 (1)(a) Except as provided in Subsection (1)(b), Section R277-419-6, and
231 Subsection 53F-2-102(4), an LEA shall ~~conduct school for at least 990 hours of~~provide
232 educational services over a minimum of 180 school days each school year.

233 (b) an LEA may seek an exception to the number of school days described in
234 Subsection (1)(a):

235 (i) except as provided in Subsection (1)(b)(ii), for a whole school or LEA as
236 described in R277-121;

237 (ii) for a school closure due to snow, inclement weather, or other emergency as
238 described in Section R277-121-5; or

239 (iii) for an individual student as described in Section R277-419-~~13~~14.

240 (2) An LEA may offer the required school days~~and hours~~ described in Subsection
241 (1)(a) at any time during the school year, consistent with the law.

242 (3) An LEA shall plan for emergency, activity, and weather-related exigency time
243 in its annual calendaring.

244 (4) Minimum standards apply to all public schools in all settings unless Utah law or
245 this rule provides for a specific exception.

246 (5) An LEA's governing board shall provide adequate contingency school days~~and~~
247 hours in the LEA's yearly calendar to avoid the necessity of requesting a waiver except in
248 the most extreme circumstances.

249 ~~[(6)(a) In addition to the allowance to use up to 32 hours of educational services or~~
250 ~~four school days for professional learning described in Subsection 53F-2-102(4), to provide~~
251 ~~planning and professional development time for staff, an LEA may hold school longer some~~
252 ~~days of the week and shorter other days so long as minimum school day requirements, as~~
253 ~~provided for in this Section R277-419-5, are satisfied.]~~

254 ~~[(b)]~~(6)(a) A school may conduct parent-teacher and student Plan for College and
255 Career Readiness conferences during the school day.

256 ~~[(c)]~~(b) Parent-teacher and college and career readiness conferences may only be

257 held for a total of the equivalent of three full school days~~[or a maximum of 16.5 hours]~~ for
258 the school year.

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

261 ~~[(e)]~~(d) An LEA may designate no more than a total of 12 educational service days
262 at the beginning of the school year, at the end of the school year, or both for the
263 assessment of students entering or completing kindergarten.

264 ~~[(f)]~~(e) If educational service days are designated for kindergarten assessment:

265 (i) an LEA shall designate the days in an open meeting;

266 (ii) an LEA shall provide adequate notice and explanation to kindergarten parents
267 well in advance of the assessment period;

268 (iii) qualified school employees shall conduct the assessment consistent with
269 Section 53G-7-205; and

270 (iv) assessment time per student shall be adequate to justify the forfeited instruction
271 time.

272 ~~[(g)]~~(f) The final decision and approval regarding planning time, parent-teacher and
273 SEP conferences rests with an LEA, consistent with Utah ~~[law]~~ [Code](#) and Board
274 administrative rules.

275 ~~[(h)]~~(g) Total instructional time and school calendars shall be approved by an LEA
276 in an open meeting.

277

278 **R277-419-6. Waiver of the 990 Hour Requirement For the 2020-21 School Year.**

279 Notwithstanding the requirements of Section R277-419-5, for the 2020-21 school
280 year, an LEA is not subject to the requirement to conduct school for at least 990 hours of
281 educational services if, by August 1, 2020, the LEA includes in the LEA's reopening
282 requirements template, how the LEA will ensure continuity of teaching and learning by
283 providing high quality instruction that includes blended learning and formative assessment
284 strategies.

285

286 **R277-419-7. Student Membership Eligibility and Learner Validated Enrollment**
287 **Measurements.**

288 (1) A student may enroll in two or more LEAs at the discretion of the LEAs.

289 (2) A kindergarten student may only enroll in one LEA at a time.

290 (3) In order to generate membership for funding through the Minimum School
291 Program on any school day, an LEA shall ensure that a student being counted by the LEA
292 in membership:

293 (a) has not previously earned a basic high school diploma or certificate of
294 completion;

295 (b) has not been enrolled in a YIC program with a YIC time code other than ISI-1
296 or ISI-2;

297 (c) does not have unexcused absences, which are determined using one of the
298 learner validated enrollment measurements described in Subsection (4);

299 (d) is a resident of Utah as defined under Section 53G-6-302;

300 (e) is of qualifying school age or is a retained senior;

301 (f)(i) is expected to attend a regular learning facility operated or recognized by an
302 LEA on each regularly scheduled school day, if enrolled in an attendance validated
303 program;

304 (ii) has direct instructional contact with a licensed educator provided by an LEA at:

305 (A) an LEA-sponsored center for tutorial assistance; or

306 (B) the student's place of residence or convalescence for at least 120 minutes each
307 week during an expected period of absence, if physically excused from such a facility for
308 an extended period of time, due to:

309 (I) injury;

310 (II) illness;

311 (III) surgery;

312 (IV) suspension;

313 (V) pregnancy;

314 (VI) pending court investigation or action; or
315 (VII) an LEA determination that home instruction is necessary;
316 (iii) is enrolled in an approved CTE course(s) on the campus of another state
317 funded institution where such a course is:
318 (A) not offered at the student's school of membership;
319 (B) being used to meet Board-approved CTE graduation requirements under
320 Subsection R277-700-6(14); and
321 (C) a course consistent with the student's SEOP/Plan for College and Career
322 Readiness; or
323 (iv) is enrolled in a learner validated program under the direction of an LEA that:
324 (A) is consistent with the student's SEOP/Plan for College and Career Readiness;
325 (B) has been approved by the student's counselor; and
326 (C) includes regular instruction or facilitation by a designated employee of an LEA.
327 (4) An LEA shall use one of the following learner validated enrollment measures:
328 (a) For a student primarily enrolled in an attendance validated program, the LEA
329 may not count a student as an eligible student if the eligible student has unexcused
330 absences during all of the prior ten consecutive school days.
331 (b) For a student enrolled in a learner validated program, an LEA shall:
332 (i) adopt a written policy that designates a learner validated enrollment
333 measurement to document the learner validated membership or enrollment status for each
334 student enrolled in the learner validated program consistent with Subsection (3)(c);
335 (ii) document each student's continued enrollment status in compliance with the
336 learner validated enrollment policy at least once every ten consecutive school days; and
337 (iii) appropriately adjust and update student membership records in the student
338 information system for students that did not meet the learner validated enrollment
339 measurement, consistent with Subsection (3)(c).
340 (c) For a student enrolled in an learner validated program, the LEA may not count
341 a student as an eligible student if the LEA has not personally engaged with the student
342 during the prior ten consecutive school days.

343 (5) The learner validated enrollment measurement described in Subsection (4)(b)
344 may include some or all of the following components, in addition to other components, as
345 determined by an LEA:

346 (a) a minimum student login or teacher contact requirement;

347 (b) required periodic contact with a licensed educator;

348 (c) a minimum hourly requirement, per day or week, when students are engaged
349 in course work; or

350 (d) required timelines for a student to provide or demonstrate completed
351 assignments, coursework or progress toward academic goals.

352 (6)(a) An LEA desiring to generate membership for student enrollment in courses
353 outlined in Subsection (3)(f)(iii), or to seek a waiver from a requirement(s) in Subsection
354 (3)(f)(iii), shall submit an application for course approval by April 1 of the year prior to which
355 the membership will be counted.

356 (b) An LEA shall be notified within 30 days of the application deadline if courses
357 have been approved.

358

359 **R277-419-8. Student Membership Calculations.**

360 (1)(a) Except as provided in Subsection (1)(b) or (1)(c), a student enrolled in only
361 one LEA during a school year is eligible for no more than 180 days of regular membership
362 per school year.

363 (b) An early graduation student may be counted for more than 180 days of regular
364 membership in accordance with the student's early graduation student education plan.

365 (c) A student transferring within an LEA to or from a year-round school is eligible
366 for no more than 205 days of regular membership per school year.

367 (2)(a) Except as provided in Subsection (2)(b), (2)(c), or (2)(d), a student enrolled
368 in two or more LEAs during a school year is eligible for no more than 180 days of regular
369 membership per school year.

370 (b) A student transferring to or from an LEA with a schedule approved under

371 Subsection R277-419-5(1)(b) is eligible for no more than 220 days of regular membership
372 per school year.

373 (c) A student transferring to or from an LEA where the student attended or will
374 attend a year-round school is eligible for no more than 205 days of regular membership per
375 school year.

376 (d) If the exceptions in Subsections (2)(b) and (2)(c) do not apply but a student
377 transfers from one LEA to another at least one time during the school year, the student is
378 eligible for regular membership in an amount not to exceed the sum of:

379 (i) 170 days; plus

380 (ii) 10 days multiplied by the number of LEAs the student attended during the
381 school year.

382 (3) If a student is enrolled in two or more LEAs during a school year and the
383 aggregate regular membership generated for the student between all LEAs exceeds the
384 amount allowed under Subsection (2), the Superintendent shall apportion the days of
385 regular membership allowed between the LEAs.

386 (4) If a student was enrolled for only part of the school day or only part of the school
387 year, an LEA shall prorate the student's membership according to the number of hours,
388 periods or credits for which the student actually was enrolled in relation to the number of
389 hours, periods or credits for which a full-time student normally would have been enrolled[-
390 F], for example:

391 (a) Hif the student was enrolled for 4 periods each day in a 7 period school day for
392 all 180 school days, the student's aggregate membership would be 4/7 of 180 days or 103
393 days[-]; or

394 (b) Hif the student was enrolled for 7 periods each day in a 7 period school day for
395 103 school days, the student's membership would also be 103 days.

396 (5)(a) An LEA shall calculate the days in membership for all students using a
397 method equivalent to the following: total clock hours of educational services for which the
398 student was enrolled during the school year divided by 990 hours and then multiplied by
399 180 days and finally rounded up to the nearest whole day.

400 (b) For example, if a student was enrolled for only 900 hours during the school year,
401 the student's aggregate membership would be $(900/990)*180$, and the LEA would report
402 164 days.

403 (6) The sum of regular plus self-contained special education and self-contained YIC
404 membership days may not exceed 180 days.

405 (7) The sum of regular and resource special education membership days may not
406 exceed 360 days.

407 (8) The sum of regular, ISI-1 and ISI-2 YIC membership days may not exceed 360
408 days.

409 (9) An LEA may also count a student in membership for the equivalent in hours of
410 up to:

411 (a) one period each school day, if the student has been:

412 (i) released by the school, upon a parent or guardian's request, during the school
413 day for religious instruction or individual learning activity consistent with the student's
414 SEOP/Plan for College and Career Readiness; or

415 (ii) participating in one or more extracurricular activities under Rule R277-438, but
416 has otherwise been exempted from school attendance under Section 53G-6-204 for home
417 schooling;

418 (b) two periods each school day per student for time spent in bus travel during the
419 regular school day to and from another state-funded institution, if the student is enrolled
420 in CTE instruction consistent with the student's SEOP/Plan for College and Career
421 Readiness;

422 (c) all periods each school day, if the student is enrolled in:

423 (i) a concurrent enrollment program that satisfies all the criteria of Rule R277-713;

424 (ii) a private school without religious affiliation under a contract initiated by an LEA
425 to provide special education services which directs that the instruction be paid by public
426 funds if the contract with the private school is approved by an LEA board in an open
427 meeting;

428 (iii) a foreign exchange student program under Subsection 53G-6-707(7); or
429 (iv) a school operated by an LEA under a Utah Schools for the Deaf and the Blind
430 IEP provided that:

431 (A) the student may only be counted in S1 membership and may not have an S2
432 record; and

433 (B) the S2 record for the student is submitted by the Utah Schools for the Deaf and
434 the Blind.

435 (10) A student receiving instruction delivered in a home school course or by a
436 private school is not eligible to be claimed in an LEA's membership and does not qualify
437 for funding under the Minimum School Program in Title 53F, Chapter 2, Minimum School
438 Program Act.

439

440 **R277-419-9. Student Membership Calculation During the 2020 Covid-19 Pandemic.**

441 Notwithstanding the requirements of Sections R277-419-7 and R277-419-8, the
442 Superintendent shall calculate an LEA's membership for days of instruction from March 16,
443 2020 to June 30, 2020, based on the LEA's average rate of membership between July 1,
444 2019 and March 13, 2020 if:

445 (1) the LEA has submitted a continuity of education plan on or before June 1, 2020;
446 and

447 (2) the LEA provides educational services through the end of the LEA's regular
448 school year calendar.

449

450 **R277-419-10. Calculations for a First Year Charter School.**

451 (1) For the first operational year of a charter school or a new satellite campus, the
452 Superintendent shall determine the charter school's WPU funding based on October 1
453 counts.

454 (2) For the second operational year of a charter school or a new satellite campus,
455 the Superintendent shall determine the charter school's WPU funding based on Section
456 53F-2-302.

457

458 **R277-419-11. Reporting Requirements, LEA Records, and Agreed-Upon Procedures**
459 **Engagements.**

460 (1) An LEA shall report aggregate membership for each student via the School
461 Membership field in the S1 record and special education membership in the SCRAM
462 Membership field in the S2 record and YIC membership in the S3 record of the Year End
463 upload of the Data Clearinghouse file.

464 (2) In the Data Clearinghouse, aggregate membership is calculated in days of
465 membership.

466 (3) To determine student membership, an LEA shall ensure that records of daily
467 student attendance or student engagement are maintained in each school which clearly
468 and accurately show for each student the:

- 469 (a) entry date;
- 470 (b) exit date;
- 471 (c) exit or high school completion status;
- 472 (d) whether or not an absence was excused;
- 473 (e) disability status (resource or self-contained, if applicable); and
- 474 (f) YIC status (ISI-1, ISI-2 or self-contained, if applicable).

475 (4) An LEA shall ensure that:

476 (a) computerized or manually produced records for CTE programs are kept by
477 teacher, class, and classification of instructional program (CIP) code; and

478 (b) the records described in Subsection (4)(a) clearly and accurately show for each
479 student in a CTE class the:

- 480 (i) entry date;
- 481 (ii) exit date; and
- 482 (iii) excused or unexcused status of absence.

483 (5) An LEA shall ensure that each school within the LEA completes a minimum of
484 one attendance check each school day.

485 (6) Due to school activities requiring schedule and program modification during the

486 first days and last days of the school year:

487 (a) for the first five school days, an LEA may report aggregate days of membership
488 equal to the number recorded for the second five-day period of the school year;

489 (b) for the last five-day period, an LEA may report aggregate days of membership
490 equal to the number recorded for the immediately preceding five-day period; and

491 (c) schools shall continue educational service activities throughout required
492 calendared days.

493 (7) An LEA shall employ an independent auditor, under contract, to:

494 (a) perform an annual agreed-upon procedures engagement; and

495 (b) report any findings of the engagement to:

496 (i) the LEA board; and

497 (ii) the Financial Operations Section of the Board.

498 (8) Reporting dates, forms, and procedures are found in the Guide for Agreed-Up
499 Procedures Engagements for Local Education Agencies, published by the Office of the
500 State Auditor, in collaboration with the Superintendent.

501 (9) The Superintendent:

502 (a) shall review each LEA's student membership and fall enrollment reports as they
503 relate to the allocation of state funds; and

504 (b) may periodically or for cause review LEA records and practices for compliance
505 with [Federal and State](#) ~~[the]~~ laws and this rule.

506

507 **R277-419-12. High School Completion Status.**

508 (1) An LEA shall account for the final status of all students who enter high school
509 (grades 9-12) whether they graduate or leave high school for other reasons, using the
510 following decision rules to indicate the high school completion or exit status of each student
511 who leaves the Utah public education system:

512 (a) graduates are students who earn a basic high school diploma by satisfying one
513 of the options consistent with Subsection R277-705-4(2) or out-of-school youths of school
514 age who complete adult education secondary diploma requirements consistent with R277-
515 733;

- 516 (b) completers are students who have not satisfied Utah's requirements for
517 graduation but who:
- 518 (i) are in membership in twelfth grade on the last day of the school year; and
519 (ii)(A) meet any additional criteria established by an LEA consistent with its authority
520 under Section R277-705-4;
- 521 (B) meet any criteria established for special education students under Utah State
522 Board of Education Special Education Rules, Revised, June 2016, and available at:
523 <http://www.schools.utah.gov/sars/Laws.aspx> and the Utah State Board of Education;
- 524 (C) meet any criteria established for special education students under Subsection
525 R277-700-8(5); or
- 526 (D) pass a General Educational Development (GED) test with a designated score;
- 527 (c) continuing students are students who:
- 528 (i) transfer to higher education, without first obtaining a diploma;
529 (ii) transfer to the Utah Center for Assistive Technology without first obtaining a
530 diploma; or
- 531 (iii) age out of special education;
- 532 (d) dropouts are students who:
- 533 (i) leave school with no legitimate reason for departure or absence;
534 (ii) withdraw due to a situation so serious that educational services cannot be
535 continued even under the conditions of Subsection R277-419-7(3)(f)(ii);
- 536 (iii) are expelled and do not re-enroll in another public education institution; or
537 (iv) transfer to adult education;
- 538 (e) an LEA shall exclude a student from the cohort calculation if the student:
- 539 (i) transfers out of state, out of the country, to a private school, or to home
540 schooling;
- 541 (ii) is a U.S. citizen who enrolls in another country as a foreign exchange student;
542 (iii) is a non-U.S. citizen who enrolls in a Utah public school as a foreign exchange
543 student under Section 53G-6-707 in which case the student shall be identified by resident

544 status (J for those with a J-1 visa, F for all others), not by an exit code;
545 (iv) dies; or
546 (v) beginning with the 2015-2016 school year, is attending an LEA that is not the
547 student's school of enrollment.

548 (2)(a) An LEA shall report the high school completion status or exit code of each
549 student to the Superintendent as specified in Data Clearinghouse documentation.

550 (b) High School completion status or exit codes for each student are due to the
551 Superintendent by year end upload for review related to the Agreed-Upon Procedures
552 Engagement.

553 (c) Except as provided in Subsection (2)(d), an LEA shall submit any further
554 updates of completion status or exit codes by October 1 following the end of a student's
555 graduating cohort pursuant to Section R277-484-3.

556 (d) An LEA with an alternative school year schedule where all of the students have
557 an extended break in a season other than summer, shall submit the LEA's data by the next
558 complete data submission update, following the LEA's extended break, as defined in
559 Section R277-484-3.

560 (3)(a) The Superintendent shall report a graduation rate for each school, LEA, and
561 the state.

562 (b) The Superintendent shall calculate the graduation rates in accordance with
563 applicable federal law.

564 (c) The Superintendent shall include a student in a school's graduation rate if:
565 (i) the school was the last school the student attended before the student's
566 expected graduation date; and
567 (ii) the student does not meet any exclusion rules as stated in Subsection (1)(e).

568 (d) The last school a student attended will be determined by the student's exit dates
569 as reported to the Data Clearinghouse.

570 (e) A student's graduation status will be attributed to the school attended in their
571 final cohort year.

572 (f) If a student attended two or more schools during the student's final cohort year,
573 a tie-breaking logic to select the single school will be used in the following hierarchical

574 order of sequence:

575 (i) school with an attached graduation status for the final cohort year;

576 (ii) school with the latest exit date;

577 (iii) school with the earliest entry date;

578 (iv) school with the highest total membership;

579 (v) school of choice;

580 (vi) school with highest attendance; or

581 (vii) school with highest cumulative GPA.

582 (g) The Superintendent shall report the four-year cohort rate on the annual state
583 reports.

584

585 **R277-419-13. Student Identification and Tracking.**

586 (1)(a) Pursuant to Section 53E-4-308, an LEA shall:

587 (i) use the SSID system maintained by the Superintendent to assign every student
588 enrolled in a program under the direction of the Board or in a program or a school that is
589 supported by public school funding a unique student identifier; and

590 (ii) display the SSID on student transcripts exchanged with LEAs and Utah public
591 institutions of higher education.

592 (b) The unique student identifier:

593 (i) shall be assigned to a student upon enrollment into a public school program or
594 a public school-funded program;

595 (ii) may not be the student's social security number or contain any personally
596 identifiable information about the student.

597 (2)(a) An LEA shall require all students to provide their legal first, middle, and last
598 names at the time of registration to ensure that the correct SSID follows students who
599 transfer among LEAs.

600 ~~(a)~~(b) A school shall transcribe the names from the student's birth certificate or
601 other reliable proof of the student's identity and age, consistent with Section 53G-6-603;

602 ~~(b)~~(c) The direct transcription of student names from birth certificates or other
603 reliable proof of student identity and age shall be the student's legal name for purposes of
604 maintaining school records; and

605 ~~(e)~~(d) An LEA may modify the order of student names, provide for nicknames, or
606 allow for different surnames, consistent with court documents or parent preferences, so
607 long as legal names are maintained on student records and used in transmitting student
608 information to the Superintendent.

609 (3) The Superintendent and LEAs shall track students and maintain data using
610 students' legal names.

611 (4) If there is a compelling need to protect a student by using an alias, an LEA
612 should exercise discretion in recording the name of the student.

613 (5) An LEA is responsible to verify the accuracy and validity of enrollment
614 verification data, prior to enrolling students in the LEA, and provide students and their
615 parents with notification of enrollment in a public school.

616 (6) An LEA shall ensure enrollment verification data is collected, transmitted, and
617 stored consistent with sound data policies, established by the LEA as required in Rule
618 R277-487.

619

620 **R277-419-14. Exceptions.**

621 (1)(a) An LEA may, at its discretion, make an exception for school attendance for
622 a public school student, in the length of the school day or year, for a student with
623 compelling circumstances.

624 (b) The time an excepted student is required to attend school shall be established
625 by the student's IEP or Plan for College and Career Readiness.

626 (2) A school using a modified 45-day/15-day year round schedule initiated prior to
627 July 1, 1995 shall be considered to be in compliance with this rule if the school's schedule
628 includes a minimum of 990 hours of time the LEA will provide educational services over a
629 minimum of 172 days.

630

631 ~~[R277-419-15. Effective Date.]~~

632 ~~———— This rule is effective for the 2020-21 school year.]~~

633

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

635 **Date of Enactment or Last Substantive Amendment: September 24, 2020**

636 **Notice of Continuation: August 14, 2017**

637 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53F-2-](#)**

638 **[102\(7\)](#); [53E-3-501\(1\)\(e\)](#); [53E-3-602\(2\)](#); [53E-3-301\(3\)\(d\)](#); [53G-4-404](#)**