

UTAH STATE BOARD OF EDUCATION

Subject:

ACTION: FY21 Out-of-State Tuition Reimbursement

Agenda item type:

Action Item

Recommended Action:

It is recommended that the Board authorize payments to applying school districts pursuant to 53F-2-304(8), 53G-6-305(3)(a) and R277-421 and as outlined in FY 2021 final out-of-state tuition backup document.

Background:

[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) "NESS" means the Necessarily Existent Small Schools Fund.

(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. Board 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 Board shall review a request submitted under Subsection (2) no later than August 30.

(b) The Board 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:

- (a) Kindergarten WPU;
- (b) Grade 1-12 WPU;
- (c) Professional Staff Costs;
- (d) NESS;
- (e) District Administrative Costs;
- (f) Class-Size Reduction;
- (g) Flexible Allocation;
- (h) Gifted and Talented program;
- (i) K-3 Reading Improvement program;
- (j) Voted and Board Local Levy Guarantee programs; and
- (k) 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.

Contact:

Name: Jake Houtrouw
Title: Minimum School Program Administrator
Phone: 801-538-7670
Email: Jacob.Houtrouw@schools.utah.gov

Attachments:

1. 2021OUTSTAT- Final