

1 **R277. Education, Administration.**

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

3 **R277-927-1. 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 of 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; and

9 (c) Section [53F-2-416](#), which requires the Board to calculate and distribute student  
10 and teacher success program money to LEAs;

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

14 (e) Section [53G-7-1306](#), which require the Board to determine:

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

18 (ii) performance standards for certain schools.

19 (2) The purpose of this rule is to:

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

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

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

26

27 **R277-927-2. Definitions.**

28 (1) As used in Subsection [53G-7-1304](#), "capital expenditures" are funds used to  
29 acquire, maintain, or upgrade physical assets like property, building, technology, or

30 equipment and may include:

- 31 (a) improvements to a building or school grounds;
- 32 (b) a school bus;
- 33 (c) rent, lease, or bond payments; and
- 34 (d) a portable classroom or costs related to moving a portable classroom.

35 (2) "Program" means the student and teacher success program created in Section  
36 53G-7-1302.

37 (3) "Satellite school" means the same as that term is defined in [Rule R277-550](#).

38 (4) "School personnel who work directly with and support students in an academic  
39 role" does not include:

- 40 (a) school level administrative or operational staff;
- 41 (b) building and maintenance staff, including custodial and grounds staff;
- 42 (c) transportation staff;
- 43 (d) child nutrition services staff;
- 44 (e) operational or facility support staff;
- 45 (f) financial staff;
- 46 (g) information technology staff;
- 47 (h) legal staff;
- 48 (i) secretarial staff; or
- 49 (j) other district level staff paid on an administrative salary schedule.

50

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

52 (1)(a) [~~For the 2019-20 school year, the~~] The Superintendent shall distribute an  
53 LEA's annual program allocation, in equal payment amounts, to an LEA once the LEA  
54 submits the LEA's student success framework through the Board's grant management  
55 system.

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

58 (2) [~~Beginning with the 2020-21 school year, if~~] If the LEA previously submitted a

59 student success framework, before the LEA receives the LEA's annual program allocation,  
60 the LEA shall submit annual assurances in accordance with the requirements of Rule R277-  
61 108.

62 (3) If an LEA fails to submit the LEA's student success framework as described in  
63 Subsection (1) or annual assurances described in Subsection (2) to the Superintendent [~~by~~  
64 ~~November 1 of a fiscal year~~]:

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

66 (b) the undistributed balance will be included with the new year appropriation and  
67 distributed in the following fiscal year according to the formula described in Subsection 53F-  
68 2-416(3).

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

71 (a) for [~~a school district or charter school~~] an existing LEA:

72 (i) the weighted pupil units for the [~~current~~] prior year [~~budget request~~] for the  
73 minimum school basic program; minus

74 (ii) the weighted pupil units allocated [~~to LEAs~~] for foreign exchange students; and

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

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

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

79 (b)c) for the Utah Schools for the Deaf and Blind, USDB's prior year October 1  
80 headcount multiplied by two.

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

86 (6) For purposes of determining whether a school district in a county of the first,  
87 second, or third class has an approved board local levy for the maximum amount allowed

88 for the purposes described in Subsection [53G-7-1304\(2\)\(c\)\(i\)\(A\)](#), the school district meets  
89 the property tax requirements of Subsection [53G-7-1304\(2\)\(a\)\(i\)](#) if in the applicable fiscal  
90 year:

91 (a) the school district's rate imposed for the board local levy is equal to the maximum  
92 amount allowed under Section [53F-8-302](#); or

93 (b)(i) the school district's board local levy rate meets or exceeds an amount equal  
94 to the certified board local levy rate; and

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

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

104 (8) For fiscal year 2020, "state average teacher salary" means a weighted  
105 calculation of the statewide teacher salary expenditures reported on the annual financial  
106 report by LEA from fiscal year 2018 divided by the number of full-time equivalent educators  
107 or FTEs from the most recent educator cactus submission.

108 (9) Except as provided in Subsection (10), for fiscal year 2020, "LEA's average  
109 teacher salary" means the LEA's teacher salary expenditures reported on the annual  
110 financial report from fiscal year 2018 divided by the LEA's number of full-time equivalent  
111 educators or FTEs from the most recent educator cactus submission.

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

114

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

116 (1) An LEA shall report expenditures of program money by location according to the

117 Board approved chart of accounts.

118 (2) An LEA may not use program money:

119 (a) for a purpose described in Subsection [53G-7-1304\(1\)](#);

120 (b) to support adult education or preschool programs; or

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

122 (i) school level administration staff;

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

124 (iii) transportation staff;

125 (iv) child nutrition services staff;

126 (v) operational or facility support staff; or

127 (vi) district level staff.

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

130 (4) An LEA may carry over restricted program funds into the next fiscal year to  
131 support a purpose identified by the LEA governing board student success framework. Any  
132 funds carried over must be reported according to the Board approved chart of accounts.

133

134 **R277-927-5. LEA Allocations to Schools.**

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

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

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

145 (a) changes in school boundaries;

- 146 (b) changes to feeder school patterns;  
147 (c) changes in grade levels offered; or  
148 (d) significant student growth of 30% or more.

149

150 **R277-927-6. Accountability Performance Standards.**

151 (1) For purposes of determining the threshold of points that designates a school as  
152 succeeding in school performance as described in Subsection [53G-7-1306\(1\)\(a\)](#), a school  
153 is succeeding in school performance if, in the most recently published overall school  
154 accountability ratings the school is designated as a commendable or exemplary school as  
155 described in Section [R277-497-2](#).

156 (2) For purposes of determining the performance standards for a school described  
157 in ~~[Section]~~ Subsection [53G-7-1306\(1\)\(b\)](#), a school meets the performance standards if the  
158 school meets the criteria described in ~~[Section]~~ Subsection [53E-5-203\(2\)](#).

159

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

161 **Date of Enactment or Last Substantive Amendment:**

162 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53F-2-](#)  
163 [416](#); [53G-7-1304](#); [53G-7-1306](#)**