

R277. Education, Administration.

R277-632. Funding for At-Risk Students and Students Learning English.

R277-632-1. Authority, Purpose, and Oversight Category.

- (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 53F-2-314(4), which requires:
 - (i) an LEA to report information on the use of the at-risk add-on to the WPU to the Board; and
 - (ii) the Board to monitor the learning outcomes resulting from an LEA's use of the at-risk add-on to the WPU; and
 - (c) Section 53F-2-316, which requires the Board to make rules regarding distribution of emergency funds for students learning English.
- (2) The purpose of this rule is to:
 - (a) clarify reporting requirements for the At-Risk Add-On Funding Report; and
 - (b) establish requirements for distribution of emergency funding to schools under Section 53F-2-316.
- (3)(a) Section R277-632-3 is categorized as Category 2 as described in Rule R277-111.
- (b) Section R277-632-4 is categorized as Category 4 as described in Rule R277-111.

R277-632-2. Definitions.

- (1) "At risk" has the same meaning as described in Section 53F-2-314.
- (2) "At-Risk Add-On Funding Report" means the reporting required of each LEA consistent with Subsection 53F-2-314(4)(a).
- (3) "Student learning English" has the same meaning as described in Section 53F-2-316.
- (4) "UPEFS" means the Utah Public Education Financial System.
- (5) "Weighted Pupil Unit" or "WPU" has the same meaning as described in Section 53F-2-102.

R277-632-3. LEA Reporting.

(1) An LEA shall submit the At-Risk Add-On Funding Report by October 1 for the previous fiscal year.

(2) An LEA shall submit financial data through UPEFS.

(3) An LEA shall submit the following through a separate data collection form provided by the Superintendent:

(a) the definition the LEA's local Board has approved for the term "at-risk student" in the LEA consistent with Subsection 53F-2-314(1)(a)(ii);

(b) LEA outcome data specific to the defined at-risk subpopulation;

(c) a report of intervention effectiveness related to the LEA's use of funds;

(d) the number of students served that meet the LEA's definition of at-risk; and

(e) other data as requested by the Superintendent.

R277-632-4. Emergency Funding for Schools With Increased Enrollment of Students Learning English.

(1) The Superintendent shall annually identify schools qualifying for funding under Section 53F-2-316 using the results of the WIDA ACCESS Assessment or the WIDA Screener Assessment.

(2) The Superintendent shall notify each school identified in accordance with Subsection (1) of the opportunity to apply for available funding.

(3) The Superintendent shall establish an application process and distribution formula for funds allocated by the Legislature, which prioritizes schools with:

(a) the greatest percentage increase in enrollment of students learning English; and

(b) the most severe financial need.

(4)(a) An LEA shall provide all information required in Subsection 53F-2-316(3).

(b) An LEA may demonstrate a school has substantial need by showing:

(i) a plan for spending the funds for a qualifying school consistent with the purposes allowed in Section 53F-2-316; and

(ii) that the LEA has no carry forward from the LEA's at-risk add-on funding for the three preceding years.

(5) An LEA receiving funds under this rule may only use funds as set forth in Section 53F-2-316.

KEY: at risk add-on report, emergency funding, students learning english

Date of Last Change: August 7, 2025

Authorizing, and Implemented or Interpreted Law: Article X, Section 3; 53F-2-314