

R277-720 received final approval by the Utah State Board of Education on September 2, 2021. R277-720 will be or was published in the October 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of November 8, 2021.

**R277. Education, Administration.**

**R277-720. Reimbursement Program for Early Graduation from Personalized, Competency-Based [Education] Learning Program.**

**R277-720-1. 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;

(c) Subsection 53F-2-511(1)(c)(ii), which allows the Board to make rules to specify additional criteria for an LEA to be eligible for a personalized, competency-based [education] learning early graduation reimbursement; and

(d) Subsection 53F-2-511(6), which allows the Board to make rules for the administration of the Reimbursement Program for Early Graduation from Personalized, Competency-Based [Education] Learning.

**R277-720-2. Definitions.**

~~[(1) "Advisory Committee" means the Competency-based Advisory Committee created in Section R277-712-3.]~~

([2]1) "Eligible LEA" means an LEA that:

(a) has demonstrated to the Board that the LEA or ~~[, for a school district,]~~ a school within the LEA~~;~~ provides and facilitates personalized, competency-based [education] learning that is based on the core principles described in Section 53F-5-502; and

(b) has an approved personalized, competency-based [education] learning program that includes:

(i) at least one outcome measure for each indicator level required by the Superintendent;

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(ii) outcome measures that are disaggregated by student subgroups where possible;  
and

(iii) at least one outcome measure for student growth and proficiency.

([3]2) "Eligible student" means a student who:

(a) meets the requirements described in Subsection 53F-2-511(1)(d);

(b) has been flagged by an LEA as a personalized competency-based ~~[education]~~learning participant.

([4]3) "Program" means the Reimbursement Program for Early Graduation from Personalized, Competency-Based ~~[Education]~~Learning described in Section 53F-2-511.

(4) "Review Committee" means the Personalized Competency-based Learning Review Committee created in Section R277-712-3.

### **R277-720-3. Personalized, Competency[-]-Based ~~[Education]~~Learning Designation.**

(1) To receive a personalized, competency-based ~~[education]~~learning designation, an eligible LEA shall:

(a) submit an application in the form prescribed by the Superintendent to the ~~[advisory]~~review committee;

(b) submit the application in Subsection (1)(a) no later than April 1~~[st]~~ of the school year prior to the school year in which the LEA intends to seek reimbursement; and

(c) have an approved personalized, competency-based ~~[education]~~learning plan pursuant to Rule R277-712.

(2) The ~~[advisory]~~review committee shall review ~~[all]~~each application[s] and make recommendations to the Board based on the Board approved personalized, competency-based ~~[education]~~learning core principals and measures described in Rule R277-712.

(3) The Board shall approve or deny the recommendations made by the ~~[advisory]~~review committee in a timely manner.

(4) If approved, an eligible LEA's personalized, competency-based ~~[education]~~learning designation shall ~~[last for the following]~~continue for three years, provided

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the school continues to ~~[operate on]~~ implement a personalized, competency-based learning model.

(5) An eligible LEA may not retroactively use an approved personalized, competency-based [education]learning designation for reimbursement of eligible students.

~~(6) [If an eligible LEA does not have a current competency-based education designation, the eligible LEA may not use the approved competency-based education designation for reimbursement of eligible students in the school year in which the eligible LEA's application is approved.]~~ An LEA may claim reimbursement for eligible students in the school year after establishing a personalized, competency-based learning designation and in subsequent years, as long as the designation continues.

#### **R277-720-4. Early Graduation Reimbursement.**

~~(1) [An eligible LEA with a competency-based education designation may seek reimbursement for an eligible student beginning October 2021 for membership generated in the 2020-2021 school year.]~~ An eligible LEA with a personalized, competency-based learning designation may seek reimbursement for an eligible student in October for membership generated by the eligible student in the previous school year.

(2) The reimbursement amount shall be calculated by the Superintendent in the following manner:

(a) the amount of weighted pupil unit lost due to early graduation for each eligible student shall be determined as described by Subsection 53F-2-511(5);

(b) the total amount of lost weighted pupil unit for each eligible student shall be used to establish an LEA aggregate total and a statewide aggregate total for all eligible students;

(c) if the statewide aggregate total is equal to or less than the total amount allocated for the program by the legislature, an eligible LEA shall be reimbursed the LEA aggregate total;

(d) if the statewide aggregate total exceeds the total amount allocated for the program by the legislature, an eligible LEA shall be reimbursed a prorated amount

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proportionate to the percentage that the LEA aggregate total is of the statewide aggregate total.

(3) An LEA shall not receive a reimbursement for an eligible student that exceeds the amount outlined in Subsection 53F-2-511(5)(a).

**KEY: personalized, competency-based [education]learning, reimbursements, early graduation**

**Date of Last Change: 2021~~[May 23, 2019]~~**

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-2-511(1)(c)(ii); 53F-2-511(6)**