

1 **R277. Education, Administration.**

2 **R277-606. Dropout Prevention and Recovery Program.**

3 **R277-606-1. 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) Section 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 53G-9-802, which requires the Board to develop rules to set policies  
10 related to a dropout prevention and recovery program.

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

12 (a) develop policies related to an LEA's dropout prevention and recovery program;  
13 and

14 (b) set reporting requirements for LEAs with a dropout prevention and recovery  
15 program.

16

17 **R277-606-2. Definitions.**

18 For purposes of this rule:

19 (1) "Attainment goal" has the same meaning as that term is defined in Section 53G-  
20 9-801.

21 (2) "Average daily membership" means the same as that term is defined in Section  
22 53F-2-102.

23 (3) "Cohort" means the same as that term is defined in Section 53G-9-801.

24 (4) "College and career readiness work" means the same as that term is defined in  
25 Section 53G-9-801.

26 (5) "Designated student" means a student:

27 (a)(i) who has withdrawn from a secondary school prior to earning a diploma;

28 (ii) who was dropped from average daily membership; and

- 29 (iii) whose cohort has not yet graduated; or
- 30 (b) who is at risk of meeting the criteria described in Subsection (5)(a), as  
31 determined by the student's LEA, using the risk factors described in Subsection (10).
- 32 (6) "Graduation rate" means the same as that term is defined in Section 53G-9-801.
- 33 (7) "LEA" means the same as that term is defined in Section 53G-9-801.
- 34 (8) "Nontraditional program" means the same as that term is defined in Section  
35 53G-9-801.
- 36 (9) "Proxy graduation rate" means a rate calculated:
- 37 (a) in a manner similar to the regular graduation rate for each year of grades 9  
38 through 12;
- 39 (b) treating a student as having graduated if the student returned after each grade  
40 year; and
- 41 (c) treating a student as dropping out if the student:
- 42 (i) did not return after each year; or
- 43 (ii) the student did not have an acceptable exit code entered into the Board's UTREx  
44 system.
- 45 (10) "Risk factors" means:
- 46 (a) low academic performance, as measured by grades, test scores, or course  
47 failure;
- 48 (b) poor behavior, as measured by office disciplinary referrals, suspensions, or  
49 expulsions; and
- 50 (c) absenteeism, whether excused or unexcused absences, and including days  
51 tardy and truant.
- 52 (11) "Third party" means the same as that term is defined in Section 53G-9-801.

53

54 **R277-606-3. LEA Dropout Prevention and Recovery Programs.**

55 (1) An LEA that serves students in grades 9, 10, 11, or 12 shall provide a dropout  
56 prevention and recovery program for a designated student with the dropout prevention and  
57 recovery services described in Section 53G-9-802.

58 (2) To provide the dropout and recovery services described in Subsection (1) an  
59 LEA may:

60 (a) contract with a third party; or

61 (b) create a dropout prevention and recovery services plan.

62 ~~[(2)](3)~~ An LEA that enrolls a designated student in a dropout prevention and  
63 recovery program shall:

64 (a) develop a written policy that describes:

65 (i) how the LEA or the LEA's third party will measure and report if the designated  
66 student made a year's worth of progress toward an attainment goal as required in Section  
67 R277-606-4; and

68 (ii) how membership days will be determined for the designated student in  
69 accordance with the LEA's established school schedule and enrollment policies; and

70 (b) indicate that the designated student is enrolling in the LEA's dropout prevention  
71 and recovery program in accordance with current UTREx specifications.

72 ~~[(3)](4)~~(a) If a designated student chooses to enroll in a dropout prevention and  
73 recovery program, the LEA, in consultation with the designated student, shall prepare, in  
74 accordance with the LEA's written policy described in Subsection (2), a learning plan for  
75 the designated student that includes an attainment goal for the designated student.

76 (b) If an LEA ~~[is required]~~chooses to contract with a third party to provide dropout  
77 prevention and recovery services, the third party shall:

78 (i) work with the LEA to prepare a learning plan for a designated student described  
79 in Subsection (3)(a);

80 (ii) regularly report a designated student's progress toward the designated student's  
81 attainment goal in accordance with the LEA's written policy described in Subsection (2);  
82 and

83 (iii) maintain documentation required by the LEA for the LEA to meet the  
84 requirements of Subsection R277-606-4(4).

85 ~~[(4)](5)(a)~~ If a designated student is a student with a disability and an LEA provides  
86 dropout prevention and recovery services without using a third party, the LEA shall:

87 (i) prepare an IEP or Section 504 plan for the designated student; and

88 (ii) provide the dropout prevention and recovery services in accordance with the  
89 designated student's IEP or Section 504 plan.

90 (b) If a designated student is a student with a disability and an LEA contracts with  
91 a third party to provide dropout prevention and recovery services to the designated student:

92 (i) the LEA shall prepare an IEP or Section 504 plan for the designated student; and

93 (ii) the third party shall provide the dropout prevention and recovery services to the  
94 designated student in accordance with the designated student's IEP or Section 504 plan.

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96 **R277-606-4. Reporting Requirements and Audits.**

97 (1)(a) An LEA shall submit an annual report to the Superintendent on the LEA's  
98 dropout prevention and recovery services by October 30.

99 (b) The report described in Subsection (1)(a) shall include:

100 (i) the information described in Section 53G-9-802;

101 (ii) the total number of designated students in the LEA; and

102 (iii) if applicable, the name of a third party the LEA is contracting with to provide  
103 dropout prevention and recovery services.

104 (2) An LEA shall submit annually to the Superintendent, if applicable, the LEA's drop  
105 out prevention and recovery plan by October 30.

106 ~~[(2)](3)~~ A third party working with an LEA on the LEA's dropout prevention and  
107 recovery program shall report any information requested by the LEA including any  
108 information required for the LEA to submit a report described in Subsection (1).

109 ~~[(3)](4)~~ The Superintendent shall:

110 (a) review LEA reports described in Subsection (1);

111 (b) by April 1 each year, inform an LEA that the LEA is required to enter into a  
112 contract with a third party as described in Subsection 53G-9-802(3); and

113 (c) except as provided in Subsection 53G-9-802(~~4~~5), ensure that an LEA  
114 described in Subsection 53G-9-802(3) and Subsection R277-606-3(3) contracts with a  
115 third party as required in Section 53G-9-802 and Section R277-606-3.

116 ~~(4)~~(5)(a) An LEA shall maintain documentation to comply with the requirements of  
117 Section 53G-9-802 and this rule.

118 (b) The Board or the Superintendent may request an audit of an LEA's dropout  
119 prevention and recovery program.

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121 **KEY: dropout, prevention and recovery, pupil accounting**

122 **Date of Last Change: [~~November 26, 2021~~2022]**

123 **Notice of Continuation: [~~July 15, 2020~~2022]**

124 **Authorizing, and Implemented or Interpreted Law: Art X, Sec 3; 53E-4-401(4); 53G-**  
125 **9-802**