

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; [~~and~~

7 ~~—— (b) Section 53A-15-1903, which requires the Board to develop rules to set policies~~
8 ~~related to a dropout prevention and recovery program;~~

9 ~~—— (c) Section 53A-1-401, which allows the Board to make rules to execute the~~
10 ~~Board's duties and responsibilities under the Utah Constitution and state law.]~~

11 (b) Section [53E-3-401\(4\)](#), which allows the Board to make rules to execute the
12 Board's duties and responsibilities under the Utah Constitution and state law; and

13 —— (c) Section [53G-9-802](#), which requires the Board to develop rules to set policies
14 related to a dropout prevention and recovery program.

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

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

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

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21 **R277-606-2. Definitions.**

22 For purposes of this rule:

23 (1) "Attainment goal" has the same meaning as that term is defined in Section
24 [~~53A-15-1902~~][53G-9-801](#).

25 (2) "Average daily membership" means the same as that term is defined in
26 Section [~~53A-17a-103~~][53F-2-102](#).

27 (3) "Cohort" means the same as that term is defined in Section
28 [~~53A-15-1902~~][53G-9-801](#).

29 (4) "College and career readiness work" means the same as that term is defined

30 in Section ~~[53A-15-1902]~~[53G-9-801](#).

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

32 (a)(i) who has withdrawn from a secondary school prior to earning a diploma;

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

34 (iii) whose cohort has not yet graduated; or

35 (b) who is at risk of meeting the criteria described in Subsection (5)(a), as
36 determined by the student's LEA, using the risk factors described in Subsection (10).

37 (6) "Graduation rate" means the same as that term is defined in Section
38 ~~[53A-15-1902]~~[53G-9-801](#).

39 (7) "LEA" means the same as that term is defined in Section
40 ~~[53A-15-1902]~~[53G-9-801](#).

41 (8) "Nontraditional program" means the same as that term is defined in Section
42 53A-15-1902.

43 (9) "Proxy graduation rate" means a rate calculated:

44 (a) in a manner similar to the regular graduation rate for each year of grades 9
45 through 12;

46 (b) treating a student as having graduated if the student returned after each grade
47 year; and

48 (c) treating a student as dropping out if the student:

49 (i) did not return after each year; or

50 (ii) the student did not have an acceptable exit code entered into the Board's
51 UTREx system.

52 (10) "Risk factors" means:

53 (a) low academic performance, as measured by grades, test scores, or course
54 failure;

55 (b) poor behavior, as measured by office disciplinary referrals, suspensions, or
56 expulsions; and

57 (c) absenteeism, whether excused or unexcused absences, and including days
58 tardy and truant.

59 (11) "Third party" means the same as that term is defined in Section
60 ~~[53A-15-1902]~~[53G-9-801](#).

61

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

63 (1) ~~[Beginning with the 2016-17 school year, a]~~An LEA that serves students in
64 grades 9, 10, 11, or 12 shall provide a dropout prevention and recovery program for a
65 designated student with the dropout prevention and recovery services described in Section
66 ~~[53A-15-1903]~~[53G-9-802](#).

67 (2) An LEA that enrolls a designated student in a dropout prevention and recovery
68 program shall:

69 (a) develop a written policy that describes:

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

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

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

77 (3)(a) If a designated student chooses to enroll in a dropout prevention and
78 recovery program, the LEA, in consultation with the designated student, shall prepare, in
79 accordance with the LEA's written policy described in Subsection (2), a learning plan for
80 the designated student that includes an attainment goal for the designated student.

81 (b) If an LEA is required to contract with a third party to provide dropout prevention
82 and recovery services, the third party shall:

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

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

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

90 (4)(a) If a designated student is a student with a disability and an LEA provides
91 dropout prevention and recovery services without using a third party, the LEA shall:

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

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

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

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

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

102

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

104 (1)(a) [~~Beginning with the 2016-17 school year, on or before August 1, 2017 and~~
105 ~~on or before August 1 each year thereafter, a]~~An LEA shall submit an annual report to the
106 Superintendent on the LEA's dropout prevention and recovery services by October 30.

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

108 (i) the information described in Section [~~53A-15-1903~~][53G-9-802](#);

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

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

112 (2) A third party working with an LEA on the LEA's dropout prevention and
113 recovery program shall report any information requested by the LEA including any
114 information required for the LEA to submit a report described in Subsection (1).

115 (3) The Superintendent shall:

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

117 (b) by April 1 each year, inform an LEA that the LEA is required to enter into a
118 contract with a third party as described in Subsection ~~[53A-15-1903(3)]~~[53G-9-802\(3\)](#); and

119 (c) except as provide for in Subsection [53G-9-802\(4\)](#), ensure that an LEA
120 described in Subsection ~~[53A-15-1903(3)]~~[53G-9-802\(3\)](#) and Subsection R277-606-3(3)
121 contracts with a third party as required in Section ~~[53A-15-1903]~~[53G-9-802](#) and Section
122 R277-606-3.

123 (4)(a) An LEA shall maintain documentation to comply with the requirements of
124 Section ~~[53A-15-1903]~~[53G-9-802](#) and this rule.

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

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

129 **Date of Enactment or Last Substantive Amendment: October 11, 2016**

130 **Authorizing, and Implemented or Interpreted Law: [Art X, Sec 3](#);**

131 ~~[53A-1-401]~~[53E-4-401\(4\)](#); ~~[53A-15-1903]~~[53G-9-802](#)