

R277-930 received final approval by the Utah State Board of Education on June 22, 2021. R277-930 will be published in the July 15, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of August 21, 2021.

**R277. Education, Administration.**

**R277-930. English Language Learner Software.**

**R277-930-1. 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-1-401, which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53F-2-419, which directs the Board to allocate funds to LEAs to fund English language learner software.

(2) The purpose of this rule is to establish procedures for allocating and reimbursing funds to an LEA for English language learner software in accordance with Section 53F-2-419.

**R277-930-2. Definitions.**

(1) "Eligible student" means an English language learner student.

(2) "English language learner software" means the software identified in Section 53F-4-219.

**R277-930-3. Allocation Procedures.**

(1) The Superintendent shall determine the amount available to each LEA for English language learner software under Section 53F-2-419 by adding:

(a) the base amount available to the LEA in accordance with the LEA Base Allocation Table using the LEA's October 1 student count from the prior school year; and

(b) a per student amount for each LEA calculated using the number of eligible students from the LEA's October 1 student count from the prior school year and the funds remaining from the legislative allocation after setting aside the amounts identified in Subsection (1)(a).

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(2) The Superintendent shall notify each LEA of the LEA's projected funding amount by July 1 annually.

(3) An LEA shall submit an application to the Superintendent to notify the Superintendent of the LEA's intent to participate and receive funds under the English language learner software program.

(4) An LEA shall use funds allocated under this program in accordance with Subsection 53F-2-419 (2).

(5) The Superintendent shall reimburse an LEA for expenses incurred consistent with this rule and Section 53F-2-419 .

TABLE  
LEA Base Allocation

<u>Eligible Students</u>	<u>Base Amount</u>
<u>1-10</u>	<u>\$1,000</u>
<u>11-20</u>	<u>\$2,000</u>
<u>21-30</u>	<u>\$3,000</u>
<u>31-40</u>	<u>\$4,000</u>
<u>41-50</u>	<u>\$5,000</u>
<u>51-100</u>	<u>\$10,000</u>
<u>101-200</u>	<u>\$20,000</u>
<u>201-300</u>	<u>\$30,000</u>
<u>301-1,000</u>	<u>\$50,000</u>
<u>1,001-5,000</u>	<u>\$60,000</u>
<u>5,001-10,000</u>	<u>\$65,000</u>
<u>10,001 or more</u>	<u>\$70,000</u>

**KEY: Software, Allocating, Reimbursing**

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

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**Authorizing, and Implemented or Interpreted Law: Art. X Sec 3; 53E-3-401;**  
**53F-4-219**