

1 **R277. Education, Administration.**

2 **R277-927. Teacher and Student Success Act (TSSA) Program.**

3 **R277-927-1. 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 of public education in the Board;

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

9 (c) Section [53F-2-416](#), which requires the Board to calculate and distribute  
10 student and teacher success program money to LEAs;

11 (d) Section [53G-7-1304](#), which requires the Board to make rules for an LEA  
12 governing board to calculate and distribute a school's allocation of program money for  
13 each school within the LEA; and

14 (e) Section [53G-7-1306](#), which require the Board to determine:

15 (i) a threshold of points under the statewide school accountability system that  
16 designates a school as succeeding in school performance and student academic  
17 achievement; and

18 (ii) performance standards for certain schools.

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

20 (a) set standards for the Board's distribution of student and teacher success  
21 program money to LEAs;

22 (b) set standards governing an LEA's distribution of student and teacher success  
23 program money to each school within the LEA; and

24 (c) to establish certain accountability standards related to the student and  
25 teacher success program.

26

27 **R277-927-2. Definitions.**

28 (1) As used in Section [53G-7-1304](#), "capital expenditures" are funds used to  
29 acquire, maintain, or upgrade physical assets like property, building, technology, or  
30 equipment and may include:

- 31 (a) improvements to a building or school grounds;
- 32 (b) a school bus;
- 33 (c) rent, lease, or bond payments; and
- 34 (d) a portable classroom or costs related to moving a portable classroom.

35 (2) "Program" means the student and teacher success program created in  
36 Section [53G-7-1302](#).

37 (3) "Satellite school" means the same as that term is defined in Rule [R277-550](#).

38 (4) "School personnel who work directly with and support students in an  
39 academic role" does not include:

- 40 (a) school level administrative or operational staff;
- 41 (b) building and maintenance staff, including custodial and grounds staff;
- 42 (c) transportation staff;
- 43 (d) child nutrition services staff;
- 44 (e) operational or facility support staff;
- 45 (f) financial staff;
- 46 (g) information technology staff;
- 47 (h) legal staff;
- 48 (i) secretarial staff; or
- 49 (j) other district level staff paid on an administrative salary schedule.

50

51 **R277-927-3. Program Requirements and Board Distribution of Program Money.**

52 (1)(a) The Superintendent shall distribute an LEA's annual program allocation, in  
53 equal payment amounts, to an LEA once the LEA submits the LEA's student success  
54 framework through the Board's grant management system.

55 (b) If an LEA amends the LEA's student success framework, the LEA shall  
56 submit the amended student success framework through the Board's grant  
57 management system.

58 (2) If the LEA previously submitted a student success framework, before the  
59 LEA receives the LEA's annual program allocation, the LEA shall submit annual  
60 assurances in accordance with the requirements of Rule [R277-108](#).

61 (3) If an LEA fails to submit the LEA's student success framework as described  
62 in Subsection (1) or annual assurances described in Subsection (2) to the  
63 Superintendent:

64 (a) the LEA may not receive a program allocation for that fiscal year; and

65 (b) the undistributed balance will be included with the new year appropriation  
66 and distributed in the following fiscal year according to the formula described in  
67 Subsection [53F-2-416\(3\)](#).

68 (4) For purposes of calculating the formula described in Subsection [53F-2-](#)  
69 [416\(3\)](#), "weighted pupil units" means:

70 (a) for an existing LEA:

71 (i) the weighted pupil units for the prior year for the minimum school basic  
72 program; minus

73 (ii) the weighted pupil units allocated for foreign exchange students; and

74 (b) for a new LEA or a charter school opening a new satellite campus:

75 (i) the weighted pupil units based on the LEA's projected enrollment for the  
76 current year for the minimum school basic program; minus

77 (ii) the weighted pupil units allocated for foreign exchange students; and

78 (c) for the Utah Schools for the Deaf and Blind, USDB's prior year October 1  
79 headcount multiplied by two.

80 (5) For a new LEA or a charter school opening a new satellite campus during the  
81 second year of operation, the Superintendent shall increase or decrease the LEA's first  
82 year distribution of funds to reflect the LEA's actual first year October 1 counts.

83 (6) For purposes of determining whether a school district in a county of the first,  
84 second, or third class has an approved board local levy for the maximum amount  
85 allowed for the purposes described in Subsection [53G-7-1304\(2\)\(c\)\(i\)\(A\)](#), the school  
86 district meets the property tax requirements of Subsection [53G-7-1304\(2\)\(a\)\(i\)](#) if in the  
87 applicable fiscal year:

88 (a) the school district's rate imposed for the board local levy is equal to the  
89 maximum amount allowed under Section [53F-8-302](#); or

90 (b)(i) the school district's board local levy rate meets or exceeds an amount  
91 equal to the certified board local levy rate; and

92 (ii) the school district's board local levy rate equaled the maximum amount  
93 allowed under Section [53F-8-302](#) sometime within the prior five fiscal years.

94 (7) For purposes of determining whether a school district in a county of the first,  
95 second, or third class increased the school district's board local levy by at least .0001  
96 per dollar of taxable value as described in Subsection [53G-7-1304\(2\)\(c\)\(i\)\(B\)](#), a school  
97 district that does not meet the property tax requirements of Subsection (6), the school  
98 district meets the requirements of Subsection [53G-7-1304\(2\)\(c\)\(i\)\(B\)](#) if the school  
99 district's board local levy rate for the current fiscal year is at least .0001 per dollar of  
100 taxable value more than the school district's board local levy rate imposed in the prior  
101 fiscal year.

102 (8) For fiscal year 2020, "state average teacher salary" means a weighted  
103 calculation of the statewide teacher salary expenditures reported on the annual financial  
104 report by LEA from fiscal year 2018 divided by the number of full-time equivalent  
105 educators or FTEs from the most recent educator cactus submission.

106 (9) Except as provided in Subsection (10), for fiscal year 2020, "LEA's average  
107 teacher salary" means the LEA's teacher salary expenditures reported on the annual  
108 financial report from fiscal year 2018 divided by the LEA's number of full-time equivalent  
109 educators or FTEs from the most recent educator cactus submission.

110 (10) For a new LEA in the new LEA's first or second year of operation, the new  
111 LEA's average teacher salary is equal to the state average teacher salary.

112

113 **R277-927-4. LEA Financial Reporting and Prohibited Uses of Program Funds.**

114 (1) An LEA shall report expenditures of program money by location according to  
115 the Board approved chart of accounts.

116 (2) An LEA may not use program money:

117 (a) for a purpose described in Subsection [53G-7-1304\(1\)](#);

118 (b) to support adult education or preschool programs; or

119 (c) to pay for contracted services commonly performed by the following staff:

120 (i) school level administration staff;

121 (ii) building and maintenance staff, including custodial staff;

122 (iii) transportation staff;

123 (iv) child nutrition services staff;

124 (v) operational or facility support staff; or

125 (vi) district level staff.

126 (3) As used in Subsection [53G-7-1304\(2\)](#), "district administration costs" does not  
127 include salary driven benefits for school personnel charged at the district level.

128 (4) An LEA may carry over restricted program funds into the next fiscal year to  
129 support a purpose identified by the LEA governing board student success framework.  
130 Any funds carried over must be reported according to the Board approved chart of  
131 accounts.

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133 **R277-927-5. LEA Allocations to Schools.**

134 (1) An LEA with two or more schools shall establish a policy that defines how the  
135 LEA will calculate and distribute program allocations based on prior year average daily  
136 membership as determined by the Superintendent, to all schools within the LEA,  
137 including how the LEA will calculate allocations for new schools within the LEA.

138 (2) For a new school within an LEA, the LEA shall calculate and distribute  
139 school's allocation based on the school's projected October 1 headcount for the  
140 applicable school year.

141 (3) After calculating an LEA's school level allocations, an LEA may make  
142 adjustments to individual school ADM values and school level allocations due to  
143 changes in current year student enrollment for reasons including:

- 144 (a) changes in school boundaries;  
145 (b) changes to feeder school patterns;  
146 (c) changes in grade levels offered; or  
147 (d) significant student growth of 30% or more.

148

149 **R277-927-6. Accountability Performance Standards.**

150 (1) For purposes of determining the threshold of points that designates a school  
151 as succeeding in school performance as described in Subsection [53G-7-1306\(1\)\(a\)](#), a  
152 school is succeeding in school performance if, in the most recently published [overall]  
153 school [accountability ratings]determinations the school [is designated as a  
154 commendable or exemplary school as described in Section R277-497-2]has:

155 (a) 43.5% or more of the total points possible for a school that is an elementary  
156 or middle school; or

157 (b) 46% or more of the total points possible for a school that enrolls students in  
158 grade 12.

159 (2) For purposes of determining the performance standards for a school  
160 described in Subsection [53G-7-1306\(1\)\(b\)](#), a school meets the performance standards if  
161 the school meets the criteria described in Subsection [53E-5-203\(2\)](#).

162

163 **KEY: Teacher and Student Success Act (TSSA), program money, allocation**

164 **Date of Last Change: May 23, 2023**

165 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53F-](#)  
166 [2-416](#); [53G-7-1304](#); [53G-7-1306](#)**