R277. Education, Administration.


R277-421-1. 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; and

(c) Section 53G-6-305, which outlines when a school district may pay out-of-state tuition for a resident student to attend a school district out of state.

(2) The purpose of this rule is to establish procedures for:

(a) obtaining Board approval for reimbursement of out-of-state tuition expenses;

(b) calculating reimbursement costs; and

(c) recording out of state students in district records.


(1) "ADM" means average daily membership.

(2) "Minimum school program" or "MSP" means the same as that term is defined in Section 53F-2-102.

(3) "NESS" means the Necessarily Existent Small Schools Fund.

(4) "Utah eTranscript and Records Exchange" or "UTREx" means a system that allows individual detailed student records to be exchanged electronically between public education districts and the Superintendent, and allows electronic transcripts to be sent to any post-secondary institution, private or public, in-state or out-of-state, that participates in the e-transcript service.

(5) "WPU" means the weighted pupil unit.


(1) A district shall submit to the Superintendent an agreement to pay tuition to an out-of-state district in accordance with Subsection 53G-6-305(1) by June 30.
(2) A district requesting reimbursement for excess tuition costs under Subsection 53G-6-305(3) shall submit a request to the Superintendent by June 30 including:
   (a) an estimate of ADM for out of state students for the upcoming school year; and
   (b) an estimate of tuition payment amounts for the upcoming school year.

(3) (a) The Board shall review a request submitted under Subsection (2) no later than August 30.
    (b) The Board may deny a request submitted under Subsection (2) if there are insufficient funds to cover the reimbursement.


(1) The Superintendent shall calculate out-of-state reimbursement to a district by subtracting state funds that are calculated based on the WPU generated by an out-of-state resident student’s ADM from the total tuition payment per student:
   (a) Kindergarten WPU;
   (b) Grade 1-12 WPU;
   (c) Professional Staff Costs;
   (d) NESS;
   (e) District Administrative Costs;
   (f) Class-Size Reduction;
   (g) Flexible Allocation;
   (h) Gifted and Talented program;
   (i) K-3 Reading Improvement program;
   (j) Voted and Board Local Levy Guarantee programs; and
   (k) Applicable Special Education programs.

(2) A district shall not include out-of-state tuition payments in any other MSP formula.

(3) The Superintendent may include in a calculation under Subsection (1) mileage costs reimbursed by a district to parents for transporting students to the nearest bus stop in accordance with Section R277-600-7.

(4) The Superintendent shall reserve the estimated funds identified by a district
under Subsection R277-421-3(2)(a) from the new year NESS appropriation, and pay Board-authorized reimbursement payments from reserved funds.

R277-421-5. Recording Student Membership for Out-of-State Students.

(1) A district shall record student membership for students receiving out-of-state tuition reimbursement in accordance with District enrollment and membership policies.

(2) A district shall report students in UTREx for whom they are paying out-of-state tuition using codes identified by the Superintendent.

(3) A district shall report ADM for students attending school out-of-state pursuant to a tuition agreement under Section 53G-6-305 in the same manner as the district calculates ADM for students attending the district’s schools.

KEY: out-of-state, tuition, reimbursement

Date of Enactment of Last Substantive Amendment: October 11, 2016

Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53G-6-305