

1 **R277. Education, Administration.**

2 **R277-421. Out-of-State Tuition Reimbursement.**

3 **R277-421-1. 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) Subsection [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-6-305](#), which outlines when a school district may pay out-of-state
10 tuition for a resident student to attend a school district out of state.

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

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

13 (b) calculating reimbursement costs; and

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

15 **R277-421-2. Definitions.**

16 (1) "ADM" means average daily membership.

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

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

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

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

26 **R277-421-3. Board Review of Out-of-State Tuition Agreements.**

27 (1) A district shall submit to the Superintendent an agreement to pay tuition to an
28 out-of-state district in accordance with Subsection [53G-6-305](#)(1) by June 30.

29 (2) A district requesting reimbursement for excess tuition costs under Subsection
30 53G-6-305(3) shall submit a request to the Superintendent by June 30 including:

31 (a) an estimate of ADM for out of state students for the upcoming school year; and

32 (b) an estimate of tuition payment amounts for the upcoming school year.

33 (3)(a) The ~~[Board]~~ Superintendent shall review a request submitted under
34 Subsection (2) no later than August 30.

35 (b) The ~~[Board]~~ Superintendent may deny a request submitted under Subsection (2)
36 if there are insufficient funds to cover the reimbursement.

37 **R277-421-4. Calculation of Out-of-State Tuition Reimbursement.**

38 (1) The Superintendent shall calculate out-of-state reimbursement to a district by
39 subtracting state funds that are calculated based on the WPU generated by an out-of-state
40 resident student's ADM from the total tuition payment per student:

41 (a) Kindergarten WPU;

42 (b) Grade 1-12 WPU;

43 (c) Professional Staff Costs;

44 (d) NESS;

45 (e) District Administrative Costs;

46 (f) Class-Size Reduction;

47 (g) Flexible Allocation;

48 (h) Gifted and Talented program;

49 (i) K-3 Reading Improvement program;

50 (j) Voted and Board Local Levy Guarantee programs; and

51 (k) Applicable Special Education programs.

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

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

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

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

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

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

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

68 **KEY: out-of-state, tuition, reimbursement**

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

70 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; [53E-3-401\(4\)](#);**
71 **[53G-6-305](#)**