

# USBE Updates to R277-419 and Waivers of the 990-hour and 180-day Requirements for 2020-21

August 2020



# Minimum School Day Requirements

## **R277-419-5 Requires:**

(1)(a) Except as provided in Subsection (1)(b) and Subsection 53F-2-102(4), an LEA shall conduct school for at least 990 instructional hours over a minimum of 180 school days each school year.



# Work Previously Completed by USBE

- 2016 Amendments to R277-419 to allow an LEA to use a “continuing enrollment measurement” other than the 10-day attendance rule for purposes of calculating a school’s student membership
- 2020 Amendments to R277-419 redefining “attendance validated program” and “learner validated program”



"Attendance validated program" means a program within an LEA that consists of eligible, enrolled public school students who physically attend school in a brick and mortar school.

"Learner validated program" means a program within an LEA that consists of eligible, enrolled public school students where the student receives instruction through:

- (a) an online learning program;
- (b) a blended learning program; or
- (c) a competency-based learning program.

# R277-419 Updates and 990-hour Waiver

- Waived the 990-hour Requirements for LEAs that Submitted a Request

## **R277-419-6. Waiver of the 990 Hour Requirement For the 2020-21 School Year.**

Notwithstanding the requirements of Section R277-419-5, for the 2020-21 school year, an LEA is not subject to the requirement to conduct school for at least 990 hours of educational services if . . . the LEA includes in the LEA's reopening requirements template, how the LEA will ensure continuity of teaching and learning by providing high quality instruction that includes blended learning and formative assessment strategies.



# R277-419 Additional Amendments

- Changed terminology around the 990-hour requirement by basing the 990 on hours of providing “educational services” rather than instruction
- Eliminated the minimum school day hour requirements (currently requires a minimum of 2 hours in kindergarten and 4 hours in grades 1 through 12)
- Eliminated prescriptive language about what may or may not be counted as hours of instruction or educational services
- Changed terminology of “continuing enrollment measurement” to “learner validated enrollment measurement”



# State Board Authority to Waive State Board Administrative Rules

Section [53G-7-202](#) allows the State Board to Waive State Board rule



# LEA Requests to Waive 180-day Requirement

Most LEAs Requested the Board Waive 5 or 6 Days (Equivalent to Providing a minimum of 174 or 175 Days of Instruction)



# Section 53F-2-102(4) Authority

[53F-2-102](#)(4) allows LEAs to reallocate 4 days for Preparation or Professional Learning

- (d)(i) **An LEA governing board may reallocate up to 32 instructional hours or four school days established under Subsection (4)(c) for teacher preparation time or teacher professional development.**
- (ii) A reallocation of instructional hours or school days under Subsection (4)(d)(i) is subject to the approval of two-thirds of the members of an LEA governing board voting in a regularly scheduled meeting:
  - (A) at which a quorum of the LEA governing board is present; and
  - (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.
- (iii) If an LEA governing board reallocates instructional hours or school days as provided by this Subsection (4)(d), **the school district or charter school shall notify students' parents of the school calendar at least 90 days before the beginning of the school year.**



# Board Waiver of the 180-day Requirement

State Board Waived 6 Days Total for the 2020-21  
School Year

Equivalent to the Number of Days (4) Allowed for in  
Subsection 53F-2-102(4) plus 2 More



# Additional Student Enrollment Data Collection Dates for 2020-21 SY

- Board Rule [R277-419](#) was amended to include Section 15:
- **This a one-time provision to the rule, for SY2020-21 only**

*R277-419 - 15. Student Enrollment Count Polls for 2020-21 School Year*

*(1) The Superintendent shall take a poll of UTREx LEA student enrollment data on the following dates:*

*(a) **September 9, 2020**; and*

*(b) on another date determined by the Superintendent in December 2020 or January 2021.*

*(2) The Superintendent shall notify LEAs of the date described in Subsection (1)(b) at least 15 days before taking the poll.*



# September 9<sup>th</sup> Enrollment Data Collection Details

- LEAs should do their best to ensure that enrollment data is accurate and error free in time for a Sep 9 submission
- USBE anticipates having a finalize 'button' for the September 9 data poll, and LEAs will need to finalize a clean submission on September 9
- LEAs with concerns about record errors will be able to work with USBE to determine the best solution to have the LEA's Sep 9 numbers reflect actual enrollment



# Questions?

