

STUDENTS WITH DISABILITIES AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: Daniel Hemmert

LONG TITLE

General Description:

This bill amends a formula related to add-on weighted pupil units for students with disabilities.

Highlighted Provisions:

This bill:

- ▶ amends a formula related to add-on weighted pupil units for students with disabilities;
- ▶ ~~H~~→ **[removes] amends** ←~~H~~ a limit on a certain growth factor; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53F-2-307, as last amended by Laws of Utah 2019, Chapter 186

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53F-2-307** is amended to read:

53F-2-307. Weighted pupil units for programs for students with disabilities --

H.B. 205



28 **Local school board allocation.**

29 (1) The number of weighted pupil units for students with disabilities shall reflect the
30 direct cost of programs for those students conducted in accordance with rules established by the
31 state board.

32 (2) Disability program money allocated to school districts or charter schools is
33 restricted and shall be spent for the education of students with disabilities but may include
34 expenditures for approved programs of services conducted for certified instructional personnel
35 who have students with disabilities in their classes.

36 (3) The state board shall establish and strictly interpret definitions and provide
37 standards for determining which students have disabilities and shall assist school districts and
38 charter schools in determining the services that should be provided to students with disabilities.

39 (4) Each year the state board shall evaluate the standards and guidelines that establish
40 the identifying criteria for disability classifications to assure strict compliance with those
41 standards by the school districts and charter schools.

42 (5) (a) Money appropriated to the state board for add-on WPU's for students with
43 disabilities enrolled in regular programs shall be allocated to school districts and charter
44 schools as provided in this Subsection (5).

45 (b) The state board shall use a school district's or charter school's average number of
46 special education add-on weighted pupil units determined by the prior year's average daily
47 membership plus growth and the~~[previous five year's]~~ preceding four years' average daily
48 membership data as a foundation for the special education add-on appropriation.

49 (c) The growth factor described in Subsection (5)(b) is the percentage change in total
50 enrollment of kindergarten through grade 12 students on the first school day of October in the
51 current school year as compared to the total enrollment of kindergarten through grade 12
52 students on the first school day of October in the previous school year.

53 ~~[(c)]~~ (d) A school district's or charter school's special education add-on WPU's for the
54 current year may not be less than the foundation special education add-on WPU's described in
55 Subsection (5)(b).

56 ~~[(d)]~~ (e) Growth WPU's shall be added to the prior year special education add-on
57 WPU's, and growth WPU's shall be determined as follows:

58 (i) The special education student growth factor is calculated by comparing S-3 total

59 special education [~~ADM of two years~~] average daily membership of one year previous to the
 60 current year to the S-3 total special education [~~ADM three~~] average daily membership two
 61 years previous to the current year, not to exceed the official October total school district or
 62 charter school growth factor from the prior year.

63 ~~H~~→ [f] (ii) **When calculating and applying the growth factor, a school district's S-3**
 63a **total**

64 **special education ADM for a given year is limited to [~~12.18%~~] the following percentage of the**
 64a **school district's S-3 total**

65 **student ADM for the same year [±] :**

65a **(A) for a school district in a county of the first, second, or third class, 14%; and**

65b **(B) for a school district in a county of the fourth, fifth, or sixth class, 20%.** ←~~H~~

66 [~~(iii)~~] (ii) Growth ADMs are calculated by applying the growth factor to the S-3 total
 67 special education [~~ADM of two years~~] average daily membership of one year previous to the
 68 current year.

69 [~~(iv)~~] (iii) Growth ADMs for each school district or each charter school are multiplied
 70 by 1.53 weighted pupil units and added to the prior year special education add-on WPU to
 71 determine each school district's or each charter school's total allocation.

72 (6) If money appropriated under this chapter for programs for students with disabilities
 73 does not meet the costs of school districts and charter schools for those programs, each school
 74 district and each charter school shall first receive the amount generated for each student with a
 75 disability under the basic program.