

**STUDENTS WITH DISABILITIES AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Marsha Judkins**

Senate Sponsor: Daniel Hemmert

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**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;
- ▶ ~~amends~~ **amends** 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

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*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 --**



**Local school board allocation.**

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

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

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

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

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

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

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

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

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

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

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

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

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

**student ADM for the same year [÷] :**

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

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

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

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

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