

Lincoln Fillmore proposes the following substitute bill:

School Funding Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Matt MacPherson

LONG TITLE

General Description:

This bill modifies provisions regarding weighted pupil units.

Highlighted Provisions:

This bill:

- modifies the formula to determine a school district's weighted pupil units by:
 - repealing an exclusion for self-contained classes for children with a disability; and
 - accounting for positive or negative growth based on the current school year's student count; and
- reallocates savings from enrollment decline to special education self-contained weighted pupil units and weighted pupil units for students who are at-risk;
- creates special education self-contained weighted pupil units; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53F-2-302, as last amended by Laws of Utah 2024, Chapter 124

ENACTS:

53F-2-307.5, Utah Code Annotated 1953

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

Section 1. Section **53F-2-302** is amended to read:

53F-2-302 . Determination of weighted pupil units.

- 29 (1) The number of weighted pupil units in the Minimum School Program for each year is
30 the total of the units for each school district and, subject to Subsection (5), charter
31 school, determined in accordance with this section.
- 32 (2) The number of weighted pupil units is computed by adding the average daily
33 membership of all pupils of the LEA attending schools~~[, other than self-contained~~
34 ~~classes for children with a disability]~~.
- 35 (3)(a) Except as provided in Subsection (3)(b), for a fiscal year beginning on or after
36 July 1, 2023, the number of weighted pupil units for kindergarten students shall be
37 computed by adding the average daily membership of all pupils of the LEA enrolled
38 in kindergarten.
- 39 (b) The number of weighted pupil units is computed by multiplying the average daily
40 membership for the number of students who are enrolled in kindergarten for less than
41 the equivalent length of the schedule for grades 1 through 3, based on the October 1
42 data described in Section 53F-2-302, by .55.
- 43 (4)(a) The state board shall ~~[use prior year plus growth to determine average daily~~
44 ~~membership in distributing]~~ distribute money under the Minimum School Program
45 where the distribution is based on kindergarten through grade 12 ADMs ~~[or weighted~~
46 ~~pupil units.]~~
- 47 ~~[(b) Under prior year plus growth, kindergarten through grade 12 average daily~~
48 ~~membership for the current year is]~~ based on the actual kindergarten through grade
49 12 average daily membership for the previous year plus an estimated percentage
50 growth factor.
- 51 ~~[(c)]~~ (b) The growth factor is the percentage increase or decrease in total ~~[average daily~~
52 ~~membership]~~ student count on the first school day of October in the current year as
53 compared to the total ~~[average daily membership]~~ student count on the first school
54 day of October of the previous year.
- 55 ~~[(d) If the calculations described in Subsections (4)(a) through (c) show a loss in~~
56 ~~enrollment for an LEA due to factors beyond the LEA's control, the state board may~~
57 ~~allow a percentage increase in units for the LEA to account for the loss.]~~
- 58 (5) In distributing funds to charter schools under this section, charter school pupils shall be
59 weighted, where applicable, as follows:
- 60 (a) except as provided in Subsection (3)(b), .9 for pupils in kindergarten through grade 6;
61 (b) .99 for pupils in grades 7 through 8; and
62 (c) 1.2 for pupils in grades 9 through 12.

- 63 (6) In preparation of public education budgets, the Executive Appropriations Committee
 64 shall reallocate any savings from enrollment decline under Subsection (4):
 65 (a) for self-contained special education weighted pupil units under Section 53F-2-307.5;
 66 and
 67 (b) the remainder, after the amount described in Subsection (6)(a), for weighted pupil
 68 units for students who are at-risk described in Section 53F-2-314.

69 Section 2. Section **53F-2-307.5** is enacted to read:

70 **53F-2-307.5 . Self-contained special education weighted pupil units.**

71 (1) As used in this section:

72 (a) "LEA" means:

73 (i) a school district; or

74 (ii) a charter school.

75 (b) "Self-contained special education weighted pupil unit" means a weighted pupil unit
 76 for students who receive 180 minutes or more per day of specialized instruction in
 77 accordance with the student's IEP.

78 (2) A self-contained special education weighted pupil unit is equal to one pupil in average
 79 daily membership who receives 180 minutes or more per day of specialized instruction
 80 in accordance with the student's IEP.

81 (3)(a) An LEA:

82 (i) shall use self-contained special education classroom funding under this section to
 83 pay the costs of providing a self-contained special education classroom;

84 (ii) may use self-contained special education weighted pupil units to supplement
 85 other state funds, local funds, or federal funds; and

86 (iii) may not use self-contained special education weighted pupil units to supplant
 87 other state funds, local funds, or federal funds.

88 (b) Notwithstanding Subsection (3)(a), an LEA may expend self-contained special
 89 education classroom funding for constructing facilities or altering existing facilities
 90 in accordance with Subsection 53F-2-307(4).

91 (4)(a) The state board shall allocate money appropriated to the state board for
 92 self-contained special education weighted pupil units based on an LEA's number of
 93 students with a disability in a self-contained special education classroom in
 94 accordance with this Subsection (4).

95 (b) The state board shall use an LEA's average number of self-contained special
 96 education weighted pupil units determined by the prior year's average daily

97 membership plus growth.
98 (c) The growth factor described in Subsection (4)(b) is the percentage change in total
99 enrollment of students in a self-contained special education classroom on the first
100 school day of October in the current school year as compared to the total enrollment
101 of students in a self-contained special education classroom on the first school day of
102 October in the previous school year.

103 (5) If money appropriated under this chapter for programs for self-contained special
104 education weighted pupil units does not meet the costs of LEAs for those programs,
105 each LEA shall first receive the amount generated for each student with a disability
106 under the basic program.

107 Section 3. **Effective Date.**
108 This bill takes effect on July 1, 2027.