

H.B. 2

MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 8, 2011 4:20 PM

Representative **Kenneth W. Sumsion** proposes the following amendments:

1. *Page 1, Line 23:*

23 funds for youth in custody;

► amends the weighting factor applied to the average daily membership of students with disabilities to determine the weighted pupil units for the Special Education Add-on program;

2. *Page 2, Line 46:*

46 53A-1-708, as enacted by Laws of Utah 2004, Chapter 265

53A-17a-111, as last amended by Laws of Utah 2010, Chapter 3

3. *Page 5, Line 135:*

135 the State Board of Education in the amount of the grant [~~monies~~] money improperly used.

Section 3. Section 53A-17A-111 is amended to read:

53A-17a-111. Weighted pupil units for programs for students with disabilities -- District 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 of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(2) Disability program monies allocated to districts are 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 of Education shall establish and strictly interpret definitions and provide standards for determining which students have disabilities and shall assist districts in determining the services that should be provided to students with disabilities.

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

(5) (a) Monies appropriated to the State Board of Education for add-on WPU for students with disabilities enrolled in regular programs shall be allocated to school districts as provided in this Subsection (5).

(b) Beginning on July 1, 2003, the State Board of Education shall:

(i) use a district's average number of special education add-on weighted pupil units determined by the previous five year's average daily membership data as a foundation for the special education add-on appropriation; and

(ii) implement a hold harmless provision for up to three years as needed to accomplish a phase-in period for school districts to accommodate the change in the special education add-on WPU's foundation formula.

(c) A district's special education add-on WPU's for the current year may not be less than the foundation special education add-on WPU's.

(d) 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 previous to the current year to the S-3 total special education ADM three years previous to the current year, not to exceed the official October total district growth factor from the prior year.

(ii) When calculating and applying the growth factor, a district's S-3 total special education ADM for a given year is limited to 12.18% of the district's S-3 total student ADM for the same year.

(iii) Growth ADMs are calculated by applying the growth factor to the S-3 total special education ADM of two years previous to the current year.

(iv) Growth ADMs for each district are multiplied by ~~{-1.53}~~ 1.3 weighted pupil units and added to the prior year special education add-on WPU to determine each district's total allocation.

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

4. Page 11, Lines 317 through 319:

317	From Uniform School Fund, One-time		\$10,000,000
318	From Education Fund	{ \$207,972,918 }	<u>\$178,260,268</u>
319	From Education Fund, One-time		(\$10,000,000)

5. Page 11, Line 326:

326	Special Education - Add-on	<u>{ -9,790 WPU's }</u>	<u>\$144,370</u>
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6. Page 12, Line 339:

339	From Education Fund	{ \$94,746,265 }	<u>\$124,458,915</u>
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7. Page 12, Line 346:

346	<u>Flexible Allocation - WPU Distribution</u>	<u>\$29,712,650</u>
	Guarantee Transportation Levy	\$500,000

8. Page 12, Line 360:

360 = The Legislature intends that the appropriation for the Flexible Allocation - WPU Distribution program be distributed to school districts and charter schools on the basis of the number of weighted pupil units in a school district or charter school compared to the total number of weighted pupil units and

that the State Board of Education provide for the reporting of school districts' and charter schools' expenditures of the program money.

Renumber remaining sections accordingly.