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29 *Be it enacted by the Legislature of the state of Utah:*30 Section 1. Section **53A-1a-706** is amended to read:31 **53A-1a-706. Scholarship payments.**32 (1) (a) Scholarships shall be awarded by the board subject to the availability of money
33 appropriated by the Legislature for that purpose.34 (b) The Legislature shall annually appropriate money to the board from the General
35 Fund to make scholarship payments.36 (c) Beginning with the 2013-14 school year, the Legislature shall annually increase the
37 amount of money appropriated under Subsection (1)(b) ~~to~~ **by an amount equal to the**
37a1 **product of:** ~~to~~37a ~~to~~ **~~to~~ ~~the product of~~ [(d) For the 2013-14 school year, the amount of the increase shall equal:] ~~to~~**37b **(i) ~~to~~ ~~the product of~~ ~~to~~ the average scholarship amount awarded as of December 1**
37b1 **in the**
37c **previous year; and**37d **(ii) the product of:**37e **(A) the number of students in grades kindergarten through 12 in public schools**
37f **statewide who have an IEP on December 1 of the previous year; and**37g **(B) ~~to~~ ~~0.0014~~ 0.0007 ~~to~~ .**37h ~~to~~ **(e) For the 2014-15 school year, the amount of the increase shall equal:**37i ~~to~~ **(i) the product of the average scholarship amount awarded as of December 1 in the**
37j **previous year; and**37k ~~to~~ **(ii) the product of:**37l ~~to~~ **(A) the number of students in grades kindergarten through 12 in public schools**
37m **statewide who have an IEP on December 1 of the previous year; and**37n ~~to~~ **(B) 0.003. ~~to~~**38 ~~to~~ **~~to~~ [(d) The] (f) For the 2015-16 school year and thereafter, the ~~to~~ amount of the**
38a **increase shall equal:**39 ~~to~~ **(i) the product of the average scholarship amount awarded as of ~~to~~ [October]**39a **December ~~to~~ 1 in the**40 **previous year; and**41 ~~to~~ **(ii) the product of:**42 ~~to~~ **(A) the number of students in grades kindergarten through 12 in public schools**
43 **statewide who have an IEP on ~~to~~ [October] December ~~to~~ 1 of the previous year; and**44 ~~to~~ **(B) 0.005.] ~~to~~**45 ~~to~~ **~~to~~ [(e)] ~~to~~ [(g)] (d) ~~to~~ ~~to~~ If the number of scholarship students as of**45a1 **~~to~~ [October] December ~~to~~ 1**45a2 **in any**

45a3 school year equals or
 46 exceeds 7% of the number of students in grades kindergarten through 12 in public schools
 47 statewide who have an IEP as of ~~§~~ → [October] December ← ~~§~~ 1 in the same school year, the Public
 47a Education
 48 Appropriations Subcommittee shall study the requirement to increase appropriations for
 49 scholarship payments as provided in this section.

50 [~~e~~] ~~§~~ → [(f)] (e) ← ~~§~~ (i) If money is not available to pay for all scholarships requested, the
 51 scholarships shall be allocated on a random basis except that preference shall be given to
 52 students who received scholarships in the previous school year.

53 (ii) If money is insufficient in a school year to pay for all the continuing scholarships,
 54 new scholarships may not be awarded during that school year and the money available for
 55 scholarships shall be prorated among the eligible students who received scholarships in the
 56 previous year.

57 (2) Full-year scholarships shall be awarded in the following amounts:

58 (a) for a student who received an average of 180 minutes per day or more of special

59 education services in a public school before transferring to a private school, an amount not to
60 exceed the lesser of:

61 (i) the value of the weighted pupil unit multiplied by 2.5; or

62 (ii) the private school tuition and fees; and

63 (b) for a student who received an average of less than 180 minutes per day of special
64 education services in a public school before transferring to a private school, an amount not to
65 exceed the lesser of:

66 (i) the value of the weighted pupil unit multiplied by 1.5; or

67 (ii) the private school tuition and fees.

68 (3) The scholarship amount for a student enrolled in a half-day kindergarten program
69 shall be the amount specified in Subsection (2)(a) or (b) multiplied by .55.

70 (4) (a) The scholarship amount for a student who receives a waiver under Subsection
71 53A-1a-704(3) shall be based upon the assessment team's determination of the appropriate
72 level of special education services to be provided to the student.

73 (b) (i) If the student requires an average of 180 minutes per day or more of special
74 education services, a full-year scholarship shall be equal to the amount specified in Subsection
75 (2)(a).

76 (ii) If the student requires less than an average of 180 minutes per day of special
77 education services, a full-year scholarship shall be equal to the amount specified in Subsection
78 (2)(b).

79 (iii) If the student is enrolled in a half-day kindergarten program, a full-year
80 scholarship is equal to the amount specified in Subsection (3).

81 (5) (a) Except as provided in Subsection (5)(b), upon review and receipt of
82 documentation that verifies a student's admission to, or continuing enrollment and attendance
83 at, a private school, the board shall make scholarship payments ~~Š~~ **quarterly** ~~Š~~ in four equal
83a amounts ~~Š~~ **[no later**

84 ~~than September 1, November 1, February 1, and April 15 of]~~ **in** ~~Š~~ each school year in which a
85 scholarship is in force.

86 (b) In accordance with board rule, the board may make a scholarship payment before
87 the first quarterly payment of the school year, if a private school requires partial payment of
88 tuition before the start of the school year to reserve space for a student admitted to the school.

89 (6) A parent of a scholarship student shall notify the board if the student does not have