



Maintenance of Equity (MOEquity) Exception Guidance for Local Education Agencies, Exempt LEAs, and High Poverty Schools

Updated: June 30, 2022

Section 2004 of the American Rescue Plan Act of 2021 (ARP Act) includes new maintenance of equity (MOEquity) provisions that are a condition to receive funds under the Elementary and Secondary School Emergency Relief (ESSER) Program. This new federal fiscal requirement applies to all state educational agencies (SEAs) and local educational agencies (LEAs) that receive funding under ARP ESSER. LEAs receiving ARP ESSER funds must meet two MOEquity requirements, respectively called “fiscal equity” and “staffing equity,” for FY22 (school year 2021–22) and FY23 (school year 2022–23), unless otherwise excepted.

Each LEA must maintain equity for each “high-poverty school” as a condition of receiving ARP ESSER funds. Under ARP § 2004(c), for each school identified by the LEA as a high-poverty school, the LEA may not, in FY22 or FY23—

1. Reduce per-pupil funding (from combined State and local funding) by an amount that exceeds the total reduction, if any, in LEA per-pupil funding for all schools served by the LEA in such fiscal year; or
2. Reduce the number of FTE staff per-pupil by an amount that exceeds the total reduction, if any, in FTE staff per-pupil in all schools served by the LEA in such fiscal year.

As described in ARP § 2004(c)(2), LEA MOEquity shall not apply to an LEA that meets at least 1 of the following criteria:

1. Has a total enrollment of fewer than 1,000 students,
2. Operates a single school,
3. Serves all students within each grade span with a single school,
4. Are not experiencing an overall budget decrease and experiencing an “exceptional or uncontrollable” circumstance (*as determined by the Secretary of Education*), or
5. Demonstrates another exceptional or uncontrollable circumstance (*determined on a case-by-case basis by the United States Department of Education*).

LEAs that meet any of these characteristics for exception are exempt from both the fiscal equity test and the staffing equity test.

LEAs That Meet Exception Criteria 1–3

LEAs that meet exception criteria 1–3 above are automatically exempted from MOEquity requirements for calculating fiscal or staffing equity and are not required to submit documentation to the SEA or the United States Department of Education (USDE) to claim the exception.

However, the Utah State Board of Education (USBE) advises LEAs that are automatically exempted from MOEquity requirements to maintain documentation supporting their exception claims in case it is requested during an audit or monitoring review.

LEAs That Meet Exception Criteria 4

LEAs that are not experiencing an overall budget decrease are considered to be experiencing an “exceptional or uncontrollable” circumstance as determined by the Secretary of Education.

Upon gathering further information from SEAs and LEAs, the USDE understands that many localities are still facing fluctuating school enrollments and uncertain revenue collection as a result of the pandemic, particularly tax levies or other local resources that were established well in advance of the 2022–23 school year. Given such challenges due to the pandemic, the USDE has determined that these circumstances continue to be an example of “exceptional or uncontrollable circumstances” that justify a limited exception to the local MOEquity requirements for the 2022–23 school year in instances in which the LEA is not experiencing aggregate reduction in combined State and local per pupil funding in FY23.

An LEA may self-certify its exception from MOEquity if it is not experiencing an overall budget decrease and is experiencing an “exceptional or uncontrollable” circumstance. An LEA may demonstrate that it is exempted from the LEA MOEquity requirements for FY22 by certifying that it did not and will not implement an aggregate reduction in combined state and local per-pupil funding in FY22 (that is, the LEA is not facing overall budget reductions).

LEAs that qualify for this exemption received notification from the USBE and are required to submit the Self-Certification Attachment B Form to:
[Neil Stevens](#).

LEAs That Meet Exception Criteria 5

Qualification for the USDE Exception based on “exceptional or uncontrollable circumstances.”

The USDE anticipates very few "exceptional or uncontrollable circumstances" that would prevent an LEA from maintaining equity. As a result, each claim of exception will require case-by-case review by the USDE. Demonstrating “an exceptional or uncontrollable circumstance” is defined in guidance as:

- Unpredictable changes in student enrollment,
- A precipitous decline in the financial resources of the LEA, or
- One-time exemption for increased FY22 (school year 2021-22) budget.

LEAs must document the intention to apply to the USDE for an exception by completing the Self-Certification Attachment A Form and providing an explanation on LEA letterhead. The USDE will request the LEA’s financial data from the USBE as part of the process for reviewing the exception request.

An LEA that chooses to apply to the USDE for an exception must follow these steps:

1. Email Appendix A to [Neil Stevens](#), Fiscal Monitoring Team Lead, to notify the USBE of the LEA’s intent to apply for the exception.
2. Email a letter documenting the LEA’s “exceptional or uncontrollable circumstances” to the USDE [Office of Elementary and Secondary Education](#) and copying [Neil Stevens](#).

Utah Local Education Agencies Exempt from MOEquity

Based on available data, the USBE generated the following list of LEAs that meet at least one of exception criteria 1–4 listed above.

LEA Name	Exceptions
Academy For Math Engineering & Science	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Advantage Arts	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Alpine District	Are not experiencing an overall budget decrease
American Academy of Innovation	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
American Leadership Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
American Preparatory Academy	Are not experiencing an overall budget decrease
Ascent Academies	Are not experiencing an overall budget decrease
Athenian eAcademy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Athlos Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Bear River	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Beaver District	Are not experiencing an overall budget decrease
Beehive Science & Technology Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease

LEA Name	Exceptions
Bonneville Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Box Elder District	Are not experiencing an overall budget decrease
Bridge Elementary	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
C.S Lewis Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Cache District	Are not experiencing an overall budget decrease
Canyon Grove	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Canyon Rim Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Canyons District	Are not experiencing an overall budget decrease
Carbon District	Are not experiencing an overall budget decrease
The Center for Creativity Innovation & Discovery	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Channing Hall	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
City Academy	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Daggett District	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Davinci Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease

LEA Name	Exceptions
Davis District	Are not experiencing an overall budget decrease
Dual Immersion Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Duchesne District	Are not experiencing an overall budget decrease
Early Light Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
East Hollywood High	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Edith Bowen Laboratory School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Emery District	Are not experiencing an overall budget decrease
Endeavor Hall	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Entheos Academy	Are not experiencing an overall budget decrease
Esperanza Elementary School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Excelsior Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Fast Forward High	Total enrollment of less than 1,000 students Have only one school per grade span
Franklin Discovery Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Freedom Academy	Are not experiencing an overall budget decrease
Garfield District	Are not experiencing an overall budget decrease

LEA Name	Exceptions
Gateway Preparatory Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
George Washington Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Good Foundation Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Grand District	Have only one school per grade span
Granite District	Are not experiencing an overall budget decrease
Greenwood	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Guadalupe School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Hawthorn Academy	Are not experiencing an overall budget decrease
HighMark Charter School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Ignite Entrepreneurship	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Intech Collegiate High School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Iron District	Are not experiencing an overall budget decrease
Itineris Early College High	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease

LEA Name	Exceptions
Jefferson Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
John Hancock Charter School	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Jordan District	Are not experiencing an overall budget decrease
Juab District	Are not experiencing an overall budget decrease
Kane District	Are not experiencing an overall budget decrease
Karl G Maeser Preparatory Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Lakeview Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Leadership Academy of Utah	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Leadership Learning Academy	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Legacy Preparatory Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Lincoln Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Logan City District	Are not experiencing an overall budget decrease
Lumen Scholar Institute	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease

LEA Name	Exceptions
Mana Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Maria Montessori	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Merit College Preparatory Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Millard District	Are not experiencing an overall budget decrease
Moab Community School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Monticello Academy	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Morgan District	Are not experiencing an overall budget decrease
Mountain Heights Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Mountain Sunrise	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Mountain View Montessori	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Mountain West Montessori Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Mountainville Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Murray District	Are not experiencing an overall budget decrease

LEA Name	Exceptions
Navigator Pointe Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Nebo District	Are not experiencing an overall budget decrease
Noah Webster Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
North Davis Preparatory Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
North Sanpete District	Are not experiencing an overall budget decrease
North Star Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
North Summit District	Have only one school per grade span
Northern Utah Academy for Math Engineering & Science	Are not experiencing an overall budget decrease
Odyssey Charter School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Ogden City District	Are not experiencing an overall budget decrease
Ogden Preparatory Academy	Have only one school per grade span Are not experiencing an overall budget decrease
Open Classroom	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Pacific Heritage Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Paradigm High School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Park City District	Are not experiencing an overall budget decrease

LEA Name	Exceptions
Pinnacle Canyon Academy	Total enrollment of less than 1,000 students Have only one school per grade span
Piute District	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Promontory School for Expeditionary Learning	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Providence Hall	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Provo District	Are not experiencing an overall budget decrease
Quest Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Ranches Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Reagan Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
REAL Salt Lake Academy High School	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Renaissance Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Rich District	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Rockwell Charter High School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Roots Charter High School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease

LEA Name	Exceptions
Salt Lake Arts Academy	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Salt Lake Center for Science Education	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Salt Lake District	Are not experiencing an overall budget decrease
Salt Lake School for The Performing Arts	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
San Juan District	Are not experiencing an overall budget decrease
Scholar Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Sevier District	Are not experiencing an overall budget decrease
Soldier Hollow Charter School	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
South Sanpete District	Are not experiencing an overall budget decrease
South Summit District	Are not experiencing an overall budget decrease
Spectrum Academy	Are not experiencing an overall budget decrease
St. George Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Success Academy	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Summit Academy	Are not experiencing an overall budget decrease
Summit Academy High School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span
Syracuse Arts Academy	Are not experiencing an overall budget decrease

LEA Name	Exceptions
Terra Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Thomas Edison	Are not experiencing an overall budget decrease
Timpanogos Academy	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Tintic District	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Tooele District	Are not experiencing an overall budget decrease
Treeside Charter School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Uintah District	Are not experiencing an overall budget decrease
Uintah River High	Total enrollment of less than 1,000 students Have only one school per grade span
Utah Arts Academy	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Utah Career Path High School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Utah Connections Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Utah County Academy of Science	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Utah International School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Utah Military Academy	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease

LEA Name	Exceptions
Utah Virtual Academy	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Valley Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Vanguard Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Venture Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Vista at Entrada	Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Voyage Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Walden School Of Liberal Arts	Total enrollment of less than 1,000 students Have only one school per grade span Are not experiencing an overall budget decrease
Wallace Stegner Academy	Are not experiencing an overall budget decrease
Wasatch District	Are not experiencing an overall budget decrease
Wasatch Peak Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Wasatch Waldorf Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Washington District	Are not experiencing an overall budget decrease
Wayne District	Total enrollment of less than 1,000 students Are not experiencing an overall budget decrease
Weber District	Are not experiencing an overall budget decrease

LEA Name	Exceptions
Weber State University Charter Academy	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Weilenmann School of Discovery	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease
Winter Sports School	Total enrollment of less than 1,000 students Operate a single school Have only one school per grade span Are not experiencing an overall budget decrease

Utah Local Education Agency High Poverty Schools

High-poverty schools are an LEA's 25% of schools with the highest number of low-income students, which can be calculated on a districtwide or grade-span basis (e.g., elementary, middle, and high school). High-poverty schools are determined by ranking all schools in the LEA based on the percentage of economically disadvantaged students (highest to lowest), and then identifying the top 25% of schools based on school poverty data that are reported to USBE in October, either:

- The number of students eligible for free or reduced-price lunches, or
- The number of students in families receiving assistance under the Temporary Assistance for Needy Families (TANF) program.

Please note there is no specific poverty rate that qualifies a school as a “high-poverty” school. Instead, identification as a high-poverty school for MOEquity purposes depends on a school’s relative poverty compared to other schools in the LEA.

Based on available data, the USBE generated the following list of schools that meet the definition of a high poverty school and whether each school meets a qualifying MOEquity exemption.

LEA Name	School Name	MOEquity Exempt?	Qualifying Exemption
Alpine District	Bonneville School	Yes	Are not experiencing an overall budget decrease
Alpine District	Cherry Hill School	Yes	Are not experiencing an overall budget decrease
Alpine District	Geneva School	Yes	Are not experiencing an overall budget decrease
Alpine District	Greenwood School	Yes	Are not experiencing an overall budget decrease
Alpine District	Mount Mahogany School	Yes	Are not experiencing an overall budget decrease
Alpine District	Orem Jr High	Yes	Are not experiencing an overall budget decrease
Alpine District	Sharon School	Yes	Are not experiencing an overall budget decrease
Alpine District	Suncrest School	Yes	Are not experiencing an overall budget decrease
Alpine District	Westmore School	Yes	Are not experiencing an overall budget decrease

LEA Name	School Name	MOEquity Exempt?	Qualifying Exemption
Alpine District	Windsor School	Yes	Are not experiencing an overall budget decrease
Granite District	Academy Park School	Yes	Are not experiencing an overall budget decrease
Granite District	Cottonwood High	Yes	Are not experiencing an overall budget decrease
Granite District	David Gourley School	Yes	Are not experiencing an overall budget decrease
Granite District	Granger High	Yes	Are not experiencing an overall budget decrease
Granite District	Granger School	Yes	Are not experiencing an overall budget decrease
Granite District	Granite Park Jr High	Yes	Are not experiencing an overall budget decrease
Granite District	Hillsdale School	Yes	Are not experiencing an overall budget decrease
Granite District	Jackling School	Yes	Are not experiencing an overall budget decrease
Granite District	James E. Moss School	Yes	Are not experiencing an overall budget decrease
Granite District	Kearns Jr High	Yes	Are not experiencing an overall budget decrease
Granite District	Lincoln School	Yes	Are not experiencing an overall budget decrease
Granite District	Magna School	Yes	Are not experiencing an overall budget decrease
Granite District	Monroe School	Yes	Are not experiencing an overall budget decrease
Granite District	Olene Walker Elementary	Yes	Are not experiencing an overall budget decrease
Granite District	Philo T. Farnsworth School	Yes	Are not experiencing an overall budget decrease
Granite District	Pioneer School	Yes	Are not experiencing an overall budget decrease
Granite District	Plymouth School	Yes	Are not experiencing an overall budget decrease

LEA Name	School Name	MOEquity Exempt?	Qualifying Exemption
Granite District	Redwood School	Yes	Are not experiencing an overall budget decrease
Granite District	Rolling Meadows School	Yes	Are not experiencing an overall budget decrease
Granite District	Silver Hills School	Yes	Are not experiencing an overall budget decrease
Granite District	South Kearns School	Yes	Are not experiencing an overall budget decrease
Granite District	Stansbury School	Yes	Are not experiencing an overall budget decrease
Granite District	Taylorsville School	Yes	Are not experiencing an overall budget decrease
Granite District	West Kearns School	Yes	Are not experiencing an overall budget decrease
Granite District	West Lake Jr High	Yes	Are not experiencing an overall budget decrease
Granite District	Western Hills School	Yes	Are not experiencing an overall budget decrease
Granite District	Woodrow Wilson School	Yes	Are not experiencing an overall budget decrease