

State Funds

ELIGIBILITY

Each LEA in Utah is required to provide, either singly or in cooperation with other school districts or public institutions, a free appropriate public education (FAPE) for all students with disabilities who are residents of the district or who are enrolled in a public charter school (UCA 53F-2-103). State funds from the Minimum School Program (MSP) are provided to each LEA that provides special education and related services to students with disabilities ages 3–21 (UCA 53F-2-307).

CALCULATION AND ALLOCATION

Utah MSP Programs are funded through the Weighted Pupil Unit (WPU). The WPU is not an exact equivalent to student enrollment counts. Instead, the WPU is a unit used to assign funding after the formula for each funding category is applied. Each WPU has a value, which may change from year to year.

To determine the amount of funding, multiply the number of WPU by the value of the WPU. The number of WPU assigned to each LEA for every program is published by the Utah State Board of Education (USBE) Financial Operations section.

The Utah State Legislature meets annually from mid-January to mid-March to determine levels of education funding, among other areas of the State budget. Within the MSP, there are currently seven lines of funding that are restricted for services to students who qualify for services under the IDEA. These funds are available in addition to the basic program funds provided for each student.

1. Special Education – Add-On
2. Special Education – Preschool
3. Special Education – Self Contained
4. Special Education – Extended Year Services (ESY)
5. Special Education – Impact Aid
6. Special Education – Intensive Services
7. Special Education – Extended Year for Special Educators Stipends (EYSE)

SPECIAL EDUCATION – ADD-ON

The formula for Special Education – Add-On funding is designed to even out the yearly rise and fall in funding that comes from funding by count. This supports LEAs in being able to meet the Maintenance of Effort (MOE) requirements of IDEA, as well as providing stability for the assignment of specialized (and often scarce) teaching staff.

The formula is calculated using an adjusted base, with a foundation set as the minimum amount of funding (UCA 53E-7-202-207, 53F-2-307; R277-750). All students who qualify for an Individualized Education Program (IEP) generate WPU under this formula, no matter what level or type of services they receive.

FOUNDATION

Average of Special Education (Self-Contained and Resource) Average Daily Membership (ADM) over the previous five years. LEAs may not receive less funding than the WPU established by foundation.

New LEAs

For LEAs with less than five years in existence, the five-year average cannot be calculated. In this case, the calculation of “Foundation” will be based on the average for the number of years the LEA has been in operation, until they reach five years, and then that will be used going forward (R277-479).

For new LEAs in the first and second operational years (prior to the year when actual LEA ADM would be included in the formula), funding will be based on an estimate of special education student enrollment. Unless the LEA is established specific to the needs of students with disabilities, the estimate for special education will be 10% of the estimated total enrollment.

BASE

Prior year Special Education Add-On WPU.

Positive Growth Adjustment

Prior year Special Education Add-On WPU plus weighted growth. Weighted growth is determined by reviewing ADM (both Special Education and Total Enrollment) from two years prior and ADM from one year prior (i.e., 2012-2013 with 2013-2014). If the growth in Special Education exceeds growth in Total Enrollment, growth in Special Education is limited to growth in Total Enrollment (the rate of growth in the special education program cannot exceed the rate of growth in total enrollment). The percentage determined for growth is multiplied by a factor of 1.53 and added to the Base.

Prevalence Limits

The growth calculation for districts is limited to a prevalence rate of no greater than 12.18%. If a district has greater than 12.18% of the total enrollment qualifying for special education services, funding is still limited to 12.18%. This prevalence does not apply to charter schools, because the Utah State Board of Education has approved some charters that are designed specifically for students with disabilities (R277-479).

Negative Growth Adjustment

Prior year Special Education Add-On WPU minus negative growth. Negative growth is determined by reviewing Special Education ADM from two years prior and Special Education ADM from one year prior. If the LEA experiences a decline in Special Education ADM, a negative growth adjustment will be applied. The negative growth adjustment is the Base (prior year WPU) multiplied by the percentage of enrollment decline. This number is then subtracted from the base to determine WPU. If the negative growth adjustment brings the WPU to lower than the foundation, the LEA will receive the foundation WPU.

Significantly Expanding Charter Schools

Charter schools experiencing significant expansion are eligible for a supplement to the Add-On formula for two years, until the expansion is included in the formula (R277-479). A

significant expansion is defined by the USBE as “a substantial increase in the number of students attending a charter school due to a significant event, such as the addition of new grade levels or additions of sites, that is unlikely to occur on a regular basis.” Unless otherwise specified by the Board for an individual LEA, the USBE operational definition of “substantial” is a 20% increase in authorized enrollment, or the addition of two or more grade levels. The expansion supplement is calculated as follows:

1. The projected FY16 enrollment is available on the Data Stewards Group Information Repository.
2. The total expansion (projected increase in enrollment) is multiplied by the most recent prevalence rate of the LEA contained within the formula. For FY15 funding, this is the 2013-2014 prevalence rate.
3. The expansion multiplied by the prevalence is the number of WPU that the LEA receives as the supplement.

SPECIAL EDUCATION – PRESCHOOL

Special Education – Preschool funding is available to Utah school districts to provide specialized preschool programs (UCA 53F-2-308). At this time, Utah charter schools are not eligible for these funds because their charters are limited to enrollment within the K-12 grade span. Some charter schools do offer preschools, in conjunction with other agencies or through external funds. Students who are suspected of having disabilities in these preschool programs should be referred for Child Find to the district whose boundaries the charter school is located within.

The formula for preschool funding is based on the count of students with disabilities ages 3-5 enrolled in preschool and reported by the LEA in the December 1 Data Clearinghouse submission.

1. The current year (December 1) enrollment is multiplied by a factor of 1.47 to determine the number of WPU for the district (UCA 53F-2-308).
2. If the total WPU allocated for the State is different from the allocation amount, the difference is prorated across all LEAs.
3. The Statewide Child Count of the previous two years is limited to a growth rate of no greater than 8%. If the State enrollment exceeds 8%, funds will be distributed to each LEA based on their proportion of the total statewide enrollment of preschoolers ages 3-5, limited to 8%.

SPECIAL EDUCATION – SELF-CONTAINED

Special Education Self-Contained funding is available to all Utah LEAs (UCA 53F-2-307; R277-750). The WPU calculated is equal to Self-Contained ADM from two years prior. Students who are reported to the Data Clearinghouse as receiving 180 minutes or more of service per day (TIME=C) generate Self-Contained WPU. These students are not included in the calculation of “Regular Basic School Program” WPU. TIME is calculated based on services listed in the IEP, regardless of the location of services. Self-Contained funding has no relationship to placement options such as Separate Class, Special School, Residential, etc.

Students who are reported to the Data Clearinghouse as receiving 179 minutes or less of service per day (TIME=A, TIME=B) are categorized as “Resource” and do not generate Self-Contained WPU. These students are included in the calculation of “Regular Basic School Program” WPU.

NEW CHARTER SCHOOLS

For new charter schools in the first and second operational years (prior to the year when actual LEA ADM would be included in the formula), funding will be based on an average of special education self-contained enrollment. The average percent of self-contained enrollment for all charter schools is calculated. This percent is applied to the projected enrollment of the new charter school to determine the number of self-contained WPU (percent of projected enrollment = WPU).

SPECIAL EDUCATION – EXTENDED SCHOOL YEAR (ESY)

Special Education – Extended School Year funding is available to all Utah LEAs (UCA 53F-2-308; R277-750, R277-751). This funding is to support the costs of providing services to a student after the end of the school year when the IEP team determines that the student requires the services. The formula is calculated using a base plus a distribution by population.

1. The base was established in 2010 and is \$2,259.
2. Distribution by population is calculated for those LEAs who reported ESY services in the prior school year. The total current year enrollment of students with disabilities ages 3-21 is multiplied by the total state enrollment of students with disabilities ages 3-21. This percentage is multiplied by the (total allocation minus base allocation) and distributed among participating LEAs.
3. If the total WPU for the state is different from the allocation amount determined by formula, the difference is prorated across all LEAs.
4. Estimates: Enrollment of students with disabilities for new LEAs is estimated at 10% of projected total enrollment.

SPECIAL EDUCATION IMPACT AID

The State Programs formula provides funding under UCA 53F-2-307. Initial program WPUs were calculated from a combination of base funding and enrollment growth funding. In future years, the number of WPUs will grow based on the percentage increase of students enrolled statewide (October 1 to October 1). Program funding is distributed to school districts and charter schools based on their percentage enrollment of students with disabilities in the state. The Impact Aid program provides funding to school districts and charter schools for three purposes:

1. To pay for higher administrative costs associated with providing special education services to students;
2. To pay special education costs for students in state custody (prisons, detention facilities, and the state hospital); and
3. To provide additional funding for students with low-incidence disabilities.

SPECIAL EDUCATION –INTENSIVE SERVICES

The Intensive Services Fund is distributed among LEAs who have qualifying students. The LEA submits expenses for individual students that are greater than three times the average expenditure. Expense reports are due to the USBE by June 30 of each year. The percentage of the total request for each LEA is calculated, and this amount is multiplied by the amount available. The Intensive Services fund is established in UCA 53F-2-309.

SPECIAL EDUCATION – EXTENDED YEAR FOR SPECIAL EDUCATORS STIPENDS

The Extended Year for Special Educators (EYSE) stipend program is established in UCA 53F-2-310 and R277-525. This program allows licensed special education teachers and speech-language pathologists to work beyond the contract year performing duties related to the IEP process and to receive a stipend of \$200 per day up to the total number of days authorized by the Utah State Legislature.

APPLICATION

No application is required for LEAs to receive State special education funding.

OBLIGATION, LIQUIDATION, PROCUREMENT, AND DISBURSEMENT

LEAs obligate funds during the period of availability in alignment with State purchasing and procurement policies and procedures. This includes the use of purchases available on a State Cooperative Contract. Please visit the [Utah Division of Purchasing and General Services](https://purchasing.utah.gov/) website (<https://purchasing.utah.gov/>) for more detailed information.

State special education funds are distributed to LEAs along with other Minimum School Program funds. Each LEA receives a monthly allotment which distributes the annual allocation in 12 monthly payments. The LEA receives the funds before incurring expenditures.

PERIOD OF AVAILABILITY

State special education funds are available for the fiscal year in which they are awarded. If not expended, they may be carried over for the following fiscal year.

ALLOWABILITY OF ACTIVITIES AND COSTS

State special education funds are restricted and may only be spent for direct costs of the education of students with disabilities. Direct costs are those elements of cost which can be easily, obviously, and conveniently identified with specific special education activities or programs, as distinguished from indirect costs incurred for several different activities or programs and whose elements are not readily identifiable with specific special education activities (UCA 53F-2-307(2); USBE SER X.A.7). Direct charges for indirect costs are not allowed with state funds.