

UTAH STATE BOARD OF EDUCATION

Subject:

ACTION: R277-479, Funding for Charter School Students with Disabilities on an IEP (Amendment)

Agenda item type:

Action Item

Recommended Action:

That the Committee approves R277-479, Funding for Charter School Students with Disabilities on an IEP, Draft 1, on first reading and forward to the Board for approval on second and final reading.

Purpose of Memo:

Staff recommendation

Background:

Staff recommend amending R277-479 to address the issue of inflated SPED Add-On WPU levels for charter schools that have previously expanded. At the November 2025 Finance Committee meeting, staff presented on this matter, noting that the immediate concern related specifically to charter schools in their first or second year of operation—whether newly established or recently expanded. This is due to the requirements of R277-479-3, which mandate that SPED Add-On WPUs for these schools be revised to reflect actual student counts. Such revisions would have resulted in significant funding reductions for several charter schools.

In December, following the Committee's recommendation, the Board approved a motion to waive the requirements under R277-479-3 for FY26 for expanding charter schools that would have received budget reductions under the rule. The Committee further directed staff to collaborate with charter schools to develop recommended amendments to the rule that would address this issue for all charter schools beginning in FY27 and beyond.

Staff subsequently engaged with various charter representatives to analyze a range of potential approaches for phasing down SPED Add-On WPU levels. Of the scenarios considered, staff recommend that the Committee focus on rule changes consistent with Scenarios E, F, or G as outlined in the attached presentation. The proposed rule in the supporting documentation incorporates ratios aligned with Scenario G.

Staff advise that all proposed changes to the rule be adopted, with the ratios amended to correspond to whichever phase-in scenario the Committee ultimately recommends to the Board.

Staff will present R277-479, Funding for Charter School Students with Disabilities on an IEP, Draft 1, for consideration and approval.

Authorizing, and Implemented or Interpreted Law: [Art X, Sec 3](#); [53E-3-501\(1\)\(c\)\(vi\)\(A\)](#); [53E-7-206](#); [53E-3-401\(4\)](#)

Contact:

Name: Ben Rasmussen

Dale Frost

Title:	Director of Law and Professional Practices	Minimum School Program Administrator and Fiscal Policy Analyst
Phone:	801-538-7835	(801) 538-7606
Email:	ben.rasmussen@schools.utah.gov	dale.frost@schools.utah.gov

Attachments:

1. R277-479 - Draft 1 - January 2026 Committee
2. Presentation - SPED Add-On Funding and Expanding Charters - January 2026 Finance Committee - 1.5.2026
3. SPED Add-On Ratio Cap Scenarios - 12.22.2025
4. R277-479 Reporting Burden and Fiscal Impact Estimate Form