



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

FACT SHEET FOR S.B. 1189

special education; group B weights.

Purpose

Increases group B support level weights for special education funding categories. Appropriates \$5,000,000 from the state General Fund to the Extraordinary Special Education Needs Fund (Extraordinary Needs Fund).

Background

Under the school finance formula, a school's student count is weighted based on students' classification into funding categories ([A.R.S. § 15-943](#)). Currently, schools receive a support level weight of 5.833 for students who are classified with multiple disabilities (MD-SC), autism (A-SC), and severe intellectual disability (self-contained) (SID-SC).

Students with developmental delays (DD), emotional disabilities (ED), mild intellectual disabilities (MIID), specific learning disability (SLD), speech/language impairments (SLI) and other health impairments (OHI) receive a support level weight of 0.003 ([A.R.S. § 15-943](#)).

In 2001, the Legislature established the Extraordinary Needs Fund to be administered by the State Board of Education (SBE). Statute allows a school district or charter school to apply to the SBE for a grant and requires that applications include outlined information ([A.R.S. § 15-774](#)).

S.B. 1189 appropriates \$5,000,000 from the state General Fund to the Extraordinary Needs Fund in FY 2022.

Provisions

Group B Support Level Weights

1. Increases, from 5.833 to 6.024, the MD-SC, A-SC and SID-SC support level weights.
2. Increases, from 0.003 to 0.114, the DD, ED, MIID, SLD, SLI and OHI support level weights.

Extraordinary Needs Fund

3. Transfers, from the SBE to the Arizona Department of Education (ADE), the administration and application oversight of the Extraordinary Needs Fund and allows ADE to retain up to two percent for administration.
4. Establishes that monies in the Extraordinary Needs Fund are continuously appropriated, rather than subject to legislative appropriation.
5. Requires ADE to award monies from the Extraordinary Needs Fund to school districts and charter schools with eligible claims, rather than with grants.

6. Deems a school district or charter school eligible for Extraordinary Needs Fund monies if it demonstrates a student receiving special education services has incurred current year costs of at least three times the statewide per-pupil funding average.
7. Requires a school district or charter school that is submitting a claim to the Extraordinary Needs Fund on behalf of a student to:
 - a) demonstrate the current year total costs incurred by the student; and
 - b) itemize the total costs that are attributable to the student.
8. Allows a school district or charter school to submit a claim for:
 - a) the full fiscal year, if an expense incurred at the time of filing will continue in subsequent quarters until the end of the same fiscal year; or
 - b) expenses resulting from an independent educational evaluation.
9. Allows a school district or charter school to revise a claim, to receive funding at the end of the quarter, for an additional expense for a student who received funding in the same fiscal year, subject to available monies.
10. Requires ADE to:
 - a) evaluate claim requests each quarter;
 - b) prioritize funding based on the difference between the claim amount submitted by a school district or charter school and the total funding received for that student, if there are insufficient monies in the Extraordinary Needs Fund; and
 - c) annually adopt policies and procedures, including the average statewide per-pupil funding amount for a fiscal year, for posting on the ADE website.
11. Allows ADE to notify a school district or charter school, that submits a claim with insufficient information, to revise its claim within two weeks.
12. Requires ADE to annually report, by December 15, to the Governor, the President of the Senate, the Speaker of the House of Representatives, JLBC and the Secretary of State:
 - a) the number of claims for extraordinary special education needs that were funded in the previous year;
 - b) how school districts and charter schools used claim monies; and
 - c) the total number of claims received during the previous year.
13. Appropriates \$5,000,000 from the state General Fund to the Extraordinary Needs Fund in FY 2022.

Miscellaneous

14. Makes technical and conforming changes.
15. Becomes effective on the general effective date.