

By: Representative Scott

To: Education;  
Appropriations A

HOUSE BILL NO. 458

1 AN ACT TO AMEND SECTION 37-151-205, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE PERCENTAGE OF ALLOTTED WEIGHT ATTRIBUTABLE TO  
3 LOW-INCOME STUDENTS FOR THE PURPOSE OF DETERMINING THE PRELIMINARY  
4 WEIGHTED ENROLLMENT OF EACH SCHOOL AND CHARTER SCHOOL WHICH IS  
5 USED TO DETERMINE THE BASE STUDENT COST FOR STUDENTS ENROLLED  
6 THEREIN UNDER THE MISSISSIPPI STUDENT FUNDING FORMULA; AND FOR  
7 RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 37-151-205, Mississippi Code of 1972, is  
10 amended as follows:

11 37-151-205. (1) The preliminary weighted enrollment of each  
12 school district and charter school under Sections 37-151-200  
13 through 37-151-215 is determined by applying the weights  
14 prescribed in this section, none of which are mutually exclusive  
15 of another, to each applicable school district or charter school's  
16 net enrollment, as determined by Section 37-151-207. To determine  
17 additional funding authorized under this section, the number of  
18 students in a school district that are identified as the  
19 applicable weight shall be calculated as a percentage of the



students in the school district. Such amount shall be referred to as the "percentage of applicable students."

(2) For students identified as low-income, as defined in Section 37-151-201, the percentage of applicable students in the school district is multiplied by \* \* \* fifty one-hundredths (50/100), and then multiplied by net enrollment.

(3) For students identified as English Language Learners, as defined in Section 37-151-201, the percentage of applicable students in the school district is multiplied by fifteen one-hundredths (15/100), and then multiplied by net enrollment.

(4) The following weights are applied to students who are identified as entitled to and receiving services in a special education program:

(a) Tier I: For students diagnosed with a specific learning disability, speech and language impairment, or developmental delay, the percentage of applicable students in the school district is multiplied by sixty one-hundredths (60/100), and then multiplied by net enrollment.

(b) Tier II: For students diagnosed with autism, hearing impairment, emotional disability, orthopedic impairment, intellectual disability, or other health impairment, the percentage of applicable students in the school district is multiplied by one hundred ten one-hundredths (110/100), and then multiplied by net enrollment.



44 (c) Tier III: For students diagnosed with visual  
45 impairment, deaf-blindness, multiple disabilities, or traumatic  
46 brain injury, the percentage of applicable students in the school  
47 district is multiplied by one hundred thirty one-hundredths  
48 (130/100), and then multiplied by net enrollment.

49 For the purpose of student counts, a student entitled to and  
50 receiving special education services may not be included under  
51 more than one (1) tier prescribed in paragraphs (a), (b) and (c)  
52 of this subsection. A student having multiple diagnoses must be  
53 counted under the highest tier applicable to that student.

54 (5) A weight of five percent (5%) is applied to five percent  
55 (5%) of a school district or charter school's net enrollment for  
56 the purpose of providing gifted education, regardless of the  
57 number of students in a school district or charter school that  
58 have been identified as gifted students: the total number of  
59 students in net enrollment in a school district or charter school,  
60 as determined by Section 37-151-207, is multiplied by five  
61 one-hundredths (5/100), which is again multiplied by five  
62 one-hundredths (5/100).

63 (6) For Ninth, Tenth, Eleventh and Twelfth Grade students  
64 enrolled in a career and technical education course, as defined in  
65 Section 37-151-201, the percentage of applicable students in the  
66 school district is multiplied by ten one-hundredths (10/100), and  
67 then multiplied by net enrollment. Students enrolled in multiple  
68 career and technical education courses are counted once.



(7) In each school district or charter school where the number of students identified as low-income, as defined in Section 37-151-201, exceeds thirty-five percent (35%) of the school district or charter school's net enrollment, a weight of \* \* \* twenty percent (20%) is applied only to the number of low-income students in excess of the number of low-income students which constitute thirty-five percent (35%) of net enrollment. The number of students eligible for this weight is calculated by subtracting the number of students equivalent to thirty-five percent (35%) of the net enrollment of that school district or charter school from the total number of students in that school district or charter school identified as low-income: if the total percentage of applicable students identified in subsection (2) exceeds thirty-five percent (35%) of the school district or charter school's total net enrollment, as determined in Section 37-151-207, the difference between the total percentage of applicable students identified in subsection (2) and thirty-five percent (35%) of the school district or charter school's total net enrollment is multiplied by \* \* \* twenty one-hundredths (20/100), and then multiplied by net enrollment.

(8) The final weighted enrollment of each school district and charter school under the total funding formula as provided for in Sections 37-151-200 through 37-151-215 is determined as follows:



(a) The final weighted enrollment for each school district or charter school that is not classified as a sparsely populated district or charter school, as defined in Section 37-151-201, is equivalent to the preliminary weighted enrollment of that school district or charter school, as determined in subsections (1) through (7) of this section: the State Department of Education shall add to the school district or charter school's net enrollment, as determined under Section 37-151-207, each of the additional figures calculated in accordance with subsections (2) through (7), and this total is the final weighted enrollment.

(b) The final weighted enrollment for each sparsely populated district or charter school, as defined in Section 37-151-201, is determined by multiplying the sparsity weight by the preliminary weighted enrollment, as determined in subsections (1) through (7) of this section, and then adding that figure to the preliminary weighted enrollment. To calculate the final weighted enrollment, the State Department of Education shall add to the school district or charter school's net enrollment, each of the additional figures calculated in accordance with subsections (2) through (7) to determine the preliminary weighted enrollment, multiply this figure by the sparsity weight as determined below, and add this resulting number to the preliminary weighted enrollment to find the final weighted enrollment. To calculate the sparsity weight, the State Department of Education shall find the difference between the number of students per square mile in



118 that district or charter school and a sparsity threshold of eight  
119 (8) students per square mile, and then shall divide the resulting  
120 figure by one hundred (100) to create a percentage: for example,  
121 if the number of students per square mile in a district is three  
122 (3), the difference is five (5) (eight (8) minus three (3)), and  
123 the sparsity weight is five percent (5%), or five one-hundredths  
124 (5/100).

125       **SECTION 2.** This act shall take effect and be in force from  
126 and after July 1, 2025.

