

1 **SPECIAL EDUCATION ACCOMMODATIONS FUNDING**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 

---

---

  
5 **LONG TITLE**

6 **General Description:**

7 This bill addresses the distribution of any appropriations to the State Board of  
8 Education for reimbursements of certain services rendered to a student with an autism  
9 spectrum disorder.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ requires the State Board of Education (the board) to make rules regarding the  
14 disposition of any money appropriated to the board to reimburse local education  
15 agencies for services rendered to a student with an autism spectrum disorder, under  
16 certain accommodation plans; and
- 17 ▶ requires the board to present draft rules to the Public Education Appropriations  
18 Subcommittee or Education Interim Committee.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 ENACTS:

25 **53A-17a-112.2**, Utah Code Annotated 1953

26 

---

---

  
27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **53A-17a-112.2** is enacted to read:

29 **53A-17a-112.2. Appropriation for accommodation plans for students with autism**  
30 **spectrum disorders.**

31 (1) As used in this section:

32 (a) "Autism spectrum disorder" means the same as that term is defined by:

- 33 (i) the most recent edition of the Diagnostic and Statistical Manual on Mental  
34 Disorders; or
- 35 (ii) a recent edition of a professionally accepted diagnostic manual.
- 36 (b) "Board" means the State Board of Education.
- 37 (c) "Local education agency" or "LEA" means:
- 38 (i) a school district;
- 39 (ii) a charter school; or
- 40 (iii) the Utah Schools for the Deaf and the Blind.
- 41 (d) "Section 504 accommodation plan" means an accommodation plan under Section  
42 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.
- 43 (2) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah  
44 Administrative Rulemaking Act, that establish a reimbursement program that:
- 45 (i) distributes any money appropriated to the board for Special Education -- Section  
46 504 Accommodations;
- 47 (ii) allows an LEA to apply for reimbursement of the costs of services that:
- 48 (A) an LEA renders to a student with an autism spectrum disorder, under a Section 504  
49 accommodation plan; and
- 50 (B) exceed 150% of the average cost of a general education student; and
- 51 (iii) provides pro-rated reimbursements based on the amount of reimbursement  
52 applications received during a given fiscal year and the amount of money appropriated to the  
53 board for the corresponding reimbursement year.
- 54 (b) Beginning with the 2018-19 school year, the board shall allocate money  
55 appropriated to the board for Special Education -- Section 504 Accommodations in accordance  
56 with the rules described in Subsection (2)(a).
- 57 (3) In developing the rules described in Subsection (2)(a), the board shall present the  
58 proposed rules, for review and recommendation, to the Public Education Appropriations  
59 Subcommittee or Education Interim Committee.