

**Representative Kenneth W. Sumsion** proposes the following substitute bill:

1                                   **STUDENTS QUALIFYING FOR SERVICES**

2   **FOR DEAF**

3   2007 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Kenneth W. Sumsion**

6   Senate Sponsor: Mark B. Madsen

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8                                   **LONG TITLE**

9                                   **General Description:**

10                                   This bill changes the definition of those eligible for public education services for the  
11 deaf.

12                                   **Highlighted Provisions:**

13                                   This bill:

- 14                                   ▶ changes the definition of those eligible for public education services for the deaf;  
15 and  
16                                   ▶ makes technical changes

17                                   **Monies Appropriated in this Bill:**

18                                   None

19                                   **Other Special Clauses:**

20                                   None

21                                   **Utah Code Sections Affected:**

22                                   AMENDS:

23                                   **53A-25-103**, as enacted by Chapter 2, Laws of Utah 1988

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



26 Section 1. Section **53A-25-103** is amended to read:

27 **53A-25-103. Purposes -- Qualifications of pupils.**

28 (1) The school shall provide a practical education for the deaf and hard of hearing, who  
29 are under ~~[21]~~ 22 years of age and otherwise physically and mentally able to profit from  
30 instruction, to instruct them so that they may become self-supporting and useful citizens.

31 ~~[(2) Individuals over age 21 who are]~~

32 (2) (a) The State Board of Education may allow a person to attend the school if:

33 (i) the person has an inability to speak; or

34 (ii) the person is 22 years of age or older and capable of receiving beneficial  
35 instruction, but because ~~[of deafness or]~~ the person is deaf, hard of hearing, or has an inability  
36 to speak ~~[are]~~, is incapable of receiving adequate instruction in other public schools~~[, may, in~~  
37 the discretion of the board of trustees, be admitted to the school].

38 (b) The State Board of Education may:

39 (i) establish a committee to make recommendations on student admittance under

40 Subsection (2)(a); and

41 (ii) may delegate student admittance decisions to the committee.

42 (c) If established by the board, the committee shall consist of:

43 (i) the state superintendent or the superintendent's designee;

44 (ii) a representative of the School for the Deaf;

45 (iii) a representative of the applicant's school district or charter school;

46 (iv) a parent or legal guardian of the applicant; and

47 (v) any other experts deemed necessary by the board.

48 (3) ~~[Residents]~~ Qualifying residents of the state are entitled to the benefits of the  
49 school free of expense.

50 (4) The ~~[board of trustees]~~ State Board of Education shall establish ~~[policies]~~ rules  
51 regarding the acceptance of nonresidents.