

1 **UTAH STATE INSTRUCTIONAL MATERIALS ACCESS**

2 **CENTER FUNDING**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Stephen G. Handy**

6 Senate Sponsor: J. Stuart Adams

7

LONG TITLE

8 **General Description:**

9 This bill modifies Title 53A, Chapter 25b, Utah Schools for the Deaf and Blind, by
10 authorizing the State Office of Education to withhold funding from school districts that
11 breach their contractual obligations.
12

13 **Highlighted Provisions:**

14 This bill:

15 ▶ states that the Utah Schools for the Deaf and the Blind shall operate the Utah State
16 Instructional Materials Access Center to the extent that funds are received from the
17 Legislature and school districts;

18 ▶ states that if a school district orders materials from the Utah State Instructional
19 Materials Center, the school district is required to pay its share of the cost of those
20 materials; and

21 ▶ authorizes the Utah State Office of Education to withhold funding from a school
22 district that breaches its obligation to pay for the Utah State Instructional Materials
23 Center materials in the amount still due under the contract.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53A-25b-501**, as enacted by Laws of Utah 2009, Chapter 294



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

33 Section 1. Section **53A-25b-501** is amended to read:

34 **53A-25b-501. Instructional Materials Access Center -- Board to make rules.**

35 (1) The Utah State Office of Education shall collaborate with the Utah Schools for the
36 Deaf and the Blind, school districts, and charter schools in establishing the Utah State
37 Instructional Materials Access Center to provide students with print disabilities access to
38 instructional materials in alternate formats in a timely manner.

39 (2) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
40 Administrative Rulemaking Act, to:

- 41 (a) establish the Utah State Instructional Materials Access Center;
- 42 (b) define how the Educational Resource Center at the Utah Schools for the Deaf and
43 the Blind shall collaborate in the operation of the Utah State Instructional Materials Access
44 Center;
- 45 (c) specify procedures for the operation of the Utah State Instructional Materials
46 Access Center, including procedures to:
 - 47 (i) identify students who qualify for instructional materials in alternate formats; and
 - 48 (ii) distribute and store instructional materials in alternate formats;
- 49 (d) establish the contribution of school districts and charter schools towards the cost of
50 instructional materials in alternate formats; and
- 51 (e) require textbook publishers, as a condition of contract, to provide electronic file sets
52 in conformance with the National Instructional Materials Accessibility Standard.

53 (3) The Utah Schools for the Deaf and the Blind shall operate the Utah State
54 Instructional Materials Access Center to the extent that funds are received annually from the
55 Legislature and school districts.

56 (4) If a school district orders materials from the Utah State Instructional Materials
57 Access Center, the school district shall pay its share of the cost of these materials.

58 (5) If contractually obligated funds are not received from a school district or charter

59 school in the fiscal year that material was provided by the Utah State Instructional Materials
60 Access Center to the school district or charter school, the Utah State Office of Education may
61 withhold funding in a future fiscal year from the school district or charter school in an amount
62 equal to the unpaid contractual obligation **H→ [:] and use that funding to reimburse the Utah**
62a **Schools for the Deaf and the Blind.** **←H**

Legislative Review Note
as of 2-11-11 2:55 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 398

SHORT TITLE: **Utah State Instructional Materials Access Center Funding**

SPONSOR: **Handy, S.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.