

1 **UTAH SCHOOLS FOR THE DEAF AND THE BLIND**

2 **AMENDMENTS**

3 2012 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jennifer M. Seelig**

6 Senate Sponsor: Curtis S. Bramble

7
8 **LONG TITLE**

9 **General Description:**

10 This bill modifies provisions relating to the Utah Schools for the Deaf and the Blind.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires the State Board of Education to:

14 • make rules regarding the qualifications, terms of employment, and duties for the
15 superintendent of the Utah Schools for the Deaf and the Blind;

16 • make rules regarding the operation of the Advisory Council for the Utah
17 Schools for the Deaf and the Blind; and

18 • report ~~H~~→ **verbally and in written form** ←~~H~~ annually to the Education Interim
18a Committee on the Utah Schools for the
19 Deaf and the Blind;

20 ▶ deletes provisions regarding the superintendent and the Advisory Council for the
21 Utah Schools for the Deaf and the Blind; and

22 ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**



28 AMENDS:

29 53A-25b-201, as enacted by Laws of Utah 2009, Chapter 294

30 53A-25b-304, as enacted by Laws of Utah 2009, Chapter 294

31 REPEALS:

32 53A-25b-202, as enacted by Laws of Utah 2009, Chapter 294

33 53A-25b-203, as last amended by Laws of Utah 2010, Chapter 286



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

36 Section 1. Section 53A-25b-201 is amended to read:

37 **53A-25b-201. Authority of the State Board of Education.**

38 (1) The State Board of Education is the governing board of the Utah Schools for the
39 Deaf and the Blind.

40 (2) (a) The board shall appoint a superintendent for the Utah Schools for the Deaf and
41 the Blind.

42 [~~(b) (i) Except as provided in Subsection (2)(b)(ii), the superintendent shall:]~~

43 [~~(A) hold an administrative/supervisory license;~~]

44 [~~(B) have demonstrated success in administration of education programs;~~]

45 [~~(C) have demonstrated skill in organizational management; and]~~

46 [~~(D) have a knowledge of special education practice and law.]~~

47 [~~(ii) The board may grant a letter of authorization permitting a person with outstanding
48 professional qualifications, including management experience and skills consistent with the
49 mission of the Utah Schools for the Deaf and the Blind, to be appointed as superintendent.]~~

50 [~~(c) The board shall establish the salary for the superintendent.]~~

51 (b) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
52 Administrative Rulemaking Act, regarding the qualifications, terms of employment, and duties
53 of the superintendent for the Utah Schools for the Deaf and the Blind.

54 (3) The superintendent shall:

55 (a) subject to the approval of the board, appoint an associate superintendent to
56 administer the Utah School for the Deaf based on:

57 (i) demonstrated competency as an expert educator of deaf persons; and

58 (ii) knowledge of school management and the instruction of deaf persons;

59 (b) subject to the approval of the board, appoint an associate superintendent to
 60 administer the Utah School for the Blind based on:

61 (i) demonstrated competency as an expert educator of blind persons; and

62 (ii) knowledge of school management and the instruction of blind persons, including an
 63 understanding of the unique needs and education of deaf blind persons.

64 ~~[(3)-(a)]~~ ~~(4)~~ ~~Ĥ→~~ ~~(a)~~ ~~←Ĥ~~ The board shall:

65 ~~[(i) appoint members of the Advisory Council for the Utah Schools for the Deaf and~~
 66 ~~the Blind; and]~~

67 ~~[(ii) receive and consider the recommendations and advice of the advisory council.]~~

68 ~~[(b) The board is not obligated to follow the recommendations of the advisory council.]~~

69 ~~Ĥ→~~ ~~[(a)]~~ ~~(i)~~ ~~←Ĥ~~ Ĥ→ (a) ←Ĥ establish the Advisory Council for the Utah Schools for the Deaf and the
 69a Blind and

70 appoint no more than 11 members to the advisory council;

71 ~~Ĥ→~~ ~~[(b)]~~ ~~(ii)~~ ~~←Ĥ~~ Ĥ→ (b) ←Ĥ make rules in accordance with Title 63G, Chapter 3, Utah Administrative
 72 Rulemaking Act, regarding the operation of the advisory council; and

73 ~~Ĥ→~~ ~~[(c)]~~ ~~(iii)~~ ~~←Ĥ~~ Ĥ→ (c) ←Ĥ receive and consider the advice and recommendations of the advisory
 73a council but is

74 not obligated to follow the recommendations of the advisory council.

74a ~~Ĥ→~~ ~~(b)~~ Ĥ→ (b) ←Ĥ The advisory council described in Subsection (4)(a) shall include at least:

74b (i) two members who are blind;

74c (ii) two members who are deaf; and

74d (iii) two members who are deafblind or parents of a deafblind child. ←Ĥ

75 ~~[(4)]~~ ~~(5)~~ The board shall approve the annual budget and expenditures of the Utah
 76 Schools for the Deaf and the Blind.

77 ~~(6)~~ ~~Ĥ→~~ ~~(a)~~ ~~←Ĥ~~ Ĥ→ (a) ←Ĥ On or before the November interim meeting each year, the board shall
 77a report to the

78 Education Interim Committee on the Utah Schools for the Deaf and the Blind.

78a ~~Ĥ→~~ ~~(b)~~ ~~←Ĥ~~ Ĥ→ (b) ←Ĥ The report shall Ĥ→ be presented verbally and in written form to the
 78b Education Interim Committee and shall ←Ĥ

79 include:

80 ~~Ĥ→~~ ~~[(a)]~~ ~~(i)~~ ~~←Ĥ~~ Ĥ→ (a) ←Ĥ a financial report;

81 ~~Ĥ→~~ ~~[(b)]~~ ~~(ii)~~ ~~←Ĥ~~ Ĥ→ (b) ←Ĥ a report on the activities of the superintendent and associate
 81a superintendents;

82 ~~Ĥ→~~ ~~[(c)]~~ ~~(iii)~~ ~~←Ĥ~~ Ĥ→ (c) ←Ĥ a report on activities to involve parents and constituency and

82a advocacy groups in
83 the governance of the school; and
84 ~~H~~→ [(d)] (iv) ←~~H~~ a report on student achievement including:
85 ~~H~~→ [(i)] (A) ←~~H~~ student academic achievement data, including longitudinal data for both
85a current and
86 previous students served by the Utah Schools for the Deaf and the Blind;
87 ~~H~~→ [(ii)] (B) ←~~H~~ graduation rates; and
88 ~~H~~→ [(iii)] (C) ←~~H~~ students exiting the Utah Schools for the Deaf and the Blind and their
88a educational
89 placement after exiting the Utah Schools for the Deaf and the Blind.

90 Section 2. Section **53A-25b-304** is amended to read:

91 **53A-25b-304. U-PASS testing.**

92 [(+) The Utah Schools for the Deaf and the Blind shall annually administer, as
93 applicable, the U-PASS tests specified in Section 53A-1-602, except a student may take an
94 alternative test in accordance with the student's IEP.

95 [~~(2) By November 30 of each year, through 2011, the Utah Schools for the Deaf and
96 the Blind shall report to the board and the Education Interim Committee the following data:]~~

97 [~~(a) number of students served;~~]

98 [~~(b) services provided;~~]

99 [~~(c) student participation in state assessments;~~]

100 [~~(d) academic achievement of students; and]~~

101 [~~(e) the impact on enrollment at the Utah Schools for the Deaf and the Blind resulting
102 from statutory changes regarding eligibility.]~~

103 Section 3. **Repealer.**

104 This bill repeals:

105 Section **53A-25b-202, Authority and duties of the superintendent.**

106 Section **53A-25b-203, Advisory Council for the Utah Schools for the Deaf and the
107 Blind.**

Legislative Review Note
as of 1-17-12 2:56 PM

Office of Legislative Research and General Counsel