

SB0060S01 compared with SB0060

~~text~~ shows text that was in SB0060 but was deleted in SB0060S01.

Inserted text shows text that was not in SB0060 but was inserted into SB0060S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Gene Davis proposes the following substitute bill:

SCHOOL DISTRICT AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: _____

LONG TITLE

General Description:

This bill mandates specific communication between private schools and local education agencies, and between private schools and parents or legal guardians, regarding students with disabilities.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ requires a private school to:
 - provide local education agencies with personally identifiable information of students with disabilities; and
 - provide parents of students with disabilities information regarding individual rights and school resources.

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Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-15-303.1, Utah Code Annotated 1953

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

Section 1. Section **53A-15-303.1** is enacted to read:

53A-15-303.1. School district communication with private schools for students with disabilities.

(1) As used in this section:

(a) "~~Child-find mandate~~" means the requirement under the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1412(a)(3); District school means a public school under the control of a local school board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.

(b) "IEP" means an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

(c) "Local education ~~authority~~ agency" or "LEA" means:

(i) a ~~school~~ district school;

(ii) a charter school; or

(iii) the Utah Schools for the Deaf and the Blind.

(d) "Personally identifiable information" means the same as ~~"personal identifiable information"~~ that term is ~~defined~~ described in the Family Educational Rights and Privacy Act, 34 C.F.R. ~~Sec.~~ Part 99. ~~3.~~

(e) "Section 504 accommodation plan" means an accommodation plan a school creates to provide a student free appropriate public education in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.

(f) "Student" means a child who:

(i) is enrolled in a private school; and

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(ii) resides within the geographical boundaries of a school district.

(g) "Student with a disability" means a student who is eligible for:

(i) an IEP;

(ii) a Section 504 accommodation plan; or

(iii) other special education accommodations that an LEA or school provides.

(2) A private school shall:

(a) disclose personally identifiable information of a student with a disability to an LEA

~~{who}if:~~

(i) the parent or legal guardian of the student with a disability requests the ~~{personally identifiable information to comply with the federal child-find mandate, in accordance with 34 C.F.R. Secs. 99.31(a)(3) and 99.35}~~ disclosure; or

(ii) the student with a disability enrolls at an LEA and the LEA requests the disclosure;

and

(b) provide the parent or ~~legal~~ guardian of a student with ~~a~~ disability information regarding ~~rights and services a student with a disability is entitled to under~~ the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., including:

(i) the right to free, appropriate public education; ~~and~~

(ii) an IEP ~~{; and~~

~~— (iii) what, if any, services a child enrolled in the private school will not receive that the student has a right to receive if enrolled in a public school}.~~

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Legislative Review Note

Office of Legislative Research and General Counsel}