

Utah Schools for the Deaf and the Blind Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill amends provisions related to the governance of the Utah Schools for the Deaf and the Blind.

Highlighted Provisions:

This bill:

- converts the Utah Schools for the Deaf and the Blind from a public corporation to a subdivision of the State Board of Education (state board);
- requires the state board to:
 - ensure functional operation and oversight; and
 - administer financial operations; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53E-8-201, as last amended by Laws of Utah 2019, Chapters 186, 314

53E-8-202, as renumbered and amended by Laws of Utah 2018, Chapter 1

53E-8-204, as last amended by Laws of Utah 2020, Chapter 408

REPEALS:

53E-8-101, as enacted by Laws of Utah 2018, Chapter 1

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

Section 1. Section **53E-8-201** is amended to read:

53E-8-201 . Utah Schools for the Deaf and the Blind created -- Designated LEA -- Services statewide.

- (1) The Utah Schools for the Deaf and the Blind is created as a subdivision of the state board and a single public school agency that includes:
- (a) the Utah School for the Deaf;
 - (b) the Utah School for the Blind;
 - (c) programs for students who are deafblind; and
 - (d) the Parent Infant Program.
- (2) Under the general control and supervision of the state board, consistent with the state board's constitutional authority, the Utah Schools for the Deaf and the Blind:
- (a) may provide services to students statewide:
 - (i) who are deaf, blind, or deafblind; or
 - (ii) who are neither deaf, blind, nor deafblind, if allowed under rules of the state board established pursuant to Section 53E-8-401; and
 - (b) shall serve as the designated LEA for a student and assume the responsibilities of providing services as prescribed through the student's IEP or Section 504 accommodation plan when the team that develops the student's IEP or Section 504 accommodation plan determines that the student be placed at the Utah Schools for the Deaf and the Blind.
- (3) When the Utah Schools for the Deaf and the Blind becomes a student's designated LEA, the LEA of record and the Utah Schools for the Deaf and the Blind shall ensure that all rights and requirements regarding individual student assessment, eligibility, services, placement, and procedural safeguards provided through the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq. and Section 504 of the Rehabilitation Act of 1973, as amended, remain in force.
- (4) Nothing in this section diminishes the responsibility of a student's LEA of record for the education of the student as provided in Chapter 7, Part 2, Special Education Program.

Section 2. Section **53E-8-202** is amended to read:

53E-8-202 . Corporate powers -- Property -- Establishment of a foundation.

- (1) The Utah Schools for the Deaf and the Blind is a [~~public corporation with perpetual succession and a corporate seal~~] subdivision of the state board.
- (2) The state board, on behalf of the Utah Schools for the Deaf and the Blind, may:
- (a) sue and be sued;
 - (b) contract and be contracted with;

(c) take and hold by purchase, gift, devise, or bequest real and personal property required for its uses; and

(d) convert property, if not suitable for its use, into other property or money.

(3) The property of the Utah Schools for the Deaf and the Blind is exempt from taxes and assessments.

(4) The Utah Schools for the Deaf and the Blind may establish a foundation as described in Section 53E-3-403.

Section 3. Section **53E-8-204** is amended to read:

53E-8-204 . Authority of the state board -- Rulemaking -- Superintendent -- Advisory council.

(1)(a) The state board is the governing board of the Utah Schools for the Deaf and the Blind.

(b) The state board shall, as the state board determines necessary, establish committees, policies, or processes necessary to the function and oversight of the Utah Schools for the Deaf and the Blind.

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

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

(3) The superintendent shall:

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

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

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

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

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

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

(4) The state board shall[-] :

(a) approve the annual budget and expenditures of the Utah Schools for the Deaf and the Blind[-] ; and

(b) administer the financial operations of the Utah Schools for the Deaf and the Blind.

(5)(a) The state board shall submit a report in accordance with Section 53E-1-201 on the Utah Schools for the Deaf and the Blind.

(b) The state board shall ensure that the report described in Subsection (5)(a) includes:

(i) a financial report;

(ii) a report on Utah Schools for the Deaf and the Blind programs and activities; and

(iii) a report of student academic performance.

Section 4. Repealer.

This bill repeals:

Section **53E-8-101, Title.**

Section 5. Effective Date.

This bill takes effect on July 1, 2025.