

1 **Utah Schools for the Deaf and the Blind Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Ann Millner

3 **LONG TITLE**

4 **General Description:**

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

7 **Highlighted Provisions:**

8 This bill:

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

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 This bill provides a special effective date.

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **53E-8-201**, as last amended by Laws of Utah 2019, Chapters 186, 314

22 **53E-8-202**, as renumbered and amended by Laws of Utah 2018, Chapter 1

23 **53E-8-204**, as last amended by Laws of Utah 2020, Chapter 408

24 REPEALS:

25 **53E-8-101**, as enacted by Laws of Utah 2018, Chapter 1

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

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

29 **53E-8-201 . Utah Schools for the Deaf and the Blind created -- Designated LEA --**
30 **Services statewide.**

- 31 (1) The Utah Schools for the Deaf and the Blind is created as a subdivision of the state
 32 board and a single public school agency that includes:
- 33 (a) the Utah School for the Deaf;
 34 (b) the Utah School for the Blind;
 35 (c) programs for students who are deafblind; and
 36 (d) the Parent Infant Program.
- 37 (2) Under the general control and supervision of the state board, consistent with the state
 38 board's constitutional authority, the Utah Schools for the Deaf and the Blind:
- 39 (a) may provide services to students statewide:
 40 (i) who are deaf, blind, or deafblind; or
 41 (ii) who are neither deaf, blind, nor deafblind, if allowed under rules of the state
 42 board established pursuant to Section 53E-8-401; and
- 43 (b) shall serve as the designated LEA for a student and assume the responsibilities of
 44 providing services as prescribed through the student's IEP or Section 504
 45 accommodation plan when the team that develops the student's IEP or Section 504
 46 accommodation plan determines that the student be placed at the Utah Schools for the
 47 Deaf and the Blind.
- 48 (3) When the Utah Schools for the Deaf and the Blind becomes a student's designated LEA,
 49 the LEA of record and the Utah Schools for the Deaf and the Blind shall ensure that all
 50 rights and requirements regarding individual student assessment, eligibility, services,
 51 placement, and procedural safeguards provided through the Individuals with Disabilities
 52 Education Act, 20 U.S.C. Sec. 1400 et seq. and Section 504 of the Rehabilitation Act of
 53 1973, as amended, remain in force.
- 54 (4) Nothing in this section diminishes the responsibility of a student's LEA of record for the
 55 education of the student as provided in Chapter 7, Part 2, Special Education Program.
- 56 Section 2. Section **53E-8-202** is amended to read:
- 57 **53E-8-202 . Corporate powers -- Property -- Establishment of a foundation.**
- 58 (1) The Utah Schools for the Deaf and the Blind is a [~~public corporation with perpetual~~
 59 ~~succession and a corporate seal~~] subdivision of the state board.
- 60 (2) The state board, on behalf of the Utah Schools for the Deaf and the Blind, may:
- 61 (a) sue and be sued;
 62 (b) contract and be contracted with;
 63 (c) take and hold by purchase, gift, devise, or bequest real and personal property
 64 required for its uses; and

- 65 (d) convert property, if not suitable for its use, into other property or money.
- 66 (3) The property of the Utah Schools for the Deaf and the Blind is exempt from taxes and
67 assessments.
- 68 (4) The Utah Schools for the Deaf and the Blind may establish a foundation as described in
69 Section 53E-3-403.
- 70 Section 3. Section **53E-8-204** is amended to read:
- 71 **53E-8-204 . Authority of the state board -- Rulemaking -- Superintendent --**
72 **Advisory council.**
- 73 (1)(a) The state board is the governing board of the Utah Schools for the Deaf and the
74 Blind.
- 75 (b) The state board shall, as the state board determines necessary, establish committees,
76 policies, or processes necessary to the function and oversight of the Utah Schools for
77 the Deaf and the Blind.
- 78 (2)(a) The state board shall appoint a superintendent for the Utah Schools for the Deaf
79 and the Blind.
- 80 (b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah
81 Administrative Rulemaking Act, regarding the qualifications, terms of employment,
82 and duties of the superintendent for the Utah Schools for the Deaf and the Blind.
- 83 (3) The superintendent shall:
- 84 (a) subject to the approval of the state board, appoint an associate superintendent to
85 administer the Utah School for the Deaf based on:
- 86 (i) demonstrated competency as an expert educator of deaf persons; and
87 (ii) knowledge of school management and the instruction of deaf persons; and
- 88 (b) subject to the approval of the state board, appoint an associate superintendent to
89 administer the Utah School for the Blind based on:
- 90 (i) demonstrated competency as an expert educator of blind persons; and
91 (ii) knowledge of school management and the instruction of blind persons, including
92 an understanding of the unique needs and education of deafblind persons.
- 93 (4) The state board shall[-] :
- 94 (a) approve the annual budget and expenditures of the Utah Schools for the Deaf and the
95 Blind[-] ; and
- 96 (b) administer the financial operations of the Utah Schools for the Deaf and the Blind.
- 97 (5)(a) The state board shall submit a report in accordance with Section 53E-1-201 on the
98 Utah Schools for the Deaf and the Blind.

- 99 (b) The state board shall ensure that the report described in Subsection (5)(a) includes:
- 100 (i) a financial report;
- 101 (ii) a report on Utah Schools for the Deaf and the Blind programs and activities; and
- 102 (iii) a report of student academic performance.

103 Section 4. **Repealer.**

104 This bill repeals:

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

106 Section 5. **Effective Date.**

107 This bill takes effect on July 1, 2025.