

HB0448 compared with HB0448S01

- 19 ▶ requires the state board to ensure and report on certain data;
- 20 ▶ requires state involvement in an eligibility determination for USDB to replace a student's LEA of
record as the student's designated LEA;
- 22 ▶ requires certain consideration of shared or colocated facilities with certain school districts; and
- 24 ▶ makes technical and conforming changes.

25 **Money Appropriated in this Bill:**

26 None

27 **Other Special Clauses:**

28 This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53E-1-203** , as last amended by Laws of Utah 2025, Chapters 298, 327

32 **53E-8-102** , as last amended by Laws of Utah 2019, Chapters 186, 314

33 **53E-8-201** , as last amended by Laws of Utah 2025, Chapter 509

34 **53E-8-204** , as last amended by Laws of Utah 2025, Chapter 509

35 **53E-8-401** , as last amended by Laws of Utah 2024, Chapter 497

36 **53E-8-407** , as last amended by Laws of Utah 2019, Chapters 186, 314

37 **53E-8-410** , as last amended by Laws of Utah 2019, Chapter 314

38 ENACTS:

39 **53E-8-205** , Utah Code Annotated 1953

40 **53E-8-206** , Utah Code Annotated 1953

41 **53E-8-207** , Utah Code Annotated 1953

42

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

44 Section 1. Section **53E-1-203** is amended to read:

45 **53E-1-203. State Superintendent's Annual Report.**

46 (1) The state board shall prepare and submit to the governor, the Education Interim Committee, and
the Public Education Appropriations Subcommittee, by January 15 of each year, an annual written
report known as the State Superintendent's Annual Report that includes:

50 (a) the operations, activities, programs, and services of the state board;

51 (b) subject to Subsection (4)(b), all reports listed in Subsection (4)(a); and

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- 52 (c) data on the general condition of the schools with recommendations considered desirable for specific
programs, including:
- 54 (i) a complete statement of fund balances;
- 55 (ii) a complete statement of revenues by fund and source;
- 56 (iii) a complete statement of adjusted expenditures by fund, the status of bonded indebtedness, the cost
of new school plants, and school levies;
- 58 (iv) a complete statement of state funds allocated to each school district and charter school by source,
including supplemental appropriations, and a complete statement of expenditures by each school
district and charter school, including supplemental appropriations, by function and object as outlined
in the United States Department of Education publication "Financial Accounting for Local and State
School Systems";
- 64 (v) a statement that includes data on:
- 65 (A) fall enrollments;
- 66 (B) average membership;
- 67 (C) high school graduates;
- 68 (D) all employees, including data reported by school districts on educator ratings described in Section
53G-11-511;
- 70 (E) pupil-teacher ratios;
- 71 (F) average class sizes;
- 72 (G) average salaries;
- 73 (H) applicable private school data; and
- 74 (I) data from statewide assessments described in Section 53E-4-301 for each school and school district;
- 76 (vi) statistical information for each school district and charter school regarding:
- 77 (A) student attendance by grade level;
- 78 (B) the percentage of students chronically absent;
- 79 (C) the percentage of student excused absences; and
- 80 (D) the percentage of student unexcused absences;
- 81 (vii) statistical information regarding incidents of delinquent activity in the schools, at school-related
activities, on school buses, and at school bus stops; and
- 83 (viii) other statistical and financial information about the school system that the state superintendent
considers pertinent.

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- 85 (2)
- (a) For the purposes of Subsection (1)(c)(v):
- 86 (i) the pupil-teacher ratio for a school shall be calculated by dividing the number of students
enrolled in a school by the number of full-time equivalent teachers assigned to the school,
including regular classroom teachers, school-based specialists, and special education teachers;
- 90 (ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio of the schools
within a school district;
- 92 (iii) the pupil-teacher ratio for charter schools aggregated shall be the median pupil-teacher ratio of
charter schools in the state; and
- 94 (iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median pupil-
teacher ratio of public schools in the state.
- 96 (b) The report shall:
- 97 (i) include the pupil-teacher ratio for:
- 98 (A) each school district;
- 99 (B) the charter schools aggregated; and
- 100 (C) the state's public schools aggregated; and
- 101 (ii) identify a website where pupil-teacher ratios for each school in the state may be accessed.
- 103 (3) For each operation, activity, program, or service provided by the state board, the annual report shall
include:
- 105 (a) a description of the operation, activity, program, or service;
- 106 (b) data and metrics:
- 107 (i) selected and used by the state board to measure progress, performance, effectiveness, and scope of
the operation, activity, program, or service, including summary data; and
- 110 (ii) that are consistent and comparable for each state operation, activity, program, or service;
- 112 (c) budget data, including the amount and source of funding, expenses, and allocation of full-time
employees for the operation, activity, program, or service;
- 114 (d) historical data from previous years for comparison with data reported under Subsections (3)(b) and
(c);
- 116 (e) goals, challenges, and achievements related to the operation, activity, program, or service;
- 118 (f) relevant federal and state statutory references and requirements;
- 119

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- (g) contact information of officials knowledgeable and responsible for each operation, activity, program, or service; and
- 121 (h) other information determined by the state board that:
- 122 (i) may be needed, useful, or of historical significance; or
- 123 (ii) promotes accountability and transparency for each operation, activity, program, or service with the public and elected officials.
- 125 (4)
- (a) Except as provided in Subsection (4)(b), the annual report shall also include:
- 126 (i) the report described in Section 53E-3-507 by the state board on career and technical education needs and program access;
- 128 (ii) the report described in Section 53E-3-515 by the state board on the Hospitality and Tourism Management Career and Technical Education Pilot Program;
- 130 (iii) the report described in Section 53E-3-516 by the state board on certain incidents that occur on school grounds;
- 132 (iv) the report described in Section 53E-4-202 by the state board on the development and implementation of the core standards for Utah public schools;
- 134 (v) the report described in Section 53E-5-310 by the state board on school turnaround and leadership development;
- 136 (vi) the report described in Section 53E-8-204 by the state superintendent on the Utah Schools for the Deaf and the Blind;
- 138 [~~(vi)~~] (vii) the report described in Section 53E-10-308 by the state board and Utah Board of Higher Education on student participation in the concurrent enrollment program;
- 141 [~~(vii)~~] (viii) the report described in Section 53F-5-506 by the state board on information related to personalized, competency-based learning;
- 143 [~~(viii)~~] (ix) the report described in Section 53G-8-203 by the state board on LEAs' policies and procedures related to physical restraint and interventions; and
- 145 [~~(ix)~~] (x) the report described in Section 53G-9-802 by the state board on dropout prevention and recovery services.
- 147 (b) The Education Interim Committee or the Public Education Appropriations Subcommittee may request a report described in Subsection (4)(a) to be reported separately from the State Superintendent's Annual Report.

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- 150 (5) The annual report shall be designed to provide clear, accurate, and accessible information to the
public, the governor, and the Legislature.
- 152 (6) The state board shall:
- 153 (a) submit the annual report in accordance with Section 68-3-14; and
- 154 (b) make the annual report, and previous annual reports, accessible to the public by placing a link to the
reports on the state board's website.
- 156 (7)
- (a) Upon request of the Education Interim Committee or Public Education Appropriations
Subcommittee, the state board shall present the State Superintendent's Annual Report to either
committee.
- 159 (b) After submitting the State Superintendent's Annual Report in accordance with this section, the state
board may supplement the report at a later time with updated data, information, or other materials
as necessary or upon request by the governor, the Education Interim Committee, or the Public
Education Appropriations Subcommittee.
- 163 Section 2. Section **53E-8-102** is amended to read:
- 164 **53E-8-102. Definitions.**
- As used in this chapter:
- 166 (1) "Advisory council" means the Advisory Council for the Utah Schools for the Deaf and the Blind
described in Section 53E-8-206.
- 168 (2) "Alternate format" includes braille, audio, digital text, or large print.
- 169 (3) "Associate superintendent" means:
- 170 (a) the associate superintendent of the Utah School for the Deaf; or
- 171 (b) the associate superintendent of the Utah School for the Blind.
- 172 (4) "Blind" means:
- 173 (a) if the person is three years of age or older but younger than 22 years of age, having a visual
impairment that, even with correction, adversely affects educational performance or substantially
limits one or more major life activities; and
- 176 (b) if the person is younger than three years of age, having a visual impairment.
- 177 (5) "Blindness" means an impairment in vision in which central visual acuity:
- 178 (a) does not exceed 20/200 in the better eye with correcting lenses; or
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(b) is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than 20 degrees.

181 (6) "Cortical visual impairment" means a cortical or cerebral visual impairment:

182 (a) that:

183 (i) affects the visual cortex or visual tracts of the brain;

184 (ii) is caused by damage to the visual pathways to the brain;

185 (iii) affects a person's visual discrimination, acuity, processing, and interpretation; and

186 (iv) is often present in conjunction with other disabilities or eye conditions that cause visual impairment; and

188 (b) in which the eyes and optic nerves of the affected person appear normal and the person's pupil responses are normal.

190 (7) "Deaf" means:

191 (a) if the person is three years of age or older but younger than 22 years of age, having hearing loss, whether permanent or fluctuating, that, even with amplification, adversely affects educational performance or substantially limits one or more major life activities; and

195 (b) if the person is younger than three years of age, having hearing loss.

196 (8) "Deafblind" means:

197 (a) if the person is three years of age or older but younger than 22 years of age:

198 (i) deaf;

199 (ii) blind; and

200 (iii) having hearing loss and visual impairments that cause such severe communication and other developmental and educational needs that the person cannot be accommodated in special education programs solely for students who are deaf or blind; or

204 (b) if the person is younger than three years of age, having both hearing loss and vision impairments that are diagnosed as provided in Section 53E-8-401.

206 (9) "Deafness" means a hearing loss so severe that the person is impaired in processing linguistic information through hearing, with or without amplification.

208 (10) "Educator" means an individual who is:

209 (a) licensed by the state board under Section 53E-6-201; or

210 (b) credentialed by the governing body of the individual's area of professional practice.

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- (11) "Functional blindness" means a disorder in which the physical structures of the eye may be functioning, but the person does not attend to, examine, utilize, or accurately process visual information.
- 214 (12) "Functional hearing loss" means a central nervous system impairment that results in abnormal auditory perception, including an auditory processing disorder or auditory neuropathy/dys-synchrony, in which parts of the auditory system may be functioning, but the person does not attend to, respond to, localize, utilize, or accurately process auditory information.
- 219 (13) "Hard of hearing" means having a hearing loss, excluding deafness.
- 220 (14) "Individualized education program" or "IEP" means:
- 221 (a) a written statement for a student with a disability that is developed, reviewed, and revised in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.; or
- 224 (b) an individualized family service plan developed:
- 225 (i) for a child with a disability who is younger than three years of age; and
- 226 (ii) in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.
- 228 (15) "LEA" means a local education agency that has administrative control and direction for public education.
- 230 (16) "LEA of record" means the school district of residence of a student as determined under Section 53G-6-302.
- 232 (17) "Low vision" means an impairment in vision in which:
- 233 (a) visual acuity is at 20/70 or worse;
- 234 (b) the visual field is reduced to less than 20 degrees;
- 235 (c) even with correction, educational performance is affected; or
- 236 (d) at least one major life activity is substantially limited.
- 237 (18) "Parent Infant Program" means a program at the Utah Schools for the Deaf and the Blind that provides services:
- 239 (a) through an interagency agreement with the Department of Health to children younger than three years of age who are deaf, blind, or deafblind; and
- 241 (b) to children younger than three years of age who are deafblind through Deafblind Services of the Utah Schools for the Deaf and the Blind.
- 243 (19) "Section 504" means Section 504 of the Rehabilitation Act of 1973.
- 244 (20) "Superintendent" means the superintendent of the Utah Schools for the Deaf and the Blind.

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246 (21) "Visual impairment" includes partial sightedness, low vision, blindness, cortical visual impairment,
functional blindness, and degenerative conditions that lead to blindness or severe loss of vision.

249 Section 3. Section 53E-8-201 is amended to read:

250 **53E-8-201. Utah Schools for the Deaf and the Blind created -- Designated LEA -- Services**
statewide.

252 (1) The Utah Schools for the Deaf and the Blind is created as ~~a-{} subdivision~~ { component unit }
agency of the state board and a single public school agency under a statewide, multi-campus model
that includes:

255 (a) the Utah School for the Deaf;

256 (b) the Utah School for the Blind;

257 (c) programs for students who are deafblind; and

258 (d) the Parent Infant Program.

259 (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:

261 (a) ~~[may provide]~~ shall support LEAs statewide in fulfilling the LEA's responsibility to provide services
to students~~[-statewide]:~~

263 (i) who are deaf, blind, or deafblind, in accordance with the relevant student's IEP or Section 504
accommodation plan; or

265 (ii) who are neither deaf, blind, nor deafblind, if allowed under rules of the state board established
[pursuant to] in accordance with Section 53E-8-401; [and]

267 (b) ~~[shall]~~ may 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-]~~ if:

270 (i) the team that develops the student's IEP or Section 504 accommodation plan determines [that the
student be placed at] the {location of the } student's placement {is} ;

272 (ii) the LEA determines that the location of the student's placement is the Utah Schools for the Deaf and
the Blind[-] ; and

273 (ii){ (iii) } { once the team described in Subsection (2)(b)(i) determines the student's placement
and location, } the LEA of record and the Utah Schools for the Deaf and the Blind agree to an
educational partnership agreement through which:

276 (A) the Utah Schools for the Deaf and the Blind provide academic performance reporting regarding the
student to the LEA of record; and

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- 278 (B) the LEA of record, including the team that develops the student's IEP or Section 504
281 accommodation plan, monitors the student's academic performance through the reporting described
283 in Subsection (2)(b)(ii)(A); and
- 284 (c) may serve as the designated LEA for a student who is neither deaf, blind, nor deafblind, in
285 accordance with Subsection 53E-8-401(6).
- 286 (3) When the Utah Schools for the Deaf and the Blind becomes a student's designated LEA[-] under
287 Subsection (2)(b) or (2)(c):
- 288 (a) the LEA of record and the Utah Schools for the Deaf and the Blind shall ensure that all rights
289 and requirements regarding individual student assessment, eligibility, services, placement, and
290 procedural safeguards provided through the Individuals with Disabilities Education Act, 20 U.S.C.
291 Sec. 1400 et seq. and Section 504 of the Rehabilitation Act of 1973, as amended, remain in force[-] ;
292 and
- 293 (b) in accordance with Subsection (4), beginning July 1, 2027, the LEA of record shall:
- 294 (i) count the student in the LEA's average daily membership enrollment count; and
- 295 (ii) remit 95% of any per pupil, state, or federal funding related to the student to the Utah Schools for
296 the Deaf and the Blind for the support and maintenance of the student's education.
- 297 (4) Nothing in this section diminishes the responsibility of a student's LEA of record for the education
298 of the student as provided in Chapter 7, Part 2, Special Education Program.
- 299 Section 4. Section **53E-8-204** is amended to read:
- 300 **53E-8-204. Authority of the state board -- Rulemaking -- Superintendent -- Advisory**
301 **council.**
- 302 (1)
- 303 (a) The state board is the governing board of the Utah Schools for the Deaf and the Blind.
- 304 (b) The state board shall, as the state board determines necessary, establish committees, policies, or
305 processes necessary to the function and oversight of the Utah Schools for the Deaf and the Blind.
- 306 (2)
- 307 (a) The state board shall[-] ;
- 308 (i) appoint a superintendent for the Utah Schools for the Deaf and the Blind[-] ; or
- 309 (ii) authorize the state superintendent of public instruction to appoint and supervise a superintendent
310 for the Utah Schools for the Deaf and the Blind, under the approval of the state board.

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(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.

312 (3) The superintendent shall:

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

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

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

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

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

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

322 (4) The state board shall:

323 (a) approve the annual budget and expenditures of the Utah Schools for the Deaf and the Blind;~~and~~

325 (b) administer the financial operations of the Utah Schools for the Deaf and the Blind~~[-]~~ ; and

327 (c) oversee the capital facilities of the Utah Schools for the Deaf and the Blind, in accordance with Section 53E-8-205.

329 (5)

(a) The state [~~board~~] superintendent shall~~[-submit a report in accordance with Section 53E-1-201]~~ , as part of the State Superintendent's Annual Report described in Section 53E-1-203, report on the Utah Schools for the Deaf and the Blind.

332 (b) The state [~~board~~] superintendent shall ensure that the report described in Subsection (5)(a) includes:

334 (i) a financial report;

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

336 (iii) a report of student academic performance~~[-]~~ ; and

337 (iv) the student count and categorization described in Section 53E-8-207.

339 Section 5. Section 5 is enacted to read:

340 **53E-8-205. Capital facilities.**

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(1) The state board has responsibility, **in coordination with the Division of Facilities Construction and Management**, for the long-term planning, development{~~-, maintenance~~}, and oversight of capital facilities for the Utah Schools for the Deaf and the Blind.

343 (2) The state board shall:

344 (a) before seeking state funding for capital facilities or property under Section 53E-8-410 for the Utah Schools for the Deaf and the Blind, in consultation with the Division of Facilities and Construction Management, perform an exhaustive review of the facilities of LEAs from which the Utah Schools for the Deaf and the Blind assume educational responsibility as the student's designated LEA, considering opportunities for space sharing or colocation as described in Section 53E-8-410;

350 (b) after receiving and evaluating evaluations and recommendations from the Utah Schools for the Deaf and the Blind, review capital facility funding requests in a public meeting of the state board before submitting the request to the Legislature; and

353 (c) submit any capital facilities funding requests to the Transportation and Infrastructure Appropriations Subcommittee.

356 Section 6. Section 6 is enacted to read:

357 **53E-8-206. Advisory council.**

357 (1) The following individuals comprise the advisory council of the Utah Schools for the Deaf and the Blind:

359 (a) the following members whom the state board appoints:

360 (i) two members who are blind;

361 (ii) two members who are deaf;

362 (iii) two members who are deafblind or parents of a child who is deafblind;

363 (iv) two members who have children receiving outreach services from the Utah Schools for the Deaf and the Blind;

365 (v) one parent of a child who is blind; and

366 (vi) one parent of a child who is deaf; and

367 (b) one non-voting member from the state board, whom the state board chair appoints.

368 (2) The advisory council shall:

369 (a) make recommendations to the state board regarding issues related to the Utah Schools for the Deaf and the Blind;

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(b) serve as a school community council, as that term is defined in Section 53G-7-1202, for the Utah Schools for the Deaf and the Blind;

373 (c) consult regarding the entrance policies and procedures {~~that IEP teams and Section 504 teams consider in accordance with~~} described in Section 53E-8-402; and

375 (d) make recommendations regarding the Educational Enrichment Program for Deaf, Hard of Hearing, Blind, and Visually Impaired Students, in accordance with Section 53E-8-407.

379 Section 7. Section 7 is enacted to read:

380 **53E-8-207. Student count -- Data -- Reporting.**

380 (1) The Utah Schools for the Deaf and the Blind shall:

381 (a) on October 1 of each year, determine the number of students:

382 (i) for whom the Utah Schools for the Deaf and the Blind serves as the student's designated LEA under Subsection 53E-8-401(1)(b), further categorized by the Utah School for the Deaf and the Utah School for the Blind;

385 (ii) who receive services in the student's LEA of record with support from the Utah Schools for the Deaf and the Blind under Subsection 53E-8-401(1)(a); {and}

387 (iii) who receive services from both a facility that the Utah Schools for the Deaf and the Blind operate and the student's LEA of record; and

390 (iv) who participate in any other program that the Utah Schools for the Deaf and the Blind provide or facilitate; and

389 (b) annually report to the state board:

390 (i) the student counts described in Subsection (1)(a), further categorized by eligibility type and LEA of record;

392 (ii) the {nature} type and amount or extent of services the students receive; and

393 (iii) for a student with mixed services described in Subsection (1)(a)(iii), the division of the student's educational time between the service delivery systems.

395 (2) The state board is responsible for the reconciliation and consistency of data from the Utah Schools for the Deaf and the Blind.

400 Section 8. Section **53E-8-401** is amended to read:

401 **53E-8-401. Eligibility for services of the Utah Schools for the Deaf and the Blind.**

399 (1) Except as provided in Subsections (3), (4), and (5), an individual is eligible to receive services of the Utah Schools for the Deaf and the Blind[-] :

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- 401 (a) within the individual's LEA if the individual is:
- 402 [~~(a)~~] (i) a resident of Utah;
- 403 [~~(b)~~] (ii) younger than 22 years old;
- 404 [~~(c)~~] (iii) referred to the Utah Schools for the Deaf and the Blind by:
- 405 [~~(i)~~] (A) the individual's school district of residence;
- 406 [~~(ii)~~] (B) a local early intervention program; or
- 407 [~~(iii)~~] (C) if the referral is consistent with the Individual with Disabilities Education Act, 20 U.S.C. Sec.
1400 et seq., the Parent Infant Program; and
- 409 [~~(d)~~] (iv) identified as deaf, blind, or deafblind through:
- 410 [~~(i)~~] (A) the special education eligibility determination process; or
- 411 [~~(ii)~~] (B) the Section 504 eligibility determination process[-] ; or
- 412 (b) functioning as the individual's designated LEA at a facility that the Utah Schools for the Deaf and
the Blind operate if:
- 414 (i) the individual is eligible under Subsection (1)(a); and
- 415 (ii) the individual's LEA of record counts the student and remits associated funding to the Utah Schools
for the Deaf and the Blind in accordance with Subsection 53E-8-201(3)(b).
- 418 (2)
- (a) In determining eligibility for an individual who is younger than age three and is deafblind, the
following information may be used:
- 420 (i) ophthalmological and audiological documentation;
- 421 (ii) functional vision or hearing assessments and evaluations; or
- 422 (iii) informed clinical opinion conducted by a person with expertise in deafness, blindness, or
deafblindness.
- 424 (b) Informed clinical opinion shall be:
- 425 (i) included in the determination of eligibility when documentation is incomplete or not conclusive; and
- 427 (ii) based on pertinent records related to the individual's current health status and medical history, an
evaluation and observations of the individual's level of sensory functioning, and the needs of the
family.
- 430 (3)
- (a) A student who qualifies for special education shall have services and placement determinations
made through the IEP process.

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- 432 (b) A student who qualifies for accommodations under Section 504 shall have services and placement
determinations made through the Section 504 team process.
- 434 (4)
- (a) A nonresident may receive services of the Utah Schools for the Deaf and the Blind in accordance
with the rules of the state board described in Subsection (6).
- 436 (b) Notwithstanding Section 53G-7-503, the state board shall ensure that the rules described in
Subsection (6) require the payment of tuition for services provided to a nonresident.
- 439 (5) An individual with hearing loss is eligible to receive services from the Utah Schools for the Deaf
and the Blind under circumstances described in Section 53E-8-408.
- 441 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board:
- 443 (a) shall make rules that determine the eligibility of students to be served by the Utah Schools for the
Deaf and the Blind in accordance with this chapter; and
- 445 (b) may make rules to allow a resident of Utah who is neither deaf, blind, nor deafblind to receive
services of the Utah Schools for the Deaf and the Blind if[-] :
- 447 (i) the resident is[-] :
- 448 (A) younger than 22 years old[-] ; and
- 449 (B) a direct relative of an individual who is eligible for services under Subsection (1); and
- 451 (ii) the resident's LEA of record counts the student and remits associated funding to the Utah Schools
for the Deaf and the Blind in accordance with Subsection 53E-8-201(3)(b).
- 457 Section 9. Section **53E-8-407** is amended to read:
- 458 **53E-8-407. Educational Enrichment Program for Deaf, Hard of Hearing, Blind, and
Visually Impaired Students -- Funding for the program.**
- 460 (1) As used in this section, "program" means the enrichment programs this section creates.
- 457 [(1)] (2) There is established[-] :
- 462 (a) the Educational Enrichment Program for Deaf[-] and Hard of Hearing[-] Students; and
- 463 (b) the Educational Enrichment Program for Blind[-] and Visually Impaired Students.
- 459 [(2)] (3) The purpose of the [program] programs is to provide opportunities that will, in a family
friendly environment, enhance the educational services required for deaf, hard of hearing, blind,
visually impaired, or deafblind students across the state, regardless of participation in any program
or service with the Utah Schools for the Deaf and the Blind.

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~~[(3)]~~ (4) The advisory council shall make recommendations to the state board regarding the design and implementation of the ~~[program]~~ programs.

464 ~~[(4)]~~ (5) The ~~[program]~~ programs shall be funded from the revenue distributed from the permanent funds created for the Utah Schools for the Deaf and the Blind ~~[pursuant to]~~ in accordance with Section 12 of the Utah Enabling Act and distributed by the director of the School and Institutional Trust Lands Administration under ~~[Section]~~ Sections 53C-3-103 and 53D-2-203.

475 Section 10. Section **53E-8-410** is amended to read:

476 **53E-8-410. School districts to provide space for programs -- Colocation.**

471 (1) A school district with students who reside within the school district's boundaries and are served by the Utah Schools for the Deaf and the Blind shall[-] :

473 (a) make a good faith effort to provide the Utah Schools for the Deaf and the Blind with space required for programs offered by the Utah Schools for the Deaf and the Blind[-] ; and

476 (b) enter into an agreement with the Utah Schools for the Deaf and the Blind to memorialize the terms of use for the space described in Subsection (1)(a).

478 (2)

(a) After conducting the exhaustive search described in Section 53E-8-205, the state board may identify a school district with a critical number of students receiving services from the Utah Schools for the Deaf and the Blind.

481 (b) A school district described in Subsection (2)(a) shall enter into an agreement to provide a segment of school district property for the construction of a facility on or adjacent to the property of a high school where the Utah Schools for the Deaf and the Blind may operate as the designated LEA for students in the surrounding region near the facility.

492 Section 11. **Effective date.**

Effective Date.

This bill takes effect on July 1, 2026.

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