

A Performance Audit of

# Space Utilization by the Utah Schools for the Deaf and the Blind

Office of the Legislative  
Auditor General

Report to the **UTAH LEGISLATURE**





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April 12, 2023

TO: THE UTAH STATE LEGISLATURE

Transmitted herewith is our report:

A PERFORMANCE AUDIT OF SPACE UTILIZATION BY THE UTAH SCHOOLS FOR THE  
DEAF AND THE BLIND Report #2023-01

An audit summary is found at the front of the report. The scope and objectives of the audit are included in the audit summary. In addition, each chapter has a corresponding chapter summary found at its beginning.

We will be happy to meet with appropriate legislative committees, individual legislators, and other state officials to discuss any item contained in the report in order to facilitate the implementation of the recommendations.

Sincerely,

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## PERFORMANCE AUDIT

### AUDIT REQUEST

During the 2022 Legislative General Session, the Utah Schools for the Deaf and the Blind (USDB) received \$15 million to build a permanent high school in Salt Lake and \$14 million to build a new school building with ten to twelve classrooms in southern Utah, from the Public Education Appropriations Subcommittee. Since the projects were funded, USDB presented a dramatically different proposal for the school in southern Utah. The Executive Appropriations Committee expressed concerns about the capital facilities funding to USDB and requested an audit by our office, the Legislative Auditor General.

### BACKGROUND

The mission of the Utah Schools for the Deaf and the Blind (USDB) is to provide educational services and improve the outcomes for children and youth with vision and hearing loss. The Individuals with Disabilities Education Act (IDEA) requires states to provide free and appropriate education to individuals in the “least restrictive environment.” USDB has three brick-and-mortar campuses in Ogden, Salt Lake, and Springville. USDB recently established a school in southern Utah, but this school does not yet have permanent space.

## SPACE UTILIZATION BY USDB



### KEY FINDINGS

- ✓ More in-depth planning would have led to better prioritization of needs.
- ✓ Additional space in Salt Lake has become necessary due to inadequate planning.
- ✓ USDB must conduct additional analysis to determine needs in southern Utah.



### RECOMMENDATIONS

- ✓ We recommend that the Utah Schools for the Deaf and the Blind maintain a statewide plan for facilities. Before any capital development request is made, the school should be able to demonstrate to the Legislature how the request can be reasonably supported by the plan.
- ✓ We recommend that the Legislature consider clarifying statute to require the Utah Schools for the Deaf and the Blind be subject to the full Division of Facilities Construction and Management process.
- ✓ We recommend that the Legislature consider releasing the funds to build a new high school for the Utah Schools for the Deaf and the Blind, after additional planning has been completed.
- ✓ We recommend that the Legislature consider whether entities should be required to seek additional approval to make significant changes to capital development project, after the project has been funded by the Legislature.
- ✓ We recommend that the Legislature consider whether to fund permanent space for the Southern Utah School of the Deaf, after the school provides additional analysis.



### REPORT SUMMARY

#### **1.1 USDB's New Building Request in Salt Lake Could Have Benefited from Additional Planning**

USDB did not thoroughly plan its proposal for a new high school in Salt Lake. USDB has previously failed to consider all relevant factors when requesting new buildings. While additional classroom space in Salt Lake City is currently needed, a lack of long-term planning has exacerbated the school's current lack of space. The school should have completed additional analysis before engaging in a costly feasibility study.

#### **1.3 Statute Could Be Clarified As to Whether USDB is Required to Use DFCM; Ambiguity May Have Contributed to Under-planning**

In researching past USDB requests for capital development projects, we observed some confusion regarding the appropriate process for USDB to request buildings. State agencies are required to follow a specific process that involves extensive planning by DFCM and the approval of the Legislature. There is some question as to whether **Utah Code** places USDB under this purview.

#### **2.1 USDB Salt Lake Does Not Have Adequate Classroom Space**

USDB Salt Lake needs additional classroom space for deaf education. Our audit process was able to identify some underutilized space that could meet some, but likely not all of USDB's needs. Alternative options either rely on borrowed space that is subject to change, is cost prohibitive, or is not currently feasible.

#### **3.2 The Original USDB Southern Proposal That Was Funded by the Legislature Could Be a Better Option**

While the original, funded proposal that USDB presented to the Legislature is more costly, it also includes more classroom space and could be a better long-term solution in area experiencing population growth. We are concerned that USDB could eventually outgrow the proposed project. However, additional planning is necessary before any building is funded.

### **Classroom Space for USDB Salt Lake Students in the Granite School District**

- 2009-2011 • 5 pre-school classrooms at Upland Terrance Elementary
- 2011 • USDB asked to leave Upland Terrance Elementary due to space issues
- 2013-2014 • 2 Classrooms at Millcreek Elementary
- 2015-2016 • 1 Classroom at Millcreek Elementary
- 2002-2016 • 2 classrooms at Skyline High
- 2017 • USDB moved out of Millcreek and into modular due to space issues
- 2017-2019 • 1 Classroom at Skyline High
- 2020 • USDB students moved out of Skyline voluntarily



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**BACKGROUND**

The mission of the Utah Schools for the Deaf and the Blind (USDB) is to provide educational services and improve the outcomes for children and youth with vision and hearing loss. The Individuals with Disabilities Education Act (IDEA) requires states to provide free and appropriate education to individuals in the “least restrictive environment.” While most blind students transition to special education classrooms in mainstream schools after early education, deaf students (especially those who utilize American Sign Language) often remain with USDB through high school. USDB has campuses in Ogden, Salt Lake, and Springville. It recently established a school in southern Utah, but the school does not have a permanent location.

**FINDING 1.1**

USDB has not engaged in sufficient planning.

**RECOMMENDATION 1.1**

We recommend that the Utah Schools for the Deaf and the Blind maintain a statewide facilities plan. Before any capital development request is made, the school should be able to demonstrate to the Legislature how the request can be reasonably supported by the plan.

**FINDING 1.2**

USDB’s method for calculating teacher-to-student ratios is inaccurate.

**RECOMMENDATION 1.2**

We recommend that the Utah Schools for the Deaf and the Blind utilize data from the Utah State Board of Education as much as possible when conducting analyses.

**FINDING 1.3**

It is unclear if USDB is subject to DFCM rules for capital development projects.

**RECOMMENDATION 1.3**

We recommend that the Legislature consider clarifying statute to require the Utah Schools for the Deaf and the Blind be subject to the full Division of Facilities Construction and Management process.

**CONCLUSION**

USDB has not adequately planned its capital development projects in Salt Lake. This lack of planning led the school to prioritize non-classroom space in a previous building project on the Salt Lake campus. The school is now requesting an additional building to provide needed classrooms.





# Chapter 1

## More In-Depth Planning Would Have Led to Better Prioritization of Needs

### 1.1 USDB’s New Building Request in Salt Lake Could Have Benefited from Additional Planning

The Utah Schools for the Deaf and the Blind (USDB) did not thoroughly plan its proposal for a new high school in Salt Lake. USDB has requested a school with four to five general classrooms, a science classroom, a classroom for science, technology, engineering and math (STEM)/robotics, an art classroom, and a weightroom. USDB has previously failed to consider all relevant factors when requesting new buildings. While additional classroom space in Salt Lake is currently needed, a lack of long-term planning has exacerbated the school’s current lack of classroom space. The school should have completed additional analysis before engaging in a costly feasibility study. The school also could have done more to explore alternative options, identified in detail in Chapter II.

#### Enrollment in USDB Salt Lake Classes Has Declined

Student enrollment at USDB Salt Lake has declined from a high of 108 students in 2015 to ninety-three students in the 2022 school year. Similarly, enrollment in the Listening and Spoken Language (LSL) program in Salt Lake has declined from a high of eighty- seven students in 2016 to only forty-six students in 2022. Currently, LSL classrooms are located in a modular building at Millcreek



**Changes in student enrollment should be factored into school proposals for additional space.**

Elementary School, within the Granite School District, but USDB plans to move these classes to its Salt Lake campus. Declining enrollment at USDB Salt Lake is not overly surprising, as some nearby school districts are also experiencing declining enrollment. Some of the enrollment decline in Salt Lake also could be attributed to the opening of a USDB school in

Springville in 2020.

USDB did not appear to consider declining enrollment as a factor when proposing its new high school. The school reports that the increasing needs of its students was a more predominant consideration in its proposal for a new high school. USDB’s proposal did not include meaningful projections based on area demographics or enrollment trends. While we see USDB’s need for additional classroom space, student enrollment must be considered when designing a proposed space.

Declining enrollment alone is a difficult factor to use to predict spatial needs for this population, because USDB Salt Lake will still need to offer preschool through post-high school classes as long as there is at least one student per class. The



school can group students by ability instead of grade level for some subjects, but options to reduce the number of necessary classrooms are limited. Moreover, many students who attend USDB have additional disabilities that require special education. These students are usually educated in different classes than their typical-learning peers. Finally, curricular demands at the high school level require USDB to offer certain classes regardless of the number of students.

Due to the way it calculates enrollment, USDB may not have been fully aware of the extent of declining enrollment. USDB counts every student enrolled for any amount of time during the school year, regardless of transfers out of the school. This method resulted in an inflated number of students enrolled.

### **Increased Analysis Would Support Planning Efforts**

One of the possible reasons that USDB Salt Lake lacks classroom space is its decreasing teacher-to-student ratio. The recent addition of the school in Springville likely contributed to this decrease, as students are now dispersed across an additional campus. Upon investigation, we found that current ratios are reasonable, given the specialized needs of many students who attend USDB. Still,



**USDB miscalculated its teacher-to-student ratio.**

the teacher-to-student ratio seems elusive to USDB. The school was asked to perform an analysis to present to the Public Education Appropriations Subcommittee in June of 2022. The school presented a five-year average teacher to student ratio of 1:8 for self-contained students. However, our analysis, which

uses USBE data, shows a teacher-to-student ratio closer to 1:5 for the school years 2018 to 2022<sup>1</sup>. The enrollment data we used may be artificially low because the data do not include post-high students. However, we do not believe that including the small number of post-high students would significantly impact the ratios enough to match what the school reported. During our audit process, USDB was unable to recreate the analysis it had presented to the committee but stated that the ratio was calculated based on its own records. In the future, USDB should rely on USBE data as much as possible to perform analyses.

### **Students at USDB Salt Lake Will Continue to Need to Take Courses at Mainstream Schools**

Junior high and high school students who attend USDB Salt Lake frequently attend individual classes at mainstream schools in the Granite School District. USDB transports students to and from Evergreen Junior High School and Olympus High School to attend classes not offered at USDB Salt Lake. These classes are often electives or advanced courses. While some of these courses may be offered at the new USDB high school, students will likely continue to take courses at mainstream schools.

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<sup>1</sup> Data integrity issues may have contributed to a nominal discrepancy.



Currently, about one-third of high school students are transported off campus during the day to attend classes, typically at Olympus High School. Some



**A new USDB high school will not eliminate the need for the school to frequently transport students to and from mainstream schools.**

students attend only one class off campus, while others are enrolled in multiple courses. There is little overlap of mainstream courses that students are enrolled in, making it difficult to determine which courses should be offered at the new USDB high school. Regardless, it would be unreasonable to offer many of these courses at the new school, as most have only one student enrolled, and no course has more than a few USDB students enrolled. Therefore, USDB will have a continued need to transport students back and forth from Olympus High School.

**Only a Few Students Are Currently Enrolled in Weightlifting and Chemistry.** USDB has cited a weightroom and a chemistry lab as two of the specialized classrooms it intends to have in the new high school. However, we question if these needs are essential. In the current semester, two USDB students are enrolled in chemistry at Olympus High School, while one student is enrolled in honors chemistry. Similarly, only two students are enrolled in weightlifting at Olympus. Historic data show that in previous years, USDB students took chemistry classes in only one other school year – 2019. Likewise, no USDB Salt Lake students have been enrolled in weightlifting prior to this school year. USDB maintains that some courses, such as chemistry, are very difficult to teach through an interpreter. While the school’s ability to offer in-house courses may attract additional students, we question why these two particular needs have been prioritized by USDB.

### **USDB Did Little Research and Analysis Into the Options Discussed in Chapter 2**

We recognize the need for additional classroom space in Salt Lake. However, USDB should have considered factors such as enrollment trends before engaging with an architect to design the new building. USDB should have given more consideration to the following options which are discussed in Chapter 2 of this report.

- Retrofitting a former elementary school
- Partnering with Granite School District on its Skyline High School rebuild
- Partnering with Salt Lake City School District on its proposed Highland High School rebuild

While our audit process ultimately determined that the option to retrofit a former elementary school was likely cost-prohibitive, USDB did not explore this potential solution. Similarly, partnering with Granite School District on the Skyline High School rebuild may have been a viable option before the district’s



construction plans were finalized. Granite School District did offer some space in their rebuild, but USDB deemed it inadequate to provide deaf students education in “the least restrictive environment,” which is a requirement of the Individuals with Disabilities Education Act (IDEA). By the time we began this audit, the opportunity to partner with Granite School District had passed. Given that USDB had previously prioritized non-academic space over high school classrooms (discussed in the next section), it had a responsibility to examine less-costly solutions for its space needs. This lack of forethought and planning likely contributed to the questions currently being asked about the proposed project.



**Sufficient planning would have entailed considering options discussed in Chapter 2 prior to requesting a new high school building.**

The degree of utilization the school can expect from the chemistry room and the weightroom is unclear. More time could have been taken before the building was designed to determine which types of specialized spaces would receive the most use. However, given that four classrooms are currently split, and two classes are being offered in a small house that will eventually be demolished, an eight-classroom high school does seem reasonable.

We recommend that USDB develop an adequate, statewide facilities plan that includes goals related to the use of its facilities. The plan should prioritize USDB goals regarding what classes and services it should provide to deaf and blind students. It should account for changes and trends in enrollment to ensure that the schools do not outgrow their spaces in the future. The plan should also consider resources from local school district partners. Any capital development requests should align with the plan.

**RECOMMENDATION 1.1**

We recommend that the Utah Schools for the Deaf and the Blind maintain a statewide plan for facilities. Before any capital development request is made, the school should be able to demonstrate to the Legislature how the request can be reasonably supported by the plan.

**RECOMMENDATION 1.2**

We recommend that the Utah Schools for the Deaf and the Blind utilize data from the Utah State Board of Education as much as possible when conducting analyses.





## 1.2 Previous Construction Project Demonstrates Incomplete Planning

The need for additional classroom space should have been recognized at the time USDB requested the Openshaw Education Center (Openshaw) on the Salt Lake campus in 2014. Since then, enrollment has declined, so USDB should theoretically have more space. However, incomplete evaluation and a lack of adequate planning led the school to prioritize non-academic space including a full-sized gymnasium and performance stage, over high school classrooms.

### Openshaw Education Center Prioritized Non-Academic Space

USDB did not request high school classrooms as part of the Openshaw request in 2014. At the time of the request, high school students had two high school classrooms at Skyline High School, in the Granite School District. However, citing the inability of students to thrive there, the school opted to move the students back to the Salt Lake campus for the 2020 school year. Since that time, USDB Salt Lake has had to redistribute classroom space, resulting in the need to teach multiple classes in the same classroom.

### USDB Did Not Provide an Adequate Evaluation of the School's Current and Projected Needs.

In USDB's annual report to the Public Education Appropriations Committee in October 2013, it informed the committee of its plans to request a new building in Salt Lake in the coming General Session. It described the proposed building as serving seven hundred students. However, at the time of the request, only 239 students were enrolled at USDB in the Salt Lake area, including blind students and students in self-contained classrooms housed within Granite School District schools. Presumably, the school's estimate



**The 2014 proposal for the Openshaw Education Center did not detail how the building would be used by USDB students.**

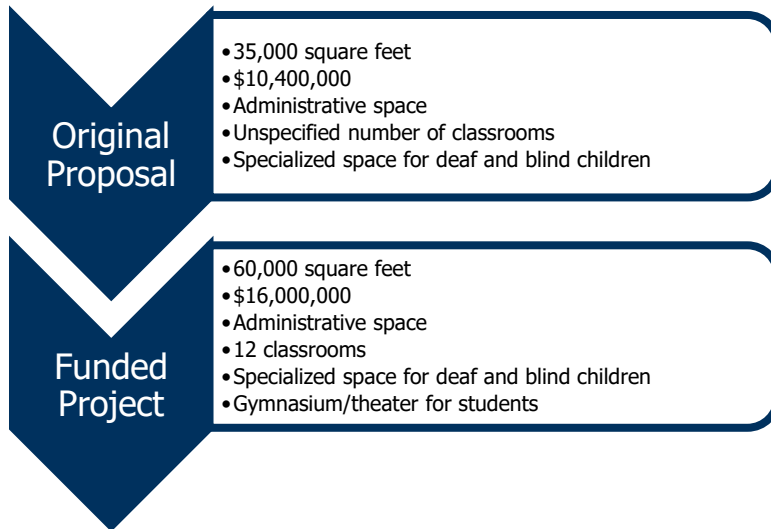
may have included some area outreach students, who attend mainstream schools, as well as the participants of Parent and Infant Program (PIP). However, these children do not attend school at Openshaw, and they utilize the building only intermittently, for reasons such as audiology and vision services, and toddler play group. We are concerned that USDB's initial planning and proposal for the Openshaw project did not further detail how the building would be used by students.

### USDB Significantly Expanded Its Initial Openshaw Request but Did Not Include Additional Classrooms.

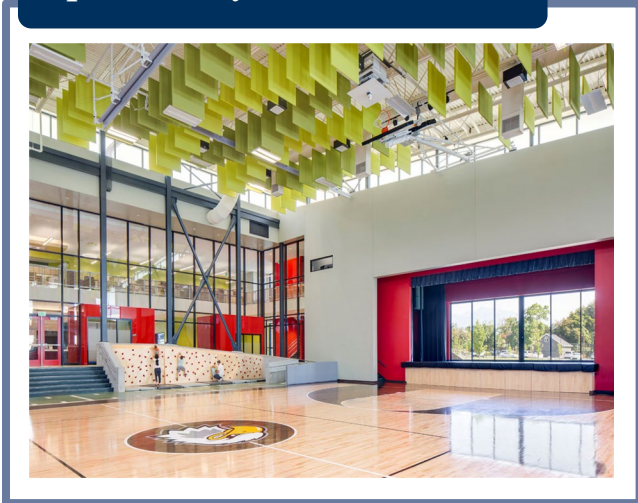
USDB has acknowledged that there was a desire for self-contained high school classroom space at the time of this request, but it did not include these classrooms in its request, because it did not think the scale of the project would be approved. However, the scope of the Openshaw request increased significantly by the time the project was prioritized in 2015 by the Utah State Building Board. In its presentation to the Building Board, USDB stated that it would no longer have to move students and



classrooms around Granite School District. However, the movement continued after the completion of Openshaw. Figure 1.1 shows highlights of the original proposal presented to the Building Board in 2014 compared with the final funded project prioritized by the Building Board in 2015.



### Openshaw Gymnasium

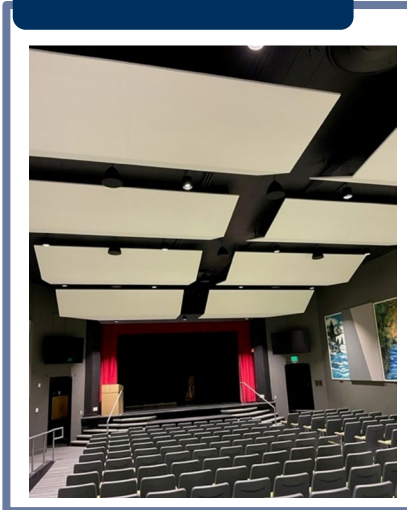


The expansion added a high school regulation-sized gym and stage. Given that classroom sizes for deaf high school students range from 650 to 850 square feet, the expanded footprint of the building could have instead housed several additional classrooms.

While USDB stated that its students did not have regular access to the gym at Skyline High School, when they were located at Skyline, students had access to an elementary-sized gymnasium in the Jean Massieu School of the Deaf<sup>2</sup> (JMS) building on the Salt Lake campus, which the

The figure above indicates that the square footage of the requested building grew by more than 70 percent between 2014 and 2015.

### JMS Auditorium:



<sup>2</sup> JMS is a former mainstream elementary school.



school recently renovated. Still, it is common for high school students to have regular access to a full-size gymnasium. JMS also includes an auditorium, though that space is not fully accessible to students with disabilities and would likely require some modifications. Given that the school already had a small gym at USDB Salt Lake, we question the previous decision to prioritize a full-sized gym over classroom space.

### 1.3 Statute Could Be Clarified As to Whether USDB is Required to Use DFCM; Ambiguity May Have Contributed to Under-planning

In researching past USDB requests for capital development projects, we observed some confusion regarding the appropriate process for USDB to request new buildings. State agencies are required to follow a specific process that involves input and prioritization by the Division of Facilities Construction and Management (DFCM) and the approval of the Legislature, via the Infrastructure and General Government Appropriations Subcommittee. There is some question as to whether *Utah Code* places USDB under this purview.

After the two most recent capital development projects requested by USDB were funded by the Public Education Appropriations Subcommittee, the Executive Appropriations Committee expressed concerns about the decision to fund the buildings. USDB’s method for requesting capital development projects has varied with different building requests. This inconsistency may be due to unclear statute.



**Current capital development requests circumvented DFCM by making request to the Public Education Appropriations Subcommittee.**

*Utah Code* 63A-5b-402 (2) states:

*An agency that requests an appropriation for a capital development project shall submit to [DFCM] for transmission to the Legislature a capital development project request and a feasibility study relating to the capital development project.*

DFCM evaluates these requests and makes recommendations to the Legislature, via the Infrastructure and General Government Appropriations Subcommittee. Requests should include a needs statement containing justification for the project, such as estimated cost, funding sources, ongoing operations and maintenance, and an analysis of current facilities and why the proposed facility is needed.

DFCM expressed concerns about USDB not following the same process as most other state agencies, because DFCM typically procures an architect to perform preliminary work. USDB has not consistently followed this process. For example, because the most recent capital development projects were introduced and prioritized by the Public Education Appropriations Subcommittee, USDB



selected the architecture firm to perform preliminary work. That said, statute could be clarified to ensure that USDB follows the intent of the Legislature.

### **Public Education Entities Are Not Required to Go through the DFCM Process**

**Utah Code** 63A-5b-303 (3)(a), otherwise known as the Government Operations Code states:

*[DFCM] may not supervise or control the allocation of space for an entity in the public education system.*

The term “public education system” is not defined in this section of code. However, in **Utah Code** 53E-8-201, USDB is created as an entity in the public education system. In this context, the language seems to suggest that the traditional capital development process may not apply to USDB.



**State statute is unclear as to the process USDB must follow to request capital development projects.**

In contrast, Utah Code 53E-8-203 of the Public Education Code states:

*The following provisions of this public education code do not apply to the Utah Schools for the Deaf and the Blind...provisions governing school construction.*

This portion of code indicates that USDB also does not have to follow the process that other public schools must follow when constructing new buildings.

It continues:

*Except as provided in this chapter, the Utah Schools for the Deaf and the Blind is subject to state laws governing state agencies, including...Title 63A, Utah Government Operations Code*

Based on this language, we believe that the Legislature intends that USDB follow the same process as most other state agencies. However, language in the Government Operations Code seems to also exempt USDB from certain requirements due to its status as a “public education entity”. We believe clarification may be necessary.



## The Legislature Should Consider Clarifying Statute to Require USDB to Go Through DFCM for Capital Development Projects

Had USDB gone through the standard process required of most state entities, it likely would have had to present additional analysis for its capital development requests to be funded. *Utah Administrative Rule* requires agencies subject to DFCM oversight to request approval from the director prior to engaging in programming. Programming is typically a joint effort between DFCM and the requesting entity and includes conducting a feasibility study. Because USDB did not follow this process, DFCM was not involved in any of the school’s preliminary work.



**If USDB had developed a master plan (which is a requirement for most state agencies) for its Salt Lake campus, DFCM may have been aware of deficiencies in planning.**

Furthermore, *Utah Administrative Rule 23-3-9* states:

*For each major campus of state owned buildings, the agency with primary responsibility for operations occurring at the campus shall, in cooperation with*

*[DFCM] develop and maintain a master plan that reflects the current and projected development of the campus.*

USDB does not have a master plan for any of its campuses. Had a plan been established in 2009, when the school purchased JMS and established the USDB Salt Lake campus, DFCM likely would have known that additional classroom space was needed.

Insufficient planning has exacerbated USDB’s space issues in Salt Lake. USDB built a new facility in Salt Lake several years ago, which prioritized non-academic space. Given that enrollment has not increased since that time, USDB should have been aware of its need for additional classrooms. Had USDB gone through the DFCM process for requesting a capital development project, additional analysis would have occurred. However, statute is unclear as to whether USDB is required to follow this process.

### RECOMMENDATION 1.3

We recommend that the Legislature consider clarifying statute to require the Utah Schools for the Deaf and the Blind be subject to the full Division of Facilities Construction and Management process.



**BACKGROUND**

During the 2022 Legislative General Session, the Utah Schools for the Deaf and the Blind (USDB) received \$15 million to build a permanent high school in Salt Lake from the Public Education Appropriations Subcommittee. In November 2022, the Executive Appropriations Committee questioned the decision to fund this request and asked that our office do an analysis of space usage at USDB to determine whether additional space was needed or whether there are more affordable alternatives.

USDB Salt Lake teaches students from preschool to post-high school. USDB Salt Lake is comprised of the Jean Massieu School of the Deaf (JMS), which teaches K-12 classes and the Openshaw Education Center (Openshaw) which contains 10 preschool classrooms for deaf and blind students, as well as administrative space. USDB Salt Lake is also using the adjacent house (the Little House), purchased to acquire land to build the new high school, as temporary classroom and office space.

**FINDING 2.1**

USDB Salt Lake does not have adequate classroom space.

**RECOMMENDATION 2.1**

We recommend that the Utah Schools for the Deaf and the Blind prioritize classroom space over specialty space.

**FINDING 2.2**

Alternate Salt Lake space options are less than ideal.

**RECOMMENDATION 2.2**

We recommend that the Legislature consider releasing the funds to build a new high school for the Utah Schools for the Deaf and the Blind, after additional planning has been completed.

**CONCLUSION**

USDB needs more classroom space at its Salt Lake campus. Constructing a new high school is the ideal solution. However, if the Legislature rescinds funding for the school, USDB has other options that are less optimal. USDB could add classrooms by reallocating non-classroom spaces. This option alone would likely not meet all the school's stated needs. The school would need to continue to rely on Granite School District to provide temporary, nonguaranteed space for USDB students.







# Chapter 2

## Additional Space in Salt Lake Has Become Necessary Due to Inadequate Planning

### 2.1 USDB Salt Lake Does Not Have Adequate Classroom Space

USDB Salt Lake needs additional classroom space for deaf education. The school provides early education for blind students and educates deaf students from preschool to post-high school. Class sizes for deaf and blind students are typically smaller than those of mainstream schools; an analysis on space utilization based on mainstream schools is therefore unreliable. Our audit process was able to identify some underutilized space that could meet some, but likely not all of USDB’s needs.

Specialized, non-classroom space within USDB schools—which is appropriate but not always required by law—could also be considered for classroom use.



**Currently, USDB is teaching multiple classes in a single classroom and is using a blanket as a room divider.**

#### JMS Needs Both Elementary and Secondary Classrooms

There is not enough classroom space for all the student needs in the Jean Massieu School of the Deaf (JMS). JMS is a former mainstream elementary school, and the classrooms are designed for more students and therefore are larger than USDB needs. Furthermore, special education class sizes are typically smaller than mainstream classrooms and accommodate fewer students. Moreover, USDB has limited control over the number of students in each class. Aside from teaching all K-12 grades at JMS, grade levels are often divided into multiple cohorts, separating typically-learning students from students with

additional disabilities who require different and more intensive instruction.

#### Classroom Separated into Two



There are several needs that USDB Salt Lake is addressing with its request for a new high school to be built adjacent to the Openshaw Education Center (Openshaw). First, USDB wants separate, self-contained classrooms for all classes. Currently, some classrooms at JMS are being used to teach multiple classes at the same time, with a blanket serving as a room divider. Some support staff have makeshift offices within

classrooms or other spaces. USDB also has four classrooms (three deaf, one



blind) in a modular building at Millcreek Elementary School. Millcreek Elementary School (which is part of the Granite School District) will close at the end of the current school year, and USDB plans to move the modular building to a temporary space on the USDB Salt Lake campus until the high school is constructed.

### **USDB’s Population Needs Different Resources Than Students in Mainstream Schools**

USDB’s teacher-to-student ratio is about 1:5. Deaf schools located in surrounding states have teacher-to-student ratios ranging from 1:3 to 1:6. It is not unusual for special education class sizes to be smaller than mainstream class sizes. Research



**USBE’s teacher-to-student ratios for deaf education are lower than what is found in mainstream classes.**

suggests that students receiving special education services, including those who are deaf, achieve better outcomes with smaller class sizes. Smaller class sizes facilitate more individualized instruction and allow students who utilize assistive listening devices to be physically close to the teacher. In addition, the number of students with multiple disabilities has increased, requiring more intensive services and instruction.

**The Number of Students with Multiple Disabilities Has Increased Over the Past Decade, Requiring More Classrooms.** The number of deaf students considered by the Utah State Board of Education (USBE) as students with multiple disabilities has increased significantly over the past decade, especially in the Salt Lake region. For example, in the 2014 school year, there were only three deaf students at USDB Salt Lake who were considered to have multiple disabilities. In the 2022 school year, there were thirty deaf students with multiple disabilities. Educating deaf students with additional disabilities can require more resources and specialization. Students with complex special needs are often educated in classes with relatively few students. The increase in the number of multiple-disability students likely impacts class sizes and teacher-to-student ratios.

**Deaf Students Who Attend a Deaf School Often Have Better Outcomes.** Students who are deaf often need additional socioemotional support. Many deaf students struggle in mainstream environments, due to the inability to fully communicate with their peers. This challenge can be compounded for a significant number of students who do not have access to communication at home. Research shows that up to 60 percent of families of deaf children do not use ASL at home. In these cases, a deaf school is often the only environment where a student can fully interact with others. The inability to communicate can negatively affect a student’s socioemotional development. In addition to improved non-academic outcomes, USDB students also have better graduation rates than deaf students who attend mainstream high schools in Utah.



## USDB Salt Lake Has Some Space That Could Be Repurposed

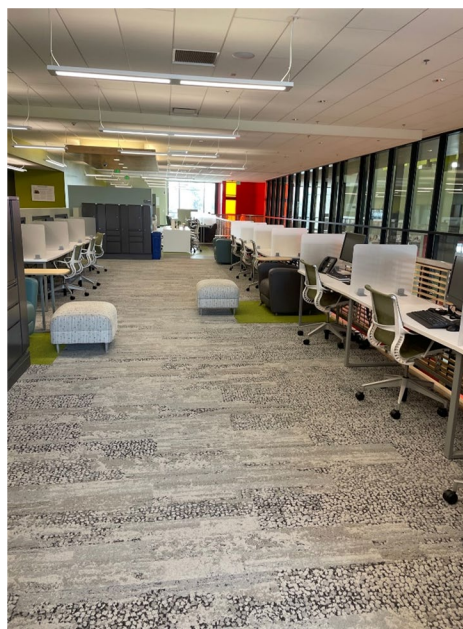
In the absence of a new high school building, some spaces within the JMS and Openshaw buildings could be converted to help alleviate current space limitations. Converting space may not be ideal but could become necessary if the new high school is not built. While there is no unused space in either building, there are some under-utilized spaces. USDB could retrofit some of this space to accommodate priority needs. However, without additional external space (discussed in the next session), reallocating current space likely will not meet all of USDB's stated needs. Our audit identified the following potential options for reallocating existing space:

- Openshaw has a large open area with workspaces to hotel itinerant teachers, who reportedly often worked in their cars prior to the building's construction. Since the COVID-19 pandemic, USDB has seen this space less utilized. While the space likely cannot be converted to classroom space given the design of the area, it could possibly be retrofitted to house staff who are currently occupying temporary space in the small house the school intends to demolish, or staff who currently have offices in the shared student lounge area in the front of JMS.

### Student Lounge and Offices



### Itinerant Teacher Space





- JMS has an elementary-sized gymnasium that does not currently have a permanent use. USDB has used the space for classes in the past, but currently it is mostly used for occasional group activities<sup>3</sup> and indoor recess on poor air-quality days. USDB has expressed the desire for a weight room for high school students and a permanent space for its science, technology, engineering, and math (STEM) classroom and robotics lab. USDB could consider locating its proposed weight room or STEM classroom in the JMS elementary gym.
- USDB intends to build a chemistry lab in the new high school. JMS's current science classroom is not equipped to teach chemistry classes. The lab is not equipped with adequate fire suppression or exhaust hoods. The classroom also needs gas and waste lines. The school considered retrofitting the room, but opted not to, as the cost was deemed too high. The total cost of the retrofit is about \$38,000. If a new high school is not built, USDB would still be able to offer chemistry classes if a retrofit of the current science room is funded.

**Elementary Gym**



**Current Science Classroom**



### **USDB Salt Lake Contains Specialized, Non-Classroom Space**

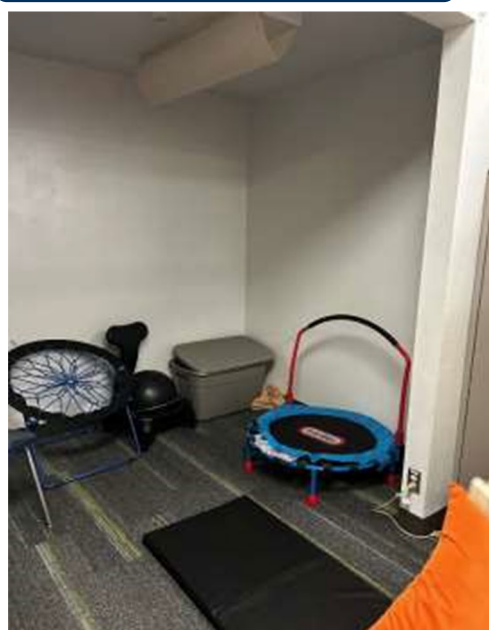
JMS and Openshaw contain additional spaces that are not typically found in mainstream schools. These specialized spaces include an audiology suite, a vision clinic, a sensory room, and a toddler room for children under the age of three, who participate in the Parent and Infant Program (PIP). In addition, blind students and students with additional disabilities also require significant space for walkers, standers and other bulky equipment. While the use of non-classroom space at JMS and Openshaw appears justified, these specialized needs occupy space that could otherwise be used for classrooms. Some specialized spaces are often not in use throughout the day. Additional specialized areas exist at USDB's Ogden campus, as it does not have the same spatial constraints as USDB Salt

<sup>3</sup> Deaf seating needs to be in a circular structure so that everyone can see the signing of everyone else in the room.

Lake. The following points summarize the ways USDB Salt Lake currently uses its specialized spaces.

- USDB has an audiology suite in both the JMS building and the Openshaw building. The school cites the importance of onsite audiologists as students often need assistance with their hearing devices. A student could miss additional learning time if their device is not functioning properly. Deaf schools located in other states also reported having on-site audiologists. USDB is required by law to offer these services, however it is not required to have audiologists on-site.
- JMS has two sensory rooms—one for blind students and one for deaf students. Sensory rooms are commonly used in deaf and blind education. The purpose of sensory rooms is to help students be able to moderate sensory stimulations. Sensory rooms and equipment are especially important to students with visual impairments. Specialized therapeutic equipment can help students to improve their visual tracking, color recognition, physical movement, and hand–eye coordination. In addition, sensory rooms can be used when a child is having behavioral issues. Each USDB campus has sensory rooms. Sensory rooms are common in special education schools. USDB acknowledges that these spaces are not in constant use.
- One former classroom is currently being used as a toddler group room. USDB provides services to blind and deaf children, starting from birth. However, these children do not enter school until they turn three years old. Deaf and blind toddlers in PIP meet weekly in the toddler room to encourage socialization. However, this is not a service that USDB is required to offer. USDB could potentially consider discontinuing this service or hosting it in one of the pre-school classrooms instead. This change would free up one classroom.

**Sensory Room**



In the absence of additional new space on the Salt Lake campus, USDB should prioritize classrooms over specialty space. The school is not required to provide all these spaces and services, though we acknowledge the benefit to students.

**RECOMMENDATION 2.1**

We recommend that the Utah Schools for the Deaf and the Blind prioritize classroom space over specialty space.



## 2.2 Alternate Salt Lake City Space Options Are Less Than Ideal

There are several alternatives to the proposal to build a new USDB high school. However, these alternatives either rely on borrowed space that is subject to change, are cost prohibitive, or are not currently feasible. Granite School District has historically provided classroom space to USDB. While the district intends to continue doing so when possible, it cannot guarantee permanent space. The option to retrofit a former mainstream school is likely cost prohibitive, given the size and design of mainstream schools compared with the needs of USDB. Finally, the possibility of building a dedicated USDB addition to a mainstream high school rebuild does not appear to be feasible at this time, given the current stage of each project.



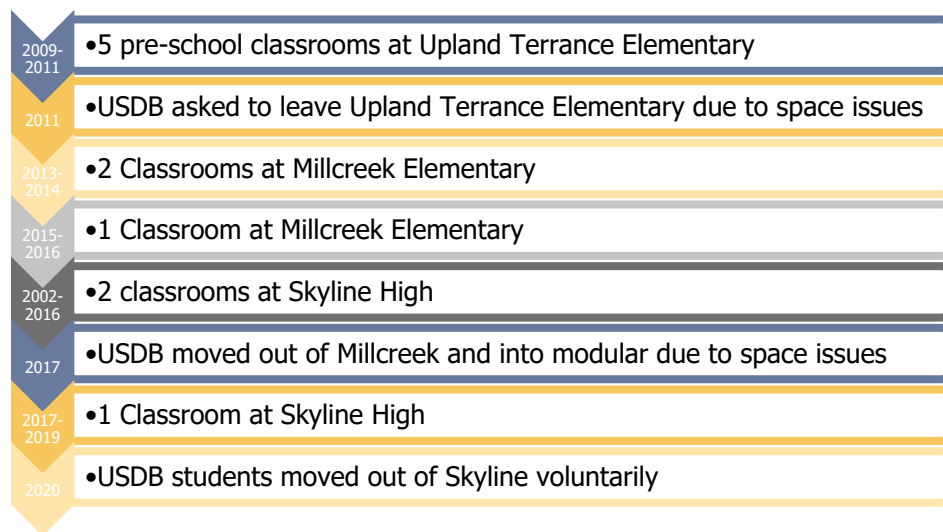
**Utah Code compels public school districts with USDB students who reside in the school district's boundaries to make a good faith effort to provide USDB with the space it requires to educate students.**

### **Although Granite School District is Willing to Work with USDB, It Cannot Guarantee Consistent Space**

Over the years, space in Granite School District has been impermanent and varying. Currently, three Listening and Spoken Language (LSL) classes and one blind class are being taught in a modular building at Granite's Millcreek Elementary School. These classes range from kindergarten to first grade. Unfortunately, the Granite School District board voted to close Millcreek Elementary at the end of the current school year and USDB will need to move its modular building. USDB plans to relocate this modular unit to the field in front of the Openshaw building to serve as temporary space while the proposed new high school is being built. Due to fire lane requirements, the modular unit cannot be permanently placed in this location. USDB could try to relocate the modular unit to another Granite property. However, given on-going school closures in Granite School District, the district cannot offer USDB permanent space inside Granite schools. **Utah Code 53E-8-410** compels public school districts where USDB students reside to make a good faith effort to provide USDB with the space it requires to educate students. Because of USDB Salt Lake's proximity to several school districts, many of the students accommodated by Granite School District do not actually reside within its boundaries. In 2022, only 30 percent of deaf students accommodated by the district resided in Granite School District. Therefore, while the district has, in our opinion, shown good faith to accommodate USDB students in the past, providing USDB students with permanent space is a lesser priority than providing permanent space for its own students. In addition, Granite School District does not receive funding for USDB students. However, the district indicated that additional funding is not a factor in its inability to guarantee space to USDB. Over the years, these factors have resulted in frequent movement between classrooms and in and out of schools around the district.



Prior to the 2009 acquisition of the former elementary school that became JMS, USDB students in the Salt Lake area were given space in several different elementary, junior high and high schools in Granite School District. The classrooms were often moved due to lack of space or changes in school boundaries. Even after the acquisition of JMS, USDB still had classrooms in Granite School District. The figure below shows the movement of USDB classrooms located in Granite School District since 2009.



USDB students in the Salt Lake area have lost space several times since 2009. Only in 2020, when USDB vacated a Skyline High classroom, did it do so voluntarily.

If USDB were to rely on reallocating current space at its Salt Lake campus to meet some of its classroom needs, it would very likely need Granite School District to continue to provide space. Again, while Granite School District intends to provide space to USDB when feasible, it cannot guarantee permanent or consistent space, because the school board continually evaluates the need for additional school closures. While declining enrollment in Granite School District offers opportunities for USDB classroom space, if the district continues to close schools, USDB’s space within the district could be jeopardized. If USDB finds a continued need for classroom space within Granite School District, it must work closely with the district to coordinate and plan for the needs of USDB students.

### Retrofitting Empty District Schools Would Be Costly to Complete and Maintain

One alternative that has been discussed is to retrofit a former mainstream school that is located close to USDB’s Salt Lake campus. JMS itself is a former



**Millcreek Elementary School is too large for USDB’s needs.**

mainstream elementary school. The Millcreek Elementary School’s impending closure presents an alternative to the construction of a new high school on the USDB Salt Lake campus. This option was not considered at the time USDB received funding for a



new high school during the 2022 Legislative General Session, as Granite School District’s board did not approve the school’s closure until December 2022. By this time, the feasibility study for the new high school was already complete. After consultation with the Division of Facilities, Construction and Management (DFCM), we do not believe that retrofitting a former elementary school is the most cost-effective solution for the state.

There are several factors that make it a less than ideal alternative to the new high school.

- Millcreek Elementary School was designed with a capacity of up to six hundred students—far greater than the number of USDB students who would attend the school. DFCM states that it would be required to retrofit and upgrade the entire building, regardless of the actual space needed.
- The school was built in 1969, suggesting that a remodel would be very costly. According to Granite School District, the school needs significant renovations, including new heating and cooling as well as seismic upgrades.
- Several USDB secondary teachers teach both junior high and high school courses. For these teachers to commute between two campuses would be less than ideal.

Previously, USDB considered retrofitting a former mainstream elementary school in Utah County as an alternative to building the Springville school, which opened in 2020. DFCM assessed the property and determined that a retrofit would be very expensive. The Building Board therefore advised USDB to instead construct a new building.

### **Adding Space for USDB High School Students in Nearby High School Rebuilds Is Not Currently Feasible**



**Partnering with the Salt Lake City School District in its Highland High rebuild is not a timely option.**

Another possible alternative to a new USDB high school is to build space specifically for USDB high school students within two nearby high schools that are currently being or likely to be rebuilt. Skyline High School (part of the Granite School District) is currently being rebuilt. Based on discussions with the district, the project is too far along to add significant

classroom space for USDB students. This alternative may have been an option in the past, but it is no longer a viable solution. USDB reports that the district had offered 3 classrooms, which USDB deemed inadequate. However, our audit process determined that USDB did not conduct enough analysis to make that determination.

The Salt Lake City School District is likely planning to rebuild Highland High School, which is also relatively close to USDB’s Salt Lake campus. However, at the time we reached out to the district, the rebuild had yet to be approved by the school board. Therefore, this may not be a timely option for USDB. It is also not known whether adding supplementary space for USDB classrooms is even possible at Highland. Regardless of the feasibility of the project, there are several





reasons why the alternative of adding USDB space to a mainstream high school may not be ideal.

- Several USDB secondary teachers teach both junior high and high school courses, meaning that they would have to travel back and forth between campuses, losing instructional time.
- USDB Salt Lake’s participation in two different school districts may present unforeseen logistical challenges, such as differing school schedules.
- USDB voluntarily gave up classroom space at Skyline High School a few years ago, citing its students’ inability to thrive there.

### The Little House on USDB Property Is Insufficient in the Long Term

In the 2021 Legislative General Session, the Public Education Appropriations Committee authorized USDB up to \$900,000 to purchase any property that came up for sale adjacent to the JMS/Openshaw campus to eventually build a high school. When a house came up for sale soon after, DFCM purchased the property on behalf of USDB for about \$700,000. USDB opted not to demolish the house until construction of the new high school begins, so it could be used for classes and office space. USDB installed a ramp to make the main floor handicapped accessible. However, the lower level, a finished basement, is not accessible, nor could it likely be made accessible. USDB also reports that there is a mold problem in the house. Given the circumstances, the house is not a long-term solution for USDB’s space needs, and those offices and classes will have to be absorbed by JMS or Openshaw.

 **The house purchased for property to build the new USDB high school cannot be made fully accessible.**

USDB needs more classroom space at its Salt Lake campus. Constructing a new high school is the ideal solution. However, if the Legislature rescinds funding for the school, USDB has other options that are less optimal. USDB could reallocate non-classroom space to add classrooms. This option alone would likely not meet all the school’s stated needs. The school would need to continue to rely on Granite School District to provide temporary, non-guaranteed space for USDB students.

#### RECOMMENDATION 2.2

We recommend that the Legislature consider releasing the funds to build a new high school for the Utah Schools for the Deaf and the Blind, after additional planning has been completed.





## BACKGROUND

...ision, the Utah Schools for the Deaf and the Blind (USDB) requested and received \$14 million to build a new school with ten to twelve classrooms in southern Utah. The Southern Utah School of the Deaf (USDB Southern), a newly established USDB school, currently operates out of a modular building located at an elementary school in the Washington County School District.

### FINDING 3.1

USDB's altered St. George plan does not consider long-term needs.

### RECOMMENDATION 3.1

We recommend that the Legislature consider whether entities should be required to seek additional approval to make significant changes to a capital development project, after it has been funded by the Legislature.

### RECOMMENDATION 3.2

We recommend that the Utah Schools for the Deaf and the Blind work with Washington County School District to develop a long-term plan for students and facilities in the area.

### RECOMMENDATION 3.3

We recommend that the Utah Schools for the Deaf and the Blind consider entering into a memorandum of agreement with the Washington County School District if it intends to rely on the district for significant classroom space.

### FINDING 3.2

The original USDB Southern Proposal funded by the Legislature could be a better option.

### RECOMMENDATION 3.4

We recommend that if the Utah Schools for the Deaf and the Blind intends to rely of Washington County School District for significant classroom space, it should prepare and present a long-term plan for students as they age through the system.

### FINDING 3.3

USDB must plan for enrollment growth.

### RECOMMENDATION 3.5

We recommend that the Utah Schools for the Deaf and the Blind include enrollment projections in its planning for future space in the Washington County area.

### RECOMMENDATION 3.6

We recommend that the Legislature consider whether to fund permanent space for the Southern Utah School of the Deaf, after the school provides additional analysis.



## CONCLUSION

USDB Southern likely will need additional space, but not enough analysis has been completed to determine the amount of space needed. USDB must work with Washington County School District to develop a plan for the area to ensure that USDB Southern does not outgrow its space.





## Chapter 3

# USDB Must Conduct Additional Analysis to Determine Needs in Southern Utah

### 3.1 USDB's Altered St. George Plan Does Not Consider Long-Term Needs

The Legislature expressed concerns that several months after presenting and receiving approval from the Legislature for an elementary school in southern Utah, the Utah Schools for the Deaf and the Blind (USDB) presented a feasibility study for four preschool classrooms. USDB had presented its initial request to the Public Education Appropriations Subcommittee in January 2022. The estimated cost at the time for the original project was just under \$14 million. This project was prioritized and funded by the Legislature. Several months later, in November 2022, USDB presented a significantly different feasibility study for the project at the Utah State Board of Education (USBE) board meeting.

#### USDB Initially Requested to Build An Elementary School

Concerns were raised after the funded project in southern Utah changed drastically. In its initial proposal to the Public Education Appropriations Subcommittee in January 2022, USDB described the southern Utah project as a building located in St. George with ten to twelve elementary classrooms, built on land donated by the Washington County School District. The presentation also stated that Washington County School District would provide the construction management for the project. In a subsequent presentation in May 2022, USDB described the same project, but stated that it would be losing its borrowed classrooms from Washington County School District, at Bloomington Hills Elementary, at the end of the school year. In November 2022, USDB presented a project feasibility study to purchase a former adult education center from Washington County School District at market rates and renovate it into four preschool classrooms.



**USDB presented its request for a new building in southern Utah to the Public Education Appropriations committee in January 2022.**

**Several Factors Contributed to the Altered Feasibility Study.** USDB finished the renovation of a donated modular building that can house four classes located at the Bloomington Hills Elementary School, essentially replacing the borrowed space inside the school. The modular building was operational for the start of the 2023 school year. According to USDB, around the same time, USBE and the Washington County School District came up with an alternate proposal to renovate a former adult education center owned by the school district into four preschool classrooms. In this proposal, the school district would sell the building



**USBE and Washington County School District came up with the alternative proposal together.**

to the state at market value. The purchase and renovation have an estimated cost of \$8 million, saving the state approximately \$6 million (based on the \$14 million estimate from the January 2022 proposal). USDB would continue using the modular building for kindergarten classes.

We are concerned that the project was altered after it was funded by the Legislature. There is no indication that the school or the board informed the Legislature

or Legislative staff about the changes or the rationale for changes to the request.

### **USDB Must Determine Whether the Local School District Can Accommodate USDB Students in the Long Term**

While Washington County School District has expressed that it can accommodate USDB students if the state opts to move ahead with the four-classroom remodel, we are concerned that there has been no analysis of this scenario and no formal commitment from Washington County School District. This should be addressed before decisions are made.



**Analysis is needed to determine Washington School District's capacity to accommodate USDB's classroom needs.**

Washington County School District stated in a letter of support, written in October 2022, that it was confident it could accommodate USDB secondary students in the future, if USDB provides the teachers. However, we are not aware of any documented analysis completed by the district that would substantiate this statement. Regardless, the letter of support made no mention of elementary students. USDB schools typically add new grade levels sequentially, so we would expect to see the school expand to offer elementary classes first.

### **Demographics Add an Obligation for Washington County School District to Provide Space to the Southern Utah School of the Deaf.**

Unlike students at USDB Salt Lake, students at the Southern Utah School of the Deaf (USDB Southern) all currently reside in Washington County School District. It is possible that future students may be bussed in from nearby districts, but we expect that the vast majority of students will continue to come from Washington County School District, given the size of the district and where the population center is located. These demographics increase the responsibility for the school district to make efforts to accommodate USDB Southern students. As discussed in Chapter 2, *Utah Code* 53E-8-410 compels public school districts where USDB students reside to make a good faith effort to provide USDB with the space it requires to educate students.



## **USDB and Washington County School District Need a Formal Plan and Agreement to Provide Space to USDB Students as the Population and School Grow.**

As mentioned in Chapter 1, USDB needs an adequate statewide facilities plan. We recommend that USDB work with Washington County School District to develop a long-term plan for the area before any new school is funded by the state. The plan must account for projected population growth and include the Washington County School District’s own plans to manage its growth. As the population grows, Washington County School District likely will have to build additional schools. If the district plans to accommodate USDB students, USDB students need to be factored into the district’s planning. The facilities plan should also factor in USDB’s limited resources. Co-locating classrooms at multiple Washington County School District schools could become a strain on USDB resources or require the state to fund more teaching positions than necessary. For example, at current USDB campuses in the state, several educators teach multiple grade levels. If classrooms in Washington County School District are located at multiple schools, teachers may have to travel, losing instructional time.



**The need for a statewide facilities plan is especially important with the addition of the USDB school in southern Utah.**

USDB should enter into a memorandum of agreement (MOA) with Washington County School District. Although Washington County School District has stated its commitment to house USDB students who are not accommodated by the currently proposed new building, state statute does not require the district to do so. Local school districts must make only a “good faith effort” to accommodate USDB students who reside within the boundaries of their school district. Since all



**Statute requires school districts to make only a “good faith effort” to provide USDB with the space it needs.**

current USDB Southern students reside in Washington County School District, establishing a formal partnership with the district makes sense. Establishing an MOA is especially important if USDB intends to rely on Washington County School District to provide significant classroom space.

USDB likely needs permanent space for USDB Southern. However, it is unclear if either the funded ten to twelve-classroom school—or the four-classroom remodel designed during the feasibility study—is appropriately sized. The area’s growing population is a complicating factor that requires more robust analysis before any decisions are made. USDB should work with Washington County School District to develop a plan for area students and facilities. If Washington County School District intends to provide significant classroom space to USDB, the two parties should enter into an MOA.



### **RECOMMENDATION 3.1**

We recommend that the Legislature consider whether entities should be required to seek additional approval to make significant changes to a capital development project, after it has been funded by the Legislature.

### **RECOMMENDATION 3.2**

We recommend that the Utah Schools for the Deaf and the Blind work with Washington County School District to develop a long-term plan for students and facilities in the area.

### **RECOMMENDATION 3.3**

We recommend that the Utah Schools for the Deaf and the Blind consider entering into a memorandum of agreement with the Washington County School District if it intends to rely on the district for significant classroom

## **3.2 The Original USDB Southern Proposal That Was Funded by the Legislature Could Be a Better Option**

While the original, funded proposal that USDB presented to the Legislature is more costly, it also includes more classroom space and could be a better long-term solution in an area experiencing population growth. The school may not currently need ten to twelve classrooms, but we are concerned that USDB could eventually outgrow the proposed four-classroom remodel and existing modular building, similar to the current situation in Salt Lake. As discussed previously, Washington County School District believes it can accommodate USDB classrooms, but without this being formalized, the state should continue to consider all options. The county population is projected to continue to grow significantly, suggesting that USDB Southern enrollment will also increase. By 2050, the county population is projected to reach four hundred thousand, which would make it the state's third-largest county today, behind Salt Lake County and Utah County.

### **Donated Land Provides Access to Washington County School District Resources**


The originally proposed elementary school, to be built on land owned by Washington County School District, is surrounded by a mainstream elementary, junior high, and high school. This proximity would allow USDB to easily take advantage of mainstream classes and resources such as gymnasiums and libraries. If the USDB school were ever to expand to offer junior high and high





school classes, USDB would likely need to facilitate students who must take courses in mainstream schools. The proximity to mainstream schools would reduce transportation costs and lost instructional time. That said, because a feasibility study has not been conducted, it is not clear if the size of the land would allow the proposed school to expand to offer junior high or high school classes at a later time.

The three current brick-and-mortar USDB schools co-locate all students on one campus.<sup>4</sup> This arrangement allows students to share resources such as audiology services, cafeterias, gymnasiums, and libraries. This also allows teachers to teach multiple grades without having to travel between campuses. This is especially relevant to secondary educators who often teach the same subject to multiple grade levels. USDB Southern does not incorporate these benefits in its most current proposal.

 **All current USDB locations have students co-located on the same campus.**

### **Currently Proposed Location Does Not Provide USDB Southern Room to Grow**

The proposed four-classroom remodel for preschool students does not allow USDB Southern to add any space if enrollment expands. If USDB Southern grows to offer additional grades, it would likely have to find new space. USDB’s three established campuses in other areas of the state all educate students beyond kindergarten.

When USDB establishes a new school, it typically starts with early education<sup>5</sup> and adds higher grade levels as demand grows. For example, USDB’s Springville campus, which opened in 2020, now goes up to fifth grade. The Springville school was designed so that USDB could build additional classrooms as necessary. Likewise, USDB’s Salt Lake campus and USDB’s Ogden campus educate students from preschool through post-high school.

We are concerned about the apparent lack of a long-term plan for USDB Southern students after they age out of kindergarten. Given that insufficient planning in Salt Lake contributed to a second building request to the Legislature, USDB should ensure adequate planning for the future of students in southern Utah.

### **Originally Funded Proposal Includes More Classrooms**

Building on the land donated by Washington County School District would allow USDB to build a larger school with more space to accommodate additional

<sup>4</sup> Listening and Spoken Language (LSL) students in Salt Lake are the exception. LSL students are currently taught in a modular building located at a Granite School District elementary school, but will soon be moved to USDB’s Salt Lake campus.

<sup>5</sup> USDB schools begin with early education because early language development is vital to the success of deaf students.



classrooms. The original proposal consisted of ten to twelve classrooms. By comparison, USDB Springville, which currently teaches students through the fifth grade, has fourteen classrooms for both deaf and blind students. All but one classroom is currently in use; however, the school was designed to add classrooms as necessary. Even though USDB Springville serves a larger population, USDB Southern will still need a minimum number of classrooms. If USDB Southern grows to teach additional grades or offer early education classes to blind children, it will need additional classrooms. Again, it is unclear whether the land allows growth beyond ten to twelve classrooms because a feasibility study was not conducted.

**RECOMMENDATION 3.4**

We recommend that if the Utah Schools for the Deaf and the Blind intends to rely on Washington County School District for significant classroom space, it should prepare and present a long-term plan for students as they age through the system.

**3.3 USDB Must Plan for Enrollment Growth**

Southwestern Utah has experienced significant population growth over the past decade. Washington County grew more than 30 percent between 2010 and 2020 and is projected to continue to grow. Washington is currently Utah’s fifth-largest county. Still, the area population is significantly smaller than that of other areas served by USDB schools. USDB Southern currently teaches only preschool and kindergarten classes and operates out of a modular building on the grounds of Washington County School District’s Bloomington Elementary School. The addition of a brick-and-mortar school in southern Utah would be USDB’s fourth campus in the state, joining schools in Ogden, Salt Lake, and Springville.



**USDB Southern currently teaches preschool and kindergarten and operates out of a modular unit on the grounds of Washington School District’s Bloomington Elementary School.**

USDB Southern was established in the 2022 school year in St. George, UT. Due to space issues associated with area population growth, USDB Southern was moved to a modular unit at the start of the 2023 school year.



## Limited Enrollment Data for Deaf Students at USDB Southern Makes It Difficult to Predict Anticipated Growth Rate

Area population growth likely will impact enrollment at USDB Southern. However, USDB-specific data are limited because the school is new, and only one



**Limited enrollment data and USDB’s reported number of current students suggest that USDB Southern is growing.**

complete year of data (2022) exists. USBE was able to provide data about preschool students from Washington County who attended USDB’s Springville school in 2020 and 2021. Although the number of students increased from six to eleven, it appears to be primarily because kindergarten classes began to be offered in 2022. USDB reports there have been up to twenty-one preschool and kindergarten students enrolled at USDB Southern during the current school

year, which is comparable to the numbers at USDB Springville, after USDB Southern opened. These students likely will transition to Washington County School District after kindergarten. USDB does not appear to have a plan to provide space for these students as they age through the system. However, USDB does have access to Parent and Infant Program (PIP) data, which should help it to project enrollment into the near future. It is important to note that our analysis is based on the limited data; USDB did not conduct a similar analysis before its revised proposal.

### RECOMMENDATION 3.5

We recommend that the Utah Schools for the Deaf and the Blind include enrollment projections in its planning for future space in the Washington County area.

### RECOMMENDATION 3.6

We recommend that the Legislature consider whether to fund permanent space for the Southern Utah School of the Deaf, after the school provides additional analysis.





# Complete List of Audit Recommendations







# Complete List of Audit Recommendations

This report made the following seven recommendations. The numbering convention assigned to each recommendation consists of its chapter followed by a period and recommendation number within that chapter.

## **Recommendation 1.1**

We recommend that the Utah Schools for the Deaf and the Blind maintain a statewide plan for facilities. Before any capital development request is made, the school should be able to demonstrate to the Legislature how the request can be reasonably supported by the plan.

## **Recommendation 1.2**

We recommend that the Utah Schools for the Deaf and the Blind utilize data from the Utah State Board of Education as much as possible when conducting analyses.

## **Recommendation 1.3**

We recommend that the Legislature consider clarifying statute to require the Utah Schools for the Deaf and the Blind be subject to the full Division of Facilities Construction and Management process.

## **Recommendation 2.1**

We recommend that the Utah Schools for the Deaf and the Blind prioritize classroom space over specialty space.

## **Recommendation 2.2**

We recommend that the Legislature consider releasing the funds to build a new high school for the Utah Schools for the Deaf and the Blind, after additional planning has been completed.

## **Recommendation 3.1**

We recommend that the Legislature consider whether entities should be required to seek additional approval to make significant changes to a capital development project, after it has been funded by the Legislature.

## **Recommendation 3.2**

We recommend that the Utah Schools for the Deaf and the Blind work with Washington County School District to develop a long-term plan for students and facilities in the area.

## **Recommendation 3.3**

We recommend that the Utah Schools for the Deaf and the Blind consider entering into a memorandum of agreement with the Washington County School District if it intends to rely on the district for significant classroom space.

### **Recommendation 3.4**

We recommend that if the Utah Schools for the Deaf and the Blind intends to rely on Washington County School District for significant classroom space, it should prepare and present a long-term plan for students as they age through the system.

### **Recommendation 3.5**

We recommend that the Utah Schools for the Deaf and the Blind include enrollment projections in its planning for future space in the Washington County area.

### **Recommendation 3.6**

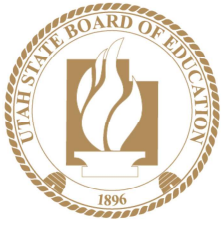
We recommend that the Legislature consider whether to fund permanent space for the Southern Utah School of the Deaf, after the school provides additional analysis.





# Agency Response





# Utah State Board of Education

James Moss Jr., *Chair*      Molly Hart, *Vice Chair*  
Jennie Earl, *Vice Chair*

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LeAnn Wood	Natalie Cline	Emily Green
Sarah Reale	Matt Hymas	Kristan Norton

Sydnee Dickson,  
*State Superintendent of Public Instruction*

Cybil Child,  
*Executive Secretary*

April 4, 2023

Kade Minchey, CIA, CFE  
Auditor General  
Office of the Legislative Auditor General  
W315 State Capitol Complex  
Salt Lake City, UT 84114

Mr. Minchey:

Thank you for the opportunity to respond to report 2023-03 "A Performance Audit of Space Utilization by the Utah School for the Deaf and Blind." The Utah State Board of Education (the Board or USBE) recognizes audits provide information to promote improvement and accountability. We appreciate the professionalism and courtesy of your staff in conducting the review and in communicating with the various stakeholders of public education.

The Utah Schools for the Deaf and the Blind (USDB) is responsible to address the needs of students who are deaf and blind throughout the state of Utah. This significant objective includes providing services to students in self-contained schools as part of the requirement for Free and Appropriate Public Education (FAPE) under the federal Individuals with Disabilities Education Act (IDEA), including the legal requirement to place each student in the Least Restrictive Environment (LRE).

Given USDB's responsibilities and the needs of USDB's students facilities planning is a complex process.

**Chapter 1** - The Board partially concurs with the findings and recommendations and provides the additional clarification as follows:

- Previous USDB construction projects were planned according to the needs of USDB students at the time they were planned.
- USDB data gathered by the USBE is not for the sole purpose of facility planning and analysis; therefore, it may not be sufficiently comprehensive by itself for facility planning purposes. For example, depending on the timing of project planning, the USBE data may not reflect increases to student counts that occur later in a year; the data also may not reflect program realignments.
- As acknowledged in the audit (p.10), *Utah Code 53E-8-203* indicates provisions of the public education code governing school construction do not apply to USDB and that USDB is subject to laws governing state agencies, including *Title 63A Utah Government Operations* which includes capital project management by the Division of Construction and Facilities Management (DFCM). Therefore, it is our understanding that USDB is subject to capital project management by DFCM. Additional clarity regarding the initiation of projects with DFCM would enhance USDB's capital project development process.

**Chapter 2** – The Board concurs with the findings and recommendations.

**Chapter 3** – The Board concurs with the findings and recommendations.

The Board and USDB administration recognize and value the Legislature's support of students and educators within the public education and are committed to 1) communication and transparency with state and LEA partners, and 2) providing data and analysis necessary for policy and funding decisions.

We look forward to further collaboration with the Legislature regarding authorization of the funds that were appropriated in 2022 for design and construction of needed facilities in Salt Lake and USDB St. George.

Kade Minchey, Legislative Auditor General

April 4, 2023

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With appreciation,

A handwritten signature in black ink, appearing to read 'James Moss Jr.', with a small mark above the first letter.

James Moss Jr.

Utah State Board of Education (USBE), Board Chair

cc: Molly Hart, USBE, Vice Chair and Audit Committee Chair  
Kristan Norton, USBE, Finance Committee Chair  
Joel Coleman, USDB, Superintendent of Schools  
Debbie Davis, USBE, Chief Audit Executive



**Office of the Legislative Auditor General**

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