



House of Representatives *State of Utah*

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February 16, 2005

CORRECTED REPORT

Mr. Speaker:

The Education Committee reports a favorable recommendation on **H.B. 249**, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, by Representative M. Newbold, et al, with the following amendments:

1. *Page 2, Lines 57 through 60:*

57 The Legislature finds that:
58 (1) the state system of public education as established and maintained under the
 state
59 constitution { ~~is charged with making available a free public education~~
 ~~for~~} shall be open to all children of the
60 state;

2. *Page 3, Line 87 through Page 4, Line 92:*

87 (1) "Assessment team" means a team consisting of:
88 (a) the student's parent or guardian;
89 (b) the student's private school classroom teacher;
90 (c) special education personnel from the student's resident school district; and
91 (d) if available, special education personnel from the private school at which the
92 student is enrolled.

3. *Page 5, Line 147 through Page 6, Line 155:*

147 (5) (a) The scholarship application form shall contain the following statement:
148 "I acknowledge that:
149 (1) A private school may not provide the same level of special education services
 that
150 are provided in a public school; { ~~and~~ }
151 (2) I will assume full financial responsibility for the education of my scholarship
152 student if I accept this scholarship ; and

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(3) Acceptance of this scholarship has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act 20 U.S.C. Sec. 1400 et seq ."

153 (b) Upon acceptance of the scholarship, the parent assumes full financial
responsibility

154 for the education of the scholarship student.

(c) Acceptance of a scholarship has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

155 ~~(c)~~ (d) The creation of the scholarship program or granting of a
scholarship does not:

4. Page 7, Line 208:

208 (2) A home school is not eligible to enroll scholarship students. =

(3) Residential treatment facilities licensed by the state are not eligible to enroll scholarship students.

Respectfully,

Margaret Dayton
Committee Chair

Voting: 14-1-0

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