

**SPECIAL EDUCATION INTENSIVE NEEDS FUND**

**AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Joel K. Briscoe

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**LONG TITLE**

**General Description:**

This bill enacts intensive special education cost reimbursement provisions.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides rulemaking authority;
- ▶ requires the board to distribute certain special education funds in accordance with board rules; and
- ▶ requires the board to report to the Legislature.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53A-17a-112.1**, Utah Code Annotated 1953

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

Section 1. Section **53A-17a-112.1** is enacted to read:



28            **53A-17a-112.1. Appropriation for intensive special education costs.**  
29            (1) As used in this section:  
30            (a) "Board" means the State Board of Education.  
31            (b) "Local education agency" or "LEA" means:  
32            (i) a school district;  
33            (ii) a charter school; or  
34            (iii) the Utah Schools for the Deaf and the Blind.  
35            (2) (a) On or before February 1, 2017, the board shall, in accordance with Title 63G,  
36 Chapter 3, Utah Administrative Rulemaking Act, make rules establishing a distribution  
37 formula to allocate money appropriated to the board for Special Education -- Intensive Services  
38 that allocate to an LEA:  
39            (i) 50% of the appropriation based on the highest cost students with disabilities; and  
40            (ii) 50% of the appropriation based on the highest impact to an LEA due to high cost  
41 students with disabilities.  
42            (b) Beginning with the 2017-18 school year, the board shall allocate money  
43 appropriated to the board for Special Education -- Intensive Services in accordance with rules  
44 described in Subsection (2)(a).  
45            (3) Before initiating the rulemaking process under Subsection (2)(a), the board shall  
46 present the proposed rule to the Public Education Appropriations Subcommittee or Education  
47 Interim Committee.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**