

1 **STUDENTS WITH DISABILITIES ACCOMMODATIONS**

2 **FUNDING**

3 2017 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Gene Davis**

6 House Sponsor: Eric K. Hutchings

7

8 **LONG TITLE**

9 **General Description:**

10 This bill addresses the distribution of any appropriations to the State Board of
11 Education for reimbursement for certain services rendered to a student with an autism
12 spectrum disorder.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ defines terms;
- 16 ▶ requires the State Board of Education (the board) to make rules regarding the
17 disposition of any money appropriated to the board to reimburse local education
18 agencies for certain services rendered to a student with an autism spectrum disorder;
19 and

- 20 ▶ requires the board to present draft rules to the Public Education Appropriations
21 Subcommittee or Education Interim Committee for review and recommendation.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 ENACTS:

S.B. 61



28 **53A-17a-112.2**, Utah Code Annotated 1953



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

31 Section 1. Section **53A-17a-112.2** is enacted to read:

32 **53A-17a-112.2. Appropriation for accommodation plans for students with autism**
33 **spectrum disorders.**

34 (1) As used in this section:

35 (a) "Autism spectrum disorder" means the same as that term is defined by:

36 (i) the most recent edition of the Diagnostic and Statistical Manual on Mental
37 Disorders; or

38 (ii) a recent edition of another professionally accepted diagnostic manual.

39 (b) "Board" means the State Board of Education.

40 (c) "Local education agency" or "LEA" means:

41 (i) a school district;

42 (ii) a charter school; or

43 (iii) the Utah Schools for the Deaf and the Blind.

44 (d) "Section 504 accommodation plan" means an accommodation plan under Section
45 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.

46 (2) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
47 Administrative Rulemaking Act, that establish a reimbursement program that:

48 (i) distributes any money appropriated to the board for Special Education -- Section
49 504 Accommodations;

50 (ii) allows an LEA to apply for reimbursement of the costs of services that:

51 (A) an LEA renders to a student with an autism spectrum disorder, under a Section 504
52 accommodation plan; and

53 (B) exceed 150% of the average cost of a general education student; and

54 (iii) provides for a pro-rated reimbursement based on the amount of reimbursement
55 applications received during a given fiscal year and the amount of money appropriated to the
56 board that fiscal year.

57 (b) Beginning with the 2018-19 school year, the board shall allocate money
58 appropriated to the board for Special Education -- Section 504 Accommodations in accordance

59 with the rules described in Subsection (2)(a).

60 (3) In developing the rules described in Subsection (2)(a), the board shall present the

61 proposed rules, for review and recommendation, to the Public Education Appropriations

62 Subcommittee or Education Interim Committee.

Legislative Review Note
Office of Legislative Research and General Counsel