

Senator Gene Davis proposes the following substitute bill:

STUDENTS WITH DISABILITIES ACCOMMODATIONS FUNDING

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: Eric K. Hutchings

LONG TITLE

General Description:

This bill addresses the distribution of any appropriations to the State Board of Education for reimbursement for certain services rendered to a student with a Section 504 accommodation plan.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education (the board) to make rules regarding the disposition of any money appropriated to the board to reimburse local education agencies for certain services rendered to a student with a Section 504 accommodation plan; and
- ▶ requires the board to present draft rules to the Public Education Appropriations Subcommittee or Education Interim Committee for review and recommendation.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 ENACTS:

27 53A-17a-112.2, Utah Code Annotated 1953

28

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

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

31 **53A-17a-112.2. Appropriation for accommodation plans for students with autism**
32 **spectrum disorders.**

33 (1) As used in this section:

34 (a) "Board" means the State Board of Education.

35 (b) "Local education agency" or "LEA" means:

36 (i) a school district;

37 (ii) a charter school; or

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

39 (c) "Section 504 accommodation plan" means an accommodation plan under Section
40 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.

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

43 (i) distributes any money appropriated to the board for Special Education -- Section
44 504 Accommodations;

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

46 (A) an LEA renders to a student with a Section 504 accommodation plan; and

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

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

51 (b) Beginning with the 2018-19 school year, the board shall allocate money
52 appropriated to the board for Special Education -- Section 504 Accommodations in accordance
53 with the rules described in Subsection (2)(a).

54 (3) On or before January 30, 2018, the board shall report to the Public Education
55 Appropriations Subcommittee:

56 (a) information collected regarding the number of students who qualify for a Section

57 504 accommodation plan; and

58 (b) if available, the estimated financial impact of providing Section 504

59 accommodation services to the number of students described in Subsection (3)(a).