

Representative Marsha Judkins proposes the following substitute bill:

INTENSIVE SERVICES PILOT PROGRAM

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marsha Judkins

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Intensive Services Special Education Pilot Program to provide funding to local education agencies to supplement the cost of educating a student with intensive special education needs.

Highlighted Provisions:

This bill:

▶ creates the Intensive Services Special Education Costs Pilot Program (program) to provide funding to local education agencies to supplement the cost of educating a student who:

- has an Individualized Education Plan (IEP); and
- for whom the cost of the special education services described in the student's IEP exceeds three times the statewide average per-pupil expenditures;

IEP exceeds three times the statewide average per-pupil expenditures;

▶ requires the State Board of Education to make rules establishing a distribution formula to allocate money appropriated under the program; and

▶ provides a sunset date.

Money Appropriated in this Bill:

This bill appropriates in Fiscal Year 2022:

▶ to the State Board of Education - Minimum School Program - Related to Basic



26 School Program - Special Education - Intensive Services as a one-time appropriation:

- 27 • from the Education Fund, \$12,000,000.

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63I-1-253**, as last amended by Laws of Utah 2020, Chapters 154, 174, 214, 234, 242,
33 269, 335, and 354

34 ENACTS:

35 **53F-2-418**, Utah Code Annotated 1953



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

38 Section 1. Section **53F-2-418** is enacted to read:

39 **53F-2-418. Intensive Services Special Education Pilot Program.**

40 (1) As used in this section:

41 (a) "Eligible student" means a student:

42 (i) who has an IEP; and

43 (ii) for whom the cost of special education services described in the student's IEP
44 exceeds three times the statewide average per-pupil expenditures.

45 (b) "Intensive Services Special Education Pilot Program" or "program" means the
46 three-year pilot program created in Subsection (2).

47 (c) "Special education services" means the same as that term is defined in Section
48 53E-7-201.

49 (2) There is created a three-year pilot program known as the Intensive Services Special
50 Education Pilot Program to, subject to appropriations from the Legislature, provide funding to
51 an LEA to supplement the other funding for educating an eligible student.

52 (3) An LEA shall use a distribution under this section to fund special education
53 services for an eligible student.

54 (4) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
55 Rulemaking Act, make rules establishing a distribution formula to allocate money appropriated
56 to the state board under this section to LEAs for the program.

57 Section 2. Section **63I-1-253** is amended to read:

58 **63I-1-253. Repeal dates, Titles 53 through 53G.**

59 (1) Section **53-2a-105**, which creates the Emergency Management Administration
60 Council, is repealed July 1, 2021.

61 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
62 Board, are repealed July 1, 2022.

63 (3) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed
64 July 1, 2023.

65 (4) Subsection **53-6-203(1)(b)(ii)**, regarding being 19 years old at certification, is
66 repealed July 1, 2027.

67 (5) Subsection **53-13-104(6)(a)**, regarding being 19 years old at certification, is
68 repealed July 1, 2027.

69 (6) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is
70 repealed July 1, 2024.

71 (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

72 (8) Section **53B-17-1203**, which creates the SafeUT and School Safety Commission, is
73 repealed January 1, 2025.

74 (9) Section **53B-18-1501** is repealed July 1, 2021.

75 (10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

76 (11) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is repealed July
77 1, 2025.

78 (12) Subsection **53C-3-203(4)(b)(vii)**, which provides for the distribution of money
79 from the Land Exchange Distribution Account to the Geological Survey for test wells and other
80 hydrologic studies in the West Desert, is repealed July 1, 2030.

81 (13) Section **53E-3-515** is repealed January 1, 2023.

82 (14) In relation to a standards review committee, on January 1, 2023:

83 (a) in Subsection **53E-4-202(8)**, the language "by a standards review committee and the
84 recommendations of a standards review committee established under Section **53E-4-203**" is
85 repealed; and

86 (b) Section **53E-4-203** is repealed.

87 (15) Subsections **53E-3-503(5)** and (6), which create coordinating councils for youth in

88 custody, are repealed July 1, 2027.

89 (16) Section 53E-4-402, which creates the State Instructional Materials Commission, is
90 repealed July 1, 2022.

91 (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
92 repealed July 1, 2023.

93 (18) Subsection 53E-8-204(4), which creates the advisory council for the Utah Schools
94 for the Deaf and the Blind, is repealed July 1, 2021.

95 [~~(19) Section 53F-2-514 is repealed July 1, 2020.~~]

96 (19) Section 53F-2-418, which creates the Intensive Services Special Education Pilot
97 Program, is repealed July 1, 2024.

98 (20) Section 53F-5-203 is repealed July 1, 2024.

99 (21) Section 53F-5-212 is repealed July 1, 2024.

100 (22) Section 53F-5-213 is repealed July 1, 2023.

101 (23) Section 53F-5-214, in relation to a grant for professional learning, is repealed July
102 1, 2025.

103 (24) Section 53F-5-215, in relation to an elementary teacher preparation grant is
104 repealed July 1, 2025.

105 (25) Subsection 53F-9-203(7), which creates the Charter School Revolving Account
106 Committee, is repealed July 1, 2024.

107 (26) Section 53F-9-501 is repealed January 1, 2023.

108 (27) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
109 Commission, are repealed January 1, 2025.

110 (28) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class C
111 misdemeanor, is repealed July 1, 2022.

112 Section 3. **Appropriation.**

113 The following sums of money are appropriated for the fiscal year beginning July 1,
114 2021 and ending June 30, 2022. These are additions to amounts previously appropriated for
115 fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
116 Act, the Legislature appropriates the following sums of money from the funds or accounts
117 indicated for the use and support of the government of the state of Utah.

118 ITEM 1

119 To State Board of Education - Minimum School Program - Related to Basic School

120 Program

121 From Education Fund, One-Time \$12,000,000

122 Schedule of Programs:

123 Special Education - Intensive Services \$12,000,000

124 The Legislature intends that the State Board of Education use money appropriated

125 under this item for the Intensive Services Special Education Pilot Program described in Section

126 [53F-2-418](#) in fiscal years 2022, 2023, and 2024.