

152 ~~[(A)]~~ (i) persons with a disability as defined by and covered under:  
 153 ~~[(F)]~~ (A) the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12102;  
 154 ~~[(H)]~~ (B) the Rehabilitation Act of 1973, 29 U.S.C. Sec. 705(20)(A); and  
 155 ~~[(HH)]~~ (C) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1401(3); and  
 156 ~~[(B)]~~ (ii) other special groups;  
 157 ~~[(d)]~~ (e) (i) state reimbursed bus routes;  
 158 (ii) bus safety and operational requirements; and  
 159 (iii) other transportation needs;  
 160 ~~[(e)]~~ (f) (i) school productivity and cost effectiveness measures;  
 161 (ii) federal programs;  
 162 (iii) school budget formats; and  
 163 (iv) financial, statistical, and student accounting requirements; and  
 164 ~~[(f)]~~ (g) data collection and reporting by LEAs.  
 165 (2) ~~[The]~~ Except as provided in Subsection (3), the state board shall determine if:  
 166 (a) the minimum standards have been met; and  
 167 (b) required reports are properly submitted.

168 **§→ [(3)(a) An LEA governing board member or an LEA employee may decline a request**  
 169 **for data under Subsection (1)(f) or (g) unless:**

170 **—— (i) the state board or a state board employee provides evidence, in an LEA governing**  
 171 **board public meeting, that there is a significant likelihood the denial is due to non-compliance**  
 172 **with state or federal law; and**

173 **—— (ii) the LEA governing board finds by majority vote that the LEA may be in**  
 174 **non-compliance with state or federal law.**

175 **—— (b) If an LEA governing board makes a finding of non-compliance under Subsection**  
 176 **(3)(a), the LEA shall respond to the request for data under Subsection (1)(f) or (g) no later than**  
 177 **90 days after the date of the finding of non-compliance.]**

177a **(3) When the state board makes a request of an LEA under Subsection (1)(f) or (g), the state**  
 177b **board shall include a letter to the LEA governing board and superintendent or charter school**  
 177c **director that includes:**

177d **(a) the justification for the requested data;**

177e **(b) a statement confirming that the data is not available elsewhere;**

177f **(c) the scope and objective of the data request;**

177g **(d) how the state board intends to use the data;**

177h **(e) the deadline for the LEA to provide the data as authorized by state board rule;**

177i **(f) penalties, including withholding of funds, for non-compliance as authorized under state** ☉

177j ~~or~~ **federal law; and**  
177k **(g) information regarding a process that an LEA may use to dispute a state board request or**  
177l **conclusion.** ←§

178           ~~(3)~~ (4) The state board may apply for, receive, administer, and distribute to eligible  
179 applicants funds made available through programs of the federal government.

180           ~~(4)~~ (5) (a) A technical college listed in Section 53B-2a-105 shall provide  
181 competency-based career and technical education courses that fulfill high school graduation  
182 requirements, as requested and authorized by the state board.