

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;

► 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



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

- from the Education Fund, \$1,000,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

53F-2-418, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

(a) "Eligible student" means a student:

(i) who has an IEP; and

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

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

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

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

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

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

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

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

(1) Section **53-2a-105**, which creates the Emergency Management Administration Council, is repealed July 1, 2021.

(2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory Board, are repealed July 1, 2022.

(3) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed July 1, 2023.

(4) Subsection **53-6-203**(1)(b)(ii), regarding being 19 years old at certification, is repealed July 1, 2027.

(5) Subsection **53-13-104**(6)(a), regarding being 19 years old at certification, is repealed July 1, 2027.

(6) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is repealed July 1, 2024.

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

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

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

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

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

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

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

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

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

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

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

custody, are repealed July 1, 2027.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 3. **Appropriation.**

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

ITEM 1

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

From Education Fund, One-Time \$1,000,000

Schedule of Programs:

Special Education - Intensive Services \$1,000,000

The Legislature intends that the State Board of Education use money appropriated under this item for the Intensive Services Special Education Pilot Program described in Section 53F-2-418 in fiscal years 2022, 2023, and 2024.