

To: Executive Appropriations Committee of the Utah Legislature

From: Utah State Board of Education

Subject: Response to the November 18, 2025, [Interim Study Recommendations Memo](#)

We acknowledge and express appreciation for the Legislature's ongoing investment and commitment to the complex needs of Utah's children who are deaf, blind, or deaf-blind. This commitment, demonstrated by the efforts to ensure these students receive necessary support and instructional programs, is highly valued. We also appreciate the number of documents and sources utilized to develop the recommendations included in the November 18th memo and concur that this memo represents a "starting point" for legislative efforts to address long-term systemic concerns.

The passage of H.B. 537 during the 2025 legislative session acted as a catalyst for improvement, providing greater clarity regarding the position of the Utah Schools for the Deaf and Blind (USDB) within the governance of our Board. We have been and are actively taking actions to address the concerns documented in the [Utah Schools for the Deaf and Blind USBE Internal Audit](#) and the [Office of the Legislature Auditor General Performance Audit of the Utah Schools for the Deaf and the Blind](#).

We look forward to continued collaboration in developing policies that support our shared goal of systemic improvements leading to improved student outcomes, fiscal responsibility, and restored trust. In that effort, we are providing this letter to highlight the recommendations included in the memo that we believe warrant further consideration and discussion to avoid unintended negative consequences. Please note that our Board concurs with the majority of the recommendations included in the memo.

The recommendations for which we respectfully request additional dialogue, changes, or removal from consideration are detailed below, organized by the four major categories included in your memo.

Role in the Public Education System

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities in any program or activity receiving federal financial assistance. A student designated under Section 504 is entitled to accommodations and/or services to ensure equal opportunity and access in accordance with the student's 504 plan.

The USDB currently provides services to many students with this designation. If the following two recommendations advance, these students would be excluded from receiving USDB-related services or support. Furthermore, this change would likely increase costs for providing support for certain students, as the newly created need would require services, such as American Sign

Language (ASL) interpretation, to be provided in their neighborhood schools. For these reasons our Board does not support these recommendations.

PEA Recommendations:

- Include a statutory role and purpose for USDB to include: The USDB structure is first to support the education of students who are deaf, blind, or deaf-blind as designated through the Individual Education Program (IEP) process in coordination with the student's local education agency through outreach services or a USDB-operated special class in an LEA facility. USDB may be designated as a student's full-time LEA on a minimal basis as warranted by the student's IEP.
- Due to higher costs, exclude the option in statute for a student without an IEP detailing specific deaf, blind, or deaf-blind instructional requirements from attendance at USDB.

Finance, Data, & Resident LEA Responsibility

Increased stability in funding for these students, their educational services, and more equitable cost sharing between resident LEAs and the USDB is a shared goal.

We agree with the recommendation to provide the regular K-12 WPU and Special Education Add-on WPU programs for USDB designated students but want to ensure that additional operations funding is provided for those programs that fall outside of the WPU-funded model (e.g., USIMAC, Deafblind Services, Audiological Services, and Parent and Infant programming).

We support the goal of more accurate student enrollment data and the recommendation that the "Board review and approve changes that impact facility use" and engage with the Legislature to address those needs. However, we believe the timeline for including USDB-designated students in the annual October census will be challenging.

We are concerned about the requirement to obtain legislative approval for new course offerings or educational services. We believe that authority should remain with the Board in its role as the USDB LEA board.

Finally, we believe the recommendation to limit "comprehensive high school services to the Salt Lake County campus" should be reevaluated. While efficiency is important, effectiveness and equitable access must also guide program decisions—especially for low-incidence populations with unique communication needs.

The Individuals with Disabilities Education Act (IDEA) requires states to maintain a full continuum of placement options for students with disabilities. For Deaf and Hard of Hearing (DHH) students using ASL for communication, this continuum must include special schools that provide direct, barrier-free communication access, a critical mass of Deaf peers, Deaf adult role models, and educators fluent in ASL and deaf education methodologies. Consolidating high school programming onto a single campus would weaken this continuum and significantly reduce access for DHH students across Utah. For many Deaf high schoolers, the Utah School

for the Deaf (USD) is the only setting where they receive unmediated access to instruction. USD currently serves 66 ASL-using high school students statewide, and returning these students to their home districts would require interpreter coverage costing millions of dollars annually—a demand Utah cannot meet due to ongoing interpreter shortages and limited statewide capacity. In addition, the current Utah Schools for the Blind students are in the resident program, which is only located at the Ogden campus.

PEA Recommendations:

- Amend statute that beginning in FY 2028, include students where USDB is their designated LEA in the regular K-12 WPU and Special Education Add-on WPU programs to provide associated funding to USDB.
- Include intent language in the final Public Education budget bill of the 2026 General Session to direct that State Board to develop procedures to ensure USDB-designated students are included in the annual October census of enrolled students and WPU funding programs like other LEAs and report to the Public Education Appropriations Subcommittee during their August 2026 meeting.
- Amend statute to require the State Board to review and approve any changes that impact facility use and make recommendations to the Legislature on changes that increase/decrease costs including: c: Increasing course offerings or educational services provided to students that require specialized space.
- Include intent language in the final Public Education budget bill of the 2026 General Session to limit comprehensive high school services to the Salt Lake County campus and hold further development of programs or the expansion to other campuses until the State Board can further study the issue and provide recommendations and cost estimates to the Legislature.
- Include statutory provisions that recognize that the most efficient model for providing a comprehensive high school experience to students includes coordination with LEA high schools in the provision of education and facilities.

The Utah State Board of Education appreciates the opportunity to provide this feedback and looks forward to scheduling a time for a detailed discussion on these specific concerns with your committee.