



USDB Working Group Summary and Recommendations

To: Public Education Appropriations (PEA) Subcommittee

From: USDB Working Group

Since November 2024, the Utah State Board of Education (USBE) has been discussing a comprehensive review of funding and governance models for the Utah Schools for the Deaf and the Blind (USDB) and local education agencies (LEAs). Acting on a Board motion, USBE staff began working with board members and the Legislature to request temporary funding for next year's full-time equivalent (FTE) needs while developing a long-term formula that aligns practice with current or potential code and meets the needs of those working and learning at USDB, the LEAs in the bottom three enrollment percentiles, and large LEAs serving three percent or more of Utah's public school students.

On **February 28, 2025**, the Executive Appropriations Committee (EAC) adopted the following motion related to the USDB as part of the ["Consolidated Motions on Appropriations Subcommittee Reports for Executive Appropriations."](#)

The Legislature intends that the State Board of Education, in consultation with the Public Education Appropriations Subcommittee and the Education Interim Committee, review:

- USDB's governance
- Role within the public education system
- Scope of services
- Funding of students
- Obligations of the student's resident local education agency in the provision of services
- Facilities, and the provision of capital facilities for the schools

The Legislature further intends that the Public Education Appropriations Subcommittee report findings and recommendations to the Executive Appropriations Committee by **November 15, 2025**.

Working Group

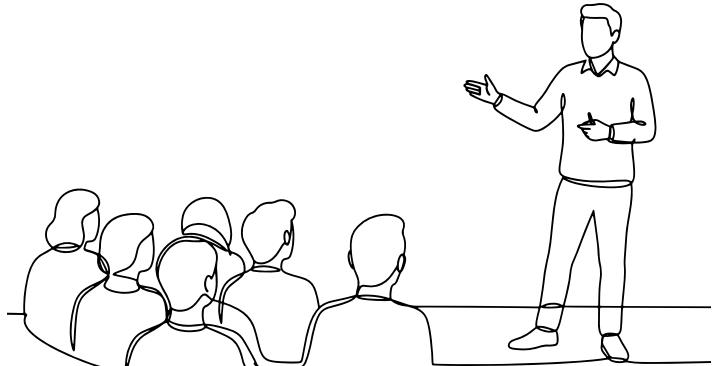
As part of the 2025 Interim Study, the USBE formed a working group to discuss ten specific questions raised by the Legislative Fiscal Analyst. Responses to each question from the working group are outlined in this document to help inform the PEA as they solidify their recommendations to the EAC in November 2025.

Summary of Working Group:

- Created to answer questions raised by lawmakers over the past several years
 - » Governance, Role & Scope of Service, Budget, and Facilities

Group Membership Representation From:

- USBE Board
- USBE Staff
- USDB Staff
- USDB Advisory Council
- Superintendents
- Charter School Directors
- LEA Business Administrators
- Special Education or Related Service Directors
- RESA Directors
- Legislators
- Legislative Staff



Five Two-Hour Meetings Were Held from June to September

Meeting 1

Initial stage setting and exploration of current landscape of governance, services, and funding.

Meeting 2

Deep dive into five placements on the continuum.

Meeting 3

Exploration of possible funding model options.

Meeting 4

Discussion of possible alternative services models.

Meeting 5

Comprehensive evaluation of USDB facilities and their governing statute and rules.

Working Group Recommendation

The working group recommends that USDB maintain its current service delivery and funding model for now, and uphold the focus on meeting student needs, while simultaneously collecting additional, comprehensive, and consistent data, and advancing HB 537 (2025) implementation to improve oversight and controls. This additional data collection is crucial for exploring alternative service delivery and funding models.

After additional data is collected and alternative models are explored, further recommendations are anticipated to:

- Establish consistent ongoing funding.
- Pursue a new funding model based on IEP minutes of service plus an indirect time add-on.
- Create an automatic mechanism for annual funding adjustments through the Legislature.
- Evaluate and propose alternative service delivery models based on working group feedback.
- Consider discrepancies in statute and rules governing USDB and LEA facilities.

Note: All information gathered from the USDB working group meetings will be shared with the appropriate USBE and USDB staff to inform further exploration.

Working Group Responses to Questions from LFA for Consideration by PEA

- [Question 1: How Does USDB fit into the state public education system?](#)
- [Question 2: What criteria should govern direct “in-house” services to students?](#)
- [Question 3: Should the state continue using a multi-campus model for USDB?](#)
- [Question 4: Cost increases at the Salt Lake Campus are primarily for secondary students?](#)
- [Question 5: How should USDB manage unexpected student educational costs?](#)
- [Question 6: What responsibility, both financial and the provision of educational facilities, do LEAs have for their students served by USDB?](#)
- [Question 7: With declining enrollment statewide, how can USDB leverage potential capacity in LEA facilities?](#)
- [Question 8: If a new facility is approved, who decides on building/construction details and limits?](#)
- [Question 9: What controls need to be established to prevent USDB from making programming or facility decisions that increase costs to the state?](#)
- [Question 10: How should oversight improve to better integrate USDB into the state budget?](#)

Question 1

How Does USDB fit into the state public education system?

a. Is USDB's primary role to be a service provider to students through their LEA or a direct education provider to students?

USDB is a foundational part of Utah's public education system, mandated to ensure students with sensory loss receive a free appropriate public education (FAPE).

USDB's essential role predates statehood and was established as a resource for students with these highly specialized needs. Under the principle of students with disabilities being educated in the least restrictive environment (LRE), USDB functions as a subdivision of the USBE and a single public school agency (see HB 537, GS 2025). It partners with LEAs across the spectrum of student needs.

USDB has a unique structure. It is designed to be both a service provider and a direct education provider, where the specific role is determined by a student's needs and the LRE mandate.

USDB's primary role is to be a service provider to students with sensory loss statewide through the students' LEAs across all five placement options on the special education continuum. This itinerant role is the most common. USDB staff travel throughout the state to provide necessary services, consultation, and equipment to local educators and families.

When appropriate, USDB also provides direct education to students with sensory loss. This role is reserved for the subset of students whose needs require specialized, language-rich, and/or intensive, structured settings to receive FAPE. USDB fulfills this by providing specialized placements.

b. What is the balance between the two?

USDB balances its two primary functions by providing placement options on the LRE continuum for LEAs to access and leveraging the cost savings of its statewide scale.

The overwhelming majority of USDB's students are served as a service provider (Outreach/itinerant) to their local LEA. USDB can use the economies of a statewide scale to focus its efforts on supporting students with sensory loss through their LEAs to receive appropriate services and supports, and in addition, for students using American Sign Language (ASL) to receive direct instruction and peer interaction.

This dual structure is recognized as a best practice model. It ensures the state meets the legal mandate to offer a full continuum of placement options, from minimal itinerant support in the local school to full-time specialized education in a USDB facility. Many LEAs depend on USDB's expertise and often contract with them because of USDB's highly specialized staff.

In summary, USDB fits into the state public education system by:

- Providing special education services statewide to students with sensory loss. This includes delivering direct, specialized instruction by licensed USDB teachers who travel to local schools (itinerant model), ensuring consistent expertise across all of Utah.
- Providing several locations across the state for special school placements. These dedicated schools and regional programs serve students whose intensive needs require placements with higher levels of specialized support. By accommodating several locations for special school placement, students are able to live at home which is the less restrictive option. Utah “recognizes that parents are a child’s first teachers and are responsible for the education of their children” see 53E-2-301.
- Providing statewide professional learning to educators and families of students with sensory loss. This depth of service also includes critical programs like early intervention (Parent Infant Program) and specialized technology support that local schools may not typically provide on their own.

Question 2

What criteria should govern direct “in-house” services to students?

a. While governed by the special education Individualized Education Program (IEP) process, who decides? Each additional student increases the state cost of services and facilities.

The standards for providing direct “in-house” services (i.e., specialized USDB campus/“special school” placement) are outlined in the federal Individuals with Disabilities Education Act (IDEA). It requires that the Individualized Education Program (IEP) team identify a student’s needs, set goals to address the needs, determine the services needed for the student to achieve the goals, and then choose a placement that is the least restrictive possible for the student to be able to receive the determined services.

The IEP team is a partnership and includes the student’s parents/guardians, the LEA Representative, the student’s general and special education teachers, and an individual who can interpret evaluation results. USDB must be invited to participate if their services or placement are being considered.

The decision of placement is IEP-driven and is determined only after the IEP team determines that the student’s needs cannot be met in a less restrictive setting, even with supplementary aids and services. Direct “in-house” placement is chosen by the amount and type of highly specialized instruction the student requires, which is based on intensive language and sensory-specific instruction and community.

The in-house placement is not often permanent. The service is IEP-driven with the goal to provide the intensive intervention necessary to facilitate a successful transition, with the ultimate target to return most students back into their LEA and school of residence as soon as the student’s needs can be met in that less restrictive, local environment.

The placement decision is student-centered. The ultimate authority is bound by the LRE mandate, which supersedes cost as a determining factor for an appropriate placement.

The IEP team determines the type of placement (e.g., itinerant services or special school placement), and the LEA determines the location of the placement. USDB helps fulfill the specialized instruction the IEP team determines is necessary.

b. Is it financially viable for the Jean Massieu School to return to a charter school?

Answer: Not currently

If there is a desire to move in this direction, several significant details (transportation, educator development, related services, resources, etc.) would need to be considered and addressed before successfully returning to a charter school.

Question 3

Should the state continue using a multi-campus model for USDB?

Yes. The multi-campus model should be continued to provide greater accessibility and geographic reach for students and their families.

USDB's model honors and aligns with the purpose of Utah's public education system to support parents in their central role as their children's first teachers. The multi-campus model provides access to needed services while allowing most students to return to their homes each day.

Utah's multi-campus model is unique. Due to increased time of travel and transportation needs, states with a single campus model often require students to board at the school during the week and travel home on weekends.

Question 4

Cost increases at the Salt Lake Campus are primarily for secondary students:

a. Should USDB provide a comprehensive high school experience "in-house"?

Further discussion on this topic is needed since opinions are divided. One challenge is determining how to balance the need for specialized instruction with access to a comprehensive high school experience. USDB students need access to the variety of courses and activities to which other high school students have access.

b. If so, should secondary services be offered at every campus?

The feasibility of offering secondary services at every campus depends directly on the number of students. While a slight majority of working group members support the idea of comprehensive access, achieving an ideal secondary experience might require that the USDB leverage additional LEA space. There are not enough students to participate at every campus due to the low incidence of these disabilities.

c. How can district facilities be leveraged to provide secondary education programs?

District facilities could be leveraged through partnerships and dual enrollment to provide secondary education programs.

This model involves USDB students attending high school for certain general education courses while continuing to receive specialized services at the USDB campus school.

The balance of district versus USDB students, and a determination of whose student is whose for administrative and funding purposes, would need to be considered. In addition, all the specialized changes within the USDB building would be needed in existing LEA schools. Accessibility is a consideration that requires significant additional cost for facility modifications and technology infrastructure within partner LEA buildings.

Question 5

How should USDB manage unexpected student educational costs?

The answer is largely dependent on the proposed funding model based on IEP minutes of service plus an indirect time add-on which requires further additional data collection and exploration.

One primary consideration is that budgets are created before knowing exactly what the enrollment and needed services are. Because the budget is needed approximately 1.5 years in advance, USDB cannot accurately predict the high-cost services that a student enrollment may require.

USDB's unexpected costs are fundamentally different from those of a typical LEA. While LEAs manage common special education costs, USDB manages extremely high-cost, low-incidence disabilities (like deafblindness), where the expense for one student can be exponentially higher than average.

Question 6

What responsibility, both financial and the provision of educational facilities, do LEAs have for their students served by USDB?

- a. Should all USDB students generate weighted pupil units? If so, how?**
- b. Should all LEAs share in the cost of USDB services provided to their students?**

LEAs maintain a direct and continuing responsibility for their resident students, even when specialized services are provided by the USDB. This responsibility hinges on the question of who holds the student's IEP.

When LEAs retain the IEP, LEAs receive the Weighted Pupil Unit (WPU) and all related special education add-on funding. LEAs continue to hold the IEP, even when USDB provides Outreach services (like specialized itinerant teachers or deaf-blind interveners) to students remaining in their local schools.

While the USDB provides the high-cost services directly from its state appropriation, the LEA is expected to use its general and special education funding to cover the remaining costs of the student's program. This highlights the problem that some LEAs use 100% of the funding, some do not, leading to an inconsistent financial burden. If an LEA was using a service provider outside of the USDB, the LEA would be required to pay for that provider.

If USDB is selected as the appropriate placement, USDB becomes the "Designated LEA". The LEA of residence no longer receives the WPU and any related add-on funding.

The proposed funding model based on IEP minutes of service plus an indirect time add-on, should help address the financial confusion by creating a transparent mechanism to

track the exact service cost, ensuring the LEA is financially accountable for the specialized services their students utilize.

The LEA retains the ultimate responsibility for ensuring its resident, in the case of a district or enrolled in the case of a charter school, students have access to educational services and facilities.

When USDB uses LEA facilities to leverage secondary programs, the LEA provides the base educational facility. This is necessary to ensure USDB students have access to the comprehensive, non-disability-specific courses all students need.

Question 7

With declining enrollment statewide, how can USDB leverage potential capacity in LEA facilities?

The USDB could leverage LEA facilities through co-location and partnerships, but the long-term success of this model requires utilizing large, consolidated spaces, such as a whole closed school, rather than temporary classroom leases.

The working group suggests that the USDB could cost share with LEAs through co-location agreements with LEAs for classroom space, with the USDB providing the specialized teachers, staff, and materials. Transportation opportunities and challenges for students to travel to and from buildings requires careful consideration.

The cost share mechanism involves the USDB providing specialized services, staff, and materials, while the LEA provides the physical facility space itself. The maximum benefit is achieved when utilizing large, stable spaces—such as a full school—rather than short-term, single-classroom leases, which are less efficient and provide less stability. As needs change within the LEA environment, USDB students would require prioritization so they are not moved from one space to another to accommodate other needs in the LEA. Accessibility is also a key consideration, as modifying existing LEA facilities to meet USDB's specialized requirements may involve significant additional costs for building modifications and technology setup.

Students with specialized needs rely on routine and consistency. Any partnership should prioritize securing stable space to prevent the disruptive shuffling of programs that disrupt students. The preferred strategy is to move towards stable solutions like using closed schools, rather than transient classroom leases.

Question 8

If a new facility is approved, who decides on building/construction details and limits?

- USDB has determined details in preliminary planning.**
- What role do the Legislature and State Board of Education have in this process?**

USDB and USBE leadership would need to provide guidance on construction and limits, as the statutory framework makes USDB exempt from standard school construction regulations.

The authorities over construction limits and details involve the USDB administration, the USBE, the Legislature, and the Building Board Authority. The Division of Facilities

Construction and Management (DFCM) has been a great partner to date in associated processes that currently exist. USDB specifically determines details in preliminary planning based on the specialized needs of its students.

The Legislature approves the budget and overall scope, and USBE provides the necessary oversight to ensure the final project aligns with the state's educational goals for the school. The working group did a deep dive into existing statute and rules that govern this area and determined there are discrepancies between traditional LEAs and USDB. The working group recommends these discrepancies be considered and potentially addressed in the upcoming legislative session to bring them more in alignment for additional clarity and guidance.

Since alternative service delivery models are being explored, and discrepancies exist in current statute and rule, it is challenging to make any specific recommendations around space and facilities at this time.

Question 9

What controls need to be established to prevent USDB from making programming or facility decisions that increase costs to the state?

a. Including the use or rejection of space in school districts and transportation services.

USBE has added additional oversight to USDB through the formation of the USDB Standing Committee and through the implementation of HB 537 (GS 2025) which puts financial operations directly under the USBE. With additional governance and financial controls, more input will be provided on facilities and transportation services.

Moreover, because USDB relies on the Division of Facilities Construction and Management (DFCM) and its associated processes—including approvals for building maintenance, leasing, and future construction, strong procedural controls are already in place to ensure sound decision-making regarding facility use and costs.

Question 10

How should oversight improve to better integrate USDB into the state budget?

a. Why is USDB considered a component unit for state accounting purposes, and should it remain a component unit?

b. How should the State Board of Education provide oversight to USDB?

i. What does this look like?

ii. What role should the State Superintendent of Public Instruction and USBE financial operations have in oversight?

USDB is no longer a component unit. Due to HB 537 (GS 2025), USDB transitioned from a public corporation/component unit to a subdivision of the USBE and a single public school agency. This clarifies its placement within the state's public education system for both programmatic and financial purposes.

The USBE should provide oversight consistent with other LEA boards (53G-8-204 and 53G-4-402). This means the USBE is legally responsible for administering USDB's financial operations, approving the annual budget and expenditures, and ensuring financial

integrity. The USBE should provide comprehensive fiscal and programmatic oversight of USDB's operations, acting as its direct governing board.

In addition to having a non-voting Board member sit on the USDB Advisory Council, in January 2025, the Board formed a new Standing Committee specifically to increase understanding and oversight over USDB. Five Board members meet monthly to review policies and procedures prior to the information going to the Board. In September 2025, Board leadership attended local Board training through Utah School Boards Association (USBA) to better understand the Board role as a local LEA to USDB.

In October 2025, the Board voted to recommend to the Legislature that the State Superintendent appoint an Assistant Superintendent to function as the USDB Superintendent. If approved by the Legislature, this offers further clarification in statute as to bringing both the financial and programmatic oversight within USBE.

The USBE must ensure that USDB's specialized programs are aligned with statewide standards and provide students with a FAPE. This includes providing guidance for long-range planning to ensure USDB is serving all students effectively.