

**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 Board commends the unwavering dedication of the financial operations teams and staff at both USBE and USDB for navigating the complexities of a system that supports students and families with sensory needs. Likewise, we recognize that Board members and legislators have invested significant effort outside formal meetings by visiting facilities, engaging directly with families, evaluating systems, supporting initiatives, and advocating for USDB's students.**

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 major categories included in your memo.

## **Governance**

PEA Recommendations	USBE Response and Recommendations
2. Amend statute to provide that the State Board appoint an administrator for the USDB upon recommendation of the State Superintendent of Public Instruction and include that individual in the reporting hierarchy of the State Superintendent as determined by the board. Maintain current statutory language designating individual deputy administrators for the School for the Deaf and the School for the Blind.	<b>The Board recommends the following language inserted into 53E-8-204:</b> <del>(2)(a) The state board shall appoint a superintendent for the Utah Schools for the Deaf and the Blind.</del> (2) (a) In accordance with Subsection (2)(b) and subject to state board approval and stakeholder input, the state superintendent shall appoint an individual to serve as superintendent for the Utah Schools for the Deaf and the Blind. (b) The superintendent of the Utah Schools for the Deaf and the Blind: (i) reports to the state superintendent; and

	(ii) subject to state board approval, serves at the pleasure of the state superintendent
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## Role in the Public Education System

PEA Recommendations	USB E Response and Recommendations
<p>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 self-contained classroom 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.</p> <p>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.</p>	<p>The Board recommends that on-campus student participation be an option for students with a vision or hearing loss who have an IEP or require 504 accommodations, including students with multiple disabilities.</p>

### USB E Rationale:

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~~ and the PEA recommendations above would exclude these students 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.

## Finance, Data, & Resident LEA Responsibility

PEA Recommendations	USBE Responses and Recommendations
<p>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.</p> <p>i. Assuming approximately 325 full-time equivalent students, this change may increase WPU costs by \$4.0 million. While this is not enough funding to support USDB in-house operations, it will provide a stable funding base that changes over time with growth and inflation.</p>	<p>The Board recommends that additional operational funding be provided for programs that fall outside of the WPU-funded model (e.g., USIMAC, Deafblind Services, Audiological Services, and Parent and Infant programming) if the Legislature moves to include USDB-designated students in the regular K-12 WPU and Special Education Add-on WPU programs.</p> <p>The Board recommends a USDB-specific weighted WPU based on the number of students currently in the school compared to the total operating costs of the school.</p>
<p><del>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.</del></p>	<p><del>The Board recommends that the timeline for including USDB students in the Annual October census be moved to FY 2028.</del></p>
<p>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</p>	<p>The Board recommends that the Legislature clarify in statute what is meant by specialized space and that the Board maintain authority to approve new course offerings or educational services.</p>

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.	The Board recommends that the Legislature recommit to the multi-campus model that prioritizes parents and their primary role in the education of their children.
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 Board recommends that USDB continue to meet student needs across the state, including through classroom programs and campus-based high school options where appropriate.

### Rationale:

Increased stability in funding for these students, their educational services, and more equitable cost-sharing between resident LEAs and the USDB are shared goals.

~~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.~~

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. USD currently serves 66 deaf and hard-of-hearing students in high school who require access to ASL. Returning these students to their home districts would require interpreter coverage, costing millions of dollars annually—a demand that Utah cannot meet due to ongoing interpreter shortages and limited statewide capacity. In addition, the current Utah Schools for the Blind high school students are in the resident program, which is only located at the Ogden campus.

## Provision of Capital Facilities

PEA Recommendations	USBE Responses and Recommendations
Continue to hold constructing new or replacement facilities until the State Board can address the financial, data, and scope of service changes addressed in recent audits and this report.	The Board recommends continuing to collaborate with DFCM and presenting Board-approved plans to EAC for full release of funding to advance the Jean Massieu School facility project.

### Rationale:

The Board's strategic facilities plan for USDB, along with the studies by Dickinson and HOK from 2023 to 2024, addresses the current facility needs at Jean Massieu School (JMS- Salt Lake Campus). These reports offer crucial insights into the current facility needs, focusing on existing conditions rather than relying solely on uncertain enrollment projections. The Board remains committed to providing students with sensory needs with safe, modern, and adaptive facilities tailored to their unique requirements. While efficiency is important, effectiveness and equitable access must also guide program decisions—especially for low-incidence populations with unique communication needs.

## Additional Board Recommendations

PEA Recommendations	USBE Responses and Recommendations
	The Board recommends an appropriation of \$1.8 million for fiscal years 2026 and 2027 to meet current staffing obligations for IEP legal requirements.

### **Rationale:**

- In August 2024, USDB requested FTE funding for FY25.
- FY26 received no FTE appropriations.
- In June 2025, USBE Financial Operations identified 63 FTE candidates for possible RIFs, including 17 vacancies and other non critical staffing positions.
- By August 2025, 28 positions were reinstated to meet IEP legal requirements.
- USBE allocated \$1.5M from carryforward funds for FY25 staffing needs and set aside a \$3M contingency funding for positions not funded by the legislature.
- FY 2026 is projected as needing \$1,788,010 for bare minimum staffing needs

The slogan "Better together" has represented the collaborative spirit among USD families in recent years. Previous tensions have been resolved and replaced with effective solutions. This approach serves as an exemplary model for USBE and the legislature, demonstrating how cooperative efforts can enhance services for students with sensory needs in Utah.

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.