Agency: UTAH STATE BOARD OF EDUCATION

Program or Request Title: Amendment to Carson Smith Scholarship Private School Eligibility Requirements

Summary of Request: A request to amend Utah Code Section 53F-4-302(1)(e)(ii) to both clarify and prevent private schools from charging more tuition for recipients of the Carson Smith Scholarship than they do for other students.

What is the nature of your request?
Select one:

X POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.
BUSINESS CASE – You are seeking new or additional financial resources to support a program/service for education.
BOTH POLICY and BUSINESS – You are proposing a new program or expansion of an existing program that will require new/amended state code and financial resources.

Questions? Please contact:
Todd Call (Todd.Call@schools.utah.gov) for questions related to a business case/funding request and Greg Connell (Greg.Connell@schools.utah.gov) for questions related to a policy request.

USBE Lead Point of Contact:
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USBE Section: Student Support Services

Additional USBE points of contact (as needed):
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Phone Number: 801-538-7589
USBE Section: Student Support Services

If you are already working with a policymaker or member of USBE leadership on this request, identify them below:
POLICY REQUEST
This section only needs to be completed if you are making a policy request (creating or changing existing Utah Code language).

1. Section(s) of State Code to be addressed (if none, insert “N/A”):
   53F-4-302(1)(e)(ii)

2. Describe the issues or concerns the legislation will address:
   Staff is proposing to amend Utah Code Section 53F-4-302 to clarify that private schools may not charge Carson Smith Scholarship recipients higher tuition rates than they charge to other students.

3. Describe the history of the issues or concerns including relevant context and timelines:
   Staff has received reports of private schools charging students with disabilities higher tuition rates based solely on the fact that they are receiving the Carson Smith Scholarship.

4. What are the suggested legislative solutions? Include code references and suggested language where possible:

   53F-4-303(1)(e(ii)). Eligible private schools.
   (e) provide a written disclosure to the parent of each prospective student, before the student is enrolled of:
   (i) the special education services that will be provided to the student, including the cost of those services;
   (ii) tuition costs;
   (iii) additional fees a parent will be required to pay during the school year; and
   (iv) the skill or grade level of the curriculum that the student will be participating in;

   (f) agree that they will not charge more for the student solely on the basis of a student being a Carson Smith Scholarship recipient

5. What data needs to be collected to support this potential legislation? Include whether this data is currently collected and available:

   N/A