

28 through the Statewide Online Education Program; and

29       ▶ makes technical amendments.

30 **Money Appropriated in this Bill:**

31 **§→ [~~None~~] This bill appropriates:**

31a       ▶ to the State Board of Education, as an ongoing appropriation:

31b           • from the Education Fund, \$250,000. ←§

32 **Other Special Clauses:**

33       This bill takes effect on July 1, 2011.

34 **Utah Code Sections Affected:**

35 AMENDS:

36       **53A-15-1002**, as enacted by Laws of Utah 2006, Chapter 227

37       **53A-15-1006**, as enacted by Laws of Utah 2006, Chapter 227

38       **63I-2-253**, as last amended by Laws of Utah 2010, Chapter 11

39 ENACTS:

40       **53A-15-1201**, Utah Code Annotated 1953

41       **53A-15-1202**, Utah Code Annotated 1953

42       **53A-15-1203**, Utah Code Annotated 1953

43       **53A-15-1204**, Utah Code Annotated 1953

44       **53A-15-1205**, Utah Code Annotated 1953

45       **53A-15-1206**, Utah Code Annotated 1953

46       **53A-15-1207**, Utah Code Annotated 1953

47       **53A-15-1208**, Utah Code Annotated 1953

48       **53A-15-1209**, Utah Code Annotated 1953

49       **53A-15-1210**, Utah Code Annotated 1953

50       **53A-15-1211**, Utah Code Annotated 1953

51       **53A-15-1212**, Utah Code Annotated 1953

52       **53A-15-1213**, Utah Code Annotated 1953

53       **53A-15-1214**, Utah Code Annotated 1953

54       **53A-15-1215**, Utah Code Annotated 1953

55       **53A-15-1216**, Utah Code Annotated 1953

56       **53A-15-1217**, Utah Code Annotated 1953



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

152 Section 6. Section **53A-15-1204** is enacted to read:

153 **53A-15-1204. Option to enroll in online courses offered through the Statewide**  
 154 **Online Education Program.**

155 (1) Subject to the course limitations provided in Subsection (2), an eligible student may  
 156 enroll in an online course offered through the Statewide Online Education Program if:

157 (a) the student meets the course prerequisites; and

158 (b) the course is open for enrollment.

159 (2) An eligible student may enroll in online courses for no more than the following  
 160 number of credits:

161 (a) in the 2011-12 and 2012-13 school years, two credits;

162 (b) in the 2013-14 school year, three credits;

163 (c) in the 2014-15 school year, four credits;

164 (d) in the 2015-16 school year, five credits; and

165 (e) beginning with the 2016-17 school year, six credits.

166 (3) Notwithstanding Subsection (2) ~~§~~→ [~~, an eligible student may enroll in online courses for~~  
 167 ~~more than the number of credits specified in Subsection (2) if the student's primary LEA of~~  
 168 ~~enrollment agrees to pay for the additional online courses in accordance with Sections~~  
 169 ~~53A-15-1208 through 53A-15-1210.] :~~

169a (a) a student's primary LEA of enrollment may allow an eligible student to enroll in  
 169b online courses for more than the number of credits specified in Subsection (2); or

169c (b) upon the request of an eligible student, the State Board of Education may allow the  
 169d student to enroll in online courses for more than the number of credits specified in Subsection  
 169e (2), if the online courses better meet the academic goals of the student. ←§

170 (4) An eligible student's primary LEA of enrollment:

171 (a) in conjunction with the student and the student's parent or legal guardian, is  
 172 responsible for preparing and implementing a student education/occupation plan (SEOP) for  
 173 the eligible student, as provided in Section 53A-1a-106; and

174 (b) shall assist an eligible student in scheduling courses in accordance with the  
 175 student's SEOP, graduation requirements, and the student's post-secondary plans.

176 (5) An eligible student's primary LEA of enrollment may not:

177 (a) impose restrictions on a student's selection of an online course that fulfills  
 178 graduation requirements and is consistent with the student's SEOP or post-secondary plans; or

179 (b) give preference to an online course or online course provider.

180 Section 7. Section **53A-15-1205** is enacted to read:

181 **53A-15-1205. Authorized online course providers.**

182 (1) The following entities may offer online courses to eligible students through the

183 Statewide Online Education Program:

184 (a) the Electronic High School established in Part 10, Electronic High School Act;

185 (b) a charter school or district school created exclusively for the purpose of serving  
186 students online; and

187 (c) an LEA program, approved by the LEA's governing board, that is created  
188 exclusively for the purpose of serving students online.

189 (2) In addition to the entities specified in Subsection (1), beginning with the 2012-13  
190 school year, a certified online course provider may offer an online course to an eligible student  
191 through the Statewide Online Education Program.

192 (3) A certified online course provider may include a public or private person.

193 Section 8. Section **53A-15-1206** is enacted to read:

194 **53A-15-1206. Certified online course provider.**

195 (1) The State Board of Education shall issue a certification to an online course provider  
196 if the online course provider:

197 (a) complies with the application procedures established by the State Board of  
198 Education in rule;

199 (b) meets standards for certified online course providers established by the State Board  
200 of Education in rule; and

201 (c) has prior experience offering online courses to secondary school students.

202 (2) (a) The State Board of Education ~~§~~→ [may] shall ←~~§~~ charge a fee to apply for or  
202a maintain an  
203 online course provider certification.

204 (b) The State Board of Education shall impose a fee under Subsection (2)(a) in  
205 accordance with Section 63J-1-504.

206 ~~§~~→ [(c)] (i) ←~~§~~ Fee revenues collected under this section shall be ~~§~~→ [:

207 ~~(i)] ←~~§~~ deposited into the Uniform School Fund as a dedicated credit; ~~§~~→ [and] . ←~~§~~~~

208 (ii) ~~§~~→ [used by] Costs of ←~~§~~ the State Board of Education to review an application for  
208a certification or

209 monitor a certified online course provider's compliance with State Board of Education  
210 standards ~~§~~→ [:] shall be paid from fee revenues. ←~~§~~

211 (3) The State Board of Education may revoke the certification of an online course  
212 provider who fails to comply with standards established by the State Board of Education in  
213 rule.

369 (1) assistance in selecting courses that fulfill high school graduation requirements and  
370 prepare the student for postsecondary education and a career; and

371 (2) a high school diploma.

372 Section 20. Section **63I-2-253** is amended to read:

373 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

374 (1) Section 53A-1-403.5 is repealed July 1, 2012.

375 (2) Subsection 53A-1-603(5) is repealed July 1, 2015.

376 (3) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

377 (4) Subsection 53A-13-110(4) is repealed July 1, 2013.

378 [~~(5) Section 53A-17a-152 is repealed July 1, 2010.~~]

379 (5) Section 53A-15-1217 is repealed July 1, 2012.

380 (6) Section 53A-17a-162 is repealed July 1, 2012.

380a **§→ Section 21. Appropriation.**

380b Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
380c following sums of money are appropriated from resources not otherwise appropriated out of  
380d the funds or accounts indicated for the fiscal year beginning July 1, 2011 and ending June 30,  
380e 2012. These are additions to amounts previously appropriated for fiscal year 2011-12.

380f To State Board of Education

380g From Education Fund \$250,000

380h Schedule of Programs:

380i Statewide Online Education Program \$250,000 ←\$

381 Section **§→ [21] 22 ←\$** . Effective date.

382 This bill takes effect on July 1, 2011.

Legislative Review Note  
as of 2-1-11 6:32 PM

Office of Legislative Research and General Counsel