

26 other issues relating to the Statewide Online Education Program ~~H~~→ and the Electronic High
26a School ←~~H~~ ; and

27 ▶ makes technical amendments.

28 **Money Appropriated in this Bill:**

29 This bill appropriates:

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

- 31 • from the Education Fund, \$250,000.

32 **Other Special Clauses:**

33 This bill ~~H~~→ [~~takes effect on July 1, 2011~~] provides an effective date ←~~H~~ .

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

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

57 Section 1. Section **53A-15-1002** is amended to read:

58 **53A-15-1002. Definitions.**

59 As used in this part:

60 (1) "Board" means the State Board of Education.

61 (2) "Electronic High School" means a rigorous program offering grade 9 - 12 level
62 online courses [delivered over the Internet] through the Statewide Online Education Program
63 and coordinated by the board.

64 (3) "Eligible student" has the meaning defined in Section 53A-15-1202.

65 ~~[(3)]~~ (4) "Home-schooled student" means a student:

66 (a) who attends a home school;

67 (b) is exempt from school attendance pursuant to Section 53A-11-102; and

68 (c) attends no more than two regularly scheduled classes or courses in a public school
69 per semester.

70 ~~[(4)]~~ (5) "Open-entry, open-exit" means:

71 (a) a method of instructional delivery that allows for flexible scheduling in response to
72 individual student needs or requirements and demonstrated competency when knowledge and
73 skills have been mastered; and

74 (b) students have the flexibility to begin or end study at any time, progress through
75 course material at their own pace, and demonstrate competency when knowledge and skills
76 have been mastered.

77 Section 2. Section **53A-15-1006** is amended to read:

78 **53A-15-1006. Payment for an Electronic High School course.**

79 ~~[(1) Electronic High School courses are provided to students who are Utah residents, as
80 defined in Section 53A-2-201, free of charge.]~~

81 (1) (a) The Electronic High School shall receive payment for an eligible student's
82 enrollment in an online course as provided by Sections 53A-15-1206 through 53A-15-1208.

83 (b) For fiscal ~~H~~→ [years 2011-12 and] year ~~←H~~ 2012-13, a private or home school
83a student whose
84 custodial parent or legal guardian is a resident of Utah may enroll in an Electronic High School
85 course subject to the availability of funds appropriated by the Legislature for that purpose.

86 (2) ~~[Nonresident students]~~ A student whose custodial parent or legal guardian is not a
87 resident of Utah may enroll in an Electronic High School [courses] course for a fee set by the

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

182 The following entities may offer online courses to eligible students through the
183 Statewide Online Education Program:

184 (1) ~~H~~→ **beginning with the 2012-13 school year,** ←~~H~~ the Electronic High School
184a established in Part 10, Electronic High School Act;

185 (2) ~~H~~→ **beginning with the 2011-12 school year,** ←~~H~~ a charter school or district school
185a created exclusively for the purpose of serving
186 students online; and

187 (3) ~~H~~→ **beginning with the 2011-12 school year,** ←~~H~~ an LEA program, approved by the
187a LEA's governing board, that is created
188 exclusively for the purpose of serving students online.

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

190 **53A-15-1206. Payment for an online course.**

191 (1) The fee for an online course is an amount equal to the product of:

192 (a) adjusted per pupil revenues; and

193 (b) one-eighth the number of credits a student may earn for the online course.

194 (2) An online learning provider shall receive payment for an online course as follows:

195 (a) for a one semester online course, 50% of the online course fee upon the student
196 enrolling in the online course;

197 (b) for a full-year online course, 25% of the online course fee upon the student
198 enrolling in the online course and 25% of the online course fee upon the beginning of the
199 second semester; and

200 (c) if a student completes a full-year online course within 12 months or a one-semester
201 course within nine weeks following the end of the semester, 50% of the online course fee.

202 (3) (a) If a student fails to complete a one-year course within 12 months or a
203 one-semester course within nine weeks following the end of the semester, the student may
204 continue to be enrolled in the course until the student graduates from high school.

205 (b) To encourage an online course provider to provide remediation to a student who
206 remains enrolled in an online course pursuant to Subsection (3)(a) and avoid the need for credit
207 recovery, an online course provider shall receive a payment equal to 30% of the online course
208 fee if the student completes the online course before the student graduates from high school.

209 Section 9. Section **53A-15-1207** is enacted to read:

210 **53A-15-1207. State Board of Education to deduct funds and make payments --**

211 **Remaining balance to lapse into Uniform School Fund -- Plan for the payment of online**

305 Education Program, including:

306 (a) a description of the Statewide Online Education Program, including its purposes;

307 (b) information on who is eligible to enroll, and how an eligible student may enroll, in
308 an online course; and

309 (c) information on how to access the Statewide Online Education Program website.

310 (4) An LEA shall include the written information described in Subsection (3) in high
311 school course registration materials.

312 Section 15. Section **53A-15-1213** is enacted to read:

313 **53A-15-1213. State Board of Education -- Rulemaking.**

314 The State Board of Education shall make rules in accordance with this part and Title
315 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

316 (1) establish a course credit acknowledgement form and procedures for completing and
317 submitting to the State Board of Education a course credit acknowledgement; and

318 (2) establish procedures for the administration of a statewide assessment to a student
319 enrolled in an online course.

320 Section 16. Section **53A-15-1214** is enacted to read:

321 **53A-15-1214. Review by legislative auditor general.**

322 The legislative auditor general shall conduct a review and issue a report on the
323 Statewide Online Education Program after the conclusion of the 2013-14 school year.

324 Section 17. Section **53A-15-1215** is enacted to read:

325 **53A-15-1215. Interim Study.**

326 The Education Interim Committee shall study and make recommendations for proposed
327 legislation in the 2012 General Session on the Statewide Online Education Program, including:

328 (1) the appropriate course fee and whether course fees should be tiered based on
329 instructional requirements;

330 (2) administration of the program, including assuring that students and parents have
331 appropriate guidance in selecting and enrolling in online courses;

332 (3) the feasibility of allowing private online course providers to offer online courses
333 directly to students and the appropriate standards and oversight required; ~~and~~ **[and]** ~~and~~

334 (4) how to provide students who take a majority of their courses through the Statewide
335 Online Education Program:

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

338 (b) a high school diploma ~~H→ [:] ; and~~

338a **(5) the role and funding of the Electronic High School. ←H**

339 Section 18. Section **63I-2-253** is amended to read:

340 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

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

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

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

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

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

346 (5) Section 53A-15-1215 is repealed July 1, 2012.

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

348 Section 19. **Appropriation.**

349 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
350 following sums of money are appropriated from resources not otherwise appropriated out of the
351 funds or accounts indicated for the fiscal year beginning July 1, 2011 and ending June 30,
352 2012. These are additions to amounts previously appropriated for fiscal year 2011-12.

353 To State Board of Education

354 From Education Fund

\$250,000

355 Schedule of Programs:

356 Statewide Online Education Program

\$250,000

357 Section 20. **Effective date.**

358 This bill takes effect on July 1, 2011 ~~H→ [:] except the amendments to~~

358a **Sections 53A-15-1002 and 53A-15-1006 take effect on July 1, 2012. ←H**