

1 **ONLINE EDUCATION PROGRAM AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Brad M. Daw**

5 Senate Sponsor: Howard A. Stephenson

7 **LONG TITLE**

8 **General Description:**

9 This bill expands the entities that may offer secondary school level and concurrent
10 enrollment courses through the Statewide Online Education Program and authorizes
11 institutions within the state system of higher education to offer secondary school level
12 and concurrent enrollment courses through the Statewide Online Education Program.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ allows a program of a higher education institution that offers secondary school level
16 courses or concurrent enrollment courses exclusively online to offer the online
17 courses through the Statewide Online Education Program; and
18 ▶ authorizes an institution within the state system of higher education, including a
19 college campus of the Utah College of Applied Technology, to offer secondary
20 school level courses or concurrent enrollment courses through the Statewide Online
21 Education Program.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 AMENDS:



28 **53A-15-1205**, as last amended by Laws of Utah 2012, Chapter 238

29 **53B-2a-106**, as last amended by Laws of Utah 2009, Chapter 346

30 ENACTS:

31 **53B-16-108**, Utah Code Annotated 1953



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

34 Section 1. Section **53A-15-1205** is amended to read:

35 **53A-15-1205. Authorized online course providers.**

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

38 (1) [~~beginning with the 2011-12 school year,~~] a charter school or district school created
39 exclusively for the purpose of serving students online; [~~and~~]

40 (2) [~~beginning with the 2011-12 school year,~~] an LEA program, approved by the LEA's
41 governing board, that is created exclusively for the purpose of serving students online[-]; and

42 (3) a program of an institution of higher education that:

43 (a) offers secondary school level courses or concurrent enrollment courses; and

44 (b) is created exclusively for the purpose of serving students online.

45 Section 2. Section **53B-2a-106** is amended to read:

46 **53B-2a-106. College campuses -- Duties.**

47 (1) Each Utah College of Applied Technology college campus shall, within the
48 geographic area served by the college campus:

49 (a) offer a non-credit post-secondary and secondary career and technical education
50 curriculum;

51 (b) offer that curriculum at:

52 (i) low cost to adult students, as approved by the board of trustees; and

53 (ii) no tuition to secondary students;

54 (c) provide career and technical education that will result in:

55 (i) appropriate licensing, certification, or other evidence of completion of training; and

56 (ii) qualification for specific employment, with an emphasis on high demand, high
57 wage, and high skill jobs in business and industry;

58 (d) develop cooperative agreements with school districts, charter schools, other higher

59 education institutions, businesses, industries, and community and private agencies to maximize
60 the availability of instructional facilities within the geographic area served by the college
61 campus; and

62 (e) after consulting with school districts and charter schools within the geographic area
63 served by the college campus:

64 (i) ensure that secondary students in the public education system have access to career
65 and technical education at each college campus; and

66 (ii) prepare and submit an annual report to the Utah College of Applied Technology
67 detailing:

68 (A) how the career and technical education needs of secondary students within the
69 region are being met;

70 (B) what access secondary students within the region have to programs offered at
71 college campuses;

72 (C) how the emphasis on high demand, high wage, high skill jobs in business and
73 industry described in Subsection (1)(c)(ii) is being provided; and

74 (D) student tuition and fees.

75 (2) A college campus may offer:

76 (a) a competency-based high school diploma approved by the State Board of Education
77 in accordance with Section [53A-1-402](#);

78 (b) non-credit, basic instruction in areas such as reading, language arts, and
79 mathematics that are necessary for student success in a chosen career and technical education
80 or job-related program; [~~and~~]

81 (c) non-credit courses of interest when similar offerings to the community are limited
82 and courses are financially self-supporting[-]; and

83 (d) secondary school level courses or concurrent enrollment courses through the
84 Statewide Online Education Program in accordance with Section [53A-15-1205](#).

85 (3) [~~A~~] Except as provided in Subsection (2)(d), a college campus may not:

86 (a) offer courses other than non-credit career and technical education or the non-credit,
87 basic instruction described in Subsections (2)(b) and (c);

88 (b) offer a degree;

89 (c) offer career and technical education or basic instruction outside the geographic area

90 served by the college campus without a cooperative agreement between an affected institution,
91 except as provided in Subsection (6);

92 (d) provide tenure or academic rank for its instructors; and

93 (e) participate in intercollegiate athletics.

94 (4) The mission of a college campus is limited to non-credit career and technical
95 education and may not expand to include credit-based academic programs typically offered by
96 community colleges or other institutions of higher education.

97 (5) A campus shall be recognized as a college campus of the Utah College of Applied
98 Technology, and regional affiliation shall be retained and recognized through local
99 designations such as "Bridgerland Applied Technology College: A Utah College of Applied
100 Technology Campus."

101 (6) (a) A college campus may offer career and technical education or basic instruction
102 outside the geographic area served by the college campus without a cooperative agreement, as
103 required in Subsection (3)(c), if:

104 (i) the career and technical education or basic instruction is specifically requested by:

105 (A) an employer; or

106 (B) a craft, trade, or apprenticeship program;

107 (ii) the college campus notifies the affected institution about the request; and

108 (iii) the affected institution is given an opportunity to make a proposal, prior to any
109 contract being finalized or training being initiated by the college campus, to the employer,
110 craft, trade, or apprenticeship program about offering the requested career and technical
111 education or basic instruction, provided that the proposal shall be presented no later than one
112 business week from the delivery of the notice described under Subsection (6)(b).

113 (b) The requirements under Subsection (6)(a)(iii) do not apply if there is a prior
114 training relationship.

115 Section 3. Section **53B-16-108** is enacted to read:

116 **53B-16-108. Courses offered through the Statewide Online Education Program.**

117 An institution of higher education listed in Section [53B-2-101](#) may offer secondary
118 school level courses or concurrent enrollment courses through the Statewide Online Education
119 Program in accordance with Section [53A-15-1205](#).

Legislative Review Note
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Office of Legislative Research and General Counsel