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UTAH K-8 ONLINE VIRTUAL SCHOOL

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ben C. Ferry

Senate Sponsor: _____

LONG TITLE

General Description:

This bill authorizes the State Board of Education to establish a virtual school for students in kindergarten through the eighth grade.

Highlighted Provisions:

This bill:

- ▶ provides definitions;
- ▶ authorizes the State Board of Education to establish Utah K-8 Online, a virtual school;
- ▶ provides for the participation of Utah K-8 Online students in other public school programs;
- ▶ requires the State Board of Education to make certain rules;
- ▶ provides for the funding of Utah K-8 Online; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

This bill appropriates:

- ▶ as an ongoing appropriation subject to future budget constraints, \$4,713,150 from the Uniform School Fund to the State Board of Education; and
- ▶ \$100,000 from the Uniform School Fund for fiscal year 2007-08 only, to the State Board of Education.

Other Special Clauses:



28 This bill provides an immediate effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53A-15-1001**, as enacted by Chapter 227, Laws of Utah 2006

32 **53A-15-1002**, as enacted by Chapter 227, Laws of Utah 2006

33 **53A-17a-104**, as last amended by Chapters 4 and 354, Laws of Utah 2006

34 ENACTS:

35 **53A-15-1008**, Utah Code Annotated 1953

36 **53A-15-1009**, Utah Code Annotated 1953

37 **53A-15-1010**, Utah Code Annotated 1953



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

40 Section 1. Section **53A-15-1001** is amended to read:

41 **Part 10. Virtual Schools Act**

42 **53A-15-1001. Title.**

43 This part is known as the "~~Electronic High School~~ Virtual Schools Act."

44 Section 2. Section **53A-15-1002** is amended to read:

45 **53A-15-1002. Definitions.**

46 As used in this part:

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

48 (2) "Electronic High School" means a rigorous program offering grade 9 - 12 level
49 courses delivered over the Internet and coordinated by the board.

50 (3) "Home-schooled student" means a student:

51 (a) who attends a home school;

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

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

55 (4) "Open-entry, open-exit" means:

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

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

62 (5) "Utah K-8 Online" means the virtual school coordinated by the board for students
63 in kindergarten through the eighth grade in accordance with the provisions of this part.

64 (6) "Virtual school" means a school that uses technology in order to provide a
65 preponderance of its curriculum and instruction to its students through the Internet or other
66 electronic means in a manner that fosters on-demand, interactive, self-paced, and
67 individualized instruction.

68 Section 3. Section **53A-15-1008** is enacted to read:

69 **53A-15-1008. Utah K-8 Online -- Authorization -- State board rulemaking.**

70 (1) The board is authorized to establish and coordinate the operations of Utah K-8
71 Online, a virtual school for students in kindergarten through the eighth grade.

72 (2) Utah K-8 Online may:

73 (a) begin operation in the 2007-08 school year; and

74 (b) have a maximum full-time equivalent student capacity of 1,500 students.

75 (3) The board may contract with school districts, public schools, regional service
76 centers, or private entities to provide services for Utah K-8 Online.

77 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
78 board shall make rules providing:

79 (a) minimum standards, definitions, and coordination of Utah K-8 Online; and

80 (b) procedures for the distribution of funds appropriated for Utah K-8 Online.

81 Section 4. Section **53A-15-1009** is enacted to read:

82 **53A-15-1009. Utah K-8 Online -- Participation in other public schools.**

83 (1) A person having control of a minor who is enrolled in Utah K-8 Online may also
84 enroll the minor in another public school or public school program.

85 (2) The minor may participate in any academic activity in the other public school
86 available to students in the minor's grade or age group, subject to compliance with the same
87 rules and requirements that apply to a full-time student's participation in the activity.

88 (3) (a) A student who participates in another public school program is considered a
89 student of that public school for purposes of the student's participation in that program.

90 (b) Utah K-8 Online and the other public school shall enter into an agreement to cover
91 the reasonable costs of participation in the program.

92 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
93 board shall make rules:

94 (a) governing participation in programs as described in this section, including:

95 (i) the sharing of costs as described in Subsection (3); and

96 (ii) regulating the transferability of credits that are earned in Utah K-8 Online; and

97 (b) providing the policies and procedures necessary to permit students enrolled in Utah
98 K-8 Online to participate in public school extracurricular activities.

99 Section 5. Section **53A-15-1010** is enacted to read:

100 **53A-15-1010. Utah K-8 Online -- Funding.**

101 (1) Money appropriated to the board in Section 53A-17a-104 for Utah K-8 Online shall
102 be allocated to Utah K-8 Online in the amount of 1.3 times the value of the weighted pupil
103 unit, as provided in Subsection 53A-17a-103(1), for each full-time equivalent student.

104 (2) Utah K-8 Online may not receive any other funding provided in this title, except as
105 the funding is specifically made available to Utah K-8 Online.

106 (3) Each year the Legislature shall increase the money appropriated to the board in
107 Section 53A-17a-104 for Utah K-8 Online based on:

108 (a) enrollment growth in Utah K-8 Online; and

109 (b) the percentage increase in the value of the weighted pupil unit.

110 Section 6. Section **53A-17a-104** is amended to read:

111 **53A-17a-104. Amount of state's contribution toward minimum school program.**

112 (1) The total contribution of the state toward the cost of the minimum school program
113 may not exceed the sum of \$2,032,219,545 for the fiscal year beginning July 1, 2006, except as
114 otherwise provided by the Legislature through supplemental appropriations.

115 (2) There is appropriated from state and local funds for fiscal year 2006-07 for
116 distribution to school districts and charter schools, in accordance with this chapter, monies for
117 the following purposes and in the following amounts:

118 (a) basic program - kindergarten, \$57,234,560 (23,680 WPU's);

119 (b) basic program - grades 1-12, \$1,118,053,443 (462,579 WPU's);

120 (c) basic program - professional staff, \$106,128,053 (43,909 WPU's);

- 121 (d) basic program - administrative costs, \$3,937,293 (1,629 WPU);
- 122 (e) basic program - necessarily existent small schools and units for consolidated
123 schools, \$18,487,633 (7,649 WPU);
- 124 (f) special education - regular program - add-on WPU for students with disabilities,
125 \$136,350,221 (56,413 WPU);
- 126 (g) preschool special education program, \$19,717,886 (8,158 WPU);
- 127 (h) self-contained regular WPU, \$32,148,517 (13,301 WPU);
- 128 (i) extended year program for severely disabled, \$887,039 (367 WPU);
- 129 (j) special education programs in state institutions and district impact aid, \$3,487,731
130 (1,443 WPU);
- 131 (k) applied technology and technical education district programs, \$59,934,349 (24,797
132 WPU), including \$1,045,033 for summer applied technology agriculture programs;
- 133 (l) applied technology district set-aside, \$2,562,020 (1,060 WPU);
- 134 (m) class size reduction, \$74,378,341 (30,773 WPU);
- 135 (n) Social Security and retirement programs, \$310,891,038;
- 136 (o) pupil transportation to and from school, \$62,601,763, of which not less than
137 \$2,173,569 shall be allocated to the Utah Schools for the Deaf and Blind to pay for
138 transportation costs of the schools' students;
- 139 (p) guarantee transportation levy, \$500,000;
- 140 (q) Local Discretionary Block Grant Program, \$21,820,748;
- 141 (r) Interventions for Student Success Block Grant Program, \$16,792,888;
- 142 (s) Quality Teaching Block Grant Program, \$62,993,704;
- 143 (t) highly impacted schools, \$5,123,207;
- 144 (u) at-risk programs, \$27,992,056;
- 145 (v) adult education, \$9,148,653;
- 146 (w) accelerated learning programs, \$12,010,853;
- 147 (x) electronic high school, \$1,300,000;
- 148 (y) School LAND Trust Program, \$15,000,000;
- 149 (z) state-supported voted leeway, \$196,085,303;
- 150 (aa) state-supported board leeway, \$54,704,476;
- 151 (bb) charter schools, pursuant to Section 53A-1a-513, \$21,552,450;

152 (cc) K-3 Reading Improvement Program, \$12,500,000; ~~and~~
153 (dd) state-supported board leeway for K-3 Reading Improvement Program,
154 \$15,000,000[-]; and
155 (ee) Utah K-8 Online, \$4,713,150.

156 **Section 7. Appropriation.**

157 (1) There is appropriated \$100,000 from the Uniform School Fund for fiscal year
158 2006-07 only, to the State Board of Education.

159 (2) It is the intent of the Legislature that the appropriation in Subsection (1) shall be
160 used to provide start-up costs for Utah K-8 Online.

161 **Section 8. Effective date.**

162 If approved by two-thirds of all the members elected to each house, this bill takes effect
163 upon approval by the governor, or the day following the constitutional time limit of Utah
164 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
165 the date of veto override.

Legislative Review Note
as of 2-16-07 7:11 AM

Office of Legislative Research and General Counsel

H.B. 172 - Utah K-8 Online Virtual School

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will appropriate \$4,713,150 in ongoing Uniform School Fund revenues beginning in FY 2008 to the Minimum School Program to support the Utah K-8 Virtual School outlined in the bill. Enactment of this bill further appropriates \$100,000 in one-time Uniform School Fund revenue in FY 2008 to the State Board of Education to provide start-up costs associated with establishing the virtual school.

Bill provisions restrict funding for students attending the Utah K-8 Virtual School to the revenue appropriated by the Legislature. Estimates indicate that approximately 940 students currently attend a virtual school offered by a school district in the state. Virtual school students are currently counted in district enrollment counts and receive state funding through the mechanisms of the Minimum School Program. Provisions of this bill appropriate sufficient revenue to provide 1.3 times the value of the Weighted Pupil Unit for up to 1,500 students that enroll in the new Utah K-8 Virtual School.

Some savings may occur within the Minimum School Program due to students enrolling in the virtual school and not a school district and charter school. Based on the current value of the Weighted Pupil Unit, the State may realize a savings of \$241,700 in Weighted Pupil Unit costs for every 100 students that enroll in the virtual school instead of a district or charter school.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
Uniform School Fund	\$0	\$4,713,150	\$4,713,150	\$0	\$0	\$0
Uniform School Fund, One-time	\$0	\$100,000	\$0	\$0	\$0	\$0
Total	\$0	\$4,813,150	\$4,713,150	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.