

# 1st Sub. S.B. 178

## STATEWIDE ONLINE EDUCATION PROGRAM AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 5, 2012 6:00 PM

Representative **Bradley G. Last** proposes the following amendments:

1. Page 2, Lines 30 through 31:

30            {~~→provides for reporting of noncompliance, and enforcement of compliance, with~~  
31    ~~requirements of the Statewide Online Education Program;~~}

2. Page 2, Line 44:

44            53A-15-1206, as enacted by Laws of Utah 2011, Chapter 419  
=            53A-15-1207, as enacted by Laws of Utah 2011, Chapter 419

3. Page 4, Line 116 through Page 5, Line 125:

116            (1) Subject to the course limitations provided in Subsection (2), an eligible student may  
117    enroll in an online course offered through the Statewide Online Education Program if:  
118            (a) the student meets the course prerequisites; [~~and~~]  
119            (b) the course is open for enrollment[-];  
120            (c) the online course is aligned with the student's student education/occupation plan  
121    (SEOP);  
122            (d) the online course is consistent with the student's individual education plan (IEP), if  
123    the student has an IEP; {~~and~~}  
124            (e) the online course is consistent with the student's international baccalaureate  
125    program, if the student is participating in an international baccalaureate program {~~:~~} ; and  
(f) the online course is consistent with the mission of the school's charter, if the student's primary  
LEA of enrollment is a charter school.

4. Page 6, Line 150:

150    Education, may not give preference to an online course or online course provider. =  
(7)(a) Except as provided Subsection (7)(b), a person may not give, or offer to give, anything of  
economic value to a public school student to encourage the public school student to participate in the  
Statewide Online Education Program.  
(b) For purposes of Subsection (7)(a), "person" does not include a relative of the public school  
student.

5. Page 8, Line 237:

237 student's completion of a .5 online course as described in Subsection 53A-15-1206(4).

**Section 8. Section 53A-15-1207 is amended to read:**

**53A-15-1207. State Board of Education to deduct funds and make payments -- Plan for the payment of online courses taken by private and home school students.**

(1) ~~{ Upon the receipt of a course credit acknowledgment described in Section 53A-15-1208; the }~~ **(a) The** State Board of Education shall deduct ~~{ an amount equal to the online course fee described in Section 53A-15-1206 }~~ **money** from funds allocated to the student's primary LEA of enrollment under Chapter 17a, Minimum School Program Act ~~{ - }~~ **to pay for online course fees.**

**(b) Money shall be deducted under Subsection (1) in the amount and at the time an online course provider qualifies to receive payment for an online course as provided in Subsection 53A-15-1206(4).**

(2) From money deducted under Subsection (1), the State Board of Education shall make payments to the student's online course provider as provided in Section 53A-15-1206.

~~{ (3) A balance remaining at the time a student graduates shall lapse into the Uniform School Fund. }~~

~~{ (4) }~~ **(3)** The Legislature shall establish a plan, which shall take effect beginning on July 1, 2013, for the payment of online courses taken by a private school or home school student.

6. Page 9, Lines 244 through 251:

244 (2) The terms of the course credit acknowledgement shall provide that:

245 (a) the online course provider shall receive a payment in the amount provided under  
246 Section ~~{ 53A-15-1207 }~~ **53A-15-1206** ; and

247 ~~[(b) the online course provider shall refund a payment received for a student who  
248 enrolls in an online course if the student withdraws from the online course within 10 days; and]~~

249 ~~[(c) (b) the student's primary LEA of enrollment acknowledges that the State Board of  
250 Education will deduct { an amount equal to the online course fee from } funds allocated to the  
251 LEA under Chapter 17a, Minimum School Program Act { - } ,~~ **in the amount and at the time the online  
course provider qualifies to receive payment for the online course as provided in Subsection  
53A-15-1206(4).**

7. Page 9, Lines 260 through 266:

260 (c) (i) An LEA of enrollment may only reject a course credit acknowledgement if:

261 (A) the online course is not aligned with the student's SEOP;

262 (B) the online course is not consistent with the student's IEP, if the student has an IEP;

263 (C) the online course is not consistent with the student's international baccalaureate

264 program, if the student participates in an international baccalaureate program; { -or } =

**(D) the online course is not consistent with the school's charter, if the student's primary LEA of enrollment is a charter school; or**

265 ~~{ (D) }~~ **(E)** the number of online course credits exceeds the maximum allowed for the year as

266 provided in Section 53A-15-1204.

8. Page 13, Line 378 through Page 14, Line 398:

378 53A-15-1212.5. {~~Declaration of intent to enroll in an online course -- Adding or~~  
379 ~~dropping an online course.~~ } Time period to enroll in an online course.

380 (1) To provide an LEA and online course providers with estimates of online course  
381 enrollment, {~~a declaration of intent to enroll in online courses pursuant to Section 53A-15-1204~~  
382 ~~may take place.~~ } a student should enroll in an online course, or declare an intention to enroll in an  
online course, during the high school course registration period designated by the LEA.

383 (2) Notwithstanding Subsection (1) and except as provided in Subsection (3), a student may enroll  
in an online course at any

384 time during a calendar year . {~~if:~~

385 ~~— (a) the online course is open for enrollment;~~

386 ~~— (b) the student meets the course prerequisites;~~

387 ~~— (c) the online course is aligned with the student's SEOP;~~

388 ~~— (d) the student is enrolled in online courses for no more than the total number of credits~~  
389 ~~as provided in Section 53A-15-1205; and~~

390 ~~— (e) the student does not take more than a full course load for the year as provided in~~  
391 ~~Section 53A-15-1209.~~ }

392 { ~~(3) (a) Except as provided in Subsection (3)(b), a student may drop a traditional~~  
393 ~~classroom course within 10 school calendar days of the start of the traditional classroom~~  
394 ~~course;~~

395 ~~— (b) If a student's high school counselor is not able to process a request to enroll in an~~  
396 ~~online course within 10 school calendar days of the start of the traditional classroom course,~~  
397 ~~the deadline for dropping the course and enrolling in an online course shall be extended to the~~  
398 ~~earliest possible date the counselor can accommodate the schedule change. }~~

(3)(a) A student may alter a course schedule by dropping a traditional classroom course and adding  
an online course consistent with course schedule alteration procedures adopted by the student's primary  
LEA of enrollment or high school.

(b) A school district's or high school's deadline for dropping a traditional classroom course and  
adding an online course shall be the same deadline for dropping and adding a traditional classroom  
course.

9. Page 14, Lines 399 through 404:

399 {~~Section 13. Section 53A-15-1216 is enacted to read:~~

400 ~~— 53A-15-1216. Report of noncompliance -- Action to ensure compliance.~~

401 ~~— (1) The state superintendent shall report to the State Board of Education any report of~~  
402 ~~noncompliance of this part made to a member of the staff of the State Board of Education;~~

403 ~~— (2) The State Board of Education shall take appropriate action to ensure compliance~~

404 ~~with this part.~~}

**Renumber remaining sections accordingly.**