

**Representative Bradley M. Daw** proposes the following substitute bill:

**ONLINE EDUCATION PROGRAM AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bradley M. Daw**

Senate Sponsor: Howard A. Stephenson

---

---

**LONG TITLE**

**General Description:**

This bill expands the entities that may offer secondary school level courses through the Statewide Online Education Program.

**Highlighted Provisions:**

This bill:

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

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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



26 **53B-2a-106**, as last amended by Laws of Utah 2009, Chapter 346

27 ENACTS:

28 **53B-16-108**, Utah Code Annotated 1953



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

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

32 **53A-15-1205. Authorized online course providers.**

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

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

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

39 (3) a program of an institution of higher education ~~←~~ **listed in Section 53B-2-101** ~~→~~  
39a that:

40 (a) offers secondary school level courses; and

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

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

43 **53B-2a-106. College campuses -- Duties.**

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

46 (a) offer a non-credit post-secondary and secondary career and technical education  
47 curriculum;

48 (b) offer that curriculum at:

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

50 (ii) no tuition to secondary students;

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

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

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

55 (d) develop cooperative agreements with school districts, charter schools, other higher  
56 education institutions, businesses, industries, and community and private agencies to maximize

57 the availability of instructional facilities within the geographic area served by the college  
58 campus; and

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

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

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

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

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

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

71 (D) student tuition and fees.

72 (2) A college campus may offer:

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

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

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

80 (d) secondary school level courses through the Statewide Online Education Program in  
81 accordance with Section [53A-15-1205](#).

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

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

85 (b) offer a degree;

86 (c) offer career and technical education or basic instruction outside the geographic area  
87 served by the college campus without a cooperative agreement between an affected institution,

88 except as provided in Subsection (6);

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

90 (e) participate in intercollegiate athletics.

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

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

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

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

102 (A) an employer; or

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

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

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

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

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

113 **53B-16-108. Courses offered through the Statewide Online Education Program.**

114 An institution of higher education listed in Section [53B-2-101](#) may offer a secondary  
115 school level course through the Statewide Online Education Program in accordance with  
116 Section [53A-15-1205](#).