

SB0226S01 compared with SB0226

~~text~~ shows text that was in SB0226 but was deleted in SB0226S01.

text shows text that was not in SB0226 but was inserted into SB0226S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator John D. Johnson proposes the following substitute bill:

ONLINE EDUCATION PROGRAM REVISIONS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John D. Johnson

House Sponsor: _____

LONG TITLE

General Description:

This bill makes revisions related to online education.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ allows a certified online course provider that the State Board of Education (the state board) approves to offer courses directly through the Statewide Online Education Program;
- ▶ establishes the requirements for the state board to approve certified online course providers;
- ▶ authorizes the state board to make rules related to approving certified online course providers; and

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- ▶ authorizes the state board to set fees to cover the costs of regulating certified online course providers.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53F-4-501, as last amended by Laws of Utah 2019, Chapter 186

53F-4-504, as last amended by Laws of Utah 2019, Chapter 186

53F-4-514, as last amended by Laws of Utah 2020, Chapter 408

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

Section 1. Section **53F-4-501** is amended to read:

53F-4-501. Definitions.

As used in this part:

(1) (a) "Certified online course provider" means a provider that the state board approves to offer courses through the Statewide Online Education Program.

(b) "Certified online course provider" does not include an entity described in Subsections 53F-4-504(1)(a) through (c).

~~[(1)]~~ (2) "Eligible student" means:

(a) a student enrolled in a district school or charter school in Utah; or

(b) ~~[beginning on July 1, 2013,]~~ a student:

(i) who attends a private school or home school; and

(ii) whose custodial parent is a resident of Utah.

~~[(2)]~~ (3) "Online course" means a course of instruction offered by the Statewide Online Education Program through the use of digital technology.

~~[(3)]~~ (4) "Plan for college and career readiness" means the same as that term is defined in Section 53E-2-304.

~~[(4)]~~ (5) "Primary LEA of enrollment" means the LEA in which an eligible student is enrolled for courses other than online courses offered through the Statewide Online Education

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Program.

~~(5)~~ (6) "Released-time" means a period of time during the regular school day a student is excused from school at the request of the student's parent pursuant to rules of the state board.

Section 2. Section **53F-4-504** is amended to read:

53F-4-504. Authorized online course providers -- Certified online course providers.

(1) The following entities may offer online courses to eligible students through the Statewide Online Education Program:

~~(1)~~ (a) a charter school or district school created exclusively for the purpose of serving students online;

~~(2)~~ (b) an LEA program, approved by the LEA governing board, that is created exclusively for the purpose of serving students online; ~~and~~

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

~~(a)~~ (i) offers secondary school level courses; and

~~(b)~~ (ii) is created exclusively for the purpose of serving students online~~[-]; and~~

(d) beginning in the 2021-2022 school year, a certified online course provider.

(2) The state board shall approve an online course provider as a certified online course provider if the online course provider:

(a) complies with the application procedures described in Subsection 53F-4-514;

(b) meets the standards described in Subsection 53F-4-514; and

(c) has prior experience offering online courses to secondary students.

(3) The state board may revoke the approval described in Subsection (2) if the state board finds that a certified online course provider is not complying with the requirements described in Subsection 53F-4-514.

Section 3. Section **53F-4-514** is amended to read:

53F-4-514. State board -- Rulemaking -- Fees.

(1) The state board shall make rules in accordance with this part and Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

~~(1)~~ (a) establish a course credit acknowledgement form and procedures for

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completing and submitting to the state board a course credit acknowledgement; ~~and~~

~~(2)~~ (b) establish procedures for the administration of a statewide assessment to a student enrolled in an online course~~[-]; and~~

(c) establish protocols for an online course provider to obtain approval to become a certified online course provider, including:

(i) the application procedure for an online course provider to obtain approval to become a certified online course provider; and

(ii) the standards that a certified online course provider ~~must~~ and any online course the certified online course provider offers shall meet.

(2) (a) When establishing the standards described in Subsection (1)(c)(ii), the state board shall:

(i) establish rules and minimum standards regarding~~f:~~

~~— (A) accreditation; and~~

~~— (B) prerequisites for eligibility for college athletics, as determined by a national organization responsible for college athletics;~~

~~f~~ accreditation;

(ii) require an online course to be aligned with the core standards described in Section 53E-4-202;

(iii) require proof that a national organization responsible for college athletics endorses:

(A) the certified online course provider; or

(B) the online course that a certified online course provider offers;

(~~iii~~iv) permit an open-entry, open-exit method of instructional delivery that allows a student the flexibility to:

(A) schedule in response to individual needs or requirements;

(B) demonstrate competency when the student has mastered knowledge and skills;

(C) begin or end study at any time; and

(D) progress through course material at the student's own pace; and

(~~iv~~v) require an individual who teaches a course for a certified online course provider to hold a teaching license issued by~~f:~~

~~— (A) ~~f~~ the state board~~f; or~~~~

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~~(B) another state}.~~

(b) When establishing the standards described in Subsection (1)(c)(ii), the state board may not:

(i) specify a minimum duration for an online course;

(ii) specify a minimum amount of time that a student must spend in an online course;

or

(iii) limit the class size of an online course.

(3) The state board may establish a fee, in accordance with Section 63J-1-504, in an amount to pay the costs to the state board of the application approval process and the monitoring of a certified online course provider's compliance with the standards described in Subsection (1)(c)(ii).

(4) (a) Fee revenue collected in accordance with Subsection (3) shall be:

(b) deposited into the Uniform School Fund as a dedicated credit; and

(c) used to pay the costs to the state board of reviewing certified online course providers' applications and compliance with the standards described in Subsection (1)(c)(ii).