Representative Dan N. Johnson proposes the following substitute bill:

STATEWIDE ONLINE EDUCATION PROGRAM AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Dan N. Johnson
Senate Sponsor:
LONG TITLE
General Description:
This bill amends the Statewide Online Education Program (the program).
Highlighted Provisions:
This bill:
 requires the Utah State Board of Education to:
• update operating systems to allow for transfer of student information with the
program;
 dedicate staff to offer technical support for the program;
• create a model cooperative agreement between a primary local education agency
and an authorized online provider;
 provide certain itemized reports to a primary LEA;
• create a mandatory training for certain LEA staff about the program;
• create a communication dashboard; and
• collaborate with the Utah System of Higher Education to offer online concurrent
enrollment options including within the program;
 requires a primary LEA to coordinate accommodations of a student's individualized
education plan or section 504 accommodation plan;
 establishes a deadline to acknowledge a course enrollment;

26	 requires certain coordination between a primary LEA and an authorized online
27	course provider; and
28	 makes technical changes.
29	Money Appropriated in this Bill:
30	None
31	Other Special Clauses:
32	None
33	Utah Code Sections Affected:
34	AMENDS:
35	53E-3-518, as last amended by Laws of Utah 2023, Chapter 70
36	53E-10-302, as last amended by Laws of Utah 2023, Chapter 172
37	53F-4-501, as last amended by Laws of Utah 2023, Chapters 226, 368
38	53F-4-502, as last amended by Laws of Utah 2023, Chapter 368
39	53F-4-503, as last amended by Laws of Utah 2023, Chapters 226, 368
40	53F-4-504, as last amended by Laws of Utah 2023, Chapter 368
41	53F-4-505, as last amended by Laws of Utah 2023, Chapter 368
42	53F-4-506, as renumbered and amended by Laws of Utah 2018, Chapter 2
43	53F-4-507, as last amended by Laws of Utah 2023, Chapter 368
44	53F-4-508, as last amended by Laws of Utah 2019, Chapter 186
45	53F-4-509, as renumbered and amended by Laws of Utah 2018, Chapter 2
46	53F-4-510, as last amended by Laws of Utah 2019, Chapter 186
47	53F-4-511, as last amended by Laws of Utah 2019, Chapter 186
48	53F-4-512, as last amended by Laws of Utah 2019, Chapter 186
49	53F-4-513, as last amended by Laws of Utah 2021, Chapter 362
50	53F-4-514, as last amended by Laws of Utah 2023, Chapter 368
51	53F-4-516, as last amended by Laws of Utah 2019, Chapter 186
52	53F-4-517, as renumbered and amended by Laws of Utah 2018, Chapter 2
53	53F-4-518, as last amended by Laws of Utah 2023, Chapter 368
54	

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

56 Section 1. Section **53E-3-518** is amended to read:

57	53E-3-518. Utah school information management system Local education
58	agency requirements.
59	(1) As used in this section:
60	(a) "LEA data system" or "LEA's data system" means a data system that:
61	(i) is developed, selected, or relied upon by an LEA; and
62	(ii) the LEA uses to collect data or submit data to the state board related to:
63	(A) student information;
64	(B) educator information;
65	(C) financial information; or
66	(D) other information requested by the state board.
67	(b) "LEA financial information system" or "LEA's financial information system" means
68	an LEA data system used for financial information.
69	(c) "Parent" means the same as that term is defined in Section $53G-6-201$.
70	(d) "Utah school information management system" or "information management
71	system" means the state board's data collection and reporting system described in this section.
72	(e) "User" means an individual who has authorized access to the information
73	management system.
74	(2) On or before July 1, 2024, the state board shall have in place an information
75	management system that meets the requirements described in this section.
76	(3) The state board shall ensure that the information management system:
77	(a) interfaces with an LEA's data systems that meet the requirements described in
78	Subsection [(6);] <u>(7);</u>
79	(b) serves as the mechanism for the state board to collect and report on all data that
80	LEAs submit to the state board related to:
81	(i) student information;
82	(ii) educator information;
83	(iii) financial information; and
84	(iv) other information requested by the state board;
85	(c) includes a web-based user interface through which a user may:
86	(i) enter data;
87	(ii) view data; and

88	(iii) generate customizable reports;
89	(d) includes a data warehouse and other hardware or software necessary to store or
90	process data submitted by an LEA;
91	(e) provides for data privacy, including by complying with [Title 53E, Chapter 9,
92	Student Privacy and Data Protection] Chapter 9, Student Privacy and Data Protection;
93	(f) restricts user access based on each user's role; and
94	(g) meets requirements related to a student achievement backpack described in Section
95	53E-3-511.
96	(4) On or before January 31, 2026, the state board shall:
97	(a) ensure the information management system described in this section allows for the
98	transfer of a student's transcript, current IEP, or Section 504 accommodation plan including the
99	tracking of necessary accommodations and services between:
100	(i) different LEA student information systems; and
101	(ii) an authorized online course provider and a primary LEA; and
102	(b) ensure the transfer capability described in Subsection (4)(a) is available for the
103	same use within the operating system the state board uses for the Statewide Online Education
104	Program described in Title 53F, Chapter 4, Part 5, Statewide Online Education Program.
105	[(4)] (5) The state board shall establish the restrictions on user access described in
106	Subsection (3)(f).
107	$\left[\frac{(5)}{(6)}\right]$ (a) The state board shall make rules that establish the required capabilities for
108	an LEA financial information system.
109	(b) In establishing the required capabilities for an LEA financial information system,
110	the state board shall consider metrics and capabilities requested by the state treasurer or state
111	auditor.
112	[(6)] (7) (a) On or before July 1, 2024, an LEA shall ensure that:
113	(i) all of the LEA's data systems:
114	(A) meet the data standards established by the state board in accordance with Section
115	53E-3-501;
116	(B) are fully compatible with the state board's information management system; and
117	(C) meet specification standards determined by the state board; and
118	(ii) the LEA's financial information system meets the requirements described in

119	Subsection [(5).] <u>(6).</u>
120	(b) An LEA shall ensure that an LEA data system purchased or developed on or after
121	May 14, 2019, will be compatible with the information management system when the
122	information management system is fully operational.
123	[(7)] (8) (a) Subject to appropriations and Subsection $[(7)(b)]$ (8)(b), the state board
124	may use an appropriation under this section to help an LEA meet the requirements in the rules
125	described in Subsection [(5)] <u>(6)</u> by:
126	(i) providing to the LEA funding for implementation and sustainment of the LEA
127	financial information system, either through:
128	(A) awarding a grant to the LEA; or
129	(B) providing a reimbursement to the LEA; or
130	(ii) in accordance with Title 63G, Chapter 6a, Utah Procurement Code, procuring a
131	financial information system on behalf of an LEA for the LEA to use as the LEA's financial
132	information system.
133	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
134	state board shall make rules describing:
135	(i) how an LEA may apply to the state board for the assistance described in Subsection
136	[(7)(a)] (8)(a); and
137	(ii) criteria for the state board to provide the assistance to an LEA.
138	[(8)] (9) (a) Beginning July 1, 2024, the state board may take action against an LEA
139	that is out of compliance with a requirement described in Subsection [(6)] (7) until the LEA
140	complies with the requirement.
141	(b) An action described in Subsection $[(8)(a)] (9)(a)$ may include the state board
142	withholding funds from the LEA.
143	[(9)] (10) (a) For purposes of this Subsection $[(9)]$ (10), "education record" means the
144	same as that term is defined in 20 U.S.C. Sec. 1232g.
145	(b) The state board shall, by rule made in accordance with Title 63G, Chapter 3, Utah
146	Administrative Rulemaking Act, establish a procedure under which:
147	(i) a parent may submit information as part of the education records for the parent's
148	student;
149	(ii) the information submitted by the parent is maintained as part of the education

150	records for the parent's student;
151	(iii) information submitted by the parent and maintained as part of the education
152	records for the parent's student may be removed at the request of the parent; and
153	(iv) a parent has access only to the education records of the parent's student in
154	accordance with Subsection [(9)(d).] (10)(d).
155	(c) The rules made under this Subsection $[(9)]$ (10) shall allow a parent to submit or
156	remove information submitted by the parent under this Subsection $[(9)]$ (10) at least annually,
157	including at the time of:
158	(i) registering a student in a school; or
159	(ii) changing the school in which a student attends.
160	(d) Subject to the federal Family Education Rights and Privacy Act, 20 U.S.C. Sec.
161	1232g, and related regulations, the state board shall provide a parent access to an education
162	record concerning the parent's student.
163	(e) The state board shall create in the information management system a record
164	tracking interoperability of education records described in this Subsection [(9)] (10) when a
165	student is transitioning between schools or between LEAs.
166	Section 2. Section 53E-10-302 is amended to read:
167	53E-10-302. Concurrent enrollment program.
168	(1) The state board and the Utah Board of Higher Education shall establish and
168 169	(1) The state board and the Utah Board of Higher Education shall establish and maintain a concurrent enrollment program that:
169	maintain a concurrent enrollment program that:
169 170	maintain a concurrent enrollment program that:(a) provides an eligible student the opportunity to enroll in a course that allows the
169 170 171	maintain a concurrent enrollment program that:(a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently:
169 170 171 172	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and
169 170 171 172 173	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and (ii) at an institution of higher education;
169 170 171 172 173 174	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and (ii) at an institution of higher education; (b) includes only a course that:
169 170 171 172 173 174 175	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and (ii) at an institution of higher education; (b) includes only a course that: (i) leads to a degree or certificate offered by an institution of higher education; and
169 170 171 172 173 174 175 176	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and (ii) at an institution of higher education; (b) includes only a course that: (i) leads to a degree or certificate offered by an institution of higher education; and (ii) is one of the following:
169 170 171 172 173 174 175 176 177	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and (ii) at an institution of higher education; (b) includes only a course that: (i) leads to a degree or certificate offered by an institution of higher education; and (ii) is one of the following: (A) a general education course;
169 170 171 172 173 174 175 176 177 178	 maintain a concurrent enrollment program that: (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently: (i) toward high school graduation; and (ii) at an institution of higher education; (b) includes only a course that: (i) leads to a degree or certificate offered by an institution of higher education; and (ii) is one of the following: (A) a general education course; (B) a career and technical education course;

181	or
182	(E) an upper divisions course that the Utah Board of Higher Education approves under
183	Subsection (3);
184	(c) requires that the instructor of a concurrent enrollment course is an eligible
185	instructor; and
186	(d) is designed and implemented to take full advantage of the most current available
187	education technology.
188	(2) The state board and the Utah Board of Higher Education shall coordinate to:
189	(a) establish a concurrent enrollment course approval process that ensures:
190	(i) credit awarded for concurrent enrollment is consistent and transferable to all
191	institutions of higher education; and
192	(ii) learning outcomes for a concurrent enrollment course align with:
193	(A) core standards for Utah public schools adopted by the state board; and
194	(B) except for a foreign language concurrent enrollment course described in Section
195	53E-10-307 or an upper division course that the Utah Board of Higher Education approves
196	under Subsection (3), an institution of higher education lower division course numbered at or
197	above the 1000 level; [and]
198	(b) provide advising to an eligible student, including information on:
199	(i) general education requirements at institutions of higher education; and
200	(ii) how to choose concurrent enrollment courses to avoid duplication or excess credit
201	hours[-]; and
202	(c) no later than July 1, 2025, offer an online concurrent enrollment option including:
203	(i) no later than the November 2024 interim meeting, recommendations to the
204	Education Interim Committee about funding structures of online concurrent enrollment courses
205	including those offered through the Statewide Online Education Program;
206	(ii) allowing a student to be enrolled through multiple LEAs for access to any online
207	concurrent enrollment course offered through the Statewide Online Education Program; and
208	(iii) additional requirements necessary to ensure a student has optimal access to
209	concurrent enrollment options online.
210	(3) The Utah Board of Higher Education, after consulting with the state board, shall

211 annually approve a prioritized list of upper division courses for which an institution of higher

212	education may use concurrent enrollment money.
213	(4) After consultation with institution of higher education concurrent enrollment
214	directors, the Utah Board of Higher Education shall:
215	(a) provide guidelines to an institution of higher education for establishing qualifying
216	academic criteria for an eligible student to enroll in a concurrent enrollment course; and
217	(b) establish a policy that:
218	(i) determines which concurrent enrollment courses are career and technical education
219	courses; and
220	(ii) creates a process for:
221	(A) an LEA to appeal an institution of higher education's decision under Subsection (7)
222	if the institution of higher education does not approve an LEA employee as an eligible
223	instructor; and
224	(B) an LEA or institution of higher education to determine whether an eligible
225	instructor who previously taught a concurrent enrollment course is no longer qualified to teach
226	the concurrent enrollment course.
227	(5) To qualify for funds under Section $53F-2-409$, an LEA and an institution of higher
228	education shall:
229	(a) enter into a contract, in accordance with Section $53E-10-303$, to provide one or
230	more concurrent enrollment courses that are approved under the course approval process
231	described in Subsection (2);
232	(b) ensure that an instructor who teaches a concurrent enrollment course is an eligible
233	instructor;
234	(c) establish qualifying academic criteria for an eligible student to enroll in a
235	concurrent enrollment course, in accordance with the guidelines described in Subsection (4)(a);
236	(d) ensure that a student who enrolls in a concurrent enrollment course is an eligible
237	student; and
238	(e) coordinate advising to eligible students.
239	(6) (a) An institution of higher education faculty member is an eligible instructor.
240	(b) An LEA employee is an eligible instructor if the LEA employee:
241	(i) is licensed under Chapter 6, Education Professional Licensure;
242	(ii) is supervised by an institution of higher education; and

243	(iii) (A) as described in Subsection (7), is approved as an eligible instructor by the
244	institution of higher education that provides the concurrent enrollment course taught by the
245	LEA employee;
246	(B) has an upper level mathematics credential issued by the state board;
247	(C) is approved as adjunct faculty by the institution of higher education that provides
248	the concurrent enrollment course taught by the LEA employee; or
249	(D) teaches a concurrent enrollment course that the LEA employee taught during the
250	2018 -2019 or 2019 -2020 school year.
251	(7) An institution of higher education shall approve an LEA employee as an eligible
252	instructor:
253	(a) for a career and technical education concurrent enrollment course, if the LEA
254	employee has:
255	(i) a degree, certificate, or industry certification in the concurrent enrollment course's
256	academic field; or
257	(ii) qualifying experience, as determined by the institution of higher education; or
258	(b) for a concurrent enrollment course other than a career and technical education
259	course, if the LEA employee has:
260	(i) a master's degree or higher in the concurrent enrollment course's academic field;
261	(ii) (A) a master's degree or higher in any academic field; and
262	(B) at least 18 completed credit hours of graduate course work in an academic field
263	that is relevant to the concurrent enrollment course; or
264	(iii) qualifying experience as defined in Section 53E-10-301, including:
265	(A) the number of years of teaching experience;
266	(B) student performance on qualifying test scores or AP exams on courses that the
267	LEA employee teaches;
268	(C) continuing education in a master's degree or higher in any academic field; or
269	(D) other criteria established by the institution of higher education.
270	(8) An institution of higher education shall accept credits earned by a student who
271	completes a concurrent enrollment course on the same basis as credits earned by a full-time or
272	part-time student enrolled at the institution of higher education.
273	Section 3. Section 53F-4-501 is amended to read:

274	53F-4-501. Definitions.
275	As used in this part:
276	(1) "Authorized online course provider" means the entities listed in Subsection
277	53F-4-504(1).
278	(2) (a) "Certified online course provider" means a provider that the state board
279	approves to offer courses through the Statewide Online Education Program.
280	(b) "Certified online course provider" does not include an entity described in
281	Subsections 53F-4-504(1)(a) through (c).
282	(3) "Credit" means credit for a high school course, or the equivalent for a middle
283	school course, as determined by the state board.
284	(4) "Eligible student" means a student:
285	(a) who intends to take a course for middle school or high school credit; and
286	(b) (i) who is enrolled in an LEA in Utah; or
287	(ii) (A) who attends a private school or home school; and
288	(B) whose custodial parent is a resident of Utah.
289	(5) "High school" means grade 9, 10, 11, or 12.
290	(6) "Middle school" means, only for purposes of student eligibility to participate in the
291	Statewide Online Education Program, grade 6, 7, or 8.
292	(7) "Online course" means a course of instruction offered by the Statewide Online
293	Education Program through the use of digital technology, regardless of whether the student
294	participates in the course at home, at school, at another location, or any combination of these.
295	(8) "Plan for college and career readiness" means the same as that term is defined in
296	Section 53E-2-304.
297	(9) "Primary LEA of enrollment" or "primary LEA" means the LEA in which an
298	eligible student is enrolled for courses other than online courses offered through the Statewide
299	Online Education Program.
300	(10) "Released-time" means a period of time during the regular school day a student is
301	excused from school at the request of the student's parent pursuant to rules of the state board.
302	Section 4. Section 53F-4-502 is amended to read:
303	53F-4-502. Statewide Online Education Program created Designated as
304	program of the public education system Purposes.

305	(1) The Statewide Online Education Program is created to enable an eligible student to,
306	through the completion of publicly funded online courses:
307	(a) earn high school graduation credit; or
308	(b) earn middle school credit.
309	(2) Pursuant to Utah Constitution, Article X, Section 2, the Statewide Online
310	Education Program is designated as a program of the public education system.
311	(3) The purposes of the Statewide Online Education Program are to:
312	(a) provide a student with access to online learning options regardless of where the
313	student attends school, whether a public, private, or home school;
314	(b) provide digital learning options for a student regardless of language, residence,
315	family income, or special needs;
316	(c) provide online learning options to allow a student to acquire the knowledge and
317	technology skills necessary in a digital world;
318	(d) utilize the power and scalability of technology to customize education so that a
319	student may learn in the student's own style preference and at the student's own pace;
320	(e) utilize technology to remove the constraints of traditional classroom learning,
321	allowing a student to access learning virtually at any time and in any place and giving the
322	student the flexibility to take advantage of the student's peak learning time;
323	(f) provide personalized learning, where a student can spend as little or as much time
324	as the student needs to master the material;
325	(g) provide greater access to self-paced programs enabling a high achieving student to
326	accelerate academically, while a struggling student may have additional time and help to gain
327	competency;
328	(h) allow a student to customize the student's schedule to better meet the student's
329	academic goals;
330	(i) provide quality learning options to better prepare a student for post-secondary
331	education [and], vocational training, or career opportunities; and
332	(j) allow a student to have an individualized educational experience.
333	(4) The program name, "Statewide Online Education Program," shall be used in the
334	dissemination of information on the program.
335	Section 5. Section 53F-4-503 is amended to read:

337Online Education Program.338(1) Subject to Subsections [(2) and (8);] (2), (9) and (11) and with the advice of a339school counselor at a student's primary LEA, an eligible student may enroll in an online course340offered through the Statewide Online Education Program if:341(a) the student meets the course prerequisites;342(b) the course is open for enrollment; and343(c) the online course is aligned with the student's plan for college and career344readiness[:];345[(d) the online course is consistent with the student's IEP, if the student has an IEP;346and]347[(e) the online course is consistent with the student's international baccalaurcate348program, if the student is participating in an international baccalaurcate program.]349(2) An eligible student may enroll in online courses [for no more than] totaling up to350six credits per school year.351(3) Notwithstanding Subsection (2):352(a) a student's primary LEA of enrollment may allow an eligible student to enroll in353online courses for more than the number of credits specified in Subsection (2); or354(4) An eligible student's primary LEA of corrollment:355(a) in conjunction with the student and the student's parent, is responsible for preparing356and implementing a plan for college and career readiness for the eligible student, as provided in357(4) An eligible student's primary LEA of enrollment:368(b) shall assist an eligible student in scheduling courses in accordance with th	336	53F-4-503. Option to enroll in online courses offered through the Statewide
339school counselor at a student's primary LEA, an eligible student may enroll in an online course340offered through the Statewide Online Education Program if:341(a) the student meets the course prerequisites;342(b) the course is open for enrollment; and343(c) the online course is aligned with the student's plan for college and career344readiness[;]_345[(d) the online course is consistent with the student's IEP, if the student has an IEP;346and]347[(e) the online course is consistent with the student's international baccalaureate348program, if the student is participating in an international baccalaureate program;]349(2) An eligible student may enroll in online courses [for no more than] totaling up to350six credits per school year.351(3) Notwithstanding Subsection (2):352(a) a student's primary LEA of enrollment may allow an eligible student to enroll in353online courses for more than the number of credits specified in Subsection (2); or354(4) An eligible student's primary LEA of enrollment:355(a) in conjunction with the student and the student's parent, is responsible for preparing359and implementing a plan for college and career readiness for the eligible student, as provided in366She2-2-304; and367(b) shall assist an eligible student in scheduling courses in accordance with the368spost-secondary plans.364(5) An eligible student's primary LEA of enrollment may not:365(a) impose restrictions on a stude	337	Online Education Program.
340offered through the Statewide Online Education Program if:341(a) the student meets the course prerequisites;342(b) the course is open for enrollment; and343(c) the online course is aligned with the student's plan for college and career344readiness[;]_345[(d) the online course is consistent with the student's HEP, if the student has an HEP;346and]347[(e) the online course is consistent with the student's international baccalaureate348program, if the student is participating in an international baccalaureate program.]349(2) An eligible student may enroll in online courses [for no more than] totaling up to350six credits per school year.351(3) Notwithstanding Subsection (2):352(a) a student's primary LEA of enrollment may allow an eligible student to enroll in353online courses for more than the number of credits specified in Subsection (2); or354(b) upon the request of an eligible student, the state board may allow the student to355enroll in online courses for more than the number of credits specified in Subsection (2), if the356online courses better meet the academic goals of the student.357(4) An eligible student's primary LEA of enrollment:368(a) in conjunction with the student and the student's parent, is responsible for preparing379and implementing a plan for college and career readiness for the eligible student, as provided in369Section 53E-2-304; and361(b) shall assist an eligible student in scheduling courses in accordance	338	(1) Subject to Subsections [(2) and (8) ,] (2) , (9) and (11) and with the advice of a
341(a) the student meets the course prerequisites;342(b) the course is open for enrollment; and343(c) the online course is aligned with the student's plan for college and career344readiness[;]_345[(d) the online course is consistent with the student's HEP, if the student has an HEP;346and]347[(c) the online course is consistent with the student's international baccalaureate348program, if the student is participating in an international baccalaureate program.]349(2) An eligible student may enroll in online courses [for no more than] totaling up to350six credits per school year.351(3) Notwithstanding Subsection (2):352(a) a student's primary LEA of enrollment may allow an eligible student to enroll in353online courses for more than the number of credits specified in Subsection (2); or354(b) upon the request of an eligible student, the state board may allow the student to355enroll in online courses for more than the number of credits specified in Subsection (2); or356(d) An eligible student's primary LEA of enrollment:357(4) An eligible student's primary LEA of enrollment:358(a) in conjunction with the student and the student's parent, is responsible for preparing359and implementing a plan for college and career readiness for the eligible student, as provided in360Section 53E-2-304; and361(b) shall assist an eligible student in scheduling courses in accordance with the362student's plan for college and career readiness, graduation req	339	school counselor at a student's primary LEA, an eligible student may enroll in an online course
 (b) the course is open for enrollment; and (c) the online course is aligned with the student's plan for college and career readiness[:]. [(d) the online course is consistent with the student's IEP, if the student has an IEP; and] [(e) the online course is consistent with the student's international baccalaureate program, if the student is participating in an international baccalaureate program.] (2) An eligible student may enroll in online courses [for no more than] totaling up to six credits per school year. (3) Notwithstanding Subsection (2): (a) a student's primary LEA of enrollment may allow an eligible student to enroll in online courses for more than the number of credits specified in Subsection (2); or (b) upon the request of an eligible student. (4) An eligible student's primary LEA of enrollment: (a) in conjunction with the student and the student's parent, is responsible for preparing and implementing a plan for college and career readiness for the eligible student, as provided in Section 53E-2-304; and (b) shall assist an eligible student in scheduling courses in accordance with the student's plan for college and career readiness, graduation requirements, and the student's (a) in college and career readiness, graduation requirements, and the student's (b) An eligible student's primary LEA of enrollment may not: (a) impose restrictions on a student's selection of an online course in a course in a student's parent, is responsible for preparing 	340	offered through the Statewide Online Education Program if:
 (c) the online course is aligned with the student's plan for college and career readiness[<u>7]</u>. [(d) the online course is consistent with the student's IEP, if the student has an IEP; and] [(e) the online course is consistent with the student's international baccalaureate program, if the student is participating in an international baccalaureate program.] (2) An eligible student may enroll in online courses [for no more than] totaling up to six credits per school year. (3) Notwithstanding Subsection (2): (a) a student's primary LEA of enrollment may allow an eligible student to enroll in online courses for more than the number of credits specified in Subsection (2); or (b) upon the request of an eligible student, the state board may allow the student to enroll in online courses for more than the number of credits specified in Subsection (2), if the online courses better meet the academic goals of the student. (4) An eligible student's primary LEA of enrollment: (a) in conjunction with the student and the student's parent, is responsible for preparing and implementing a plan for college and career readiness for the eligible student, as provided in Section 53E-2-304; and (b) shall assist an eligible student in scheduling courses in accordance with the student's plan for college and career readiness, graduation requirements, and the student's post-secondary plans. (5) An eligible student's primary LEA of enrollment may not: (a) impose restrictions on a student's selection of an online course that fulfills 	341	(a) the student meets the course prerequisites;
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 364 (5) An eligible student's primary LEA of enrollment may not: 365 (a) impose restrictions on a student's selection of an online course that fulfills 	362	student's plan for college and career readiness, graduation requirements, and the student's
365 (a) impose restrictions on a student's selection of an online course that fulfills	363	post-secondary plans.
	364	(5) An eligible student's primary LEA of enrollment may not:
366 graduation requirements and is consistent with the student's plan for college and career	365	(a) impose restrictions on a student's selection of an online course that fulfills
	366	graduation requirements and is consistent with the student's plan for college and career

367	readiness or post-secondary plans; or
368	(b) give preference to an online course or authorized online course provider.
369	(6) The state board, including an employee of the state board, may not give preference
370	to an online course or authorized online course provider.
371	(7) (a) Except as provided in Subsection (7)(b), a person may not provide an
372	inducement or incentive to a public school student to participate in the Statewide Online
373	Education Program.
374	(b) For purposes of Subsection (7)(a):
375	(i) "Inducement or incentive" does not mean:
376	(A) instructional materials or software necessary to take an online course; or
377	(B) access to a computer or digital learning device for the purpose of taking an online
378	course.
379	(ii) "Person" does not include a relative of the public school student.
380	(8) Subject to legislative appropriations, the state board shall provide Statewide Online
381	Education Program academic counseling that:
382	(a) may advise an eligible student or an eligible student's parent regarding an online
383	course enrollment including how an online course relates to graduation requirements described
384	in Section 53E-4-204 and administrative rule;
385	(b) provide the training described in Section 53F-4-514;
386	(c) provide technical support to an LEA, school-based counselor, eligible student, or
387	eligible student's parent;
388	(d) assist in gathering information, reports, and data an LEA requests; and
389	(e) direct an eligible student or an eligible student's parent to a school-specific
390	counselor for advice regarding an online course enrollment in relation to an LEA, or
391	school-specific graduation requirement and all other counseling services.
392	(9) If an eligible student has an IEP or Section 504 accommodation plan:
393	(a) the eligible student's primary LEA:
394	(i) shall:
395	(A) forward a copy of the relevant portions of the eligible student's existing IEP or
396	Section 504 accommodation plan to the authorized online course provider in accordance with
397	federal law and guidelines: and

397 <u>federal law and guidelines; and</u>

398	(B) ensure the authorized online course provider is provided an eligible student's
399	updated IEP when revisions are made;
400	<u>(ii) may:</u>
401	(A) ensure the eligible student's IEP team and the authorized online course provider
402	review a course enrollment for compliance with requirements described in Subsection (1); and
403	(B) as needed, coordinate additional IEP team reviews with the authorized online
404	course provider to ensure appropriate services, supports, and accommodations are in place for
405	the eligible student; and
406	(b) the authorized online course provider:
407	(i) shall implement an eligible student's IEP or section 504 accommodation plan; and
408	(ii) may seek assistance from the primary LEA to implement an eligible student's IEP
409	or section 504 accommodation plan.
410	(10) The state board shall create a model cooperative agreement between a primary
411	LEA and an authorized online course provider for use when the primary LEA determines that
412	an authorized online course provider would best provide IEP services.
413	(11) If the program lacks sufficient legislative appropriations to fund the enrollment in
414	online courses for all eligible students who do not have a primary LEA of enrollment, the state
415	board shall prioritize funding the enrollment of an eligible student who intends to graduate
416	from high school during the school year in which the student enrolls in an online course.
417	Section 6. Section 53F-4-504 is amended to read:
418	53F-4-504. Authorized online course providers Certified online course
419	providers.
420	(1) The following entities are known as an authorized online course provider and may
421	offer online courses to eligible students through the Statewide Online Education Program:
422	(a) [a charter school or district school] a school within an LEA created exclusively for
423	the purpose of serving students online;
424	(b) an LEA program, approved by the LEA governing board, that is created exclusively
425	for the purpose of serving students online;
426	(c) a program of an institution of higher education listed in Section 53B-2-101 that:
427	(i) offers secondary school level courses; and
428	(ii) is created exclusively for the purpose of serving students online; and

429	(d) a certified online course provider.
430	(2) The state board shall approve an online course provider as a certified online course
431	provider if the online course provider:
432	(a) complies with the application procedures described in Section 53F-4-514;
433	(b) meets the standards described in Section 53F-4-514;
434	(c) has a student information system that is compatible with the state board's
435	information system described in Section 53E-3-518; and
436	[(c)] (d) has prior experience offering online courses to secondary students.
437	(3) The state board may revoke the approval described in Subsection (2) if the state
438	board:
439	(a) finds that a certified online course provider is not complying with the requirements
440	described in Section 53F-4-514;
441	(b) provides written notice describing the findings of non-compliance to the certified
442	online course provider;
443	(c) provides the certified online course provider with at least 60 days to remedy the
444	findings of non-compliance;
445	(d) reevaluates the findings of non-compliance at least 60 days after the certified online
446	course provider's remedy period described in Subsection (3)(c); and
447	(e) finds after reevaluation that the certified online course provider has failed to
448	satisfactorily remedy the findings of non-compliance.
449	Section 7. Section 53F-4-505 is amended to read:
450	53F-4-505. Payment for an online course.
451	(1) For the 2012-13 school year, the fee for a .5 credit online course or .5 credit of a 1
452	credit online course is:
453	(a) \$200 for the following courses, except a concurrent enrollment course:
454	(i) financial literacy;
455	(ii) health;
456	(iii) fitness for life; and
457	(iv) computer literacy;
458	(b) \$200 for driver education;
459	(c) \$250 for a course that meets core standards for Utah public schools in fine arts or

460	career and technical education, except a concurrent enrollment course;
461	(d) \$300 for the following courses:
462	(i) a course that meets core standards for Utah public schools requirements in social
463	studies, except a concurrent enrollment course; and
464	(ii) a world language course, except a concurrent enrollment course;
465	(ii) a world language course, except a concurrent enronment course,(e) \$350 for the following courses:
466	(i) a course that meets core standards for Utah public schools requirements for
467	language arts, mathematics, or science; and
468	(ii) a concurrent enrollment course; and
469	(f) \$250 for a course not described in Subsections (1)(a) through (e).
470	(2) If a course meets the requirements of more than one course fee category described
471	in Subsection (1), the course fee shall be the lowest of the applicable course fee categories.
472	(3) The online course fees described in Subsection (1) shall be adjusted each school
473	year in accordance with the percentage change in value of the weighted pupil unit from the
474	previous school year.
475	(4) An authorized online course provider shall receive payment for an online course as
476	follows:
477	(a) for a .5 credit online course, 50% of the online course fee after the withdrawal
478	period described in Section 53F-4-506;
479	(b) for a 1 credit online course, 25% of the online course fee after the withdrawal
480	period described in Section 53F-4-506 and 25% of the online course fee upon the beginning of
481	the second .5 credit of the online course; and
482	(c) if a student completes a 1 credit online course within 12 months or a .5 credit
483	course within nine weeks following the end of a traditional semester, 50% of the online course
484	fee.
485	(5) (a) If a student fails to complete a 1 credit course within 12 months or a .5 credit
486	course within nine weeks following the end of a traditional semester, the student may continue
487	to be enrolled in the course until the student graduates from high school.
488	(b) To encourage an authorized online course provider to provide remediation to a
489	student who remains enrolled in an online course pursuant to Subsection (5)(a) and avoid the
490	need for credit recovery, an authorized online course provider shall receive a payment equal to

401	
491	30% of the online course fee if the student completes the online course:
492	(i) for a high school online course, before the student graduates from high school; or
493	(ii) for a middle school online course, before the student completes middle school.
494	(6) Notwithstanding the online course fees prescribed in Subsections (1) through (3), a
495	school district or charter school may:
496	(a) negotiate a fee with an authorized online course provider for an amount up to the
497	amount prescribed in Subsections (1) through (3); and
498	(b) pay the negotiated fee instead of the fee prescribed in Subsections (1) through (3).
499	(7) An authorized online course provider who contracts with a vendor for the
500	acquisition of online course content or online course instruction may negotiate the payment for
501	the vendor's service independent of the fees specified in Subsections (1) through (3).
502	(8) The state board may not remove a student from an online course if the student is
503	eligible for continued enrollment in the online course under Subsection (5).
504	(9) Upon request by a primary LEA, the state board shall provide an itemized report to
505	the primary LEA showing the deduction described in Subsection 53F-4-508(2) by student and
506	course enrolled.
507	Section 8. Section 53F-4-506 is amended to read:
508	53F-4-506. Withdrawal from an online course.
509	(1) An <u>authorized</u> online course provider shall establish a start date for an online
510	course, including a start date for the second .5 credit of a 1 credit online course.
511	(2) Except as provided in Subsection (3), a student may withdraw from an online
512	course:
513	(a) within 20 school calendar days of the start date, if the student enrolls in an online
514	course on or before the start date established pursuant to Subsection (1); or
515	(b) within 20 school calendar days of enrolling in the online course, if the student
516	enrolls in an online course after the start date established pursuant to Subsection (1).
517	(3) (a) A student may withdraw from a 1 credit online course within 20 school calendar
518	days of the start date of the second .5 credit of the online course.
519	(b) An <u>authorized</u> online course provider shall refund a payment received for the
520	second .5 credit of an online course if a student withdraws from the online course pursuant to
521	Subsection (3)(a).

522	(c) If a student withdraws from a 1 credit online course as provided in Subsection
523	(3)(a), the <u>authorized</u> online course provider shall receive payment for the student's completion
524	of .5 credit of the 1 credit course in the same manner as an <u>authorized</u> online course provider
525	receives payment for a student's completion of a .5 credit online course as described in
526	Subsection 53F-4-505(4).
527	Section 9. Section 53F-4-507 is amended to read:
528	53F-4-507. State board to deduct funds and make payments Plan for the
529	payment of online courses taken by private and home school students.
530	(1) Subject to future budget constraints, the Legislature shall adjust the appropriation
531	for the Statewide Online Education Program based on:
532	(a) the anticipated increase of eligible home school and private school students
533	enrolled in the Statewide Online Education Program; and
534	(b) the value of the weighted pupil unit.
535	(2) Notwithstanding Subsection (1) and subject to future budget constraints, the
536	Legislature shall:
537	(a) consider enrollment projections provided by the authorized online course providers
538	to account for enrollment growth during the appropriations process;
539	(b) provide a supplemental appropriation to adequately fund the Statewide Online
540	Education Program when the enrollment amount exceeds the projected enrollment amounts
541	provided by the authorized online course providers; and
542	(c) in the fiscal year beginning July 1, 2025, keep all other appropriations for the
543	Statewide Online Education Program separate from the appropriations described in Section
544	53F-4-518.
545	(3) (a) The state board shall deduct money from funds allocated to the student's
546	primary LEA of enrollment under Chapter 2, State Funding Minimum School Program, to
547	pay for online course fees.
548	(b) Money shall be deducted under Subsection (3)(a) in the amount and at the time an
549	authorized online course provider qualifies to receive payment for an online course provided to
550	a public education student, not to exceed 90 days after qualification, as provided in Subsection
551	53F-4-505(4).
552	(c) [Beginning July 1, 2023, the] The state board shall deduct money from funds

553	allocated for course fees for a private school or home school student in the amount and at the
554	time an authorized online course provider qualifies to receive payment for an online course, not
555	to exceed 90 days after qualification.
556	(4) From money deducted under Subsection (3), the state board shall make payments to
557	the student's authorized online course provider as provided in Section 53F-4-505.
558	[(5) The Legislature shall establish a plan for the payment of online courses taken by a
559	private school or home school student.]
560	Section 10. Section 53F-4-508 is amended to read:
561	53F-4-508. Course credit acknowledgment.
562	(1) A student's primary LEA of enrollment and the student's <u>authorized</u> online course
563	provider shall:
564	(a) enter into a course credit acknowledgment in which the primary LEA of enrollment
565	and the authorized online course provider acknowledge that the authorized online course
566	provider is responsible for the instruction of the student in a specified online course[-]; and
567	(b) agree upon a process to provide the primary LEA with the ability to ensure
568	consistency of a course request with a student's:
569	(i) IEP or Section 504 accommodation plan;
570	(ii) graduation requirements; and
571	(iii) schedule, if applicable.
572	(2) The terms of the course credit acknowledgment shall provide that:
573	(a) the <u>authorized</u> online course provider shall receive a payment in the amount
574	provided under Section 53F-4-505; and
575	(b) the student's primary LEA of enrollment acknowledges that the state board will
576	deduct funds allocated to the LEA under Chapter 2, State Funding Minimum School
577	Program, in the amount and at the time the authorized online course provider qualifies to
578	receive payment for the online course as provided in Subsection 53F-4-505(4).
579	(3) (a) A course credit acknowledgment may originate with either an <u>authorized</u> online
580	course provider or primary LEA of enrollment.
581	(b) The originating entity shall submit the course credit acknowledgment to the state
582	board who shall forward it to the primary LEA of enrollment for course selection verification
583	or the <u>authorized</u> online course provider for acceptance.

584	(c) (i) A primary LEA of enrollment may only reject a course credit acknowledgment
585	if:
586	(A) the online course is not aligned with the student's plan for college and career
587	readiness; <u>or</u>
588	[(B) the online course is not consistent with the student's IEP, if the student has an
589	IEP;]
590	[(C) the online course is not consistent with the student's international baccalaureate
591	program, if the student participates in an international baccalaureate program; or]
592	[(D)] (B) the number of online course credits exceeds the maximum allowed for the
593	year as provided in Section 53F-4-503.
594	(ii) Verification of alignment of an online course with a student's plan for college and
595	career readiness does not require a meeting with the student.
596	(d) An <u>authorized</u> online course provider may only reject a course credit
597	acknowledgment if:
598	(i) the student does not meet course prerequisites; or
599	(ii) the course is not open for enrollment.
600	(e) [A] Except as provided in Subsection (5), a primary LEA of enrollment or
601	authorized online course provider shall submit an acceptance or rejection of a course credit
602	acknowledgment to the state board within $[72]$ 24 business hours of the receipt of a course
603	credit acknowledgment from the state board pursuant to Subsection (3)(b).
604	(f) If an <u>authorized</u> online course provider accepts a course credit acknowledgment, the
605	authorized online course provider shall forward to the primary LEA of enrollment the online
606	course start date as established under Section 53F-4-506.
607	(g) If an <u>authorized</u> online course provider rejects a course credit acknowledgment, the
608	authorized online course provider shall include an explanation which the state board shall
609	forward to the primary LEA of enrollment for the purpose of assisting a student with future
610	online course selection.
611	(h) [H] Except as provided in Subsection (5), if a primary LEA of enrollment does not
612	submit an acceptance or rejection of a course credit acknowledgment to the state board within
613	[72] 24 business hours of the receipt of a course credit acknowledgment from the state board
614	pursuant to Subsection (3)(b), the state board shall consider the course credit acknowledgment

615	accepted.
616	(i) (i) Upon acceptance of a course credit acknowledgment, the primary LEA of
617	enrollment shall notify the student of the acceptance and the start date for the online course as
618	established under Section 53F-4-506.
619	(ii) Upon rejection of a course credit acknowledgment, the primary LEA of enrollment
620	shall notify the student of the rejection and provide an explanation of the rejection.
621	[(j) If the online course student has an individual education plan (IEP) or 504
622	accommodations, the primary LEA of enrollment shall forward the IEP or description of 504
623	accommodations to the online course provider within 72 business hours after the primary LEA
624	of enrollment receives notice that the online course provider accepted the course credit
625	acknowledgment.]
626	(4) (a) A primary LEA of enrollment may not reject a course credit acknowledgment,
627	because the LEA is negotiating, or intends to negotiate, an online course fee with the
628	authorized online course provider pursuant to Subsection 53F-4-505(6).
629	(b) If a primary LEA of enrollment negotiates an online course fee with an <u>authorized</u>
630	online course provider before the start date of an online course, a course credit
631	acknowledgment may be amended to reflect the negotiated online course fee.
632	(5) A primary LEA of enrollment may intervene and reject a course credit
633	acknowledgment up to 72 business hours after the actual or constructive acceptance of a
634	course credit acknowledgment under Subsection (4), if the primary LEA of enrollment
635	determines the online course enrollment meets the criteria of Subsection (3)(c).
636	Section 11. Section 53F-4-509 is amended to read:
637	53F-4-509. Online course credit hours included in daily membership
638	Limitation.
639	(1) Subject to Subsection (2), a student's primary LEA of enrollment shall include
640	online course credit hours in calculating daily membership.
641	(2) A student may not count as more than one FTE, unless the student intends to
642	complete high school graduation requirements, and exit high school, early, in accordance with
643	the student's plan for college and career readiness.
644	(3) A student who enrolls in an online course may not be counted in membership for a
645	released-time class, if counting the student in membership for a released-time class would

646	result in the student being counted as more than one FTE.
647	(4) Except as provided in Subsection (5), a student enrolled in an online course may
648	not earn [no] more credits in a year than the number of credits a student may earn in a year by
649	taking a full course load during the regular school day in the student's primary LEA of
650	enrollment.
651	(5) A student enrolled in an online course may earn more credits in a year than the
652	number of credits a student may earn in a year by taking a full course load during the regular
653	school day in the student's primary LEA of enrollment:
654	(a) if the student intends to complete high school graduation requirements, and exit
655	high school, early, in accordance with the student's plan for college and career readiness; or
656	(b) if allowed under [local school board or charter school governing board] an LEA
657	governing board policy.
658	Section 12. Section 53F-4-510 is amended to read:
659	53F-4-510. Administration of statewide assessments to students enrolled in online
660	courses.
661	(1) A student enrolled in an online course that is a course for which a statewide
662	assessment is administered under Title 53E, Chapter 4, Part 3, Assessments, shall take the
663	statewide assessment.
664	(2) (a) The state board shall make rules providing for the administration of a statewide
665	assessment to a student enrolled in an online course.
666	(b) Rules made under Subsection (2)(a) shall:
667	(i) provide for the administration of a statewide assessment upon a student completing
668	an online course; and
669	(ii) require an <u>authorized</u> online course provider to proctor the statewide assessment.
670	Section 13. Section 53F-4-511 is amended to read:
671	53F-4-511. Report on performance of authorized online course providers.
672	(1) The state board, in collaboration with <u>authorized</u> online course providers, shall
673	develop a report on the performance of <u>authorized</u> online course providers, which may be used
674	to evaluate the Statewide Online Education Program and assess the quality of an authorized
675	online course provider.
676	(2) A report on the performance of an authorized online course provider shall include:

677	(a) scores aggregated by test on statewide assessments administered under Title 53E,
678	Chapter 4, Part 3, Assessments, taken by students at the end of an online course offered
679	through the Statewide Online Education Program;
680	(b) the percentage of the <u>authorized</u> online course provider's students who complete
681	online courses within the applicable time period specified in Subsection 53F-4-505(4)(c);
682	(c) the percentage of the <u>authorized</u> online course provider's students who complete
683	online courses after the applicable time period specified in Subsection 53F-4-505(4)(c) and
684	before the student graduates from high school; and
685	(d) the pupil-teacher ratio for the combined online courses of the <u>authorized</u> online
686	course provider.
687	(3) The state board shall post a report on the performance of an <u>authorized</u> online
688	course provider on the Statewide Online Education Program's website described in Section
689	<u>53F-4-512</u> .
690	Section 14. Section 53F-4-512 is amended to read:
691	53F-4-512. Dissemination of information on the Statewide Online Education
692	Program.
693	(1) The state board shall develop a website for the Statewide Online Education
694	Program which shall include:
695	(a) a description of the Statewide Online Education Program, including its purposes;
696	(b) information on who is eligible to enroll, and how an eligible student may enroll, in
697	an online course;
698	(c) a directory of <u>authorized</u> online course providers;
699	(d) a link to a course catalog for each <u>authorized</u> online course provider; and
700	(e) a report on the performance of <u>authorized</u> online course providers as required by
701	Section 53F-4-511.
702	(2) An <u>authorized</u> online course provider shall provide the following information on
703	the <u>authorized</u> online course provider's website:
704	(a) a description of the Statewide Online Education Program, including its purposes;
705	(b) information on who is eligible to enroll, and how an eligible student may enroll, in
706	an online course;
707	(c) a course catalog;

708	(d) scores aggregated by test on statewide assessments administered under Title 53E,
709	Chapter 4, Part 3, Assessments, taken by students at the end of an online course offered
710	through the Statewide Online Education Program;
711	(e) the percentage of an <u>authorized</u> online course provider's students who complete
712	online courses within the applicable time period specified in Subsection 53F-4-505(4)(c);
713	(f) the percentage of an <u>authorized</u> online course provider's students who complete
714	online courses after the applicable time period specified in Subsection 53F-4-505(4)(c) and
715	before the student graduates from high school; and
716	(g) the <u>authorized</u> online [learning] <u>course</u> provider's pupil-teacher ratio for the online
717	courses combined.
718	Section 15. Section 53F-4-513 is amended to read:
719	53F-4-513. Time period to enroll in an online course.
720	(1) To provide an LEA and <u>an authorized</u> online course [providers] provider with
721	estimates of online course enrollment, a student should enroll in an online course, or declare an
722	intention to enroll in an online course:
723	(a) for a high school online course, during the time period the LEA designates for high
724	school course registration; or
725	(b) for a middle school online course, during the time period the LEA designates for
726	middle school course registration.
727	(2) Notwithstanding Subsection (1) and except as provided in Subsection (3), a student
728	may enroll in an online course at any time during a calendar year.
729	(3) (a) A student may alter a course schedule by dropping a traditional classroom
730	course and adding an online course consistent with course schedule alteration procedures
731	adopted by the student's primary LEA of enrollment.
732	(b) [A school district's or high school's] An LEA or school's deadline for dropping a
733	traditional classroom course and adding an online course shall be the same deadline for
734	dropping and adding a traditional classroom course.
735	Section 16. Section 53F-4-514 is amended to read:
736	53F-4-514. State board Rulemaking Fees.
737	(1) Notwithstanding Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
738	state board shall provide a delayed effective date that is after the school year has ended for a

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739 change to an administrative rule related to the Statewide Online Education Program if the 740 change would require an authorized online course provider to make program changes during 741 the school year. 742 (2) The state board shall make rules in accordance with this part and Title 63G, 743 Chapter 3, Utah Administrative Rulemaking Act, that establish: 744 (a) a course credit acknowledgement form and procedures for completing and 745 submitting to the state board a course credit acknowledgement; 746 (b) procedures for the administration of a statewide assessment to a student enrolled in 747 an online course; and 748 (c) protocols for an online course provider to obtain approval to become a certified 749 online course provider, including: 750 (i) the application procedure for an online course provider to obtain approval to 751 become a certified online course provider: and (ii) the standards that a certified online course provider and any online course the 752 753 certified online course provider offers shall meet; 754 (d) in accordance with Title 53E, Chapter 4, Academic Standards, Assessments, and 755 Materials, criteria for an authorized online course provider to submit for approval an online 756 course that does not have an existing state board course code: 757 (e) no later than July 1, 2024, a process within existing systems at the state board to 758 allow a certified online course provider access to an educator's licensing, endorsement, 759 certification, and assignment information if the educator is teaching an online course for the 760 certified online course provider; 761 (f) in consultation with the authorized online course providers, the parameters for 762 conducting a site visit including: 763 (i) a definition for the term site visit; 764 (ii) the minimum amount of time required for: 765 (A) notice to an authorized online course provider of a site visit; and 766 (B) an authorized online course provider to prepare for a site visit; 767 (iii) the documents, data, and artifacts subject to inspection during a site visit; and 768 (iv) a process to ensure a site visit allows for observation of instruction without 769 interfering with the instruction[-];

770	(g) annual mandatory training for relevant staff at a primary LEA that includes:
771	(i) program requirements for a primary LEA including reporting requirements and
772	methods;
773	(ii) uses of resources and tools to ensure adequate monitoring of an eligible student's
774	progress;
775	(iii) federal and state requirements for accommodating enrollments that involve special
776	education;
777	(iv) appropriate circumstances and methodologies for reducing an eligible student's
778	schedule; and
779	(v) other components the state board determines are necessary; and
780	(3) (a) When establishing the standards described in Subsection $(2)(c)(ii)$ the state
781	board shall:
782	(i) establish rules and minimum standards regarding accreditation;
783	(ii) require an online course to be aligned with the core standards described in Section
784	53E-4-202;
785	(iii) require proof that a national organization responsible for college athletics
786	endorses:
787	(A) the certified online course provider; or
788	(B) the online course that a certified online course provider offers;
789	(iv) permit an open-entry, open-exit method of instructional delivery that allows a
790	student the flexibility to:
791	(A) schedule in response to individual needs or requirements;
792	(B) demonstrate competency when the student has mastered knowledge and skills;
793	(C) begin or end study at any time; and
794	(D) progress through course material at the student's own pace; and
795	(v) except as provided in Subsection [(4)] (5), require an individual who teaches a
796	course for a certified online course provider to hold a teaching license issued by the state board.
797	(b) When establishing the standards described in Subsection (2)(c)(ii), the state board
798	may not:
799	(i) specify a minimum duration for an online course;
800	(ii) specify a minimum amount of time that a student must spend in an online course;

801	or
802	(iii) limit the class size of an online course.
803	(4) No later than January 31, 2026, the state board shall create a communication
804	dashboard for the program that may include:
805	(a) a counselor contact list for an eligible student that is accessible to an authorized
806	online course provider; and
807	(b) progress monitoring fields that are accessible to the primary LEA, the eligible
808	student's counselor, and the eligible student's parent containing:
809	(i) grade progress reporting of an eligible student by an authorized online course
810	provider;
811	(ii) an ability to flag a student that is at-risk of failing an online course; and
812	(iii) other relevant capabilities the state board determines to be necessary in
813	consultation with LEA users of the dashboard.
814	[(4)] (5) If an individual possesses a provider-specific license described in Section
815	53E-6-201, the state board may not prohibit the individual from teaching an online course for
816	an authorized online course provider while the individual is in the process of obtaining an
817	endorsement or additional license issued by the state board.
818	[(5)] (6) The state board may establish a fee, in accordance with Section 63J-1-504, in
819	an amount to pay the costs to the state board of the application approval process and the
820	monitoring of a certified online course provider's compliance with the standards described in
821	Subsection (2)(c)(ii).
822	[(6)] (7) (a) Fee revenue collected in accordance with Subsection $[(5)]$ (6) shall be:
823	(i) deposited into the Uniform School Fund as a dedicated credit; and
824	(ii) used to pay the costs to the state board of reviewing certified online course
825	providers' applications and compliance with the standards described in Subsection (2)(c)(ii).
826	Section 17. Section 53F-4-516 is amended to read:
827	53F-4-516. Report of noncompliance Action to ensure compliance.
828	(1) The state superintendent shall report to the state board any report of noncompliance
829	of this part made to a staff member of [the staff of] the state board.
830	(2) The state board shall take appropriate action to ensure compliance with this part.
831	Section 18. Section 53F-4-517 is amended to read:

832	53F-4-517. Agreements for online instruction.
833	(1) In addition to offering online courses to students through the [Statewide Online
834	Education Program] program, a school district or charter school may enter into an agreement
835	with another school district or charter school or a consortium of school districts or charter
836	schools to provide online instruction to the school district's or charter school's students.
837	(2) Online instruction offered pursuant to Subsection (1) is not subject to the
838	requirements of this part.
839	Section 19. Section 53F-4-518 is amended to read:
840	53F-4-518. Small school student access to college and career readiness courses.
841	Subject to legislative appropriations and Subsection 53F-4-514(2)(h), and
842	notwithstanding Subsections 53F-4-509(2) and (3), the state board shall:
843	(1) use funds from an appropriation for the Statewide Online Education Program to pay
844	for an online course fee described in Section 53F-4-505 for a student who is enrolled in a
845	public high school that enrolls fewer than 1,000 students; and
846	(2) after the funds described in Subsection (1) have been expended, make a deduction
847	as described in Subsection 53F-4-507(3).
848	Section 20. Effective date.
849	This bill takes effect on May 1, 2024.