

HB0417S01 compared with HB0417

~~{deleted text}~~ shows text that was in HB0417 but was deleted in HB0417S01.

inserted text shows text that was not in HB0417 but was inserted into HB0417S01.

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.

Representative Kera Birkeland proposes the following substitute bill:

ONLINE COURSE ACCESS AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kera Birkeland

Senate Sponsor: _____

LONG TITLE

General Description:

This bill ~~{provides an exception to the requirement that the State Board of Education deduct money from a student's primary local education agency to pay fees for a course in which the student enrolls through the Statewide Online Education Program}~~ ensures payment of an online course fee for students attending small schools.

Highlighted Provisions:

This bill:

- ▶ ~~{provides that}~~ requires the State Board of Education to use funds from an appropriation to the Statewide Online Education Program to pay ~~{for a student's}~~ an online course ~~{instead of deducting funds from a student's primary local education agency of enrollment under certain conditions; and~~
→ ~~makes technical and conforming changes}~~ fee for a student attending a small school.

HB0417S01 compared with HB0417

Money Appropriated in this Bill:

None

Other Special Clauses:

~~{ This bill provides a special effective date. }~~ None

Utah Code Sections Affected:

~~{AMENDS:~~

~~53F-4-507, as last amended by Laws of Utah 2019, Chapter 186~~

~~53F-4-508, as last amended by Laws of Utah 2019, Chapter 186}~~ ENACTS:

53F-4-518, Utah Code Annotated 1953

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

Section 1. Section ~~{53F-4-507}~~ 53F-4-518 is ~~{amended}~~ enacted to read:

~~{53F-4-507}~~ 53F-4-518. { State board to deduct funds and make payments -- Plan for the payment of online courses taken by private and home school students.

~~_____ (1) [For a fiscal year that begins on or after July 1, 2018, and subject] Subject to future budget constraints, the Legislature shall adjust the appropriation for the Statewide Online Education Program based on:~~

~~_____ (a) the anticipated increase of eligible home school and private school students enrolled in the Statewide Online Education Program; and~~

~~_____ (b) the value of the weighted pupil unit.~~

~~_____ (2) (a) [The] Except as provided in Subsection (3), the state board shall deduct money from funds allocated to the student's primary LEA of enrollment under Chapter 2, State Funding -- Minimum School Program, to pay for online course fees.~~

~~_____ (b) [Money shall be deducted] The state board shall deduct money under Subsection (2)(a) in the amount and at the time an online course provider qualifies to receive payment for an online course as provided in Subsection 53F-4-505(4).~~

~~_____ [(3)] (c) From money deducted under Subsection (2)(a) or described in Subsection (3), the state board shall make payments to the student's online course provider as provided in Section 53F-4-505.~~

~~_____ (3) }~~ Small school student access to college and career readiness courses.

Subject to legislative appropriations {,} and notwithstanding Subsections 53F-4-509(2)

HB0417S01 compared with HB0417

and (3), in lieu of a deduction described in Subsection 53F-4-507(2), the state board shall use funds from an appropriation for the Statewide Online Education Program to pay for an online course fee described in Section 53F-4-505 for a student who is enrolled in a public high school that enrolls fewer than 1,000 students.

~~{ (4) 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.~~

~~Section 2. Section 53F-4-508 is amended to read:~~

~~**53F-4-508. Course credit acknowledgment.**~~

~~(1) A student's primary LEA of enrollment and the student's online course provider shall enter into a course credit acknowledgment in which the primary LEA of enrollment and the online course provider acknowledge that the online course provider is responsible for the instruction of the student in a specified online course.~~

~~(2) The terms of the course credit acknowledgment shall provide that:~~

~~(a) the online course provider shall receive a payment in the amount provided under Section 53F-4-505; and~~

~~(b) the student's primary LEA of enrollment acknowledges that the state board will deduct funds allocated to the LEA under Chapter 2, State Funding -- Minimum School Program, in accordance with Section 53F-4-507, in the amount and at the time the online course provider qualifies to receive payment for the online course as provided in Subsection 53F-4-505(4).~~

~~(3) (a) A course credit acknowledgment may originate with either an online course provider or primary LEA of enrollment.~~

~~(b) The originating entity shall submit the course credit acknowledgment to the state board who shall forward it to the primary LEA of enrollment for course selection verification or the online course provider for acceptance.~~

~~(c) (i) A primary LEA of enrollment may only reject a course credit acknowledgment if:~~

~~(A) the online course is not aligned with the student's plan for college and career readiness;~~

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

~~(C) the online course is not consistent with the student's [international baccalaureate]~~

HB0417S01 compared with HB0417

~~International Baccalaureate program, if the student participates in an [international baccalaureate] International Baccalaureate program; or~~

~~—— (D) the number of online course credits exceeds the maximum allowed for the year as provided in Section 53F-4-503;~~

~~—— (ii) Verification of alignment of an online course with a student's plan for college and career readiness does not require a meeting with the student;~~

~~—— (d) An online course provider may only reject a course credit acknowledgment if:~~

~~—— (i) the student does not meet course prerequisites; or~~

~~—— (ii) the course is not open for enrollment;~~

~~—— (e) A primary LEA of enrollment or online course provider shall submit an acceptance or rejection of a course credit acknowledgment to the state board within 72 business hours of the receipt of a course credit acknowledgment from the state board pursuant to Subsection (3)(b);~~

~~—— (f) If an online course provider accepts a course credit acknowledgment, the online course provider shall forward to the primary LEA of enrollment the online course start date as established under Section 53F-4-506;~~

~~—— (g) If an online course provider rejects a course credit acknowledgment, the online course provider shall include an explanation which the state board shall forward to the primary LEA of enrollment for the purpose of assisting a student with future online course selection;~~

~~—— (h) If a primary LEA of enrollment does not submit an acceptance or rejection of a course credit acknowledgment to the state board within 72 business hours of the receipt of a course credit acknowledgment from the state board pursuant to Subsection (3)(b), the state board shall consider the course credit acknowledgment accepted;~~

~~—— (i) (i) Upon acceptance of a course credit acknowledgment, the primary LEA of enrollment shall notify the student of the acceptance and the start date for the online course as established under Section 53F-4-506;~~

~~—— (ii) Upon rejection of a course credit acknowledgment, the primary LEA of enrollment shall notify the student of the rejection and provide an explanation of the rejection;~~

~~—— (j) If the online course student has an individual education plan (IEP) or 504 accommodations, the primary LEA of enrollment shall forward the IEP or description of 504 accommodations to the online course provider within 72 business hours after the primary LEA~~

HB0417S01 compared with HB0417

~~of enrollment receives notice that the online course provider accepted the course credit acknowledgment:~~

~~—— (4) (a) A primary LEA of enrollment may not reject a course credit acknowledgment, because the LEA is negotiating, or intends to negotiate, an online course fee with the online course provider pursuant to Subsection 53F-4-505(6):~~

~~—— (b) If a primary LEA of enrollment negotiates an online course fee with an online course provider before the start date of an online course, a course credit acknowledgment may be amended to reflect the negotiated online course fee.~~

~~—— Section 3. **Effective date:**~~

~~—— This bill takes effect on May 4, 2022.~~

~~‡~~