

1 **EXCHANGE STUDENT GUARDIANSHIP AMENDMENTS**

 2024 THIRD SPECIAL SESSION

 STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

 Senate Sponsor: Kirk A. Cullimore

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3 **LONG TITLE**

4 **General Description:**

5 This bill amends the definition of an eligible student to allow exchange students to
6 participate in the Statewide Online Education Program (SOEP).

7 **Highlighted Provisions:**

8 This bill:

9 ▸ amends the definition of an eligible student to allow exchange students to participate in
10 the SOEP.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 This bill provides a special effective date.

15 This bill provides retrospective operation.

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **53F-4-501**, as last amended by Laws of Utah 2024, Chapters 24, 26

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

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

22 **53F-4-501 . Definitions.**

23 As used in this part:

24 (1) "Authorized online course provider" means the entities listed in Subsection 53F-4-504(1).

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

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

- 29 (3) "Credit" means credit for a high school course, or the equivalent for a middle school
 30 course, as determined by the state board.
- 31 (4)(a) "Eligible student" means a student:
- 32 (i) who intends to take a course for middle school or high school credit; and
- 33 (ii)(A) who is enrolled in an LEA in Utah;~~[-or]~~
- 34 (B) who attends a private school or home school and whose custodial parent is a
 35 resident of Utah~~[-]~~ ; or
- 36 (C) who is an exchange student residing in Utah and enrolled in an LEA or private
 37 school in Utah.
- 38 (b) "Eligible student" does not include a scholarship student as defined in Section
 39 53F-6-401.
- 40 (5) "Exchange student" means a student sponsored by an agency approved by an LEA or
 41 private school governing board or a student who has an F-1, J-1, or J-2 visa.
- 42 (6) "High school" means grade 9, 10, 11, or 12.
- 43 ~~[(6)]~~ (7) "Middle school" means, only for purposes of student eligibility to participate in the
 44 Statewide Online Education Program, grade 6, 7, or 8.
- 45 ~~[(7)]~~ (8) "Online course" means a course of instruction offered by the Statewide Online
 46 Education Program through the use of digital technology, regardless of whether the
 47 student participates in the course at home, at school, at another location, or any
 48 combination of these.
- 49 ~~[(8)]~~ (9) "Plan for college and career readiness" means the same as that term is defined in
 50 Section 53E-2-304.
- 51 ~~[(9)]~~ (10) "Primary LEA of enrollment" or "primary LEA" means the LEA in which an
 52 eligible student is enrolled for courses other than online courses offered through the
 53 Statewide Online Education Program.
- 54 ~~[(10)]~~ (11) "Released-time" means a period of time during the regular school day a student
 55 is excused from school at the request of the student's parent pursuant to rules of the state
 56 board.
- 57 ~~[(11)]~~ (12) "State board's contractor" means the private entity described in Section 53F-4-503
 58 with which the state board contracts to administer the portion of the Statewide Online
 59 Education Program designated for a student who attends private school or home school.
- 60 Section 2. **Effective date.**
- 61 If approved by two-thirds of all the members elected to each house, this bill takes
 62 effect upon approval by the governor, or the day following the constitutional time limit

63 of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the
64 case of a veto, the date of veto override.

65 Section 3. **Retrospective operation.**

66 This bill has retrospective operation to January 1, 2024.