

EXCHANGE STUDENT GUARDIANSHIP AMENDMENTS

2024 THIRD SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill amends the definition of an eligible student to allow $\hat{H} \rightarrow$ [foreign] $\leftarrow \hat{H}$ exchange students to participate in the Statewide Online Education Program (SOEP).

Highlighted Provisions:

This bill:

▶ amends the definition of an eligible student to allow $\hat{H} \rightarrow$ [foreign] $\leftarrow \hat{H}$ exchange students to participate in the SOEP.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides retrospective operation.

Utah Code Sections Affected:

AMENDS:

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

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:



28 (1) "Authorized online course provider" means the entities listed in Subsection
29 53F-4-504(1).

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

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

34 (3) "Credit" means credit for a high school course, or the equivalent for a middle
35 school course, as determined by the state board.

36 (4) (a) "Eligible student" means a student:

37 (i) who intends to take a course for middle school or high school credit; and

38 (ii) (A) who is enrolled in an LEA in Utah; ~~or~~

39 (B) who attends a private school or home school and whose custodial parent is a
40 resident of Utah~~[-]; or~~

41 (C) who is ~~is~~ ~~a~~ ~~foreign~~ ~~an~~ ~~exchange~~ ~~student~~ ~~residing~~ ~~in~~ ~~Utah~~ ~~and~~ ~~enrolled~~ ~~in~~ ~~an~~
41a LEA or
42 private school in Utah.

43 (b) "Eligible student" does not include a scholarship student as defined in Section
44 53F-6-401.

45 (5) "~~is~~ ~~a~~ ~~Foreign~~ ~~exchange~~ ~~Exchange~~ ~~student~~" means a student sponsored by an
45a agency approved by
46 an LEA or private school governing board ~~is~~ ~~or~~ ~~a~~ ~~student~~ ~~who~~ ~~has~~ ~~an~~ ~~F-1~~, ~~J-1~~, ~~or~~ ~~J-2~~ ~~visa~~ ~~is~~ .

47 (6) "High school" means grade 9, 10, 11, or 12.

48 ~~(6)~~ (7) "Middle school" means, only for purposes of student eligibility to participate
49 in the Statewide Online Education Program, grade 6, 7, or 8.

50 ~~(7)~~ (8) "Online course" means a course of instruction offered by the Statewide Online
51 Education Program through the use of digital technology, regardless of whether the student
52 participates in the course at home, at school, at another location, or any combination of these.

53 ~~(8)~~ (9) "Plan for college and career readiness" means the same as that term is defined
54 in Section 53E-2-304.

55 ~~(9)~~ (10) "Primary LEA of enrollment" or "primary LEA" means the LEA in which an
56 eligible student is enrolled for courses other than online courses offered through the Statewide
57 Online Education Program.

58 ~~(10)~~ (11) "Released-time" means a period of time during the regular school day a

59 student is excused from school at the request of the student's parent pursuant to rules of the
60 state board.

61 [(H)] (12) "State board's contractor" means the private entity described in Section
62 53F-4-503 with which the state board contracts to administer the portion of the Statewide
63 Online Education Program designated for a student who attends private school or home school.

64 Section 2. **Effective date.**

65 If approved by two-thirds of all the members elected to each house, this bill takes effect
66 upon approval by the governor, or the day following the constitutional time limit of Utah
67 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
68 the date of veto override.

69 Section 3. **Retrospective operation.**

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

