

August 23, 2011

Statewide Public Education Online Program Frequently Asked Questions

There are several different options available to high school students to utilize online education in Utah. Students and parents may use the planning form on the Statewide Public Education Online website to start the process of inquiring about online courses with their school counselor or other LEA personnel. School counselors play a vital role in helping enroll students in online courses that meet their educational goals.

Planning Form - <http://www.schools.utah.gov/edonline/Students-and-Parents/Student-and-Parent-Online-Course-Plan.aspx>

Listed below are several options open to students to enroll in online courses. Note that only option seven (7) is part of the Statewide Public Education Online Program for school year 2011-2012. Thus, options one (1) through six (6) do **not** fall under the Statewide Public Education Online Program or require a Course Credit Acknowledgement (CCA).

- 1) Online courses offered directly to high school students by their current school district or charter school.
- 2) Electronic High School (EHS) courses.
- 3) Third party providers offering online courses through a student's current school district or charter school for free or for a fee.
- 4) College-level courses from third party providers either offered by a student's current school district or charter school, or independent of their current school district or charter school.
- 5) Online classes offered directly to students by private providers for a fee.
- 6) Online classes taken for credit recovery.
- 7) **Statewide Public Education Online Program – courses initiated through a Course Credit Acknowledgement (CCA) to be fulfilled by a Provider LEA outside a student's current school district or charter school.**

PLEASE DO NOT ASK YOUR COUNSELOR TO INITIATE A COURSE CREDIT ACKNOWLEDGEMENT UNLESS YOUR STUDENT WILL BE TAKING A COURSE THROUGH THE STATEWIDE PUBLIC EDUCATION ONLINE PROGRAM SPECIFICALLY.

FREQUENTLY ASKED QUESTIONS CONCERNING THE STATEWIDE PUBLIC EDUCATION ONLINE PROGRAM:

- 1) What is the Statewide Public Education Online Program?
 - a. The Statewide Public Education Online Program was initiated by SB 65 (now in Utah Code §53A-15-1002 et seq). The Statewide Public Education Online Program (SPEOP) allows students to choose to take as many as two online courses delivered through a school district or charter school outside of the student’s own district or school; these courses replace two courses that the student would take at their own school. All providers of online services in this program are accredited through the Northwest Accreditation Commission.
 - b. If a student chooses one or two courses from a school district or charter school that is not the student’s district or charter school of enrollment, the student works with their school counselor, parent and a public education online Provider of choice to select an online course that will meet specific standards, and provide high school credit for the student.
 - c. The Program involves the use of a Course Credit Acknowledgment (CCA); this finalizes an agreement between the student’s own school, and the online provider. The selected provider will receive payment that is withheld from the funds of the resident school district or charter school once the student begins taking the online course.

- 2) Are all students eligible to participate in this program?
 - a. Currently, students enrolled in a school district or charter school in Utah, including students with disabilities and English language learners, are eligible for enrollment in the Statewide Public Online Program (Program) (§53A-15-1202(6)).
 - b. Home-schooled or private school students must enroll in a Utah district or charter school for at least two “traditional” school courses provided by the district or charter school of enrollment, to be eligible for the Program. This results in the availability of funds for reimbursement of costs to the online provider. The student would thus be enrolled for 2/8 of a day at a boundary school or charter school, allowing payment to flow to the home school to fund courses supplied to the student accessing course work through an online provider participating in the Statewide Public Education Online Program.
 - c. Beginning July 1, 2013, a student who attends a private school or home school and whose custodial parent or legal guardian is a resident of Utah will be directly eligible for the Statewide Public Education Online Program (§53A-15-120). Currently, enrollment must be facilitated through another public school.

- 3) Who is an eligible “online course provider”?
 - a. *Online course provider* (Provider) means a district school, a charter school or an district or charter school program created for the purpose of serving Utah students grades 9-12 online (R277-726-1(K)). Beginning with the 2012–13 school year, the

Electronic High School is intended to be an authorized online course provider for the Program (§53A-15-1205(1)).

- 4) Who is the “primary LEA of enrollment,” and who is the “primary school of enrollment?”
 - a. The *primary LEA of enrollment* means a student’s LEA (meaning a school district or charter school in charge of locally administering education) defined under §53A-15-1202(9) (R277-726-1(L.)).
 - b. The *primary school of enrollment* means a student’s school or charter school of record, where the student takes the majority of his/her classes, and which maintains the student’s cumulative file, enrollment information and transcript (R277-726-1(M)).
- 5) Will online providers of courses through the Statewide Public Education Online Program be accountable for student progress?
 - a. Online providers must administer state-designated assessments ordinarily required for a course as per R277-473 (R277-726-7(A)).
 - b. The Utah State Board of Education (USBE) shall develop a report on the performance of online course providers, which may be used to evaluate the Statewide Public Education Online Program and assess the quality of an online course Provider (§53A-15-1211).
- 6) What funding flows to Providers of the Statewide Public Education Online Program?
 - a. The funding formula for the Program is stipulated by §53A-15-1206, 1207 and USBE R277-726-6(D-K).
 - b. Special Education funding is received by the primary LEA of enrollment (see question “4” for more explanation), who is accountable for the provision of FAPE to the student.
- 7) What options are available for students to make up credits?
 - a. A student can work with a school counselor to access options that the school or district provides to its own students. Some are free, some may require a payment. A student can take courses through the Utah State Board of Education Electronic High School. Other school districts or private providers may also offer make up courses to students, probably for a fee.
- 8) My 10th grader wants to take an online chemistry course that is offered through his boundary school. Does this involve a CCA, extra paperwork or transfer of funds?
 - a. No. If a student takes an online class that is offered by his boundary school or from another school/school district that is part of a multi-district consortium the student simply registers for the class through his school counselor. No CCA is necessary because no funds are withheld or exchanged.
- 9) My 11th grader needs to make up 3 credits that he needs for graduation. Can he do this through the Statewide Public Education Online Program?

- a. Probably not. Statewide Public Education Online courses must be taken *instead of* one or two of the regular school day classes that the student takes as part of a full high school schedule. So the student cannot earn *extra credits* or make up credits through Statewide Public Education Online. However, if a student's SEOP includes a plan for early graduation, the course limit may be exceeded to the extent indicated by the SEOP.
- 10) My 10th grade daughter wants to play volleyball for her high school. She must be enrolled in at least 5 classes and maintain an overall B average. Will her online courses count toward her athletic eligibility? Also, the coach checks her grades and attendance several times during the season. Will the online course providers cooperate with these requests?
- a. In most cases, it is expected that online participation will not hamper athletics. School districts and charter schools are required to set standards for student grades and enrollment in online courses for purposes of (1) school awards and honors, and (2) Utah High School Activities Association participation, and (3) graduation requirements. Your daughter should discuss athletic participation and online registration with her school Counselor.
 - b. If she decides to enroll in online courses, she must notify her Coach that she is taking these. She should also notify the online Provider that the Coach will be checking her grades and progress periodically throughout the semester. Providers will give parents contact information. School counselors will also have ready access to Providers, and providers must cooperate with required timelines established by primary schools.
 - c. NOTE: An online course that is adequate for school eligibility may or may not count towards NCAA eligibility. Each provider or school must submit its courses to NCAA separately, as eligibility partially depends on the method of instruction and supervision used by the provider.
- 11) My 11th grade son is enrolled at ABC High School 1st, 2nd, 4th and 6th periods, and has LDS Seminary 7th period. He would like to take two online courses from a nearby charter school that is offering online courses that interest him, and he would like to work on his online courses during the periods that he is not attending ABC classes. Where can he do that?
- a. You can ask permission for your son to use the ABC school library. The school may or may not grant that permission. If the charter school from which the student is taking the online courses is convenient and agreeable, it may offer him study space (and supervision) during the school day. You should, however, plan on providing supervision for your son during the periods he is not enrolled in traditional classes, as neither the primary school nor the provider school is required to offer this accommodation.
- 12) I have learned that my 11th grade son can take an online chemistry class from his boundary school, from a nearby charter school, from the Utah Electronic High School or from a school district in southern Utah that offers the online course. What are the logistics for each of these?

- a. For a boundary school on-line class, talk to your son's counselor and register him through the school registration process.
- b. For a Charter school that your son does not attend, talk to your son's boundary school counselor. Tell her you desire to take an online chemistry course from the charter school. The counselor will initiate a Course Credit Acknowledgment form; it must be signed by student, parent, and school counselor when initially submitted. Your son must choose this option and begin online work in the first 10 days of the semester. The Charter school will be paid by your boundary school district for your son's chemistry class. Your son will take one less period than the other students in the boundary school. He will take the online class instead.
- c. For Electronic High School, the student can register online or through a school counselor, for an EHS online chemistry class. This option can be in addition to a full schedule of traditional classes that your son takes from his boundary school or it can be a make-up class for the chemistry he failed in his sophomore year.
- d. As in the case of the charter school, you student will need to request enrollment in the online program or any school district separate from the student home school district through the Statewide Public Education Online Program – unless the home district has an existing agreement with the other district or charter school regarding provision of online services outside of this program. For the southern Utah online program, if a student is enrolled in a district or charter school outside of this district in which the online program is based, the student informs a school counselor that he wants to take chemistry from an online program based outside of his district, but which is a Provider through the Statewide Public Education Online Program. The Counselor will initiate a CCA; it must be signed by the student, parent, and counselor. It is then sent by USOE to the provider for validation that this provider can supply the requested course. This course must replace one of your son's regular school classes. You should expect your son to come home or stay home during the time that he is not enrolled in traditional courses.

13) I have heard that a private, for-profit school offers a great online Drivers Education class. Can I talk to my 10th grade son's school counselor and register him for this class? I understand that the state will cover the cost of Drivers Ed. as one of my son's online courses.

- a. No. Only *public Providers* are eligible Providers for *free* (or state reimbursed) online courses. Your son could take a free Drivers Ed. class from EHS, a public school district (if it offers online Drivers Ed.), a charter school (if it offers online Drivers Ed.) or you could pay privately for your son to take Drivers Ed. from Charge Ed. Inc.

14) Can my 9th grader take the first half of her full year Algebra II course in the traditional course setting from her high school, and the second semester through a public Provider online?

- a. Yes. Make sure that you make this request prior to the 10th day of the new semester, however.

- 15) My 10th grader requested to take ACT Test Preparation from a public Provider through the Statewide Public Education Online Program, but was told by his School Counselor that the course is not eligible under the Program. Does that seem right? If so, how can that be changed so that the course can be offered under the Program?
- Yes. ACT Test Preparation is not part of the State's accepted core content that can currently be offered under the program.
 - A public Provider wishing to offer the course under the Program could apply to have the course recognized by the Utah State Office of Education as part of the Utah state core. The process for recognizing a new course takes about a year.
- 16) We met with my 5th grader's School Counselor and requested to enroll in the Program for two courses, but the School Counselor said my student is not eligible?
- That is correct. The Statewide Public Education Program is currently only open for grades 9 thru 12.
- 17) Our School Counselor indicated our School District is not participating in the Statewide Public Education Online Program, and, therefore, my 12th grade student cannot enroll?
- According to the law, the Statewide Public Education Online Program is an option for students in ALL School Districts and Charter Schools even those that have existing online programs. Under normal circumstances, School Counselors should not discourage enrollment with or give preference to one online option or public Provider over another (§53A-15-1204(5)). The Counselor may, however, offer factual information regarding enrollment, enrollment options, and offer counsel regarding alternatives.
- 18) My 9th grader is enrolled for three courses at an online charter school and five courses at our local middle school. The online charter school called and said we had to meet with our School Counselor and have the school fill out CCAs for two of the three courses in order to remain enrolled. Is that correct?
- If your student is already dual enrolled in both schools, and both schools have previously approved the dual enrollment, it is not necessary to utilize this program.
- 19) My 10th grader is enrolled at our local high school in traditional courses for three courses, and home schooled for the other five course periods. I would like to enroll my student in two online courses through the Statewide Public Education Online Program. Is that possible, and, if so, how should I proceed?
- The local high school counselor can fill out CCAs for the two courses. The counselor should also increase your student's enrollment record in the local high school to indicate they are enrolled as a 5/8ths member.
- 20) My 10th grader is enrolled at our local high school in traditional courses for one course, and home schooled for the rest of the day. I would like to enroll my student in two online courses through the Statewide Public Education Online Program. Is that possible, and, if so, how should I proceed?

- a. The local high school counselor can fill out CCAs for the two courses. The counselor should also increase your student's enrollment record in the local high school to indicate they are enrolled as a 3/8ths member.
- 21) My 11th grader is home schooled, but I would like to enroll him in two online courses through the Statewide Public Education Online Program. Can I enroll him in our local high school in order to make him eligible for the program, and, if so, how many traditional courses does he have to be enrolled in at the local high school to be eligible for the online courses under the Statewide Public Education Online Program?
- a. Your student would not have to enroll in any traditional courses. The local high school counselor can fill out CCAs for the two courses. The counselor should also increase your student's enrollment record in the local high school to indicate they are enrolled as a 2/8ths member.
- 22) In requesting enrollment in an online course, I noticed that the form asks if my child has a "Fee Waiver." What is this and why is this question included for enrollment purposes?
- a. Certain fees or materials may be required to participate in an online course, as providers may charge fees consistent with those of other secondary schools (R277-736-7(E)). A student whose family qualifies for a fee waiver will be able to take advantage of fee waiver provisions and would or may not have to pay the fee or purchase the materials. They may have other options available to them.
- 23) My 12th grade student has enough credits to graduate from high school now, but wants to complete his senior year. My student wants to take 2.0 AP courses in the program. Can he do so?
- a. Technically this is up to the District or Charter School. However, USOE believes there is precedent in the law that requires the District or Charter School to allow your student to take the courses under the program.
- 24) Who is accountable for students eligible for services under the IDEA and Utah State Board of Education Special Education Rules (USBE SER)?
- a. The Utah State Board of Education (USBE) has determined that only one LEA retains accountability for a student's receipt of a Free Appropriate Public Education (FAPE). Based on that determination, for purposes of this Statewide Public Education Online Program, accountability for FAPE and compliance with the Individuals with Disabilities Education Act (IDEA) and USBE Special Education Rules (USBE SER), including monitoring and dispute resolution, lies with the primary LEA of enrollment. Primary LEAs of enrollment will need to develop policies and procedures for implementing the Program. Those policies and procedures should include provisions for students with disabilities (R277-726-3, 5). For students with an IEP, participation in the statewide public education online program may require a revision of the student's IEP; this would be initiated by the counselor at the primary school of enrollment or based on the LEA's specific policies and procedures for implementing this program.

- b. School districts are encouraged to develop policies that will ensure proper review of IEP or 504 Accommodation Plans prior to decisions to enroll students in online courses, and to provide notice to providers of necessary accommodations subsequent to provider acceptance of a Course Credit Acknowledgement but prior to a student beginning participation in a course.
- c. Online course providers (Providers) are expected to comply with IDEA and Section 504 requirements (*R277-726-7(C)*). Providers in the Statewide Public Education Online Program must provide the special education services and accommodations that the student requires, as per the IEP or 504 plan (*Id*). If a Board investigation finds that a Provider has violated IDEA or Section 504 provisions for students taking online courses, the Provider shall compensate the student's Primary LEA of enrollment for all costs related to compliance (*R277-726-6(G,H,I,J)*).

25) Does attendance in the Statewide Public Education Online Program usurp the IEP process?

- a. No. Students with disabilities who are otherwise eligible for the Program are welcome to enroll in the Statewide Public Education Online Program by completing the Course Credit Acknowledgement.
- b. When a student enrolls in a new school, that school must make a request for records to the school or district where the student was previously enrolled; for an online Provider, this is the school or district where the student (in contrast to the former situation) remains enrolled, and which is the school of record. These records will include information concerning an IEP or other accommodation instructions.
- c. Providers are responsible for requesting information from a primary school of Enrollment for students enrolling in their program (*R277-726-7(6)*).
- d. Primary school districts and charter schools will be responsible for developing policies to ensure proper review of IEP or 504 accommodation plans prior to decisions to enroll students in online courses; it would be wise to include a representative from the provider in the IEP or 504 plan review.

26) How will UPIPS address monitoring for students enrolled in the Statewide Public Education Online Program?

- a. Students enrolled in the Program have been included in the special files list for UPIPS monitoring.

27) My 9th grade student has a Section 504 Accommodation Plan due to a combination of food allergies, ADHD, and diabetes. Would my student still be allowed to participate in an online course?

- a. For enrollment in this program by any student, a Course Credit Acknowledgement (CCA) form has been developed by the USOE and is available on the USOE website. This includes clarification about whether a student has an IEP or 504 plan.
- b. The primary school of enrollment will designate a counselor to review the CCA form to ensure consistency with graduation requirements, the student's SEOP, and the student's IEP or Section 504 plan, if applicable (*R277-726-3(B)*). If approved, the counselor gives preliminary approval to the CCA and submits the CCA (*R77-726-3, 5*).

- c. Each LEA should develop policies and procedures for the administration of this program. As the gatekeeper of the CCA process, the counselor should establish whether the student has an IEP or Section 504 plan and include relevant school staff, such as the IEP team or student's teacher(s), in the preliminary approval process. If a student with an IEP wants to enroll in the program, it is recommended that the student's IEP team meet to consider and plan for the requested changes in order to ensure that the student will continue to receive the special education and related services required for a free appropriate public education (FAPE).

28) The student's IEP team and CCA counselor may consider the following questions helpful in determining the student's need for services and /or accommodations in the online subject matter or in accessing the online course content.

- a. How might the student's current IEP need to be modified or amended to ensure FAPE in light of attendance in the Program? *Consider the following:*
- b. What is the expected impact on academics and social emotional development of the student? Consider both intended and unintended consequences.
- c. Has the student had specific instruction in using a variety of programs on the computer?
- d. Has the team considered the technological skills required for this class?
- e. Has the team considered what specialized instruction the student may require for this class?
- f. Has the team considered the need for supplementary aids and services for this class?

29) What about student confidentiality?

- a. Providers are responsible for confidentiality provisions in State and Federal law. Currently, all Providers in the Program should be familiar with confidentiality requirements applicable to public education. If the current definition of Providers is changed, further consideration will be necessary.