

1 **Online Education Service Provider Amendments**
 2026 GENERAL SESSION
 STATE OF UTAH
 Chief Sponsor: R. Neil Walter
 Senate Sponsor: John D. Johnson

2
3 **LONG TITLE**

4 **General Description:**

5 This bill establishes accountability requirements for learner validated programs.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▸ defines terms;
- 9 ▸ requires a local education agency (LEA) operating a learner validated programs to
- 10 maintain accountability for a participating student;
- 11 ▸ establishes standards for teacher of record oversight and student progress monitoring;
- 12 ▸ requires documented pacing, proctored assessments, and sequential completion of
- 13 coursework;
- 14 ▸ establishes student-to-teacher ratio requirements for learner validated programs;
- 15 ▸ provides for proficiency-based waivers for advanced students;
- 16 ▸ assigns State Board of Education oversight and enforcement authority; and
- 17 ▸ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **53G-2-501**, Utah Code Annotated 1953

25 **53G-2-502**, Utah Code Annotated 1953

26
27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **53G-2-501** is enacted to read:

29 **Part 5. Learner Validated Programs**

30 **53G-2-501 . Definitions.**

31 (1) "Educational service provider" means a third-party entity contracted by an LEA to
32 provide:

33 (a) courses or instructional services that:

34 (i) generate average daily membership for the LEA; or

35 (ii) count toward graduation requirements; or

36 (b) curriculum, grading services, or educator services for courses described in
37 Subsection (1)(a).

38 (2) "Learner validated program" means an educational program specifically designed for
39 competency-based or self-paced learning where:

40 (a) student participation is measured by demonstrated academic progress and completion
41 of learning objectives, rather than by attendance at scheduled instructional periods;

42 and

43 (b) the LEA has established a written policy that:

44 (i) defines:

45 (A) continuing enrollment measurement requirements;

46 (B) standards for demonstrating academic progress;

47 (C) methods for calculating equivalent instructional hours; and

48 (D) procedures for ensuring equivalent educational rigor and support as provided
49 in attendance validated programs; and

50 (ii) meets any additional criteria the state board requires.

51 (3) "Online course" means a course delivered primarily through digital or internet-based
52 platforms where instruction occurs outside a traditional classroom setting.

53 (4) "Teacher of record" means a licensed educator employed by the LEA who:

54 (a) has direct responsibility for a student's educational progress;

55 (b) maintains oversight of curriculum quality and alignment with state standards; and

56 (c) documents the student's academic participation and progress.

57 Section 2. Section **53G-2-502** is enacted to read:

58 **53G-2-502 . LEA accountability for learner validated programs.**

59 (1) An LEA that operates a learner validated program shall:

60 (a) establish and maintain a written policy in accordance with Subsection (3);

61 (b)(i) assign a teacher of record for each student enrolled in the learner validated

- 62 program; and
- 63 (ii) if the LEA contracts with an educational service provider, coordinate with the
- 64 educational service provider and the educational service provider's teacher to
- 65 support the student's academic progress;
- 66 (c) ensure:
- 67 (i) that a student enrolled in a learner validated program meets academic proficiency
- 68 standards established by the state board;
- 69 (ii) if applicable, each course aligns with state standards the state board establishes;
- 70 (iii) the monitoring of a student's academic progress and participation;
- 71 (iv) compliance with state assessment requirements under Title 53E, Chapter 4, Part 3,
- 72 Assessments; and
- 73 (v) equivalent academic rigor for a course offered in an attendance validated
- 74 program; and
- 75 (d) maintain documentation demonstrating compliance with this section.
- 76 (2) Nothing in this section prohibits an LEA from:
- 77 (a) contracting with an educational service provider or online course provider for
- 78 instructional services, provided the LEA:
- 79 (i) assigns a teacher of record for a student enrolled in each course; and
- 80 (ii) complies with all requirements of this part;
- 81 (b) providing a student with materials, equipment, or technology necessary for
- 82 participation in learner validated programs; or
- 83 (c) participating in the Statewide Online Education Program established under Title 53F,
- 84 Chapter 4, Part 5, Statewide Online Education Program, subject to the accountability
- 85 requirements in this section.
- 86 (3)(a) An LEA that operates a learner validated program shall establish and maintain a
- 87 written policy that includes:
- 88 (i) requirements for pacing of learning objectives, coursework, and assessments that
- 89 ensure a student completes the course within the school year, including defined
- 90 participation benchmarks for a course in which ongoing engagement in
- 91 instructional activities is a required component of course completion;
- 92 (ii) requirements for assessed checkpoints with verified academic integrity to confirm
- 93 student identity and progress;
- 94 (iii) minimum requirements for interactions, whether online or in person, between the
- 95 student and the teacher of record which may include required interactions,

- 96 feedback on student work, or defined triggers for additional support;
97 (iv) maximum student-to-teacher ratios that reasonably allow the teacher of record to
98 evaluate student progress;
99 (v) requirements for sequential completion of coursework to ensure mastery of
100 prerequisite skills before advancement; and
101 (vi) procedures for the teacher of record to monitor student growth, validate academic
102 engagement, and document student progress.
- 103 (b) If applicable, all courses provided through a learner validated program shall be
104 aligned with the course standards the state board establishes.
- 105 (4) A student participating in a learner validated program generates an equivalent weighted
106 pupil unit as a full-time enrolled student under Section 53F-2-302 if the LEA:
- 107 (a) assigns a licensed and qualified educator the LEA employs as the teacher of record
108 for each student participating in the learner validated program;
109 (b) maintains and documents a student-to-teacher ratio for learner validated program
110 students that complies with the LEA policy established under Subsection (3)(a)(iv)
111 and state board rule;
112 (c) requires and documents student participation in instructional supports, learning
113 activities, coursework, and assessments; and
114 (d) submits to the state board documentation demonstrating compliance with this section
115 upon request.
- 116 (5)(a) The state board may grant a waiver of one or more requirements in Subsections
117 (3)(a)(i) through (3)(a)(v) for a student if the LEA demonstrates that the student is
118 proficient through:
- 119 (i) state-approved assessment results;
120 (ii) documented mastery of learning objectives; or
121 (iii) other evidence of proficiency approved by the state board.
- 122 (b) A waiver granted under Subsection (5)(a):
- 123 (i) may not waive the requirement for a teacher of record under Subsection (4)(a); and
124 (ii) may not waive the requirement for monitoring and documentation under
125 Subsection (3)(a)(vi).
- 126 (6) For a student enrolled in an online course through the Statewide Online Education
127 Program:
- 128 (a) the LEA shall ensure compliance with this section; and
129 (b) the state board shall establish standards for teacher of record oversight and academic

130 accountability in accordance with Title 63G, Chapter 3, Utah Administrative
131 Rulemaking Act.
132 Section 3. **Effective Date.**
133 This bill takes effect on May 6, 2026.