A Performance Audit of the

Statewide Online Education Program

A Case for Improving Program Oversight, the SEATS Tracking System, and Counselor Involvement

Office of the Legislative Auditor General

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August 20, 2024

TO: THE UTAH STATE LEGISLATURE

Transmitted herewith is our report:

"A Performance Audit of the Statewide Online Education Program" [Report #2024-11].

An audit summary is found at the front of the report. The scope and objectives of the audit are included in the audit summary. In addition, each chapter has a corresponding chapter summary found at its beginning.

This audit was requested by the Legislative Audit Subcommittee.

Utah Code 13-12-15.3(2) requires the Office of the Legislative Auditor General to designate an audited entity's chief executive officer (CEO). Therefore, the designated CEO for the Utah State Board of Education is Superintendent Sydnee Dickson. Superintendent Sydnee Dickson has been notified that they must comply with the audit response and reporting requirements as outlined in this section of ***Utah Code***.

We will be happy to meet with appropriate legislative committees, individual legislators, and other state officials to discuss any item contained in the report in order to facilitate the implementation of the recommendations.

Sincerely,

Kade R. Minchey, CIA, CFE

Auditor General

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PERFORMANCE AUDIT

▶ **AUDIT REQUEST**

In November 2023, the Legislative Audit Subcommittee requested a performance audit of the Statewide Online Education Program (SOEP). This request included questions about the accounting and tracking of students participating in online education.

▶ **BACKGROUND**

The Statewide Online Education Program was created by the Utah Legislature in 2011 to enable middle and high school students to earn graduation credits through publicly funded online courses. Utah Code describes several specific program purposes, such as providing access to technology-focused, flexible, and self-paced online learning options regardless of language, residence, family income, or special needs.

STATEWIDE ONLINE EDUCATION PROGRAM

🎯 KEY FINDINGS

✔ **1.1** Enhanced communication and governance from the oversight team will help providers.

✔ **1.2** The oversight team should create more consistent guidance on program requirements to ensure consistency across providers.

✔ **2.2** Despite some past efforts by USBE to improve the Student Enrollment, Approval, and Tracking System (SEATS), a plan for critical revisions or replacement is still needed by the end of 2024.

✔ **3.1** Counselor involvement in registration through SEATS is limited.

📋 RECOMMENDATIONS

✔ **1.1** The SOEP team should develop, maintain, and implement internal and external policies and procedures to ensure compliance, consistency, and clear expectations for their team, providers, and Local Education Agencies.

✔ **1.2** Monitoring visits should be more robust in reviewing provider compliance, and the Statewide Online Education Program team should determine a sufficient minimum of key program areas to consistently ask of all providers.

✔ **2.1** The Utah State Board of Education (USBE) should review SEATS in context of all current information technology priorities, then create a plan which includes a timeline, costs, and specifications for an updated version of the SEATS or new system that will limit barriers to educational options and enhance SOEP's accountability. This plan should be in place no later than December 31, 2024.

✔ **3.1** USBE should maintain a current list of counselors and update the counselor information in SEATS each year.

REPORT SUMMARY

SOEP Needs Enhanced Communication and Controls

The SOEP oversight team is working to complete policy and procedure manuals for providers and LEAs. However, a lack of access to these resources combined with unclear or delayed guidance from the oversight team has affected provider practices and led to inconsistency across the program.

Annual monitoring visits conducted by the SOEP oversight team are vital to ensure providers are effectively managing their programs and educating students. The oversight team is not consistent in observing all 22 categories listed in the monitoring rubric or gathering documentation from providers. This lack of consistency in monitoring could allow discrepancies between program requirements and common practice.

The Student Enrollment, Approval, and Tracking System (SEATS) Could Be Optimized to Meet Its Intended Purpose

The current version of SEATS causes the registration process to be inefficient and confusing for all parties involved. USBE has not yet created a clear plan to address these issues.

LEA Counselors Need to be Significantly More Involved in SOEP to Better Ensure Student Success

Counselors are required to review student IEPs, graduation plans, and enrollment history. Only 11 percent of enrollments over the past five years were reviewed by counselors. USBE should work with LEAs to increase counselor training and involvement.

Provider Monitoring Visits are Vital to Ensuring Program Efficiency

Provider monitoring is an important part of the SOEP oversight team's role. To the right you can see how the SOEP team verified documentation in five major categories during monitoring visits in spring of 2024. The SOEP oversight team should ensure that future monitoring visits are more robust and consistent across all providers. This graphic demonstrates inconsistency across monitoring visits.

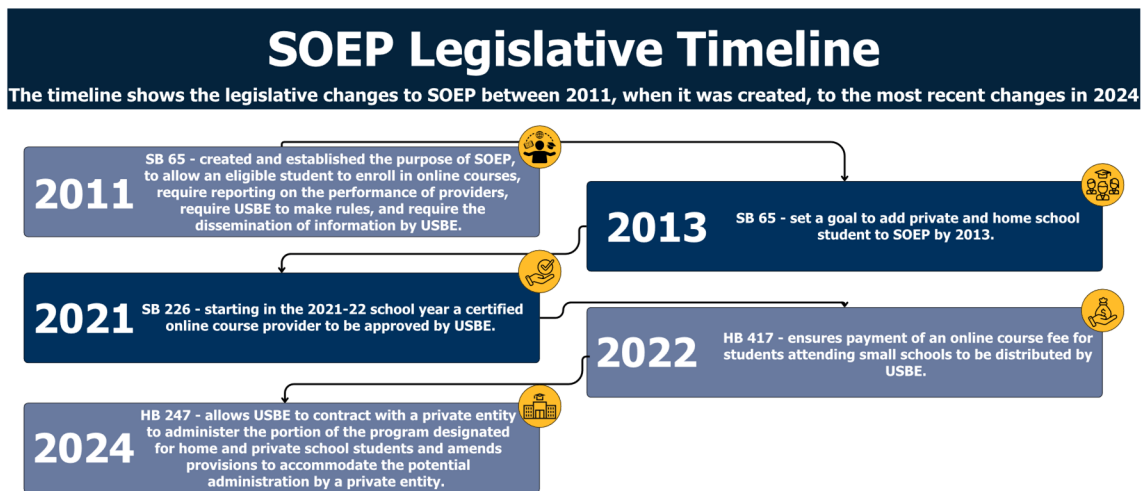| Monitoring Plan Areas	Provider 1	Provider 2	Provider 3	Provider 4	Provider 5	Provider 6	KEY
Teacher Requirements	Not Observed	Not Observed	Not Observed	Not Observed	Not Observed	Not Observed	**Not Observed** (⊘)
Student Enrollment Documents	Verbally Verified	Verbally Verified	Presented by Provider	Verbally Verified	Verbally Verified	Verbally Verified	**Verbally Verified** (speech bubble)
Participation Requirements	Presented by Provider	Presented by Provider	Presented by Provider	Verbally Verified	Verbally Verified	Verbally Verified	**Presented by Provider** (presenter icon)
IEP Documents	Not Observed	Not Observed	Verbally Verified	Not Observed	Verbally Verified	Not Observed	
Homeschool Affidavits	Verbally Verified	Presented by Provider	Verbally Verified	Presented by Provider	Verbally Verified	Verbally Verified	

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Introduction

In 2011, the Utah Legislature created the Statewide Online Education Program (SOEP) to enable middle and high school students to earn graduation credits through publicly funded online courses.

Utah Code 53F-4-502 describes several specific program purposes, demonstrating why SOEP is an important tool for Utah students, including:

- Access to online learning options regardless of language, residence, family income, or special needs.

- Technology-focused, flexible, and self-paced.

- Virtually accessible at any time and in any place.

- Self-paced programs, enabling high achieving students to accelerate academically and struggling students to have additional time and help for gaining competency.

Since its creation in 2011, legislative updates to SOEP have created better educational options for Utah students. The following graphic shows some important changes since its inception.

SOEP Legislative Timeline

The timeline shows the legislative changes to SOEP between 2011, when it was created, to the most recent changes in 2024

2011 — SB 65 - created and established the purpose of SOEP, to allow an eligible student to enroll in online courses, require reporting on the performance of providers, require USBE to make rules, and require the dissemination of information by USBE.

2013 — SB 65 - set a goal to add private and home school student to SOEP by 2013.

2021 — SB 226 - starting in the 2021-22 school year a certified online course provider to be approved by USBE.

2022 — HB 417 - ensures payment of an online course fee for students attending small schools to be distributed by USBE.

2024 — HB 247 - allows USBE to contract with a private entity to administer the portion of the program designated for home and private school students and amends provisions to accommodate the potential administration by a private entity.
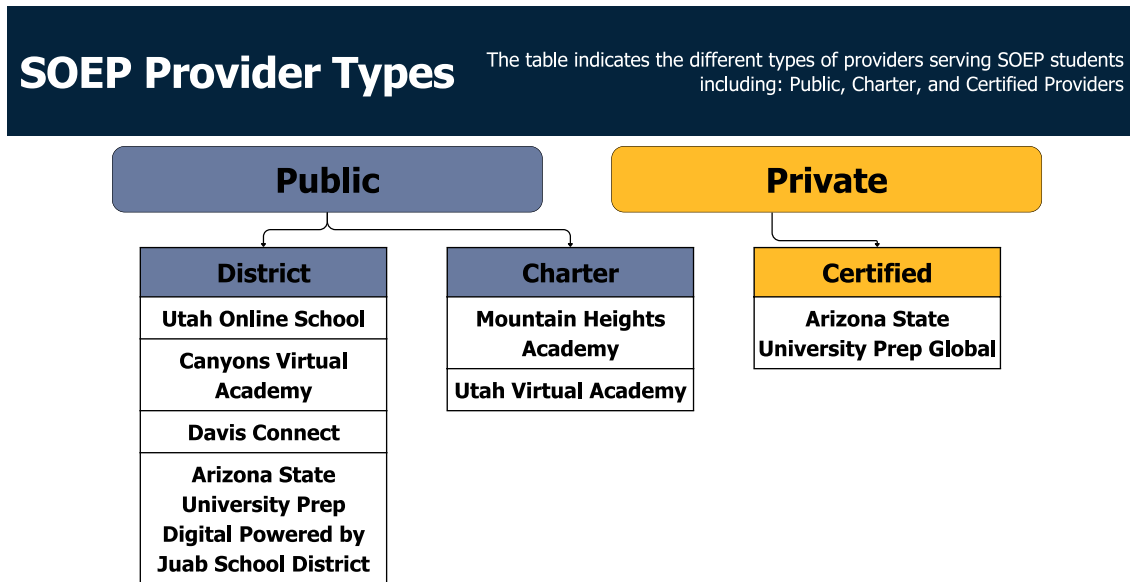
Source: Auditor generated from SB 65, SB 226, HB 417, and HB

Among the legislative changes, several key updates include more student groups, such as homeschooled students and provider options. The first infographic shows that the program was originally limited to public school students and became available to private and homeschool students starting in

the 2013 school year. Legislation in 2021 allowed a non-LEA to become a certified online provider.

The following graphic shows the different provider types currently offering courses through SOEP, including districts, charter schools, and a private certified online provider.

SOEP Provider Types

The table indicates the different types of providers serving SOEP students including: Public, Charter, and Certified Providers

Public

District
Utah Online School
Canyons Virtual Academy
Davis Connect
Arizona State University Prep Digital Powered by Juab School District

Charter
Mountain Heights Academy
Utah Virtual Academy

Private

Certified
Arizona State University Prep Global

Source: Auditor generated.

Further Legislative Clarification May Be Needed Regarding One Aspect of SOEP Oversight

Additional clarity may be needed with changes made by House Bill 247 in 2024. This legislation creates the opportunity for private contractors with USBE to manage private and homeschool access to SOEP. While our audit addresses USBE's oversight under the current structure of SOEP, it remains unclear how much supervision the SOEP team at USBE will maintain over the contractor and how they can work together to manage the program. We did not conduct audit work in this area but foresee it as an emerging policy issue.

Remaining Chapters Highlight Several Key Areas Where the SOEP Program Can Be Enhanced

Each of the chapters in this report covers an area of improvement to the Statewide Online Education Program.

CHAPTER 1	CHAPTER 2	CHAPTER 3
Focuses on USBE oversight of the Statewide Online Education Program, and the need to finalize and utilize internal guiding documents to better monitor providers for program compliance.	Focuses on the need to optimize the Student Enrollment, Approval, and Tracking System (SEATS) to improve and streamline student enrollment and increase counselor involvement.	Focuses on the importance of LEA counselor involvement in the enrollment process, the need for improved training by USBE, and increased counselor oversight.

BACKGROUND

The Statewide Online Education Program is required in statute to be overseen by the Utah State Board of Education through board rules and monitoring providers. Through annual monitoring visits, the USBE team is responsible for communicating any changes in the SOEP and ensuring provider compliance with legislative mandates and board rules. The SOEP team provides important ongoing, on-demand, technical assistance to program providers.

1.1 The Statewide Online Education Program Oversight Team Can Enhance Communication and Governance to More Effectively Aid Providers

RECOMMENDATION 1.1

The Statewide Online Education Program team should develop, maintain, and implement internal and external policies and procedures to ensure compliance, consistency, and clear expectations for their team, providers, and Local Education Agencies.

RECOMMENDATION 1.2

Monitoring visits should be more robust in reviewing provider compliance, and the Statewide Online Education Program team should determine a sufficient minimum of key program areas to consistently ask of all providers.

RECOMMENDATION 1.3

The Statewide Online Education Program team should increase the frequency of monitoring and communication with providers identified as non-compliant.

1.2 The Statewide Online Education Program Team Needs More Consistent Guidance on Program Requirements to Ensure Consistency Among SOEP Providers

RECOMMENDATION 1.4

The Statewide Online Education Program team should develop common and consistent status definitions for providers and Local Education Agencies at the beginning of each school year as a standard of operations. We recommend these guidelines be updated at the start of every year.

RECOMMENDATION 1.5

The Statewide Online Education Program should include validating the teacher of record and the mode of education (in-person, hybrid, remote) during their annual monitoring visits, including randomly selected data points throughout the school year.

RECOMMENDATION 1.6

As part of the updates to the Student Enrollment, Approval, and Tracking System (as mentioned in Chapter 2, Recommendation 2.1) the Utah State Board of Education should include "why the student is taking the course" or require the involvement of counselors to verify the purpose of the credit to prevent funding discrepancies.

RECOMMENDATION 1.7

The Legislature should consider if courses offered by providers should be available to everyone in the state. If the Legislature does not make changes to the program, the Utah State Board of Education should ensure the statute is followed.

1.3 To Minimize the Possibilities of Double Funding Students, The Legislature Should Consider Slight Program Changes

RECOMMENDATION 1.8

The Legislature should consider requiring documentation to ensure statutory provisions for enrollment in the Statewide Online Education Program and Utah Fits All can be tracked and followed.

⚙️ CONCLUSION

This program is meant to help provide more educational options for Utah students. To help students access the program, we found the oversight and accountability functions at USBE need revisions to identify program issues more effectively and ensure public funds are being properly utilized.

Chapter 1
The Statewide Online Education Program Needs Enhanced Communication and Controls

The Statewide Online Education Program (SOEP), created in 2011, tasked the Utah State Board of Education (USBE) with program oversight and the USBE put a team in place to oversee SOEP providers. This team reviews compliance with state law and board rules through annual monitoring visits. These visits should validate student enrollment documentation, student participation documentation, teacher credentials, and how funds are distributed. Our audit findings reveal that better guidance and more effective monitoring are needed to ensure provider compliance. Having consistent guidelines would allow for better oversight and provider compliance. We also point out a possible documentation requirement that could prevent double funding between the SOEP and the new Utah Fits All Scholarship.

1.1 The Statewide Online Education Program Oversight Team Can Enhance Communication and Governance to More Effectively Aid Providers

To ensure student access, the SOEP oversight team relies on internal and external guiding documents to track the legislative program changes, new board rules, and administrative processes. These documents should serve internal USBE personnel in annual monitoring visits of providers for compliance, and external providers and LEAs. However, our team observed that current monitoring practices are not effective enough to validate that providers comply with statutes and board rules, for example, they should ensure consistency in funding, provide documentation of student enrollments, and evaluate student progress.

The SOEP Oversight Team Has Not Completed the Necessary Policies and Procedures Manuals

The statute that governs SOEP[1] requires USBE to make rules and disseminate program information. While USBE has made rules, and the SOEP oversight team has disseminated information, the two do not always match. Within USBE there are SOEP team roles and responsibilities that include

> **The statute that governs SOEP requires USBE to make rules and disseminate program information, making guidance vital in ensuring student access. However, the internal and external guidance manuals remain unfinished.**

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[1] *Utah Code* 53F-4-514.

"Oversee completion and utilization of SOEP Handbooks," [and] "Quality and effectiveness of operations, programs, processes, and practices in the form of SOEP handbooks, and Standard Operating Procedures."

Despite these rules being a priority for members of the SOEP oversight team, the *Administrative Desk Reference Manual*, which is a necessity for internal guidance, and the *Provider* and *Primary LEA Manuals*, used for external guidance, remain unfinished at the time of this audit. Guidance is vital in aiding students in accessing the program. However, until recently, only one member of the SOEP had editing access to the manuals, despite most team members being responsible for different elements.

The current unfinished *Administrative Desk Reference Manual* details how the SOEP should be administered internally based on statutes and rule requirements. Because state law and board rules change, this manual should optimally be updated annually to recognize changes, which should then be used to guide the *Provider* and *Primary LEA Manuals*. USBE performing this analysis and providing program guidance is essential for stakeholders to understand the regular changes that occur and how they affect each stakeholder's roles and responsibilities within the program. The internal manual says,

> *"As frequently as necessary, optimally yearly, update this manual to recognize changes in law, rule, and practice."*

While the audit team was able to verify that the manuals are currently being updated, they have not been reviewed or published for stakeholders, internally or externally, to view in over a year.

With team growth and new staff at USBE, there are inconsistencies in individual job descriptions and responsibilities. Although job descriptions for each team member exist, we found that expectations were not always followed due to a lack of consistent internal guidance. Unclear direction for staff can lead to unclear communication given to the providers and the primary LEAs.

When new projects are not included and reviewed within the relevant guidance manual, inconsistencies arise in how projects are implemented.

The *Administrative Desk Reference Manual, Provider Manual,* and *Primary LEA Manual* have been in development for over a year. Because they have not been finished, other staff have been unable to include important processes they oversee, such as the provider and counselor training. When new projects

are not included and reviewed within the relevant guidance manual, inconsistencies arise in how those projects are implemented.

Other states, like Oklahoma, have identified best practices for overseeing virtual education. These include authorizer standards, oversight process documentation, financial and data analysis, tiered oversight, and contracting, all of which are recommended to hold providers accountable and to enable state school boards to make informed decisions when considering contract renewals. The SOEP oversight team is responsible for developing the unique procedures needed to successfully run an online education program and then educating stakeholders on those procedures. The SOEP oversight team will be able to evaluate the program after procedures have been effectively communicated. Our office's *Best Practices Handbook* shows the importance of established standards so the organization can reliably evaluate a program or an agency, and without effective published standards, SOEP will likely be unable to effectively measure the program.

Following program changes, if timely guidance is not published to providers, providers are left with insufficient time to react when changes affect enrollment or other already occurring practices. For example, a recent program change required different documentation for homeschooled SOEP students. One provider had accepted homeschooled students for the upcoming summer semester unknowingly gathering documents that were no longer acceptable and neglecting the collection of homeschool affidavits and other documentation from the local district before the upcoming May 1st deadline. Though the program was intended to serve these students the lack of guidance created more work for the provider to recollect information from families and potential delays for students starting their courses.

> **Following program changes, if timely guidance is not published to providers, providers are left with insufficient time to react when changes affect enrollment or other already occurring practices.**

USBE Monitoring Visits Need to Provide More Sufficient Checks on Program Accountability to Ensure Consistency and Effective Evaluation of Student Progress

The SOEP oversight team has an evaluation rubric for annual monitoring visits of providers, which includes 22 categories to be observed. At a minimum, major categories which we believe should be more consistently included in the monitoring visits are:

- Standard of active participation
- Employee background checks for the teacher of record

- Student enrollment and participation documentation
- Initiation of instruction, and homeschool documentation
- The process of collecting and implementing Individual Education Plans (IEPs)

As shown in the graphic below, the SOEP oversight team did evaluate most of these major categories from provider to provider, except for Individualized Education Plan (IEP) documentation. Our team observed that verifying IEP documentation was only asked of two of the six providers. While the SOEP team discussed the Teacher of Record Project process, which would include verifying teacher requirements, this information was not verified nor collected from the providers at the time. The graphic below shows the major categories to be observed by the SOEP team during the annual provider monitoring visits. We attended five out of six monitoring visits during the 2024 spring. Our concern is that not all categories were consistently covered, nor sufficient documentation collected.

Monitoring Plan Areas	Provider 1	Provider 2	Provider 3	Provider 4	Provider 5	Provider 6	KEY
Teacher Requirements	Not Observed	Not Observed	Not Observed	Not Observed	Not Observed	Not Observed	**Not Observed** ⊘
Student Enrollment Documents	Verbally Verified	Verbally Verified	Presented by Provider	Verbally Verified	Verbally Verified	Verbally Verified	
Participation Requirements	Presented by Provider	Presented by Provider	Presented by Provider	Verbally Verified	Verbally Verified	Verbally Verified	**Verbally Verified**
IEP Documents	Not Observed	Not Observed	Verbally Verified	Not Observed	Verbally Verified	Not Observed	**Presented by Provider**
Homeschool Affidavits	Verbally Verified	Presented by Provider	Verbally Verified	Presented by Provider	Verbally Verified	Verbally Verified	

Source: Auditor generated from provider monitoring agendas created by SOEP, and auditor meeting notes.

During our observation of the annual monitoring visits, we also saw a lack of documentation being gathered by the SOEP team. The SOEP team would give the option to providers to either visually or verbally confirm the information, most of the providers offered to share documentation but were not required to do so.

Observation of the annual monitoring visits showed a lack of documentation being gathered by the SOEP team.

We found that USBE's monitoring practices did not adequately require documentation of student progress and attendance. The SOEP team's internal standard suggests they only request information for one percent of the students per provider, which would only include between one and twelve students. This threshold is not based on state law or board rule but on what the SOEP team has done historically. During the spring 2024 monitoring visits, the SOEP team asked to review no more than three students per provider, when the largest provider should have resulted in twelve students to meet the one percent threshold. The SOEP team does not always follow its own threshold, and in cases when the provider couldn't easily share the information, the SOEP team allowed the provider to pick a student who was not randomly selected. One provider was willing to show more students but was told by the SOEP team that only three were required.

The monitoring visits are vital for the SOEP team to ensure providers are effectively running the program and educating students.

Monitoring visits are vital for the SOEP team to ensure that providers are effectively running the program and educating students. However, based on visits the audit team observed, providers are not being effectively monitored during this one annual visit. This could allow problems with teacher and student documentation to be missed and create inconsistencies between program requirements and common practice. Our team did not observe evidence that current monitoring practices are broad enough to analyze or improve student progress from the program.

Our team did not observe evidence that current monitoring practices are broad enough to analyze or improve student program outcomes.

During the audit process, we learned that not many states had comparable programs. We found that Arizona and Colorado had online education programs, but they were far more decentralized than SOEP. Because of this, we searched for online education programs that were administered in a similar way to SOEP. In that process, we found an audit of a statewide online education program

conducted in Oklahoma during the 2019/2020 school year, and while their program is specific to virtual charter schools, their audit pointed out relevant best practices for monitoring an online education program, stating:

> "…authorizer implements a comprehensive performance accountability and compliance monitoring system that is defined by the contract and provides information necessary to make intervention decisions" [but to do so the authorizer needs to] "evaluate each school annually on its performance and progress towards meeting the standards and targets set in the contract, including simple compliance requirements, and communicates evaluation results to the school's governing board and leadership."

Federal best practices[2] add that site visits are an integral part of monitoring compliance with regulations and requirements; all compliance-related records should be documented. To ensure providers are following statutes and board rules, monitoring visits should increase for providers that have been identified as non-compliant.

RECOMMENDATION 1.1

The Statewide Online Education Program team should develop, maintain, and implement internal and external policies and procedures to ensure compliance, consistency, and clear expectations for their team, providers, and Local Education Agencies.

RECOMMENDATION 1.2

Monitoring visits should be more robust in reviewing provider compliance, and the Statewide Online Education Program team should determine a sufficient minimum of key program areas to consistently ask of all providers.

RECOMMENDATION 1.3

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2 Conducting Compliance Inspections: An Abbreviated Manual, EPA website, https://www.epa.gov. Last accessed July 2020.

1.2 The Statewide Online Education Program Team Needs More Consistent Guidance on Program Requirements to Ensure Consistency Among SOEP Providers

Because USBE's guidance has been inconsistent, there has been confusion about how providers should document student course progress and when students should receive funding. Monitoring practices should also be more consistent to catch provider mistakes with student statuses, funding, teacher of record credentials, and types of courses being offered to students.

The Lack of Common Language and Provider Policies Makes Reporting of Student Statuses Inconsistent

During the monitoring visits, the audit team observed confusion over the definition of "standard of active participation" for reporting student statuses that trigger enrollment and funding. In traditional brick-and-mortar schools, there is a 10-day rule for active participation[3], while in an online program such as SOEP, attendance requirements are not as clearly defined. It is essential for providers to have a set standard of active participation communicated to students and parents[4]. In the unpublished *Administrative Desk Reference Manual*, it says,

> "A standard of active participation should include progress, pacing or log-in standards; to facilitate timely passing."

While this guidance gives providers flexibility in how they define the standard of active participation that works best for their students, the guidance so far is only given unofficially. As witnessed by the audit team most of the SOEP providers use a progress-based monitoring process for their definition. For example, one provider says the student needs to complete 25 percent of the course to not be "administratively withdrawn" from the course. However, it was acknowledged that the providers all have different ideas of what activity looks like and would like clarification.

Student statuses are used by the SOEP team, LEAs, providers, and students and parents to gauge where the student is in the enrollment process and when to issue payments. Because funding is issued to providers once a student has completed the standard of active participation, having a common set of definitions and procedures is essential. Vague guidelines exist in the unpublished SOEP *Administrative Desk Reference*, but that remains

> **Because funding is issued to providers at certain stages of the enrollment process, having a common set of definitions and procedures is essential.**

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3 **Utah Code** R277-419-5
4 *Utah Administrative Rule* R277-419-5

unofficial. During the monitoring visits, we observed confusion between the provider and the SOEP team regarding status definitions, and when the SOEP team asked the provider to justify why they labeled certain enrollments the way they did.

Because guidance from the SOEP oversight team was limited during monitoring visits, it is difficult to evaluate the efficiency of the student enrollment process. Going back to the best practices mentioned at the start of this chapter, overseeing virtual education includes authorizer standards, holding providers accountable, and enabling state school boards to make informed decisions when considering contract renewals.

A Provider was Funded for Students Who Were Not Reported as Enrolled

Prior to receiving additional program resources, the financial oversight provided by the USBE was limited. However, the additional staff resulted in the identification of a provider receiving the initial payment based on marking them as enrolled, then later the provider would manually revert the status to show the student had not started the course. This caused those students to be removed from program accountability and did not count against their completion rate[5] while the provider kept the first payment. Once the SOEP team saw this discrepancy in funding, USBE was able to lock down the system so only USBE staff could make those changes. The SOEP team also included a condition that all students need to be confirmed or rejected by the 25th day of the course, to prevent providers from only confirming once a student has completed the standard of active participation.

SEATS STATUSES

1 ENROLLMENT COMPLETE
Application is completed by the student/parent, and waiting for confirmation from approvers.

2 CONFIRMED
Provider certifies student is actively working in the course. The first round of funding is dispersed after the first 20 days.

3 PASS
Agree credit is completed with a passing grade by June 30th. The second round of funding is dispersed.

Source: Auditor generated.

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[5] Education *Administration Rule* R277-726.

While USBE was able to fix the system flaw, it is unknown how long the provider had been changing statuses. Funds were returned to USBE for the cases that USBE found. However, once statuses were entered correctly this lowered the provider's completion rate below the SOEP required 80 percent, and the provider was placed on probation. The graphic on the previous page shows how funding is distributed to providers once the student has been confirmed and when they have passed the course.

> **While USBE was able to fix the system flaw, it is unknown how long the provider had been changing statuses.**

This funding problem was a loophole in the Student Enrollment and Tracking System (SEATS) that all providers could have taken advantage of, but USBE only found substantial issues with one provider. Without proper guidance and monitoring, such issues are more likely to happen.

The SOEP Team Can Strengthen Its Policy Review Processes to Ensure Guidance Given Follows Statute and Rule

During the past few years, the SOEP team has directed providers to act in ways not fully aligned with statutes and board rules. One issue dealt with teacher licensing. The SOEP team communicated to providers that the practice of coteaching was appropriate. While recent statutory change, in **Utah Code** 53F-4-514, has essentially nullified the need for coteaching, it was not allowed at the time. The SOEP team did not have a policy review process to ensure that this communication was aligned with program requirements until after the fact. Because of this, the SOEP team communicated a change during the school year that made it impossible to comply with and continue currently open courses. Changes made when the SOEP team does not adequately review their policies can negatively impact students. Situations like this highlight why USBE needs to ensure that its guidance and communication align with rules and statutes.

> **After further review, the SOEP team realized this was not allowed under board rules and gave guidance to providers that they could no longer co-teach SOEP courses during the school year.**

A Lack of Controls in the Enrollment Process Caused a Provider to Expend District Funds to Refund USBE for Remedial Courses

As found in the board rule and the unpublished SOEP *Administrative Desk Reference Manual*, "Providers may not offer courses specifically designed for

purposes of credit recovery." However, when students register through SEATS[6], there is no way for them to indicate why they are taking the course, whether it be for original credit, credit replacement, or credit recovery. With limited controls in place in the enrollment process to stop credit recovery, a provider erroneously enrolled students in credit recovery courses through SOEP. This problem was found by USBE, and the provider confirmed which students. However, the students had already started the courses, and not wanting to punish them, the provider paid for the courses themselves. While USBE and the providers corrected the issue there should have been better controls to prevent recovery courses from being approved in the first place. This is why we recommend the SEATS application should include an option for students to select the reason they are taking the course with options for "original credit" and "remedial credit." If the student selects anything other than "original credit" the application should require further review from their counselor. This could help prevent funding discrepancies.

In a related issue, we found that SOEP provided counselors with inconsistent guidance regarding the type of credits allowed. Specifically, a training slide presentation meant for counselors discussed how to work around the rules to allow students to take recovery courses through SOEP. To prevent providers from needing to return funds, this guidance should be clear and officially communicated.

Mistakes can be made when guidance is inconsistent, changes are being made during the school year, or after students have already enrolled, started, or even completed courses.

Mistakes can be made when guidance is inconsistent, changes are made during the school year, or after students have already enrolled, started, or even completed courses. For students to have a reliable education through SOEP, providers and LEA counselors need to know what their role is within the boundaries of the statute. That only happens when the guidance coming from SOEP is straightforward and consistent between internal and external guiding documents. Up until recently, guidance on this issue has been inconsistent or unofficial in the case of the unpublished guiding documents.

For students to have a reliable education through SOEP, providers and LEA counselors need to know what their role is within the boundaries of the statute, but that only happens when the guidance coming from SOEP is straightforward and consistent.

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[6] SEATS is discussed in detail in Chapter 2 of this report.

Courses Offered Only at Certain Schools Raises SOEP Policy Questions

In this audit, our team found another example of a provider offering SOEP courses held in a hybrid environment as opposed to completely virtual. This issue was first found in our office's audit of Juab School District[7] and is now a policy issue before the Legislature.

However, in a separate issue, an SOEP provider chooses to only offer courses to private schools, including AP courses offered nowhere else within SOEP. To offer AP courses requires a special designation from the college board, so not all providers have the proper certification to offer AP courses. However, because this provider only serves private schools only students enrolled at these schools can take these courses.

Only offering AP courses to certain students raises a question of equal access— whether all students have the same access to all courses. This practice does not appear consistent with one of the guiding purposes of the program which is detailed in the statute saying:

> **Utah Code 53F-4-502**
>
> *"…provide a student with access to online learning options regardless of where the student attends school, whether a public, private, or homeschool."*

The Legislature should consider whether this practice is consistent with the purposes of the program. If the Legislature does not make statutory changes to the program, USBE should ensure that all providers allow access for private, public, and homeschool students in every course that is offered.

> **RECOMMENDATION 1.4**
>
> The Statewide Online Education Program team should develop common and consistent status definitions for providers and Local Education Agencies at the beginning of each school year as a standard of operations. We recommend these guidelines be updated at the start of every year.

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[7] A Systemic Performance Audit of Juab School District: A Review of Teacher Experience, Student Achievement, and Statewide Online Education.

RECOMMENDATION 1.5

The Statewide Online Education Program should include validating the teacher of record and the mode of education (in-person, hybrid, remote) during their annual monitoring visits, including randomly selected data points throughout the school year.

RECOMMENDATION 1.6

As part of the updates to the Student Enrollment, Approval, and Tracking System (as mentioned in Chapter 2, Recommendation 2.1) the Utah State Board of Education should include "why the student is taking the course" or require the involvement of counselors to verify the purpose of the credit to prevent funding discrepancies.

RECOMMENDATION 1.7

The Legislature should consider if courses offered by providers should be available to everyone in the state. If the Legislature does not make changes to the program, the Utah State Board of Education should ensure the statute is followed.

1.3 To Minimize the Possibilities of Double Funding Students, The Legislature Should Consider Slight Program Changes

HB 529 passed during the 2024 Legislative General Session, creating the Utah Fits All Scholarship which will be available for private and homeschooled students. The law clarifies:

Utah 53F-6-409

"that a student may not receive education services funded through the Utah Fits All Scholarship Program and the Statewide Online Education Program…".

Due to the lack of official guidance and rigorous monitoring of providers, situations have already arisen where SOEP funding had to be returned to USBE. Better accounting and monitoring are needed to ensure students are not being funded through both programs. Because private and homeschool students make up almost half of the SOEP enrollments, it is vital to make sure the correct funds are being used.

If both programs required the same student documentation for enrollment, it would enable a process of validating that students are not being double funded. Current documentation for SOEP includes a birth certificate for homeschooled students, however, there is no such requirement for private school students.

> **RECOMMENDATION 1.8**
>
> The Legislature should consider requiring documentation to ensure statutory provisions for enrollment in the Statewide Online Education Program and Utah Fits All can be tracked and followed.

BACKGROUND

The Student Enrollment, Approval, and Tracking System (SEATS) was created to manage the enrollment process for SOEP required in statute. It helps manage communication for several parts of the process between the USBE SOEP team, providers, LEAs, parents, and students.

FINDING 2.1
SEATS Creates Barriers to Effective Enrollment and Program Tracking

NO RECOMMENDATION

FINDING 2.2
Despite Some Investment and Reprogramming Since SOEP Inception, a Plan for Replacement or Critical Revisions Still Needs to be Completed

RECOMMENDATION 2.1
The Utah State Board of Education should review the Student Enrollment, Approval, and Tracking System in context of all current information technology priorities, then create a plan which includes a timeline, costs, and specifications for an updated version of the Student Enrollment, Approval, and Tracking System or new system that will limit barriers to educational options and enhance the Statewide Online Education Program accountability. This plan should be in place no later than December 31, 2024.

CONCLUSION

Despite some important changes, SEATS remains a barrier to enrollment and does not effectively help the accountability process. More substantial investment in the program from USBE could help the SOEP program more effectively meet the goals of SOEP.

Chapter 2
The Student Enrollment, Approval, and Tracking System (SEATS) Could Be Optimized to Meet Its Intended Purpose

The Student Enrollment, Approval, and Tracking System (SEATS) is a program created by USBE to allow access to and tracking of the Statewide Online Education Program (SOEP) courses. Among the different groups that use the system are students and parents, LEA staff, SOEP providers, and the USBE SOEP team. Because of this, the program needs to be agile enough to meet the needs of these differing stakeholders. Throughout the audit, we sought to understand how effective the SEATS program is at meeting SOEP program requirements and facilitating stakeholder engagement. The observations, interviews, and surveys we conducted during the audit described some key aspects of SEATS that cause a roadblock for educational options and the successful implementation of the SOEP. USBE should create a more defined and intentional plan to deal with the issues in SEATS or replace the system.

2.1 SEATS Can Create Barriers to Effective Enrollment and Program Tracking

The need for improvements in SEATS has been known by USBE and stakeholders even prior to our audit. However, we have not seen any evidence of an intentional plan for fixing areas where SEATS continues to create roadblocks. We believe that because of this lack of intentional planning, USBE has not been able to move forward with revisions. The most critical attention to SEATS, or a replacement system, needs to come in these areas:

- Ease of access and accuracy of course registration. This makes it difficult for students to see and enroll in the various options available through SOEP.

- Automating processes that the USBE team has to manually complete or fix. This takes staff time away from overseeing and managing the program and leaves room for error.

- Ensuring the system accommodates the needs of enrollment, tracking, and accountability. The lack of functionality in SEATS forces students to go through a cumbersome process, makes it difficult for the SOEP team to hold providers accountable and disincentivizes counselor participation.
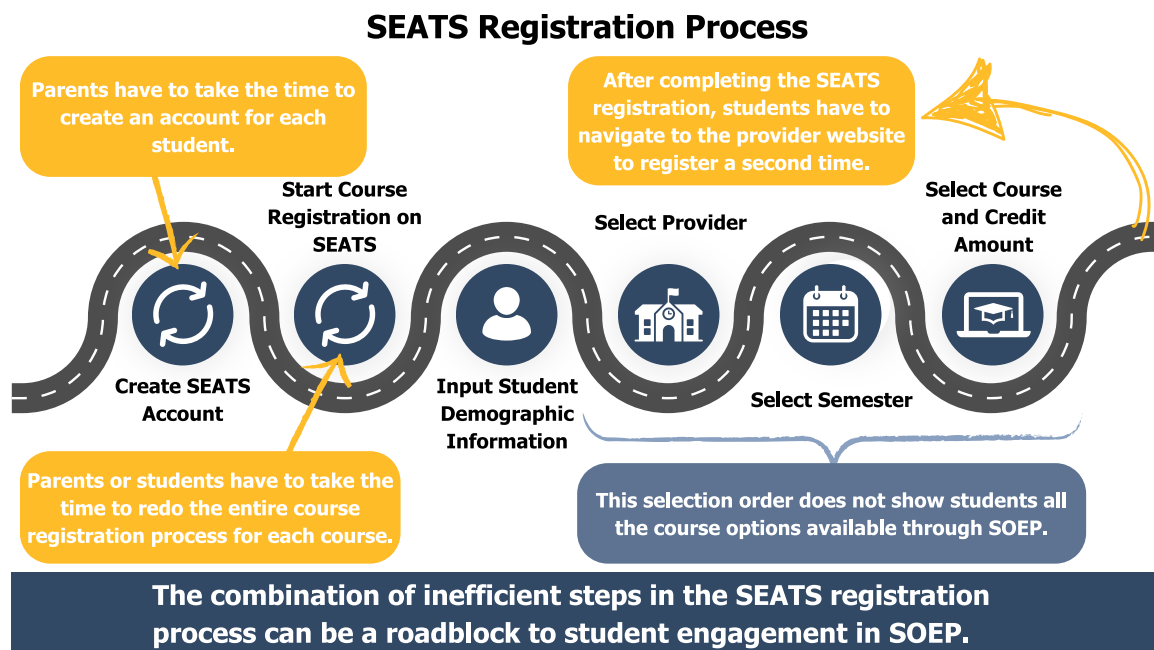
SEATS Course Registration Can Act as a Roadblock to Parents and Children Having Full Access to the Available SOEP Options

The SEATS process for enrolling in SOEP courses is cumbersome, has unnecessary redundant steps, and does not give the user a sufficient guide for options. Consequently, students and parents are limited in their use of the SOEP program and may be unaware of all the options available to them. Specifically, SEATS requires parents to sign up for a new account for each student, the entire registration process must be followed for each course taken, and the selection order for courses requires students to have knowledge about course availability outside of the program. For instance, students are forced to select their provider before knowing what courses are offered by the provider that semester. Inside the system, if a student could select their semester and course before selecting the provider, it could show that the course is offered by more than one provider, giving the users more options than they currently see in the program.

> 🔍 **The SEATS enrollment process can make it difficult for students to view and access options available through SOEP.**

The following infographic describes the cumbersome enrollment process through SEATS. Some revisions that could be made to streamline the process include allowing a parent to sign up for multiple students under a single account, allowing students to register for multiple courses on the same registration, and changing the order of course selection to make options more visible to students.

SEATS Registration Process

Parents have to take the time to create an account for each student.

Start Course Registration on SEATS

After completing the SEATS registration, students have to navigate to the provider website to register a second time.

Select Course and Credit Amount

Select Provider

Create SEATS Account

Input Student Demographic Information

Select Semester

Parents or students have to take the time to redo the entire course registration process for each course.

This selection order does not show students all the course options available through SOEP.

The combination of inefficient steps in the SEATS registration process can be a roadblock to student engagement in SOEP.

Source: Auditor generated.

SEATS Difficult Enrollment Functions Also Cost USBE and Provider Staff Time to Remedy. Difficulties navigating SEATS and some missing functions within the system cost staff time for USBE and SOEP Providers. At USBE, the number of calls and concerns about how to enroll has grown to a degree that they are hiring two counselors to deal with enrollment issues and incoming calls from counselors, parents, and students having issues with SEATS. The recent

incoming calls to the SOEP team we reviewed showed that most calls are concerns with how to navigate SEATS or having to manually help students and parents with problems that could be automated. The following graphic shows all recent calls based on our categorization of common issues. The 985 call logs we reviewed covered just over three months during the enrollment period between December 2023 and March 2024.

Call Category	Number of Calls
Registration Issues	284
Login Issues	267
Confusion with Course Approval/Rejection Process	157
Counselor Issues	72
Course Questions	45
Program Questions	30
Transcripts	23
Provider Questions	18
Status Changes	3
Other	86

The three most common types of calls are based on questions about SEATS or the notifications SEATS provides. Some of this feedback could be used by USBE to clarify SEATS processes.

Source: Auditor generated compilation of SOEP call logs.

The time dedicated to answering calls and manually fixing system errors could be used on other projects or duties the SOEP team has. Additionally, providers and the SOEP team reported that many of the important accountability functions are tracked on outside spreadsheets rather than only using SEATS. This takes additional time and effort for all parties involved in the program and makes the oversight and accountability of the program more difficult.

The enrollment process being cumbersome is likely one of the contributing factors for recent legislation providing a contracted oversight entity for private and homeschooled students. If that contractor implements a better system, public school students will be left behind in a program which makes it difficult to understand the list of options available.

A Survey of SOEP Providers Showed Areas Where SEATS Needs Further Development to Facilitate Enrollment Steps Such as Checking for Individualized Education Plans

Our next concern with SEATS is the amount of information that is not readily available or connected. Specifically, one important field that is not easily seen by providers is whether a student has accommodations such as an Individualized Education Plan (IEP) or 504[8]. Providers must individually select the student's record, and then select an information button to be able to see whether that field is checked. There is no way to filter students based on whether that field is selected so that providers can ensure they have the information from their primary LEA. While it is primarily the duty of the home LEA to send an IEP or 504 (explained further in Chapter 3), if providers could more easily filter for students with IEP or 504, then they could proactively reach out to obtain the documentation of those accommodations. This could limit the number of students who are not receiving adequate accommodations. Not meeting accommodations is a legal liability and limits the ability of students with disabilities to understand and learn from the content provided in SOEP courses. Filters are also unavailable for providers who list only students who are in a particular status, such as students who have completed the courses.

One of the primary concerns with SEATS is the amount of information that is not readily available or connected.

Providers must also track and enroll students outside of the SEATS platform because enrolling through SEATS does not include all the required fields they need to be able to enroll them in their online classes. Some of these fields include student demographics such as their address that could be included in course credit acknowledgments. This forces providers to have a separate enrollment system that students must use to enroll a second time for the same course.

One barrier to adding the additional demographic information that is filled out in the provider's separate system to SEATS is that students or parents must fill

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[8] An IEP or 504 are accommodations for students with disabilities, which are required to be followed by providers. Guiding documents for those accommodations must be sent by the student's home LEA to a provider (discussed in more detail in Chapter 3).

out one registration for each course they would like to attend, whether they take one or multiple courses. Updating the system to allow single-point registration for multiple courses could allow for further fields to be added and get rid of the requirement for registration on two separate systems. Students not signing up in both SEATS and provider systems accounted for 1136 out of 6774 rejected enrollments in 2023.

LEA Counselors that Use SEATS Shared Critical Issues with the Enrollment and Tracking of Students for the LEA

Our third area of concern is critical issues with SEATS tracking functions for LEAs. Counselors at the LEAs should be aware of how to help students enroll and be aware of student progress on courses required for graduation. The current state of SEATS and the lack of training given makes both of those vital responsibilities difficult. Our statewide survey[9] of counselors shared that they struggle to help students with the enrollment process. Students and parents are often confused because they must complete multiple steps on both the SEATS website and the provider website to register. Many counselors lack the knowledge to help answer student questions because they have not previously worked with SOEP students or received training on how to use SEATS.

 When asked how SEATS could be improved, 167 counselors responded. Below are the four most common responses[10]:

> 74 counselors asked that the registration process be streamlined, and to make the website more user-friendly.

> One example from this group of open-ended responses: "*The enrollment process is a little daunting with the student having to go from the school website to the SEATS site then back to the website. We lose several students because of that.*"

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[9] Counselors across the state were invited to join a USBE listserv. Those who opted into the listserv were sent a link to access the survey. Counselors were required to answer the first two survey questions, but responses were not required for the remaining seven questions. A total of 386 counselors responded to the survey and the number of responses for the optional questions ranged from 80 responses to 247 responses.

[10] Some counselors may be included twice if their response suggested multiple changes to SEATS.

24 of the counselors requested improved training and communication for counselors.

One example from this group of open-ended responses: *"More training is needed, please. There are a lot of misconceptions that need to be cleared up."*

22 of the counselors explained that student course progress tracking and access to transcripts be made available in the SEATS website.

One example from this group of open-ended responses: *"The biggest gap I see is that once they are turned over to these online providers, there is no way to track how they are progressing in their courses. There is no communication system between the boundary school and the online school to facilitate discussions of progress or lack there of. I really only find out that nothing has been started when I get an email from SEATS that the course has been dropped by the online provider. Is there a way for us to check in on progress or receive regular updates from the online school so we can communicate with the families better?"*

12 of the counselors would like more information on SOEP courses, policies, and providers.

One example from this group of open-ended responses: *"I need user friendly information to give to parents so they can do their own research on the program before they make decisions."*

Source: Auditor generated compilation of counselor survey results.

Counselor involvement will be addressed further in Chapter 3, but the current

Many counselors lack the knowledge to help answer student questions or have not received training on how to use SEATS.

lack of training and information combined with a difficult website and complex registration process means students may not get the help they need during registration. Additionally, the SEATS website is not currently connected to any of the sites where the students complete their coursework, so any course progress updates must be manually generated by the online provider. This disconnect makes it difficult for all stakeholders to track the student's progress. High school seniors are particularly affected by this as it can prevent their counselor from seeing if they are graduation-ready and potentially cause graduation delays.

2.2 Despite Some Investment and Reprogramming Since SOEP Inception, a Plan for Replacement or Critical Revisions Still Needs to be Completed

Many of the problems we found throughout the audit in SEATS show the need for urgency in revising or replacing SEATS to meet program needs. To be able to complete those revisions, USBE needs to create and implement a plan for how the SOEP can have an enrollment system that is not a barrier to stakeholder engagement. We have seen evidence of some important changes; however, we have not seen a plan that includes key elements like a timeline, budget, and specifications for more critical revisions to SEATS.

The SOEP program has used several different methods to track and enroll students in SOEP courses since its inception in 2011. SEATS program development began in 2014 but was initially deployed in 2015 after USBE was given 30 days' notice that the old systems were being retired. This rush to development and the loss of the programmer who had created it days after deployment led to a system that did not meet all the SOEP program requirements. SEATS had several small patches over several years until more investment in a bigger update in the program was made in 2022.

The program has had two important recent developments:

- Limiting some administrative rights to USBE staff to enhance controls.
- Automating course fee calculations.

Despite these recent developments, the SEATS program has remained a lower priority for USBE. USBE contracts with one programmer to make changes or updates to SEATS at the time of the audit. Limited staffing means that many complaints about the system do not get prioritized. The promise of other systems to take over SEATS functionality has historically been used as a reason SEATS has not been more heavily reprogrammed. While investing in online systems can be costly, updating or replacing SEATS would help the SOEP meet its purpose of providing quality online education options to students throughout the state.

Without a plan for what SEATS would really need to either be updated or replaced, it is difficult for USBE to make this a priority or know when it could be completed.

Our concern is that we have not seen evidence of a current plan that describes new program costs, whether it would be contracted or internally developed, the timeline it would take, or whether SEATS should be replaced by another system. Without a plan for what SEATS would really need to either be updated or replaced, it is difficult for USBE to make this a priority or know when it could be completed.

RECOMMENDATION 2.1

The Utah State Board of Education should review the Student Enrollment, Approval, and Tracking System in context of all current information technology priorities, then create a plan which includes a timeline, costs, and specifications for an updated version of the Student Enrollment, Approval, and Tracking System or new system that will limit barriers to educational options and enhance the Statewide Online Education Program accountability. This plan should be in place no later than December 31, 2024.

LEGISLATIVE AUDITOR GENERAL

CHAPTER 3 Summary
LEA Counselors Need to be Significantly More
Involved in SOEP to Better Ensure Student Success

📖 BACKGROUND

For public school students, counselors are required to review SOEP enrollments. Counselor involvement provides a check that students are eligible, that the course meets the students' goals, and that accommodations can be made for students who need them.

FINDING 3.1
Counselor Involvement with SEATS is Limited

RECOMMENDATION 3.1
The Utah State Board of Education should maintain a current list of counselors and update the counselor information in the Student Enrollment, Approval, and Tracking System each year.

FINDING 3.2
Minimal Counselor Training Has Caused the Miscommunication of Responsibilities

RECOMMENDATION 3.2
We recommend that the Utah State Board of Education ensures that the newly required Local Education Agency training is easily accessible, has clear and consistent information, and is updated annually.

FINDING 3.3
USBE Should Ensure Counselors Are Appropriately Involved in the Enrollment Process

RECOMMENDATION 3.3
The Utah State Board of Education should ensure counselors are appropriately involved in the Student Enrollment, Approval, and Tracking System program.

💡 CONCLUSION

Despite the requirement for counselors to be involved in the SOEP enrollment process, counselors have had little training on how to review eligibility and are largely uninvolved in the process. This creates legal liabilities and limits student success in the program. USBE can help facilitate counselor involvement through collecting counselor information, enhancing training, and changing the roles of the counselor in the process.

Chapter 3
LEA Counselors Need to be Significantly More Involved in SOEP to Better Ensure Student Success

For public school students taking SOEP courses, it is important that their home LEA is involved in the enrollment and tracking processes. LEA counselors are the most important LEA staff to review and be aware of what is going on with students taking SOEP courses. Our audit work and a survey we administered to counselors shows they are not often involved in the enrollment process and have little training in their SOEP roles and responsibilities. We believe this lack of training and the fact that some counselors are not included within SEATS are some important reasons counselors are not actively reviewing enrollments.

 Increasing counselor involvement and training is vital to ensure that students are eligible for courses and that the options available to them in SOEP are helpful to their graduation plan and furthering their education. The need for counselor involvement is heightened in cases where students have accommodations for disabilities but may not be receiving the free appropriate public education they are entitled to through federal law. In these instances, the lack of counselor involvement and training is concerning and can cause students to fall further behind.

3.1 Counselor Involvement with SEATS is Limited

The USBE rule which governs the SOEP requires LEA counselor involvement for public school students. Specifically, counselors should be reviewing the enrollment information in SEATS. While our survey of counselors found that most counselors who took the survey have a SEATS account, not many counselors are actively reviewing student course requests. Our review of SEATS data over the past five years showed that only 11 percent of enrollments had a counselor actively review and take action on their enrollment. As we discuss in further detail later in this chapter, there are several reasons why counselor activity is so limited, including counselors not receiving notification because their information is not in SEATS, training on the process not being clear, and lack of understanding of the importance of counselor roles in the process.

Only 11 percent of enrollments had a counselor actively review and take action on their enrollment.

We acknowledge that the LEAs are primarily responsible for ensuring that the counselors they employ are properly trained and actively involved in student

registration. The expectation for traditional school courses that students take in their primary LEA is that counselors ensure that they are meeting their educational goals. The SOEP course should be treated in a similar fashion.

If counselors are not involved in the SEATS process for students enrolling in SOEP courses, the lack of involvement could negatively affect the student's graduation plan. This is why training in the enrollment process is critical so that counselors can help students and parents find the options available to help students meet their goals through SOEP. Part of the reason training was not being utilized was that it was previously not required (this issue is addressed further in this chapter in Finding 3.2).

Counselors also play the most crucial role during the enrollment process because they have the necessary access to information to determine program eligibility. There are several eligibility requirements where counselors need to provide insight. Some of these important eligibility requirements are shown in the following infographic.

SOEP Eligibility Requirements that LEA Counselors Should Review

Graduation Requirements?
Is the course aligned with the student's graduation requirements?

Accommodations?
Does the student have an IEP or 504 plan, or are they an ELL student? If so, how can accommodations for the course be made?

Overenrolled?
Is the student overenrolled? If so, does the student have an early graduation plan? If a student is allowed to take more courses than a regular full-time student, the LEA should request the higher funding based on statute.

SOEP Eligibility

Remedial Course?
Is the student taking the course as a remedial course? If the student has already taken the course and failed or has a lower grade than they would like on their transcript, they are not eligible for SOEP.

Source: Auditor generated.

More specifically, if counselors are unaware of these key criteria or do not check a student's eligibility, it can cause the following negative issues for LEAs, providers, and students:

- If the course does not meet graduation requirements, students may waste time on unnecessary coursework.

- If a provider is unaware of the accommodations a student with a disability has, it may cause them to fall behind in their education. (Described further in the next section.)

- If a student is overenrolled, that student is costing the LEA additional funds without receiving adequate funding for that student.

- Finally, a student taking a remedial course through SOEP, if it is later found the provider may lose funding.

> **If counselors are unaware of enrollment criteria or do not check student's eligibility it can negatively impact the LEA, provider, or student.**

We believe these issues can be largely resolved if counselors are involved in enrollment and understand their responsibilities.

Counselors Being Uninvolved Creates Issues for Students with Accommodations

Utah Code 53F-4-503 requires that a student's LEA provide the student's IEP or

> **Utah Code requires that a student's LEA provide the student's IEP or 504 plan to the online course provider following the student's enrollment in a SOEP course.**

504 plan to the online course provider following the student's enrollment in an SOEP course. The process of sending documentation of the student's accommodation plan is typically initiated and overseen by the counselor because they have access to the student's accommodation plan and are notified when the student registers for a SOEP course. SOEP counselor training outlines that documentation for a 504 or IEP plan should be sent to the online provider as soon as possible and that a provider representative should be added to the IEP team.

However, during our counselor survey, we asked respondents in an open-ended question what steps they take when a student with an IEP registers for an SOEP course. While these responses may not indicate a counselor's full understanding due to the open-ended style of the question[11], we did see these five concerning results[12] from 192 respondents:

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[11] We recognize that counselors may have forgotten some steps or may not have listed all of the steps they take while responding to this open-ended question.

[12] We selected these five groups of responses because they were the most common and concerning responses of the 192 responses to this specific question.

- Only 12 of 192 responses indicated that the counselor or LEA sends the IEP to the online provider.

- 29 responses indicated that the counselor did nothing to inform the provider of accommodations.

- A further 14 responses indicated that they did not know what step to take.

- Alternatively, 42 responses indicated that the counselor marks that the student has an IEP in SEATS.

- 63 responses stated that such a situation was not applicable or had not previously happened.

This lack of knowledge is concerning because of the consequences that occur when students do not receive accommodations for their disability. First, not providing adequate accommodations can impede growth for the student. More concerning is that leaving students behind can create a legal liability for the LEA. In some cases when students do not receive the Free and Appropriate Public Education (FAPE) required by the Individuals with Disabilities in Education Act (IDEA), LEAs are required to pay for costly compensatory education for the student. Counselor involvement and knowledge about what to do for students with accommodations is vital to limit the possible liability in these situations and to help students receive the educational supports they deserve. Even if LEA counselors find it difficult to navigate the SEATS system, the necessity of providing the supports that students with disabilities need should motivate LEA leadership to ensure that counselors are involved.

Counselor involvement and knowledge about what to do for students with accommodations is vital to limit the possible liability in these situations and to help students receive the educational supports they deserve.

Counselors Are Only Added to SEATS After Requesting Access, Causing Some Counselors to Not Receive Notification When Students Enroll

USBE does not keep a complete list of LEA counselors and thus is not able to ensure that the list of counselors in SEATS is accurate and up to date. Counselors

If a counselor does not have an account in SEATS, their students will not be able to select them to receive notice during the registration process.

are only added to SEATS after a counselor requests it. If a counselor does not have an account in SEATS, their students will not be able to select them to receive notice during the registration process. However, students are required to select a counselor before they can complete registration. When students do not see their counselor listed, they often select the incorrect counselor. A different counselor whom the student has selected may not have access or take the time to

check the student's eligibility for SOEP or pass along accommodations. This scenario exacerbates the problem of lacking counselor involvement and not having sufficient checks on eligibility.

Currently, when a student lists the wrong counselor during registration, there is not a clear process for the counselor to correct this or indicate that the individual is not their student. Because of this, we believe that USBE should create a list of counselors that can be uploaded yearly into SEATS. When mistakes are discovered, USBE should also amend SEATS to have a clear path to changing mistaken counselor selections so that the correct counselor can receive the student's enrollment in SEATS.

RECOMMENDATION 3.1

The Utah State Board of Education should maintain a current list of counselors and update the counselor information in the Student Enrollment, Approval, and Tracking System each year.

3.2 Minimal Counselor Training Has Caused the Miscommunication of Responsibilities

The USBE SOEP team has only provided training courses for LEA counselors on a limited basis because mandatory training requirements did not start until July 1, 2024. Relatively few counselors have utilized or been aware of the training because it was not previously required. We found that counselors are lacking information about how the SOEP program works and about their role. Now that counselors will be required to take yearly SOEP training, USBE has an opportunity to provide clear guidance to counselors about their role in the SOEP.

> **We found that counselors are lacking information about how the SOEP program works and about their role.**

Our Survey of Counselors Found Large Gaps in Understanding

Our survey of counselors from across the state found a lack of understanding regarding SOEP policies and procedures is common. As mentioned in section 3.1, a significant number of counselors do not understand all the steps they are required to take when a student with accommodations registers for a course in SEATS. Some counselors also indicated that they lacked a full understanding of their role in the SEATS process.

> **A significant number of counselors do not understand all the steps they are required to take when a student with accommodations registers for a course in SEATS.**

The fourth question of our counselor survey asked respondents *"What is your role as a counselor within the SEATS process? Please select all that apply:"*

- *I certify course applications for my students*

- *I verify any accommodations/fee waivers for my students*

- *I verify that the courses fit the student's graduation requirements*

- *Other (please specify)*

While most counselors selected at least one of the three provided roles, only 43 counselors selected all three. In other words, despite having three key counselor roles clearly outlined, most respondents did not identify that all were their responsibility. Relatively few counselors chose *"Other (please specify)"*—only 33 out of 247. But a few of these responses are worth noting: Five counselors indicated that they were unsure of their role, despite being presented with three required counselor responsibilities to choose from, and three counselors

indicated that they do nothing or just simply ignore SEATS notifications. Survey results to this question are further shown in the following infographic:

What is your role as a counselor within the SEATS process? Please select all that apply.

- I certify course applications for my students
- I verify any accommodations/fee waivers for my students
- I verify that the courses fit the student's graduation requirements
- Other (please specify)

165
49
191
33

43 of 247 counselors selected all three required responsibilities
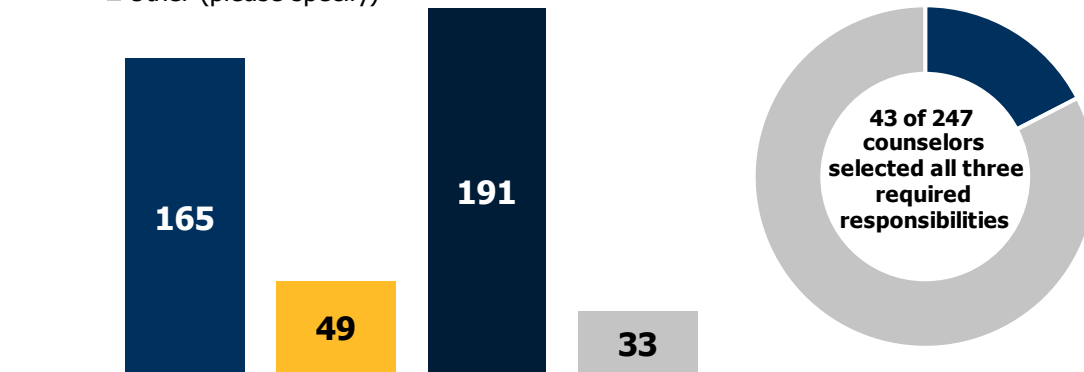
Source: OLAG's counselor survey.

Overall, we saw areas of consistent misunderstanding throughout the entire nine-question survey. For example, some counselors expressed confusion and asked for clarification regarding policies on middle school students taking SOEP courses, how to manage students who are over-enrolled, who is responsible for homeschooled students or the majority of online students, and why students are allowed to proceed with courses despite a counselor's recommendation. Providing clear and easily accessible counselor training is needed to help reduce counselor confusion. Consistent training will also help counselors become familiar with the SOEP team, ensuring they know who to contact when they need help.

Providing clear and easily accessible counselor training is needed to help reduce counselor confusion.

Counselor Training Has Been Available but Was Not Required

The SOEP team at USBE has provided optional training on SEATS to counselors through an online course. The online course should be the primary form of SEATS training for counselors. However, counselors had to send a request to SOEP before they received access to the training course, which may have led to a limited uptake. In the counselor survey, only 13 percent of counselors indicated that they had learned about SEATS from the SOEP Canvas course. Recent policy changes require that every LEA counselor must be trained on SOEP. This gives USBE an opportunity to create substantial clarity to the program for counselors.

> 🔍 **Recent policy changes require that every LEA counselor must be trained on SOEP. This gives USBE an opportunity to create substantial clarity to the program for counselors.**

Providing clearer training will require further review than what was provided in the past. We found that the optional training provided in the past was not consistent in how it dealt with recovery credit. The 2023-2024 counselor training module stated that "if the family and the school feel that SOEP courses would be a good modality for the student to recover credit, there is nothing preventing them from using the SOEP in this way." The training was unclear about how this works with the current rule below:

> **Utah Rule R277-726-4**
>
> *"Only original credit may be funded through the program."*

The guidance given to providers and counselors has been unclear about the process in SEATS regarding how recovery credit should be dealt with in SOEP. USBE should make it clear to LEAs how using SOEP for credit recovery is not the best fiscal option for recovery credit, especially when there are far less expensive options. For example, one SOEP provider has the option to take as many remedial courses as a student can in nine weeks for $50.

> 🔍 **USBE needs to ensure that training courses that are published have clear information. When information is inconsistent, counselors and other stakeholders cannot help the program run as it has been designed.**

In summary, USBE needs to ensure that training courses that are published have clear information. When information is inconsistent, counselors and other stakeholders cannot help the program run as it has been designed. Misinformation specifically on recovering credit could force the LEA to expend far more funding for these courses in SOEP than they may with other options available for that purpose. Because of

issues that can arise in the consistency of training, we believe that the SOEP team needs stronger review processes to ensure clarity of information before publishing the newly required counselor training.

> **RECOMMENDATION 3.2**
>
> We recommend that the Utah State Board of Education ensures that the newly required Local Education Agency training is easily accessible, has clear and consistent information, and is updated annually.

3.3 USBE Should Ensure Counselors Are Appropriately Involved in the Enrollment Process

The current practice for approving student enrollments has the LEA's business administrator or their designee acting as the primary approver for SOEP courses. The primary approver can make a final decision of accepting or rejecting an enrollment in SOEP. While counselors are also given an opportunity to view and accept or reject a course, that selection is only used as a recommendation to the primary approver. Ultimately, regardless of the selection the counselor made, the primary approver can either accept or reject the course. Also, if the primary approver does nothing, the course is automatically accepted.

We believe that checking eligibility and approving the enrollment should rest with the counselor because their other responsibilities within the LEA align with checking SOEP eligibility. The differing responsibilities of a counselor and business administrator are shown in the following graphic.

Counselor Responsibilities Align Better with Checking SOEP Eligibility Requirements

COUNSELOR	VS	BUSINESS ADMINISTRATOR
Focus on student success		Focus on funding
Provide guidance on graduation plans and career readiness		Accountable for money received and disbursed
Maps out strategy to guide a student's course selection		Prepare budgeting and accounting statements
Advocating for students in IEP and 504 meetings		Attend and keep an accurate record of school board meetings
Interpret student records		Ensure adequate controls to safeguard funds

Source: Auditor generated from **Utah Code** and Utah Rule.

Because counselors are the experts on helping students meet their graduation plans and helping them map out their course schedule, we believe they are the most appropriate LEA staff to act as the primary approver. Business Administrators should certainly be made aware of student enrollments for budget planning. However, we believe that having counselors act as the approver could help minimize the number of ineligible students who take SOEP courses. Counselors can also help ensure that students are taking courses that are going to help them most effectively meet their educational and vocational goals.

> **Because counselors are the experts on helping students meet their graduation plans, we believe they are the most appropriate LEA staff to act as the primary approver.**

RECOMMENDATION 3.3

The Utah State Board of Education should ensure counselors are appropriately involved in the Student Enrollment, Approval, and Tracking System program.

Complete List of Audit Recommendations

Complete List of Audit Recommendations

This report made the following twelve recommendations. The numbering convention assigned to each recommendation consists of its chapter followed by a period and recommendation number within that chapter.

Recommendation 1.1

We recommend that the Statewide Online Education Program team should develop, maintain, and implement internal and external policies and procedures to ensure compliance, consistency, and clear expectations for their team, providers, and Local Education Agencies.

Recommendation 1.2

We recommend that monitoring visits should be more robust in their requirements reviewing provider compliance, and the Statewide Online Education Program team should determine a sufficient minimum of key program areas to consistently ask of all providers.

Recommendation 1.3

We recommend that the Statewide Online Education Program team should increase the frequency of monitoring and communication with providers identified as non-compliant.

Recommendation 1.4

We recommend that the Statewide Online Education Program team should develop common and consistent status definitions for providers and Local Education Agencies at the beginning of each school year as a standard of operations. We recommend these guidelines be updated at the start of every year.

Recommendation 1.5

We recommend that the Statewide Online Education Program should include validating the teacher of record and the mode of education (in-person, hybrid, remote) during their annual monitoring visits, including randomly selected data points throughout the school year.

Recommendation 1.6

We recommend that as part of the updates to the Student Enrollment, Approval, and Tracking System (as mentioned in Chapter 2, Recommendation 2.1) the Utah State Board of Education should include "why the student is taking the course" or require the involvement of counselors to verify the purpose of the credit to prevent funding discrepancies.

Recommendation 1.7

We recommend that the Legislature should consider if courses offered by providers should be available to everyone in the state. If the Legislature does not make changes to the program, the Utah State Board of Education should ensure the statute is followed.

Recommendation 1.8

We recommend that the Legislature should consider requiring documentation to ensure statutory provisions for enrollment in the Statewide Online Education Program and Utah Fits All can be tracked and followed.

Recommendation 2.1

We recommend that the Utah State Board of Education should review the Student Enrollment, and Tracking System in context of all current information technology priorities, then create a plan which includes a timeline, costs, and specifications for an updated version of the Student Enrollment, and Tracking System or new system that will limit barriers to educational options and enhance the Statewide Online Education Program accountability. This plan should be in place no later than December 31, 2024.

Recommendation 3.1

We recommend that the Utah State Board of Education should maintain a current list of counselors and update the counselor information in the Student Enrollment, and Tracking System each year.

Recommendation 3.2

We recommend that the Utah State Board of Education should ensure that the newly required Local Education Agency training is easily accessible, has clear and consistent information, and is updated annually.

Recommendation 3.3

We recommend that the Utah State Board of Education should ensure counselors are appropriately involved in the Student Enrollment, and Tracking System program.

Agency Response Plan

August 9, 2024

Kade Minchey, CIA, CFE, Auditor General
Office of the Legislative Auditor General
Utah State Capitol Complex
Rebecca Lockhart House Building, Suite W315
PO Box 145315
Salt Lake City, UT 84114-5315

Dear Mr. Minchey:

Please find the required response to report 2024-11 *A Performance Audit of the Statewide Online Education Program* below.
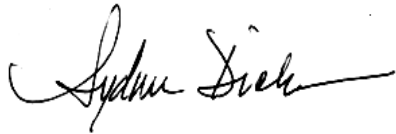
We appreciate the findings in the report as identified risks that must be assessed and responded to appropriately. We further acknowledge the related recommendations in the report as recommended risk responses.

Finding	Finding Description	Risk Assessment	Risk Responses
Finding 1.1	The SOEP Oversight Team Can Enhance Communication and Governance to More Effectively Aid Providers	Medium	See Responses to Recommendations 1.1 - 1.3
Finding 1.2	The SOEP Team Needs More Consistent Guidance on Program Requirements to Ensure Consistency Among SOEP Providers	Medium	See Responses to Recommendations 1.4 - 1.7
Finding 1.3	To Minimize the Possibilities of Double Funding Students, The Legislature Should Consider Slight Program Changes	Medium	See Responses to Recommendation 1.8
Finding 2.1	SEATS Creates Barriers to Effective Enrollment and Program Tracking	High	See Responses to Recommendation 2.2
Finding 2.2	Despite Some Investments and Reprogramming Since SOEP Inception, a Plan for Replacement or Critical Revisions Still Needs to be Completed	High	See Responses to Recommendation 2.2

Finding 3.1	Counselor Involvement with SEATS is Limited	Medium	See Responses to Recommendations 3.1
Finding 3.2	Minimal Counselor Training Has Caused the Miscommunication of Responsibilities	Medium	See Responses to Recommendations 3.2
Finding 3.3	Counselors Should be the Primary Approver of Student SOEP Courses for LEAs	Medium	See Responses to Recommendation 3.3

With appreciation,

Sydnee Dickson, Ed.D.
State Superintendent of Public Instruction
Utah State Board of Education

cc: Molly Hart, USBE, Vice Chair and Audit Committee Chair
       Patty Norman, USBE, Deputy Superintendent of Student Achievement
       Darin Nielsen, USBE, Assistant Superintendent of Student Learning
       Debbie Davis, USBE, Chief Audit Executive
       Quinn Kellis, USBE, TSL and Educational Leadership Development Coordinator

enc: Risk Responses

Risk Responses

Chapter 1

Finding	Finding Description	Risk Assessment
Finding 1.1	The SOEP Oversight Team Can Enhance Communication and Governance to More Effectively Aid Providers	Medium

Recommendation 1.1
The Statewide Online Education Program team should develop, maintain, and implement internal and external policies and procedures to ensure compliance, consistency, and clear expectations for their team, providers, and Local Education Agencies.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, Quinn.kellis@schools.utah.gov
2. **What:** The SOEP staff provides communication tools for SOEP stakeholders.
    a. Manuals, Handbooks, Applications and miscellaneous documents. SOEP staff has created the following procedural resources:
        i. Provider Manual (External)
        ii. SOEP Administration Desk Reference Manual (Internal)
        iii. SEATS Manual (Internal)
        iv. Counselor Handbook (External)
        v. Teacher of Record Accountability (External)
        vi. SOEP Frequently Asked Questions (External)
        vii. LEA SOEP Provider Application and Statewide Services Agreement - Primary Agreement (External)
        viii. Certified Online SOEP Provider Application and Statewide Services Agreement (External)
        ix. Certified Online SOEP Provider Application and Statewide Services Agreement - Re-Admission (External)
        x. Institution of Higher Education (IHE) SOEP Provider Application and Statewide Services Agreement - Primary Agreement (External)
    b. Personnel support currently provided:
        i. 1.0 FTE – Provider Handbook, provider monitoring, provider training and support, Teacher of Record accountability, Licensing

       ii. 1.0 FTE – LEA Handbook, LEA monitoring, LEA training and support, SOEP Program Manager

      iii. 1.5 FTE – School counselor training and support, parent/student support

      iv. 1.0 FTE – SEATS management, Provider business administrator support

      v. 1.0 FTE – Accountant (Provider support)

      vi. 1.0 FTE – Policy specialist

     vii. Part Time SOEP Lead Administrator

    viii. Part Time SOEP Research Analyst

3. **How:**
   a. The policy documents listed above will be posted on the USBE website and sent annually to respective stakeholders. The documents will be referenced during site visits and general support.
   b. Personnel will continue to communicate with stakeholders via formal monthly correspondence, informal as-needed support, formal and informal monitoring visits and annual updates.
4. **Documentation:** Evidence of completion of this recommendation will be the completion and publication (if appropriate) of the documents listed above.
5. **Timetable:** Aug. 1, 2024 to Oct. 1, 2024 for completion of documents, then annual updates.
6. **When:** USBE will complete a full cycle of these communications and supports annually.

Recommendation 1.2
Monitoring visits should be more robust in their requirements reviewing provider compliance, and the Statewide Online Education Program team should determine a sufficient minimum of key program areas to consistently ask of all providers.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** To communicate uniform expectations for monitoring visits, the SOEP team will add a section to the Provider Handbook, including:
   a. Purpose of monitoring visits
   b. The monitoring visit agenda
   c. A copy of the monitoring visit evaluation form
   d. A list of documents that SOEP staff will collect from provider prior to or during a monitoring visit

       e. A follow-up report template
3. **How:** The SOEP team will consult with appropriate USBE Staff (auditors, attorneys) to identify program-related Code, Rule and Procedure to be monitored, and collaborate on a monitoring visit evaluation tool. The Provider Handbook, which includes a section on monitoring visits (described above) will be published on the USBE website and sent directly to providers in preparation for the monitoring visits. USBE currently has standard operating procedures for SOEP monitoring visits.
4. **Documentation:** Evidence demonstrating the completion of this response is an updated section in the Provider Handbook that includes the elements listed above.
5. **Timetable:** Aug. 1, 2024, to Oct. 1, 2024, for completion of documents, then annual updates.
6. **When:** USBE will complete a full cycle of documents revision, publication and support annually.

Recommendation 1.3:

The Statewide Online Education Program team should change the current system of annual monitoring visits to an increased number of visits for non-compliant providers. Increase the frequency of monitoring and communication with providers identified as non-compliant.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** A formal monitoring visit will be scheduled with each provider annually. Off-cycle monitoring visits will be scheduled with non-compliant providers as often as necessary.
3. **How:** USBE collects data from Providers throughout the year (i.e., financial reports, enrollment counts, enrollment confirmation, Teacher of Record data, course completion rates). SOEP staff will initiate communication and /or schedule a monitoring visit with a Provider any time there is a question of non-compliance.
4. **Documentation:** Evidence documenting the completion of this response is a summary report of each off-cycle monitoring visit.
5. **Timetable:** Off-cycle monitoring visits for non-compliant Providers will begin immediately.
6. **When:** Off-cycle monitoring visits for non-compliant Providers will be scheduled as needed.

Finding	Finding Description	Risk Assessment
Finding 1.2	The SOEP Team Needs More Consistent Guidance on Program Requirements to Ensure Consistency Among SOEP Providers	Medium

Recommendation 1.4:
The Statewide Online Education Program team should develop common and consistent status definitions for providers and Local Education Agencies at the beginning of each school year as a standard of operations. We recommend these guidelines be updated at the start of every year.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** The SOEP staff will add a section to the Provider Manual and the Counselor Handbook to communicate common and consistent status definitions with providers and LEAs.
3. **How:** Statuses used in the SEATS program will be reviewed and updated annually, and changes shared with stakeholders at the beginning of each school year. Any changes will be updated in the Counselor Handbook and the Provider Manual. Changes will be communicated in the annual training with providers and counselors.
4. **Documentation:** Evidence of completion will be in the publication of the Provider Manual and the Counselor Handbook annually with updates to statuses.
5. **Timetable:** Any changes to statuses will be reflected in the Provider Manual and Counselor Handbook, published by August 1 annually.
6. **When:** USBE will complete a full cycle of these communications annually.

Recommendation 1.5:
The Statewide Online Education Program should include validating the teacher of record and the mode of education (in-person, hybrid, remote) during their annual monitoring visits, including randomly selected data points throughout the school year.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov

2. **What:** USBE will extend the Teacher of Record monitoring efforts beyond the current once-per-year check.
3. **How:** During annual monitoring visits, an agenda item will be added to review teacher assignments and mode of education (in-person, hybrid, remote). Additionally, USBE will randomly select teacher records throughout the school year to validate proper licensure.
4. **Documentation:** USBE will maintain spreadsheets of teacher assignments as reported by the online providers, cross checked with CACTUS. The SEATS program will record teacher assignments for each course credit acknowledgement as reported by the online provider. Randomly selected records will be documented throughout the school year.
5. **Timetable:** All teacher records are checked once per year during July 15-August 15 time frame. Random teacher license checks will be performed for each provider between September and May.
6. **When:** USBE will ensure proper teacher licensure annually, with random checks during each school year.

Recommendation 1.6:
As part of the updates to the Student Enrollment, Approval, and Tracking System (as mentioned in Chapter 2, Recommendation 2.1) the Utah State Board of Education should include "why the student is taking the course" or require the involvement of counselors to verify the purpose of the credit to prevent funding discrepancies.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** Until a replacement system is developed, the Student Enrollment, Approval, and Tracking System (SEATS) will be updated to include a question on each course enrollment request, where a student can input a reason for "why the student is taking the course."
3. **How:** A ticket will be created with the SEATS programmer to update the course credit acknowledgement page to include a field for a student to enter a reason they are taking a course.
4. **Documentation:** An Excel download report can be run in SEATS that will show the reason for taking a course that a student has reported.
5. **Timetable:** A ticket will be created in August 2024, with a projected completion date of October 2024.
6. **When:** A ticket will be created in August 2024, with a projected completion date of October 2024.

Recommendation 1.7:
The Legislature should consider if courses offered by providers should be available to everyone in the state. If the Legislature does not make changes to the program, the Utah State Board of Education should ensure the statute is followed.

USBE Response
Will Implement Recommendation

1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** Currently, any student in Utah may enroll in courses offered by any approved online course providers except for the certified online course provider, ASU Digital Prep Global, who is an exclusive provider for a limited population of private schools. Public school students are generally not able to access ASU Digital Prep Global courses. This exclusion is currently allowed by law. Recommendation 1.7 asks the Utah Legislature to consider enacting code that would allow any Utah student to access courses offered by all approved online providers, including certified online providers.

   Regardless of whether the Utah Legislature accepts or rejects this recommendation, USBE will continue to monitor approved online course providers, including certified online course providers, for compliance with Code, Rule and Procedures pertaining to enrollment eligibility.
3. **How:** See USBE Response to Recommendation 1.2
4. **Documentation:** See USBE Response to Recommendation 1.2
5. **Timetable:** See USBE Response to Recommendation 1.2
6. **When:** See USBE Response to Recommendation 1.2

Finding	Finding Description	Risk Assessment
Finding 1.3	To Minimize the Possibilities of Double Funding Students, The Legislature Should Consider Slight Program Changes	Medium

Recommendation 1.8:
The Legislature should consider requiring documentation to ensure statutory provisions for enrollment in the Statewide Online Education Program and Utah Fits All can be tracked and followed.

Department Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** This recommendation is given to the Legislature. USBE is currently tracking enrollments in the Utah Fits All program to ensure there are no matches to SOEP enrollment.
3. **How:** USBE currently meets twice monthly with Utah Fits All staff to develop a software solution that will flag students enrolled in both Utah Fits All and SOEP. Flagged students' parents are contacted and asked to enroll their child in one or the other, but not both programs.
4. **Documentation:** USBE can generate Utah Fits All/SOEP enrollment tracking reports.
5. **Timetable:** USBE started tracking UFA/SOEP matches for courses offered by SOEP during the 2024 summer session.
6. **When:** USBE intends to track UFA/SOEP matches continuously.

Chapter 2

Finding	Finding Description	Risk Assessment
Finding 2.1	SEATS Creates Barriers to Effective Enrollment and Program Tracking	High

No Recommendations Provided; see Finding 2.2

Finding	Finding Description	Risk Assessment
Finding 2.2	Despite Some Investments and Reprogramming Since SOEP Inception, a Plan for Replacement or Critical Revisions Still Needs to be Completed	High

Recommendation 2.1:
The Utah State Board of Education should review the Student Enrollment, Approval, and Tracking System in context of all current information technology priorities, then create a plan which includes a timeline, costs, and specifications for an updated version of the Student Enrollment, Approval, and Tracking System or new system that will limit barriers to educational options and enhance the Statewide Online Education Program accountability. This plan should be in place no later than December 31, 2024.

USBE Response
Will Not Implement the Recommendation or an Alternative Action
1. **Explanation:** USBE is currently pursuing solutions for a replacement SOEP management system. However, no funding has been appropriated to this project. USBE's ability to implement significant software upgrades is dependent upon new funding.
2. **Specification:** USBE will continue to pursue options for a new SOEP management system but cannot implement this recommendation without new funding.

Chapter 3

Finding	Finding Description	Risk Assessment
Finding 3.1	Counselor Involvement with SEATS is Limited	Medium

Recommendation 3.1:
The Utah State Board of Education should maintain a current list of counselors and update the counselor information in the Student Enrollment, Approval, and Tracking System each
year.

USBE Response
Will Implement Recommendation

1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** USBE will research and implement a method of collecting counselor assignments across the state and uploading them into SEATS.
3. **How:** During the 2024 Legislative Session, HB147 appropriated funding for 1.5 FTE counselors for the Statewide Online Education Program. These positions have been filled. The SOEP Academic Counselors will provide critical communications to LEAs. They will also assist school counselors, parents and students with the course enrollment process currently managed by SEATS.

   The SOEP staff, with the USBE Communications team, are developing a Counselor contact list. The list will be updated annually through self-reporting by LEAs. The SOEP staff will consult with the SEATS programmer to establish a method for uploading the list of counselors annually.
4. **Documentation:** LEAs will be asked annually to verify counselor assignments in the Spring for the upcoming school year. The information will be stored on an Excel spreadsheet.
5. **Timetable:** Spring 2025, USBE will collect counselor assignment information from LEAs. During the Summer of 2025-2026, the counselor assignments will be loaded into SEATS.
6. **When:** USBE will complete the process annually.

Finding	Finding Description	Risk Assessment
Finding 3.2	Minimal Counselor Training Has Caused the Miscommunication of Responsibilities	Medium

Recommendation 3.2:
The Utah State Board of Education should ensure that the newly required Local Education Agency training is easily accessible, has clear and consistent information, and is updated annually.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** During the 2024 Legislative Session, HB147 appropriated funding for 1.5 FTE counselors for the Statewide Online Education Program. These positions have been filled. The SOEP Academic Counselors will provide critical communications to LEAs. They will also assist parents and students with the course enrollment process.

    Training for LEA Counselors has been developed and is accessible on the USBE SOEP website. Training for Registrars and Primary Approvers is currently available via Canvas and is being updated and moved to the USBE SOEP website. The training materials will be updated annually.
3. **How:** SOEP Education Specialists, with the USBE Communications team, are developing clear training materials for LEAs that are ADA accessible and available on the USBE SOEP website. Training materials include handbooks, quick guides, step-by-step tutorials, video training, etc.
4. **Documentation:** https://www.schools.utah.gov/soep/counselorsregistrars, additionally all materials are backed up and saved for future updates.
5. **Timetable:** LEA training materials have been in development since April 2024 and will be completed by October 2024, with annual updates ready for the start of each school year.
6. **When:** USBE will complete full updates of the materials annually.

Finding	Finding Description	Risk Assessment
Finding 3.3	Counselors Should be the Primary Approver of Student SOEP Courses for LEAs	Medium

Recommendation 3.3:
The Utah State Board of Education should ensure counselors are appropriately involved in the Student Enrollment, Approval and Tracking System program.

USBE Response
Will Implement Recommendation
1. **Who:** Quinn Kellis, SOEP Lead Administrator, quinn.kellis@schools.utah.gov
2. **What:** During the 2024 Legislative Session, HB147 appropriated funding for 1.5 FTE counselors for the Statewide Online Education Program. These positions have been filled. The SOEP Academic Counselors will provide critical communications to LEAs. They will also assist parents and students with the course enrollment process. Training for LEA Counselors has been developed and is accessible on the USBE SOEP website. Per HB247 training for LEA staff is mandatory.
3. **How:** LEA Counselor training emphasizes the need for counselor involvement in SEATS. The training highlights: checking a course with a student's graduation plan, proper document sharing in IEP, 504, ML situations, over-enrollment, and the process of approving courses in SEATS. Monthly newsletters will be sent to Counselors to update them on changes in the SOEP, but also to emphasize the need for their involvement in course approvals. Quarterly webinars are in development for further training and exposure to SOEP procedures.
4. **Documentation:** https://www.schools.utah.gov/soep/counselorsregistrars, additionally all materials are backed up and saved for future updates. Newsletters and Quarterly webinar recordings will also be posted to the website. USBE tracks LEA staff that have completed the mandatory training.
5. **Timetable:** LEA training materials have been in development since April 2024 and will be completed by October 2024, with annual updates ready for the start of each school year. Newsletters will be sent monthly, starting in August. Quarterly webinars will begin in October 2024.
6. *When*: USBE will complete full updates of the materials annually.

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