

Effective 1/24/2018

Part 5
Statewide Online Education Program

53F-4-501 Definitions.

As used in this part:

- (1) "Authorized online course provider" means the entities listed in Subsection 53F-4-504(1).
- (2)
 - (a) "Certified online course provider" means a provider that the state board approves to offer courses through the Statewide Online Education Program.
 - (b) "Certified online course provider" does not include an entity described in Subsections 53F-4-504(1)(a) through (c).
- (3) "Credit" means credit for a high school course, or the equivalent for a middle school course, as determined by the state board.
- (4) "Eligible student" means a student who:
 - (a) intends to take a course for middle school or high school credit; and
 - (b) is:
 - (i) enrolled in an LEA in Utah; or
 - (ii) a home-based student in accordance with Section 53G-6-204, whose custodial parent is a resident of Utah.
- (5) "High school" means grade 9, 10, 11, or 12.
- (6) "Middle school" means, only for purposes of student eligibility to participate in the Statewide Online Education Program, grade 6, 7, or 8.
- (7) "Online course" means a course of instruction offered by the Statewide Online Education Program through the use of digital technology, regardless of whether the student participates in the course at home, at school, at another location, or any combination of these.
- (8) "Plan for college and career readiness" means the same as that term is defined in Section 53E-2-304.
- (9) "Primary LEA of enrollment" or "primary LEA" means the LEA in which an eligible student is enrolled for courses other than online courses offered through the Statewide Online Education Program.
- (10) "Released-time" means a period of time during the regular school day a student is excused from school at the request of the student's parent pursuant to rules of the state board.

Amended by Chapter 541, 2025 General Session

53F-4-502 Statewide Online Education Program created -- Designated as program of the public education system -- Purposes.

- (1) The Statewide Online Education Program is created to enable an eligible student to, through the completion of publicly funded online courses:
 - (a) earn college credit by July 1, 2025;
 - (b) earn high school graduation credit; or
 - (c) earn middle school credit.
- (2) Pursuant to Utah Constitution, Article X, Section 2, the Statewide Online Education Program is designated as a program of the public education system.
- (3) The purposes of the Statewide Online Education Program are to:

- (a) provide a student with access to online learning options regardless of where the student attends school, whether a public, private, or home school;
 - (b) provide digital learning options for a student regardless of language, residence, family income, or special needs;
 - (c) provide online learning options to allow a student to acquire the knowledge and technology skills necessary in a digital world;
 - (d) utilize the power and scalability of technology to customize education so that a student may learn in the student's own style preference and at the student's own pace;
 - (e) utilize technology to remove the constraints of traditional classroom learning, allowing a student to access learning virtually at any time and in any place and giving the student the flexibility to take advantage of the student's peak learning time;
 - (f) provide personalized learning, where a student can spend as little or as much time as the student needs to master the material;
 - (g) provide greater access to self-paced programs enabling a high achieving student to accelerate academically, while a struggling student may have additional time and help to gain competency;
 - (h) allow a student to customize the student's schedule to better meet the student's academic goals;
 - (i) provide quality learning options to better prepare a student for post-secondary education, vocational training, or career opportunities; and
 - (j) allow a student to have an individualized educational experience.
- (4) The program name, "Statewide Online Education Program," shall be used in the dissemination of information on the program.

Amended by Chapter 24, 2024 General Session

53F-4-503 Option to enroll in online courses offered through the Statewide Online Education Program.

- (1) Subject to Subsections (2), (9), and (12), and with the advice of a school counselor at a student's primary LEA, an eligible student may enroll in an online course offered through the Statewide Online Education Program if:
 - (a) the student meets the course prerequisites;
 - (b) the course is open for enrollment; and
 - (c) the online course is aligned with the student's plan for college and career readiness.
- (2) An eligible student may enroll in online courses totaling up to six credits per school year.
- (3) Notwithstanding Subsection (2):
 - (a) a student's primary LEA of enrollment may allow an eligible student to enroll in online courses for more than the number of credits specified in Subsection (2); or
 - (b) upon the request of an eligible student, the state board may allow the student to enroll in online courses for more than the number of credits specified in Subsection (2), if the online courses better meet the academic goals of the student.
- (4) An eligible student's primary LEA of enrollment:
 - (a) in conjunction with the student and the student's parent, is responsible for preparing and implementing a plan for college and career readiness for the eligible student, as provided in Section 53E-2-304; and
 - (b) shall assist an eligible student in scheduling courses in accordance with the student's plan for college and career readiness, graduation requirements, and the student's post-secondary plans.

- (5) An eligible student's primary LEA of enrollment may not:
 - (a) impose restrictions on a student's selection of an online course that fulfills graduation requirements and is consistent with the student's plan for college and career readiness or post-secondary plans; or
 - (b) give preference to an online course or authorized online course provider.
- (6) The state board, including an employee of the state board, may not give preference to an online course or authorized online course provider.
- (7)
 - (a) Except as provided in Subsection (7)(b), a person may not provide an inducement or incentive to a student to participate in the Statewide Online Education Program.
 - (b) For purposes of Subsection (7)(a):
 - (i) "Inducement or incentive" does not mean:
 - (A) instructional materials or software necessary to take an online course; or
 - (B) access to a computer or digital learning device for the purpose of taking an online course.
 - (ii) "Person" does not include a relative of the eligible student.
- (8) The state board shall coordinate with the Utah System of Higher Education to study funding structures and access barriers related to concurrent enrollment for the Statewide Online Education Program and provide recommendations to the Education Interim Committee no later than the November 2024 meeting.
- (9) Subject to legislative appropriations, the state board shall provide Statewide Online Education Program academic counseling that:
 - (a) may advise an eligible student or an eligible student's parent regarding an online course enrollment including how an online course relates to graduation requirements described in Section 53E-4-204 and administrative rule;
 - (b) provides the training described in Section 53F-4-514;
 - (c) provides technical support to an LEA, school-based counselor, eligible student, or eligible student's parent;
 - (d) assists in gathering information, reports, and data an LEA requests; and
 - (e) directs an eligible student or an eligible student's parent to a school-specific counselor for advice regarding an online course enrollment in relation to an LEA, or school-specific graduation requirement and all other counseling services.
- (10) If an eligible student has an IEP or Section 504 accommodation plan:
 - (a) the eligible student's primary LEA:
 - (i) shall:
 - (A) forward a copy of the relevant portions of the eligible student's existing IEP or Section 504 accommodation plan to the authorized online course provider in accordance with federal law and guidelines; and
 - (B) ensure the authorized online course provider is provided an eligible student's updated IEP when revisions are made;
 - (ii) may:
 - (A) ensure the eligible student's IEP team and the authorized online course provider review a course enrollment for compliance with requirements described in Subsection (1); and
 - (B) as needed, coordinate additional IEP team reviews with the authorized online course provider to ensure appropriate services, supports, and accommodations are in place for the eligible student; and
 - (b) the authorized online course provider:
 - (i) shall implement an eligible student's IEP or Section 504 accommodation plan; and

- (ii) may seek assistance from the primary LEA to implement an eligible student's IEP or Section 504 accommodation plan.
- (11) The state board shall create a model cooperative agreement between a primary LEA and an authorized online course provider for use when the primary LEA determines that an authorized online course provider would best provide IEP services, including a requirement that the eligible student's primary LEA provide funding for the IEP services.
- (12) If the program lacks sufficient legislative appropriations to fund the enrollment in online courses for all eligible students who do not have a primary LEA of enrollment, the state board shall prioritize funding the enrollment of an eligible student who intends to graduate from high school during the school year in which the student enrolls in an online course.

Amended by Chapter 541, 2025 General Session

53F-4-504 Authorized online course providers -- Certified online course providers.

- (1) The following entities are known as an authorized online course provider and may offer online courses to eligible students through the Statewide Online Education Program:
 - (a) a school within an LEA created exclusively for the purpose of serving students online;
 - (b) an LEA program, approved by the LEA governing board, that is created exclusively for the purpose of serving students online;
 - (c) a program of an institution of higher education listed in Section 53B-2-101 that:
 - (i) offers secondary school level courses; and
 - (ii) is created exclusively for the purpose of serving students online; and
 - (d) a certified online course provider.
- (2) The state board shall approve an online course provider as a certified online course provider if the online course provider:
 - (a) complies with the application procedures described in Section 53F-4-514;
 - (b) meets the standards described in Section 53F-4-514; and
 - (c) has prior experience offering online courses to secondary students.
- (3) The state board may revoke the approval described in Subsection (2) if the state board:
 - (a) finds that a certified online course provider is not complying with the requirements described in Section 53F-4-514;
 - (b) provides written notice describing the findings of non-compliance to the certified online course provider;
 - (c) provides the certified online course provider with at least 60 days to remedy the findings of non-compliance;
 - (d) reevaluates the findings of non-compliance at least 60 days after the certified online course provider's remedy period described in Subsection (3)(c); and
 - (e) finds after reevaluation that the certified online course provider has failed to satisfactorily remedy the findings of non-compliance.

Amended by Chapter 24, 2024 General Session

53F-4-505 Payment for an online course.

- (1) For the 2012-13 school year, the fee for a .5 credit online course or .5 credit of a 1 credit online course is:
 - (a) \$200 for the following courses, except a concurrent enrollment course:
 - (i) financial literacy;
 - (ii) health;

- (iii) fitness for life; and
 - (iv) computer literacy;
 - (b) \$200 for driver education;
 - (c) \$250 for a course that meets core standards for Utah public schools in fine arts or career and technical education, except a concurrent enrollment course;
 - (d) \$300 for the following courses:
 - (i) a course that meets core standards for Utah public schools requirements in social studies, except a concurrent enrollment course; and
 - (ii) a world language course, except a concurrent enrollment course;
 - (e) \$350 for the following courses:
 - (i) a course that meets core standards for Utah public schools requirements for language arts, mathematics, or science; and
 - (ii) a concurrent enrollment course; and
 - (f) \$250 for a course not described in Subsections (1)(a) through (e).
- (2) If a course meets the requirements of more than one course fee category described in Subsection (1), the course fee shall be the lowest of the applicable course fee categories.
- (3) The online course fees described in Subsection (1) shall be adjusted each school year in accordance with the percentage change in value of the weighted pupil unit from the previous school year.
- (4) An authorized online course provider shall receive payment for an online course as follows:
- (a) for a .5 credit online course, 50% of the online course fee after the withdrawal period described in Section 53F-4-506;
 - (b) for a 1 credit online course, 25% of the online course fee after the withdrawal period described in Section 53F-4-506 and 25% of the online course fee upon the beginning of the second .5 credit of the online course; and
 - (c) if a student completes a 1 credit online course within 12 months or a .5 credit course within nine weeks following the end of a traditional semester, 50% of the online course fee.
- (5)
- (a) If a student fails to complete a 1 credit course within 12 months or a .5 credit course within nine weeks following the end of a traditional semester, the student may continue to be enrolled in the course until the student graduates from high school.
 - (b) To encourage an authorized online course provider to provide remediation to a student who remains enrolled in an online course pursuant to Subsection (5)(a) and avoid the need for credit recovery, an authorized online course provider shall receive a payment equal to 30% of the online course fee if the student completes the online course:
 - (i) for a high school online course, before the student graduates from high school; or
 - (ii) for a middle school online course, before the student completes middle school.
- (6) Notwithstanding the online course fees prescribed in Subsections (1) through (3), a school district or charter school may:
- (a) negotiate a fee with an authorized online course provider for an amount up to the amount prescribed in Subsections (1) through (3); and
 - (b) pay the negotiated fee instead of the fee prescribed in Subsections (1) through (3).
- (7) An authorized online course provider who contracts with a vendor for the acquisition of online course content or online course instruction may negotiate the payment for the vendor's service independent of the fees specified in Subsections (1) through (3).
- (8) The state board may not remove a student from an online course if the student is eligible for continued enrollment in the online course under Subsection (5).

- (9) Upon request by a primary LEA, the state board shall provide an itemized report to the primary LEA showing the deduction described in Subsection 53F-4-508(2) by student and course enrolled.

Amended by Chapter 541, 2025 General Session

53F-4-506 Withdrawal from an online course.

- (1) An authorized online course provider shall establish a start date for an online course, including a start date for the second .5 credit of a 1 credit online course.
- (2) Except as provided in Subsection (3), a student may withdraw from an online course:
 - (a) within 20 school calendar days of the start date, if the student enrolls in an online course on or before the start date established pursuant to Subsection (1); or
 - (b) within 20 school calendar days of enrolling in the online course, if the student enrolls in an online course after the start date established pursuant to Subsection (1).
- (3)
 - (a) A student may withdraw from a 1 credit online course within 20 school calendar days of the start date of the second .5 credit of the online course.
 - (b) An authorized online course provider shall refund a payment received for the second .5 credit of an online course if a student withdraws from the online course pursuant to Subsection (3)(a).
 - (c) If a student withdraws from a 1 credit online course as provided in Subsection (3)(a), the authorized online course provider shall receive payment for the student's completion of .5 credit of the 1 credit course in the same manner as an authorized online course provider receives payment for a student's completion of a .5 credit online course as described in Subsection 53F-4-505(4).

Amended by Chapter 24, 2024 General Session

53F-4-507 Direction to deduct funds and make payments -- Plan for the payment of online courses taken by home-based students.

- (1) Subject to future budget constraints, the Legislature shall adjust the appropriation for the Statewide Online Education Program based on
 - (a) the anticipated increase of eligible home-based students enrolled in the Statewide Online Education Program; and
 - (b) the value of the weighted pupil unit.
- (2) Notwithstanding Subsection (1) and subject to future budget constraints, the Legislature shall:
 - (a) consider enrollment projections provided by the authorized online course providers to account for enrollment growth during the appropriations process; and
 - (b) provide a supplemental appropriation to adequately fund the Statewide Online Education Program when the enrollment amount exceeds the projected enrollment amounts provided by the authorized online course providers.
- (3)
 - (a) The state board shall deduct money from funds allocated to the student's primary LEA of enrollment under Chapter 2, State Funding -- Minimum School Program, to pay for online course fees.
 - (b) Money shall be deducted under Subsection (3)(a) in the amount and at the time an authorized online course provider qualifies to receive payment for an online course provided to a student, not to exceed 90 days after qualification, as provided in Subsection 53F-4-505(4).

- (4) From money deducted under Subsection (3), the state board shall make payments to the student's authorized online course provider as provided in Section 53F-4-505.

Amended by Chapter 541, 2025 General Session

53F-4-508 Course credit acknowledgment.

- (1) A student's primary LEA of enrollment and the student's authorized online course provider shall:
 - (a) enter into a course credit acknowledgment in which the primary LEA of enrollment and the authorized online course provider acknowledge that the authorized online course provider is responsible for the instruction of the student in a specified online course; and
 - (b) agree upon a process to provide the primary LEA with the ability to ensure consistency of a course request with a student's:
 - (i) IEP or Section 504 accommodation plan;
 - (ii) graduation requirements; and
 - (iii) schedule, if applicable.
- (2) The terms of the course credit acknowledgment shall provide that:
 - (a) the authorized online course provider shall receive a payment in the amount provided under Section 53F-4-505; and
 - (b) the student's primary LEA of enrollment acknowledges that the state board will deduct funds allocated to the LEA under Chapter 2, State Funding -- Minimum School Program, in the amount and at the time the authorized online course provider qualifies to receive payment for the online course as provided in Subsection 53F-4-505(4).
- (3)
 - (a) A course credit acknowledgment may originate with either an authorized online course provider or primary LEA of enrollment.
 - (b) The originating entity shall submit the course credit acknowledgment to the state board who shall forward it to the primary LEA of enrollment for course selection verification or the authorized online course provider for acceptance.
 - (c)
 - (i) A primary LEA of enrollment may only reject a course credit acknowledgment if:
 - (A) the online course is not aligned with the student's plan for college and career readiness; or
 - (B) the number of online course credits exceeds the maximum allowed for the year as provided in Section 53F-4-503.
 - (ii) Verification of alignment of an online course with a student's plan for college and career readiness does not require a meeting with the student.
 - (d) An authorized online course provider may only reject a course credit acknowledgment if:
 - (i) the student does not meet course prerequisites; or
 - (ii) the course is not open for enrollment.
 - (e) Except as provided in Subsection (5), a primary LEA of enrollment or authorized online course provider shall submit an acceptance or rejection of a course credit acknowledgment to the state board within 24 business hours of the receipt of a course credit acknowledgment from the state board pursuant to Subsection (3)(b).
 - (f) If an authorized online course provider accepts a course credit acknowledgment, the authorized online course provider shall forward to the primary LEA of enrollment the online course start date as established under Section 53F-4-506.
 - (g) If an authorized online course provider rejects a course credit acknowledgment, the authorized online course provider shall include an explanation which the state board shall

forward to the primary LEA of enrollment for the purpose of assisting a student with future online course selection.

- (h) Except as provided in Subsection (5), if a primary LEA of enrollment does not submit an acceptance or rejection of a course credit acknowledgment to the state board within 24 business hours of the receipt of a course credit acknowledgment from the state board pursuant to Subsection (3)(b), the state board shall consider the course credit acknowledgment accepted.
- (i)
 - (i) Upon acceptance of a course credit acknowledgment, the primary LEA of enrollment shall notify the student of the acceptance and the start date for the online course as established under Section 53F-4-506.
 - (ii) Upon rejection of a course credit acknowledgment, the primary LEA of enrollment shall notify the student of the rejection and provide an explanation of the rejection.
- (4)
 - (a) A primary LEA of enrollment may not reject a course credit acknowledgment, because the LEA is negotiating, or intends to negotiate, an online course fee with the authorized online course provider pursuant to Subsection 53F-4-505(6).
 - (b) If a primary LEA of enrollment negotiates an online course fee with an authorized online course provider before the start date of an online course, a course credit acknowledgment may be amended to reflect the negotiated online course fee.
- (5) A primary LEA of enrollment may intervene and reject a course credit acknowledgment up to 72 business hours after the actual or constructive acceptance of a course credit acknowledgment under Subsection (4), if the primary LEA of enrollment determines the online course enrollment meets the criteria of Subsection (3)(c).

Amended by Chapter 24, 2024 General Session

53F-4-509 Online course credit hours included in daily membership -- Limitation.

- (1) Subject to Subsection (2), a student's primary LEA of enrollment shall include online course credit hours in calculating daily membership.
- (2) A student may not count as more than one FTE, unless the student intends to complete high school graduation requirements, and exit high school, early, in accordance with the student's plan for college and career readiness.
- (3) A student who enrolls in an online course may not be counted in membership for a released-time class, if counting the student in membership for a released-time class would result in the student being counted as more than one FTE.
- (4) Except as provided in Subsection (5), a student enrolled in an online course may not earn more credits in a year than the number of credits a student may earn in a year by taking a full course load during the regular school day in the student's primary LEA of enrollment.
- (5) A student enrolled in an online course may earn more credits in a year than the number of credits a student may earn in a year by taking a full course load during the regular school day in the student's primary LEA of enrollment:
 - (a) if the student intends to complete high school graduation requirements, and exit high school, early, in accordance with the student's plan for college and career readiness; or
 - (b) if allowed under an LEA governing board policy.

Amended by Chapter 24, 2024 General Session

53F-4-510 Administration of statewide assessments to students enrolled in online courses.

- (1) A student enrolled in an online course that is a course for which a statewide assessment is administered under Title 53E, Chapter 4, Part 3, Assessments, shall take the statewide assessment.
- (2)
 - (a) The state board shall make rules providing for the administration of a statewide assessment to a student enrolled in an online course.
 - (b) Rules made under Subsection (2)(a) shall:
 - (i) provide for the administration of a statewide assessment upon a student completing an online course; and
 - (ii) require an authorized online course provider to proctor the statewide assessment.

Amended by Chapter 24, 2024 General Session

Superseded 7/1/2025

53F-4-511 Report on performance of authorized online course providers.

- (1) The state board, in collaboration with authorized online course providers, shall develop a report on the performance of authorized online course providers, which may be used to evaluate the Statewide Online Education Program and assess the quality of an authorized online course provider.
- (2) A report on the performance of an authorized online course provider shall include:
 - (a) scores aggregated by test on statewide assessments administered under Title 53E, Chapter 4, Part 3, Assessments, taken by students at the end of an online course offered through the Statewide Online Education Program;
 - (b) the percentage of the authorized online course provider's students who complete online courses within the applicable time period specified in Subsection 53F-4-505(4)(c);
 - (c) the percentage of the authorized online course provider's students who complete online courses after the applicable time period specified in Subsection 53F-4-505(4)(c) and before the student graduates from high school; and
 - (d) the pupil-teacher ratio for the combined online courses of the authorized online course provider.
- (3) The state board shall post a report on the performance of an authorized online course provider on the Statewide Online Education Program's website described in Section 53F-4-512.

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Effective 7/1/2025

53F-4-511 Report on performance of authorized online course providers.

- (1) The state board, in collaboration with authorized online course providers, shall develop a report on the performance of authorized online course providers, which may be used to evaluate the Statewide Online Education Program and assess the quality of an authorized online course provider.
- (2) A report on the performance of an authorized online course provider shall include:
 - (a) scores aggregated by test on statewide assessments administered under Title 53E, Chapter 4, Part 3, Assessments, taken by students at the end of an online course offered through the Statewide Online Education Program;
 - (b) the percentage of the authorized online course provider's students who complete online courses within the applicable time period specified in Subsection 53F-4-505(4)(c);

- (c) the percentage of the authorized online course provider's students who complete online courses after the applicable time period specified in Subsection 53F-4-505(4)(c) and before the student graduates from high school;
 - (d) the pupil-teacher ratio for the combined online courses of the authorized online course provider;
 - (e) student grade distributions for each course the authorized online course provider offers;
 - (f) student completion rates for each course the authorized online course provider offers;
 - (g) results of student and parent satisfaction surveys;
 - (h) if applicable, a summary of the authorized online course provider's plan to improve course quality and student outcomes; and
 - (i) results of any sample audits the state board has conducted related to courses the authorized online course provider offers.
- (3) The state board shall post a report on the performance of an authorized online course provider on the Statewide Online Education Program's website described in Section 53F-4-512.
- (4) The state board shall develop a standardized performance evaluation report card to assess an authorized online course provider, which shall be published annually on the Statewide Online Education Program's website described in Section 53F-4-512.

Amended by Chapter 523, 2025 General Session

Superseded 7/1/2025

53F-4-512 Dissemination of information on the Statewide Online Education Program.

- (1) The state board shall develop a website for the Statewide Online Education Program which shall include:
- (a) a description of the Statewide Online Education Program, including its purposes;
 - (b) notwithstanding Subsection (2), information on who is eligible to enroll, and how an eligible student may enroll, in an online course;
 - (c) a directory of authorized online course providers;
 - (d) a link to a course catalog for each authorized online course provider; and
 - (e) a report on the performance of authorized online course providers as required by Section 53F-4-511.
- (2) An authorized online course provider shall provide the following information on the authorized online course provider's website:
- (a) a description of the Statewide Online Education Program, including its purposes;
 - (b) information on who is eligible to enroll, and how an eligible student may enroll, in an online course;
 - (c) a course catalog;
 - (d) scores aggregated by test on statewide assessments administered under Title 53E, Chapter 4, Part 3, Assessments, taken by students at the end of an online course offered through the Statewide Online Education Program;
 - (e) the percentage of an authorized online course provider's students who complete online courses within the applicable time period specified in Subsection 53F-4-505(4)(c);
 - (f) the percentage of an authorized online course provider's students who complete online courses after the applicable time period specified in Subsection 53F-4-505(4)(c) and before the student graduates from high school; and
 - (g) the authorized online course provider's pupil-teacher ratio for the online courses combined.

Amended by Chapter 541, 2025 General Session

Effective 7/1/2025

53F-4-512 Dissemination of information on the Statewide Online Education Program.

- (1) The state board shall develop or purchase an enrollment and program administration system accessible to authorized online course providers, which shall include:
 - (a) a description of the Statewide Online Education Program, including its purposes;
 - (b) notwithstanding Subsection (2), information on who is eligible to enroll, and how an eligible student may enroll, in an online course;
 - (c) a directory of authorized online course providers;
 - (d) a link to a course catalog for each authorized online course provider;
 - (e) a report on the performance of authorized online course providers as required by Section 53F-4-511; and
 - (f) a centralized registration system that:
 - (i) allows a parent or eligible student to register for online courses; and
 - (ii) automatically shares registration information with the selected authorized online course provider.
- (2) An authorized online course provider shall provide the following information on the authorized online course provider's website:
 - (a) a description of the Statewide Online Education Program, including its purposes;
 - (b) information on who is eligible to enroll, and how an eligible student may enroll, in an online course;
 - (c) a course catalog;
 - (d) scores aggregated by test on statewide assessments administered under Title 53E, Chapter 4, Part 3, Assessments, taken by students at the end of an online course offered through the Statewide Online Education Program;
 - (e) the percentage of an authorized online course provider's students who complete online courses within the applicable time period specified in Subsection 53F-4-505(4)(c);
 - (f) the percentage of an authorized online course provider's students who complete online courses after the applicable time period specified in Subsection 53F-4-505(4)(c) and before the student graduates from high school;
 - (g) the authorized online course provider's pupil-teacher ratio for the online courses combined; and
 - (h) additional information described in Subsection 53F-4-511(2) not described in this Subsection (2).

Amended by Chapter 523, 2025 General Session

53F-4-513 Time period to enroll in an online course.

- (1) To provide an LEA and an authorized online course provider with estimates of online course enrollment, a student should enroll in an online course, or declare an intention to enroll in an online course:
 - (a) for a high school online course, during the time period the LEA designates for high school course registration; or
 - (b) for a middle school online course, during the time period the LEA designates for middle school course registration.
- (2) Notwithstanding Subsection (1) and except as provided in Subsection (3), a student may enroll in an online course at any time during a calendar year.
- (3)

- (a) A student may alter a course schedule by dropping a traditional classroom course and adding an online course consistent with course schedule alteration procedures adopted by the student's primary LEA of enrollment.
- (b) An LEA or school's deadline for dropping a traditional classroom course and adding an online course shall be the same deadline for dropping and adding a traditional classroom course.

Amended by Chapter 24, 2024 General Session

Superseded 7/1/2025

53F-4-514 State board -- Rulemaking -- Fees.

- (1) Notwithstanding Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall provide a delayed effective date that is after the school year has ended for a change to an administrative rule related to the Statewide Online Education Program if the change would require an authorized online course provider to make program changes during the school year.
- (2) The state board shall make rules in accordance with this part and Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that establish:
 - (a) a course credit acknowledgement form and procedures for completing and submitting to the state board a course credit acknowledgement;
 - (b) procedures for the administration of a statewide assessment to a student enrolled in an online course;
 - (c) protocols for an online course provider to obtain approval to become a certified online course provider, including:
 - (i) the application procedure for an online course provider to obtain approval to become a certified online course provider; and
 - (ii) the standards that a certified online course provider and any online course the certified online course provider offers shall meet;
 - (d) in accordance with Title 53E, Chapter 4, Academic Standards, Assessments, and Materials, criteria for an authorized online course provider to submit for approval an online course that does not have an existing state board course code; and
 - (e) a process within existing systems at the state board to allow a certified online course provider access to an educator's licensing, endorsement, certification, and assignment information if the educator is teaching an online course for the certified online course provider;
 - (f) in consultation with the authorized online course providers, the parameters for conducting a site visit including:
 - (i) a definition for the term, site visit;
 - (ii) the minimum amount of time required for:
 - (A) notice to an authorized online course provider of a site visit; and
 - (B) an authorized online course provider to prepare for a site visit;
 - (iii) the documents, data, and artifacts subject to inspection during a site visit; and
 - (iv) a process to ensure a site visit allows for observation of instruction without interfering with the instruction;
 - (g) annual mandatory training for relevant staff at a primary LEA that includes:
 - (i) program requirements for a primary LEA including reporting requirements and methods;
 - (ii) uses of resources and tools to ensure adequate monitoring of an eligible student's progress;
 - (iii) federal and state requirements for accommodating enrollments that involve special education;
 - (iv) appropriate circumstances and methodologies for reducing an eligible student's schedule; and

- (v) other components the state board determines are necessary.
- (3)
- (a) When establishing the standards described in Subsection (2)(c)(ii) the state board shall:
 - (i) establish rules and minimum standards regarding accreditation;
 - (ii) require an online course to be aligned with the core standards described in Section 53E-4-202;
 - (iii) require proof that a national organization responsible for college athletics endorses:
 - (A) the certified online course provider; or
 - (B) the online course that a certified online course provider offers;
 - (iv) permit an open-entry, open-exit method of instructional delivery that allows a student the flexibility to:
 - (A) schedule in response to individual needs or requirements;
 - (B) demonstrate competency when the student has mastered knowledge and skills;
 - (C) begin or end study at any time; and
 - (D) progress through course material at the student's own pace; and
 - (v) except as provided in Subsection (5), require an individual who teaches a course for a certified online course provider to hold a teaching license issued by the state board.
 - (b) When establishing the standards described in Subsection (2)(c)(ii), the state board may not:
 - (i) specify a minimum duration for an online course;
 - (ii) specify a minimum amount of time that a student must spend in an online course; or
 - (iii) limit the class size of an online course.
- (4) No later than January 31, 2026, the state board shall create a communication dashboard for the program that may include:
- (a) a counselor contact list for an eligible student that is accessible to an authorized online course provider; and
 - (b) progress monitoring fields that are accessible to the primary LEA, the eligible student's counselor, and the eligible student's parent containing:
 - (i) grade progress reporting of an eligible student by an authorized online course provider;
 - (ii) an ability to flag a student that is at-risk of failing an online course; and
 - (iii) other relevant capabilities the state board determines to be necessary in consultation with LEA users of the dashboard.
- (5) If an individual possesses a provider-specific license described in Section 53E-6-201, the state board may not prohibit the individual from teaching an online course for an authorized online course provider while the individual is in the process of obtaining an endorsement or additional license issued by the state board.
- (6) The state board may establish a fee, in accordance with Section 63J-1-504, in an amount to pay the costs to the state board of the application approval process and the monitoring of a certified online course provider's compliance with the standards described in Subsection (2)(c)(ii).
- (7)
- (a) Fee revenue collected in accordance with Subsection (6) shall be:
 - (i) deposited into the Uniform School Fund as a dedicated credit; and
 - (ii) used to pay the costs to the state board of reviewing certified online course providers' applications and compliance with the standards described in Subsection (2)(c)(ii).

Amended by Chapter 541, 2025 General Session

Effective 7/1/2025

53F-4-514 State board -- Rulemaking -- Fees.

- (1) Notwithstanding Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall provide a delayed effective date that is after the school year has ended for a change to an administrative rule related to the Statewide Online Education Program if the change would require an authorized online course provider to make program changes during the school year.
- (2) The state board shall make rules in accordance with this part and Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that establish:
 - (a) a course credit acknowledgement form and procedures for completing and submitting to the state board a course credit acknowledgement;
 - (b) procedures for the administration of a statewide assessment to a student enrolled in an online course;
 - (c) protocols for an online course provider to obtain approval to become a certified online course provider, including:
 - (i) the application procedure for an online course provider to obtain approval to become a certified online course provider; and
 - (ii) the standards that a certified online course provider and any online course the certified online course provider offers shall meet;
 - (d) in accordance with Title 53E, Chapter 4, Academic Standards, Assessments, and Materials, criteria for an authorized online course provider to submit for approval an online course that does not have an existing state board course code; and
 - (e) a process within existing systems at the state board to allow a certified online course provider access to an educator's licensing, endorsement, certification, and assignment information if the educator is teaching an online course for the certified online course provider;
 - (f) in consultation with the authorized online course providers, the parameters for conducting a site visit including:
 - (i) a definition for the term, site visit;
 - (ii) the minimum amount of time required for:
 - (A) notice to an authorized online course provider of a site visit; and
 - (B) an authorized online course provider to prepare for a site visit;
 - (iii) the documents, data, and artifacts subject to inspection during a site visit; and
 - (iv) a process to ensure a site visit allows for observation of instruction without interfering with the instruction;
 - (g) annual mandatory training for relevant staff at a primary LEA that includes:
 - (i) program requirements for a primary LEA including reporting requirements and methods;
 - (ii) uses of resources and tools to ensure adequate monitoring of an eligible student's progress;
 - (iii) federal and state requirements for accommodating enrollments that involve special education;
 - (iv) appropriate circumstances and methodologies for reducing an eligible student's schedule; and
 - (v) other components the state board determines are necessary.
- (3)
 - (a) When establishing the standards described in Subsection (2)(c)(ii) the state board shall:
 - (i) establish rules and minimum standards regarding accreditation;
 - (ii) require an online course to be aligned with the core standards described in Section 53E-4-202;
 - (iii) require proof that a national organization responsible for college athletics endorses:
 - (A) the certified online course provider; or
 - (B) the online course that a certified online course provider offers;

- (iv) permit an open-entry, open-exit method of instructional delivery that allows a student the flexibility to:
 - (A) schedule in response to individual needs or requirements;
 - (B) demonstrate competency when the student has mastered knowledge and skills;
 - (C) begin or end study at any time; and
 - (D) progress through course material at the student's own pace; and
- (v) except as provided in Subsection (5), require an individual who teaches a course for a certified online course provider to hold a teaching license issued by the state board.
- (b) When establishing the standards described in Subsection (2)(c)(ii), the state board may not:
 - (i) specify a minimum duration for an online course;
 - (ii) specify a minimum amount of time that a student must spend in an online course; or
 - (iii) limit the class size of an online course.
- (4) No later than January 31, 2026, the state board shall create a communication dashboard for the program that may include:
 - (a) a counselor contact list for an eligible student that is accessible to an authorized online course provider; and
 - (b) progress monitoring fields that are accessible to the primary LEA, the eligible student's counselor, and the eligible student's parent containing:
 - (i) grade progress reporting of an eligible student by an authorized online course provider;
 - (ii) an ability to flag a student that is at-risk of failing an online course; and
 - (iii) other relevant capabilities the state board determines to be necessary in consultation with LEA users of the dashboard.
- (5) If an individual possesses a provider-specific license described in Section 53E-6-201, the state board may not prohibit the individual from teaching an online course for an authorized online course provider while the individual is in the process of obtaining an endorsement or additional license issued by the state board.
- (6) The state board may establish a fee, in accordance with Section 63J-1-504, in an amount to pay the costs to the state board of the application approval process and the monitoring of a certified online course provider's compliance with the standards described in Subsection (2)(c)(ii).
- (7)
 - (a) Fee revenue collected in accordance with Subsection (6) shall be:
 - (i) deposited into the Uniform School Fund as a dedicated credit; and
 - (ii) used to pay the costs to the state board of reviewing certified online course providers' applications and compliance with the standards described in Subsection (2)(c)(ii).

Amended by Chapter 523, 2025 General Session

53F-4-516 Report of noncompliance -- Action to ensure compliance.

- (1) The state superintendent shall report to the state board any report of noncompliance of this part made to a staff member of the state board.
- (2) The state board shall take appropriate action to ensure compliance with this part.

Amended by Chapter 541, 2025 General Session

53F-4-517 Agreements for online instruction.

- (1) In addition to offering online courses to students through the program, a school district or charter school may enter into an agreement with another school district or charter school or

a consortium of school districts or charter schools to provide online instruction to the school district's or charter school's students.

- (2) Online instruction offered pursuant to Subsection (1) is not subject to the requirements of this part.

Amended by Chapter 24, 2024 General Session

Superseded 7/1/2025

53F-4-518 Small school student access to college and career readiness courses.

Subject to legislative appropriations and Subsection 53F-4-514(2), and notwithstanding Subsections 53F-4-509(2) and (3), the state board shall:

- (1) use funds from an appropriation for the Statewide Online Education Program to pay for an online course fee described in Section 53F-4-505 for a student who is enrolled in a public high school that enrolls fewer than 1,000 students; and
- (2) after the funds described in Subsection (1) have been expended, make a deduction as described in Subsection 53F-4-507(3).

Amended by Chapter 24, 2024 General Session

Effective 7/1/2025

53F-4-518 Small school student access to courses.

Subject to legislative appropriations and Subsection 53F-4-514(2), and notwithstanding Subsections 53F-4-509(2) and (3), the state board shall:

- (1) use funds from an appropriation for the Statewide Online Education Program to pay for an online course fee described in Section 53F-4-505 for a student who is enrolled in a public high school that enrolls fewer than 1,000 students;
- (2) after the funds described in Subsection (1) have been expended, make a deduction as described in Subsection 53F-4-507(3);
- (3) establish a prioritized funding distribution system that evaluates and ranks schools based on:
 - (a) the school's demonstrated inability to provide courses, including Advanced Placement, International Baccalaureate, or Concurrent Enrollment due to:
 - (i) insufficient student enrollment to justify full course sections;
 - (ii) geographic isolation from qualified instructors;
 - (iii) limited staff capacity to teach courses; or
 - (iv) financial constraints in hiring qualified instructors; and
 - (b) the school's current access to college and career readiness programming;
- (4) develop an annual assessment process to:
 - (a) identify schools with the highest demonstrated need based on the criteria in Subsection (3); and
 - (b) adjust funding priorities based on program outcomes;
- (5) establish reporting requirements for recipient schools to:
 - (a) document the use of allocated funds;
 - (b) track student participation in online courses;
 - (c) measure student achievement in funded courses; and
 - (d) demonstrate ongoing need for continued funding; and
- (6) at the request of the Education Interim Committee, submit a report that includes:
 - (a) a list of schools receiving prioritized funding;
 - (b) the basis for funding prioritization;

- (c) student participation and achievement data; and
- (d) recommendations for program improvement.

Amended by Chapter 534, 2025 General Session

53F-4-519 Home-based student access to online courses.

Subject to legislative appropriations and Subsection 53F-4-514(2), and notwithstanding Subsections 53F-4-509(2) and (3), the state board shall:

- (1) use funds from an appropriation for the Statewide Online Education Program to pay for an online course fee described in Section 53F-4-505 for a home-based student whose custodial parent is a resident of Utah; and
- (2) allocate funds for online course fees for home-based students on a first-come, first-served basis until the appropriated funds are fully expended.

Enacted by Chapter 541, 2025 General Session