

28 (1) ~~§~~ **→** For purposes of this section, "distance education" means instruction that
 28a occurs at a location other than the school's campus and includes observation of an esthetician
 28b performing licensed services.

28c (2) ~~←~~ ~~§~~ An applicant for licensure as an esthetics school under Subsection 58-11a-302(13)
 29 and an esthetics school licensed under this chapter may offer up to ~~§~~ **→** [39] 35 ~~←~~ ~~§~~ % of its total
 29a curriculum

30 online ~~§~~ **→** :

30a (a) for instruction in theory; and

30b (b) ~~←~~ ~~§~~ in accordance with standards adopted by nationally recognized accrediting
 31 organizations ~~§~~ **→** .

31a (3) An applicant for licensure as an esthetics school and an esthetics school licensed
 31b under this chapter may provide distance education as approved by the division by
 31c administrative rule, which rules shall require, at a minimum that:

31d (a) interactions with the instructor must be validated by measurable participation,
 31e including clock hours, credit hour, or competency based criteria;

31f (b) all assessments that will be used for calculating a student's grade point average must
 31g be executed while the student is physically on campus;

31h (c) the student shall participate in learning activities while physically present at the
 31i contracted campus at least once every 10 business days for the length of a scheduled class day
 31j as outlined in the enrollment contract;

31k (d) all transcripts or other documents, listing academic attainment received, must
 31l identify the distance education component; and

31m (e) prior to enrollment, students are provided with a disclaimer that academic
 31n achievement earned via distance education may not be accepted for reciprocity or eligible for
 31o licensure in other states ~~←~~ ~~§~~ .

32 ~~§~~ **→** [~~2~~] (3) ~~←~~ ~~§~~ The provisions of this section do not:

33 (a) require the board to allow other schools licensed under this chapter to offer
 34 curriculum online; or

35 (b) limit the authority of the board to allow other schools licensed under this chapter to
 36 offer curriculum online.

37 Section 2. Section 58-11a-501 is amended to read:

38 **58-11a-501. Unprofessional conduct.**

39 Unprofessional conduct includes:

40 (1) failing as a licensed school to obtain or maintain accreditation as required by rule;