THE STATEWIDE ONLINE EDUCATION PROGRAM (SOEP) POLICY AND PROCEDURE ONLINE PROVIDER MANUAL SY2025-26

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Introduction

This manual provides guidance for all Online Provider categories of Utah's Statewide Online Education Program (SOEP).

Purpose of the SOEP

The Statewide Online Education Program (SOEP) expands access to courses, supports flexibility, and promotes college and career readiness for Utah students. All local education agencies (LEAs) are required to offer the program to ensure equitable access. SOEP combines state oversight, funding for small schools, experienced Online Providers aligned with the Utah Core Standards, and instruction by licensed educators, assuring high-quality online learning statewide.

Governing Statute and Rule

- [Title 53F Chapter 4 Part 5](#)
- [R277-726: Statewide Online Education Program (SOEP)](#)

Online Provider General Information

Course Completion means:

- The student has completed a course with a passing grade, and the Online Provider has transmitted the course title, course code, grade, and credit to the primary LEA and the USBE

LEA means:
- The school district or charter school

Primary LEA means:

- The LEA in which an eligible student is enrolled for courses other than online courses offered through the SOEP

Primary School means:

- The student's school of record within a Primary LEA

- The school that maintains the student's cumulative file, enrollment information, individualized education program (IEP), and transcript for purposes of high school graduation
- The school that is responsible for providing the student access to facilities, technology, internet, and other non-instructional amenities required by membership-related funding derived from the school program, and other local, state, and federal funding streams

Provider categories include:

- **Online Provider** is a public school or program created exclusively to serve students online
- **Institution of Higher Education** (IHE) Online Provider is a program of a Utah public IHE that offers secondary school-level courses and was created exclusively to serve students online
- **Certified Online Provider** is an entity that is not associated with a Utah K-12 school or a Utah IHE, is accredited for K-12 education by Cognia, and meets additional requirements included in law and rule

Original Credit

- The Online Provider may only offer a course designed for original credit through the SOEP
- The Online Provider cannot award competency-based credit without the student first engaging in a course of digital, teacher-led instruction

SOEP Credit Limits

- Students may only take six online credits per academic year unless:
  - The Primary school agrees that more credits better meet the academic needs of the student

Student Withdrawal

- The Online Provider may not encourage the student to withdraw from a course

Online Provider Application Period

The application period is based on the USBE's ability to move an application through the approval process, allowing the Online Provider to begin service on July 1 of the following year. The USBE accepts applications on a rolling basis from July 1 to April 1.

Online Provider Agreement Renewal

Online Providers must complete the Online Provider Renewal Application annually. The USBE distributes a link for the application with a due date via email.

Data Security

Online Providers must follow state and federal laws regarding the security of personally identifiable information (PII). A Certified Online Provider will be required to meet additional data security protocols.

Family Educational Rights and Privacy Act (FERPA)

Online Providers must follow FERPA guidelines. FERPA limits the disclosure of PII from student education records without written consent from parents or eligible students.

- PII is information that would enable a reasonable person in the school community to identify the student
- FERPA grants students rights and parents' rights regarding their children's education records, including the right to consent to PII disclosure
  - These rights transfer to the student when they reach 18 or attend postsecondary education
- The Online Provider may adopt a limited directory information policy that allows disclosure to specific parties for specific purposes, which must be specified in a public notice

- When contacting the USBE regarding the student, only the following information should be included when requesting assistance:
    o Student's first name (first 2 letters only)
    o Student's last name
    o Email address(es)

Student Enrollment and Tracking System (SEATS) Access

An individual needing access to SEATS must register for a [SEATS account.](#) Provider-specific access can be extended to any person approved by an administrator for the Online Provider.

Standard of Active Participation (SAP)

The Online Provider must have a written SAP, which is used to monitor program outcomes and program financial compliance. It should include:

- Required periodic contact with a teacher of record through means applicable to an online environment, such as:
    o Asynchronous discussion boards
    o Emails; or
    o Scheduled synchronous meetings and;
- One or more mandatory measures chosen by the Online Provider from the following:
    o A minimum frequency of student logins every five or ten days
    o Student work submitted within the required timeline for the student to provide completed assignments, coursework, or to have made progress toward academic goals
    o Routinely completed student assignments demonstrating acceptable progress toward timely completion; or otherwise meeting established pacing guidelines
    o Additional measures selected for display in a dashboard communicating student progress to a school counselor

Mandatory Minimum Rate of Completion

Must maintain a course completion rate of at least 80%.

Course Credit Acknowledgement (CCA)

A CCA is a bilateral contract between the Online Provider and a Primary LEA, formalizing the outsourcing of instructional services for the student.

- Under a CCA, the Primary LEA:
  - Acknowledging grades and credits from the Online Provider
  - Accepts financial responsibility for the services
  - Maintains overall responsibility for the student, except for direct instruction, accommodations, services, and materials specific to the online course
- Important Considerations:
  - The Online Provider is not authorized to certify graduation requirements or issue diplomas; this authority remains solely with the Primary School and Primary LEA
    - Home school students can use SOEP courses to fulfill graduation requirements, but they must enroll in a public or private school to receive a diploma
  - Students participating in SOEP continue their primary enrollment with their Primary LEA, retaining full access to its facilities, activities, and services
  - SOEP courses are considered equivalent to traditional courses offered directly by the Primary LEA
  - Primary LEAs are responsible for facilitating SOEP participation and tracking student progress

Student Eligibility

Public School Students

Students in grades 6-12 enrolled in a Utah public school are eligible for participation.

Home School Students

Home school students remain eligible until the age of 19 if they are in grades 6-12, provide acceptable proof of age and identity, and submit a parent or guardian's notification of the parent's intent to home school the child. Once the Primary LEA acknowledges receipt of intent to home school, it will remain in effect until the child enrolls in a public or private school, or until the child relocates to another district of residence. The Online Provider must retain a record of the Primary LEA's acknowledgment.

Students in Group Care Settings

Students in grades 6-12 residing in temporary care through a state-licensed group care facility may enroll through the school district where the facility is physically located or through their school district of residence if facility attendance is part-time and non-residential. This does **not** include:

- Outdoor youth programs
- Residential support programs
- Residential treatment programs
- Therapeutic schools

Out-of-School Youth

An out-of-school youth is an individual under the age of 19 who is not enrolled in Adult Education and has not received a secondary diploma or the equivalent. Out-of-school youth qualify for SOEP participation if the student enrolls in a public

school before their cohort graduation date. The student enrolled in Adult Education must exit and re-enroll in public school to participate.

Ineligible Students

The following are not eligible to participate in the SOEP:

- Students currently benefiting from a Utah Fits All Scholarship
- Students who have been notified that they will receive a Utah Fits All Scholarship award in the upcoming school year
- Students whose school of record is the Online Provider or another school within the district that houses the Online Provider (School of Record = Y or blank)
- Students attending private schools

Enrollment Process Overview

Students submit enrollment requests through the USBE SEATS application, either independently or with help from a school counselor or Online Provider.

- The Primary LEA approver has 3 business days to respond
- The Online Provider must respond within 24 hours, unless local registration is incomplete
- The school counselor verifies course alignment with the graduation plan and ensures the credit load doesn't exceed full-time enrollment (July 1–June 30). Students planning early graduation may exceed this limit; the intent is nonbinding
- The school counselor is not required to meet with the student or parent for approval of a course request
- The school counselor should treat a request to enroll in an online course as a request to drop the same course being taken in person if it falls within the school's established deadline for dropping and adding courses
- The student may enroll in a course after the Primary School's add/drop deadline only if the course is not replacing an in-person class

- The student may exceed a full course load between the SOEP courses and in-person courses taken at their Primary School if:
  - The student has an early graduation plan; *or*
  - It is approved under local board policy
- The school counselor may work with the student to request that an online course be dropped within the withdrawal period

Primary LEA Responsibilities

If the course aligns with their college and career plan, the student has met prerequisites, and the course is open for enrollment, the Primary LEA:

- Must assist with scheduling and cannot restrict course selection
- May not favor specific Online Providers
- Must follow the decision tree on the [LEA Counselors, Registrars, and Staff webpage](#) when deciding whether to reject or accept a CCA

Online Provider Responsibilities

The Online Provider:

- Must *prominently* post required SOEP information on the Online Provider's website
  - Program Description: A clear description of the Statewide Online Education Program
  - Eligibility and Enrollment: Clear information on who is eligible to enroll in the program and the enrollment process is readily available
  - Course Catalog: A catalog of available online courses is accessible and easy to navigate
  - Student Performance: (Included in the SOEP Annual Report)
    - Statewide assessment scores are summarized by test for students completing online courses
    - The percentage of students who complete courses within the applicable time period
    - The percentage of students who complete courses after the deadline but before graduation is clearly displayed

- o Pupil-Teacher Ratio: The overall pupil-teacher ratio for the provider's online courses is stated
  - o Provider Contact Information
- Must record teaching assignments in the Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS) or the Schools Information Management System (USIMS) by October 13 annually
- May reject a CCA
  - o If the student does not meet course prerequisites, or the course is not open for enrollment
  - o For their own regularly enrolled student who filed a request in error
- Must verify Active Participation
  - o During the 20 school-day withdrawal period, the Online Provider must verify that the student has met the following minimum criteria:
    - The student logged into the course one or more times
    - The student submitted one or more graded assignments, and
    - The student did not submit a written request to withdraw
  - o Within five business days following the expiration of the 20 school-day withdrawal period, the Online Provider must certify active participation for every CCA by moving the CCA to *Confirmed*
  - o Students who do not meet the Online Providers Standard of Active Participation within the 20-school-day statutory period and are moved to "Not Confirmed Closed" will <u>not</u> be moved back to "Enrollment Complete" to try again. Students will need to request the course for another quarter/semester
    - If a CCA is accidentally or mistakenly moved to "Not Confirmed Closed," the Online Provider has *three business days* to notify the USBE and request a correction. Failure to notify the USBE within this timeframe prohibits the Online Provider from subsequently split enrolling the student with the LEA for the purpose of course continuation and credit issuance. However, the Online Provider retains the option to allow the student to complete the course and issue credit outside of the SOEP framework, without claiming membership for the student
- Notification of intent to change CCA status to *Administrative Withdrawal*

o The Online Provider must notify the student, parent, and school counselor if they intend to change the CCA status to *Administrative Withdrawal*, due to the student being inactive in a course for more than ten days

- If the student, parent, or school counselor fails to request reinstatement, the Online Provider must formally withdraw the student within five business days by changing the status of the CCA to *Administrative Withdrawal*, which will automatically notify the student, parent, and counselor of the action

The USBE Responsibilities

The USBE issues a Notice of Enrollment once a CCA has been accepted by the Online Provider, and the Primary LEA has approved the CCA or the three-business-day period has expired.

- A Notice of Enrollment indicates that the student:
  - Completed registration procedures
  - Was accepted to participate by the Online Provider
  - Received approval from a Primary LEA or USBE for home school students
- A Notice of Enrollment enables the Online Provider to initiate instruction if:
  - The Primary LEA accepts the CCA and financial responsibility for a public-school student
  - The USBE accepts the CCA and financial responsibility for a home school student

The USBE may reject a CCA if:

- A parent asks for the request to be withdrawn prior to issuance of a Notice of Enrollment
- In consultation with the Online Provider, parent, or student, the enrollment request is a duplicate

Order of Operations

The Online Provider must follow the SEATS Status Flowchart found on the [Online Provider Resource Center](#) and select a status appropriate for the student's situation/scenario. CCAs must follow a one-way progression from origination to completion, ending in a closeout status with final grade and credit. Statuses must pass through *Confirmed* to be eligible for payment.

Enrollment Request

Steps for processing an Enrollment Request:

- The student submits the request in SEATS
- The Primary School reviews the request and makes a recommendation using the decision tree on the [LEA Counselors, Registrars, and Staff webpage](#)
- The Primary LEA accepts or rejects requests within 3 business days
- The Online Provider must review and respond to the request within 3 business days, unless local registration is incomplete
    - The Online Provider must accept or reject the request without considering the decision of the Primary LEA or Primary School
- If the Primary LEA does not respond within its allotted time, the USBE is required to issue a Notice of Enrollment
    - If a Notice of Enrollment is issued by the USBE, the Primary LEA or Primary School may still request a cancellation within 72 business hours
- If the Primary LEA or Online Provider rejects the request, the USBE will issue a Notice of Rejection

Local Registration

The student must complete local registration procedures to allow the Online Provider to accept a CCA. A local registration document must include the following:

- Gender
- Preferred name
- Home address
- School address
- Telephone (student, parent, or guardian)
- Preferred method of contact (text, email, etc.)

- Indication of an IEP or 504 plan
- ML (Multilingual) status and [Home Language Survey](#)
- Fee waiver qualification (public school students submit this form to their Primary LEA; home school students must be given a fee waiver application)
- For home school students:
    - Birth certificate or acceptable alternative
    - Proof of Residency
    - Home school acknowledgement

Following successful local registration, the Online Provider must:

- Accept or reject the CCA
- Enter the Course Start Date
- Enter the Teacher of Record (TOR)
    - Online Providers who allow open enrollment may enter the course start date and TOR at a date closer to the start of the course
    - The Course Start Date in SEATS must accurately match the course release date in the Online Provider's LMS and must not be modified after being established, as it initiates the 20-day statutory period

Definitions and Functionality

Pending Execution: The CCA has been submitted and is waiting for approval by the Primary LEA and/or acceptance by the Online Provider.

Enrollment Complete: The CCA has been accepted, and a Notice of Enrollment has been issued. The Online Provider may release the course to the student.

Confirmed: The Online Provider certifies the student is actively participating. Within five business days after the 20-day withdrawal window, the Online Provider updates the CCA status. In return for 50% of the course fee, the Online Provider assumes instructional responsibility. The student must then be entered into the local Student Information System (SIS).

Late Pass: With passing grade after June 30: The Online Provider uses this status when the student completes a course with a passing grade after June 30.

20 School Day Period: A statutory period during which the student may withdraw.

Day of Census: The day after the 20-day withdrawal period. The Online Provider has 5 days following the Day of Census to assess LMS activity and any excused

absences to determine if the student was active and is currently active in the course. Students meeting both criteria should be marked *Confirmed*. If the criteria are not met, the CCA should be marked as *Not Confirmed Closed*.

One of the following SEATS statuses must be selected by the June 30 closeout.

- **Rejected Provider:** The Online Provider uses this status if they were unable to accept a CCA
- **Loss of Eligibility within first 20 school days of course start date:** The Online Provider uses this status when the student is unable to participate in the course due to the student exiting the LEA within the first 20 school days following the start of the course
- **Loss of Eligibility after 20 school day period: No credit earned:** The Online Provider uses this status when the student is unable to continue in the course due to the student exiting the LEA within the first 20 school days following the start of the course
- **Loss of Eligibility: .25 earned cancel remainder:** The Online Provider uses this status when the student is unable to continue in the course due to the student exiting the LEA within the first 20 school days following the start of the course, and has earned .25 credit
- **Student Withdrawal within first 20 school days of course start date:** The student may request to be withdrawn from an online course within the first 20 school days following the start of the course.
- **Student Withdrawal after 20 school day period: No credit earned:** The student may request to withdraw from a course after the first 20 school days following the start of the course. The student must email the provider to request withdrawal. The Online Provider must retain written documentation of the student's request and the withdrawal date
- **Not Confirmed Closed:** The Online Provider uses this status when the student does not meet SAP requirements for course activity and has not started the course. Applying this status automatically sends an email to the parents, student, and counselor, notifying them of withdrawal due to inactivity
- **Administrative Withdrawal: No credit earned after initial activity:** The Online Provider uses this status when the student has not met the SAP. Applying this status automatically sends an email to the parent, student, and counselor, notifying them of withdrawal due to inactivity. If contacted to reactivate, the Online Provider must contact the USBE to change the CCA to *Confirmed*. Reactivation does not restart the initial twenty-day withdrawal period

- **Administrative Withdrawal: .25 earned cancel remainder:** The Online Provider uses this status when the student does not meet the SAP but has completed .25 of a .50 credit course. Applying this status automatically sends an email to the parents, student, and counselor, notifying them of withdrawal due to inactivity. If contacted to reactivate, the Online Provider can change the CCA to *Confirmed*. If contacted to reactivate, the Online Provider must contact the USBE to change the CCA to *Confirmed*. Reactivation does not restart the initial twenty-day withdrawal period
- **Disciplinary Withdrawal: No credit earned:** The Online Provider uses this status when the student has violated a school's code of conduct. The Online Provider must retain documentation of the discipline issue
- **Disciplinary Withdrawal: .25 earned cancel remainder:** The Online Provider uses this status when the student has violated a school's code of conduct but has completed .25 of a .50 credit course. The Online Provider must retain documentation of the discipline issue
- **Completed Course: Grade too low to earn credit (F):** The Online Provider uses this status when the student completed the course but did not earn a passing grade. *This status will adversely impact the Online Provider's completion rate*
- **Failed to Complete Course: No credit earned (I, NG):** The Online Provider uses this status when the student actively participated throughout the course but did not complete the course. *This status will adversely impact the Online Provider's completion rate*
- **.25 Earned Not Passing Remainder: Grade too low to earn full credit:** The Online Provider uses this status when the student actively participated throughout the course but only completed .25 of a .50 credit course. *This status will adversely impact the Online Provider's completion rate*
- **Anticipated Late Pass: Student actively working and continues beyond June 30:** The Online Provider uses this status when the student is actively working in the course beyond June 30. This is a temporary status that must be finalized by August 1st and moved to either *Late Pass: Completed with Passing Grade After June 30* or another appropriate closeout status
- **Pass All Complete: With passing grade by June 30:** The Online Provider uses this status when the student has completed a course with a passing grade by June 30

Statewide Student Identification (SSID) and SEATS: The Online Provider needs the student's SSID to change the CCA status to *Confirmed*. They can enter SSIDs for home school students in SEATS. For public school students, the USBE and the

Online Provider will collaborate on obtaining the SSID. Payment will only be distributed for CCAs with an SSID assigned for identification purposes.

Data Consistency: Consistent data maintenance across all systems (Learning Management System (LMS), SEATS, SIS, and UTREx) is crucial, as UTREx is the USBE official repository for grades and credit. Ensuring alignment between SEATS and SIS will guarantee accurate reporting in UTREx. To simplify reporting and maintain consistency, the Online Provider should only enter course enrollments into their local SIS after verifying student activity in the course. This should be done immediately following confirmation of active participation, ideally right after the Day of Census. The USBE uses UTREx records to determine accountability. The Online Provider is encouraged to compare SEATS data to their LEA's UTREx Examine file.

The USBE will assist in the correlation of SEATS and UTREx data by preparing and disseminating Quarterly Data Reports on the following dates:

- November 1
- February 1
- April 1
- June 1

SAP: Following confirmation, the Online Provider will apply their SAP to track student engagement (at least once every ten school days) and attendance for the duration of the course. A SAP can include progress requirements to meet legal engagement standards while ensuring timely course completion. The Online Provider must update CCAs based on this standard within five business days after the 20-day withdrawal period.

Attendance: The Online Provider must approve extended absences—defined as those lasting more than 10 consecutive days—if the absence is not expected to affect the student's education. If the student fails to meet participation requirements and does not respond to outreach efforts, the absence will be considered unexcused and may lead to Administrative Withdrawal from the course. Additionally, the Online Provider is not permitted to require medical documentation to justify absences related to mental or physical illness.

Learner Validated Enrollment Measures: The Online Provider must establish measures to confirm the student's attendance and participation in online coursework. These include regular contact with a teacher of record through online tools such as discussion boards, email, or scheduled virtual meetings. The Online

Provider must also implement at least one additional measure, which may involve tracking login frequency, monitoring timely submission of coursework, evaluating assignment completion against pacing guidelines, or other methods used to communicate student progress to counselors.

Transcripts: The Online Provider is required to submit the student's official credit and grade transcript—detailing the course title, code, grade, and credit—to the USBE, the Primary School, and the parent within 30 days of satisfactory course completion or by June 30, whichever comes first. During the school year, the Online Provider may securely transmit unofficial transcripts via various methods (SIS, email, etc.). Upon receiving the transcript, the Primary School must include the final online course grades and credits on the student's permanent record, ensuring the record uses the correct course title and core code, and includes any high school coursework completed before the 9th grade.

Graduating students:

- The primary school's designated counselor will select from two options in SEATS for transcript due dates.
- The Online Provider will work with the student to determine dates for course completion to meet the transcript due date recorded in SEATS.

Grading and Course Completion

The Online Provider is responsible for:

- Record and Data Submission:
  - Update SEATS, the provider's SIS, and UTREx with the nearest credit value earned within 30 days of course completion or by June 30, whichever is earlier
  - Maintain a CCA as open after June 30th if the student remains actively engaged and meets the Online Provider's SAP
  - For a retained/super senior, allow additional time if the Primary LEA agrees to an extension before the graduation record deadline

- Transcript Issuance:
  - The transcript must include the course title, course code, grade, and credit
  - Online Providers shall issue a transcript with a grade of **NG** or **I** for students who do not complete a course

- - **Example:** *A student completed 5 of 8 modules of an online course and stopped working. An NG or I must be issued for this course*
  - o Online Providers shall issue a transcript with a grade of **F** when the student completed the course but did not earn a passing grade
    - - **Example:** *A student completed **ALL** modules of an online course, but failed to earn a passing grade. An F must be issued for this course*
  - o All transcripts shall be sent via a secure method (e.g., SIS transfer, mail, secure email, or a secure link)
- Transcript Deadlines:
  - o Official transcripts for grades 6-11 must be sent to both the parent and Primary School *by the earlier of:*
    - - 30 days of each course completion, or
    - - June 30
  - o Official transcripts for grade 12 (Seniors) must be sent to both the parent and Primary School by:
    - - 30 days of each course completion, or
    - - The *TranscriptDue* date in SEATS or an alternative date as agreed upon with the Primary School
      - - The Primary School is required to inform students taking SOEP courses about the necessary course completion deadlines required for graduation
  - o For Late Passing students, grades and credit must be submitted to the Primary School before September 1 to allow for UTREx record updates
- Notification of Risk:
  - o Notify the student's Primary LEA if the student is at risk of failing
  - o Before quarter 4 of the student's senior school year, or as soon as possible, inform the school counselor at the student's Primary School that the senior student is at risk of failure

Record Retention

Maintain the following for at least five years after the student's graduation or exit from K-12:

- Test scores
- Grades
- Completion of credit
- Other progress and performance measures

UTREx Reporting

The Online Provider should collaborate with LEA UTREx specialists using the examine file to monitor consistency between SEATS and UTREx data throughout the year. SIS data must be accurate and complete in UTREx on the following dates, which are ideal for verifying consistency:

- October 1
- December 1
- June 1

Below are links to documents that can assist with data submissions:

- [UTREx Data Submission: October Guidance](#)
- [UTREx Data Submission: December Guidance](#)
- [UTREx Data Submission: Year-End Guidance](#)

To further assist with ensuring that data is consistent across systems, the USBE will download Online Provider's SEATS and UTREx data for comparison on the following dates:

- November 1
- February 1
- April 1
- June 1

UTREx SOEP Record Identification

For the USBE to identify an enrollment record as an SOEP course accurately, the following criteria must be met:

- **School of Record:** Marked as **N** (No) and not left blank (In some student information systems (SIS), this selection is coded as a Non-Attender)
- **Instructional Setting:** Marked as **OP** (Online Provider) for SOEP STUDENTS
- **SSID:** Matches with SEATS
- **Core Code:** Matches with SEATS
- **Course Title:** The USBE course title

- **Course Entry and Exit dates:** Must fall within the Online Provider's school calendar
- **Session Assignment:** The quarter or semester selected for the course falls within the school's established calendar, which runs from the fall semester through the spring semester
- **Credit Attempted:** Equal to the contract value of the SEATS course
- **Credit Earned:** The amount of credit completed with a passing grade before June 30
  - Credit Attempted and Credit Earned must be recorded in the Online Provider's SIS course enrollment records for all participating students, including those in grades 6-8
- **School Membership Days:** Marked as **0** (zero)
- **Enrollment Validation Type:** Marked as **L** (100% Learner Validated)
- **Summer Courses:** Specific information is necessary to report summer participation properly:
  - Summer Courses must be reported within the Online Provider's upcoming school year, regardless of whether the student is given access to the course before July 1
  - Students participating in summer courses must be enrolled in the course within the Online Provider's SIS
    - Grades and credit recorded without the student being enrolled will not be included in the SOEP data

Program Administration

Employees, contractors, or volunteers anticipated to have unsupervised access to students must complete a background check through the Utah Bureau of Criminal Investigation (BCI). Additionally, educators must complete ethics training and hold a current Utah license with the appropriate areas of concentration and endorsements.

Administrative Staff

Online Providers must be overseen by a licensed administrator.

Assessment Staff

The Online Provider administers the same assessments required for Utah public schools if the students are not assessed in a Primary LEA or Primary School. They must serve and accommodate students with disabilities or unique needs in compliance with state and federal law.

Online Providers must retain a trained Assessment Administrator responsible for ensuring that all statewide assessment policies and procedures are adhered to and implemented.

Special Education Coordinator

The Online Provider must retain a licensed Special Education Coordinator. The person holding this role must have a current educator license with a special education area of concentration.

Third Party

Third party means a contractor that provides educational goods or services on behalf of the Online Provider. Online Providers using third parties should exercise due diligence, as liability rests with the Online Provider. The Online Provider is required to:

- Retain full access to all course components to ensure alignment with Utah Core Standards
- Control student access to curriculum
- Develop a written monitoring plan to oversee third-party services and ensure compliance with Utah law, USBE rules, federal law, FERPA, and local board-approved curriculum
- Supervise instruction, retain documentation per LEA policy, and verify third-party adherence to data privacy standards
- Demonstrate compliance and address any violations under public education codes or rules
- Ensure the third-party understands they are under an obligation to provide appropriate services to students
- Guarantee third-party compliance with the Online Provider's administrative records retention schedule

- Establish contractual and procedural safeguards with any third party to open coursework to the student only upon issuance of a Notice of Enrollment

Educators

Educators employed by the Online Provider must meet the standards applied to Utah public schools generally.

- Educators in Utah public schools must hold a current educator license along with appropriate license area(s) of concentration and endorsement(s)
- The Online Provider must ensure that instruction is regularly delivered or facilitated by an employee
- The USBE may impose a pupil-to-teacher ratio

Teacher of Record (TOR)

A TOR is the educator assigned by the Online Provider for instruction, assessment, and/or oversight of learner activity, progression, interaction with course materials and peers, reporting, and data submissions. The license area of concentration and endorsements must be consistent with the core code of the course to which they are assigned. TORs:

- Must have first-hand knowledge of student participation in and completion of instructional activities
- Must have direct synchronous or asynchronous contact and communication with learners
- Must have first-hand knowledge of assessment activities and records for learners assigned to a course
- Support Online Provider submissions related to student participation in an online course

TOR Accountability Timeline

The following dates outline USBE's process for verifying TOR alignment and course compliance

- July 1: The USBE distributes the Proposed Course and TOR spreadsheet

- USBE Core Code and course title, educator name, and CACTUS ID are required
- For concurrent enrollment instructors without K-12 licenses, current background check documentation is required
- July 15: Proposed Course and TOR spreadsheet completed
- August 15: Notification of unaligned TORs
  - The USBE validates that the TOR is matched to Utah Core Code and has a current background check
  - Notifies online providers of misalignments
  - Begins a 90-day accountability cycle
- August 15 - October 15: Unalignment Correction
  - The USBE works with online providers to correct identified issues
- October 15: Final Review
  - The USBE completes the final review of CACTUS/USIMS records to verify educator assignment accuracy
  - Notice to Provider of Non-Compliance issued for identified issues not corrected
- On or after October 15: Corrective Action Notice
  - USBE may issue a Notice of Corrective Action, detailing noncompliance, required conditions, corrective steps, and a reasonable timeframe
  - Reimbursements will not be provided for courses taught by misaligned TORs

If there are any changes or additions to TOR assignments, the Online Provider must enter them on the next available line at the bottom of the Proposed Course & TOR Spreadsheet and then notify USBE so the TOR verification process can begin.

Course Design

The Online Provider is responsible for ensuring that courses align with Utah Core Standards.

National Collegiate Athletics Association (NCAA) Requirements

Clear communication and disclosure in course notes are vital for students aiming for college athletics, as this prevents misunderstandings and protects opportunities.

The NCAA determines post-secondary eligibility and scholarships. Since the NCAA typically only recognizes courses taken in grades 9–12, high school courses completed before 9th grade may not count toward eligibility.

Although the Online Provider should be diligent in ensuring NCAA information is accurate, it remains the student's and parents' responsibility to confirm that courses are NCAA-approved and will meet all eligibility requirements.

- Resources:
    - [NCAA Course Approval](#)
    - [NCAA link for students to verify courses](#)

Independent Studies

If a student is engaged in external study with a private instructor, an Online Provider faculty member must directly oversee the student's development for the course to be offered through SOEP. Courses lacking this oversight cannot be offered.

Recovery Credit

SOEP Courses designed for credit recovery cannot be offered by Online Providers. All courses offered through the SOEP must be teacher-led.

Health Courses for 6-8th Grade Students

An eligible student in grades 6-8 may not register for Health I or Health II without a school counselor's written approval. This approval must be sent to the Online Provider before the student's enrollment request can be accepted.

SEATS Course Request Spreadsheet

At the beginning of January, a SEATS Course Request spreadsheet is emailed to Online Providers. If any course includes mature subject matter, the provider must attach a disclaimer to the course description stating: "This course may contain mature content and may not be suitable for students of all ages." Additional instructions for completing the spreadsheet are included in the email. Completed spreadsheets are due by February 15.

Funding

Payments are made monthly, according to the Minimum School Program Schedule. Statuses must be updated by the end of business on the 9th to ensure payment that month; otherwise, payment will be deferred.

- 50% of funds are released when a CCA is marked *Confirmed*.
- Remaining funds are released after course completion, once a transcript is issued and grades/credits are submitted to UTREx.
- Courses must be completed by June 30 for full payment, unless approved for *Anticipated Late Pass*. All completions must be reported to USBE and the Primary School by August 1.

Funding for Home School Students

To ensure that home school students' funding accrues to the appropriate allocation. Allocations are provided for home school students when their Primary LEA is marked HOME.

Course Fees

The USBE sends a list of revised course fees to Online Providers once established. Fees are divided into pricing tiers outlined in statute, based on content categories as shown below:

Tier I	Tier II	Tier III	Tier IV
Digital Studies	CTE	Social Studies Core	Concurrent Enrollment
Driver Education	Elective Credits	World Language	Language Arts
Financial Literacy	Fine Arts		Math
Health			Science
Physical Education			

These fees reflect the expense of course provision, scaling the cost according to content. If a course spans multiple content categories, it is assigned the lowest applicable course fee category. Fees are increased annually at the same rate as the regular education weighted pupil unit (WPU), which is set by the Legislature every March for the upcoming school year.

Protections for Unique Learners

Special Education—Child Find

Child Find is a mandatory process under the Individuals with Disabilities Education Act (IDEA) in which a public school must identify, locate, and evaluate all children with disabilities, regardless of the severity of their disability, who may need special education and related services. This process ensures that children who may be eligible for special education are identified, and when determined eligible, provided with the necessary support. The Online Provider who suspects that the student may have a disability must notify the Primary LEA, to allow the Primary LEA to meet its Child Find obligations as outlined in the IDEA. If the student's request is initially directed to the Online Provider and a good-faith effort at cooperation with the student's Primary School is unsuccessful, the provider may determine student eligibility and provide services.

IEP and 504 Implementation

The Primary LEA is responsible for meeting all IDEA and Section 504 requirements and ensuring the student receives special education and related services, and accommodations required for the student to receive a free and appropriate public education (FAPE). The Primary LEA shall provide or facilitate enrollment in an SOEP

course by forwarding a copy of the relevant portions of the eligible student's existing IEP or Section 504 accommodations within three school days to the Online Provider. If an eligible student has an IEP or Section 504 plan, the Online Provider shall:

- Work with the student's IEP or 504 team to review course enrollment
- Coordinate with the Primary LEA for additional IEP or 504 team reviews, as necessary to ensure appropriate services, supports, and accommodations are in place, providing information regarding digital learning needs in an online environment
- Participate in IEP or 504 development and review/revision meetings as requested

For home school students, if the Online Provider suspects the student may have a disability, they may recommend that the student contact their boundary school for evaluation. If the student does not choose to be evaluated, the student is not eligible for services or accommodations under IDEA or Section 504.

The Online Provider may wish to develop:

- A written procedure for securely referring concerns to school counselors
- A process to implement if the student is suspected of having a disability
- A list of possible accommodations in an online environment that may support students when consulting with the IEP or 504 team

Accessibility

Section 508 of the Rehabilitation Act of 1973 requires agencies to ensure individuals with disabilities have equal access to electronic information and data within the same timeframe as their non-disabled peers, unless doing so would impose an undue burden.

English Language Learners

The purpose of providing timely support to English Language Learners (ELs)/Multi-lingual learning (MLLs) and their families is to ensure that they attain English proficiency and develop high levels of academic achievement in English. The Online

Provider supports Primary LEAs to ensure students have appropriate services, supports, and accommodations that meet their needs.

Translation Capabilities

The Online Provider must identify and accommodate the language needs of students and their families, including those who are Limited English Proficient (LEP). The Online Provider should establish a process to assess LEP status and language needs.

Home Language Survey

The Home Language Survey is a tool used to identify students who may need services as ELs/MLLs. The Online Provider must include a home language survey with student registration materials. If the Online Provider suspects that a public-school student may qualify as an EL/MLL:

- The Online Provider shall contact the Title III Coordinator at the student's Primary LEA
- For home school students, the Online Provider may recommend that the student contact their boundary school for evaluation
- If the student chooses not to be evaluated or enroll in a public school, the student is not guaranteed services or accommodations under Federal or State law for ELs/MLLs

Alternative Language Services

For the student needing alternative language services:

- The Primary School will identify the need for alternative language services
- The Primary School will develop an Individual Learning Plan (ILP) with input from experts and the Online Provider, outlining the student's current ability, goals, progress, and exit criteria
- The Primary School will administer a language instruction program

- Coordinate with the Primary School, as necessary, to ensure appropriate services, supports, and accommodations are in place, and provide information regarding digital learning needs

Fee Waiver Recipients

Primary LEA or Primary School Responsibility

If a public school student qualifies for a fee waiver, the student's Primary School must provide access to an online course by:

- Allowing the student access to necessary technology in a computer lab or other space within the school building during a school period or during the regular school day for the student to participate in an online course; or
- Providing the student with the technology and wi-fi needed for the student to participate outside of the school building

Online Provider Responsibility

If a public or homeschool student qualifies for a fee waiver, the Online Provider is responsible to:

- Provide all required course materials to the eligible student
- Ensure that homeschool students have access to online courses by supplying the necessary technology and Wi-Fi connectivity to facilitate their participation

USBE Role

The USBE plays a multifaceted role in supporting Online Providers. Key responsibilities include:

- Oversight and Monitoring: The USBE ensures Online Providers adhere to all state and federal laws, rules, and policies. This includes:
    - Monitoring provider performance
    - Reviewing course offerings and Teacher of Record qualifications
    - Verifying data accuracy and consistency
- Operational Support: The USBE facilitates the SOEP's day-to-day operations by:

- o Managing SEATS
- o Coordinating student enrollment and registration
- o Providing guidance on program policies and procedures
- Financial Management: The USBE oversees SOEP financial aspects, including:
  - o Calculating and communicating course fees
  - o Supervising payments to Online Providers (verifying alignment with participation and ensuring accurate distribution calculation)
- Data Collection and Reporting: The USBE collects and analyzes data to:
  - o Monitor program effectiveness
  - o Identify areas for improvement
  - o Inform policy decisions
- Resources and Training: The USBE develops and delivers resources and training materials for Online Providers through:
  - o In-person or virtual training sessions
  - o The Online Provider newsletter
  - o The USBE SOEP webpage

Monitoring and Annual Report

Online Provider Monitoring

The USBE monitors each Online Provider. A comprehensive rubric is distributed to Online Providers in advance of an annual site visit each spring to help them prepare. This systematic approach enables the USBE to:

- Ensure compliance with laws and rules
- Collaborate with Online Providers to identify areas of need
- Enhance support based on identified priorities

Annual Report on Online Providers

An annual report on Online Providers offers a comprehensive overview of their performance within the SOEP. The USBE and Online Providers must post this report on their respective websites. This report is mandated to include the following key information:

- Statewide Assessment Scores: Aggregated scores from statewide assessments taken by students completing online courses.

- Course Completion Rates (Timely): Percentage of students completing courses within the specified time.
- Course Completion Rates (Extended): Percentage of students completing courses after the standard time but before high school graduation.
- Pupil-Teacher Ratio: The combined pupil-teacher ratio for all online courses offered by the provider.
- Student Grade Distributions: Grade distributions for each course offered.
- Student Completion Rates (Per Course): Completion rates specifically for each course offered.
- Satisfaction Survey Results: Outcomes from student and parent satisfaction surveys.
- Improvement Plan Summary: If applicable, a summary of the provider's plan to enhance course quality and student outcomes.
- Audit Results: Results of any sample audits conducted by the state board on the provider's courses.

SOEP Frequently Asked Questions

Does the student have to leave campus to participate in an SOEP course?

No, the Primary School must give students access to facilities to participate in an online course, if requested.

Can a Primary School restrict student participation because they are taking SOEP courses?

No, the Primary School may not restrict an SOEP student from leadership opportunities, sports, extracurricular, and co-curricular activities, counseling, graduation, honors, activities, amenities, and other non-instructional services offered to students generally.

Can Primary LEAs reject applications for courses?

Yes, the Primary LEA may reject applications for courses in certain cases. The Primary LEA can utilize the SOEP Decision Tree and Scenarios resource found on the [LEA Counselors, Registrars, and Staff page](#) to determine if rejection of a course is allowable.

Can the student use an SOEP course for credit recovery?

It depends, SOEP is not intended for credit recovery, and Online Providers may not offer courses designed for that purpose. A Primary LEA may reject course applications submitted for credit recovery. However, if the Primary LEA does not reject the request and a Notice of Enrollment is issued, the Online Provider will release the course, and the Primary LEA is responsible for payment. In such cases, credit is awarded as original credit.

Can the student use an SOEP course for grade replacement?

It depends. For a student to use an SOEP course for grade replacement, the student must obtain separate approval from a school counselor *before* enrolling. This is necessary to ensure the counselor verifies that the new course is a direct replacement for the course the student has on file.

Can Primary LEAs direct students to certain Online Providers?

No, the Primary LEA or Primary School may not give preference or direct students to a certain Online Provider.

Is the Online Provider required to issue a transcript for incomplete or failed courses?

Yes, for all courses, moved to *Confirmed*. If the student completes all coursework but fails to earn credit due to a grade too low to earn credit, the Online Provider is required to submit a transcript with an **F**. If the student fails to complete coursework, resulting in no credit being earned, the Online Provider is required to submit a transcript with an **I** or **NG**

Can the Online Provider grade on a pass/fail basis?

No, the Online Provider may not grade the student on a pass/fail basis for an SOEP course unless it is an accommodation in the student's IEP.

What action should the Online Provider take if the student is still working in a course after June 30?

If a student requests an extension and continues to meet the provider's SAP after June 30th, the student may continue working toward completion until graduation.

The provider should:

- Issue an initial transcript reflecting a grade of **NG** after June 30th
- Issue the official, final transcript upon completion

Final completion and grade reporting for *Anticipated Late Pass* students must occur by September 30th to allow the Primary LEA time to update records. A senior may only be accorded extra time past their cohort graduation date if the Primary LEA agrees to record the graduation later (up to September).

Can students alter their course schedule at their Primary School to enroll in SOEP courses, and when can they enroll?

Yes, students may alter their course schedule to enroll in SOEP courses, consistent with the standard course schedule alteration procedures of the Primary School. While students are encouraged to enroll during their Primary School's designated registration period, they may submit requests for SOEP courses at any time during the calendar year.

Can the Online Provider be the school of record for students?

No, the Primary School that the student attends is the student's School of Record. The Primary LEA is the only LEA that will accrue membership-based funding for a child participating in the SOEP and is responsible for graduation/diploma issuance and counseling.

Who is the school of record for a home school student?

The parent(s) are responsible for the education of home schooled students; there is no school of record assigned. The student must enroll in an LEA to receive a diploma.

What is dual enrollment? How is that different from split enrollment, and is SOEP enrollment considered split enrollment?

Dual Enrollment means a student is enrolled simultaneously in a public school and in a home school, or a regularly established private school. Split enrollment means a student is enrolled simultaneously in two public schools. Enrollment in SOEP

courses does not constitute dual enrollment or split enrollment. The student remains regularly enrolled in their Primary School, and the Online Provider is contracted with the Primary LEA to provide instruction to the student.