

1 **R277. Education, Administration.**

2 **R277-726. Statewide Online Education Program.**

3 **R277-726-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and supervision  
6 of public education in the Board;

7 (b) Section 53F-4-514, which requires the Board to make rules:

8 (i) providing for the administration of the high school assessment [statewide  
9 assessments]to students enrolled in online courses; and

10 ~~[(c) Section 53F-4-508, which requires the Board to make rules]~~

11 (ii) that establish a course credit acknowledgment form and procedures for completing  
12 and submitting the form to the Board; and

13 ~~[(d)](c)~~ Subsection 53E-3-401(4), which allows the Board to make rules to execute the  
14 Board's duties and responsibilities under the Utah Constitution and state law.

15 (2) The purpose of this rule is to:

16 (a) define necessary terms;

17 (b) provide and describe a program registration agreement; and

18 (c) provide other requirements for an LEA, the Superintendent, a parent and a student,  
19 and a provider for program implementation and accountability.

20

21 **R277-726-2. Definitions.**

22 (1) "Actively participates" means the student actively participates as defined by the  
23 provider.

24 (2) "Course completion" means that a student has completed a course with a passing  
25 grade and the provider has transmitted the grade and credit to the primary LEA of enrollment.

26 (3)(a) "Course Credit Acknowledgment" or "CCA" means an agreement and  
27 registration record using the Statewide Online Education Program application provided by the  
28 Superintendent.

29 (b) Except as provided in Subsection [53F-4-508](#)(3)(h), the CCA shall be signed by the  
30 designee of the primary school of enrollment, and the qualified provider.

31 (4)(a) "Eligible student" means a student enrolled in grades 6-12 in a secondary  
32 environment in a course that:

33 (i) is offered by a public school; and

34 (ii) provides the student the opportunity to earn high school graduation credit.

35 (b) "Eligible student" does not include a student enrolled in an adult education program.

36 (5) "Enrollment confirmation" means the student initially registered and actively  
37 participated, as defined under Subsection(1).

38 (6)(a) "Executed CCA" means a CCA that has been signed by all parties as provided  
39 in Subsection [53F-4-508](#)(3)(h) and received by the Superintendent.

40 (b) Following enrollment confirmation and participation, Superintendent directs funds  
41 to the provider, consistent with Sections [53F-4-505](#) through [53F-4-507](#).

42 (7)(a) "High school assessment" means the high school assessment described in  
43 Section [53E-4-304](#) and Subsection [R277-404-2\(6\)](#).

44 (b) "High school assessment" includes the board-approved alternate assessment for  
45 high school.

46 ~~(7)~~(8) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the  
47 Blind.

48 ~~(8)~~(9) "Online course" means a course of instruction offered through the Statewide  
49 Online Education Program.

50 ~~(9)~~(10) "Online course payment" means the amount withheld from a student's primary  
51 LEA and disbursed or otherwise paid to the designated provider following satisfaction of the  
52 requirements of the law, and as directed in Subsection [53F-4-507](#)(2).

53 ~~(10)~~(11) "Online course provider" or "provider" means:

54 (a) a school district school;

55 (b) a charter school;

56 (c) an LEA program created for the purpose of serving Utah students in grades 9-12  
57 online; or

58 (d) a program of an institution of higher education described in Subsection 53F-4-  
59 504(3).

60 ~~[(11)]~~(12) "Primary LEA of enrollment" means the LEA in which an eligible student is  
61 enrolled for courses other than online courses offered through the Statewide Online Education  
62 Program, and which reports the student to be in regular membership, and special education  
63 membership, if applicable.

64 ~~[(12)]~~(13) "Primary school of enrollment" means:

65 (a) a student's school of record within a primary LEA of enrollment; and

66 (b) the school that maintains the student's cumulative file, enrollment information, and  
67 transcript for purposes of high school graduation.

68 ~~[(13)]~~(14) "Resident school" means the district school within whose attendance  
69 boundaries the student's custodial parent or legal guardian resides.

70 ~~[(14) "Statewide assessment" means a test or assessment required under Rule R277-  
71 404.]~~

72 (15) "Statewide Online Education Program" or "program" means courses offered to  
73 students under [Title 53F, Chapter 4, Part 5, Statewide Online Education Program Act](#).

74 (16) "Teacher of record" means the teacher who is employed by a provider and to  
75 whom students are assigned for purposes of reporting and data submissions to the  
76 Superintendent in accordance with Section [R277-484-3](#).

77 (17) "Underenrolled student" means a student with less than a full course load, as  
78 defined by the LEA, during the regular school day at the student's primary school of  
79 enrollment.

80 (18) "USB E course code" means a code for a designated subject matter course  
81 assigned by the Superintendent.

82 (19) "Withdrawal from online course" means that a student withdraws or ceases  
83 participation in an online course as follows:

84 (a) within 20 calendar days of the start date of the course, if the student enrolls on or  
85 before the start date;

86 (b) within 20 calendar days of enrolling in a course, if the student enrolls after the start  
87 date; or

88 (c) within 20 calendar days after the start date of the second 0.5 credit of a 1.0 credit  
89 course; or

90 (d) as the result of a student suspension from an online course following adequate  
91 documented due process by the provider.

92

93 **R277-726-3. Course Credit Acknowledgment (CCA) Process.**

94 (1) A student, a student's parent, a counselor, or a provider may initiate a CCA.

95 (2)(a) A counselor designated by a student's primary school of enrollment shall review  
96 the student's CCA to ensure consistency with:

97 (i) graduation requirements;

98 (ii) the student's plan for college and career readiness;

99 (iii) the student's IEP;

100 (iv) the student's Section 504 plan; or

101 (v) the student's international baccalaureate program.

102 (b) The primary school of enrollment shall return the CCA to the Superintendent within  
103 72 business hours.

104 (3)(a) The primary school of enrollment is not required to meet with the student or  
105 parent for approval of a course request.

106 (b) The Superintendent shall notify a primary school of enrollment of a student's  
107 enrollment in the program.

108 (4) If a student enrolling in the program has an IEP or a Section 504 plan, the primary  
109 LEA or school of enrollment shall forward the IEP or description of 504 accommodations to the  
110 provider within 72 business hours of receiving notice from the Superintendent that the provider  
111 has accepted the enrollment request.

112 (5) The Superintendent shall develop and administer procedures for facilitation of a  
113 CCA that informs all appropriate parties.

114

115 **R277-726-4. Eligible Student and Parent Rights and Responsibilities.**

116 (1) An eligible student may register for program credits consistent with Section 53F-4-  
117 503.

118 (2) An eligible student may exceed a full course load during a regular school year if:

119 (a) the student's plan for college and career readiness indicates that the student  
120 intends to complete high school graduation requirements and exit high school before the rest  
121 of the student's high school cohort; and

122 (b) the student's schedule demonstrates progress toward early graduation.

123 (3) In accordance with Section 53F-4-509(5), if a student enrolled in a program course  
124 exceeds a full course load during a regular school year, a primary LEA of enrollment may mark  
125 the student as an early graduate and increase membership in accordance with Section R277-  
126 419-6 and Rule R277-484 to account for credits in excess of full-time enrollment in a local  
127 Student Information System.

128 (4)(a) An eligible student is expected to complete courses in which the student enrolls  
129 in a timely manner consistent with Section 53F-4-505 and requirements for attendance and  
130 participation in accordance with Subsection R277-726-7(15).

131 (b) If a student changes the student's enrollment for any reason, it is the student's or  
132 student's parent's responsibility to notify the provider immediately.

133 (5) A student should enroll in online courses, or declare an intention to enroll, during  
134 the school course registration period designated by the primary LEA of enrollment for regular  
135 course registration.

136 (6) A student may alter a course schedule by dropping a traditional course and adding  
137 an online course in accordance with the primary school of enrollment's same established  
138 deadline for dropping and adding traditional courses.

139 (7)(a) Notwithstanding Subsection (6), an underenrolled student may enroll in an online  
140 course at any time during a calendar year.

141 (b) If an underenrolled student enrolls in an online course as described in Subsection  
142 (7)(a), the primary school of enrollment may immediately claim the student for the adjusted  
143 portion of enrollment.

144 **R277-726-5. LEA Requirements and Responsibilities.**

145 (1) A primary school of enrollment shall facilitate student enrollment with any and all  
146 eligible providers selected by an eligible student consistent with course credit limits.

147 (2) A primary school of enrollment or a provider LEA shall use the CCA application,  
148 records, and processes provided by the Superintendent for the program.

149 (3) A primary school or LEA of enrollment shall provide information about available  
150 online courses and programs:

151 (a) in registration materials;

152 (b) on the LEA's website; and

153 (c) on the school's website.

154 (4) A primary school or LEA of enrollment shall provide the notice required under  
155 Subsection (3) concurrent with the high school course registration period designated by the  
156 LEA for the upcoming school year to facilitate enrollment as required by Section [53F-4-513](#).

157 (5) A primary school of enrollment shall include a student's online courses in the  
158 student's enrollment records and, upon course completion, include online course grades and  
159 credits on the student's transcripts.

160 (6) A primary school of enrollment shall recognize credit earned by a participating  
161 secondary student through courses completed prior to grade 9 for purposes of high school  
162 graduation provided that:

163 (a) the student has in the student's records documentation of the student's intention  
164 to graduate early; and

165 (b) the student is enrolled at a middle school or junior high school and a high school  
166 accredited in accordance with Rule [R277-410](#).

167 ~~[(7) If a participating student qualifies for a fee waiver, the following is responsible to~~  
168 ~~provide the technology and wifi necessary for the participating student to access an online~~  
169 ~~course:]~~

170 ~~[(a) the primary school of enrollment if a majority of the participating student's [courses]~~  
171 ~~credits across the academic year are directly provided by the primary school of enrollment; or~~

172 ~~\_\_\_\_\_ (b) the provider if a majority of the participating student's [courses] credits across the~~  
173 ~~academic year are directly provided by a provider.~~

174 (7) A primary school of enrollment shall determine fee waiver eligibility for participating  
175 public school students pursuant to R277-407.

176 ~~\_\_\_\_\_ (b) If a provider is responsible to provide the technology and wifi necessary for a~~  
177 ~~participating student to access an online course as described in Subsection (7)(b), the primary~~  
178 ~~school of enrollment shall inform the provider of the student's eligibility for fee waivers.]~~

179 (8)(a) If a participating student qualifies for a fee waiver, the student's primary LEA or  
180 school of enrollment shall provide the participating student access to an online course by:

181 (i) allowing a student access to necessary technology in a computer lab or other space  
182 within the school building during a school period or during the regular school day for the  
183 student to participate in an online course; or

184 (ii) providing a participating student technology [or] and wifi needed for the student to  
185 participate outside of the school building.

186 (b) If a participating student who qualifies for a fee wavier is a home or private school  
187 student, the online course provider shall provide the participating home or private school  
188 student access to the online course.

189 ~~[(8)](9)~~ A primary school of enrollment shall provide participating students access to  
190 facilities for the student to participate in an online course during the regular school day, sports,  
191 extracurricular and co-curricular activities, and graduation services consistent with local policies  
192 governing participation irrespective of relative levels of participation in traditional courses versus  
193 Statewide Online Education courses.

194 ~~[(9)](10)~~ If a participating student's primary school of enrollment is a middle school or  
195 junior high as defined in Rule R277-700, course completions will be recorded in a student's  
196 record of credit and course completion for grade 9 to allow recognition toward grades 9-12,  
197 high school graduation requirements, and post-secondary requirements.

198 ~~[(10)](11)~~ When a student satisfactorily completes an online semester or quarter  
199 course, in accordance with the LEA's procedures, a designated counselor or registrar at the  
200 primary school of enrollment shall forward records of grades and credit for students

201 participating prior to grade 9 to the student's grade 9 primary school of enrollment for recording  
202 grades and credit per Subsection ~~[R277-726-5(8)]~~(10) once a student completes grade 8.

203

204 **R277-726-6. Superintendent Requirements and Responsibilities.**

205 (1) The Superintendent shall provide a website for the program, including information  
206 required under Section [53F-4-512](#) and other information as determined by the Board.

207 (2) The Superintendent shall direct a provider to administer ~~[statewide assessments~~  
208 ~~consistent with Rule R277-404 and Section 53F-4-514 for identified courses using LEA-~~  
209 ~~adopted and state-approved assessments]~~the high school assessment consistent with Section  
210 [53F-4-514](#) and Rule [R277-404](#).

211 (3)(a) The Board may determine space availability standards and appropriate course  
212 load standards for online courses consistent with Subsection [53F-4-512](#)(3)(d).

213 (b) Course load standards may differ based on subject matter.

214 (4) The Board shall withhold funds from a primary LEA of enrollment and make  
215 payments to a provider consistent with Sections [53F-4-505](#) through [53F-4-507](#).

216 (5) The Board may refuse to provide funds under a CCA if the Board finds that  
217 information has been submitted fraudulently or in violation of the law or Board rule by any of  
218 the parties to a CCA.

219 (6) The Superintendent shall receive and investigate complaints, and impose  
220 sanctions, if appropriate, regarding course integrity, financial mismanagement, enrollment  
221 fraud or inaccuracy, or violations of the law or this rule specific to the requirements and  
222 provisions of the program.

223 (7) If a Board investigation finds that a provider has violated the IDEA or Section 504  
224 provisions for a student taking online courses, the provider shall compensate the student's  
225 primary LEA of enrollment for all costs related to compliance.

226 (8)(a) The Superintendent may audit, at the Board's sole discretion, an LEA's or  
227 program participant's compliance with any requirement of state or federal law or Board rule  
228 under the program.



229 (b) All participants shall provide timely access to all records, student information,  
230 financial data or other information requested by the Board, the Board's auditors, or the  
231 Superintendent upon request.

232 (9) The Board may withhold funds from a program participant for the participant's failure  
233 to comply with a reasonable request for records or information.

234 (10) Program records are available to the public subject to [Title 63G, Chapter 2,](#)  
235 [Government Records Access and Management Act.](#)

236 (11) The Superintendent shall withhold online course payment from a primary LEA of  
237 enrollment and payments to an eligible provider at the nearest monthly transfer of funds,  
238 subject to verification of information, in an amount consistent with, and at the time a provider  
239 qualifies to receive payment, under Subsection [53F-4-505](#)(4).

240 (12) The Superintendent shall pay a provider consistent with Minimum School Program  
241 funding transfer schedules.

242 (13)(a) The Superintendent may make decisions on questions or issues unresolved by  
243 [Title 53F, Chapter 4, Part 5, Statewide Online Program Act](#) or this rule on a case-by-case  
244 basis.

245 (b) The Superintendent shall report decisions described in Subsection (13)(a) to the  
246 Board consistent with the purposes of the law and this rule.

247

#### 248 **R277-726-7. Provider Requirements and Responsibilities.**

249 (1)(a) A provider shall administer the high school assessment to a participating private  
250 or home school student as directed by the Superintendent, including proctoring the high school  
251 assessment, consistent with Section [53F-4-510](#) and Rule [R277-404](#)~~[statewide assessments~~  
252 ~~as directed by the Superintendent, including proctoring statewide assessments, consistent with~~  
253 ~~Section [53F-4-415](#) and Rule [R277-404](#)].~~

254 (b) A provider shall pay administrative and proctoring costs for the high school  
255 assessment described in Subsection (1)(a)~~[all statewide assessments]~~.

256 (2) A provider shall provide a parent or a student with email and telephone contacts for  
257 the provider during regular business hours to facilitate parent contact.

- 258 (3) A provider and any third party working with a provider shall, for all eligible students,  
259 satisfy all Board requirements for:
- 260 (a) consistency with course standards;
  - 261 (b) criminal background checks for provider employees;
  - 262 (c) documentation of student enrollment and participation; and
  - 263 (d) compliance with:
    - 264 (i) the IDEA;
    - 265 (ii) Section 504; and
    - 266 (iii) requirements for ELL students.
  - 267 (4) A provider shall receive payments for a student properly enrolled in the program  
268 from the Superintendent consistent with:
    - 269 (a) Board procedures;
    - 270 (b) Board timelines; and
    - 271 (c) Sections [53F-4-505](#) through [53F-4-508](#).
  - 272 (5)(a) A provider may charge a fee consistent with other secondary schools.
  - 273 (b) If a provider intends to charge a fee of any kind, the provider:
    - 274 (i) shall notify the primary school of enrollment with whom the provider has the CCA  
275 of the purpose for fees and amounts of fees;
    - 276 (ii) shall provide timely notice to a parent of required fees and fee waiver opportunities;
    - 277 (iii) shall post fees on the provider website;
    - 278 (iv) shall be responsible for fee waivers for an eligible student, including all materials  
279 for a student designated fee waiver eligible by a student's primary school of enrollment;
    - 280 (v) shall satisfy all requirements of Rule [R277-407](#), as applicable; and
    - 281 (vi) shall provide fee waivers to home school or private school students who meet fee  
282 waiver eligibility at the provider's expense.
  - 283 (6) A provider shall maintain a student's records and comply with the federal Family  
284 Educational Rights and Privacy Act, [Title 53E, Chapter 9, Part 3, Utah Family Educational](#)  
285 [Rights and Privacy Act](#), and Rule [R277-487](#), including protecting the confidentiality of a  
286 student's records and providing a parent and an eligible student access to records.

287 (7) Except as otherwise provided in this Rule R277-726, a provider shall submit a  
288 student's credit and grade to the Superintendent, using processes and applications provided  
289 by the Superintendent for this purpose, to a designated counselor or registrar at the primary  
290 school of enrollment, and the student's parent no later than:

291 (a) 30 days after a student satisfactorily completes an online semester or quarter  
292 course; or

293 (b) June 30 of the school year.

294 (8) A provider may not withhold a student's credits, grades, or transcripts from the  
295 student, parent, or the student's school of enrollment for any reason.

296 (9)(a) If a provider suspends or expels a student from an online course for disciplinary  
297 reasons, the provider shall notify the student's primary LEA of enrollment.

298 (b) A provider is responsible for all due process procedures for student disciplinary  
299 actions in the provider's online program.

300 (c) A provider shall notify the Superintendent of a student's administrative withdrawal,  
301 if the student is suspended for more than ten days, using forms and processes developed by  
302 the Superintendent for this purpose.

303 (10)(a) A provider shall provide to the Superintendent a list of course options using  
304 USBE-provided course codes.

305 (b) All program courses shall be coded as semester or quarter courses.

306 (c) A provider shall update the provider's course offerings annually.

307 (11) A provider shall serve a student on a first-come-first-served basis who desires to  
308 take courses and who is designated eligible by a primary school of enrollment if desired  
309 courses have space available.

310 (12) A provider shall provide all records maintained as part of a public online school or  
311 program, including:

312 (a) financial and enrollment records; and

313 (b) information for accountability and audit purposes upon request by the  
314 Superintendent and the provider's external auditors.

315 (13) A provider shall maintain documentation of student work, including dates of  
316 submission, for program audit purposes.

317 (14) A provider is responsible for complete and timely submissions of record changes  
318 to executed CCAs and submission of other reports and records as required by the  
319 Superintendent.

320 (15) A provider shall inform a student and the student's parent of expectations for active  
321 participation in course work, including informing the student and the student's parent of travel  
322 expectations to fulfill course requirements.

323 (16) An LEA may participate in the program as a provider by offering a school or  
324 program to Utah secondary students in grades 6-12 who is not a resident student of the LEA  
325 and a regularly-enrolled student of the LEA consistent with Sections [53F-4-501](#) and [53F-4-503](#).

326 (17) A program school or program shall:

327 (a) be accredited by the accrediting entity adopted by the Board consistent with Rule  
328 R277-410;

329 (b) have a designated administrator who meets the requirements of Rule [R277-520](#);

330 (c) ensure that a student who qualifies for a fee waiver shall receive all services offered  
331 by and through the public schools consistent with Section [53G-7-504](#) and Rule [R277-407](#);

332 (d) maintain student records consistent with:

333 (i) the federal Family Educational Rights and Privacy Act, [20 U.S.C. Sec 1232g](#) and 34  
334 CFR Part 99; and

335 (ii) Rule [R277-487](#); and

336 (e) shall offer course work:

337 (i) aligned with Utah Core standards;

338 (ii) in accordance with program requirements; and

339 (iii) in accordance with the provisions of Rules [R277-700](#) and [R277-404](#); and

340 (f) shall not issue transcripts under the name of a third-party provider.

341 (18) An LEA that offers an online program or school as a provider under the program:

342 (a) shall employ only educators licensed in Utah as teachers;

343 (b) may not employ an individual whose educator license has been suspended or  
344 revoked;

345 (c) shall require all employees to meet requirements of [Title 53G, Chapter 11, Part 4,](#)  
346 [Background Checks](#), prior to the provider offering services to a student;

347 (d) may only employ teachers who meet the requirements of Rule R277-~~[510]~~[301](#),  
348 Educator Licensing - Highly Qualified Assignment;

349 (e) [for a provider that provides an online course to a private or home school student,](#)  
350 shall agree to administer and have the capacity to proctor and carry out the high school  
351 assessment, ~~[statewide assessments, including proctoring statewide assessments,]~~ consistent  
352 with Section [53F-4-510](#)<sup>[4]</sup> and Rule [R277-404](#);

353 (f) in accordance with Section R277-726-8, shall provide services to a student  
354 consistent with requirements of the IDEA, Section 504, and Title VI of the Civil Rights Act of  
355 1964 for English Language Learners (ELL);

356 (g) shall maintain copies of all CCAs for audit purposes; and

357 (h) shall agree that funds shall be withheld by the Superintendent consistent with  
358 Sections [53F-4-505](#), [53F-4-506](#), and [53F-4-508](#).

359 (19) A provider shall cooperate with the Superintendent in providing timely  
360 documentation of student participation, enrollment, educator credentials, and other additional  
361 data consistent with Board directives and procedures and as requested.

362 (20) A provider shall post required information online on the provider's individual  
363 website including required assessment and accountability information.

364 (21)(a) A provider contracting with a third-party to provide educational services to  
365 students participating with the provider through the Statewide Online Education Program shall:

366 (b) develop a written monitoring plan to supervise the activities and services provided  
367 by the third-party provider to ensure:

368 (i) a third-party provider is complying with:

369 (A) federal law;

370 (B) state law; and

371 (C) Board rules;

372 (ii) curriculum provided by a third-party provider is aligned with the Board's core  
373 standards and rules;

374 (iii) supervision of third-party facilitation and instruction by an educator licensed in Utah:

375 (A) employed by the provider, and

376 (B) reported as teacher of record per Section [R277-484-3](#) and Subsection R277-726-  
377 2(3); and

378 (iv) consistent with the LEA's administrative records retention schedule, maintenance  
379 of documentation of the LEA's supervisory activities.

380 (22) A provider shall offer courses consistent with standards outlined in an applicable  
381 Statewide Services Agreement, which may be updated or amended to reflect changes in law,  
382 rule or recommended practice.

383

384 **R277-726-8. Services to Students with Disabilities Participating in the Program.**

385 (1)(a) If a student wishes to receive services under Section 504 of the Rehabilitation  
386 Act of 1973, the student shall make a request with the student's primary school of enrollment.

387 (b) The primary school of enrollment shall evaluate a student's request under  
388 Subsection (1)(a) and determine if a student is eligible for Section 504 accommodations.

389 (c) If the primary school of enrollment determines the student is eligible, the school  
390 shall prepare a Section 504 plan and implement the plan in accordance with Subsection (2)(b).

391 (2)(a) If a student requests services related to an existing Section 504 accommodation,  
392 a provider shall:

393 (i) except as provided in Subsection (2)(b), review and implement the plan for the  
394 student; and

395 (ii) provide the services or accommodations to the student in accordance with the  
396 student's Section 504 plan.

397 (b) An LEA of enrollment shall provide a Section 504 plan of a student to a provider  
398 within 72 business hours if:

399 (i) the student is enrolled in a primary LEA of enrollment; and

400 (ii) the primary LEA of enrollment has a current Section 504 plan for the student.

401 (2) For a student enrolled in a primary LEA of enrollment, if a student participating in  
402 the program qualifies to receive services under the IDEA:

403 (a) the student's primary LEA of enrollment shall:

404 (i) working with a provider LEA representative, review or develop an IEP for the student  
405 within ten days of enrollment;

406 (ii) working with a provider LEA representative, update an existing IEP with necessary  
407 accommodations and services, considering the courses selected by the student;

408 (iii) provide the IEP described in Subsection (2)(a)(i) to the provider within 72 business  
409 hours of completion of the student's IEP; and

410 (iv) continue to claim the student in the primary LEA of enrollment's membership; and

411 (b) the provider shall provide special education services and accommodations to the  
412 student in accordance with the student's IEP described in Subsection (2)(a)(i).

413 (3) If a home or private school student requests an evaluation for eligibility to receive  
414 special education services:

415 (a) the home or private school student's resident school shall:

416 (i) evaluate the student's eligibility for services under the IDEA;

417 (ii) if eligible, prepare an IEP for the student, with input from the provider LEA, in  
418 accordance with the timelines required by the IDEA;

419 (iii) provide the IEP described in Subsection (4)(a)(ii) to the provider within 72 business  
420 hours of completion of the student's IEP; and

421 (iv) claim the student in the resident school's membership; and

422 (b) the provider shall provide special education services and accommodations to the  
423 student in accordance with the student's IEP described in Subsection (4)(a)(i).

424

425 **R277-726-9. Home and Private School Appropriation.**

426 (1) The Superintendent shall allocate the annual appropriation for home and private  
427 school tuition, along with any carryover or unobligated funds, as follows:

428 (a) 50% of the total appropriation for home school students; and

429 (b) 50% of the total appropriation for private school students.

430 (2) The Superintendent shall receive and accept enrollment requests on a first come,  
431 first served basis until all available funds are obligated.

432 (3) If home school or private school student funds remain by March 1, the  
433 Superintendent may release the funds for any pending enrollment requests.

434

435 **R277-726-10. Other Information.**

436 (1) A primary school of enrollment shall set reasonable timelines and standards.

437 (2) A provider shall adhere to timelines and standards described in Subsection (1) for  
438 student grades and enrollment in online courses for purposes of:

439 (a) school awards and honors;

440 (b) Utah High School Activities Association participation; and

441 (c) high school graduation.

442

443 **KEY: statewide online education program**

444 **Date of Enactment or Last Substantive Amendment: May 23, 2019**

445 **Notice of Continuation: December 15, 2015**

446 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; ~~[53A-15-1210; 53A-15-~~  
447 ~~1213; 53A-1-401;]~~ 53F-4-510; 53F-4-514; 53E-3-401**

448