

South Summit School District

Achieving Excellence

May 13, 2025

Dear State Board Representative and Colleagues,

We appreciate the State Board's continued efforts to strengthen the Statewide Online Education Program (SOEP) and to ensure students have access to high-quality online learning opportunities.

I am writing to share important feedback regarding the proposed revisions to Rule R277-726, specifically the **LEA neutrality requirement** and the **course approval timeline with constructive approval**.

While we support the intent of the rule to promote student choice and timely access, we believe the proposed provisions create significant challenges for LEAs and may have unintended consequences for students, districts, and the long-term viability of local programs.



1. CONCERN: LEA NEUTRALITY LIMITS OUR ABILITY TO PROMOTE AND SUPPORT OUR OWN PROGRAMS

Students in our district are assigned to us, and we are responsible for their success and for the use of public funds. As such, we should be able to actively inform, promote, and recommend our own high-quality online programs—while still honoring a student's right to choose any approved SOEP provider.

The proposed **neutrality requirement** may be interpreted in a way that:

- **Limits** how we **communicate** the value, strengths, and alignment of our programs,
- **Restricts our ability to guide students** toward options that best fit their needs and local supports,
- **Discourages investment in local solutions** that are tightly aligned with our graduation requirements, schedules, and student support systems.



We are not advocating for limiting student choice.

We believe students should always have access to any approved provider.

However, LEAs must be allowed to meaningfully promote and recommend our own programs as one of those viable options.



2. CONCERN: APPROVAL TIMELINE AND CONSTRUCTIVE APPROVAL CREATE FINANCIAL AND OPERATIONAL RISK

While we recognize that the three-business-day response requirement for course credit acknowledgment is not new, the **revised rule changes the context** in which that timeline operates.

Key concerns include:

- **Clearer constructive approval:** Failure to respond within three business days now results in automatic approval, which carries direct financial responsibility for the LEA.
- **Reduced flexibility:** The rule provides less procedural flexibility for meaningful counselor review, coordination, and academic planning before approval.
- **Operational pressure:** LEAs must monitor and respond quickly, even during high-volume periods, staff absences, or school breaks, increasing the risk of unintended approvals.
- **Limited time for guidance:** The short timeline may limit our ability to ensure alignment with graduation requirements, prevent duplicative enrollments, and provide appropriate academic counseling.



3. OUR REQUEST: A BALANCED APPROACH

We respectfully ask the State Board to ensure the rule maintains the right balance between student choice, meaningful local governance, and responsible stewardship of public funds.

- ✓ **Clarify** that LEAs may **inform, recommend, and promote** their own programs as viable options, while ensuring students remain free to choose any approved provider.
- ✓ **Provide sufficient time** within the approval process for responsible review, academic guidance, and fiscal oversight.
- ✓ **Ensure alignment between responsibility, authority, and timelines** so LEAs can effectively serve students while stewarding public resources.

We believe these adjustments will strengthen both student outcomes and the long-term sustainability of high-quality local and statewide online programs. Thank you for your consideration and for your ongoing commitment to student success across Utah.

Sincerely,

Dr. Greg Maughan

Superintendent

South Summit School District



GOVERNANCE CONSIDERATION

Article X, Section 3 of the Utah Constitution vests general control and supervision of public education in the State Board of Education, while **local school boards** have historically been responsible for implementing programs, managing resources, and making decisions necessary to meet the needs of their students and communities.

The combined effect of the neutrality requirement and automatic approval timelines may unintentionally shift this balance by:

- ✓ Limiting an LEA's practical ability to guide enrollment decisions and promote locally developed programs;
- ✓ Reducing local discretion and influence while still holding the LEA fully accountable for financial commitments and student outcomes; and
- ✓ Creating a **misalignment between authority and accountability** that can be inconsistent with the intended governance structure of shared state supervision and local control.



Local boards are accountable to our communities.

We must have the authority and time to serve them well.



Approval = Financial Responsibility.
LEAs need adequate time to review responsibly.



When LEAs have the authority and time to guide responsibly, students benefit.

Districts succeed. Communities thrive.

