

College of Law Distance Education Policy

Updated March 4, 2026

(a) Definitions

A “Distance Education Course” is a course in which all instruction is delivered exclusively via distance education methods as described in ABA Standard 306(a)¹, notwithstanding some in-person, non-instructional activities such as orientation, testing, and academic support services.”² This definition applies to synchronous, asynchronous, and real time remote courses. An individual student’s remote participation in a course will not impact the course’s overall status.³ Distance Education Courses may count toward the student’s required 64 hours of direct faculty instruction to the same extent as if the course were offered in-person.

(b) Policy

A student may count no more than the ABA maximum distance learning credit hours⁴ toward the total credits required for graduation. Student distance learning credit hours are evaluated by calculating the credits accumulated by the student, not the number of credits offered by the institution. Any credit hours accepted by the College of Law and applied toward a student’s required credits for graduation are subject to this policy.

The Associate Dean for Academic Affairs will review any Distance Education Courses completed by transfer student applicants and determine whether to accept the Distance Education Course(s) for credit. In making this determination, the Associate Dean will consider, *inter alia*, the course format, quality, and compliance with ABA requirements.

(c) Accommodated Students

Remote participation in a non-Distance Education Course by a student as an accommodation provided under law (such as the Americans with Disabilities Act) or under exceptional circumstances is permitted.⁵ To receive an exception under this policy, the student must first provide the College of Law with documentation of the accommodation or circumstance(s). Where documentation has been provided, and the Dean of Students or an office at the University of Utah responsible for providing accommodations has determined that an accommodation is appropriate, the accommodated student is permitted to participate remotely in a “non-distance

¹ These standards include including regular and substantive interaction between faculty and students.

² Definition 8, ABA Revised Standards for Rules of Procedure for Approval of Law Schools 2025-2026 as amended [hereinafter “ABA Standard”].

³ See *id.*

⁴ Students may earn up to 50% of their required degree credits in Distance Education Courses, which is 44 total credit hours for College of Law students.

⁵ ABA Standard 306(c).

education course”⁶ without the credit being applied to the student’s distance education credit hour limit.⁷

(d) Student Responsibilities

Students are responsible for tracking their individual Distance Education Course credit hours. Student credit hours may be impacted by hours earned in other departments or colleges, as well as those earned as visiting or transfer students at other law schools and study abroad programs. Students should regularly review their credits to ensure any Distance Education Course credits accrued at any school, program, department, college, or program do not exceed the College of Law’s Distance Education Course credit maximum. Additionally, students are responsible for ensuring that their total number of Distance Education Course credits, as well as the time at which the credits were earned (first year versus upper division) will not alter their eligibility to take the Bar exam and be admitted to the Bar in their desired jurisdictions.⁸

Students who are transferring to the College of Law from another law school may be required to provide a certification of their Distance Education Course credits.

(e) Distance Education Course Approval

Any Distance Education Course must be approved by the Associate Dean for Academic Affairs. Prior to approval, the instructor must provide (a) the course syllabus; (b) a statement indicating why the course is pedagogically appropriate for distance education; and (c) a statement indicating how the instructor will meet ABA standards for distance education.

ABA standards require “regular and substantive interaction between the students and faculty teaching the course.”⁹ Regular interaction between a student and a faculty member in a Distance Education Course must include:

- (1) providing the opportunity for substantive interactions with the student on a predictable and scheduled basis commensurate with the length of time and the amount of content in the course as defined by Standard 310(b);
- (2) monitoring the student’s academic engagement and success; and

⁶ *Id.*

⁷ If the student’s remote participation in the Non-Distance Education Course will cause the law school to exceed the distance education limits in Standard 105(a)(12)(ii)-(iii), the College of Law must apply for acquiescence in a substantive change under Standard 105(a)(12)(ii)-(iii) before exceeding those distance education limits.

⁸ For example, New York limits students to 15 credit hours in distance education courses, none of which may be earned “until the student has completed the equivalent of 28 credit hours toward the first degree in law.” N.Y. Ct. R. § 520.3(c)(6)(i)-(iii). However, courses with at least 700 minutes of in-person instruction time may potentially be excepted from these requirements. *Id.* at 520.3(d)(1).

⁹ ABA Standard 306.

(3) ensuring that the faculty member is responsible for promptly and proactively engaging in substantive interaction with the student when needed on the basis of such monitoring, or upon request by the student.

Faculty must provide substantive interaction in each Distance Education Course that engages students in teaching, learning, and assessment, consistent with the content under discussion, and includes at least two of the following:

- (1) providing direct instruction;
- (2) assessing or providing feedback on a student's coursework;
- (3) providing information or responding to questions about the content of a course; or
- (4) facilitating a group discussion regarding the content of a course."¹⁰

Faculty must use an approved Learning Management platform that effectively supports the learning outcomes of the course; ensure that students, faculty, and others involved in the course receive appropriate training and support for the technology used; and ensure that a student who registers for any Distance Education Course is the same student that academically engages in the course.¹¹

Courses approved for distance-learning will be regularly evaluated by the Curriculum Committee for efficacy and ABA compliance on the same schedule as all other courses.

Before accepting transfer credit for a Distance Education Course from another school, College, or department, the Associate Dean for Academic Affairs will determine whether the course is compliant with ABA Standards.

The Curriculum Committee shall review Distance Education Courses as part of its regular review process and on its regular review schedule.

(f) Course Determinations

The Associate Dean for Academic Affairs and College of Law Registrar are responsible for ensuring that Distance Education Courses are properly coded into the registration system. Where appropriate, courses may be set as presumptively in-person.

(i) Competitions

Competitions vary greatly in the structure of the classroom component, practices, travel, and format of competition. Credit-bearing competitions courses are expected to meet all ABA requirements,¹² including classroom minutes and distance

¹⁰ ABA Standard 306(b)(1)-(4).

¹¹ ABA Standard 511. Canvas requires that students sign into the same CIS account that they used for registration. Additionally, zoom rooms created through Canvas require the same sign-in process.

¹² ABA Standard 310(b)(1).

education policies. Competitions are presumptively listed as in-person courses which will not impact a student's Distance Education Course credits unless the classroom and competition format meet the ABA Distance Education Course definition.

(ii) Remote Field Placements

Participation in a remote externship field placement will not impact a student's Distance Education Course credits. Enrollment in any co-curricular required course, such as Learning from Practice or Advanced Learning from Practice, offered as a Distance Education Course will count toward the student's Distance Education credit hours.¹³

(iii) Law Review

Law Review is presumptively listed as an in-person course which will not impact a student's Distance Education Course credits unless the regular meeting format meets the ABA Distance Education Course definition.

(g) Student Absences

Faculty must include a statement in their syllabus addressing student use of an online platform in an otherwise in-person class due to unforeseen circumstances that do not rise to the level of an official accommodation, such as short-term illness, inclement weather, or travel. Faculty may determine whether such attendance will be allowed; if and how students must request permission to attend online; and, if allowed, whether online attendance will be considered an excused or unexcused absence. No student enrolled in an in-person course may attend more than 1/3 of scheduled classes online without an official accommodation, inclusive of class sessions moved to an online platform by the professor.

Effective Date

These changes are effective February 6, 2026.

¹³ November 2022 Managing Director's Guidance Memo on Standards Related to Field Placements Managing Director's Guidance Memo Definition (7), Standards 304(a)(5), 304(d), 310.