

**ADJUSTMENTS IN FUNDING FOR  
CONCURRENT ENROLLMENT**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Margaret Dayton**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill adjusts fees for concurrent enrollment courses and modifies the distribution of the annual appropriation for accelerated learning programs.

**Highlighted Provisions:**

This bill:

- ▶ authorizes a student per credit hour fee for concurrent enrollment higher education courses offered in public schools;
- ▶ modifies the requirements for the distribution of the annual appropriation for accelerated learning programs; and
- ▶ makes technical corrections.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-15-101**, as last amended by Chapter 221, Laws of Utah 2003

**53A-17a-120**, as last amended by Chapter 320, Laws of Utah 2003

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28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **53A-15-101** is amended to read:

30 **53A-15-101. Higher education courses in the public schools -- Cooperation**  
31 **between public and higher education.**

32 (1) The State Board of Education in collaboration with the State Board of Regents shall  
33 implement:

34 (a) a curriculum program and delivery system which allows students the option to  
35 complete high school graduation requirements and prepares them to meet college admission  
36 requirements at the conclusion of the eleventh grade, but does not preclude a student involved  
37 in accelerated learning programs from graduating at an earlier time;

38 (b) a program of selected college credit courses in general and applied technology  
39 education which would be made available in cooperation with the State Board of Regents, as  
40 resources allow, through concurrent enrollment with one or more of the state's institutions of  
41 higher education;

42 (c) a course of study for a student who decides to continue on through the twelfth grade  
43 that would allow the student to take courses necessary to graduate from high school, and at the  
44 student's option, to become better prepared for the world of work, or complete selected college  
45 level courses corresponding to ~~the first year of~~ course work at a university, college, or  
46 community college in the state system of higher education; and

47 (d) a program for advanced placement which permits students to earn high school  
48 credits while qualifying to take advanced placement examinations for college credit.

49 (2) The delivery system and curriculum program shall be designed and implemented to  
50 take full advantage of the most current available educational technology.

51 (3) The State Board of Regents shall adopt rules to ensure the following:

52 (a) early high school graduates who are academically prepared and meet college  
53 admission requirements may be enrolled in one of the state's institutions of higher education;

54 (b) college credit courses are taught in high school concurrent enrollment or advanced  
55 placement programs by college or university faculty or public school educators under the  
56 following conditions:

57 (i) public school educators in concurrent enrollment programs must first be approved  
58 as adjunct faculty and supervised by a state institution of higher education;

59 (ii) teaching is done through live classroom instruction or telecommunications; and

60 (iii) course content, procedures, and teaching materials in concurrent enrollment  
61 programs are approved by the appropriate department or program at an institution of higher  
62 education in order to ensure quality and comparability with courses offered on college and  
63 university campuses; and

64 (iv) students may only be charged fees in accordance with Subsection (6); and

65 (c) college credits obtained under this section shall be accepted for transfer of credit  
66 purposes as if they had been obtained at any public institution of higher education within the  
67 state system.

68 (4) College-level courses taught in the high school carry the same credit hour value as  
69 when taught on a college or university campus and apply toward graduation on the same basis  
70 as courses taught at an institution of higher education to which the credits are submitted.

71 (5) The State Board of Education shall provide students in the public schools with the  
72 option of accelerating their educational program and graduating at the conclusion of the  
73 eleventh grade.

74 (6) (a) The State Board of Education and State Board of Regents shall work in close  
75 cooperation in developing, implementing, and evaluating the program established under this  
76 section.

77 (b) (i) Each high school shall receive its proportional share of concurrent enrollment  
78 monies appropriated or allocated pursuant to Section 53A-17a-120 based upon the hours of  
79 higher education course work undertaken by students at the school under Subsections (1)(b)  
80 and (1)(c) as compared to the state total.

81 (ii) School districts shall contract with institutions of higher education to provide the  
82 higher education services required under this section.

83 ~~[(iii)-(A)]~~ (c) Higher education tuition and fees may not be charged for participation in  
84 this program, except that each institution within the state's higher education system may  
85 charge:

86 (i) a one-time per student per institution admissions application fee for concurrent  
87 enrollment course credit offered by the institution[-]; and

88 (ii) a fee of up to \$30 per credit hour for each concurrent enrollment course for which  
89 the student will receive college credit, paid directly to the institution of higher education that

90 offers the course.

91 ~~[(B)]~~ (d) Payment of the fee under Subsection (6)~~[(b)(iii)(A)]~~ (c)(i) satisfies the general  
92 admissions application fee requirement for a full-time or part-time student at an institution so  
93 that no additional admissions application fee may be charged by the institution.

94 Section 2. Section **53A-17a-120** is amended to read:

95 **53A-17a-120. Appropriation for accelerated learning programs.**

96 (1) Money appropriated to the State Board of Education in Section 53A-17a-104 for  
97 accelerated learning programs shall be allocated to local school boards for the following  
98 programs:

99 (a) programs in grades 1-12 for the gifted and talented;

100 (b) concurrent enrollment; and

101 (c) advanced placement.

102 ~~[(2) (a) A school participating in the concurrent enrollment programs offered under~~  
103 ~~Section 53A-15-101 shall receive on a per student basis up to \$33.33 per quarter hour or \$50~~  
104 ~~per semester hour for each hour of higher education course work undertaken at the school.]~~

105 ~~[(b) Each year the amounts specified in Subsection (2)(a) shall be adjusted in~~  
106 ~~proportion to the increase in the value of the weighted pupil unit from the prior year established~~  
107 ~~in Subsection 53A-17a-103(1).]~~

108 ~~[(3)]~~ (2) (a) Districts shall spend monies for these programs according to rules  
109 established by the State Board of Education in accordance with Title 63, Chapter 46a, Utah  
110 Administrative Rulemaking Act.

111 (b) The State Board of Education shall develop uniform and consistent policies for  
112 school districts to follow in utilizing advanced placement and concurrent enrollment monies.

113 (c) (i) The rules and policies developed in accordance with Subsections (2)(a) and (b)  
114 shall require that all money appropriated to the State Board of Education in Section  
115 53A-17a-104 for accelerated learning programs shall remain in the state system of public  
116 education.

117 (ii) Higher education funding for concurrent enrollment programs shall be provided as  
118 described in Section 53A-15-101.

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**Legislative Review Note**

as of 1-19-06 3:33 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

**State Impact**

Provisions of the bill authorize Higher Education institutions offering concurrent enrollment programs to charge a fee of up to \$30 for each credit hour taken by a Public Education student. During FY 2005, a total of 177,658 credit hours were earned by high school students. A \$30 fee would generate approximately \$5.3 million for Higher Education institutions less the current Higher Education funding of approximately \$1.8 million from the existing system.

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**Individual and Business Impact**

High school students participating in Concurrent Enrollment may be required to pay a fee of up to \$30 for each credit hour taken through the Concurrent Enrollment program.

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**Office of the Legislative Fiscal Analyst**