

Daniel McCay proposes the following substitute bill:

Dual Language Immersion Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor:

LONG TITLE

General Description:

This bill amends provisions related to concurrent enrollment courses for accelerated foreign language students.

Highlighted Provisions:

This bill:

- defines terms;
- requires universities to teach certain upper-level concurrent enrollment courses;
- requires a qualified teacher to teach certain courses;
- extends a current proficiency assessment related to dual language immersion students;
- allows a local education agency to partner with certain institutions; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53E-10-307, as last amended by Laws of Utah 2023, Chapter 129

53F-2-502, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

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

Section 1. Section **53E-10-307** is amended to read:

53E-10-307 . Concurrent enrollment courses for accelerated foreign language students.

(1) As used in this section:

- (a) "Accelerated foreign language student" means an eligible student who has passed a world language Advanced Placement exam.
- (b) "Blended learning delivery model" means an education delivery model in which a student learns, at least in part:
- (i) through ~~[online learning with an element of student control over time, place, path, and pace]~~ synchronous online learning; and
 - (ii) in the physical presence of an instructor.
- (c) "Partner language" means the same as that term is defined in Section 53F-2-502.
- (d) "Program" means the Utah Language Bridge Program, the foreign language concurrent enrollment program described in this section.
- (e)(i) "Qualified instructor" means:
- (A) a university instructor of record:
 - (I) who holds a master's degree or higher or has at least 18 completed credit hours of graduate course work in an academic field related to the program;
 - (II) who demonstrates language proficiency of advanced-high or higher on a verbal and written exam using a nationally recognized assessment that assesses an instructor's language proficiency or holds a bachelor's degree from a relevant country of origin of the target language; and
 - (III) whom an institution hires according to the standards of the institution;
 - (B) an LEA employee teaching the course individually who:
 - (I) holds a master's degree or higher, has at least 18 completed credit hours of graduate work in an academic field related to the program, or acquires exception for approval without a master's degree from the partnering institution and the LEA; and
 - (II) demonstrates language proficiency of advanced-high or higher on a verbal and written exam from a nationally recognized assessment used that measures an instructor's language proficiency or holds a bachelor's degree from a relevant country of origin of the target language; or
 - (C) an LEA employee co-teaching with a Utah System of Higher Education faculty member who:
 - (I) has qualifying experience, including demonstrated language proficiency of advanced-mid or higher on a verbal and written exam using nationally recognized standards to assess an instructor's language proficiency; or
 - (II) holds a bachelor's degree from a relevant country of origin in the target

- 63 language.
- 64 (ii) "Qualified instructor" does not include an instructor with qualifications based on
- 65 years of experience alone.
- 66 (f) "Service area" means the geographic area, as board policy determines, where a state
- 67 university has primary responsibility for providing educational programs and services.
- 68 [(e)] (g) "State university" means an institution of higher education that offers courses
- 69 leading to a bachelor's degree.
- 70 (2) The University of Utah shall partner with all state universities to develop and maintain,
- 71 as part of the concurrent enrollment program described in this part, concurrent
- 72 enrollment courses that:
- 73 (a) are age-appropriate foreign language courses for accelerated foreign language
- 74 students participating in the program;
- 75 (b) count toward a foreign language degree offered by an institution of higher education;
- 76 and
- 77 (c) ~~[are delivered]~~ the university delivers:
- 78 (i) using [a] an in-person or blended learning delivery model; and
- 79 (ii) ~~[by an eligible]~~ through a qualified instructor~~[described in Subsection~~
- 80 53E-10-302(6)(a)].
- 81 (3) Subject to budget constraints, in addition to the base increases described in Section
- 82 53F-2-208, the Legislature shall annually increase the money appropriated for
- 83 concurrent enrollment courses for accelerated foreign language students participating in
- 84 the program in proportion to the percentage increase over the previous school year in the
- 85 value of the weighted pupil unit.
- 86 (4)(a) A state university that offers an upper-division course under the program shall
- 87 ensure that a qualified instructor teaches or co-teaches the upper-division course.
- 88 (b) If a state university cannot provide a qualified instructor to an LEA in the state
- 89 university's service area before April 1 of each year, in accordance with Subsection
- 90 (4)(a), an LEA shall:
- 91 (i) partner with a state institution from outside the service area that contains the LEA
- 92 to provide an upper-division course under this program; and
- 93 (ii) enter into a contract with a state institution from outside the service area that
- 94 contains the LEA, in accordance with Section 53E-10-303, to provide the program
- 95 at the LEA.
- 96 (5) A state university that offers an upper-division course under this section shall ensure the

course counts toward a foreign language degree an institution of higher education offers.

- (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to extend the current proficiency assessment for dual immersion students to grades 3 through 12 for each partner language, in accordance with Section 53F-2-502.

Section 2. Section **53F-2-502** is amended to read:

53F-2-502 . Dual language immersion.

- (1) As used in this section:

- (a) "Dual language immersion" means an instructional setting in which a student receives a portion of instruction in English and a portion of instruction exclusively in a partner language.
- (b) "Local education agency" or "LEA" means a school district or a charter school.
- (c) "Participating LEA" means an LEA selected by the state board to receive a grant described in this section.
- (d) "Partner language" means a language other than English in which instruction is provided in dual language immersion.
- (e) "Restricted foreign entity" means the same as that term is defined in Section 53H-8-501.

- (2) The state board shall:

- (a) establish a dual language immersion program;
- (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that establish:
 - (i) a grant program for an LEA to receive funding for dual language immersion;
 - (ii) the required qualifications for an LEA to be a participating LEA;
 - (iii) subject to this section, requirements of a participating LEA;
 - (iv) a proficiency assessment for each partner language; and
 - (v) a progression of how a school in a participating LEA adds grade levels in which the school offers dual language immersion; and
- (c) subject to legislative appropriations:
 - (i) select participating LEAs; and
 - (ii) award to a participating LEA a grant to support dual language immersion in the LEA.

- (3) A participating LEA shall:

- (a) establish in a school a full-day dual language immersion instructional model that

- 131 provides at least 50% of instruction exclusively in a partner language;
- 132 (b) in accordance with the state board rules described in Subsection (2)(b), add grades in
- 133 which dual language immersion is provided in a school; and
- 134 (c) annually administer to each student in grades 3 through [8] 12 who participates in
- 135 dual language immersion an assessment described in Subsection (2)(b)(iv).
- 136 (4) The state board shall:
- 137 (a) provide support to a participating LEA, including by:
- 138 (i) offering professional learning for dual language immersion educators;
- 139 (ii) developing curriculum related to dual language immersion; or
- 140 (iii) providing instructional support for a partner language;
- 141 (b) conduct a program evaluation of the dual language immersion program established
- 142 under Subsection (2)(a); and
- 143 (c) on or before November 1, 2019, report to the Education Interim Committee and the
- 144 Public Education Appropriations Subcommittee on the results of the program
- 145 evaluation described in Subsection (4)(b).
- 146 (5) The state board may, in accordance with Title 63G, Chapter 6a, Utah Procurement Code,
- 147 contract with a third party to conduct the program evaluation described in Subsection
- 148 (4)(b).
- 149 (6) Regardless of whether an LEA is a participating LEA or provides language instruction
- 150 through another method, beginning July 1, 2024, an LEA may not seek or accept
- 151 funding support from a restricted foreign entity or an entity that passes on funding
- 152 support from a restricted foreign entity.
- 153 (7) Subject to budget constraints, in addition to the base increases described in Section
- 154 53F-2-208, the Legislature shall annually increase the money appropriated for dual
- 155 language immersion in proportion to the percentage increase over the previous school
- 156 year in the value of the weighted pupil unit.

157 **Section 3. Effective Date.**

158 This bill takes effect on July 1, 2026.