

Effective 1/24/2018

**Part 3
Concurrent Enrollment**

53E-10-301 Definitions.

As used in this part:

- (1) "Career and technical education course" means a concurrent enrollment course in career and technical education, as determined by the policy established by the Utah Board of Higher Education under Section 53E-10-302.
- (2) "Concurrent enrollment" means enrollment in a course offered through the concurrent enrollment program described in Section 53E-10-302.
- (3) "Educator" means the same as that term is defined in Section 53E-6-102.
- (4) "Eligible instructor" means an instructor who meets the requirements described in Subsection 53E-10-302(6).
- (5) "Eligible student" means a student who:
 - (a)
 - (i) is enrolled in, and counted in average daily membership in, a public school within the state;
or
 - (ii) is in the custody of the Division of Juvenile Justice Services and subject to the jurisdiction of the Youth Parole Authority;
 - (b) has on file a plan for college and career readiness as described in Section 53E-2-304; and
 - (c) is in grade 9, 10, 11, or 12.
- (6) "Institution of higher education" means an institution described in Subsection 53B-1-102(1)(a).
- (7) "License" means the same as that term is defined in Section 53E-6-102.
- (8) "Local education agency" or "LEA" means a school district or charter school.
- (9) "Qualifying experience" means an LEA employee's experience in an academic field that:
 - (a) qualifies the LEA employee to teach a concurrent enrollment course in the academic field;
and
 - (b) may include the LEA employee's:
 - (i) number of years teaching in the academic field;
 - (ii) holding a higher level secondary teaching credential issued by the state board;
 - (iii) research, publications, or other scholarly work in the academic field;
 - (iv) continuing professional education in the academic field;
 - (v) portfolio of work related to the academic field; or
 - (vi) professional work experience or certifications in the academic field.
- (10) "Value of the weighted pupil unit" means the amount established each year in the enacted public education budget that is multiplied by the number of weighted pupil units to yield the funding level for the basic state-supported school program.

Amended by Chapter 379, 2021 General Session

53E-10-302 Concurrent enrollment program.

- (1) The state board and the Utah Board of Higher Education shall establish and maintain a concurrent enrollment program that:
 - (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently:
 - (i) toward high school graduation; and

- (ii) at an institution of higher education;
 - (b) includes only a course that:
 - (i) leads to a degree or certificate offered by an institution of higher education; and
 - (ii) is one of the following:
 - (A) a general education course;
 - (B) a career and technical education course;
 - (C) a pre-major college level course;
 - (D) a foreign language concurrent enrollment course described in Section 53E-10-307; or
 - (E) an upper divisions course that the Utah Board of Higher Education approves under Subsection (3);
 - (c) requires that the instructor of a concurrent enrollment course is an eligible instructor; and
 - (d) is designed and implemented to take full advantage of the most current available education technology.
- (2) The state board and the Utah Board of Higher Education shall coordinate to:
- (a) establish a concurrent enrollment course approval process that ensures:
 - (i) credit awarded for concurrent enrollment is consistent and transferable to all institutions of higher education; and
 - (ii) learning outcomes for a concurrent enrollment course align with:
 - (A) core standards for Utah public schools adopted by the state board; and
 - (B) except for a foreign language concurrent enrollment course described in Section 53E-10-307 or an upper division course that the Utah Board of Higher Education approves under Subsection (3), an institution of higher education lower division course numbered at or above the 1000 level; and
 - (b) provide advising to an eligible student, including information on:
 - (i) general education requirements at institutions of higher education; and
 - (ii) how to choose concurrent enrollment courses to avoid duplication or excess credit hours.
- (3) The Utah Board of Higher Education, after consulting with the state board, shall annually approve a prioritized list of upper division courses for which an institution of higher education may use concurrent enrollment money.
- (4) After consultation with institution of higher education concurrent enrollment directors, the Utah Board of Higher Education shall:
- (a) provide guidelines to an institution of higher education for establishing qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course; and
 - (b) establish a policy that:
 - (i) determines which concurrent enrollment courses are career and technical education courses; and
 - (ii) creates a process for:
 - (A) an LEA to appeal an institution of higher education's decision under Subsection (7) if the institution of higher education does not approve an LEA employee as an eligible instructor; and
 - (B) an LEA or institution of higher education to determine whether an eligible instructor who previously taught a concurrent enrollment course is no longer qualified to teach the concurrent enrollment course.
- (5) To qualify for funds under Section 53F-2-409, an LEA and an institution of higher education shall:
- (a) enter into a contract, in accordance with Section 53E-10-303, to provide one or more concurrent enrollment courses that are approved under the course approval process described in Subsection (2);

- (b) ensure that an instructor who teaches a concurrent enrollment course is an eligible instructor;
 - (c) establish qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course, in accordance with the guidelines described in Subsection (4)(a);
 - (d) ensure that a student who enrolls in a concurrent enrollment course is an eligible student; and
 - (e) coordinate advising to eligible students.
- (6)
- (a) An institution of higher education faculty member is an eligible instructor.
 - (b) An LEA employee is an eligible instructor if the LEA employee:
 - (i) is licensed under Chapter 6, Education Professional Licensure;
 - (ii) is supervised by an institution of higher education; and
 - (iii)
 - (A) as described in Subsection (7), is approved as an eligible instructor by the institution of higher education that provides the concurrent enrollment course taught by the LEA employee;
 - (B) has an upper level mathematics credential issued by the state board;
 - (C) is approved as adjunct faculty by the institution of higher education that provides the concurrent enrollment course taught by the LEA employee; or
 - (D) teaches a concurrent enrollment course that the LEA employee taught during the 2018 -2019 or 2019 -2020 school year.
- (7) An institution of higher education shall approve an LEA employee as an eligible instructor:
- (a) for a career and technical education concurrent enrollment course, if the LEA employee has:
 - (i) a degree, certificate, or industry certification in the concurrent enrollment course's academic field; or
 - (ii) qualifying experience, as determined by the institution of higher education; or
 - (b) for a concurrent enrollment course other than a career and technical education course, if the LEA employee has:
 - (i) a master's degree or higher in the concurrent enrollment course's academic field;
 - (ii)
 - (A) a master's degree or higher in any academic field; and
 - (B) at least 18 completed credit hours of graduate course work in an academic field that is relevant to the concurrent enrollment course; or
 - (iii) qualifying experience as defined in Section 53E-10-301, including:
 - (A) the number of years of teaching experience;
 - (B) student performance on qualifying test scores or AP exams on courses that the LEA employee teaches;
 - (C) continuing education in a master's degree or higher in any academic field; or
 - (D) other criteria established by the institution of higher education.
- (8) An institution of higher education shall accept credits earned by a student who completes a concurrent enrollment course on the same basis as credits earned by a full-time or part-time student enrolled at the institution of higher education.

Amended by Chapter 172, 2023 General Session

53E-10-303 Designated institution of higher education -- Concurrent enrollment course right of first refusal.

- (1) As used in this section, "designated institution of higher education" means an institution of higher education that is designated by the Utah Board of Higher Education to provide a course or program of study within a specific geographic region.

- (2) To offer a concurrent enrollment course, an LEA shall contact the LEA's designated institution of higher education to request that the designated institution of higher education contract with the LEA to provide the concurrent enrollment course.
- (3) Except as provided in Subsection (4), if the LEA's designated institution of higher education chooses to offer the concurrent enrollment course, the LEA shall contract with the LEA's designated institution of higher education to provide the concurrent enrollment course.
- (4) An LEA may contract with an institution of higher education that is not the LEA's designated institution of higher education to provide a concurrent enrollment course if the LEA's designated institution of higher education:
 - (a) chooses not to offer the concurrent enrollment course proposed by the LEA;
 - (b) fails to respond to the LEA's request under Subsection (2) within 30 days after the day on which the LEA contacts the designated institution of higher education;
 - (c) uses instructional materials in a course that are sensitive materials, as defined in Section 53G-10-103, or that are materials otherwise prohibited by state law or state board rule for use in kindergarten through grade 12; or
 - (d)
 - (i) reaches the institution of higher education's enrolled student capacity for the concurrent enrollment course; and
 - (ii) prohibits an LEA with an eligible instructor, as described in Section 53E-10-302, from expanding the concurrent enrollment course to eligible students.

Amended by Chapter 172, 2023 General Session

53E-10-304 Concurrent enrollment participation form -- Parental permission.

- (1) The Utah Board of Higher Education shall create a higher education concurrent enrollment participation form that includes a parental permission form.
- (2) Before allowing an eligible student to participate in concurrent enrollment, an LEA and an institution of higher education shall ensure that the eligible student has, for the current school year:
 - (a) submitted the participation form described in Subsection (1);
 - (b) signed an acknowledgment of program participation requirements; and
 - (c) obtained parental permission as indicated by the signature of a student's parent on the parental permission form.

Amended by Chapter 365, 2020 General Session

53E-10-305 Tuition and fees.

- (1) Except as provided in this section, the Utah Board of Higher Education or an institution of higher education may not charge tuition or fees for a concurrent enrollment course.
- (2)
 - (a) The Utah Board of Higher Education may charge a one-time fee for a student to participate in the concurrent enrollment program.
 - (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general admission application fee requirement for a full-time or part-time student at an institution of higher education.
- (3)
 - (a) An institution of higher education may charge a one-time admission application fee for concurrent enrollment course credit offered by the institution of higher education.

- (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission application fee requirement for a full-time or part-time student at an institution of higher education.
- (4)
 - (a) Except as provided in Subsection (4)(b), an institution of higher education may charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course for which a student earns college credit.
 - (b) An institution of higher education may not charge more than:
 - (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price school lunch;
 - (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by an eligible instructor described in Subsection 53E-10-302(6)(b); or
 - (iii) \$15 per credit hour for a concurrent enrollment course that is taught through video conferencing.
- (5) In accordance with Section 53G-7-603, an LEA may charge a fee for a textbook, as defined in Section 53G-7-601, that is required for a concurrent enrollment course.

Amended by Chapter 220, 2020 General Session

Amended by Chapter 365, 2020 General Session

53E-10-306 Funding.

Unless otherwise specified, the provisions of this part and Section 53F-2-409 govern concurrent enrollment funding.

Enacted by Chapter 1, 2018 General Session

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; and
 - (ii) in the physical presence of an instructor.
 - (c) "State university" means an institution of higher education that offers courses leading to a bachelor's degree.
- (2) The University of Utah shall partner with all state universities to develop, as part of the concurrent enrollment program described in this part, concurrent enrollment courses that:
 - (a) are age-appropriate foreign language courses for accelerated foreign language students;
 - (b) count toward a foreign language degree offered by an institution of higher education; and
 - (c) are delivered:
 - (i) using a blended learning delivery model; and
 - (ii) by an eligible instructor described in Subsection 53E-10-302(6)(a).
- (3) Subject to budget constraints, in addition to the base increases described in Section 53F-2-208, the Legislature shall annually increase the money appropriated for concurrent enrollment courses for accelerated foreign language students in proportion to the percentage increase over the previous school year in the value of the weighted pupil unit.

Amended by Chapter 129, 2023 General Session

53E-10-308 Reporting.

The state board and the Utah Board of Higher Education shall submit an annual written report to the Higher Education Appropriations Subcommittee and in accordance with Section 53E-1-203 on student participation in the concurrent enrollment program, including:

- (1) data on the higher education tuition not charged due to the hours of higher education credit granted through concurrent enrollment;
- (2) tuition or fees charged under Section 53E-10-305;
- (3) an accounting of the money appropriated for concurrent enrollment; and
- (4) a justification of the distribution method described in Subsections 53F-2-409(3)(d) and (e).

Amended by Chapter 365, 2020 General Session

53E-10-309 LAUNCH certificate -- TRANSFORM certificate -- Utah PRIME Program.

(1) As used in this section:

(a) "Eligible institution" means:

- (i) a degree-granting institution of higher education or a technical college within the state system of higher education, as identified in Section 53B-2-101(1); or
- (ii) a private, nonprofit college or university in the state that is accredited by the Northwest Commission on Colleges and Universities.

(b) "Industry certification" means a career and technical education certification awarded through validation of skills in cooperation with a business, trade association, or other industry group, in accordance with rules adopted by the state board under Section 53F-2-311.

(c) "Institutional certificate" means a career and technical education program completion certificate awarded by the state board, an institution of higher education, or a technical college.

(d) "LAUNCH certificate" means a certificate of completion awarded by the state board to an eligible student who meets the criteria described in this section.

(e) "Participating LEA" means an LEA that participates in the program.

(f) "Program" means the Utah PRIME program described in Subsection (5).

(g) "Plan for college and career readiness" means the same as that term is defined in Section 53E-2-304.

(h) "Qualifying student" means an eligible student who meets the criteria for a LAUNCH certificate or a TRANSFORM certificate as described in this section.

(i) "Technical college" means the same as that term is defined in 53B-1-101.5.

(j) "TRANSFORM certificate" means a certificate of completion established by the Utah Board of Higher Education in accordance with Section 53B-16-105.

(2) The state board shall award a LAUNCH certificate to an eligible student who:

- (a) completes six concurrent enrollment credits;
- (b) is awarded an industry certification or institutional certificate; and
- (c) has on file a plan for college and career readiness.

(3) The state board shall award a TRANSFORM certificate to an eligible student who:

(a) completes:

- (i) the requirements established by the Utah Board of Higher Education in accordance with Section 53B-16-105 and in coordination with the state board; and
- (ii) completes five general education courses, each from a different general education category, as designated for concurrent enrollment by the Utah Board of Higher Education; or

(b) completes a career and technical education program that is at least 300 hours or 6 courses.

- (c)
 - (i) Subject to appropriations by the Legislature, the Utah Board of Higher Education shall award to each student who earns a TRANSFORM certificate a \$500 scholarship to be used at an eligible institution.
 - (ii) A student may earn the scholarship described in Subsection (3)(c)(i) regardless of whether the student receives an Opportunity Scholarship award described in Section 53B-8-201.
- (4) The Utah Board of Higher Education shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to ensure that credits described in Subsections (2) and (3) earned by a qualifying student are transferable to institutions of higher education.
- (5) In accordance with this section, and subject to appropriations by the Legislature for this purpose, the state board shall:
 - (a) administer the Utah PRIME program to expand access to concurrent enrollment courses and career and technical education certificates by expanding digital delivery models for distance learning programs or funding enrollment in participating LEAs; and
 - (b) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) establish eligibility requirements for a participating LEA;
 - (ii) create an application process for LEAs to apply for the program; and
 - (iii) create a funding formula for participating LEAs.
 - (c) A participating LEA shall offer concurrent enrollment courses, including career and technical education courses, that meet the requirements for the LAUNCH certificate and TRANSFORM certificate.

Amended by Chapter 167, 2023 General Session