

**Representative Kory M. Holdaway** proposes the following substitute bill:

**CONCURRENT ENROLLMENT AMENDMENTS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kory M. Holdaway**

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

Cosponsors:	James R. Gowans	Kenneth W. Sumsion
Sylvia S. Andersen	Carol Spackman Moss	Mark A. Wheatley

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**LONG TITLE**

**General Description:**

This bill modifies the State System of Public Education Code relating to concurrent enrollments.

**Highlighted Provisions:**

This bill:

- ▶ separates concurrent enrollment from other programs in the accelerated learning programs appropriation;
- ▶ makes the appropriation for concurrent enrollment based upon the weighted pupil unit;
- ▶ provides for the distribution of the concurrent enrollment appropriation:
  - between the State System of Public Education and the State System of Higher Education; and
  - among public schools and institutions of higher education that participate in concurrent enrollment; and
- ▶ makes technical corrections.

**Monies Appropriated in this Bill:**



- 26 This bill appropriates for fiscal year 2007-08:
- 27     ▶ \$2,017,569,545 from the Uniform School Fund; and
- 28     ▶ \$15,000,000 from the Interest and Dividends Account.

29 **Other Special Clauses:**

30 This bill takes effect on July 1, 2007.

31 This bill coordinates with H.B. 3 by providing that certain amendments in this bill  
32 supersede the amendments in H.B. 3 and that certain amendments in H.B. 3 supersede  
33 the amendments in this bill.

34 This bill coordinates with H.B. 160 by providing that certain amendments in this bill  
35 supersede the amendments in H.B. 160 and that certain amendments in H.B. 160  
36 supersede the amendments in this bill.

37 **Utah Code Sections Affected:**

38 AMENDS:

- 39     **53A-15-101**, as last amended by Chapter 221, Laws of Utah 2003
- 40     **53A-17a-104**, as last amended by Chapters 4 and 354, Laws of Utah 2006
- 41     **53A-17a-120**, as last amended by Chapter 320, Laws of Utah 2003

42 ENACTS:

- 43     **53A-17a-120.5**, Utah Code Annotated 1953



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

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

47     **53A-15-101. Higher education courses in the public schools -- Cooperation**  
48 **between public and higher education.**

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

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

55     (b) a program of selected college credit courses in general and [~~applied technology~~]  
56 career and technical education which would be made available in cooperation with the State

57 Board of Regents, as resources allow, through concurrent enrollment with one or more of the  
58 state's institutions of higher education;

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

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

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

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

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

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

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

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

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

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

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

87 (5) The State Board of Education shall provide students in the public schools with the

88 option of accelerating their educational program and graduating at the conclusion of the  
89 eleventh grade.

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

93 (b) (i) Each high school shall receive its proportional share of concurrent enrollment  
94 monies appropriated or allocated pursuant to Section [~~53A-17a-120~~] 53A-17a-120.5 based  
95 upon the hours of higher education course work undertaken by students at the school under  
96 Subsections (1)(b) and (1)(c) as compared to the state total.

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

99 (iii) (A) Higher education tuition and fees may not be charged for participation in this  
100 program, except that each institution within the state's higher education system may charge a  
101 one-time per student per institution admissions application fee for concurrent enrollment  
102 course credit offered by the institution.

103 (B) Payment of the fee under Subsection (6)(b)(iii)(A) satisfies the general admissions  
104 application fee requirement for a full-time or part-time student at an institution so that no  
105 additional admissions application fee may be charged by the institution.

106 Section 2. Section **53A-17a-104** is amended to read:

107 **53A-17a-104. Amount of state's contribution toward minimum school program.**

108 (1) The total contribution of the state toward the cost of the minimum school program  
109 may not exceed the sum of [~~\$2,032,219,545~~] \$2,032,569,545 for the fiscal year beginning July  
110 1, [~~2006~~] 2007, except as otherwise provided by the Legislature through supplemental  
111 appropriations.

112 (2) There is appropriated from state and local funds for fiscal year [~~2006-07~~] 2007-08  
113 for distribution to school districts and charter schools, in accordance with this chapter, monies  
114 for the following purposes and in the following amounts:

- 115 (a) basic program - kindergarten, \$57,234,560 (23,680 WPUs);
- 116 (b) basic program - grades 1-12, \$1,118,053,443 (462,579 WPUs);
- 117 (c) basic program - professional staff, \$106,128,053 (43,909 WPUs);
- 118 (d) basic program - administrative costs, \$3,937,293 (1,629 WPUs);

- 119 (e) basic program - necessarily existent small schools and units for consolidated  
 120 schools, \$18,487,633 (7,649 WPU);
- 121 (f) special education - regular program - add-on WPU for students with disabilities,  
 122 \$136,350,221 (56,413 WPU);
- 123 (g) preschool special education program, \$19,717,886 (8,158 WPU);
- 124 (h) self-contained regular WPU, \$32,148,517 (13,301 WPU);
- 125 (i) extended year program for severely disabled, \$887,039 (367 WPU);
- 126 (j) special education programs in state institutions and district impact aid, \$3,487,731  
 127 (1,443 WPU);
- 128 (k) applied technology and technical education district programs, \$59,934,349 (24,797  
 129 WPU), including \$1,045,033 for summer applied technology agriculture programs;
- 130 (l) applied technology district set-aside, \$2,562,020 (1,060 WPU);
- 131 (m) class size reduction, \$74,378,341 (30,773 WPU);
- 132 (n) concurrent enrollment \$8,554,831 (3,539 WPU);
- 133 [~~(n)~~] (o) Social Security and retirement programs, \$310,891,038;
- 134 [~~(o)~~] (p) pupil transportation to and from school, \$62,601,763, of which not less than  
 135 \$2,173,569 shall be allocated to the Utah Schools for the Deaf and Blind to pay for  
 136 transportation costs of the schools' students;
- 137 [~~(p)~~] (q) guarantee transportation levy, \$500,000;
- 138 [~~(q)~~] (r) Local Discretionary Block Grant Program, \$21,820,748;
- 139 [~~(r)~~] (s) Interventions for Student Success Block Grant Program, \$16,792,888;
- 140 [~~(s)~~] (t) Quality Teaching Block Grant Program, \$62,993,704;
- 141 [~~(t)~~] (u) highly impacted schools, \$5,123,207;
- 142 [~~(u)~~] (v) at-risk programs, \$27,992,056;
- 143 [~~(v)~~] (w) adult education, \$9,148,653;
- 144 [~~(w)~~] (x) accelerated learning programs, [~~\$12,010,853~~] \$3,806,022;
- 145 [~~(x)~~] (y) electronic high school, \$1,300,000;
- 146 [~~(y)~~] (z) School LAND Trust Program, \$15,000,000;
- 147 [~~(z)~~] (aa) state-supported voted leeway, \$196,085,303;
- 148 [~~(aa)~~] (bb) state-supported board leeway, \$54,704,476;
- 149 [~~(bb)~~] (cc) charter schools, pursuant to Section 53A-1a-513, \$21,552,450;

150 [~~(cc)~~] (dd) K-3 Reading Improvement Program, \$12,500,000; and  
151 [~~(dd)~~] (ee) state-supported board leeway for K-3 Reading Improvement Program,  
152 \$15,000,000.

153 Section 3. Section **53A-17a-120** is amended to read:

154 **53A-17a-120. Appropriation for accelerated learning programs.**

155 (1) Money appropriated to the State Board of Education in Section 53A-17a-104 for  
156 accelerated learning programs shall be allocated to local school boards and charter schools for  
157 the following programs:

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

159 [~~(b) concurrent enrollment; and]~~

160 [~~(c)~~] (b) advanced placement.

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

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

167 [~~(3)~~] (2) (a) Districts shall spend monies for these programs according to rules  
168 established by the State Board of Education in accordance with Title 63, Chapter 46a, Utah  
169 Administrative Rulemaking Act.

170 (b) The State Board of Education shall develop uniform and consistent policies for  
171 school districts to follow in utilizing advanced placement [~~and concurrent enrollment~~] monies.

172 Section 4. Section **53A-17a-120.5** is enacted to read:

173 **53A-17a-120.5. Appropriation for concurrent enrollment.**

174 (1) Money appropriated to the State Board of Education in Section 53A-17a-104 for  
175 concurrent enrollment shall be allocated as follows:

176 (a) 60% of the monies shall be allocated to local school boards and charter schools; and

177 (b) 40% of the monies shall be allocated to the State Board of Regents.

178 (2) The State Board of Education shall make rules providing that a school participating  
179 in the concurrent enrollment programs offered under Section 53A-15-101 shall receive an  
180 allocation from the monies described in Subsection (1)(a) as provided in Section 53A-15-101.

181 (3) The State Board of Regents shall make rules providing that an institution of higher  
182 education participating in the concurrent enrollment programs offered under Section  
183 53A-15-101 shall receive an allocation from the monies described in Subsection (1)(b) as  
184 provided in the rules.

185 (4) Each year the Legislature shall increase the money appropriated to the State Board  
186 of Education in Section 53A-17a-104 for concurrent enrollment based on enrollment growth in  
187 concurrent enrollment from additional students enrolled, courses offered, and credit hours  
188 taken.

189 (5) The State Board of Education and the State Board of Regents shall annually report  
190 to the Public Education Appropriations Subcommittee:

191 (a) an accounting of the money appropriated for concurrent enrollment; and

192 (b) a justification of the split described in Subsections (1)(a) and (b).

193 **Section 5. Effective date.**

194 This bill takes effect on July 1, 2007.

195 **Section 6. Coordinating H.B. 79 with H.B. 3 -- Substantively superseding**  
196 **amendments.**

197 If this H.B. 79 and H.B. 3, Minimum School Program Base Budget Amendments, both  
198 pass, it is the intent of the Legislature that when the Office of Legislative Research and General  
199 Counsel prepares the Utah Code database for publication:

200 (1) the appropriation for accelerated learning programs under Subsection  
201 53A-17a-104(2)(x) in this bill supersedes the appropriation for accelerated learning programs  
202 under Subsection 53A-17a-104(2)(x) in H.B. 3; and

203 (2) the appropriation under Subsection 53A-17a-104(1) in H.B. 3 supersedes the  
204 appropriation in Subsection 53A-17a-104(1) in this bill.

205 **Section 7. Coordinating H.B. 79 with H.B. 160 -- Substantively superseding**  
206 **amendments.**

207 If this H.B. 79 and H.B. 160, Minimum School Program Budget Amendments, both  
208 pass, it is the intent of the Legislature that when the Office of Legislative Research and General  
209 Counsel prepares the Utah Code database for publication:

210 (1) the appropriation for accelerated learning programs under Subsection  
211 53A-17a-104(2)(x) in this bill supersedes the appropriation for accelerated learning programs

212 under Subsection 53A-17a-104(2)(x) in H.B. 160; and  
213 (2) the appropriation under Subsection 53A-17a-104(1) in H.B. 160 supersedes the  
214 appropriation in Subsection 53A-17a-104(1) in this bill.



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**H.B. 79 1st Sub. (Buff) - Concurrent Enrollment Amendments**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

Enactment of this bill would extend the current year's appropriation for the minimum school program into FY 2008 and increase the total appropriation supporting the concurrent enrollment program by \$350,000. Further, it would assign Weighted Pupil Units to the concurrent enrollment program and establishes the program as an independent line item in the Minimum School Program. By making concurrent enrollment WPU driven, funding may be increased annually due to enrollment growth and WPU value increases. If House Bill 79 "Concurrent Enrollment Amendments" and House Bill 3 "Minimum School Program" both pass, each bill has a coordinating clause that will limit the the appropriation from this bill (HB79S1) to \$350,000 from the Uniform School Fund..

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
Uniform School Fund	\$0	\$350,000	\$350,000	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$350,000</b>	<b>\$350,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill may result in revenue reallocation among public education and higher education. Currently, school districts and higher education institutions negotiate concurrent enrollment fees on a district and institution basis. Enactment will standardize the division of revenue between public and higher education.