

**Senator Gregory S. Bell** proposes the following substitute bill:

**CONCURRENT ENROLLMENT AMENDMENTS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kory M. Holdaway**

Senate Sponsor: Gregory S. Bell

6	Cosponsors:	James R. Gowans	Kenneth W. Sumsion
7	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;
- ▶ requires the appropriation for concurrent enrollment to increase based upon the increase in the value of 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 None

27 **Other Special Clauses:**

28 This bill takes effect on July 1, 2007.

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

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

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **53A-15-101**, as last amended by Chapter 221, Laws of Utah 2003

38 **53A-17a-104**, as last amended by Chapters 4 and 354, Laws of Utah 2006

39 **53A-17a-120**, as last amended by Chapter 320, Laws of Utah 2003

40 ENACTS:

41 **53A-17a-120.5**, Utah Code Annotated 1953



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

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

45 **53A-15-101. Higher education courses in the public schools -- Cooperation**  
46 **between public and higher education.**

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

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

53 (b) a program of selected college credit courses in general and [~~applied technology~~]  
54 career and technical education which would be made available in cooperation with the State  
55 Board of Regents, as resources allow, through concurrent enrollment with one or more of the  
56 state's institutions of higher education;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105 **53A-17a-104. Amount of state's contribution toward minimum school program.**

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

109 (2) There is appropriated from state and local funds for fiscal year 2006-07 for  
110 distribution to school districts and charter schools, in accordance with this chapter, monies for  
111 the following purposes and in the following amounts:

112 (a) basic program - kindergarten, \$57,234,560 (23,680 WPU's);

113 (b) basic program - grades 1-12, \$1,118,053,443 (462,579 WPU's);

114 (c) basic program - professional staff, \$106,128,053 (43,909 WPU's);

115 (d) basic program - administrative costs, \$3,937,293 (1,629 WPU's);

116 (e) basic program - necessarily existent small schools and units for consolidated  
117 schools, \$18,487,633 (7,649 WPU's);

118 (f) special education - regular program - add-on WPU's for students with disabilities,

119 \$136,350,221 (56,413 WPU);  
120 (g) preschool special education program, \$19,717,886 (8,158 WPU);  
121 (h) self-contained regular WPU, \$32,148,517 (13,301 WPU);  
122 (i) extended year program for severely disabled, \$887,039 (367 WPU);  
123 (j) special education programs in state institutions and district impact aid, \$3,487,731  
124 (1,443 WPU);  
125 (k) applied technology and technical education district programs, \$59,934,349 (24,797  
126 WPU), including \$1,045,033 for summer applied technology agriculture programs;  
127 (l) applied technology district set-aside, \$2,562,020 (1,060 WPU);  
128 (m) class size reduction, \$74,378,341 (30,773 WPU);  
129 (n) Social Security and retirement programs, \$310,891,038;  
130 (o) pupil transportation to and from school, \$62,601,763, of which not less than  
131 \$2,173,569 shall be allocated to the Utah Schools for the Deaf and Blind to pay for  
132 transportation costs of the schools' students;  
133 (p) guarantee transportation levy, \$500,000;  
134 (q) Local Discretionary Block Grant Program, \$21,820,748;  
135 (r) Interventions for Student Success Block Grant Program, \$16,792,888;  
136 (s) Quality Teaching Block Grant Program, \$62,993,704;  
137 (t) highly impacted schools, \$5,123,207;  
138 (u) at-risk programs, \$27,992,056;  
139 (v) adult education, \$9,148,653;  
140 (w) accelerated learning programs, [~~\$12,010,853~~] \$3,822,641;  
141 (x) concurrent enrollment, \$8,874,516;  
142 [~~(x)~~] (y) electronic high school, \$1,300,000;  
143 [~~(y)~~] (z) School LAND Trust Program, \$15,000,000;  
144 [~~(z)~~] (aa) state-supported voted leeway, \$196,085,303;  
145 [~~(aa)~~] (bb) state-supported board leeway, \$54,704,476;  
146 [~~(bb)~~] (cc) charter schools, pursuant to Section 53A-1a-513, \$21,552,450;  
147 [~~(cc)~~] (dd) K-3 Reading Improvement Program, \$12,500,000; and  
148 [~~(dd)~~] (ee) state-supported board leeway for K-3 Reading Improvement Program,  
149 \$15,000,000.

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

151 **53A-17a-120. Appropriation for accelerated learning programs.**

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

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

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

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

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

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

164 [~~(3)~~] (2) (a) Districts shall spend monies for these programs according to rules  
165 established by the State Board of Education in accordance with Title 63, Chapter 46a, Utah  
166 Administrative Rulemaking Act.

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

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

170 **53A-17a-120.5. Appropriation for concurrent enrollment.**

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

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

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

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

178 (3) The State Board of Regents shall make rules providing that an institution of higher  
179 education participating in the concurrent enrollment programs offered under Section  
180 53A-15-101 shall receive an allocation from the monies described in Subsection (1)(b) as

181 provided in the rules.

182 (4) Each year the Legislature shall increase the money appropriated to the State Board  
183 of Education in Section 53A-17a-104 for concurrent enrollment based on:

184 (a) enrollment growth in concurrent enrollment from additional students enrolled,  
185 courses offered, and credit hours taken; and

186 (b) the percentage increase in the value of the weighted pupil unit.

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

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

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

191 **Section 5. Effective date.**

192 This bill takes effect on July 1, 2007.

193 **Section 6. Coordinating H.B. 79 with H.B. 3 -- Substantively superseding**  
194 **amendments.**

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

198 (1) the appropriation for accelerated learning programs under Subsection  
199 53A-17a-104(2)(w) in this bill supersedes the appropriation for accelerated learning programs  
200 under Subsection 53A-17a-104(2)(x) in H.B. 3; and

201 (2) the appropriation under Subsection 53A-17a-104(1) in H.B. 3 supercedes the  
202 appropriation under Subsection 53A-17a-104(1) in this bill, except that the appropriation under  
203 Subsection 53A-17a-104(1) in H.B. 3 shall be increased by \$350,000.

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

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

209 (1) the appropriation for accelerated learning programs under Subsection  
210 53A-17a-104(2)(w) in this bill supersedes the appropriation for accelerated learning programs  
211 under Subsection 53A-17a-104(2) in H.B. 160; and

212           (2) the appropriation under Subsection 53A-17a-104(1) in H.B. 160 supercedes the  
213 appropriation under Subsection 53A-17a-104(1) in this bill except that the appropriation under  
214 Subsection 53A-17a-104(1) in H.B. 160 shall be increased by \$350,000.



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**H.B. 79 2nd Sub. (Gray) - Concurrent Enrollment Amendments**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

This bill reallocates monies from the Accelerated Learning Programs line item in the Minimum School Program and creates a new line item, Concurrent Enrollment in amount of \$8,874,516. Enactment of this bill will appropriate an additional \$350,000 in Uniform School Funds for Concurrent Enrollment. This bill also requires additional appropriations in future years based on enrollment growth and the percentage increases in the Weighted Pupil Unit. 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 appropriation from this bill (HB79S2) 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.

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