

Representative Mike Winder proposes the following substitute bill:

CONCURRENT ENROLLMENT ENHANCEMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill amends provisions related to eligible instructors for concurrent enrollment courses.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Regents to establish a policy describing required qualifications for an individual to be an eligible instructor for a concurrent enrollment course;
- ▶ repeals requirements related to eligible instructors, including a requirement that certain eligible instructors be approved as adjunct faculty by an institution of higher education;
- ▶ requires that certain individuals meet requirements established by the State Board of Regents in order to be eligible instructors; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 This bill provides a coordination clause.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **53E-10-301**, as renumbered and amended by Laws of Utah 2018, Chapter 1

30 **53E-10-302**, as renumbered and amended by Laws of Utah 2018, Chapter 1

31 **53E-10-305**, as renumbered and amended by Laws of Utah 2018, Chapter 1

32 **53E-10-307**, as renumbered and amended by Laws of Utah 2018, Chapter 1

33 **Utah Code Sections Affected by Coordination Clause:**

34 **53E-10-302**, as renumbered and amended by Laws of Utah 2018, Chapter 1



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

37 Section 1. Section **53E-10-301** is amended to read:

38 **53E-10-301. Definitions.**

39 (1) "Concurrent enrollment" means enrollment in a course offered through the
40 concurrent enrollment program described in Section **53E-10-302**.

41 (2) "Educator" means the same as that term is defined in Section **53E-6-102**.

42 (3) "Eligible instructor" means an instructor who ~~is:~~ meets the requirements described
43 in Subsection **53E-10-302**(5).

44 ~~[(a) employed as faculty by an institution of higher education; or]~~

45 ~~[(b) (i) employed by an LEA;]~~

46 ~~[(ii) licensed by the State Board of Education under Chapter 6, Education Professional~~
47 ~~Licensure;]~~

48 ~~[(iii) (A) approved as adjunct faculty by an institution of higher education; or]~~

49 ~~[(B) a mathematics educator who has an upper level mathematics endorsement; and]~~

50 ~~[(iv) supervised by an institution of higher education.]~~

51 (4) "Eligible student" means a student who:

52 (a) is enrolled in, and counted in average daily membership in, a high school within the
53 state;

54 (b) has a plan for college and career readiness, as described in Section **53E-2-304**, on
55 file at a high school within the state; and

56 (c) (i) is a grade 11 or grade 12 student; or

57 (ii) is a grade 9 or grade 10 student who qualifies by exception as described in Section
58 [53E-10-302](#).

59 (5) "Endorsement" means a stipulation, authorized by the State Board of Education and
60 appended to a license, that specifies an area of practice to which the license applies.

61 (6) "Institution of higher education" means ~~[the same as that term is defined in Section~~
62 [53B-3-102](#)] an institution that is part of the Utah System of Higher Education described in
63 Subsection [53B-1-102\(1\)\(a\)](#).

64 (7) "License" means the same as that term is defined in Section [53E-6-102](#).

65 (8) "Local education agency" or "LEA" means a school district or charter school.

66 ~~[(9) "Participating eligible student" means an eligible student enrolled in a concurrent~~
67 ~~enrollment course:]~~

68 ~~[(10) (9) "Upper level mathematics endorsement" means an endorsement required by~~
69 ~~the State Board of Education for an educator to teach calculus.~~

70 ~~[(11) (10) "Value of the weighted pupil unit" means the [same as that term is defined~~
71 ~~in Section [53F-4-301](#)] amount established each year in the enacted public education budget that~~
72 ~~is multiplied by the number of weighted pupil units to yield the funding level for the basic~~
73 ~~state-supported school program.~~

74 Section 2. Section [53E-10-302](#) is amended to read:

75 **[53E-10-302. Concurrent enrollment program.](#)**

76 (1) The State Board of Education and the State Board of Regents shall establish and
77 maintain a concurrent enrollment program that:

78 (a) provides an eligible student the opportunity to enroll in a course that allows the
79 eligible student to earn credit concurrently:

80 (i) toward high school graduation; and

81 (ii) at an institution of higher education;

82 (b) includes only ~~[courses]~~ a course that:

83 (i) ~~[lead]~~ leads to a degree or certificate offered by an institution of higher education;

84 and

85 (ii) ~~[are]~~ is one of the following:

86 (A) a general education ~~[courses]~~ course;

87 (B) a career and technical education ~~[courses]~~ course;

88 (C) a pre-major college level [courses] course; or

89 (D) a foreign language concurrent enrollment [courses] course described in Section
90 53E-10-307; ~~[and]~~

91 (c) requires that the instructor of a concurrent enrollment course is an eligible
92 instructor; and

93 ~~[(c)]~~ (d) is designed and implemented to take full advantage of the most current
94 available education technology.

95 (2) The State Board of Education and the State Board of Regents shall coordinate to:

96 (a) ~~[to]~~ establish a concurrent enrollment course approval process that ensures:

97 (i) credit awarded for concurrent enrollment is consistent and transferable to all
98 institutions of higher education; and

99 (ii) learning outcomes for a concurrent enrollment [courses] course align with:

100 (A) core standards for Utah public schools adopted by the State Board of Education;
101 and

102 (B) except for a foreign language concurrent enrollment [courses] course described in
103 Section 53E-10-307, an institution of higher education lower division [courses] course
104 numbered at or above the 1000 level; and

105 (b) provide advising to an eligible [students] student, including information on:

106 (i) ~~[providing information on]~~ general education requirements at institutions of higher
107 education; and

108 (ii) ~~[choosing]~~ how to choose concurrent enrollment courses to avoid duplication or
109 excess credit hours.

110 (3) ~~[The]~~ After consultation with institution of higher education concurrent enrollment
111 directors, the State Board of Regents shall:

112 (a) provide guidelines to an institution of higher education for establishing qualifying
113 academic criteria for an eligible student to enroll in a concurrent enrollment course~~[-];~~ and

114 (b) on or before January 1, 2019, establish a policy that:

115 (i) describes the qualifications for an LEA employee to be an eligible instructor; and

116 (ii) ensures that the qualifications described in Subsection (3)(b)(i):

117 (A) maximize concurrent enrollment opportunities for eligible students while
118 maintaining quality; and

119 (B) allow for an individual who teaches a concurrent enrollment course in the 2017-18
120 or 2018-19 school year to continue to teach the concurrent enrollment course in subsequent
121 years.

122 (4) To qualify for funds under Section 53F-2-409, an LEA and an institution of higher
123 education shall:

124 (a) enter into a contract, in accordance with Section 53E-10-303, to provide one or
125 more concurrent enrollment courses that are approved under the course approval process
126 described in Subsection (2);

127 (b) ensure that an instructor who teaches a concurrent enrollment course is an eligible
128 instructor;

129 (c) establish qualifying academic criteria for an eligible student to enroll in a
130 concurrent enrollment course, in accordance with the guidelines described in Subsection (3)(a);

131 (d) ensure that a student who enrolls in a concurrent enrollment course is an eligible
132 student; and

133 (e) coordinate advising to eligible students.

134 (5) (a) An institution of higher education faculty member is an eligible instructor.

135 (b) An LEA employee is an eligible instructor if the LEA employee:

136 (i) is licensed under Chapter 6, Education Professional Licensure;

137 (ii) is supervised by an institution of higher education; and

138 (iii) (A) meets the qualifications described in the policy established under Subsection

139 (3)(b); or

140 (B) has an upper level mathematics endorsement.

141 (c) Notwithstanding Subsection (5)(b)(iii), an LEA employee is an eligible instructor

142 if:

143 (i) the State Board of Regents has not established the policy described in Subsection

144 (3)(b); and

145 (ii) the LEA employee:

146 (A) meets the requirements described in Subsections (5)(b)(i) and (ii); and

147 (B) is approved as adjunct faculty by an institution of higher education.

148 [~~5~~] (6) An LEA and an institution of higher education may qualify a grade 9 or grade
149 10 student to enroll in a current enrollment course by exception, including a student who

150 otherwise qualifies to take a foreign language concurrent enrollment course described in
151 Section 53E-10-307.

152 ~~[(6)]~~ (7) An institution of higher education shall accept credits earned by a student who
153 completes a concurrent enrollment course on the same basis as credits earned by a full-time or
154 part-time student enrolled at the institution of higher education.

155 ~~[(7) An institution of higher education shall require an eligible instructor to submit to a
156 background check and ongoing monitoring, as described in Section 53G-11-402, in the same
157 manner as a non-licensed employee of an LEA, if the eligible instructor:]~~

158 ~~[(a) teaches a concurrent enrollment course in a high school; and]~~

159 ~~[(b) is not licensed by the State Board of Education under Chapter 6, Education
160 Professional Licensure.]~~

161 Section 3. Section 53E-10-305 is amended to read:

162 **53E-10-305. Tuition and fees.**

163 (1) Except as provided in this section, the State Board of Regents or an institution of
164 higher education may not charge tuition or fees for a concurrent enrollment course.

165 (2) (a) The State Board of Regents may charge a one-time fee for a student to
166 participate in the concurrent enrollment program.

167 (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general
168 admission application fee requirement for a full-time or part-time student at an institution of
169 higher education.

170 (3) (a) An institution of higher education may charge a one-time admission application
171 fee for concurrent enrollment course credit offered by the institution of higher education.

172 (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission
173 application fee requirement for a full-time or part-time student at an institution of higher
174 education.

175 (4) (a) Except as provided in Subsection (4)(b), an institution of higher education may
176 charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course
177 for which a student earns college credit.

178 (b) ~~[A higher education institution]~~ An institution of higher education may not charge
179 more than:

180 (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price

181 school lunch;

182 (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by
183 an eligible instructor described in Subsection [~~53E-10-301(3)(b)~~] 53E-10-302(5)(c); or

184 (iii) \$15 per credit hour for a concurrent enrollment course that is taught through video
185 conferencing.

186 Section 4. Section **53E-10-307** is amended to read:

187 **53E-10-307. Concurrent enrollment courses for accelerated foreign language**
188 **students.**

189 (1) As used in this section:

190 (a) "Accelerated foreign language student" means a student who:

191 (i) has passed a world language advanced placement exam; and

192 (ii) is in grade 10, grade 11, or grade 12.

193 (b) "Blended learning delivery model" means an education delivery model in which a
194 student learns, at least in part:

195 (i) through online learning with an element of student control over time, place, path,
196 and pace; and

197 (ii) in the physical presence of an instructor.

198 (c) "State university" means an institution of higher education that offers courses
199 leading to a bachelor's degree.

200 (2) The University of Utah shall partner with all state universities to develop, as part of
201 the concurrent enrollment program described in this part, concurrent enrollment courses that:

202 (a) are age-appropriate foreign language courses for accelerated foreign language
203 students who are eligible students;

204 (b) count toward a foreign language degree offered by an institution of higher
205 education; and

206 (c) are delivered:

207 (i) using a blended learning delivery model; and

208 (ii) by an eligible instructor [~~that is faculty of a state institution of higher education~~]

209 described in Subsection 53E-10-302(5)(b).

210 Section 5. **Coordinating H.B. 237 with H.B. 46 -- Technical amendments.**

211 If this H.B. 237 and H.B. 46, Educator Licensing Modifications, both pass and become

212 law, it is the intent of the Legislature that the Office of Legislative Research and General
213 Counsel, in preparing the Utah Code database for publication, change the language in
214 Subsection [53E-10-302\(5\)\(b\)\(iii\)\(B\)](#) from "upper level mathematics endorsement" to "upper
215 level mathematics credential issued by the State Board of Education".