

Representative Mike Winder proposes the following substitute bill:

CONCURRENT ENROLLMENT MODIFICATIONS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends qualifications for a local education agency employee to be an eligible instructor for a concurrent enrollment course;
- ▶ requires the State Board of Regents to establish policies related to eligible instructors;
- ▶ amends cross-references related to eligible instructors; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53E-10-301, as last amended by Laws of Utah 2018, Chapters 22, 410 and renumbered



26 and amended by Laws of Utah 2018, Chapter 1

27 **53E-10-302**, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and
28 amended by Laws of Utah 2018, Chapter 1

29 **53E-10-305**, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and
30 amended by Laws of Utah 2018, Chapter 1

31 **53E-10-307**, as last amended by Laws of Utah 2018, Chapter 410 and renumbered and
32 amended by Laws of Utah 2018, Chapter 1



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

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

36 **53E-10-301. Definitions.**

37 (1) "Career and technical education course" means a concurrent enrollment course in
38 career and technical education, as determined by the policy established by the State Board of
39 Regents under Section **53E-10-302**.

40 [~~(1)~~] (2) "Concurrent enrollment" means enrollment in a course offered through the
41 concurrent enrollment program described in Section **53E-10-302**.

42 [~~(2)~~] (3) "Educator" means the same as that term is defined in Section **53E-6-102**.

43 [~~(3)~~] (4) "Eligible instructor" means an instructor who meets the requirements
44 described in Subsection **53E-10-302**(5).

45 [~~(4)~~] (5) "Eligible student" means a student who:

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

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

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

51 (ii) is a grade 9 or grade 10 student who qualifies by exception as described in Section
52 **53E-10-302**.

53 [~~(5)~~] (6) "Institution of higher education" means an institution that is part of the Utah
54 System of Higher Education described in Subsection **53B-1-102**(1)(a).

55 [~~(6)~~] (7) "License" means the same as that term is defined in Section **53E-6-102**.

56 ~~[(7)]~~ (8) "Local education agency" or "LEA" means a school district or charter school.

57 (9) "Qualifying experience" means an LEA employee's experience in an academic field

58 that:

59 (a) qualifies the LEA employee to teach a concurrent enrollment course in the

60 academic field; and

61 (b) may include the LEA employee's:

62 (i) number of years teaching in the academic field;

63 (ii) holding a higher level secondary teaching credential issued by the state board;

64 (iii) research, publications, or other scholarly work in the academic field;

65 (iv) continuing professional education in the academic field;

66 (v) portfolio of work related to the academic field; or

67 (vi) professional work experience or certifications in the academic field.

68 ~~[(8)]~~ (10) "Value of the weighted pupil unit" means the amount established each year
69 in the enacted public education budget that is multiplied by the number of weighted pupil units
70 to yield the funding level for the basic state-supported school program.

71 Section 2. Section **53E-10-302** is amended to read:

72 **53E-10-302. Concurrent enrollment program.**

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

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

77 (i) toward high school graduation; and

78 (ii) at an institution of higher education;

79 (b) includes only a course that:

80 (i) leads to a degree or certificate offered by an institution of higher education; and

81 (ii) is one of the following:

82 (A) a general education course;

83 (B) a career and technical education course;

84 (C) a pre-major college level course; or

85 (D) a foreign language concurrent enrollment course described in Section [53E-10-307](#);

86 (c) requires that the instructor of a concurrent enrollment course is an eligible

87 instructor; and

88 (d) is designed and implemented to take full advantage of the most current available
89 education technology.

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

91 (a) establish a concurrent enrollment course approval process that ensures:

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

94 (ii) learning outcomes for a concurrent enrollment course align with:

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

97 (B) except for a foreign language concurrent enrollment course described in Section
98 [53E-10-307](#), an institution of higher education lower division course numbered at or above the
99 1000 level; and

100 (b) provide advising to an eligible student, including information on:

101 (i) general education requirements at institutions of higher education; and

102 (ii) how to choose concurrent enrollment courses to avoid duplication or excess credit
103 hours.

104 (3) After consultation with institution of higher education concurrent enrollment
105 directors, the State Board of Regents shall:

106 (a) provide guidelines to an institution of higher education for establishing qualifying
107 academic criteria for an eligible student to enroll in a concurrent enrollment course; and

108 (b) on or before [~~January~~] July 1, 2019, establish a policy that:

109 [~~(i) describes the qualifications for an LEA employee to be an eligible instructor; and]~~

110 [~~(ii) ensures that the qualifications described in Subsection (3)(b)(i):]~~

111 [~~(A) maximize concurrent enrollment opportunities for eligible students while
112 maintaining quality; and]~~

113 [~~(B) allow for an individual who teaches a concurrent enrollment course in the 2017-18
114 or 2018-19 school year to continue to teach the concurrent enrollment course in subsequent
115 years:]~~

116 (i) determines which concurrent enrollment courses are career and technical education
117 courses; and

118 (ii) creates a process for:

119 (A) an LEA to appeal an institution of higher education's decision under Subsection (6)
120 if the institution of higher education does not approve an LEA employee as an eligible
121 instructor; and

122 (B) an LEA or institution of higher education to determine whether an eligible
123 instructor who previously taught a concurrent enrollment course is no longer qualified to teach
124 the concurrent enrollment course.

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

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

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

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

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

136 (e) coordinate advising to eligible students.

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

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

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

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

141 ~~[(iii) (A) meets the qualifications described in the policy established under Subsection~~
142 ~~(3)(b); or]~~

143 ~~[(B) has an upper level mathematics credential issued by the State Board of Education.]~~

144 ~~[(c) Notwithstanding Subsection (5)(b)(iii), an LEA employee is an eligible instructor~~
145 ~~if:]~~

146 ~~[(i) the State Board of Regents has not established the policy described in Subsection~~
147 ~~(3)(b); and]~~

148 ~~[(ii) the LEA employee:]~~

149 ~~[(A) meets the requirements described in Subsections (5)(b)(i) and (ii); and]~~
150 ~~[(B) is approved as adjunct faculty by an institution of higher education.]~~
151 (iii) (A) as described in Subsection (6), is approved as an eligible instructor by the
152 institution of higher education that provides the concurrent enrollment course taught by the
153 LEA employee;
154 (B) has an upper level mathematics credential issued by the State Board of Education;
155 (C) is approved as adjunct faculty by the institution of higher education that provides
156 the concurrent enrollment course taught by the LEA employee; or
157 (D) teaches a concurrent enrollment course that the LEA employee taught during the
158 2018-19 or 2019-20 school year.
159 (6) An institution of higher education shall approve an LEA employee as an eligible
160 instructor:
161 (a) for a career and technical education concurrent enrollment course, if the LEA
162 employee has:
163 (i) a degree, certificate, or industry certification in the concurrent enrollment course's
164 academic field; or
165 (ii) qualifying experience, as determined by the institution of higher education; or
166 (b) for a concurrent enrollment course other than a career and technical education
167 course, if the LEA employee has:
168 (i) a master's degree or higher in the concurrent enrollment course's academic field;
169 (ii) (A) a master's degree or higher in any academic field; and
170 (B) at least 18 completed credit hours of graduate course work in an academic field
171 that is relevant to the concurrent enrollment course; or
172 (iii) qualifying experience, as determined by the institution of higher education.
173 ~~[(6)]~~ (7) An LEA and an institution of higher education may qualify a grade 9 or grade
174 10 student to enroll in a current enrollment course by exception, including a student who
175 otherwise qualifies to take a foreign language concurrent enrollment course described in
176 Section 53E-10-307.
177 ~~[(7)]~~ (8) An institution of higher education shall accept credits earned by a student who
178 completes a concurrent enrollment course on the same basis as credits earned by a full-time or
179 part-time student enrolled at the institution of higher education.

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

181 **53E-10-305. Tuition and fees.**

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

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

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

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

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

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

197 (b) An institution of higher education may not charge more than:

198 (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price
199 school lunch;

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

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

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

205 **53E-10-307. Concurrent enrollment courses for accelerated foreign language**
206 **students.**

207 (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

224 (c) are delivered:

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

226 (ii) by an eligible instructor described in Subsection [53E-10-302\(5\)\(b\)\(a\)](#).