

1                                   **CONCURRENT ENROLLMENT AMENDMENTS**

2   2020 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Eric K. Hutchings**

5   Senate Sponsor: Ann Millner

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7 **LONG TITLE**

8 **General Description:**

9           This bill amends provisions related to concurrent enrollment courses and funding.

10 **Highlighted Provisions:**

11           This bill:

- 12           ▶ requires the State Board of Regents to annually approve a prioritized list of upper
- 13 division concurrent enrollment courses;
- 14           ▶ amends provisions to include upper division concurrent enrollment courses;
- 15           ▶ amends the formula for increasing funding for concurrent enrollment; and
- 16           ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18           None

19 **Other Special Clauses:**

20           None

21 **Utah Code Sections Affected:**

22 AMENDS:

23           **53E-10-301**, as last amended by Laws of Utah 2019, Chapters 120 and 147

24           **53E-10-302**, as last amended by Laws of Utah 2019, Chapters 120, 147, and 186

25           **53E-10-305**, as last amended by Laws of Utah 2019, Chapters 120, 147, and 223

26           **53E-10-307**, as last amended by Laws of Utah 2019, Chapters 120 and 147

27           **53F-2-409**, as last amended by Laws of Utah 2019, Chapters 136 and 186

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

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

31 **53E-10-301. Definitions.**

32 As used in this part:

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

36 (2) "Concurrent enrollment" means enrollment in a course offered through the  
37 concurrent enrollment program described in Section **53E-10-302**.

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

39 (4) "Eligible instructor" means an instructor who meets the requirements described in  
40 Subsection [~~**53E-10-302**~~(5)] **53E-10-302**(6).

41 (5) "Eligible student" means a student who:

42 (a) is enrolled in, and counted in average daily membership in, a public school within  
43 the state;

44 (b) has on file a plan for college and career readiness as described in Section  
45 **53E-2-304**; and

46 (c) is in grade 9, 10, 11, or 12.

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

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

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

51 (9) "Qualifying experience" means an LEA employee's experience in an academic field  
52 that:

53 (a) qualifies the LEA employee to teach a concurrent enrollment course in the  
54 academic field; and

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

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

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

- 58 (iii) research, publications, or other scholarly work in the academic field;
- 59 (iv) continuing professional education in the academic field;
- 60 (v) portfolio of work related to the academic field; or
- 61 (vi) professional work experience or certifications in the academic field.
- 62 (10) "Value of the weighted pupil unit" means the amount established each year in the
- 63 enacted public education budget that is multiplied by the number of weighted pupil units to
- 64 yield the funding level for the basic state-supported school program.

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

66 **53E-10-302. Concurrent enrollment program.**

67 (1) The state board and the State Board of Regents shall establish and maintain a

68 concurrent enrollment program that:

69 (a) provides an eligible student the opportunity to enroll in a course that allows the

70 eligible student to earn credit concurrently:

71 (i) toward high school graduation; and

72 (ii) at an institution of higher education;

73 (b) includes only a course that:

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

75 (ii) is one of the following:

76 (A) a general education course;

77 (B) a career and technical education course;

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

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

80 or

81 (E) an upper divisions course that the State Board of Regents approves under

82 Subsection (3);

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

84 instructor; and

85 (d) is designed and implemented to take full advantage of the most current available

86 education technology.

87 (2) The state board and the State Board of Regents shall coordinate to:

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

89 (i) credit awarded for concurrent enrollment is consistent and transferable to all

90 institutions of higher education; and

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

92 (A) core standards for Utah public schools adopted by the state board; and

93 (B) except for a foreign language concurrent enrollment course described in Section

94 53E-10-307 or an upper division course that the State Board of Regents approves under

95 Subsection (3), an institution of higher education lower division course numbered at or above

96 the 1000 level; and

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

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

99 (ii) how to choose concurrent enrollment courses to avoid duplication or excess credit

100 hours.

101 (3) The State Board of Regents, after consulting with the state board, shall annually

102 approve a prioritized list of upper division courses for which an institution of higher education

103 may use concurrent enrollment money.

104 [~~3~~] (4) 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 July 1, 2019, establish a policy that:

109 (i) determines which concurrent enrollment courses are career and technical education

110 courses; and

111 (ii) creates a process for:

112 (A) an LEA to appeal an institution of higher education's decision under Subsection

113 [~~6~~] (7) if the institution of higher education does not approve an LEA employee as an eligible

114 instructor; and  
115 (B) an LEA or institution of higher education to determine whether an eligible  
116 instructor who previously taught a concurrent enrollment course is no longer qualified to teach  
117 the concurrent enrollment course.

118 ~~[(4)]~~ (5) To qualify for funds under Section 53F-2-409, an LEA and an institution of  
119 higher education shall:

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

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

125 (c) establish qualifying academic criteria for an eligible student to enroll in a  
126 concurrent enrollment course, in accordance with the guidelines described in Subsection  
127 ~~[(3)(a)]~~ (4)(a);

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

130 (e) coordinate advising to eligible students.

131 ~~[(5)]~~ (6) (a) An institution of higher education faculty member is an eligible instructor.

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

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

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

135 (iii) (A) as described in Subsection ~~[(6)]~~ (7), is approved as an eligible instructor by the  
136 institution of higher education that provides the concurrent enrollment course taught by the  
137 LEA employee;

138 (B) has an upper level mathematics credential issued by the state board;

139 (C) is approved as adjunct faculty by the institution of higher education that provides  
140 the concurrent enrollment course taught by the LEA employee; or

141 (D) teaches a concurrent enrollment course that the LEA employee taught during the

142 2018-19 or 2019-20 school year.

143 ~~[(6)]~~ (7) An institution of higher education shall approve an LEA employee as an  
144 eligible instructor:

145 (a) for a career and technical education concurrent enrollment course, if the LEA  
146 employee has:

147 (i) a degree, certificate, or industry certification in the concurrent enrollment course's  
148 academic field; or

149 (ii) qualifying experience, as determined by the institution of higher education; or

150 (b) for a concurrent enrollment course other than a career and technical education  
151 course, if the LEA employee has:

152 (i) a master's degree or higher in the concurrent enrollment course's academic field;

153 (ii) (A) a master's degree or higher in any academic field; and

154 (B) at least 18 completed credit hours of graduate course work in an academic field  
155 that is relevant to the concurrent enrollment course; or

156 (iii) qualifying experience, as determined by the institution of higher education.

157 ~~[(7)]~~ (8) An institution of higher education shall accept credits earned by a student who  
158 completes a concurrent enrollment course on the same basis as credits earned by a full-time or  
159 part-time student enrolled at the institution of higher education.

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

161 **53E-10-305. Tuition and fees.**

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

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

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

169 (3) (a) An institution of higher education may charge a one-time admission application

170 fee for concurrent enrollment course credit offered by the institution of higher education.

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

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

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

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

180 (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by  
181 an eligible instructor described in Subsection [~~53E-10-302(5)(b)~~] 53E-10-302(6)(b); or

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

184 (5) In accordance with Section 53G-7-603, an LEA may charge a fee for a textbook, as  
185 defined in Section 53G-7-601, that is required for a concurrent enrollment course.

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 an eligible student who has passed a  
191 world language advanced placement exam.

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

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

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

197 (c) "State university" means an institution of higher education that offers courses

198 leading to a bachelor's degree.

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

201 (a) are age-appropriate foreign language courses for accelerated foreign language  
202 students;

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

205 (c) are delivered:

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

207 (ii) by an eligible instructor described in Subsection [~~53E-10-302(5)(a)~~]

208 53E-10-302(6)(a).

209 Section 5. Section **53F-2-409** is amended to read:

210 **53F-2-409. Concurrent enrollment funding.**

211 (1) The terms defined in Section 53E-10-301 apply to this section.

212 (2) The state board shall allocate money appropriated for concurrent enrollment in  
213 accordance with this section.

214 (3) (a) The state board shall allocate money appropriated for concurrent enrollment in  
215 proportion to the number of credit hours earned for courses taken where:

216 (i) an LEA primarily bears the cost of instruction; and

217 (ii) an institution of higher education primarily bears the cost of instruction.

218 (b) From the money allocated under Subsection (3)(a)(i), the state board shall  
219 distribute:

220 (i) 60% of the money to LEAs; and

221 (ii) 40% of the money to the State Board of Regents.

222 (c) From the money allocated under Subsection (3)(a)[~~(ii)~~], the state board shall  
223 distribute:

224 (i) 40% of the money to LEAs; and

225 (ii) 60% of the money to the State Board of Regents.



226 (d) The state board shall make rules providing for the distribution of the money to  
227 LEAs under Subsections (3)(b)(i) and (3)(c)(i).

228 (e) The State Board of Regents shall make rules providing for the distribution of the  
229 money allocated to institutions of higher education under Subsections (3)(b)(ii) and (3)(c)(ii).

230 (4) Subject to budget constraints, the Legislature shall annually increase the money  
231 appropriated for concurrent enrollment in proportion to the percentage increase over the  
232 previous school year in:

233 (a) [~~kindergarten through grade 12 student~~] concurrent enrollment; and

234 (b) the value of the weighted pupil unit.

235 (5) If an LEA receives an allocation of less than \$10,000 under this section, the LEA  
236 may use the allocation as described in Section [53F-2-206](#).