

1                   **ACCELERATED STUDENT PROGRAM AMENDMENTS**

2                                   2020 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Karen Mayne**

5                           House Sponsor: \_\_\_\_\_

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7   **LONG TITLE**

8   **General Description:**

9           This bill amends provisions related to early college programs and a program for  
10 accelerated students.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ defines terms;
- 14           ▶ requires the State Board of Education to make rules;
- 15           ▶ removes early college programs from the Enhancement for Accelerated Students  
16 Program;
- 17           ▶ creates a funding formula for early college programs;
- 18           ▶ provides for funding distribution formulas for the Enhancement for Accelerated  
19 Students Program and early college programs to prioritize increasing access to the  
20 programs for groups of students who are underrepresented in the programs;
- 21           ▶ adds a growth adjustment to the Enhancement for Accelerated Students Program;
- 22           ▶ amends a growth adjustment for the concurrent enrollment program; and
- 23           ▶ makes technical and conforming changes.

24 **Money Appropriated in this Bill:**

25           None

26 **Other Special Clauses:**

27           None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53F-2-206**, as last amended by Laws of Utah 2019, Chapter 186

31 **53F-2-408**, as last amended by Laws of Utah 2019, Chapter 186

32 **53F-2-409**, as last amended by Laws of Utah 2019, Chapters 136 and 186

33 ENACTS:

34 **53F-2-408.5**, Utah Code Annotated 1953

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

37 Section 1. Section **53F-2-206** is amended to read:

38 **53F-2-206. Flexibility in the use of certain related to basic program funds.**

39 (1) As used in this section, "qualifying program" means:

40 (a) the Enhancement for At-Risk Students Program created in Section **53F-2-410**;

41 (b) the Enhancement for Accelerated Students Program created in Section **53F-2-408**;

42 [and]

43 (c) the early college programs described in Section **53F-2-408.5**; and

44 [(c)] (d) the concurrent enrollment program established in Section **53E-10-302**.

45 (2) If a school district or charter school receives an allocation of state funds for a  
46 qualifying program that is less than \$10,000, the LEA governing board of the receiving school  
47 district or charter school may:

48 (a) (i) combine the funds with one or more qualifying program fund allocations each of  
49 which is less than \$10,000; and

50 (ii) use the combined funds in accordance with the program requirements for any of the  
51 qualifying programs that are combined; or

52 (b) (i) transfer the funds to a qualifying program for which the school district or charter  
53 school received an allocation of funds that is greater than or equal to \$10,000; and

54 (ii) use the combined funds in accordance with the program requirements for the  
55 qualifying program to which the funds are transferred.

56 Section 2. Section **53F-2-408** is amended to read:

57 **53F-2-408. Enhancement for Accelerated Students Program.**

58 (1) As used in this section [~~,"eligible low-income student" means a student who~~]:

59 ~~[(a) takes an Advanced Placement test;]~~  
60 ~~[(b) has applied for an Advanced Placement test fee reduction; and]~~  
61 ~~[(c) qualifies for a free lunch or a lunch provided at reduced cost.]~~  
62 (a) "LEA governing board" means:  
63 (i) a local school board; or  
64 (ii) a charter school governing board.  
65 (b) "Local education agency" or "LEA" means:  
66 (i) a school district; or  
67 (ii) a charter school.  
68 ~~[(2) The state board shall distribute money appropriated for the Enhancement for~~  
69 ~~Accelerated Students Program to school districts and charter schools according to a formula~~  
70 ~~adopted by the state board, after consultation with LEA governing boards.]~~  
71 (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
72 the state board shall make rules to establish a formula to distribute money appropriated for the  
73 Enhancement for Accelerated Students Program.  
74 (b) The state board shall consult with LEA governing boards before making the rules  
75 described in Subsection (2)(a).  
76 (3) A distribution formula adopted under Subsection (2) ~~[may]~~ shall:  
77 (a) include an allocation of money for[:] gifted and talented programs, including  
78 professional development for teachers of high ability students; and  
79 ~~[(a) Advanced Placement courses;]~~  
80 ~~[(b) Advanced Placement test fees of eligible low-income students;]~~  
81 ~~[(c) gifted and talented programs, including professional development for teachers of~~  
82 ~~high ability students; and]~~  
83 ~~[(d) International Baccalaureate programs.]~~  
84 (b) prioritize funding to increase access to gifted and talented programs for groups of  
85 students who are underrepresented in gifted and talented programs.  
86 ~~[(4) The greater of 1.5% or \$100,000 of the appropriation for the Enhancement for~~  
87 ~~Accelerated Students Program may be allowed for International Baccalaureate programs.]~~  
88 ~~[(5)]~~ (4) A school district or charter school shall use money distributed under this  
89 section to enhance the academic growth of students whose academic achievement is

90 accelerated.

91 ~~[(6)]~~ (5) The state board shall develop performance criteria to measure the  
92 effectiveness of the Enhancement for Accelerated Students Program.

93 ~~[(7)]~~ (6) If a school district or charter school receives an allocation of less than \$10,000  
94 under this section, the school district or charter school may use the allocation as described in  
95 Section [53F-2-206](#).

96 (7) Subject to future budget constraints, the Legislature shall annually increase the  
97 appropriation for the Enhancement for Accelerated Students Program based on:

98 (a) a student growth adjustment that is the higher of:

99 (i) the percentage of enrollment growth of students in kindergarten through grade 12;

100 or

101 (ii) the percentage of enrollment growth in students who participate in a program  
102 described in Subsection (2); and

103 (b) a change to the value of the weighted pupil unit, as defined in Section [53F-2-301](#).

104 Section 3. Section **53F-2-408.5** is enacted to read:

105 **53F-2-408.5. Early college programs.**

106 (1) As used in this section:

107 (a) "Advanced placement course" means a rigorous course developed by the College  
108 Board that:

109 (i) is developed by a committee composed of college faculty and advanced placement  
110 teachers and covers the breadth of information, skills, and assignments found in the  
111 corresponding college course; and

112 (ii) for which a student who performs well on an exam for the course may be:

113 (A) granted college credit; or

114 (B) given advanced standing at a college or university.

115 (b) "Eligible low income student" means a student who:

116 (i) takes an advanced placement course test;

117 (ii) has applied for an advanced placement course test fee reduction; and

118 (iii) qualifies for a free lunch or a lunch provided at a reduced cost.

119 (c) "International Baccalaureate program" means a program established by the  
120 International Baccalaureate Organization.

- 121 (d) "LEA governing board" means:
- 122 (i) a local school board; or
- 123 (ii) a charter school governing board.
- 124 (e) "Local education agency" or "LEA" means:
- 125 (i) a school district; or
- 126 (ii) a charter school.
- 127 (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 128 the state board shall make rules to establish a formula to distribute money appropriated for the
- 129 early college programs described in Subsection (2)(b).
- 130 (b) Subject to Subsection (2)(c), the formula described in Subsection (2)(a) shall:
- 131 (i) include an allocation of money for the following early college programs:
- 132 (A) advanced placement courses;
- 133 (B) advanced placement course test fees for eligible low income students; and
- 134 (C) International Baccalaureate programs; and
- 135 (ii) prioritize funding to increase access to early college programs for groups of
- 136 students who are underrepresented in early college programs.
- 137 (c) The allocation for International Baccalaureate programs may not exceed the greater
- 138 of:
- 139 (i) 1.5% of the total appropriation for:
- 140 (A) early college programs described in this section; and
- 141 (B) the appropriation for the Enhancement for Accelerated Students Program described
- 142 in Section [53F-2-408](#); or
- 143 (ii) \$100,000.
- 144 (d) The state board shall consult with LEA governing boards before making the rules
- 145 described in Subsection (2)(a).
- 146 (3) An LEA shall use money distributed under this section for the purposes described
- 147 in Subsection (2)(b).
- 148 (4) The state board shall develop performance criteria to measure the effectiveness of
- 149 the early college programs described in this section.
- 150 (5) If an LEA receives an allocation of less than \$10,000 under this section, the LEA
- 151 may use the allocation as described in Section [53F-2-206](#).

152 (6) Subject to future budget constraints, the Legislature shall increase the annual  
153 appropriation for the early college programs described in this section based on:

154 (a) a student growth adjustment that is the higher of:

155 (i) the percentage of enrollment growth of students in kindergarten through grade 12;

156 or

157 (ii) the percentage of enrollment growth in students who participate in the programs  
158 described in Subsection (2); and

159 (b) a change to the value of the weighted pupil unit, as defined in Section [53F-2-301](#).

160 Section 4. Section **53F-2-409** is amended to read:

161 **53F-2-409. Concurrent enrollment funding.**

162 (1) The terms defined in Section [53E-10-301](#) apply to this section.

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

165 (3) (a) The state board shall allocate money appropriated for concurrent enrollment in  
166 proportion to the number of credit hours earned for courses taken ~~[where]~~ for which:

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

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

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

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

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

173 (c) From the money allocated under Subsection (3)(a)(ii), the state board shall  
174 distribute:

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

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

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

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

181 (4) Subject to budget constraints, the Legislature shall annually increase the money  
182 appropriated for concurrent enrollment ~~[in proportion to the percentage increase over the~~

183 ~~previous school year in] based on:~~

184 (a) a student growth adjustment that is the greater of:

185 ~~[(a)] (i) the percentage of enrollment growth of students in~~ kindergarten through grade

186 12 ~~[student enrollment; and]; or~~

187 (ii) the percentage of growth in the number of credit hours earned through concurrent

188 enrollment; and

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

190 (5) If an LEA receives an allocation of less than \$10,000 under this section, the LEA

191 may use the allocation as described in Section [53F-2-206](#).