

**HIGHER EDUCATION FOR INCARCERATED YOUTH**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: V. Lowry Snow**

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**LONG TITLE**

**General Description:**

This bill directs the establishment of the Dixie State University Higher Education for Incarcerated Youth Program.

**Highlighted Provisions:**

This bill:

- defines terms;
- directs the establishment of the Dixie State University Higher Education for Incarcerated Youth Program to provide certain higher education opportunities to students in certain custody; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **53E-10-301**, as last amended by Laws of Utah 2020, Chapters 220 and 365

34 ENACTS:

35 **53B-30-101**, Utah Code Annotated 1953

36 **53B-30-301**, Utah Code Annotated 1953

37 RENUMBERS AND AMENDS:

38 **53B-30-201**, (Renumbered from 53B-16-501, as last amended by Laws of Utah 2020,  
39 Chapter 365)



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

42 Section 1. Section **53B-30-101** is enacted to read:

43 **CHAPTER 30. DIXIE STATE UNIVERSITY**

44 **53B-30-101. Title.**

45 This chapter is known as "Dixie State University."

46 Section 2. Section **53B-30-201**, which is renumbered from Section 53B-16-501 is  
47 renumbered and amended to read:

48 **Part 2. Nonprofit Corporations or Foundations**

49 ~~**[53B-16-501].**~~ **53B-30-201. Nonprofit corporations or foundations --**

50 **Purpose.**

51 (1) Dixie State University may form a nonprofit corporation or foundation controlled  
52 by the president of the university and the board to aid and assist the university in attaining its  
53 charitable, communications, and other related educational objectives, including support for  
54 media innovation, film festivals, film production, print media, broadcasting, television, and  
55 digital media.

56 (2) The nonprofit corporation or foundation may receive and administer legislative

57 appropriations, government grants, contracts, and private gifts to carry out its public purposes.

58 Section 3. Section **53B-30-301** is enacted to read:

59 **Part 3. Incarcerated Youth Program**

60 **53B-30-301. Dixie State University Higher Education for Incarcerated Youth**  
61 **Program.**

62 (1) As used in this section:

63 (a) "Interactive video conferencing" means two-way, real-time transmission of audio  
64 and video signals between devices or computers at two or more locations.

65 (b) "Program" means the Dixie State University Higher Education for Incarcerated  
66 Youth Program.

67 (c) "Student" means an individual who is:

68 (i) in the custody of the Division of Juvenile Justice Services within the timeframe of  
69 the course being offered; and

70 (ii) subject to the jurisdiction of the Youth Parole Authority.

71 (2) Consistent with policies established by the board, Dixie State University shall,  
72 subject to legislative appropriation, establish and administer the Dixie State University Higher  
73 Education for Incarcerated Youth Program to provide:

74 (a) students needing high school credits opportunities for concurrent enrollment  
75 courses;

76 (b) a consistent, two-year, flexible schedule of higher education courses delivered  
77 through interactive video conferencing to students;

78 (c) a pathway for students to earn college credits that:

79 (i) apply toward earning a certificate, associate degree, bachelor's degree; or

80 (ii) satisfy scholarship requirements or other objectives that best meet the needs of an  
81 individual student; and

82 (d) advisory support to students and academic counselors who participate in the  
83 program to ensure that the students' higher education courses align with the academic and  
84 career goals defined in the students' plans for college and career readiness.

85 Section 4. Section 53E-10-301 is amended to read:

86 **53E-10-301. Definitions.**

87 As used in this part:

88 (1) "Career and technical education course" means a concurrent enrollment course in  
89 career and technical education, as determined by the policy established by the Utah Board of  
90 Higher Education under Section 53E-10-302.

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

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

94 (4) "Eligible instructor" means an instructor who meets the requirements described in  
95 Subsection 53E-10-302(6).

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

97 (a) (i) is enrolled in, and counted in average daily membership in, a public school  
98 within the state; or

99 (ii) is in the custody of the Division of Juvenile Justice Services and subject to the  
100 jurisdiction of the Youth Parole Authority;

101 (b) has on file a plan for college and career readiness as described in Section  
102 53E-2-304; and

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

104 (6) "Institution of higher education" means an institution described in Subsection  
105 53B-1-102(1)(a).

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

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

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

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

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

- 113 (i) number of years teaching in the academic field;
  - 114 (ii) holding a higher level secondary teaching credential issued by the state board;
  - 115 (iii) research, publications, or other scholarly work in the academic field;
  - 116 (iv) continuing professional education in the academic field;
  - 117 (v) portfolio of work related to the academic field; or
  - 118 (vi) professional work experience or certifications in the academic field.
- 119 (10) "Value of the weighted pupil unit" means the amount established each year in the  
120 enacted public education budget that is multiplied by the number of weighted pupil units to  
121 yield the funding level for the basic state-supported school program.