

Representative V. Lowry Snow proposes the following substitute bill:

EARLY COLLEGE AND CONCURRENT ENROLLMENT

PROGRAM AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: V. Lowry Snow

Senate Sponsor: Derrin R. Owens

LONG TITLE

General Description:

This bill amends provisions related to Advanced Placement and concurrent enrollment programs.

Highlighted Provisions:

This bill:

- ▶ aligns references to Advanced Placement courses, exams, and credit;
- ▶ amends requirements for a State Board of Education funding distribution formula for early college programs to prioritize funding to cover the cost of each early college program test for certain students;
- ▶ addresses LEA use of certain program funds for concurrent enrollment courses for certain students;
- ▶ allows an LEA to charge a restricted rate for indirect costs in concurrent enrollment programs; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **53B-8-203**, as last amended by Laws of Utah 2020, Chapter 386

30 **53B-8-205**, as renumbered and amended by Laws of Utah 2017, Chapter 386

31 **53E-10-307**, as last amended by Laws of Utah 2020, Chapter 365

32 **53F-2-408.5**, as enacted by Laws of Utah 2020, Chapter 378

33 **53F-2-409**, as last amended by Laws of Utah 2020, Chapters 220, 365, 378, and 408



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

36 Section 1. Section **53B-8-203** is amended to read:

37 **53B-8-203. Regents' Scholarship Program -- Base Regents' scholarship --**

38 **Qualifications -- Application.**

39 (1) This section only applies to a student who graduates from high school on or before
40 July 1, 2018.

41 (2) A student qualifies for a Base Regents' scholarship if the student:

42 (a) completes the high school graduation requirements of:

43 (i) a public school established by the State Board of Education and the student's school
44 district or charter school; or

45 (ii) a private high school in the state that is accredited by a regional accrediting body
46 approved by the board;

47 (b) completes high school with at least a 3.0 cumulative grade point average;

48 (c) has at least one reported ACT test score; and

49 (d) (i) completes the following high school or college credit in grades 9 through 12:

50 (A) four units of credit of English;

51 (B) four units of credit of mathematics;

52 (C) three and one-half units of credit of social science;

53 (D) three units of credit of lab-based natural science; and

54 (E) two units of credit of sequential world or classical language other than English; and

55 (ii) except as provided in Subsection (5), earns a course grade on a transcript of "C" or
56 above in each individual course listed in Subsection (2)(d)(i).

57 (3) The board shall establish policies to determine specific courses that meet the
58 requirements under Subsection (2)(d)(i).

59 (4) To be eligible for the scholarship, a student:

60 (a) shall submit an application to the board with:

61 (i) a copy of the student's official high school transcript and ACT scores; and

62 (ii) if applicable, a college transcript showing a college course the student has
63 completed to meet the requirements of Subsection (2)(d);

64 (b) shall be a citizen of the United States or a noncitizen who is eligible to receive
65 federal student aid; and

66 (c) if applicable, shall meet the application deadlines as established by the board under
67 Subsection [53B-8-202](#)(10).

68 (5) For purposes of determining if a student meets the grade requirements of
69 Subsection (2)(d)(ii), the board shall assign additional weights to grades earned in courses
70 described in Subsection (2)(d)(i) that are [~~advanced placement~~] Advanced Placement,
71 concurrent enrollment, or International Baccalaureate program courses.

72 (6) (a) The amount of the Base Regents' scholarship is \$1,000.

73 (b) The board may adjust the amount of the Base Regents' scholarship by up to a
74 percentage of the average percentage tuition increase approved by the board for institutions in
75 the system of higher education.

76 (7) (a) The board shall require an applicant for a Regents' scholarship to certify under
77 penalty of perjury that:

78 (i) the applicant is a United States citizen; or

79 (ii) the applicant is a noncitizen who is eligible to receive federal student aid.

80 (b) The certification under this Subsection (7) shall include a statement advising the
81 signer that providing false information subjects the signer to penalties for perjury.

82 Section 2. Section **53B-8-205** is amended to read:

83 **53B-8-205. Supplemental scholarship award -- Exemplary academic achievement**
84 **-- Regents' diploma.**

85 (1) This section only applies to a student who graduates from high school on or before
86 July 1, 2018.

87 (2) A student who qualifies for the Base Regents' scholarship in accordance with the

88 provisions of Section 53B-8-203 shall qualify for an additional Exemplary Academic
89 Achievement scholarship if the student:

90 (a) completes high school with a cumulative grade point average of 3.5 or higher;

91 (b) except as provided in Subsection (8), earns a course grade on a transcript of "B" or
92 above in each individual course listed in Subsection 53B-8-203(2)(d)(i); and

93 (c) (i) scores a composite ACT score of 26 or higher; and

94 (ii) if determined by the board's policies, achieves additional ACT college readiness
95 benchmark scores in English, mathematics, reading, and science.

96 (3) For a student who graduates from high school in the 2009-10 school year:

97 (a) if used at a higher education institution described in Subsection 53B-8-202(4)(a),
98 the value of an Exemplary Academic Achievement scholarship is up to 75% of the tuition costs
99 at the selected institution; or

100 (b) if used at a higher education institution described in Subsection 53B-8-202(4)(b),
101 the value of an Exemplary Academic Achievement scholarship is up to 75% of the tuition costs
102 at the institution, not to exceed 75% of the average tuition costs at the institutions described in
103 Subsection 53B-8-202(4)(a).

104 (4) (a) For a student who graduates from high school in or after the 2010-11 school
105 year, the total value of an Exemplary Academic Achievement scholarship is up to \$5,000,
106 allocated over a time period described in Subsection (5), as prescribed by the board.

107 (b) The board may adjust the amount of the Exemplary Academic Achievement
108 scholarship by up to a percentage of the average percentage tuition increase approved by the
109 board for institutions in the state system of higher education.

110 (5) An Exemplary Academic Achievement scholarship is valid for the shortest of the
111 following time periods:

112 (a) two years of full-time equivalent enrollment;

113 (b) 65 credit hours; or

114 (c) until the student meets the requirements for a baccalaureate degree.

115 (6) The board may cancel an Exemplary Academic Achievement scholarship at any
116 time if the student fails to:

117 (a) register for at least 15 credit hours per semester;

118 (b) maintain a 3.3 grade point average for two consecutive semesters; or

119 (c) make reasonable progress toward the completion of a baccalaureate degree.

120 (7) A student who qualifies for the Exemplary Academic Achievement scholarship
121 under this section may also receive a Regents' diploma endorsement to be issued by the board.

122 (8) For purposes of determining if a student meets the grade requirements of
123 Subsection (2)(b), the board shall assign additional weights to grades earned in courses
124 described in Subsection [53B-8-203\(2\)\(d\)\(i\)](#) that are [~~advanced placement~~] Advanced
125 Placement, concurrent enrollment, or International Baccalaureate program courses.

126 Section 3. Section **53E-10-307** is amended to read:

127 **53E-10-307. Concurrent enrollment courses for accelerated foreign language**
128 **students.**

129 (1) As used in this section:

130 (a) "Accelerated foreign language student" means an eligible student who has passed a
131 world language [~~advanced placement~~] Advanced Placement exam.

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

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

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

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

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

141 (a) are age-appropriate foreign language courses for accelerated foreign language
142 students;

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

145 (c) are delivered:

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

147 (ii) by an eligible instructor described in Subsection [53E-10-302\(6\)\(a\)](#).

148 Section 4. Section **53F-2-408.5** is amended to read:

149 **53F-2-408.5. Early college programs.**

- 150 (1) As used in this section:
- 151 (a) "~~[Advanced placement]~~ Advanced Placement course" means a rigorous course
- 152 developed by the College Board that:
- 153 (i) is developed by a committee composed of college faculty and ~~[advanced placement]~~
- 154 Advanced Placement teachers and covers the breadth of information, skills, and assignments
- 155 found in the corresponding college course; and
- 156 (ii) for which a student who performs well on an exam for the course may be:
- 157 (A) granted college credit; or
- 158 (B) given advanced standing at a college or university.
- 159 (b) "Eligible low income student" means a student who:
- 160 (i) takes an ~~[advanced placement]~~ Advanced Placement course test;
- 161 (ii) has applied for an ~~[advanced placement]~~ Advanced Placement course test fee
- 162 reduction; and
- 163 (iii) qualifies for a free lunch or a lunch provided at a reduced cost.
- 164 (c) "International Baccalaureate program" means a program established by the
- 165 International Baccalaureate Organization.
- 166 (d) "Local education agency" or "LEA" means:
- 167 (i) a school district; or
- 168 (ii) a charter school.
- 169 (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 170 the state board shall make rules to establish a formula to distribute money appropriated for the
- 171 early college programs described in Subsection (2)(b).
- 172 (b) Subject to Subsection (2)(c), the formula described in Subsection (2)(a) shall:
- 173 (i) include an allocation of money for the following early college programs:
- 174 ~~[(A) advanced placement courses;]~~
- 175 ~~[(B) advanced placement course test fees for eligible low income students; and]~~
- 176 (A) Advanced Placement courses; and
- 177 ~~[(C)]~~ (B) International Baccalaureate programs; and
- 178 (ii) prioritize funding to:
- 179 (A) increase access to early college programs for groups of students who are
- 180 underrepresented in early college programs[-]; and

181 (B) cover the cost of each early college program test taken by a student experiencing
182 socioeconomic disadvantage.

183 (c) The state board may not allocate more that \$100,000 of an appropriation under this
184 section for International Baccalaureate programs.

185 (d) The state board shall consult with LEAs before making the rules described in
186 Subsection (2)(a).

187 (3) (a) An LEA shall use money distributed under this section for the purposes
188 described in Subsection (2)(b), prioritizing the cost of tests described in Subsection
189 (2)(b)(ii)(B) before using the remainder of the money for other allowable uses.

190 (b) An LEA may charge the restricted rate for indirect costs in Advanced Placement
191 and International Baccalaureate programs.

192 (4) The state board shall develop performance criteria to measure the effectiveness of
193 the early college programs described in this section.

194 (5) If an LEA receives an allocation of less than \$10,000 for the early college programs
195 described in this section, the LEA may use the allocation as described in Section 53F-2-206.

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

197 **53F-2-409. Concurrent enrollment funding.**

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

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

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

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

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

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

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

208 (ii) 40% of the money to the Utah Board of Higher Education.

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

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

211 (ii) 60% of the money to the Utah Board of Higher Education.

212 (d) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah
213 Administrative Rulemaking Act, providing for the distribution of the money to LEAs under
214 Subsections (3)(b)(i) and (3)(c)(i).

215 (e) The Utah Board of Higher Education shall make rules, in accordance with Title
216 63G, Chapter 3, Utah Administrative Rulemaking Act, providing for the distribution of the
217 money allocated to institutions of higher education under Subsections (3)(b)(ii) and (3)(c)(ii).

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

221 (a) concurrent enrollment; and

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

223 (5) (a) An LEA that receives money under this section may prioritize using the money
224 to increase access to concurrent enrollment for groups of students who are underrepresented in
225 concurrent enrollment.

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

228 (c) An LEA shall:

229 (i) use program funds to increase access to concurrent enrollment courses for students
230 experiencing socioeconomic disadvantage, including by paying student fees related to the
231 student's participation in a concurrent enrollment course, except fees for textbooks; and

232 (ii) allocate funding equal to the cost of fees described in Subsection (5)(c)(i),
233 excluding fees for textbooks, from the LEA's total allocation of concurrent enrollment funding
234 before allocating the remainder of program funds for a use described in Subsections (5)(a) and
235 (5)(b).

236 (6) An LEA may charge a restricted rate for indirect costs in concurrent enrollment
237 programs.