

HB0335S02 compared with HB0335S01

~~{deleted text}~~ shows text that was in HB0335S01 but was deleted in HB0335S02.

inserted text shows text that was not in HB0335S01 but was inserted into HB0335S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Representative Ryan D. Wilcox}~~Senator Ann Millner proposes the following substitute bill:

ALTERNATIVE CONCURRENT ENROLLMENT OPTIONS FOR CAPACITY FLEXIBILITY

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill amends provisions related to concurrent enrollment courses.

Highlighted Provisions:

This bill:

- ▶ amends provisions for approving a local education agency (LEA) employee as an eligible instructor;
- ▶ provides that ~~{a local education agency}~~ {an LEA} may contract with a nondesignated institution of higher education to provide concurrent enrollment courses under certain circumstances; and

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- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

[53E-10-302, as last amended by Laws of Utah 2020, Chapters 220, 365](#)

[53E-10-303, as last amended by Laws of Utah 2020, Chapter 365](#)

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

[Section 1. Section 53E-10-302 is amended to read:](#)

53E-10-302. Concurrent enrollment program.

(1) The state board and the Utah Board of Higher Education shall establish and maintain a concurrent enrollment program that:

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

- (i) toward high school graduation; and
- (ii) at an institution of higher education;

(b) includes only a course that:

- (i) leads to a degree or certificate offered by an institution of higher education; and
- (ii) is one of the following:

(A) a general education course;

(B) a career and technical education course;

(C) a pre-major college level course;

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

or

(E) an upper divisions course that the Utah Board of Higher Education approves under Subsection (3);

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

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

(2) The state board and the Utah Board of Higher Education shall coordinate to:

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

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

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

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

(B) except for a foreign language concurrent enrollment course described in Section 53E-10-307 or an upper division course that the Utah Board of Higher Education approves under Subsection (3), an institution of higher education lower division course numbered at or above the 1000 level; and

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

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

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

(3) The Utah Board of Higher Education, after consulting with the state board, shall annually approve a prioritized list of upper division courses for which an institution of higher education may use concurrent enrollment money.

(4) After consultation with institution of higher education concurrent enrollment directors, the Utah Board of Higher Education shall:

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

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

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

(ii) creates a process for:

(A) an LEA to appeal an institution of higher education's decision under Subsection (7) if the institution of higher education does not approve an LEA employee as an eligible instructor; and

(B) an LEA or institution of higher education to determine whether an eligible

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instructor who previously taught a concurrent enrollment course is no longer qualified to teach the concurrent enrollment course.

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

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

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

(c) establish qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course, in accordance with the guidelines described in Subsection (4)(a);

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

(e) coordinate advising to eligible students.

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

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

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

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

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

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

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

(D) teaches a concurrent enrollment course that the LEA employee taught during the ~~{2018-19}~~ 2018[-19] -2019 or ~~{2019-20}~~ 2019[-20] -2020 school year.

(7) An institution of higher education shall approve an LEA employee as an eligible instructor:

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

(i) a degree, certificate, or industry certification in the concurrent enrollment course's

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academic field; or

- (ii) qualifying experience, as determined by the institution of higher education; or
- (b) for a concurrent enrollment course other than a career and technical education

course, if the LEA employee has:

- (i) a master's degree or higher in the concurrent enrollment course's academic field;
- (ii) (A) a master's degree or higher in any academic field; and
- (B) at least 18 completed credit hours of graduate course work in an academic field

that is relevant to the concurrent enrollment course; or

- (iii) qualifying experience ~~as determined by the institution of higher education.~~ as

defined in Section 53E-10-301, including:

(A) the number of years of teaching experience;

(B) student performance on qualifying test scores or AP exams on courses that the

LEA employee teaches;

(C) continuing education in a master's degree or higher in any academic field; or

(D) other criteria established by the institution of higher education.

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

Section ~~41~~2. Section **53E-10-303** is amended to read:

53E-10-303. Designated institution of higher education -- Concurrent enrollment course right of first refusal.

(1) As used in this section, "designated institution of higher education" means an institution of higher education that is designated by the Utah Board of Higher Education to provide a course or program of study within a specific geographic region.

(2) To offer a concurrent enrollment course, an LEA shall contact the LEA's designated institution of higher education to request that the designated institution of higher education contract with the LEA to provide the concurrent enrollment course.

(3) ~~[H]~~ Except as provided in Subsection (4), if the LEA's designated institution of higher education chooses to offer the concurrent enrollment course, the LEA shall contract with the LEA's designated institution of higher education to provide the concurrent enrollment course.

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(4) An LEA may contract with an institution of higher education that is not the LEA's designated institution of higher education to provide a concurrent enrollment course if the LEA's designated institution of higher education:

(a) chooses not to offer the concurrent enrollment course proposed by the LEA; ~~or~~

(b) fails to respond to the LEA's request under Subsection (2) within 30 days after the day on which the LEA contacts the designated institution of higher education[-];

(c) uses instructional materials in a course that are sensitive materials, as defined in Section 53G-10-103, or that are materials otherwise prohibited by state law or state board rule for use in kindergarten through grade 12;

(d) reaches the institution of higher education's enrolled student capacity for the concurrent enrollment course; or

(e) prohibits an LEA with an eligible instructor, as described in Section 53E-10-302, from expanding the concurrent enrollment course to eligible students.