

September 7, 2016

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of Regent Policy R165, *Concurrent Enrollment*

Issue

Passage of legislation in the last two legislative sessions in Utah necessitates revision of R165, *Concurrent Enrollment*, the Regent policy which governs the state concurrent enrollment program.

Background

The revision of R165 captures changes resulting from passage of SB196 *Math Competency Initiative* (2015) and HB182 *Concurrent Enrollment Amendments* (2016). Significant statutory changes include the following:

1. SB196 requirement that the State Board of Regents, in consultation with the State Board of Education, "establish a consistent process to qualify high school teachers with an upper level mathematics endorsement to teach entry level mathematics concurrent enrollment courses." Utah System of Higher Education (USHE) institutions are required to treat concurrent enrollment instructors as "adjunct faculty" for purposes of accreditation and to require all adjunct faculty to meet the same standards (by discipline) to serve in that role. In mathematics, an upper level math endorsement (determined to be a Level 4 endorsement for secondary school teaching in mathematics in Utah) does not require the same minimum level of academic preparation in mathematics as would be required of adjunct faculty for every entry level mathematics course at all USHE institutions. HB182 affirms (under the qualifications for eligible concurrent enrollment instructors) that one such person would be "a mathematics educator who has an upper level mathematics endorsement; and (is) supervised by an institution of higher education." Changes to sections 3.11, 10.1, and 10.1.1 of R165 provide a way for USHE institutions to closely supervise high school concurrent enrollment teachers in mathematics who hold a Level 4 endorsement but do not meet the institution's adjunct faculty qualifications, thereby meeting the requirements in statute while simultaneously fulfilling institutional and disciplinary accreditation standards.
2. SB196 requirement that the State Board of Regents "allow a student, upon completion of required high school mathematics courses with at least a "C" grade, entry into a mathematics concurrent enrollment course." The addition of Section 5.2.5.1 in R165 sets this policy.
3. HB182 requirement that the State Board of Regents "create a higher education concurrent enrollment participation form that includes a parental permission form." Development of a common concurrent

enrollment participation process, including a parent/guardian permission form is established in R165, Sections 5.3 and 8.1.1.

4. HB182 indicates, "The State Board of Education and the State Board of Regents may develop and implement a concurrent enrollment course of study for accelerated foreign language students, including dual language immersion students." This change is contained in Section 6.1.2 of R165.

Additional changes were made to language to reflect current program practice:

1. Institutional responsibility for transfer credit was reinforced (section 6.4); and
2. The language describing the annual contract between Utah System of Higher Education (USHE) institutions and local education agency (LEA) was simplified.

#### Policy Issues

This revision received input from Concurrent Enrollment program directors. The final revision was reviewed July 14, 2016 by the Utah System of Higher Education Chief Academic Officers and has their support. There are no outstanding policy issues.

#### Commissioner's Recommendation

The Commissioner recommends the Regents approve the revision of Policy R165, *Concurrent Enrollment*, effective Fall 2016.

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David L. Buhler  
Commissioner of Higher Education

DLB/CMG  
Attachment

**R165-1. Purpose:** To establish the principles, guidelines, and processes which govern Utah public higher education institutions when providing concurrent enrollment opportunities to Utah public education students. This policy does not necessarily apply when a Utah System of Higher Education (USHE) institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah, but could be used as a general guide for establishing those types of agreements.

## R165-2. References

- 2.1. [Utah Code §53A-15-1701 Concurrent Enrollment Education Amendments](#)  
~~Utah Code §53A-15-101, Higher Education Courses in the Public Schools—Cooperation between Public and Higher Education~~
- 2.2. [Utah Code §53A-1-1301 Career and College Readiness Mathematics Competency](#)  
~~Utah Code §53A-17A-120.5, Appropriation for Concurrent Enrollment~~
- 2.3. Utah Code §53B-1-103, Establishment of State Board of Regents—Powers and Authority
- 2.4. Utah Code §53B-6-103, Cooperation with Nonmember Institutions Within the State
- 2.5. Utah State Board of Education Rule R277-713, Concurrent Enrollment of High School Students in College Courses
- 2.6. Utah State Board of Education Rule R277-407, School Fees
- 2.7. Utah Code §53B-1-109, Coordination of Higher Education and Public Education Information Technology Systems – Use of Unique Student Identifier – Coordination of Concurrent Enrollment Advising
- 2.8. Utah Code §53A-1-603.5, Unique student identifier -- Coordination of higher education and public education information technology systems
- 2.9. Policy and Procedures R315, Service Area Designation and Coordination of Off-Campus Courses and Programs
- 2.10. Utah Code §53A-3-410, Criminal Background Checks on School Personnel – Notice – Payment of costs – Request for Review
- 2.11. Utah Code §53B-16-205.5, Snow College Concurrent Education Program
- 2.12. [Utah Code §53B-15-1701, Accelerated Foreign Language Course Amendments](#)

## R165-3. Definitions

- 3.1. **“Concurrent Enrollment”:** for state funding and for the purposes of this policy means enrollment by public school students in one or more ~~USHE institution~~college course(s) under a contractual agreement

<sup>1</sup> Approved January 22, 1988; amended June 10, 2005 and July 28, 2006. Revisions approved May 29, 2009, November 18, 2011, and May 16, 2014.

between the USHE institution and a Local Education Agency (LEA). Students continue to be enrolled in public schools, to be counted in average daily membership, and to receive credit toward graduation. They also receive college credit for courses. Concurrent enrollment is distinct from early college admission.

3.2. **“Contractual Basis”**: a case where a ~~LEA~~~~Utah school district~~ and USHE institution negotiate a concurrent enrollment annual contract, specifying arrangements for courses and instruction. Contractual basis concurrent enrollment is eligible for state funding through the appropriation for concurrent enrollment authorized under [Utah Code 53A-17A-120.515-1701](#).

3.3. **“Early College”**: enrollment in college credit courses by high school students who are academically prepared and meet college admissions requirements, have left high school prior to graduation and are no longer counted in average daily membership. Concurrent enrollment policies and funding mechanisms do not apply to early college admission enrollment. Early college admission enrollments are reported as regular enrollments by USHE institutions.

3.4. **“Early College High School”**: a public high school, generally affiliated with a college or university, whose academic goal is to assist accelerated students in earning college credit up to an associate degree concurrent with a high school diploma. Students are counted in the average daily membership of the high school. College credit is earned through concurrent enrollment and early college courses. The early college high school negotiates for and pays any applicable tuition and fees for early college courses.

3.5. **“Instructor”** : a K-12 ~~public~~ educator [employed by a public LEA and licensed by the Utah State Board of Education \(USBE\)](#) who meets adjunct faculty qualifications in an ~~USHE institution~~ academic department and is approved by that department to instruct a concurrent enrollment course.

3.6. **“Interactive Video Conferencing” (IVC)**: two-way, real-time transmission of audio and video signals between computer equipment at two or more locations.

3.7. **“Local Education Agency” (LEA)**: a school board/public school district or public charter school.

3.8. **“Non Contractual Basis”**: a case where the student continues to enroll full-time in high school but elects at his/her own initiative to pursue college coursework. An agreement is established between the student, parent(s)/guardian, high school administrator, and USHE institution [for the student to take the course; the course is considered to be offered on a non-contractual basis](#). The student is responsible for all expenses associated with ~~the college~~ enrollment. Non contractual enrollments are reported as regular enrollments by USHE institutions. Non-contractual basis concurrent enrollment is not eligible for state funding.

3.9. **“Snow College Concurrent Education Program” (Snow CE)**: ~~Snow College is to provide~~ a consistent two-year schedule of concurrent enrollment courses delivered [by Snow College](#) through IVC. Snow CE courses are intended to create a pathway for secondary school students, particularly in rural high schools, to earn college credits that apply toward earning an Associate of Science or Associate of Arts degree; or satisfy scholarship requirements or other objectives that best meet the needs of individual students. Snow CE includes advisory support to participating secondary school students and their high school counselors to ensure that students' concurrent enrollment courses align with the students' academic and career goals. The Snow CE program is consistent with policies established by the Utah State Board of Regents ([USBR](#)) for concurrent enrollment as defined in R165 Concurrent Enrollment. Snow CE is funded through the state appropriation designated under [Utah Code 53B-16-205.5](#).

3.10. **“Student Education Opportunity Plan”** (SEOP ~~Plan for College and Career Ready~~): secondary school process for academic and career planning, facilitated by school counselors with students and their parents or guardians.

3.11. **Supervision of CE Instructors:** professional development opportunities provided by institutions to public educators who meet adjunct instructor qualifications to prepare them to teach the CE post-secondary curriculum. The nature of the opportunities, from workshops to classroom visits, varies by institution and by course. Qualified educators who hold an upper level Math endorsement which qualifies them to teach CE math courses, shall also receive oversight from faculty while instructing the course. The nature of this oversight may vary by institution and by math course.

3.11.3.12. **“Technology Delivered Instruction”:** instructional situations where student and teacher are separated by physical space, not necessarily by time. Common technology delivered modes of instruction include broadcast, interactive videoconferencing, or Internet.

3.12.3.13. **“Technology Intensive Concurrent Enrollment”** (TICE): hybrid concurrent enrollment courses having a blend of different learning activities, both in classrooms and on-line. TICE courses include common course assessments and, when possible, utilize open education resources. All USHE institutions may choose to offer TICE courses.

3.13.3.14. **“Unique Student Identifier”** (SSID): an alphanumeric code assigned to each public education student for identification purposes. The SSID is not assigned to any former or current student and does not incorporate personal information including a birth date or social security number.

3.15. **Utah State Board of Regents (USBR):** the governing body for the Utah System of Higher Education.

3.14.3.16. **“USHE”:** ~~the Utah System of Higher Education~~ (USHE); the system of public colleges and universities governed by the Utah State Board of Regents.

3.15.3.17. **“USHE Institution”** (Institution): a credit-granting community college, state college, or university within the Utah System of Higher Education.

3.16.3.18. **“USOE”:** ~~the Utah State OfficeBoard~~ of Education (USBE); the system of public education districts and charter schools governed by the State Board of Education.

**R165-4. Intent of Concurrent Enrollment:** To provide an option for prepared high school students to take courses that earn both high school and college credit. Concurrent enrollment courses facilitate completion of a high school diploma while concurrently meeting course requirements corresponding to the first or second year of coursework at a USHE institution, thus leading students toward completion of a post-secondary certificate or degree.

4.1. **High Quality Opportunities:** Concurrent enrollment should provide high quality college-level academic and career and technical education opportunities to qualified high school students.

4.2. **Qualitative Safeguards:** It is important that college instruction offered in the high school setting has qualitative safeguards to preserve the rigor and standards of college requirements. In harmony with Regents' policies, the responsibility for qualitative safeguards rests with the USHE institution granting the college credit for a given course. To help ensure quality, the commonality of instruction and the success of participants, students should be officially enrolled as concurrent enrollment students as specified by the sponsoring institution.

4.3. **Participating Institutions:** USHE credit-granting institutions ~~that grant higher education/college credit~~ may participate in the contractual basis concurrent enrollment program, as defined in this policy, provided that such participation shall be consistent with the law and consistent with Utah State Board of EducationUSBE rules specific to the use of public education funds and rules for public education programs.

4.4. **Program Evaluation:** The State Board of EducationUSBE and State Board of RegentsUSBR shall work in close cooperation in developing, implementing, and evaluating the concurrent enrollment program.

## R165-5. Students

5.1. **Student Status:** Students must be enrolled in, and counted in the average daily membership of, a Utah public high school and have high school student status before and throughout enrollment in concurrent enrollment courses. Students who have received a diploma, whose class has graduated from high school, or who have participated in graduation exercises are not eligible to participate in the concurrent enrollment program. Students shall complete contractual concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises.

5.2. **Eligibility Requirements:** USHE institutions and LEAs shall jointly establish student eligibility requirements. To predict a successful experience, these requirements may include, among others:

5.2.1. junior or senior standing, freshmen and sophomores by exception;

5.2.2. a grade point average, ACT score, or a placement score which predicts success (generally considered to be a "B" average or ACT score of 22 or higher);

5.2.3. supportive letters of recommendation;

5.2.4. approval of high school and college officials;

5.2.5. appropriate placement assessments for courses such as mathematics and English;

5.2.5.1. Students must complete Secondary Math I, II, and III with a "C" average or better course grade in all three classes to enroll in a CE mathematics course; and

5.2.6. completion of institutionally established prerequisites for a course.

5.3. Concurrent Enrollment Participation Form/Parent Permission to Participate. Before allowing an eligible student to participate in the concurrent enrollment program for the academic year, an institution shall ensure the student has completed the USHE concurrent enrollment participation form, signed an acknowledgement of program participation requirements, and obtained parental permission as indicated by the signature of a student's parent or guardian on the parent permission form.

5.3.5.4. Early College High School Eligibility: The Early College High School Program may enroll students in grades 9 and 10 without exception in concurrent enrollment courses. Eligibility requirements such as those mentioned in section 5.2 apply to Early College students.

5.4.5.5. Identification of Eligible Students: LEAs have the primary responsibility for identifying students who are eligible to participate in the concurrent enrollment program.

5.5.5.6. Advising: USHE institutions and LEAs shall jointly coordinate advising to prospective or current high school students who participate in the concurrent enrollment program established in Utah Code 53A-

15-1701. Advising shall include information on general education requirements at USHE institutions and how the students can efficiently choose concurrent enrollment courses to avoid duplication or excess credit hours.

~~5.6.5.7.~~ **Tracking Student Achievement:** USHE institutions and LEAs shall jointly coordinate information technology systems to allow individual student's academic achievement to be tracked through both education systems in accordance with Utah Code 53B-1-109 and 53A-1-603.5.

~~5.6.1-5.7.1.~~ USOE/USBE and USHE staff shall coordinate access to the SSID of a public education student who later attends an institution within the state system of higher education.

~~5.6.2-5.7.2.~~ USHE information technology systems shall utilize the SSID of all students who have previously been assigned a unique student identifier.

~~5.7.5.8.~~ **Advising Report:** Eight-Twelve weeks after the end of each semester, USHE staff shall make available to a requesting USHE institution that participates in concurrent enrollment, a report listing each public high school student admitted to a USHE institution who was enrolled in 12 or more credit hours of concurrent enrollment courses per year and completed at least six of those credit hours from that institution. The report shall include:

5.7.1 student's name and SSID;

5.7.2 the student's LEA;

5.7.3 the name of each concurrent enrollment course taken by the student;

5.7.4 the institution where the student enrolled to take each concurrent enrollment course;

5.7.5 the number of college credits the student earned in each concurrent enrollment course with a designation that indicates which credits listed in Subsection (5)(a)(v) the student earned at a grade "C" or higher.

## R165-6. Courses

**6.1. Choice of Courses:** The courses chosen to be offered through concurrent enrollment should be introductory-level general education, career and technical education, or pre-major college courses. Concurrent enrollment courses must assist students in earning post-secondary certificates or degrees. Concurrent enrollment may only include college courses that correspond to high school courses that are typically offered in grades 11 or 12. Courses selected should reflect the strengths and resources of the respective schools and USHE institutions. Concurrent enrollment offerings shall be limited to courses in English, mathematics, fine arts, humanities, science, social science, world languages, and career and technical education.

**6.1.1. Early College High School Exception:** Early college high schools may offer, for concurrent enrollment, courses typically taught in grades 9 or 10.

**6.1.2. Accelerated Foreign Language Courses:** Institutions may offer 3000 level foreign language courses to accelerated foreign language students, including dual language immersion students.

6.2. **Master List:** The Office of the Commissioner of Higher Education (OCHE) and the ~~USOE~~USBE will jointly approve courses that are added to an institution-specific Concurrent Enrollment Master List. Only courses taken from the master list for a given academic year shall be reimbursed from state concurrent enrollment funds.

6.2.1 **Changes to Concurrent Enrollment Master List:** USHE institutions, after consultation with LEAs, shall provide the ~~USOE~~USBE with proposed new course offerings, including syllabi and curriculum materials by November ~~30~~15 of the year proceeding the school year in which courses shall be offered.

6.3. **Number of Courses:** In general, concurrent enrollment courses should be limited to a manageable number which allow a focus of energy and resources on quality instruction. The number of courses will be kept small enough to assure coordinated professional development activities for participating teachers and transferability of credit from institution to institution.

6.4. **Institution Responsibility:** The offering institution is responsible for course content, procedures, examinations, teaching materials, and course program monitoring of CE courses, and approval to be taught at a high school. The institution shall ensure the curriculum is consistent with Utah law, and shall ensure and of comparable rigor and quality and comparability with courses offered on the institution campus. For courses that transfer as equivalent credit among USHE institutions, the institution will ensure articulated learning outcomes are met.

#### R165-7. Credit

7.1. **Permanent College Transcript:** All concurrent enrollment course registrations and grades are recorded on permanent college transcripts. In contrast to the AP program, where college credit is granted upon successful completion of a national examination and no record is kept on the student's college transcript if the exam is not passed, registration for concurrent enrollment constitutes a commitment to enter the final course grade on the student's permanent college record, regardless of the results. Further, credit is earned by performance and participation throughout the class, rather than by an exit examination alone.

7.1.1. **Credit Value:** College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the USHE institution where the credits are earned.

7.2. **Credit Hours Permitted:** Individual students will be permitted to earn up to 30 semester hours of college credits per year through contractual concurrent enrollment. Credits earned in excess of 30 must be on a non contractual basis.

7.3. **USHE Institution Credit:** Course registration and the awarding of college credit for concurrent enrollment courses are the responsibility of USHE institutions.

7.4. **Transferability:** Credit earned through the concurrent enrollment program shall be transferable from one USHE institution to another. Students should be encouraged to seek advice from a college academic adviser to make course choices that will meet the student's educational goals.

R165-8. **Tuition, Fees, and Other Charges:** Regular tuition and fees may not be charged to high school students for participation in this program.



**8.1. Admissions Fee:** Students may be assessed a one-time admissions application fee per institution. Payment of the admissions fee to enroll in concurrent enrollment satisfies the general admissions application fee requirement for a full-time or part-time student at an institution so that no additional admissions application fee may be charged by the institution for continuous enrollment at that institution following high school graduation.

**8.1.1. Participation Fee:** The USBR may charge a one-time fee for students to participate in the concurrent enrollment program. Paying this fee does not satisfy the general admissions application fee required for full-time or part-time students at an institution.

**8.2. Partial Concurrent Enrollment Tuition:** Secondary students may be charged partial tuition up to \$30 per credit hour for each concurrent enrollment course for which the student receives college credit:

**8.2.1.** A USHE institution may charge a concurrent enrollment student who qualifies for free or reduced school lunch partial tuition of up to \$5 per credit hour;

**8.2.2.** If a concurrent enrollment course is taught by a public school educator in a public school facility, a USHE institution may charge up to \$10 per credit hour;

**8.2.3.** If a concurrent enrollment course is taught over interactive video conferencing (IVC), a USHE institution may charge up to \$15 per credit hour;

**8.2.4.** If a concurrent enrollment course is taught on a USHE campus, a USHE institution may charge up to \$30 per credit hour.

**8.2.5.** The State Board of Regents USBR shall annually report to the Legislature's Higher Education Appropriations Subcommittee on regular tuition savings to CE students, any partial CE tuition charged, and justification for the distribution of money appropriated for concurrent enrollment, pursuant to Subsection (9)(c) Utah Code 53A-15-1709.

**8.3. Fee Waivers:** Concurrent enrollment program costs attributable only to USHE-college credit or enrollment are not fees and as such are not subject to fee waiver under public school rule R277-407. All students' costs related to concurrent enrollment classes, which may include consumables, lab fees, copying, and material costs, as well as textbooks required for the course, are subject to fee waiver consistent with R277-407. The LEA shall be responsible for these waivers. The agreement/contract between the USHE institution and the district may address the responsibility for fee waivers.

**R165-9. Location and Delivery:** Concurrent enrollment courses shall be offered at the most appropriate location using the most appropriate educational technology for the course content, the faculty, and the students involved. Instruction may be delivered through live classroom instruction or telecommunications. Instruction normally occurs during the school day with students released from regular high school coursework to participate in concurrent enrollment.

**9.1. Students within Commuting Distance:** Qualified students residing within commuting distance of a USHE-credit granting institution may pursue their concurrent enrollment study on the institution campus with approval from their LEA.

**9.2. Designated Service Region Delivery:** Each USHE institution has the responsibility for offering concurrent enrollment courses within their designated service region per Regents' Policy R315. If the local institution chooses not to offer a concurrent enrollment course, a LEA may ask another USHE institution to provide the course.

9.3. **Right of First Refusal:** A LEA shall contact the USHE institution with responsibility for that LEA's service region to request a CE course offering. The ~~USHE local~~ institution shall indicate in writing whether it will offer the requested course within 6030 days of the LEA contact and request.

9.3.1. **Exception for Technology Delivered Courses:** Concurrent enrollment courses ~~delivered through technology which meet the definition of "Technology Delivered Instruction"~~ are ~~not~~ subject to designated service region requirements. ~~However, to ensure efficient and effective use of state resources, if~~ Institutions desiring to ~~offer deliver~~ technology delivered CE courses outside their designated service region must receive a written endorsement from the local institution for each course they desire to offer before contracting with LEAs outside their designated service area. An annual system review of technology delivered courses shall be completed prior to November 30 of the year preceding the school year in which courses shall be offered to assure efficient and effective use of resources.

R165-10. **Faculty:** College courses are taught for concurrent enrollment credit by college or university faculty or by public school educators ~~who meet adjunct instructor qualifications~~ by the offering institution (instructor).

10.1. **Selection of ~~Adjunct Faculty~~CE Instructors:** Identification of instructors for concurrent enrollment courses is the joint responsibility of the participating LEAs and the participating USHE institution. Selection criteria for instructors should be the same as those criteria applied to other adjunct faculty appointments in specific departments within the USHE institution. ~~Final approval of the adjunct faculty~~ CE instructors will be ~~determined~~ approved by the appropriate academic department at the institution, ~~college or university. Instructors shall be approved by the USHE institution~~ prior to teaching the concurrent enrollment class.

10.1.1 Selection of Concurrent Enrollment Mathematics Instructors. Educators who hold an upper level Math endorsement, authorized by the USBE and appended to a license, that qualifies the educator to teach calculus shall be qualified to teach CE mathematics courses, in accordance with Utah Code 53-15-1701.

10.2. **Criminal Background Checks:** USHE faculty ~~or adjunct faculty~~ who are not public school educators and who ~~have significant unsupervised access to K-12 students and instruct in the~~ teach concurrent enrollment ~~program courses~~ defined under this policy in a high school shall complete a criminal background check consistent with Utah Code 53A-3-410.<sup>2</sup> The faculty or adjunct faculty-employer shall have responsibility for determining the need for criminal background checks consistent with the law and for satisfying this requirement and shall maintain appropriate documentation.

10.3. **Faculty Development:** Concurrent enrollment instructors should be included as fully as possible in the academic life of the supervising academic department. USHE institutions jointly with LEAs shall initiate faculty development and share expertise in providing professional development, including appropriate workshop experiences prior to offering concurrent enrollment courses; to adequately prepare instructors to teach concurrent enrollment students and course content. USHE faculty ~~and adjunct faculty~~ should be prepared with knowledge of federal and state laws specific to public school student privacy and student records.

R165-11. **Funding**

<sup>2</sup> See §53A-3-410 for detailed information on completing background checks.

11.1. **Source of Funds:** Each year, the Utah Legislature will appropriate funds for accelerated learning programs. A portion of those accelerated learning funds shall be allocated to the concurrent enrollment program.

11.1.1. **Eligibility to Receive Concurrent Funds:** To qualify for funds, a concurrent enrollment program shall comply with the requirements described in Utah Code 53A-15-1701, including rules adopted in accordance with Subsection 53A-15-~~101(3)~~1703.

11.2. **Allocation of Funds:** Money appropriated to the ~~State Board of Education~~USBE for concurrent enrollment shall first be allocated between LEAs and the ~~Board of Regents~~USBR based upon completed student credit hours taught by public school educators and taught by college or university faculty. Completed means that a student earned credit for the course. Concurrent enrollment funds may not reimburse institutions for concurrent enrollment courses repeated by students. In accordance with ~~Utah Code 53A-15-1706~~52A-17A-120.5 of the Utah Code, funds shall be allocated as follows:

11.2.1. for courses that are taught by public school educators (instructors) where the cost of instruction is borne by the LEA —

11.2.1.1. 60 percent shall be allocated to LEAs; and

11.2.1.2. 40 percent shall be allocated to the ~~Board of Regents~~USBR; and

11.2.2. for courses that are taught by college or university faculty or ~~adjunct faculty~~ where the cost of instruction is borne by the USHE institution —

11.2.2.1. 40 percent shall be allocated to LEAs; and

11.2.2.2. 60 percent shall be allocated to the ~~Board of Regents~~USBR.

11.3 **Distribution of Funds among USHE Institutions:** The ~~Board of Regents~~USBR shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basis concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.

11.2.3. **Snow CE Exception:** Credit earned through the Snow ~~CE~~ College Concurrent Education Program, which receives a separate appropriation through 53B-16-205.5 for instructional, advising, and administrative costs, will not receive the pro-rated per credit funding as long as the separate appropriation funding is in place.

11.4. **Annual Reports:** Annual reports shall be provided to legislative committees:

11.4.1 **Higher Education Appropriations:** USHE ~~staff~~ shall annually report to the Higher Education Appropriations Subcommittee on concurrent enrollment participation and growth, including data on what higher education tuition would have been charged for the hours of concurrent enrollment credit granted as required by ~~Utah Code 53A-15-1709~~52A-17A-120.5 ~~Section 5(b) of Utah Code.~~

11.4.2 **Public Education Appropriations:** USHE and ~~USOE~~USBE ~~staff~~ shall annually report to the Public Education Appropriations Subcommittee an accounting of the money appropriated for concurrent enrollment; and a justification of the split described in section 11.2.

**R165-12. Annual Concurrent Enrollment Contract:** Collaborating ~~school districts-LEAs~~ and USHE institutions ~~will negotiate annual contracts for administrative and instructional support of concurrent enrollment courses annually sign a contract which sets forth their rights and duties for the institution to offer concurrent enrollment courses to the LEA's students.~~

**12.1. Annual Contract Content:** The contracts shall include relevant policy for student eligibility and participation, course eligibility and delivery, and faculty eligibility and professional development. USHE and USBE staff review and amend the contract annually, as needed, to reflect current statute and rule.

~~12.1.1. student eligibility and participation requirements;~~

~~12.1.2. curriculum and instructor eligibility requirements;~~

~~12.1.3. a provision regarding parental permission for students to participate in the concurrent enrollment program, which includes:~~

~~12.1.3.1. notice to parents that registration in concurrent enrollment courses are permanently recorded on a student's college transcript consistent with the institution's policies and procedures;~~

~~12.1.3.2. notice to parents of student and family protections under FERPA; and~~

~~12.1.3.3. indicates which entity, LEA or institution, is responsible to notify parents and secure parental permission;~~

~~12.1.4. the individual and joint responsibilities of USHE institutions and LEAs with regard to administering the concurrent enrollment program.~~

**12.2. Annual Contract Deadline:** Copies of all annual contracts entered into between institutions and LEAs for the upcoming school year must be submitted by institutions to the USHE system office no later than May 30 annually. USHE will convey copies of all contracts to USOE/USBE.

**R165-13. Utah College of Applied Technology (UCAT) Agreements:** High school students may participate at a UCAT campus to take USHE contractual basis concurrent enrollment courses under the following conditions:

**13.1. Concurrent Enrollment Contract:** A concurrent enrollment contract (see R165-12 above) must be in place between the LEA and the USHE institution covering the instruction to be given at the UCAT campus.

**13.2. UCAT Instruction and Costs:** The USHE institution enters into an agreement with the UCAT to provide the instruction. The agreement clearly establishes apportionment of cost and revenue that could be transferred to the UCAT, and the process for approval of UCAT instructors as institution adjunct faculty (see R165-10).

**R165-1. Purpose:** To establish the principles, guidelines, and processes which govern Utah public higher education institutions when providing concurrent enrollment opportunities to Utah public education students. This policy does not necessarily apply when a Utah System of Higher Education (USHE) institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah, but could be used as a general guide for establishing those types of agreements.

## R165-2. References

- 2.1. Utah Code §53A-15-1701 Concurrent Enrollment Education Amendments
- 2.2. Utah Code §53A-1-1301 Career and College Readiness Mathematics Competency
- 2.3. Utah Code §53B-1-103, Establishment of State Board of Regents—Powers and Authority
- 2.4. Utah Code §53B-6-103, Cooperation with Nonmember Institutions Within the State
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- 2.8. Utah Code §53A-1-603.5, Unique student identifier -- Coordination of higher education and public education information technology systems
- 2.9. Policy and Procedures R315, Service Area Designation and Coordination of Off-Campus Courses and Programs
- 2.10. Utah Code §53A-3-410, Criminal Background Checks on School Personnel – Notice – Payment of costs – Request for Review
- 2.11. Utah Code §53B-16-205.5, Snow College Concurrent Education Program
- 2.12. Utah Code §53B-15-1701, Accelerated Foreign Language Course Amendments

## R165-3. Definitions

**3.1. Concurrent Enrollment:** for state funding and for the purposes of this policy means enrollment by public school students in one or more college course(s) under a contractual agreement between the USHE institution and a Local Education Agency (LEA). Students continue to be enrolled in public schools, to be counted in average daily membership, and to receive credit toward graduation. They also receive college credit for courses. Concurrent enrollment is distinct from early college admission.

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<sup>1</sup> Approved January 22, 1988; amended June 10, 2005 and July 28, 2006. Revisions approved May 29, 2009, November 18, 2011, and May 16, 2014.

- 3.2. Contractual Basis:** a case where a LEA and USHE institution negotiate a concurrent enrollment annual contract, specifying arrangements for courses and instruction. Contractual basis concurrent enrollment is eligible for state funding through the appropriation for concurrent enrollment authorized under Utah Code 53A-15-1701.
- 3.3. Early College:** enrollment in college credit courses by high school students who are academically prepared and meet college admissions requirements, have left high school prior to graduation and are no longer counted in average daily membership. Concurrent enrollment policies and funding mechanisms do not apply to early college admission enrollment. Early college admission enrollments are reported as regular enrollments by USHE institutions.
- 3.4. Early College High School:** a public high school, generally affiliated with a college or university, whose academic goal is to assist accelerated students in earning college credit up to an associate degree concurrent with a high school diploma. Students are counted in the average daily membership of the high school. College credit is earned through concurrent enrollment and early college courses. The early college high school negotiates for and pays any applicable tuition and fees for early college courses.
- 3.5. Instructor :** a K-12 educator employed by a public LEA and licensed by the Utah State Board of Education (USB E) who meets adjunct faculty qualifications in an institution academic department and is approved by that department to instruct a concurrent enrollment course.
- 3.6. Interactive Video Conferencing (IVC):** two-way, real-time transmission of audio and video signals between computer equipment at two or more locations.
- 3.7. Local Education Agency (LEA):** a school board/public school district or public charter school.
- 3.8. Non Contractual Basis:** a case where the student continues to enroll full-time in high school but elects at his/her own initiative to pursue college coursework. An agreement is established between the student, parent(s)/guardian, high school administrator, and USHE institution for the student to take the course; the course is considered to be offered on a non-contractual basis. The student is responsible for all expenses associated with the enrollment. Non contractual enrollments are reported as regular enrollments by USHE institutions. Non-contractual basis concurrent enrollment is not eligible for state funding.
- 3.9. Snow College Concurrent Education Program (Snow CE):** a consistent two-year schedule of concurrent enrollment courses delivered by Snow College through IVC. Snow CE courses are intended to create a pathway for secondary school students, particularly in rural high schools, to earn college credits that apply toward earning an Associate of Science or Associate of Arts degree; or satisfy scholarship requirements or other objectives that best meet the needs of individual students. Snow CE includes advisory support to participating secondary school students and their high school counselors to ensure that students' concurrent enrollment courses align with the students' academic and career goals. The Snow CE program is consistent with policies established by the Utah State Board of Regents (USB R) for concurrent enrollment as defined in R165 Concurrent Enrollment. Snow CE is funded through the state appropriation designated under Utah Code 53B-16-205.5.
- 3.10. Student Education Opportunity Plan (SEOP):** secondary school process for academic and career planning, facilitated by school counselors with students and their parents or guardians.
- 3.11. Supervision of CE Instructors:** professional development opportunities provided by institutions to public educators who meet adjunct instructor qualifications to prepare them to teach the CE post-secondary curriculum. The nature of the opportunities, from workshops to classroom visits, varies by institution and by course. Qualified educators who hold an upper level Math endorsement which qualifies them to teach CE

math courses, shall also receive oversight from faculty while instructing the course. The nature of this oversight may vary by institution and by math course.

**3.12. Technology Delivered Instruction:** instructional situations where student and teacher are separated by physical space, not necessarily by time. Common technology delivered modes of instruction include broadcast, interactive videoconferencing, or Internet.

**3.13. Technology Intensive Concurrent Enrollment (TICE):** hybrid concurrent enrollment courses having a blend of different learning activities, both in classrooms and on-line. TICE courses include common course assessments and, when possible, utilize open education resources. All USHE institutions may choose to offer TICE courses.

**3.14. Unique Student Identifier (SSID):** an alphanumeric code assigned to each public education student for identification purposes. The SSID is not assigned to any former or current student and does not incorporate personal information including a birth date or social security number.

**3.15. Utah State Board of Regents (USBR):** the governing body for the Utah System of Higher Education.

**3.16. Utah System of Higher Education (USHE):** the system of public colleges and universities governed by the Utah State Board of Regents.

**3.17. USHE Institution (Institution):** a credit-granting community college, state college, or university within the Utah System of Higher Education.

**3.18. Utah State Board of Education (USBE):** the system of public education districts and charter schools governed by the State Board of Education.

**R165-4. Intent of Concurrent Enrollment:** To provide an option for prepared high school students to take courses that earn both high school and college credit. Concurrent enrollment courses facilitate completion of a high school diploma while concurrently meeting course requirements corresponding to the first or second year of coursework at a USHE institution, thus leading students toward completion of a post-secondary certificate or degree.

**4.1. High Quality Opportunities:** Concurrent enrollment should provide high quality college-level academic and career and technical education opportunities to qualified high school students.

**4.2. Qualitative Safeguards:** It is important that college instruction offered in the high school setting has qualitative safeguards to preserve the rigor and standards of college requirements. In harmony with Regents' policies, the responsibility for qualitative safeguards rests with the USHE institution granting the college credit for a given course. To help ensure quality, the commonality of instruction and the success of participants, students should be officially enrolled as concurrent enrollment students as specified by the sponsoring institution.

**4.3. Participating Institutions:** USHE credit-granting institutions may participate in the contractual basis concurrent enrollment program, as defined in this policy, provided that such participation shall be consistent with the law and consistent with USBE rules specific to the use of public education funds and rules for public education programs.

**4.4. Program Evaluation:** The USBE and USBR shall work in close cooperation in developing, implementing, and evaluating the concurrent enrollment program.

## R165-5. Students

**5.1. Student Status:** Students must be enrolled in, and counted in the average daily membership of, a Utah public high school and have high school student status before and throughout enrollment in concurrent enrollment courses. Students who have received a diploma, whose class has graduated from high school, or who have participated in graduation exercises are not eligible to participate in the concurrent enrollment program. Students shall complete contractual concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises.

**5.2. Eligibility Requirements:** USHE institutions and LEAs shall jointly establish student eligibility requirements. To predict a successful experience, these requirements may include, among others:

5.2.1. junior or senior standing, freshmen and sophomores by exception;

5.2.2. a grade point average, ACT score, or a placement score which predicts success (generally considered to be a "B" average or ACT score of 22 or higher);

5.2.3. supportive letters of recommendation;

5.2.4. approval of high school and college officials;

5.2.5. appropriate placement assessments for courses such as mathematics and English;

5.2.5.1. Students must complete Secondary Math I, II, and III with a "C" average or better course grade in all three classes to enroll in a CE mathematics course; and

5.2.6. completion of institutionally established prerequisites for a course.

**5.3. Concurrent Enrollment Participation Form/Parent Permission to Participate.** Before allowing an eligible student to participate in the concurrent enrollment program for the academic year, an institution shall ensure the student has completed the USHE concurrent enrollment participation form, signed an acknowledgement of program participation requirements, and obtained parental permission as indicated by the signature of a student's parent or guardian on the parent permission form.

**5.4. Early College High School Eligibility:** The Early College High School Program may enroll students in grades 9 and 10 without exception in concurrent enrollment courses. Eligibility requirements such as those mentioned in section 5.2 apply to Early College students.

**5.5. Identification of Eligible Students:** LEAs have the primary responsibility for identifying students who are eligible to participate in the concurrent enrollment program.

**5.6. Advising:** USHE institutions and LEAs shall jointly coordinate advising to prospective or current high school students who participate in the concurrent enrollment program established in Utah Code 53A-15-1701. Advising shall include information on general education requirements at USHE institutions and how the students can efficiently choose concurrent enrollment courses to avoid duplication or excess credit hours.

**5.7. Tracking Student Achievement:** USHE institutions and LEAs shall jointly coordinate information technology systems to allow individual student's academic achievement to be tracked through both education systems in accordance with Utah Code 53B-1-109 and 53A-1-603.5.



5.7.1. USBE and USHE staff shall coordinate access to the SSID of a public education student who later attends an institution within the state system of higher education.

5.7.2. USHE information technology systems shall utilize the SSID of all students who have previously been assigned a unique student identifier.

5.8. **Advising Report:** Twelve weeks after the end of each semester, USHE staff shall make available to a requesting USHE institution that participates in concurrent enrollment, a report listing each public high school student admitted to a USHE institution who was enrolled in 12 or more credit hours of concurrent enrollment courses per year and completed at least six of those credit hours from that institution. The report shall include:

5.7.1 student's name and SSID;

5.7.2 the student's LEA;

5.7.3 the name of each concurrent enrollment course taken by the student;

5.7.4 the institution where the student enrolled to take each concurrent enrollment course;

5.7.5 the number of college credits the student earned in each concurrent enrollment course with a designation that indicates which credits listed in Subsection (5)(a)(v) the student earned at a grade "C" or higher.

## R165-6. Courses

6.1. **Choice of Courses:** The courses chosen to be offered through concurrent enrollment should be introductory-level general education, career and technical education, or pre-major college courses. Concurrent enrollment courses must assist students in earning post-secondary certificates or degrees. Concurrent enrollment may only include college courses that correspond to high school courses that are typically offered in grades 11 or 12. Courses selected should reflect the strengths and resources of the respective schools and USHE institutions. Concurrent enrollment offerings shall be limited to courses in English, mathematics, fine arts, humanities, science, social science, world languages, and career and technical education.

6.1.1. **Early College High School Exception:** Early college high schools may offer, for concurrent enrollment, courses typically taught in grades 9 or 10.

6.1.2. **Accelerated Foreign Language Courses:** Institutions may offer 3000 level foreign language courses to accelerated foreign language students, including dual language immersion students.

6.2. **Master List:** The Office of the Commissioner of Higher Education (OCHE) and the USBE will jointly approve courses that are added to an institution-specific Concurrent Enrollment Master List. Only courses taken from the master list for a given academic year shall be reimbursed from state concurrent enrollment funds.

6.2.1 **Changes to Concurrent Enrollment Master List:** USHE institutions, after consultation with LEAs, shall provide the USBE with proposed new course offerings, including syllabi and curriculum materials by November 15 of the year proceeding the school year in which courses shall be offered.

**6.3. Number of Courses:** In general, concurrent enrollment courses should be limited to a manageable number which allow a focus of energy and resources on quality instruction. The number of courses will be kept small enough to assure coordinated professional development activities for participating teachers and transferability of credit from institution to institution.

**6.4. Institution Responsibility:** The offering institution is responsible for course content, procedures, examinations, teaching materials, and course monitoring of CE courses taught at a high school. The institution shall ensure the curriculum is consistent with Utah law and of comparable rigor and quality with courses offered on the institution campus. For courses that transfer as equivalent credit among USHE institutions, the institution will ensure articulated learning outcomes are met.

## **R165-7. Credit**

**7.1. Permanent College Transcript:** All concurrent enrollment course registrations and grades are recorded on permanent college transcripts. In contrast to the AP program, where college credit is granted upon successful completion of a national examination and no record is kept on the student's college transcript if the exam is not passed, registration for concurrent enrollment constitutes a commitment to enter the final course grade on the student's permanent college record, regardless of the results. Further, credit is earned by performance and participation throughout the class, rather than by an exit examination alone.

**7.1.1. Credit Value:** College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the USHE institution where the credits are earned.

**7.2. Credit Hours Permitted:** Individual students will be permitted to earn up to 30 semester hours of college credits per year through contractual concurrent enrollment. Credits earned in excess of 30 must be on a non contractual basis.

**7.3. Institution Credit:** Course registration and the awarding of college credit for concurrent enrollment courses are the responsibility of USHE institutions.

**7.4. Transferability:** Credit earned through the concurrent enrollment program shall be transferable from one USHE institution to another. Students should be encouraged to seek advice from a college academic adviser to make course choices that will meet the student's educational goals.

**R165-8. Tuition, Fees, and Other Charges:** Regular tuition and fees may not be charged to high school students for participation in this program.

**8.1. Admissions Fee:** Students may be assessed a one-time admissions application fee per institution. Payment of the admissions fee to enroll in concurrent enrollment satisfies the general admissions application fee requirement for a full-time or part-time student at an institution so that no additional admissions application fee may be charged by the institution for continuous enrollment at that institution following high school graduation.

**8.1.1. Participation Fee:** The USBR may charge a one-time fee for students to participate in the concurrent enrollment program. Paying this fee does not satisfy the general admissions application fee required for full-time or part-time students at an institution.

**8.2. Partial Concurrent Enrollment Tuition:** Secondary students may be charged partial tuition up to \$30 per credit hour for each concurrent enrollment course for which the student receives college credit:

**8.2.1.** A USHE institution may charge a concurrent enrollment student who qualifies for free or reduced school lunch partial tuition of up to \$5 per credit hour;

**8.2.2.** If a concurrent enrollment course is taught by a public school educator in a public school facility, a USHE institution may charge up to \$10 per credit hour;

**8.2.3.** If a concurrent enrollment course is taught over interactive video conferencing (IVC), a USHE institution may charge up to \$15 per credit hour;

**8.2.4.** If a concurrent enrollment course is taught on a USHE campus, a USHE institution may charge up to \$30 per credit hour.

**8.2.5.** The USBR shall annually report to the Legislature's Higher Education Appropriations Subcommittee on regular tuition savings to CE students, any partial CE tuition charged, and justification for the distribution of money appropriated for concurrent enrollment, pursuant to Utah Code 53A-15-1709.

**8.3. Fee Waivers:** Concurrent enrollment program costs attributable only to college credit or enrollment are not fees and as such are not subject to fee waiver under public school rule R277-407. All students' costs related to concurrent enrollment classes, which may include consumables, lab fees, copying, and material costs, as well as textbooks required for the course, are subject to fee waiver consistent with R277-407. The LEA shall be responsible for these waivers. The contract between the USHE institution and the district may address the responsibility for fee waivers.

**R165-9. Location and Delivery:** Concurrent enrollment courses shall be offered at the most appropriate location using the most appropriate educational technology for the course content, the faculty, and the students involved. Instruction may be delivered through live classroom instruction or telecommunications. Instruction normally occurs during the school day with students released from regular high school coursework to participate in concurrent enrollment.

**9.1. Students within Commuting Distance:** Qualified students residing within commuting distance of a USHE institution may pursue their concurrent enrollment study on the institution campus with approval from their LEA.

**9.2. Designated Service Region Delivery:** Each USHE institution has the responsibility for offering concurrent enrollment courses within their designated service region per Regents' Policy R315. If the local institution chooses not to offer a concurrent enrollment course, a LEA may ask another USHE institution to provide the course.

**9.3. Right of First Refusal:** A LEA shall contact the USHE institution with responsibility for that LEA's service region to request a CE course offering. The local institution shall indicate in writing whether it will offer the requested course within 30 days of the LEA contact and request.

**9.3.1. Exception for Technology Delivered Courses:** Concurrent enrollment courses which meet the definition of "Technology Delivered Instruction" are subject to designated service region requirements. Institutions desiring to offer technology delivered CE courses outside their designated service region must receive a written endorsement from the local institution for each course they desire to offer before contracting with LEAs outside their designated service area. An

annual system review of technology delivered courses shall be completed prior to November 30 of the year preceding the school year in which courses shall be offered to assure efficient and effective use of resources.

**R165-10. Faculty:** College courses are taught for concurrent enrollment credit by college or university faculty or by public school educators by the offering institution (instructor).

**10.1. Selection of CE Instructors:** Identification of instructors for concurrent enrollment courses is the joint responsibility of the participating LEAs and the participating USHE institution. Selection criteria for instructors should be the same as those criteria applied to other adjunct faculty appointments in specific departments within the USHE institution. CE instructors will be approved by the appropriate academic department at the institution prior to teaching the concurrent enrollment class.

**10.1.1 Selection of Concurrent Enrollment Mathematics Instructors.** Educators who hold an upper level Math endorsement, authorized by the USBE and appended to a license, that qualifies the educator to teach calculus shall be qualified to teach CE mathematics courses, in accordance with Utah Code 53-15-1701.

**10.2. Criminal Background Checks:** USHE faculty who are not public school educators and who teach concurrent enrollment courses defined under this policy in a high school shall complete a criminal background check consistent with Utah Code 53A-3-410.<sup>2</sup> The faculty or adjunct faculty employer shall have responsibility for determining the need for criminal background checks consistent with the law and for satisfying this requirement and shall maintain appropriate documentation.

**10.3. Faculty Development:** Concurrent enrollment instructors should be included as fully as possible in the academic life of the supervising academic department. USHE institutions jointly with LEAs shall initiate faculty development and share expertise in providing professional development, including appropriate workshop experiences prior to offering concurrent enrollment courses to adequately prepare instructors to teach concurrent enrollment students and course content. USHE faculty should be prepared with knowledge of federal and state laws specific to public school student privacy and student records.

**R165-11. Funding**

**11.1. Source of Funds:** Each year, the Utah Legislature will appropriate funds for accelerated learning programs. A portion of those accelerated learning funds shall be allocated to the concurrent enrollment program.

**11.1.1. Eligibility to Receive Concurrent Funds:** To qualify for funds, a concurrent enrollment program shall comply with the requirements described in Utah Code 53A-15-1701, including rules adopted in accordance with Subsection 53A-15-1703.

**11.2. Allocation of Funds:** Money appropriated to the USBE for concurrent enrollment shall first be allocated between LEAs and the USBE based upon completed student credit hours taught by public school educators and taught by college or university faculty. Completed means that a student earned credit for the course. Concurrent enrollment funds may not reimburse institutions for concurrent enrollment courses repeated by students. In accordance with Utah Code 53A-15-1706, funds shall be allocated as follows:

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<sup>2</sup> See §53A-3-410 for detailed information on completing background checks.

11.2.1. for courses that are taught by public school educators (instructors) where the cost of instruction is borne by the LEA —

11.2.1.1.60 percent shall be allocated to LEAs; and

11.2.1.2.40 percent shall be allocated to the USBR; and

11.2.2. for courses that are taught by college or university faculty or where the cost of instruction is borne by the USHE institution —

11.2.2.1.40 percent shall be allocated to LEAs; and

11.2.2.2.60 percent shall be allocated to the USBR.

**11.3 Distribution of Funds among USHE Institutions:** The USBR shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basis concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.

**11.2.3. Snow CE Exception:** Credit earned through the Snow CE Program, which receives a separate appropriation through 53B-16-205.5 for instructional, advising, and administrative costs, will not receive the pro-rated per credit funding as long as the separate appropriation funding is in place.

**11.4. Annual Reports:** Annual reports shall be provided to legislative committees:

**11.4.1 Higher Education Appropriations:** USHE staff shall annually report to the Higher Education Appropriations Subcommittee on concurrent enrollment participation and growth, including data on what higher education tuition would have been charged for the hours of concurrent enrollment credit granted as required by Utah Code 53A-15-1709.

**11.4.2 Public Education Appropriations:** USHE and USBE staff shall annually report to the Public Education Appropriations Subcommittee an accounting of the money appropriated for concurrent enrollment; and a justification of the split described in section 11.2.

**R165-12. Annual Concurrent Enrollment Contract:** Collaborating LEAs and USHE institutions annually sign a contract which sets forth their rights and duties for the institution to offer concurrent enrollment courses to the LEA's students.

**12.1. Annual Contract Content:** The contracts shall include relevant policy for student eligibility and participation, course eligibility and delivery, and faculty eligibility and professional development. USHE and USBE staff review and amend the contract annually, as needed, to reflect current statute and rule.

**12.2. Annual Contract Deadline:** Copies of all annual contracts entered into between institutions and LEAs for the upcoming school year must be submitted by institutions to the USHE system office no later than May 30 annually. USHE will convey copies of all contracts to USBE.

**R165-13. Utah College of Applied Technology (UCAT) Agreements:** High school students may participate at a UCAT campus to take contractual basis concurrent enrollment courses under the following conditions:

**13.1. Concurrent Enrollment Contract:** A concurrent enrollment contract (see R165-12 above) must be in place between the LEA and the USHE institution covering the instruction to be given at the UCAT campus.

**13.2. UCAT Instruction and Costs:** The USHE institution enters into an agreement with the UCAT to provide the instruction. The agreement clearly establishes apportionment of cost and revenue that could be transferred to the UCAT, and the process for approval of UCAT instructors as institution adjunct faculty (see R165-10).