

## Concurrent Enrollment (CE) Adjunct Instructor Eligibility/established FY2019-20

*This document provides background information on the CE Faculty Appeals process. LEAs that wish to appeal an institution decision should contact the appropriate CE Director for the formal appeal form.*

### BACKGROUND

#### Statute and Rule

SB291, passed during the Utah legislature's 2019 General Session, lists the conditions under which public educators are eligible to teach CE courses. Educators, called "LEA employee(s)" in statute, is eligible to teach CE if they:

1. are licensed under statutory Education Professional Licensure; and
2. taught the CE course they wish to teach in future during the 2018-19 or 2019-20 school year **OR**
3. meet the academic qualifications listed below.

Academic qualifications to teach a CTE\* CE course:

- a. a degree, certificate, or industry certification in the CE course's academic field **OR**
- b. qualifying experience, as determined by the institution of higher education.

\*There are certain courses considered CTE by public education that are not considered CTE by colleges and universities. A photography course may be Fine Art courses in college by a vocational course in the high school. If unsure, please ask the USHE institution about

Academic qualifications to teach a CE course other than a CTE course:

- a. a master's degree or higher in the concurrent enrollment course's academic field;
- b. a master's degree or higher in any academic field and at least 18 completed credit hours of graduate course work in an academic field that is relevant to the CE course **OR**
- c. qualifying experience, as determined by the institution of higher education.

NOTE: For CE Math courses, statute states an upper-level (Level 4) mathematics endorsement issued by the Utah State Board of Education qualifies an educator.

#### Is an educator eligible to teach concurrent enrollment IF ...?

If the educator	Then
taught the same CE course during the 2018-19 or 2019-20 year and wishes to teach again	the educator is eligible to teach the same class again so long as the LEA and IHE have no concerns about quality of instruction.
taught a specific CE course during the 2018-19 or 2019-20 year and wishes to teach a different class next year	the educator eligibility must be determined by the local institution in alignment with the qualifications outlined above.
taught the same CE course during the 2018-19 or 2019-20 year and wishes to teach again, but for a different institution	the educator is eligible to teach that specific CE course at a different institution.
meets the qualifications outlined in statute to teach a specific course, but those qualifications are lower than required of faculty within the department at the IHE	the educator is eligible to teach per state law.

classroom evaluations do not meet the usual departmental standards and remediation efforts	the instructor will no longer be eligible to teach CE regardless of other criteria for eligibility. NOTE: IHEs have an obligation to provide professional development and observe CE instructors the same way they do faculty on their campuses.
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## INSTRUCTIONS

### Before you can file a CE Instructor Appeal

LEA submits a request for its local institution to evaluate LEA employee eligibility:

1. Provide information on how the employee meets a statutory requirement (e.g., industry certification, master’s degree in the discipline to be taught, or taught the class AY 2018-19 or 2019-20); OR
2. Provide evidence of qualifying experience per the institution’s requirements; AND
3. Ask if the local institution would like any additional information or would like to speak directly with the employee.
4. Finally, if the institution does not approve the employee, ask if there are any conditions such as “instructor of record” or completing professional development or taking a graduate course by which the institution would consider the employee eligible. NOTE: Institutions are encouraged to provide this information.

If, after completing the institution adjunct instructor evaluation process, the employee is not approved to teach a CE course, the LEA initiates the appeal. The appeal allows both LEA and institution to document reasons for and against approving the employee to teach CE. These arguments are advanced to the chief academic officer who will either render a decision agreeable to both parties or deliver the appeal petition to the commissioner’s staff.

### Evidence of Qualifying Experience

Statute allows for LEA employees to be eligible to teach CE courses based on qualifying experience, *as determined by the institution of higher education*. Qualifying experience may include the employee’s (a) number of years teaching in the academic field; (b) holding a higher level secondary teaching credential issued by the state board; (c) research, publications, or other scholarly work in the academic field; (d) continuing professional education in the academic field; (e) a portfolio of work related to the academic field; or (f) professional work experience or certifications in the academic field.

When asking an institution to consider qualifying experience, prove artifacts that demonstrate possible alternative qualifications to teach CE courses such as:

1. Current teaching vitae which includes:
  - a. years’ teaching experience
  - b. secondary courses taught
  - c. professional credentials such as ASE automotive certification
  - d. related professional development completed

2. College or university transcripts which show degrees earned and/or graduate credits earned.  
NOTE: Courses numbered 6000 or above are graduate credits. In certain instances, some 5000-level courses may be considered graduate credit. Check with the institution.
3. Publications educator authored or co-authored
4. State or national conference presentations made by educator
5. For certain courses, such as CE Art courses or CE CTE Construction courses, a portfolio of educator's work in the discipline (e.g., photography, ceramics, cabinetry)
6. A brief statement of life experiences that may contribute to the educator's knowledge of the subject (e.g., native speaker of a world language)

### **Common Questions**

**Q:** How long will the appeal process take?

**A:** Once an appeal is received by the commissioner's office, the commissioner's decision should be communicated within four weeks. The internal review should be complete with five business days, follow up with the institution and the LEA may take an additional five business days, and convening the review committee, writing a decision recommendation and securing the commissioner's decision may take an additional 10 business days.

**Q:** Can an institution deny an employee who holds a master's degree in the discipline under special circumstances?

**A:** No. Statute is not permissive. If an employee holds a master's degree in the discipline, whether it is earned online or earned years ago, as long as the institution is accredited, the employee is eligible.

**Q:** If the local institution denies an employee's qualifying experience, can the LEA contact another USHE institution?

**A:** Yes.

**Q:** Can a LEA approach another institution if their local institution does not approve an employee?

**A:** Yes, However, please note the statutory requirement of a master's degree or 18 graduate credits in the discipline for non-CTE courses applies to all USHE institutions. However, institutions may, for a number of reasons, have different acceptable qualifying experiences for all CE courses as well as different industry standards for CTE courses. Acceptable qualifying experience at one USHE institution is not transferrable to another institution.

**Q:** What if the instructor's master's degree was in a "related field" but not the actual field required by the IHE? (i.e., a master's degree in Teaching of the Discipline rather than in the Discipline.

**A:** If the graduate transcripts show at least 18 credit hours in the discipline itself, the instructor will have met eligibility per state law.