

[Sponsoring Institution Name]
2025-2026 Concurrent Enrollment Contract

This CONCURRENT ENROLLMENT CONTRACT (“Contract”) is entered into by and between (“Institution”), a Utah System of Higher Education (“USHE”) institution, and (“LEA”), a Utah local education agency. The Contract sets forth the rights and duties of the parties concerning the concurrent enrollment (“CE”) program.

I. DEFINITION & PURPOSE

Concurrent enrollment refers to enrollment by public school students in one or more USHE institution course(s) under a contractual agreement between an Institution and an LEA. Students continue to be enrolled in public schools, to be counted in Average Daily Membership, and to receive credit toward graduation. Students also receive college credit at the Institution for concurrent enrollment courses.

The purpose of concurrent enrollment is to provide eligible high school students the opportunity to enroll in postsecondary (“college”) courses that allow them to earn credit concurrently toward high school graduation and toward a postsecondary certificate or degree.

II. RELEVANT LAW & POLICIES

The concurrent enrollment program is governed by Utah Code section 53E Chapter 10, Part 3; Board Policy R165 (Concurrent Enrollment); and Utah State Board Rule R277-701 (Early College Programs); and related laws and policies.

III. USHE INSTITUTION PARTICIPATION

Eligible institutions within the Utah System of Higher Education may participate in the concurrent enrollment program.

- A. LEAs shall contact the USHE institution in the corresponding geographic service area that is designated by the Utah Board of Higher Education to provide a CE course. The Institution shall respond to the LEA within 30 days. The LEA may contact another USHE institution following the Right of First Refusal process to request that a different USHE institution provide CE course(s) if the Institution:
 - a. Fails to respond to the LEA’s request within 30 days after the day on which the LEA contacts the designated institution of higher education;
 - b. Chooses not to offer the CE course(s);
 - c. Reaches the Institution’s enrolled student capacity for the CE course;
 - d. Prohibits an LEA with an eligible instructor from expanding the CE course to eligible students; or
 - e. Uses instructional materials in a CE course that are sensitive materials, as defined in Utah Code section [53G-10-103](#), or that are materials otherwise prohibited by state law or state board rule for use in kindergarten through grade 12.No other criteria qualifies as grounds for pursuing Right of First Refusal as defined in Utah Administrative Code R765-165-9.
- B. Institutions may offer Interactive Video Conferencing (“IVC”), remote, or online CE course(s) to LEAs outside their geographic service area if the USHE institution in the corresponding geographic region:
 - a. Chooses not to offer the concurrent enrollment course proposed by the LEA;
 - b. Fails to respond to the LEA's request under III.A. 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 Utah Code 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 Utah Code section [53E-10-302](#), from expanding the concurrent enrollment course to eligible students.

IV. STUDENT ELIGIBILITY

CE eligibility is restricted to students until the students have been approved to participate in CE course(s). Eligibility criteria listed below may help in predicting student success in a CE course. LEA's and USHE institutions may require:

- A. Students are in grades 9, 10, 11, or 12;
- B. A grade point average, ACT score, or a placement score which predicts success, which is generally considered to be a "B" grade point average or ACT score of 22 or higher;
- C. Supportive letters of recommendation;
- D. Approval of high school and college officials;
- E. Appropriate placement assessments for courses such as mathematics and English;
- F. Completion of 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;
- G. Completion of institutionally established prerequisites for a course; or
- H. Have on file a completed plan for college and career readiness.

Home schooled students are not eligible to enroll in CE courses. These students may enroll part-time in the local high school they would attend and enroll in CE courses provided they meet the LEA rules and requirements that apply to full-time students who participate in CE. They must have a parent affidavit (see Utah Code section 53G-6-703) on file to participate in concurrent enrollment.

V. STUDENT PARTICIPATION

The following conditions apply to student participation in the CE program:

- A. Students shall complete the online USHE Concurrent Enrollment Participation Form for each USHE institution from which they intend to take CE courses.
- B. Students must abide by the Student Code of Conduct for each institution from which they take CE courses.
- C. Students will be assigned a permanent Student ID by each USHE institution from which they take CE courses.
- D. Student enrollment in CE courses will create a permanent college transcript.
- E. Students are responsible for miscellaneous fees and textbooks subject to fee waiver under Utah State Board Rule R277-407.
- F. Students must be counted in the Average Daily Membership ("ADM") of a public high school before and throughout enrollment in CE courses.
- G. Students must complete all CE courses before they receive a diploma, or before they graduate.
- H. Students may attempt up to 30 concurrent semester credit hours in one academic year.
- I. Students will be subject to additional participation requirements as set by the USHE institution they wish to attend.

VI. COURSE DELIVERY & ELIGIBILITY

The CE delivery system and curriculum program shall be designed and implemented to take full advantage of the most current available educational technology. CE course offerings must meet the following criteria:

- A. Course is typically taught in 11th or 12th grade. Courses must correspond to the first year of course work (1000 and 2000 level courses) at Institution.
 - a. Accelerated World Language Exception: USHE institutions may offer 3000 level foreign language courses to accelerated foreign language students, including dual language immersion students.
 - b. Upper-division Exception: The Utah Board of Higher Education, after consulting with the Utah State Board of Education, may annually approve additional upper division CE courses.
- B. Curriculum matches or exceeds the curriculum taught in the introductory level college course.
- C. Curriculum taught in a core credit course must align to the public education standards and objectives at 90%. Curriculum taught in an elective credit course must align to the public education standards and objectives at 80%.
- D. Institution, including the academic department, and LEA agree to offer the course.
- E. Institution's expected student learning outcomes of CE and campus offerings of the course are the same or comparable.
- F. Appropriate textbooks and instructional materials are used. NOTE: instructional materials used in a CE course are not subject to public school instructional material requirements. Additionally, CE instructional materials are not considered sensitive material under Utah Code section 53G-10-103 so long as a parent receives notice from the course provider of the material before enrollment of the parent's child.

- G. Students have appropriate access to faculty and to the equipment needed to complete the CE course.
- H. The CE course is listed on the CE Master List for this academic year. Proposed new CE courses, existing course realignments, hiatus, and retired status changes must be submitted to the Office of the Commissioner of Higher Education annually on or before **November 15th at 5 p.m.**

VII. INSTRUCTOR ELIGIBILITY & PROFESSIONAL DEVELOPMENT

Identification of qualified adjunct instructors is the joint responsibility of the LEA and the Institution. Final approval of the adjunct instructor will be determined by the appropriate department at the Institution. Public school educators who instruct CE courses as adjunct instructors must possess a current Utah teaching license and appropriate endorsements.

- A. An institution shall approve an LEA employee as an eligible instructor:
 - 1. For a career and technical education CE course, if the LEA employee has a degree, certificate, or industry certification in the CE course's academic field; or qualifying experience, as determined by the Institution;
 - 2. For a CE course other than a career and technical education course if:
 - a. The LEA employee has:
 - i. A master's degree or higher in the CE course's academic field; or
 - ii. 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
 - iii. Qualifying experience which may include:
 - i. The LEA employee's number of years teaching in the academic field;
 - ii. Holding a higher level secondary teaching credential issued by the Utah State Board of Education;
 - iii. Research, publications, or other scholarly work in the academic field;
 - iv. Continuing professional education in the academic field;
 - v. Portfolio of work related to the academic field;
 - vi. Professional work experience or certifications in the academic field;
 - vii. The number of years of teaching experience;
 - viii. Student performance on qualifying test scores or AP exams on courses that the LEA employee teaches;
 - ix. Continuing education in a master's degree or higher in any academic field; or
 - x. Other criteria established by the Institution.
 - 3. For CE mathematics courses, if the LEA employee holds an upper-level math endorsement that qualifies the educator to teach calculus, authorized by the Utah State Board of Education and appended to a license.
- B. An adjunct instructor who taught CE course(s) in 2018-19 or 2019-20 may continue to teach the same CE course(s) given curriculum standards and student performance outcomes in the course(s) meet the Institution's academic department's standards.
- C. LEAs may appeal a USHE institution's decision if the institution does not approve an LEA employee as an eligible instructor. Appeals will be made in writing and submitted to the Office of the Commissioner for Higher Education ("OCHE") via email to CEAdmin@ushe.edu within 15 calendar days of the Institution's final decision. An LEA employee who is not approved as an eligible instructor is not grounds for pursuing Right of First Refusal as defined in Utah Administrative Code R765-165-9.
- D. The Institution must supervise CE adjunct instructors and provide professional development. Faculty development required by the sponsoring academic department to adequately prepare instructors to teach CE course content must be completed prior to offering CE courses.
- E. Institution faculty shall meet the following criteria prior to teaching CE courses:
 - 1. Complete CE faculty training, including FERPA statutory requirements and human sexuality rules for secondary students, either by reviewing the USHE Concurrent Training document or receiving live instruction; and
 - 2. Institution faculty or adjunct faculty who are not public school educators and who teach CE courses in a high school shall complete a criminal background check.

VIII. FUNDING

- A. This Contract is for concurrent enrollment activities supported by the State of Utah Concurrent Appropriation.
- B. Appropriation funds will be disbursed to LEAs and USHE institutions by the Utah State Board of Education and the Utah Board of Higher Education.

IX. PARTIES' OBLIGATIONS

- A. Institution and LEA agree jointly to:
 - 1. Coordinate college admissions and CE registration.
 - 2. LEA and Institution registrars work together to ensure CE students:
 - a. Are officially registered or admitted as degree seeking, non-degree-seeking, or non-matriculated students of the Institution;
 - b. Registered within the Institution's established deadlines. The Institution is not required to grant exceptions, regardless of circumstances or misalignment with the LEA's academic schedule;
 - c. Awarded the same final course grade on both the high school and Institution transcripts;
 - d. Monitor CE course taking to ensure students do not exceed the 30 credit per year limit; and
 - e. LEA's must designate a primary point of contact at each school to facilitate clear communication with the Institutions.
 - 3. Coordinate academic advising with high school counselors and/or CE administrators to ensure students register for appropriate CE courses.
 - 4. Provide information on general education requirements at USHE institutions. Advise students how to efficiently choose CE courses to avoid duplication or excess credit hours and how course credit transfers among USHE institutions and to institutions outside the USHE.
 - 5. Provide math and English placement testing to CE students.
 - 6. Monitor student academic achievement for consideration when advising on future CE course taking.
 - 7. Collaborate to ensure a 100% systems data match of student and CE course data.
 - 8. Communicate, in a timely fashion, any staffing or administrative changes that could impact CE course offerings. When possible, note impending cancellations one year in advance on the CE Master List by November 15.
 - 9. Determine whether an eligible instructor who previously taught a CE course is no longer qualified to teach the CE course.
 - 10. Publish a schedule of USHE faculty-led CE courses by **March 30** for the following academic year.
 - 11. Submit annual contracts to OCHE via the USHE CE Director Box folder **no later than May 30 at 5 p.m.** OCHE will retain copies for seven years and will update the Utah State Board of Education on completed contracts **by June 30**.
 - 12. If, after May 30, an LEA identifies an online CE course it wishes to offer, and the contracted institution cannot provide the course due to reasons in subsection III.B., the LEA may contract with another institution offering the course online. The new contract must be fully signed and submitted to CEAdmin@ushe.edu for OCHE approval before the course can be offered.
- B. LEAs shall:
 - a. Verify students have met all eligibility requirements and CE course prerequisites before enrolling the student in a CE course.
 - b. Arrange placement testing for students if needed.
 - c. Advise students who receive poor or failing grades to reconsider other course options for subsequent enrollment.
 - d. Award the same credit hour value on the high school transcript for all students in a given CE course.
 - e. Award secondary credit for the USBE course listed on the CE Master List as an approved alignment for the CE course.
 - f. Use program funds to increase access to CE courses for students experiencing socioeconomic disadvantage, including by paying student fees related to the student's participation in a CE course, except fees for textbooks.
 - g. Manage CE adjunct instructor and facilitator issues:
 - i. Present adjunct instructor credentials to the Institution in a reasonable timeframe.
 - ii. Notify all students and parents on the first day of class, if the educator has not received adjunct instructor approval, and that there is a possibility the course will not carry CE course credit.

- iii. For technology delivered CE courses, ensure facilitators are familiar with and adhere to best practice facilitation standards.
- iv. Provide information to district personnel, students, and parents about privacy protections in the Family Educational Rights and Privacy Act (“FERPA”).
- h. Monitor CE course enrollments to help ensure quality, the commonality of instruction, and student success.

C. Institutions shall:

1. Establish and implement appropriate administrative procedures to ensure CE course content, procedures, teaching materials, examinations and assessments, and course grading rubric for CE courses taught at a high school are consistent with Utah law and of comparable rigor and quality with courses offered at the Institution.
2. Monitor CE courses taught at the high school to ensure the Institution’s standards are met.
3. Collect all CE course fees and partial tuition.
4. Provide the LEA with all deadlines that pertain to admission and registration into CE courses and with program enrollment data two weeks prior to the drop date.
5. Provide the LEA with the last day students may add and/or drop a course.
6. Provide guidelines for the transfer of CE course credit among USHE institutions.
7. Conduct student end-of-course evaluations.

X. TERM

This Contract shall be effective starting May 30, 2025 and shall remain in effect for the 2025-2026 academic year. The parties hereby execute this Contract on the dates indicated below.

for Institution

for LEA

by _____ date _____
 I understand that checking this box constitutes my legal signature.
 Title: _____
 Institution: _____

by _____ date _____
 I understand that checking this box constitutes my legal signature.
 Title: _____
 LEA: _____

by _____ date _____
 Title: _____
 Institution: _____

by _____ date _____
 Title: _____
 LEA: _____