

HIGHER EDUCATION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to the Utah system of higher education.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends the duties of the Utah Board of Higher Education (the board);
- ▶ reorganizes provisions related to technical education provided by certain degree-granting institutions;
- ▶ authorizes an institution of higher education to form a nonprofit corporation or foundation, within the institution of higher education's role and mission;
- ▶ amends provisions related to the appointment of institution of higher education presidents, including:
 - the appointment process for presidents;
 - the number of publicly announced finalists for a position as an institution of higher education president; and
 - a process for stakeholders to provide input to the board on a finalist for a position as an institution of higher education president;
- ▶ amends provisions related to the duties of institution of higher education boards of trustees;
- ▶ repeals provisions related to the Salt Lake Community College School of Applied



28 Technology;

29 ▶ transfers responsibility for Salt Lake Community College School of Applied

30 Technology to Salt Lake Community College;

31 ▶ repeals outdated provisions; and

32 ▶ makes technical and conforming changes.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 This bill provides a special effective date.

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **53B-1-112**, as last amended by Coordination Clause, Laws of Utah 2018, Chapter 315

40 **53B-1-114**, as last amended by Laws of Utah 2020, Chapter 365

41 **53B-1-402**, as renumbered and amended by Laws of Utah 2020, Chapter 365

42 **53B-1-408**, as last amended by Laws of Utah 2020, Chapter 352 and renumbered and

43 amended by Laws of Utah 2020, Chapter 365

44 **53B-2-102**, as last amended by Laws of Utah 2020, Chapter 365

45 **53B-2-103**, as last amended by Laws of Utah 2020, Chapter 365

46 **53B-2-104**, as last amended by Laws of Utah 2020, Chapters 352, 365, and 373

47 **53B-2-106**, as last amended by Laws of Utah 2020, Chapter 365

48 **53B-2a-100.5**, as last amended by Laws of Utah 2020, Chapter 365

49 **53B-2a-107**, as last amended by Laws of Utah 2020, Chapter 365

50 **53B-2a-110**, as last amended by Laws of Utah 2020, Chapter 365

51 **53B-6-105**, as last amended by Laws of Utah 2019, Chapter 444

52 **53B-7-103**, as enacted by Laws of Utah 1987, Chapter 167

53 **53B-7-105**, as enacted by Laws of Utah 2004, Chapter 116

54 **53B-8-115**, as last amended by Laws of Utah 2020, Chapter 196

55 **53B-8d-102**, as last amended by Laws of Utah 2017, Chapter 382

56 **53B-16-101**, as last amended by Laws of Utah 2020, Chapter 365

57 **53B-16-205**, as last amended by Laws of Utah 2020, Chapter 365

58 **53B-16-207**, as last amended by Laws of Utah 2019, Chapter 357

- 59 **53B-26-102**, as last amended by Laws of Utah 2019, Chapters 136 and 357
- 60 **53B-28-402**, as enacted by Laws of Utah 2020, Chapter 254
- 61 **53E-3-507**, as last amended by Laws of Utah 2020, Chapter 365
- 62 **63A-5b-102**, as enacted by Laws of Utah 2020, Chapter 152
- 63 **63A-5b-202**, as enacted by Laws of Utah 2020, Chapter 152
- 64 **63A-5b-403**, as enacted by Laws of Utah 2020, Chapter 152
- 65 **63I-2-253**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13
- 66 **63N-12-501**, as last amended by Laws of Utah 2020, Chapter 164

67 ENACTS:

- 68 **53B-2-112**, Utah Code Annotated 1953
- 69 **53B-2a-201**, Utah Code Annotated 1953
- 70 **53B-2a-202**, Utah Code Annotated 1953

71 REPEALS:

- 72 **53B-1-115**, as enacted by Laws of Utah 2018, Chapter 3
- 73 **53B-1-503**, as enacted by Laws of Utah 2020, Chapter 365
- 74 **53B-2-105**, as last amended by Laws of Utah 1991, Chapter 58
- 75 **53B-2a-103**, as last amended by Laws of Utah 2020, Chapters 352 and 373
- 76 **53B-2a-104**, as last amended by Laws of Utah 2020, Chapter 365
- 77 **53B-2a-114**, as last amended by Laws of Utah 2020, Chapter 365
- 78 **53B-16-201**, as last amended by Laws of Utah 2017, Chapter 382
- 79 **53B-16-209**, as last amended by Laws of Utah 2020, Chapter 365
- 80 **53B-16-211**, as enacted by Laws of Utah 2012, Chapter 181



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

83 Section 1. Section **53B-1-112** is amended to read:

84 **53B-1-112. Disclosure requirements for institution programs.**

85 (1) As used in this section:

86 (a) "Department" means the Department of Workforce Services.

87 ~~[(b) (i) "Institution" means:]~~

88 ~~[(A) the University of Utah;]~~

89 ~~[(B) Utah State University;]~~

90 ~~[(C) Weber State University;]~~
91 ~~[(D) Southern Utah University;]~~
92 ~~[(E) Snow College;]~~
93 ~~[(F) Dixie State University;]~~
94 ~~[(G) Utah Valley University;]~~
95 ~~[(H) Salt Lake Community College; and]~~
96 ~~[(I) except as provided in Subsection (1)(b)(iii), any other university or college~~
97 ~~established and maintained by the state.]~~

98 ~~[(ii) "Institution" includes a branch or affiliated institution and a campus or facility~~
99 ~~owned, operated, or controlled by the governing board of the university or college.]~~

100 ~~[(iii) "Institution" does not include a technical college.]~~

101 (b) "Institution" means an institution of higher education described in Section
102 [53B-1-102.](#)

103 (c) "Job placement data" means information collected by the board, and based on
104 information from the department, that reflects the job placement rate and industry employment
105 information for a student who graduates from a program.

106 (d) (i) "Program" means a program of organized instruction or study at an institution
107 that leads to:

- 108 (A) an academic degree;
- 109 (B) a professional degree;
- 110 (C) a vocational degree;
- 111 (D) a certificate of one year or greater or the direct assessment equivalent; or
- 112 (E) another recognized educational credential.

113 (ii) "Program" includes instruction or study that, in lieu of time as a measurement for
114 student learning, utilizes direct assessment of student learning, or recognizes the direct
115 assessment of student learning by others, if the assessment is consistent with the accreditation
116 of the institution or program utilizing the results of the assessment.

117 (e) "Student loan information" means the percentage of students at an institution who:

- 118 (i) received a Title IV loan authorized under:
 - 119 (A) the Federal Perkins Loan Program;
 - 120 (B) the Federal Family Education Loan Program; or

- 121 (C) the William D. Ford Direct Loan Program; and
- 122 (ii) fail to pay a loan described in Subsection (1)(e)(i)(A), (B), or (C).
- 123 (f) "Total costs" means:
- 124 (i) the estimated costs a student would incur while completing a program, including:
- 125 (A) tuition and fees; and
- 126 (B) books, supplies, and equipment; and
- 127 (ii) calculated based on a student's degree, the institution's average costs that would be
- 128 incurred while a student completes a program and are subsidized by taxpayer contribution,
- 129 including:
- 130 (A) tuition and fees; and
- 131 (B) other applicable expenses subsidized by taxpayer contribution for program
- 132 completion.
- 133 (g) "Wage data" means information collected by the board, and based on information
- 134 from the department, that reflects a student's wage the first year and fifth year after a student
- 135 has successfully completed a program.
- 136 (2) (a) Except as provided in Subsection [~~(5)~~] (4), for each program listed in an
- 137 institution's course catalog or each program otherwise offered by the institution, the institution
- 138 shall provide a conspicuous and direct link on the institution's website, subject to Subsection
- 139 (2)(b), to the following information maintained by the board in accordance with Subsection (3):
- 140 (i) job placement data;
- 141 (ii) to the extent supporting data is available, student loan information;
- 142 (iii) total costs; and
- 143 (iv) wage data.
- 144 (b) An institution shall include the information described in Subsection (2)(a) on each
- 145 institutional website that includes academic, cost, financial aid, or admissions information for a
- 146 program.
- 147 (3) The board or the board's designee shall:
- 148 (a) collect the information described in Subsection (2)(a);
- 149 (b) develop through user testing a format for the display of information described in
- 150 Subsection (2)(a) that is easily accessible and informative; and
- 151 (c) maintain the information described in Subsection (2)(a) so that it is current.

152 ~~[(4) No later than July 1, 2018:]~~

153 ~~[(a) the board shall make the information described in Subsection (2)(a) available in a~~
154 ~~format described in Subsection (3)(b); and]~~

155 ~~[(b) an institution shall include the information described in Subsection (2)(a) in~~
156 ~~accordance with Subsection (2)(b).]~~

157 [(5)] (4) An institution is not subject to Subsection (2) for a program that the institution
158 is required to report on under 34 C.F.R. Sec. 668.412.

159 [(6)] (5) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
160 Rulemaking Act, make rules for the implementation and administration of this section.

161 Section 2. Section **53B-1-114** is amended to read:

162 **53B-1-114. Coordination for education.**

163 (1) At least quarterly, in order to coordinate education services, the commissioner and
164 the state superintendent of public instruction shall convene a meeting of individuals who have
165 responsibilities related to Utah's education system, including:

- 166 (a) the state superintendent of public instruction;
- 167 (b) the commissioner;
- 168 (c) the executive director of the Department of Workforce Services described in
169 Section [35A-1-201](#);
- 170 (d) the executive director of the Governor's Office of Economic Development
171 described in Section [63N-1-202](#);
- 172 (e) the chair of the State Board of Education;
- 173 (f) the chair of the Utah Board of Higher Education;
- 174 (g) a member of the governor's staff; and
- 175 (h) the chairs of the Education Interim Committee.

176 (2) The coordinating group described in this section shall, for the State Board of
177 Education and the Utah Board of Higher Education:

- 178 (a) coordinate strategic planning efforts;
- 179 (b) ~~[encourage alignment of]~~ align strategic plans; and
- 180 (c) report on the State Board of Education's strategic plan to the Utah Board of Higher
181 Education and the Utah Board of Higher Education's strategic plan to the State Board of
182 Education.

183 (3) A meeting described in Subsection (1) is not subject to Title 52, Chapter 4, Open
184 and Public Meetings Act.

185 Section 3. Section **53B-1-402** is amended to read:

186 **53B-1-402. Establishment of board -- Powers, duties, and authority -- Reports.**

187 (1) There is established a State Board of Regents, which:

188 (a) beginning July 1, 2020, is renamed the Utah Board of Higher Education;

189 (b) is the governing board for the institutions of higher education;

190 (c) controls, manages, and supervises the Utah system of higher education; and

191 (d) is a body politic and corporate with perpetual succession and with all rights,
192 immunities, and franchises necessary to function as a body politic and corporate.

193 (2) The board shall:

194 (a) establish and promote a state-level vision and goals for higher education that
195 emphasize system priorities, including:

196 (i) quality;

197 (ii) affordability;

198 [~~(iii) educational opportunity, access, equity, and completion;~~]

199 (iii) access and equity;

200 (iv) completion;

201 [~~(iv)~~] (v) workforce alignment and preparation for high-quality jobs; and

202 [~~(v)~~] (vi) economic growth;

203 (b) establish policies and practices that advance the vision and goals;

204 (c) establish metrics to demonstrate and monitor:

205 (i) performance related to the goals; and

206 (ii) performance on measures of operational efficiency;

207 (d) collect and analyze data including economic data, demographic data, and data
208 related to the metrics;

209 (e) coordinate data collection across institutions;

210 (f) establish, approve, and oversee each institution's mission and role in accordance
211 with Section [53B-16-101](#);

212 (g) assess an institution's performance in accomplishing the institution's mission and
213 role;

- 214 (h) participate in the establishment and review of programs of instruction in accordance
215 with Section [53B-16-102](#);
- 216 (i) perform duties related to an institution of higher education president, including:
217 (i) appointing an institution of higher education president in accordance with [~~Sections~~
218 ~~53B-2-102 and 53B-2a-107~~] Section [53B-2-102](#);
- 219 (ii) providing support and guidance to an institution of higher education president;
220 [~~and~~]
- 221 (iii) evaluating an institution of higher education president based on institution
222 performance and progress toward systemwide priorities; and
- 223 (iv) setting the compensation for an institution of higher education president;
- 224 (j) create and implement a strategic finance plan for higher education, including by:
225 (i) establishing comprehensive budget and finance priorities for academic education
226 and technical education;
- 227 (ii) allocating statewide resources to institutions;
- 228 (iii) setting tuition for each institution;
- 229 (iv) administering state financial aid programs;
- 230 (v) administering performance funding in accordance with Chapter 7, Part 7,
231 Performance Funding; and
- 232 (vi) developing a strategic capital facility plan and prioritization process in accordance
233 with Chapter 22, Part 2, Capital Developments, and Sections [53B-2a-117](#) and [53B-2a-118](#);
- 234 (k) create a seamless articulated education system for Utah students that responds to
235 changing demographics and workforce, including by:
- 236 (i) providing for statewide prior learning assessment, in accordance with Section
237 [53B-16-110](#);
- 238 (ii) establishing and maintaining clear pathways for articulation and transfer, in
239 accordance with Section [53B-16-105](#);
- 240 (iii) establishing degree program requirement guidelines, including credit hour limits;
- 241 (iv) aligning general education requirements across degree-granting institutions;
- 242 (v) coordinating and incentivizing collaboration and partnerships between institutions
243 in delivering programs;
- 244 (vi) coordinating distance delivery of programs; and

- 245 (vii) coordinating work-based learning;
- 246 (l) coordinate with the public education system:
- 247 (i) regarding public education programs that provide postsecondary credit or
- 248 certificates; and
- 249 (ii) to ensure that an institution of higher education providing technical education
- 250 serves secondary students in the public education system;
- 251 (m) delegate to an institution board of trustees certain duties related to institution
- 252 governance including:
- 253 (i) guidance and support for the institution president;
- 254 (ii) effective administration;
- 255 (iii) the institution's responsibility for contributing to progress toward achieving
- 256 systemwide goals; and
- 257 (iv) other responsibilities determined by the board;
- 258 (n) delegate to an institution of higher education president management of the
- 259 institution of higher education;
- 260 (o) consult with an institution of higher education board of trustees or institution of
- 261 higher education president before acting on matters pertaining to the institution of higher
- 262 education;
- 263 [~~(o)~~] (p) maximize efficiency throughout the Utah system of higher education by
- 264 identifying and establishing shared administrative services;
- 265 [~~(p)~~] (q) develop strategies for providing higher education, including career and
- 266 technical education, in rural areas;
- 267 [~~(q)~~] (r) manage and facilitate a process for initiating, prioritizing, and implementing
- 268 education reform initiatives; and
- 269 [~~(r)~~] (s) provide ongoing quality review of institutions.
- 270 (3) The board shall submit an annual report of the board's activities and performance
- 271 against the board's goals and metrics to:
- 272 (a) the Education Interim Committee;
- 273 (b) the Higher Education Appropriations Subcommittee;
- 274 (c) the governor; and
- 275 (d) each institution of higher education.

276 (4) The board shall prepare and submit an annual report detailing the board's progress
277 and recommendations on workforce related issues, including career and technical education, to
278 the governor and to the Legislature's Education Interim Committee by October 31 of each year,
279 including information detailing:

280 (a) how the career and technical education needs of secondary students are being met
281 by institutions of higher education;

282 (b) how the emphasis on high demand, high wage, and high skill jobs in business and
283 industry is being provided;

284 (c) performance outcomes, including:

285 (i) entered employment;

286 (ii) job retention; and

287 (iii) earnings;

288 (d) an analysis of workforce needs and efforts to meet workforce needs; and

289 (e) student tuition and fees.

290 (5) The board may modify the name of an institution of higher education to reflect the
291 role and general course of study of the institution.

292 (6) The board may not ~~[conduct a feasibility study or perform another act]~~ take action
293 relating to merging a technical college with another institution of higher education without
294 legislative approval.

295 (7) This section does not affect the power and authority vested in the State Board of
296 Education to apply for, accept, and manage federal appropriations for the establishment and
297 maintenance of career and technical education.

298 (8) The board shall ensure that any training or certification that an employee of the
299 higher education system is required to complete under this title or by board rule complies with
300 Title 63G, Chapter 22, State Training and Certification Requirements.

301 Section 4. Section **53B-1-408** is amended to read:

302 **53B-1-408. Appointment of commissioner of higher education -- Qualifications --**
303 **Associate commissioners -- Duties.**

304 (1) (a) ~~[Subject to Section 53B-1-503, the]~~ The board, upon approval from the
305 governor and with the advice and consent of the Senate, shall appoint a commissioner of higher
306 education to serve at the board's pleasure as the board's chief executive officer.

- 307 (b) The commissioner may be terminated by:
- 308 (i) the board; or
- 309 (ii) the governor, after consultation with the board.
- 310 (c) The board shall:
- 311 (i) set the salary of the commissioner;
- 312 (ii) subject to Subsection (3), prescribe the duties and functions of the commissioner;
- 313 and
- 314 (iii) select a commissioner on the basis of outstanding professional qualifications.
- 315 (2) (a) The commissioner shall appoint, subject to approval by the board:
- 316 (i) an associate commissioner for academic education; and
- 317 (ii) an associate commissioner for technical education.
- 318 (b) (i) The commissioner may appoint associate commissioners in addition to the
- 319 associate commissioners described in Subsection (2)(a).
- 320 (ii) An association commissioner described in Subsection (2)(b)(i) is not subject to the
- 321 approval of the board.
- 322 (3) The commissioner is responsible to the board to:
- 323 (a) ensure that the policies, programs, and strategic plan of the board are properly
- 324 executed;
- 325 (b) furnish information about the Utah system of higher education and make
- 326 recommendations regarding that information to the board;
- 327 (c) provide state-level leadership in any activity affecting an institution of higher
- 328 education; and
- 329 (d) perform other duties assigned by the board in carrying out the board's duties and
- 330 responsibilities.
- 331 Section 5. Section **53B-2-102** is amended to read:
- 332 **53B-2-102. Appointment of institution of higher education presidents.**
- 333 (1) As used in this section:
- 334 (a) "Institution of higher education" means:
- 335 (i) a degree-granting institution[.]; or
- 336 (ii) a technical college.
- 337 (b) "President" means the president of an institution of higher education.

338 (c) "Search committee" means a committee that selects [~~finalists~~] semifinalists for a
339 position as an institution of higher education president.

340 (2) The board shall appoint a president for each institution of higher education.

341 (3) An institution of higher education president serves at the pleasure of the board.

342 (4) (a) (i) Except as provided in Subsection (4)(a)(ii), to appoint an institution of higher
343 education president, the board shall establish a search committee that includes representatives
344 of faculty, staff, students, the institution of higher education board of trustees, alumni, the
345 outgoing institution of higher education president's executive council or cabinet, and the board.

346 (ii) The board may delegate the authority to appoint the search committee described in
347 Subsection (4)(a)(i) to an institution of higher education board of trustees.

348 (iii) The commissioner shall provide staff support to a search committee.

349 (b) (i) Except as provided in Subsection (4)(b)(ii), a search committee shall be
350 cochaired by a member of the board and a member of the institution of higher education board
351 of trustees.

352 (ii) The board may delegate the authority to chair a search committee to the institution
353 of higher education board of trustees.

354 (c) A search committee described in Subsection (4)(a) shall forward to the board three
355 to five [~~finalists to the board to consider for a position as an institution of higher education~~
356 ~~president~~] semifinalists to meet with institutional representatives as determined by the board.

357 (d) A search committee may not forward an individual to the board as a [~~finalist~~]
358 semifinalist unless two-thirds of the search committee members, as verified by the
359 commissioner, find the individual to be qualified and likely to succeed as [~~an~~] president of the
360 institution of higher education [~~president~~].

361 [~~(5) (a) The board shall select an institution of higher education president from among~~
362 ~~the finalists presented by a search committee.~~]

363 (5) (a) Except as provided in Subsection (5)(b), the board shall, after considering
364 feedback from the institutional representatives described in Subsection (4)(c):

365 (i) select at least one finalist from among the semifinalists; and

366 (ii) for a finalist described in Subsection (5)(a)(i):

367 (A) publicly name the finalist; and

368 (B) provide an opportunity for the public to provide input on the finalist.

369 (b) If the board is not satisfied with the [~~finalists~~] semifinalists forwarded by a search
 370 committee, the board may direct the search committee to resume the search process until the
 371 search committee has forwarded [~~three finalists~~] at least two semifinalists with whom the board
 372 is satisfied.

373 (6) The board may, after considering the public input described in Subsection
 374 (5)(a)(ii)(B), appoint the finalist as president of an institution of higher education.

375 [~~(6)~~] (7) The board, through the commissioner, shall create a comprehensive, active
 376 recruiting plan to ensure a strong, diverse pool of potential candidates for institution of higher
 377 education presidents.

378 [~~(7)~~] (8) (a) Except as provided in Subsection [~~(7)~~] (8)(b), a record or information
 379 gathered or generated during [~~the~~] a search process described in this section, including a
 380 candidate's application and [~~the search committee's~~] all deliberations related to the search, is
 381 confidential and is a protected record under Section [63G-2-305](#).

382 (b) Application materials for a publicly named finalist described in Subsection (5)(a)
 383 are not protected records under Section [63G-2-305](#).

384 Section 6. Section **53B-2-103** is amended to read:

385 **53B-2-103. Degree-granting institution board of trustees -- Powers and duties.**

386 (1) A degree-granting institution has a board of trustees that may act on behalf of the
 387 institution in performing duties, responsibilities, and functions as may be specifically
 388 authorized to the board of trustees by the board or by statute.

389 (2) A board of trustees of a degree-granting institution has the following powers and
 390 duties:

391 (a) to facilitate communication between the institution and the community;

392 (b) to assist in planning, implementing, and executing fund raising and development
 393 projects aimed at supplementing institutional appropriations;

394 (c) to perpetuate and strengthen alumni and community identification with the
 395 degree-granting institution's tradition and goals;

396 (d) to select recipients of honorary degrees; and

397 (e) to approve changes to the degree-granting institution's programs, in accordance
 398 with Section [53B-16-102](#).

399 (3) A board of trustees of a degree-granting institution shall:

- 400 (a) approve a strategic plan for the institution of higher education that is aligned with:
 401 (i) state attainment goals;
 402 (ii) workforce needs; ~~and~~
 403 (iii) board goals and metrics described in Section 53B-1-402; and
 404 ~~[(iii)]~~ (iv) the institution of higher education's role, mission, and distinctiveness; and
 405 (b) monitor the institution of higher education's progress toward achieving the strategic
 406 plan.

407 Section 7. Section 53B-2-104 is amended to read:

408 **53B-2-104. Degree-granting institution board of trustees -- Membership -- Terms**
 409 **-- Vacancies -- Oath -- Officers -- Bylaws -- Quorum -- Committees -- Compensation.**

410 (1) As used in this section, "board of trustees" means the board of trustees for a
 411 degree-granting institution.

412 ~~[(1)]~~ (2) (a) ~~[Except as provided in Subsection (10), the]~~ The board of trustees of ~~[an~~
 413 ~~institution of higher education]~~ a degree-granting institution consists of the following:

414 (i) except as provided in Subsection ~~[(1)]~~ (2)(c), eight individuals appointed by the
 415 governor with the advice and consent of the Senate in accordance with Title 63G, Chapter 24,
 416 Part 2, Vacancies; and

417 (ii) two ex officio members who are the president of the institution's alumni
 418 association, and the president of the associated students of the institution.

419 ~~[(b) The appointed members of the boards of trustees for Utah Valley University and~~
 420 ~~Salt Lake Community College shall be representative of the interests of business, industry, and~~
 421 ~~labor.]~~

422 (b) In making the appointments described in Subsections (2)(a)(i) and (2)(c)(i), the
 423 governor:

424 (i) shall ensure that the membership of a board of trustees includes representation of
 425 interests of business, industry, and labor; and

426 (ii) may not appoint an individual to more than two consecutive full terms.

427 (c) (i) The board of trustees of Utah State University has nine individuals appointed by
 428 the governor with the advice and consent of the Senate in accordance with Title 63G, Chapter
 429 24, Part 2, Vacancies.

430 (ii) One of the nine individuals described in Subsection ~~[(1)]~~ (2)(c)(i) shall reside in the

431 Utah State University Eastern service region or the Utah State University Blanding service
432 region.

433 ~~[(2)]~~ (3) (a) The governor shall appoint four members of each board of trustees during
434 each odd-numbered year to four-year terms commencing on July 1 of the year of appointment.

435 (b) Except as provided in Subsection ~~[(2)]~~ (3)(d), a member appointed under
436 Subsection ~~[(1)]~~ (2)(a)(i) or ~~[(1)]~~ (2)(c)(i) holds office until a successor is appointed and
437 qualified.

438 (c) The ex officio members serve for the same period as they serve as presidents and
439 until their successors have qualified.

440 (d) (i) The governor may remove a member appointed under Subsection ~~[(1)]~~ (2)(a)(i)
441 or ~~[(1)]~~ (2)(c)(i) for cause.

442 (ii) The governor shall consult with the president of the Senate before removing a
443 member ~~[appointed under Subsection (1)(a)(i) or (1)(c)(i)]~~ in accordance with Subsection
444 (3)(d)(i).

445 ~~[(3)]~~ (4) When a vacancy occurs in the membership of a board of trustees for any
446 reason, ~~[the replacement shall be appointed]~~ the governor shall appoint a replacement for the
447 unexpired term.

448 ~~[(4)]~~ (5) (a) Each member of a board of trustees shall take the official oath of office
449 prior to assuming the office.

450 (b) The oath shall be filed with the Division of Archives and Records Services.

451 ~~[(5)]~~ (6) A board of trustees shall elect a chair and vice chair, who serve for two years
452 and until their successors are elected and qualified.

453 ~~[(6)]~~ (7) (a) A board of trustees may enact bylaws for the board of trustees' own
454 government, including provisions for regular meetings.

455 (b) (i) A board of trustees may provide for an executive committee in the board of
456 trustees' bylaws.

457 (ii) If established, an executive committee shall have full authority of the board of
458 trustees to act upon routine matters during the interim between board of trustees meetings.

459 (iii) An executive committee may act on nonroutine matters only under extraordinary
460 and emergency circumstances.

461 (iv) An executive committee shall report the executive committee's activities to the

462 board of trustees at the board of trustees' next regular meeting following the action.

463 (c) Copies of a board of trustees' bylaws shall be filed with the board.

464 ~~[(7)]~~ (8) A quorum is required to conduct business and consists of six members.

465 ~~[(8)]~~ (9) A board of trustees may establish advisory committees.

466 ~~[(9)]~~ (10) A member may not receive compensation or benefits for the member's
467 service, but may receive per diem and travel expenses in accordance with:

468 (a) Section 63A-3-106;

469 (b) Section 63A-3-107; and

470 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
471 63A-3-107.

472 ~~[(10) This section does not apply to a technical college board of trustees described in
473 Section 53B-2a-108.]~~

474 (11) A board of trustees member shall comply with the conflict of interest provisions
475 described in Title 63G, Chapter 24, Part 3, Conflicts of Interest.

476 Section 8. Section 53B-2-106 is amended to read:

477 **53B-2-106. Duties and responsibilities of the president of a degree-granting
478 institution of higher education -- Approval by board of trustees.**

479 (1) As used in this section, "president" means the president of a degree-granting
480 institution.

481 ~~[(1)]~~ (2) (a) ~~[Except as provided in Subsection (6), the]~~ The president of each
482 ~~[institution of higher education described in Section 53B-2-101]~~ degree-granting institution
483 may exercise grants of power and authority as delegated by the board, as well as the necessary
484 and proper exercise of powers and authority not specifically denied to the ~~[institution of higher
485 education or the institution of higher education's]~~ degree-granting institution or the
486 degree-granting institution's administration, faculty, or students by the board or by law, to
487 ensure the effective and efficient administration and operation of the ~~[institution of higher
488 education]~~ degree-granting institution consistent with the statewide ~~[master]~~ strategic plan for
489 higher education.

490 (b) ~~[The president of each institution of higher education]~~ A president may, after
491 consultation with the ~~[institution of higher education's]~~ degree-granting institution's board of
492 trustees, exercise powers relating to the ~~[institution of higher education's]~~ degree-granting

493 institution's employees, including faculty and persons under contract with the [~~institution of~~
494 ~~higher education~~] degree-granting institution, by implementing:

- 495 (i) furloughs;
- 496 (ii) reductions in force;
- 497 (iii) benefit adjustments;
- 498 (iv) program reductions or discontinuance;
- 499 (v) early retirement incentives that provide cost savings to the degree-granting

500 institution [~~of higher education~~]; or

- 501 (vi) other measures that provide cost savings to the degree-granting institution [~~of~~
502 ~~higher education~~].

503 [~~(2) Except as provided by the board, the president of each institution of higher~~
504 ~~education, with the approval of the institution of higher education's board of trustees, may:~~]

505 (3) A president may:

- 506 (a) (i) appoint a secretary, a treasurer, administrative officers, deans, faculty members,
507 and other professional personnel[;];

508 (ii) prescribe [their duties, and determine their salaries] duties for a position described
509 in Subsection (3)(a)(i);

510 [~~(i)~~] (iii) appoint support personnel[;];

511 (iv) prescribe [their duties, and] duties for support personnel;

512 (v) determine [their] salaries for support personnel from the [~~institution of higher~~
513 ~~education's~~] degree-granting institution's position classification plan, which may:

514 (A) be based upon similarity of duties and responsibilities within the institution of
515 higher education; and

516 (B) as funds permit, provide salary and benefits comparable with private enterprise;

517 [~~(iii)~~] (vi) adopt policies for:

518 (A) employee sick leave use and accrual; and

519 (B) service recognition for employees with more than 15 years of employment with the
520 [~~institution of higher education~~] degree-granting institution; and

521 [~~(iv)~~] (vii) subject to the authority of, the policy established by, and the approval of the
522 board, and recognizing the status of the institutions within the [state] Utah system of higher
523 education as bodies politic and corporate, appoint attorneys to;

524 (A) provide legal advice to the [~~institution of higher education's~~] degree-granting
525 institution's administration; and [~~to~~]

526 (B) coordinate legal affairs within the degree-granting institution [~~of higher education~~.
527 ~~The board shall coordinate activities of attorneys at the institutions of higher education. The~~
528 ~~institutions of higher education shall provide an annual report to the board on the activities of~~
529 ~~appointed attorneys. These appointed attorneys may not conduct litigation, settle claims~~
530 ~~covered by the State Risk Management Fund, or issue formal legal opinions, but shall, in all~~
531 ~~respects, cooperate with the Office of the Attorney General in providing legal representation to~~
532 ~~the institution of higher education];~~

533 (b) subject to the approval of the degree-granting institution's board of trustees, provide
534 for the constitution, government, and organization of the faculty and administration, and enact
535 implementing rules, including the establishment of a prescribed system of tenure;

536 (c) subject to the approval of the degree-granting institution's board of trustees,
537 authorize the faculty to determine the general initiation and direction of instruction and of the
538 examination, admission, and classification of students[~~. In recognition of the diverse nature~~
539 ~~and traditions of the various institutions governed by the board, the systems of faculty~~
540 ~~government need not be identical but should be designed to further faculty identification with~~
541 ~~and involvement in the institution's pursuit of achievement and excellence and in fulfillment of~~
542 ~~the institution's role as established in the statewide master plan for higher education]; and~~

543 (d) enact rules for administration and operation of the degree-granting institution
544 [~~which~~] that:

545 (i) are consistent with the [~~prescribed~~] degree-granting institution's role established by
546 the board, rules enacted by the board, or the laws of the state[~~. The rules~~]; and

547 (ii) may provide for:

548 (A) administrative, faculty, student, and joint committees with jurisdiction over
549 specified institutional matters[~~, for~~];

550 (B) student government and student affairs organization[~~, for~~];

551 (C) the establishment of institutional standards in furtherance of the ideals of higher
552 education fostered and subscribed to by the degree-granting institution [~~of higher education, the~~
553 ~~institution of higher education's~~] and the degree-granting institution's administration, faculty,
554 and students[~~, and for~~]; and

555 (D) the holding of classes on legal holidays, other than Sunday.

556 ~~[(3)]~~ (4) ~~[An institution of higher education]~~ A president shall manage the president's
557 degree-granting institution as a part of the Utah system of higher education.

558 ~~[(4)]~~ (5) (a) Compensation costs and related office expenses for ~~[appointed attorneys]~~
559 an attorney described in Subsection (3)(a)(vii) shall be funded within existing budgets.

560 (b) The board shall coordinate the activities of attorneys described in Subsection
561 (3)(a)(vii).

562 (c) An attorney described in Subsection (3)(a)(vii):

563 (i) may not:

564 (A) conduct litigation;

565 (B) settle a claim covered by the State Risk Management Fund; or

566 (C) issue a formal legal opinion; and

567 (ii) shall cooperate with the Office of the Attorney General in providing legal
568 representation to a degree-granting institution.

569 (d) A degree-granting institution shall submit an annual report to the board on the
570 activities of appointed attorneys.

571 ~~[(5)]~~ (6) The board shall establish guidelines relating to the roles and relationships
572 between ~~[institutional]~~ presidents and boards of trustees, including those matters which must be
573 approved by a board of trustees before implementation by the president.

574 ~~[(6) This section does not apply to a technical college president.]~~

575 (7) A president is subject to regular review and evaluation administered by the board,
576 in consultation with the degree-granting institution's board of trustees, through a process
577 approved by the board.

578 Section 9. Section **53B-2-112** is enacted to read:

579 **53B-2-112. Formation of non-profit corporations or foundations.**

580 (1) An institution of higher education described in Section [53B-2-101](#) may form a
581 non-profit corporation or foundation to aid or assist the institution of higher education, within
582 the institution of higher education's mission and role described in Section [53B-16-101](#), in
583 meeting the institution of higher education's charitable, scientific, literary, research,
584 educational, or other objectives.

585 (2) The board and the president of the institution of higher education control a

586 nonprofit corporation or foundation described in Subsection (1).

587 (3) A nonprofit corporation or foundation described in Subsection (1) may receive and
588 administer:

589 (a) legislative appropriations;

590 (b) government grants;

591 (c) private contracts; or

592 (d) private gifts.

593 Section 10. Section **53B-2a-100.5** is amended to read:

594 **CHAPTER 2a. TECHNICAL EDUCATION**

595 **Part 1. Technical Colleges**

596 **53B-2a-100.5. Title.**

597 This chapter is known as " Technical [~~Colleges~~] Education."

598 Section 11. Section **53B-2a-107** is amended to read:

599 **53B-2a-107. Technical college presidents.**

600 (1) [~~(a)~~] The board shall appoint a president for each technical college in accordance
601 with Section 53B-2-102.

602 [~~(b) The board shall establish a policy for appointing a technical college president~~
603 ~~that:]~~

604 [~~(i) requires the board to create, or delegate to the technical college board of trustees to~~
605 ~~create, a search committee that:]~~

606 [~~(A) includes board members and at least as many members from the technical college~~
607 ~~board of trustees as members from the board; and]~~

608 [~~(B) may include technical college faculty, students, or other individuals;]~~

609 [~~(ii) requires the search committee to seek nominations, interview candidates, and~~
610 ~~forward qualified candidates to the board for consideration;]~~

611 [~~(iii) provides for at least two members of the technical college board of trustees to~~
612 ~~participate in the board's interviews of finalists;]~~

613 [~~(iv) provides for the board to vote to appoint a technical college president in a meeting~~
614 ~~that complies with Title 52, Chapter 4, Open and Public Meetings Act; and]~~

615 [~~(v) provides for the commissioner to provide staff support for a search committee.]~~

616 [~~(c) (i) Except as provided in Subsection (1)(c)(ii), a record or information gathered or~~

617 generated during the search process for a technical college president, including a candidate's
618 application and the search committee's deliberations, is confidential and is a protected record
619 under Section ~~63G-2-305.~~]

620 [~~(ii) Application materials for a publicly named finalist are not protected records under~~
621 ~~Section 63G-2-305.~~]

622 (2) (a) A technical college president [~~shall serve as~~] is the chief executive officer of the
623 technical college.

624 (b) A technical college president:

625 (i) does not need to have a doctorate degree[~~, but~~]; and

626 (ii) shall have extensive experience in career and technical education.

627 [~~(c) A technical college president is subject to regular review and evaluation~~
628 ~~administered by the board, in consultation with the technical college board of trustees, through~~
629 ~~a process approved by the board.~~]

630 [~~(d) A technical college president serves at the pleasure of the board.~~]

631 [~~(e) The board, in consultation with a technical college board of trustees, shall set the~~
632 ~~compensation for the technical college president using market survey information.~~]

633 (3) A technical college president shall:

634 [~~(a) serve as the executive officer of the technical college board of trustees;~~]

635 (a) exercise grants of power and authority as delegated by the board, as well as the
636 necessary and proper exercise of powers and authority not specifically denied to the technical
637 college's administration, faculty, or students, by the board or by law, to ensure the effective and
638 efficient administration and operation of the technical college consistent with the statewide
639 strategic plan for higher education;

640 (b) administer the day-to-day operations of the technical college;

641 (c) consult with the technical college board of trustees;

642 (d) administer human resource policies and employee compensation plans in
643 accordance with the requirements of the board; [~~and~~]

644 (e) prepare a budget request for the technical college's annual operations to the board;

645 (f) after consulting with the board, other institutions of higher education, school
646 districts, and charter schools within the technical college's region, prepare a comprehensive
647 strategic plan for delivering technical education within the region;

648 (g) consult with business, industry, the Department of Workforce Services, the
649 Governor's Office of Economic Development, and the Governor's Office of Management and
650 Budget on an ongoing basis to determine what workers and skills are needed for employment
651 in Utah businesses and industries;

652 (h) coordinate with local school boards, school districts, and charter schools to meet
653 the technical education needs of secondary students;

654 (i) develop policies and procedures for the admission, classification, instruction, and
655 examination of students in accordance with the policies and accreditation guidelines of the
656 board and the State Board of Education; and

657 ~~[(e)]~~ (j) manage the technical college president's institution as part of the Utah system
658 of higher education.

659 Section 12. Section **53B-2a-110** is amended to read:

660 **53B-2a-110. Technical college board of trustees' powers and duties.**

661 (1) A technical college board of trustees shall:

662 (a) assist the technical college president in preparing a budget request for the technical
663 college's annual operations to the board;

664 (b) after consulting with the board, other higher education institutions, school districts,
665 and charter schools within the technical college's region, ~~[prepare]~~ assist the technical college
666 president in preparing a comprehensive strategic plan for delivering technical education within
667 the region;

668 ~~[(c) consult with business, industry, the Department of Workforce Services, the~~
669 ~~Governor's Office of Economic Development, and the Governor's Office of Management and~~
670 ~~Budget on an ongoing basis to determine what workers and skills are needed for employment~~
671 ~~in Utah businesses and industries;]~~

672 ~~[(d)]~~ (c) in accordance with Section 53B-16-102, [develop programs based upon the
673 information described in Subsection (1)(c)] approve programs, including expedited program
674 approval and termination procedures to meet market needs;

675 ~~[(e)]~~ (d) adopt an annual budget and fund balances;

676 ~~[(f) develop policies for the operation of technical education facilities under the~~
677 ~~technical college board of trustees' jurisdiction;]~~

678 ~~[(g) establish human resources and compensation policies for all employees in~~

679 ~~accordance with policies of the board;]~~

680 ~~[(h) approve credentials for employees and assign employees to duties in accordance~~
681 ~~with board policies and accreditation guidelines;]~~

682 ~~[(i) (e) conduct annual program evaluations;~~

683 ~~[(j) appoint program advisory committees and other advisory groups to provide~~
684 ~~counsel, support, and recommendations for updating and improving the effectiveness of~~
685 ~~training programs and services;]~~

686 ~~[(k) approve regulations, both regular and emergency, to be issued and executed by the~~
687 ~~technical college president;]~~

688 ~~[(l) coordinate with local school boards, school districts, and charter schools to meet~~
689 ~~the technical education needs of secondary students;]~~

690 ~~[(m) develop policies and procedures for the admission, classification, instruction, and~~
691 ~~examination of students in accordance with the policies and accreditation guidelines of the~~
692 ~~board and the State Board of Education; and]~~

693 ~~[(n) (f) (i) approve a strategic plan for the technical college that is aligned with:~~

694 (A) state attainment goals;

695 (B) workforce needs; ~~[and]~~

696 (C) the technical college's role, mission, and distinctiveness; and

697 (D) board goals and metrics described in Section [53B-1-402](#); and

698 (ii) monitor the technical college's progress toward achieving the strategic plan~~[-]; and~~

699 (g) act on behalf of the technical college in performing other duties as authorized by
700 the board or by statute.

701 ~~[(2) A policy described in Subsection (1)(g) does not apply to compensation for a~~
702 ~~technical college president.]~~

703 ~~[(3) (2) A technical college board of trustees may not exercise jurisdiction over career~~
704 ~~and technical education provided by a school district or charter school or provided by a higher~~
705 ~~education institution independently of the technical college.~~

706 ~~[(4) If a program advisory committee or other advisory group submits a printed~~
707 ~~recommendation to a technical college board of trustees, the technical college board of trustees~~
708 ~~shall acknowledge the recommendation with a printed response that explains the technical~~
709 ~~college board of trustees' action regarding the recommendation and the reasons for the action.]~~

710 Section 13. Section **53B-2a-201** is enacted to read:

711 **Part 2. Technical Education at Degree-granting Institutions**

712 **53B-2a-201. Geographic service areas for degree-granting institutions that**
713 **provide technical education.**

714 (1) A degree-granting institution of higher education provides technical education in
715 the geographic areas of the state described in this section.

716 (2) (a) The Snow College Richfield campus, described in Section [53B-16-205](#),
717 provides technical education for the geographic area encompassing:

- 718 (i) the Juab School District;
- 719 (ii) the Millard School District;
- 720 (iii) the Tintic School District;
- 721 (iv) the North Sanpete School District;
- 722 (v) the South Sanpete School District;
- 723 (vi) the Wayne School District;
- 724 (vii) the Piute School District; and
- 725 (viii) the Sevier School District.

726 (b) A Utah State University regional institution, as defined in Section [53B-16-207](#),
727 provides technical education for the geographic area encompassing:

- 728 (i) for Utah State University Eastern, described in Section [53B-18-1201](#):
729 (A) the Carbon School District; and
730 (B) the Emery School District;
- 731 (ii) for Utah State University Blanding, described in Section [53B-18-1202](#), the San
732 Juan School District; and
- 733 (iii) for Utah State University Moab, described in Section [53B-18-301](#), the Grand
734 School District.

735 (c) Salt Lake Community College provides technical education for the geographic area
736 encompassing:

- 737 (i) the Salt Lake City School District;
- 738 (ii) the Granite School District;
- 739 (iii) the Murray School District;
- 740 (iv) the Canyons School District; and

741 (v) the Jordan School District.

742 Section 14. Section **53B-2a-202** is enacted to read:

743 **53B-2a-202. Degree-granting institutions that provide technical education --**

744 **Duties -- Board evaluation.**

745 (1) A degree-granting institution described in Section [53B-2a-201](#):

746 (a) shall:

747 (i) fulfill the technical college duties described in Subsections [53B-2a-106\(1\)](#) and (2);

748 and

749 (ii) report annually to the board on:

750 (A) the status of technical education in the degree-granting institution's service area;

751 and

752 (B) student tuition and fees for the technical education programs provided by the

753 degree-granting institution; and

754 (b) may not exercise any jurisdiction over career and technical education provided by a

755 school district or charter school independently of the school district or charter school.

756 (2) The board shall monitor and evaluate the impact of degree programs on technical

757 education provided by a degree-granting institution described in Section [53B-2a-201](#).

758 Section 15. Section **53B-6-105** is amended to read:

759 **53B-6-105. Engineering and Computer Technology Initiative.**

760 ~~[(1) The Legislature recognizes that a significant increase in the number of~~

761 ~~engineering, computer science, and related technology graduates from the state system of~~

762 ~~higher education is required over the next several years to advance the intellectual, cultural,~~

763 ~~social, and economic well-being of the state and its citizens.]~~

764 [(2)] (1) (a) (i) The board shall [therefore] develop, establish, and maintain an

765 Engineering and Computer Science Initiative within the state system of higher education to

766 [double] increase the number of graduates in engineering, computer science, and related

767 technology [by 2006 and triple the number of graduates by 2009].

768 (ii) The board shall make rules in accordance with Title 63G, Chapter 3, Utah

769 Administrative Rulemaking Act, providing the criteria for those fields of study that qualify as

770 "related technology" under this section and Section [53B-6-105.9](#).

771 (b) The initiative shall include components that:

772 (i) improve the quality of instructional programs in engineering, computer science, and
773 related technology by providing supplemental money for equipment purchases; and

774 (ii) provide incentives to institutions to hire and retain faculty under Section
775 [53B-6-105.9](#).

776 ~~[(3)]~~ (2) The increase in program capacity under Subsection ~~[(2)]~~ (1)(a) shall include
777 funding for new and renovated capital facilities and funding for new engineering and computer
778 science programs.

779 ~~[(4)]~~ (3) The Legislature shall provide an annual appropriation to the board to fund the
780 initiative.

781 Section 16. Section **53B-7-103** is amended to read:

782 **53B-7-103. Board designated state educational agent for federal contracts and**
783 **aid -- Individual research grants -- Powers of institutions or foundations under**
784 **authorized programs.**

785 (1) (a) The board is the designated state educational agency authorized to negotiate and
786 contract with the federal government and to accept financial or other assistance from the
787 federal government or any of its agencies in the name of and in behalf of the state of Utah,
788 under terms and conditions as may be prescribed by congressional enactment designed to
789 further higher education.

790 (b) Nothing in this chapter alters or limits the authority of the State Building Board to
791 act as the designated state agency to administer programs ~~in~~ on behalf of and accept funds
792 from federal, state, and other sources, for capital facilities for the benefit of higher education.

793 (2) (a) Subject to policies and procedures established by the board, ~~[the institutions and~~
794 ~~their individual]~~ an institution of higher education and the institution of higher education's
795 employees may apply for and receive grants or research and development contracts within the
796 educational role of the recipient institution.

797 (b) ~~[These authorized programs]~~ A program described in Subsection (2)(a) may be
798 conducted by and through the institution, or by and through any foundation or organization
799 ~~[which]~~ that is established for the purpose of assisting the institution in the accomplishment of
800 ~~[its]~~ the institution's purposes.

801 (3) An institution or ~~[its]~~ the institution's foundation or organization engaged in a
802 program authorized by the board may do the following:

803 (a) enter into contracts with federal, state, or local governments or their subsidiary
804 agencies or departments, with private organizations, companies, firms, or industries, or with
805 individuals for conducting the authorized programs;

806 (b) subject to the approval of the controlling state agency, conduct authorized programs
807 within any of the penal, corrective, or custodial institutions of this state and engage the
808 voluntary participation of inmates in those programs;

809 (c) accept contributions, grants, or gifts from, and enter into contracts and cooperative
810 agreements with, any private organization, company, firm, industry, or individual, or any
811 governmental agency or department, for support of authorized programs within the educational
812 role of the recipient institution, and may agree to provide matching funds with respect to those
813 programs from resources available to ~~[it]~~ the institution; and

814 (d) retain, accumulate, invest, commit, and expend the funds and proceeds from
815 programs funded under Subsection (3)(c), including the acquisition of real and personal
816 property reasonably required for their accomplishment~~[- No]~~, except that no portion of the
817 funds and proceeds may be diverted from or used for purposes other than those authorized or
818 undertaken under Subsection (3)(c), or ~~shall~~ may ever become a charge upon or obligation of
819 the state of Utah or the general funds appropriated for the normal operations of the institution
820 unless otherwise permitted by law.

821 (4) (a) ~~[A]~~ Except as provided in Subsection (4)(b), all contracts and research or
822 development grants or contracts requiring the use or commitment of facilities, equipment, or
823 personnel under the control of an institution of higher education are subject to the approval of
824 the board.

825 (b) (i) The board may delegate the approval of a contract or grant described in
826 Subsection (4)(a) to an institution of higher education board of trustees.

827 (ii) If the board makes a delegation described in Subsection (4)(b)(i), the board of
828 trustees shall annually report to the board on all approved contracts or grants.

829 Section 17. Section **53B-7-105** is amended to read:

830 **53B-7-105. Higher education cost disclosure.**

831 (1) Each institution within the ~~[state]~~ Utah system of higher education shall, at the time
832 of registration, plainly disclose to all of ~~[its]~~ the institution's undergraduate resident students
833 the following amounts, in dollar figures for a full-time equivalent student:

- 834 (a) the full cost of instruction;
- 835 (b) the amount collected from student tuition and fees; and
- 836 (c) the difference between the amounts described under Subsections (1)(a) and (b).
- 837 (2) The disclosure under Subsection (1)(c) shall also clearly indicate that this balance
- 838 was paid by state tax dollars and other money.

839 Section 18. Section **53B-8-115** is amended to read:

840 **53B-8-115. Career and technical education scholarships.**

841 (1) As used in this section:

842 (a) "Eligible institution" means~~[:]~~ a degree-granting institution that provides technical

843 education described in Section [53B-2a-201](#).

844 [~~(i) Salt Lake Community College's School of Applied Technology established in~~

845 ~~Section [53B-16-209](#);~~]

846 [~~(ii) Snow College;~~]

847 [~~(iii) Utah State University Eastern established in Section [53B-18-1201](#);~~]

848 [~~(iv) Utah State University Blanding established in Section [53B-18-1202](#); or]~~

849 [~~(v) the Utah State University regional campus located at or near Moab described in~~

850 ~~Section [53B-18-301](#);~~]

851 (b) "High demand program" means a noncredit career and technical education program

852 that:

853 (i) is offered by an eligible institution;

854 (ii) leads to a certificate; and

855 (iii) is designated by the board in accordance with Subsection (6).

856 (c) "Scholarship" means a career and technical education scholarship described in this

857 section.

858 (2) Subject to future budget constraints, the Legislature shall annually appropriate

859 money to the board to be distributed to eligible institutions to award career and technical

860 education scholarships.

861 (3) In accordance with the rules described in Subsection (5), an eligible institution may

862 award a scholarship to an individual who:

863 (a) is enrolled in, or intends to enroll in, a high demand program; and

864 (b) demonstrates, in accordance with rules described in Subsection (5)(b), the

865 completion of a Free Application for Federal Student Aid.

866 (4) (a) An eligible institution may award a scholarship for an amount of money up to
867 the total cost of tuition, fees, and required textbooks for the high demand program in which the
868 scholarship recipient is enrolled or intends to enroll.

869 (b) An eligible institution may award a scholarship to a scholarship recipient for up to
870 two academic years.

871 (c) An eligible institution may cancel a scholarship if the scholarship recipient does
872 not:

873 (i) maintain enrollment in the eligible institution on at least a half time basis, as
874 determined by the eligible institution; or

875 (ii) make satisfactory progress toward the completion of a certificate.

876 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
877 board shall make rules:

878 (a) that establish:

879 (i) how state funding available for scholarships is divided among eligible institutions;

880 (ii) requirements related to an eligible institution's administration of a scholarship;

881 (iii) requirements related to eligibility for a scholarship, including requiring eligible
882 institutions to prioritize scholarships for underserved populations;

883 (iv) a process for an individual to apply to an eligible institution to receive a
884 scholarship; and

885 (v) how to determine satisfactory progress described in Subsection (4)(c)(ii); and

886 (b) regarding the completion of the Free Application for Federal Student Aid described
887 in Subsection (3)(b), including:

888 (i) provisions for students or parents to opt out of the requirement due to:

889 (A) financial ineligibility for any potential grant or other financial aid;

890 (B) personal privacy concerns; or

891 (C) other reasons the board specifies; and

892 (ii) direction for applicants to financial aid advisors.

893 (6) Every other year, after consulting with the Department of Workforce Services, the
894 board shall designate, as a high demand program, a noncredit career and technical education
895 program that prepares an individual to work in a job that has, in Utah:

- 896 (a) high employer demand and high median hourly wages; or
- 897 (b) significant industry importance.

898 Section 19. Section **53B-8d-102** is amended to read:

899 **53B-8d-102. Definitions.**

900 As used in this chapter:

901 (1) "Division" means the Division of Child and Family Services.

902 (2) "Long-term foster care" means an individual who remains in the custody of the
903 division, whether or not the individual resides:

- 904 (a) with licensed foster parents; or
- 905 (b) in independent living arrangements under the supervision of the division.

906 (3) "State institution of higher education" means~~[-(a)]~~ an institution [~~designated~~
907 described in Section **53B-1-102**~~[-or]~~].

908 [~~(b) a public institution that offers postsecondary education in consideration of the~~
909 ~~payment of tuition or fees for the attainment of educational or vocational objectives leading to~~
910 ~~a degree or certificate, including:~~]

- 911 [(i) ~~a business school;~~]
- 912 [(ii) ~~a technical school;~~]
- 913 [(iii) ~~a trade school; or~~]
- 914 [(iv) ~~an institution offering related apprenticeship programs.~~]

915 (4) "Tuition" means tuition at the rate for residents of the state.

916 (5) "Ward of the state" means an individual:

- 917 (a) who is:
 - 918 (i) at least 17 years [~~of age~~] old; and
 - 919 (ii) not older than 26 years [~~of age~~] old;
- 920 (b) who had a permanency goal in the individual's child and family plan, as described
921 in Sections **62A-4a-205** and **78A-6-314**, of long-term foster care while in the custody of the
922 division; and

923 (c) for whom the custody of the division was not terminated as a result of adoption.

924 Section 20. Section **53B-16-101** is amended to read:

925 **53B-16-101. Establishment of institutional roles and general courses of study.**

926 (1) Except as institutional roles are specifically assigned by the Legislature, the board:

927 (a) shall establish and define the roles of the various institutions of higher education;
 928 and

929 (b) shall, within each institution of higher education's primary role, prescribe the
 930 general course of study to be offered at the institution of higher education, including for:

931 (i) research universities, which provide undergraduate, graduate, and research programs
 932 and include:

933 (A) the University of Utah; and

934 (B) Utah State University;

935 (ii) regional universities, which provide career and technical education, undergraduate
 936 associate and baccalaureate programs, and select master's degree programs to fill regional
 937 demands and include:

938 (A) Weber State University;

939 (B) Southern Utah University;

940 (C) Dixie State University; and

941 (D) Utah Valley University;

942 (iii) comprehensive community colleges, which provide associate programs and
 943 include:

944 (A) Salt Lake Community College; and

945 (B) Snow College; and

946 (iv) technical colleges and degree-granting institutions that provide technical
 947 education, and include:

948 (A) each technical college; and

949 ~~[(B) Salt Lake Community College's School of Applied Technology's technical
 950 education role described in Section 53B-16-209;]~~

951 ~~[(C) each Utah State University regional institution's technical education role described
 952 in Section 53B-16-207; and]~~

953 ~~[(D) Snow College's technical education role described in Section 53B-16-205.]~~

954 (B) the degree-granting institutions described in Section 53B-2a-201.

955 (2) (a) Except for the University of Utah, and subject to Subsection (2)(b), each
 956 institution of higher education described in Subsections (1)(b)(i) through (iii) has career and
 957 technical education included in the institution of higher education's primary role.

958 (b) The board shall determine the extent to which an institution described in
959 Subsection (2)(a) provides career and technical education within the institution's primary role.

960 (3) The board shall further clarify each institution of higher education's primary role by
961 clarifying:

962 (a) the level of program that the institution of higher education generally offers;

963 (b) broad fields that are within the institution of higher education's mission; and

964 (c) any special characteristics of the institution of higher education, such as being a
965 land grant university.

966 ~~[(4) On or before November 1, 2020, the board shall report to the Higher Education
967 Strategic Planning Commission on the board's activities related to defining and clarifying each
968 institution's role.]~~

969 Section 21. Section **53B-16-205** is amended to read:

970 **53B-16-205. Establishment of Snow College Richfield campus.**

971 (1) There is established a branch campus of Snow College in Richfield, Utah,
972 ~~[hereafter referred to]~~ known as the Snow College Richfield campus.

973 (2) Snow College shall administer the branch campus under the general control and
974 supervision of the board as an integrated part of Snow College's mission, programs, and
975 curriculum.

976 (3) Snow College shall:

977 (a) maintain a strong curriculum in career and technical education courses at the Snow
978 College Richfield campus and within the region served by Snow College which can be
979 transferred to other institutions within the higher education system, together with lower
980 division courses and courses required for associate degrees in science, arts, applied science, and
981 career and technical education; and

982 (b) work with school districts and charter schools in developing an aggressive
983 concurrent enrollment program in cooperation with Snow College Richfield campus~~[-and].~~

984 ~~[(c) provide, through the Snow College Richfield Campus, for open-entry, open-exit
985 competency-based career and technical education programs, at a low cost tuition rate for adults
986 and at no tuition cost to secondary students, that emphasize short-term job training or retraining
987 for immediate placement in the job market and serve the geographic area encompassing:]~~

988 ~~[(i) the Juab School District;]~~

989 ~~[(ii) the Millard School District;]~~

990 ~~[(iii) the Tintic School District;]~~

991 ~~[(iv) the North Sanpete School District;]~~

992 ~~[(v) the South Sanpete School District;]~~

993 ~~[(vi) the Wayne School District;]~~

994 ~~[(vii) the Piute School District; and]~~

995 ~~[(viii) the Sevier School District.]~~

996 ~~[(4) Snow College may not exercise any jurisdiction over career and technical~~

997 ~~education provided by a school district or charter school independently of Snow College.]~~

998 ~~[(5) Snow College shall report to the board annually on:]~~

999 ~~[(a) the status of and maintenance of the effort for career and technical education in the~~
1000 ~~region served by Snow College, including access to open-entry, open-exit competency-based~~

1001 ~~career and technical education programs; and]~~

1002 ~~[(b) student tuition and fees.]~~

1003 ~~[(6) Legislative appropriations to Snow College's career and technical education shall~~
1004 ~~be made as line items that are separate from other appropriations for Snow College.]~~

1005 Section 22. Section **53B-16-207** is amended to read:

1006 **53B-16-207. Utah State University regional institutions -- Career and technical**
1007 **education.**

1008 (1) As used in this section:

1009 (a) "Utah State University regional institution" or "USU regional institution" means:

1010 (i) Utah State University Eastern;

1011 (ii) Utah State University Blanding; or

1012 (iii) Utah State University Moab.

1013 (b) "Utah State University Moab" means the Utah State University regional campus
1014 located at or near Moab described in Section [53B-18-301](#).

1015 (2) A USU regional institution shall:

1016 (a) maintain a strong curriculum in career and technical education courses at the USU
1017 regional institution's campus and within the region the USU regional institution serves that can
1018 be transferred to other institutions within the higher education system, together with lower
1019 division courses and courses required for associate degrees in science, arts, applied science, and

1020 career and technical education; and

1021 (b) work with school districts and charter schools in developing an aggressive

1022 concurrent enrollment program[~~; and~~].

1023 [~~(c) provide for open-entry, open-exit competency-based career and technical education~~

1024 ~~programs, at a low cost tuition rate for adults and at no tuition cost to secondary students, that~~

1025 ~~emphasize short-term job training or retraining for immediate placement in the job market and~~

1026 ~~serve the geographic area encompassing.]~~

1027 [~~(i) for Utah State University Eastern, the Carbon School District and the Emery~~

1028 ~~School District;]~~

1029 [~~(ii) for Utah State University Blanding, the San Juan School District, and]~~

1030 [~~(iii) for Utah State University Moab, the Grand School District.]~~

1031 [~~(3) A USU regional institution may not exercise any jurisdiction over career and~~

1032 ~~technical education provided by a school district or charter school independently of the USU~~

1033 ~~regional institution.]~~

1034 [~~(4) A USU regional institution shall report to the board annually on:]~~

1035 [~~(a) the status of and maintenance of the effort for career and technical education in the~~

1036 ~~region served by the USU regional institution, including access to open-entry, open-exit~~

1037 ~~competency-based career and technical education programs; and]~~

1038 [~~(b) student tuition and fees.]~~

1039 [~~(5) Legislative appropriations to Utah State University career and technical education~~

1040 ~~described in this section shall be made as line items that are separate from other appropriations~~

1041 ~~for Utah State University.]~~

1042 Section 23. Section **53B-26-102** is amended to read:

1043 **53B-26-102. Definitions.**

1044 As used in this part:

1045 (1) "CTE" means career and technical education.

1046 (2) "CTE region" means an economic service area created in Section [35A-2-101](#).

1047 (3) "Eligible partnership" means:

1048 (a) a regional partnership; or

1049 (b) a statewide partnership.

1050 (4) "Employer" means a private employer, public employer, industry association, the

1051 military, or a union.

1052 (5) "Industry advisory group" means:

1053 (a) a group of at least five employers that represent the workforce needs to which a
1054 proposal submitted under Section [53B-26-103](#) responds; and

1055 (b) a representative of the Governor's Office of Economic Development, appointed by
1056 the executive director of the Governor's Office of Economic Development.

1057 [~~(6) "Institution of higher education" means the University of Utah, Utah State
1058 University, Southern Utah University, Weber State University, Snow College, Dixie State
1059 University, Utah Valley University, or Salt Lake Community College.~~]

1060 [~~(7)~~] (6) "Regional partnership" means a partnership that:

1061 (a) provides educational services within one CTE region; and

1062 (b) is between at least two of the following located in the CTE region:

1063 (i) a technical college;

1064 (ii) a school district or charter school; or

1065 [~~(iii) an institution of higher education.~~]

1066 (iii) a degree-granting institution.

1067 [~~(8)~~] (7) "Stackable sequence of credentials" means a sequence of credentials that:

1068 (a) an individual can build upon to access an advanced job or higher wage;

1069 (b) is part of a career pathway system;

1070 (c) provides a pathway culminating in the equivalent of an associate's or bachelor's
1071 degree;

1072 (d) facilitates multiple exit and entry points; and

1073 (e) recognizes sub-goals or momentum points.

1074 [~~(9)~~] (8) "Statewide partnership" means a partnership between at least two regional
1075 partnerships.

1076 [~~(10)~~] (9) "Technical college" means:

1077 (a) a college described in Section [53B-2a-105](#); or

1078 (b) a degree-granting institution that provides technical education described in Section
1079 [53B-2a-201](#).

1080 [~~(b) the School of Applied Technology at Salt Lake Community College established
1081 under Section [53B-16-209](#);~~]

1082 [~~(c) Utah State University Eastern established under Section 53B-18-1201;~~]
1083 [~~(d) Utah State University Blanding established under Section 53B-18-1202; or~~]
1084 [~~(e) the Snow College Richfield campus established under Section 53B-16-205.~~]

1085 Section 24. Section **53B-28-402** is amended to read:

1086 **53B-28-402. Campus safety study -- Report to Legislature.**

1087 (1) As used in this section:

1088 (a) "Campus law enforcement" means a unit of an institution that provides public
1089 safety services.

1090 (b) (i) "Institution" means an institution of higher education described in Section
1091 [53B-2-101](#).

1092 (ii) "Institution" includes an institution's campus law enforcement.

1093 (c) "Local district" means the same as that term is defined in Section [17B-1-102](#).

1094 (d) "Local law enforcement" means a state or local law enforcement agency other than
1095 campus law enforcement.

1096 (e) "Public safety services" means police services, security services, dispatch services,
1097 emergency services, or other similar services.

1098 (f) "Sexual violence" means the same as that term is defined in Section [53B-28-301](#).

1099 (g) "Special service district" means the same as that term is defined in Section
1100 [17D-1-102](#).

1101 (h) "Student" means the same as that term is defined in Section [53B-28-301](#).

1102 (i) "Student organization" means the same as that term is defined in Section
1103 [53B-28-401](#).

1104 (2) The board shall:

1105 (a) study issues related to providing public safety services on institution campuses,
1106 including:

1107 (i) policies and practices for hiring, supervision, and firing of campus law enforcement
1108 officers;

1109 (ii) training of campus law enforcement in responding to incidents of sexual violence
1110 or other crimes reported by or involving a student, including training related to lethality or
1111 similar assessments;

1112 (iii) how campus law enforcement and local law enforcement respond to reports of

1113 incidents of sexual violence or other crimes reported by or involving a student, including
1114 supportive measures for victims and disciplinary actions for perpetrators;

1115 (iv) training provided to faculty, staff, students, and student organizations on campus
1116 safety and prevention of sexual violence;

1117 (v) roles, responsibilities, jurisdiction, and authority of local law enforcement and
1118 campus law enforcement, including authority based on:

1119 (A) the type of public safety services provided; or
1120 (B) geographic boundaries;

1121 (vi) how an institution and local law enforcement coordinate to respond to on-campus
1122 and off-campus incidents requiring public safety services, including:

1123 (A) legal requirements or restrictions affecting coordination;
1124 (B) agreements, practices, or procedures governing coordination between an institution
1125 and local law enforcement, including mutual support, sharing information, or dispatch
1126 management;

1127 (C) any issues that may affect the timeliness of a response to an on-campus or
1128 off-campus incident reported by or involving a student;

1129 (vii) infrastructure, staffing, and equipment considerations that impact the effectiveness
1130 of campus law enforcement or local law enforcement responses to an on-campus or off-campus
1131 incident reported by or involving a student;

1132 (viii) the benefits and disadvantages of an institution employing campus law
1133 enforcement compared to local law enforcement providing public safety services on an
1134 institution campus;

1135 (ix) an institution's compliance with federal and state crime statistic reporting
1136 requirements;

1137 (x) how an institution informs faculty, staff, and students about a crime or emergency
1138 on campus;

1139 (xi) national best practices for providing public safety services on institution campuses,
1140 including differences in best practices based on the size, infrastructure, location, and other
1141 relevant characteristics of a college or university; and

1142 (xii) any other issue the board determines is relevant to the study;

1143 (b) make recommendations for providing public safety services on institution campuses

1144 statewide;

1145 (c) produce a final report of the study described in this section, including the
1146 recommendations described in Subsection (2)(b); and

1147 (d) in accordance with Section [68-3-14](#), present the final report described in Subsection
1148 (2)(c) to the Education Interim Committee and the Law Enforcement and Criminal Justice
1149 Interim Committee at or before the committees' November 2021 meetings.

1150 (3) In carrying out the board's duties under this section, the board may coordinate with
1151 individuals and organizations with knowledge, expertise, or experience related to the board's
1152 duties under this section, including:

1153 [~~(a)~~] ~~the Utah System of Technical Colleges Board of Trustees;~~

1154 [~~(b)~~] (a) the Utah Department of Health;

1155 [~~(c)~~] (b) the Utah Office for Victims of Crime;

1156 [~~(d)~~] (c) the Utah Council on Victims of Crime;

1157 [~~(e)~~] (d) institutions;

1158 [~~(f)~~] (e) local law enforcement;

1159 [~~(g)~~] (f) local districts or special service districts that provide 911 and emergency
1160 dispatch service; and

1161 [~~(h)~~] (g) community and other non-governmental organizations.

1162 Section 25. Section **53E-3-507** is amended to read:

1163 **53E-3-507. Powers of the state board.**

1164 The state board:

1165 (1) shall establish minimum standards for career and technical education programs in
1166 the public education system;

1167 (2) may apply for, receive, administer, and distribute funds made available through
1168 programs of federal and state governments to promote and aid career and technical education;

1169 (3) shall cooperate with federal and state governments to administer programs that
1170 promote and maintain career and technical education;

1171 (4) shall cooperate with the Utah Board of Higher Education, technical colleges, [~~Salt~~
1172 ~~Lake Community College's School of Applied Technology, Snow College, Utah State~~
1173 ~~University Eastern, and Utah State University Blanding]~~ and degree-granting institutions that
1174 provide technical education described Section [53B-2a-201](#) to ensure that students in the public

1175 education system have access to career and technical education at technical colleges[, Salt Lake
1176 Community College's School of Applied Technology, Snow College, Utah State University
1177 Eastern, and Utah State University Blanding] and degree-granting institutions that provide
1178 technical education described in Section 53B-2a-201;

1179 (5) shall require that before a minor student may participate in clinical experiences as
1180 part of a health care occupation program at a high school or other institution to which the
1181 student has been referred, the student's parent has:

1182 (a) been first given written notice through appropriate disclosure when registering and
1183 prior to participation that the program contains a clinical experience segment in which the
1184 student will observe and perform specific health care procedures that may include personal
1185 care, patient bathing, and bathroom assistance; and

1186 (b) provided specific written consent for the student's participation in the program and
1187 clinical experience; and

1188 (6) shall, after consulting with school districts, charter schools, the Utah Board of
1189 Higher Education, technical colleges, [~~Salt Lake Community College's School of Applied~~
1190 ~~Technology, Snow College, Utah State University Eastern, and Utah State University~~
1191 ~~Blanding~~] and degree-granting institutions that provide technical education described in
1192 Section 53B-2a-201, prepare and submit an annual report in accordance with Section
1193 53E-1-203 detailing:

1194 (a) how the career and technical education needs of secondary students are being met;
1195 and

1196 (b) the access secondary students have to programs offered:

1197 (i) at technical colleges; and

1198 (ii) within the regions served by [~~Salt Lake Community College's School of Applied~~
1199 ~~Technology, Snow College, Utah State University Eastern, and Utah State University~~
1200 ~~Blanding~~] degree-granting institutions that provide technical education described in Section
1201 53B-2a-201.

1202 Section 26. Section **63A-5b-102** is amended to read:

1203 **63A-5b-102. Definitions.**

1204 As used in this chapter:

1205 (1) "Board" means the state building board created in Section 63A-5b-201.

- 1206 (2) "Capitol hill facilities" means the same as that term is defined in Section
1207 [63C-9-102](#).
- 1208 (3) "Capitol hill grounds" means the same as that term is defined in Section [63C-9-102](#).
- 1209 (4) "Compliance agency" means the same as that term is defined in Section [15A-1-202](#).
- 1210 (5) "Director" means the division director, appointed under Section [63A-5b-302](#).
- 1211 (6) "Division" means the Division of Facilities Construction and Management created
1212 in Section [63A-5b-301](#).
- 1213 (7) "Institution of higher education" means an institution listed in Subsection
1214 [53B-2-101](#)(1).
- 1215 (8) "Trust lands administration" means the School and Institutional Trust Lands
1216 Administration established in Section [53C-1-201](#).
- 1217 (9) "Utah Board of Higher Education" means the Utah Board of Higher Education
1218 established in Section [53B-1-402](#).
- 1219 [~~(10) "UTech board" means the UTech Board of Trustees created in Section~~
1220 ~~[53B-2a-103](#).~~]
- 1221 Section 27. Section **63A-5b-202** is amended to read:
- 1222 **63A-5b-202. State Building Board powers and duties.**
- 1223 (1) The board may, in accordance with Title 63G, Chapter 3, Utah Administrative
1224 Rulemaking Act, make rules that are necessary to discharge the board's duties.
- 1225 (2) The board shall:
- 1226 (a) review and approve agency master plans of structures built or contemplated;
- 1227 (b) submit capital development recommendations and priorities to the Legislature as
1228 set forth in Section [63A-5b-402](#);
- 1229 (c) submit recommendations for dedicated projects and prioritize nondedicated projects
1230 as provided in Section [63A-5b-403](#);
- 1231 (d) make a finding that the requirements of Section [53B-2a-112](#) are met before the
1232 board may consider a funding request [~~from the UTech board pertaining to new capital~~
1233 ~~facilities and land purchases~~] described in Section [53B-2a-117](#); and
- 1234 (e) fulfill the board's responsibilities under:
- 1235 (i) Section [63A-5b-802](#), relating to the approval of leases with terms of more than 10
1236 years;

- 1237 (ii) Section [63A-5b-907](#), relating to vacant division-owned property; and
- 1238 (iii) Section [63A-5b-1003](#), relating to the approval of loans from the state facility
- 1239 energy efficiency fund.
- 1240 (3) The board may:
- 1241 (a) authorize capital development projects without Legislative approval only as
- 1242 authorized in Section [63A-5b-404](#); and
- 1243 (b) make rules relating to the categorical delegation of projects as provided in
- 1244 Subsection [63A-5b-604](#)(4).
- 1245 Section 28. Section **63A-5b-403** is amended to read:
- 1246 **63A-5b-403. Institutions of higher education -- Capital development projects --**
- 1247 **Dedicated and nondedicated projects -- Recommendations and prioritization.**
- 1248 (1) As used in this section:
- 1249 (a) "Dedicated project" has the same meaning as that term is defined in:
- 1250 (i) Section [53B-2a-101](#), for a capital development project under [~~Title 53B, Chapter 2a,~~
- 1251 ~~Technical Colleges~~] Title 53B, Chapter 2a, Technical Education; or
- 1252 (ii) Section [53B-22-201](#), for a capital development project under Title 53B, Chapter 22,
- 1253 Higher Education Capital Projects.
- 1254 (b) "Nondedicated project" has the same meaning as that term is defined in:
- 1255 (i) Section [53B-2a-101](#), for a capital development project under [~~Title 53B, Chapter 2a,~~
- 1256 ~~Technical Colleges~~] Title 53B, Chapter 2a, Technical Education; or
- 1257 (ii) Section [53B-22-201](#), for a capital development project under Title 53B, Chapter 22,
- 1258 Higher Education Capital Projects.
- 1259 (2) (a) The board shall submit recommendations to the Legislature in accordance with:
- 1260 (i) Section [53B-2a-117](#), for a dedicated project under [~~Title 53B, Chapter 2a, Technical~~
- 1261 ~~Colleges~~] Title 53B, Chapter 2a, Technical Education; or
- 1262 (ii) Section [53B-22-204](#), for a dedicated project under Title 53B, Chapter 22, Higher
- 1263 Education Capital Projects.
- 1264 (b) A dedicated project is not subject to prioritization by the board.
- 1265 (3) (a) The board shall prioritize nondedicated projects in accordance with:
- 1266 (i) Section [63A-5b-402](#); and
- 1267 (ii) (A) Section [53B-2a-117](#), for a nondedicated project under [~~Title 53B, Chapter 2a,~~

1268 ~~Technical Colleges]~~ Title 53B, Chapter 2a, Technical Education; or

1269 (B) Section 53B-22-204, for a nondedicated project under Title 53B, Chapter 22,
1270 Higher Education Capital Projects.

1271 (b) In the board's scoring process for prioritizing nondedicated projects, the board shall
1272 give more weight to a request that is designated as a higher priority by the [~~UTech board or~~]
1273 Utah Board of Higher Education than a request that is designated as a lower priority by the
1274 [~~UTech board or~~] Utah Board of Higher Education only for determining the order of
1275 prioritization among requests submitted by the [~~UTech board or~~] Utah Board of Higher
1276 Education[~~, respectively~~].

1277 (4) The board shall require that an institution of higher education that submits a request
1278 for a capital development project address whether and how, as a result of the project, the
1279 institution of higher education will:

1280 (a) offer courses or other resources that will help meet demand for jobs, training, and
1281 employment in the current market and the projected market for the next five years;

1282 (b) respond to individual skilled and technical job demand over the next three, five,
1283 and 10 years;

1284 (c) respond to industry demands for trained workers;

1285 (d) help meet commitments made by the Governor's Office of Economic Development,
1286 including relating to training and incentives;

1287 (e) respond to changing needs in the economy; and

1288 (f) respond to demands for online or in-class instruction, based on demographics.

1289 (5) The division shall:

1290 (a) (i) assist institutions of higher education in providing the information required by
1291 Subsection (3); and

1292 (ii) verify the completion and accuracy of the information submitted by an institution
1293 of higher education under Subsection (3);

1294 (b) assist the [~~UTech board~~] Utah Board of Higher Education to fulfill the requirements
1295 of Section 53B-2a-112 in connection with the finding that the [~~board~~] technical college is
1296 required to make under Subsection 53B-2a-112(5)(b); and

1297 (c) assist the [~~Board of Regents~~] Utah Board of Higher Education in submitting a list of
1298 dedicated projects to the board for approval and nondedicated projects to the board for

1299 recommendation and prioritization pursuant to Section [53B-22-204](#).

1300 Section 29. Section [63I-2-253](#) is amended to read:

1301 **[63I-2-253](#). Repeal dates -- Titles 53 through 53G.**

1302 (1) (a) Section [53-2a-217](#), regarding procurement during an epidemic or pandemic
1303 emergency, is repealed on December 31, 2021.

1304 (b) When repealing Section [53-2a-217](#), the Office of Legislative Research and General
1305 Counsel shall, in addition to the office's authority under Subsection [36-12-12\(3\)](#), make
1306 necessary changes to subsection numbering and cross references.

1307 [~~(2)~~] Section [53B-2a-103](#) is repealed July 1, 2021.]

1308 [~~(3)~~] Section [53B-2a-104](#) is repealed July 1, 2021.]

1309 [~~(4)~~] (2) (a) Subsection [53B-2a-108\(5\)](#), regarding exceptions to the composition of a
1310 technical college board of trustees, is repealed July 1, 2022.

1311 (b) When repealing Subsection [53B-2a-108\(5\)](#), the Office of Legislative Research and
1312 General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make
1313 necessary changes to subsection numbering and cross references.

1314 [~~(5)~~] (3) Section [53B-6-105.7](#) is repealed July 1, 2024.

1315 [~~(6)~~] (4) (a) Subsection [53B-7-705\(6\)\(b\)\(ii\)\(A\)](#), the language that states "Except as
1316 provided in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

1317 (b) Subsection [53B-7-705\(6\)\(b\)\(ii\)\(B\)](#), regarding comparing a technical college's
1318 change in performance with the technical college's average performance, is repealed July 1,
1319 2021.

1320 [~~(7)~~] (5) (a) Subsection [53B-7-707\(3\)\(a\)\(ii\)](#), the language that states "Except as
1321 provided in Subsection (3)(b)," is repealed July 1, 2021.

1322 (b) Subsection [53B-7-707\(3\)\(b\)](#), regarding performance data of a technical college
1323 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

1324 [~~(8)~~] (6) Section [53B-8-114](#) is repealed July 1, 2024.

1325 [~~(9)~~] (7) (a) The following sections, regarding the Regents' scholarship program, are
1326 repealed on July 1, 2023:

1327 (i) Section [53B-8-202](#);

1328 (ii) Section [53B-8-203](#);

1329 (iii) Section [53B-8-204](#); and

- 1330 (iv) Section [53B-8-205](#).
- 1331 (b) (i) Subsection [53B-8-201](#)(2), regarding the Regents' scholarship program for
1332 students who graduate from high school before fiscal year 2019, is repealed on July 1, 2023.
- 1333 (ii) When repealing Subsection [53B-8-201](#)(2), the Office of Legislative Research and
1334 General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make
1335 necessary changes to subsection numbering and cross references.
- 1336 ~~[(10)]~~ (8) Section [53B-10-101](#) is repealed on July 1, 2027.
- 1337 ~~[(11)]~~ (9) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
1338 repealed July 1, 2023.
- 1339 ~~[(12)]~~ ~~Section [53E-3-519](#) regarding school counselor services is repealed July 1, 2020.]~~
- 1340 ~~[(13)]~~ (10) Section [53E-3-520](#) is repealed July 1, 2021.
- 1341 ~~[(14)]~~ ~~Subsection [53E-5-306](#)(3)(b)(ii)(B), related to improving school performance and
1342 continued funding relating to the School Recognition and Reward Program, is repealed July 1,
1343 2020.]~~
- 1344 ~~[(15)]~~ ~~Section [53E-5-307](#) is repealed July 1, 2020.]~~
- 1345 ~~[(16)]~~ (11) Subsection [53E-10-309](#)(7), related to the PRIME pilot program, is repealed
1346 July 1, 2024.
- 1347 ~~[(17)]~~ (12) In Subsections [53F-2-205](#)(4) and (5), regarding the State Board of
1348 Education's duties if contributions from the minimum basic tax rate are overestimated or
1349 underestimated, the language that states "or [53F-2-301.5](#), as applicable" is repealed July 1,
1350 2023.
- 1351 ~~[(18)]~~ (13) Subsection [53F-2-301](#)(1), relating to the years the section is not in effect, is
1352 repealed July 1, 2023.
- 1353 ~~[(19)]~~ (14) In Subsection [53F-2-515](#)(1), the language that states "or [53F-2-301.5](#), as
1354 applicable" is repealed July 1, 2023.
- 1355 ~~[(20)]~~ (15) Section [53F-4-207](#) is repealed July 1, 2022.
- 1356 ~~[(21)]~~ (16) In Subsection [53F-9-302](#)(3), the language that states "or [53F-2-301.5](#), as
1357 applicable" is repealed July 1, 2023.
- 1358 ~~[(22)]~~ (17) In Subsection [53F-9-305](#)(3)(a), the language that states "or [53F-2-301.5](#), as
1359 applicable" is repealed July 1, 2023.
- 1360 ~~[(23)]~~ (18) In Subsection [53F-9-306](#)(3)(a), the language that states "or [53F-2-301.5](#), as

1361 applicable" is repealed July 1, 2023.

1362 ~~[(24)]~~ (19) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
1363 as applicable" is repealed July 1, 2023.

1364 ~~[(25)]~~ (20) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204(7),
1365 related to the civics engagement pilot program, are repealed on July 1, 2023.

1366 ~~[(26)]~~ (21) On July 1, 2023, when making changes in this section, the Office of
1367 Legislative Research and General Counsel shall, in addition to the office's authority under
1368 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
1369 identified in this section are complete sentences and accurately reflect the office's perception of
1370 the Legislature's intent.

1371 Section 30. Section 63N-12-501 is amended to read:

1372 **63N-12-501. Definitions.**

1373 As used in this part:

1374 (1) "Apprenticeship program" means a program that combines paid on-the-job learning
1375 with formal classroom instruction to prepare students for careers and that includes:

1376 (a) structured on-the-job learning for students under the supervision of a skilled
1377 employee;

1378 (b) classroom instruction for students related to the on-the-job learning;

1379 (c) ongoing student assessments using established competency and skills standards;
1380 and

1381 (d) the student receiving an industry-recognized credential or degree upon completion
1382 of the program.

1383 (2) "Career and technical education region" means an economic service area created in
1384 Section 35A-2-101.

1385 (3) "Center" means the Talent Ready Utah Center created in Section 63N-12-502.

1386 (4) "High quality professional learning" means the professional learning standards for
1387 teachers and principals described in Section 53G-11-303.

1388 (5) "Institution of higher education" means the University of Utah, Utah State
1389 University, Southern Utah University, Weber State University, Snow College, Dixie State
1390 University, Utah Valley University, or Salt Lake Community College.

1391 (6) "Local education agency" means a school district, a charter school, or the Utah

1392 Schools for the Deaf and the Blind.

1393 (7) "Master plan" means the computer science education master plan described in
1394 Section [63N-12-505](#).

1395 (8) "Participating employer" means an employer that:

1396 (a) partners with an educational institution on a curriculum for an apprenticeship
1397 program or work-based learning program; and

1398 (b) provides an apprenticeship or work-based learning program for students.

1399 (9) "Stackable credentials" means a sequence of credentials that:

1400 (a) can be accumulated over time to build up an individual's qualifications for a better
1401 job or higher wage;

1402 (b) are part of a career pathway system; and

1403 (c) provide the option of culminating in an associate or bachelor's degree.

1404 (10) "State board" means the State Board of Education.

1405 (11) "Talent ready board" means the Talent Ready Utah Board created in Section
1406 [63N-12-503](#).

1407 (12) "Technical college" means:

1408 (a) a technical college described in Section [53B-2a-105](#); and

1409 (b) a degree-granting institution that provides technical education described in Section
1410 [53B-2a-201](#).

1411 [~~(b) the School of Applied Technology at Salt Lake Community College established in~~
1412 ~~Section [53B-16-209](#);~~]

1413 [~~(c) Utah State University Eastern established in Section [53B-18-1201](#);~~]

1414 [~~(d) Utah State University Blanding established in Section [53B-18-1202](#); or~~]

1415 [~~(e) the Snow College Richfield campus established in Section [53B-16-205](#);~~]

1416 (13) (a) "Work-based learning program" means a program that combines structured and
1417 supervised learning activities with authentic work experiences and that is implemented through
1418 industry and education partnerships.

1419 (b) "Work-based learning program" includes the following objectives:

1420 (i) providing students an applied workplace experience using knowledge and skills
1421 attained in a program of study that includes an internship, externship, or work experience;

1422 (ii) providing an educational institution with objective input from a participating

1423 employer regarding the education requirements of the current workforce; and
1424 (iii) providing funding for programs that are associated with high-wage, in-demand, or
1425 emerging occupations.

1426 (14) "Workforce programs" means education or industry programs that facilitate
1427 training the state's workforce to meet industry demand.

1428 Section 31. **Repealer.**

1429 This bill repeals:

1430 Section **53B-1-115, Purchases of educational technology.**

1431 Section **53B-1-503, Commissioner beginning July 1, 2020.**

1432 Section **53B-2-105, Consultation with boards of trustees.**

1433 Section **53B-2a-103, UTech Board of Trustees -- Membership -- Terms --**

1434 **Vacancies -- Oath -- Officers -- Quorum -- Committees -- Compensation.**

1435 Section **53B-2a-104, Utah System of Technical Colleges Board of Trustees powers**
1436 **and duties.**

1437 Section **53B-2a-114, Educational program on the use of information technology.**

1438 Section **53B-16-201, Degrees and certificates that may be conferred.**

1439 Section **53B-16-209, Salt Lake Community College -- School of Applied**
1440 **Technology -- Career and technical education -- Supervision and administration --**
1441 **Institutional mission.**

1442 Section **53B-16-211, Salt Lake Community College -- Educational program on the**
1443 **use of information technology.**

1444 Section 32. **Effective date.**

1445 (1) Except as provided in Subsection (2), this bill takes effect May 5, 2021.

1446 (2) If approved by two-thirds of all the members elected to each house, Section
1447 53B-2-102 takes effect upon approval by the governor, or the day following the constitutional
1448 time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in
1449 the case of a veto, the date of veto override.