

HIGHER EDUCATION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Ann Millner

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 duties of institution of higher education boards of trustees;
- ▶ repeals provisions related to the Salt Lake Community College School of Applied Technology;
- ▶ transfers responsibility for Salt Lake Community College School of Applied Technology to Salt Lake Community College;
- ▶ repeals outdated provisions; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

30 This bill provides coordination clauses.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **53B-1-112**, as last amended by Coordination Clause, Laws of Utah 2018, Chapter 315

34 **53B-1-114**, as last amended by Laws of Utah 2020, Chapter 365

35 **53B-1-402**, as renumbered and amended by Laws of Utah 2020, Chapter 365

36 **53B-1-408**, as last amended by Laws of Utah 2020, Chapter 352 and renumbered and

37 amended by Laws of Utah 2020, Chapter 365

38 **53B-2-102**, as last amended by Laws of Utah 2020, Chapter 365

39 **53B-2-103**, as last amended by Laws of Utah 2020, Chapter 365

40 **53B-2-104**, as last amended by Laws of Utah 2020, Chapters 352, 365, and 373

41 **53B-2-106**, as last amended by Laws of Utah 2020, Chapter 365

42 **53B-2a-100.5**, as last amended by Laws of Utah 2020, Chapter 365

43 **53B-2a-107**, as last amended by Laws of Utah 2020, Chapter 365

44 **53B-2a-110**, as last amended by Laws of Utah 2020, Chapter 365

45 **53B-6-105**, as last amended by Laws of Utah 2019, Chapter 444

46 **53B-7-103**, as enacted by Laws of Utah 1987, Chapter 167

47 **53B-7-105**, as enacted by Laws of Utah 2004, Chapter 116

48 **53B-8-115**, as last amended by Laws of Utah 2020, Chapter 196

49 **53B-8d-102**, as last amended by Laws of Utah 2017, Chapter 382

50 **53B-16-101**, as last amended by Laws of Utah 2020, Chapter 365

51 **53B-16-205**, as last amended by Laws of Utah 2020, Chapter 365

52 **53B-16-207**, as last amended by Laws of Utah 2019, Chapter 357

53 **53B-26-102**, as last amended by Laws of Utah 2019, Chapters 136 and 357

54 **53B-28-402**, as enacted by Laws of Utah 2020, Chapter 254

55 **53E-3-507**, as last amended by Laws of Utah 2020, Chapter 365

56 **63A-5b-102**, as enacted by Laws of Utah 2020, Chapter 152

57 **63A-5b-202**, as enacted by Laws of Utah 2020, Chapter 152

58 **63A-5b-403**, as enacted by Laws of Utah 2020, Chapter 152
 59 **63I-2-253**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13
 60 **63N-12-501**, as last amended by Laws of Utah 2020, Chapter 164

61 ENACTS:

62 **53B-2-112**, Utah Code Annotated 1953
 63 **53B-2a-201**, Utah Code Annotated 1953
 64 **53B-2a-202**, Utah Code Annotated 1953

65 REPEALS:

66 **53B-1-115**, as enacted by Laws of Utah 2018, Chapter 3
 67 **53B-1-503**, as enacted by Laws of Utah 2020, Chapter 365
 68 **53B-2-105**, as last amended by Laws of Utah 1991, Chapter 58
 69 **53B-2a-103**, as last amended by Laws of Utah 2020, Chapters 352 and 373
 70 **53B-2a-104**, as last amended by Laws of Utah 2020, Chapter 365
 71 **53B-2a-114**, as last amended by Laws of Utah 2020, Chapter 365
 72 **53B-16-201**, as last amended by Laws of Utah 2017, Chapter 382
 73 **53B-16-209**, as last amended by Laws of Utah 2020, Chapter 365
 74 **53B-16-211**, as enacted by Laws of Utah 2012, Chapter 181

75 **Utah Code Sections Affected by Coordination Clause:**

76 **53B-7-702**, as last amended by Laws of Utah 2020, Chapter 365
 77 **53B-8-115**, as last amended by Laws of Utah 2020, Chapter 196
 78 **53B-26-102**, as last amended by Laws of Utah 2019, Chapters 136 and 357
 79 **63N-1b-101**, Utah Code Annotated 1953

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

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

83 **53B-1-112. Disclosure requirements for institution programs.**

84 (1) As used in this section:

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

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

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

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

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

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

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

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

112 (ii) "Program" includes instruction or study that, in lieu of time as a measurement for
113 student learning, utilizes direct assessment of student learning, or recognizes the direct

114 assessment of student learning by others, if the assessment is consistent with the accreditation
115 of the institution or program utilizing the results of the assessment.

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

117 (i) received a Title IV loan authorized under:

118 (A) the Federal Perkins Loan Program;

119 (B) the Federal Family Education Loan Program; or

120 (C) the William D. Ford Direct Loan Program; and

121 (ii) fail to pay a loan described in Subsection (1)(e)(i)(A), (B), or (C).

122 (f) "Total costs" means:

123 (i) the estimated costs a student would incur while completing a program, including:

124 (A) tuition and fees; and

125 (B) books, supplies, and equipment; and

126 (ii) calculated based on a student's degree, the institution's average costs that would be
127 incurred while a student completes a program and are subsidized by taxpayer contribution,
128 including:

129 (A) tuition and fees; and

130 (B) other applicable expenses subsidized by taxpayer contribution for program
131 completion.

132 (g) "Wage data" means information collected by the board, and based on information
133 from the department, that reflects a student's wage the first year and fifth year after a student
134 has successfully completed a program.

135 (2) (a) Except as provided in Subsection [~~(5)~~] (4), for each program listed in an
136 institution's course catalog or each program otherwise offered by the institution, the institution
137 shall provide a conspicuous and direct link on the institution's website, subject to Subsection
138 (2)(b), to the following information maintained by the board in accordance with Subsection (3):

139 (i) job placement data;

140 (ii) to the extent supporting data is available, student loan information;

141 (iii) total costs; and

142 (iv) wage data.

143 (b) An institution shall include the information described in Subsection (2)(a) on each
144 institutional website that includes academic, cost, financial aid, or admissions information for a
145 program.

146 (3) The board or the board's designee shall:

147 (a) collect the information described in Subsection (2)(a);

148 (b) develop through user testing a format for the display of information described in
149 Subsection (2)(a) that is easily accessible and informative; and

150 (c) maintain the information described in Subsection (2)(a) so that it is current.

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

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

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

156 [(5)] (4) An institution is not subject to Subsection (2) for a program that the institution
157 is required to report on under 34 C.F.R. Sec. 668.412.

158 [(6)] (5) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
159 Rulemaking Act, make rules for the implementation and administration of this section.

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

161 **53B-1-114. Coordination for education.**

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

165 (a) the state superintendent of public instruction;

166 (b) the commissioner;

167 (c) the executive director of the Department of Workforce Services described in
168 Section [35A-1-201](#);

169 (d) the executive director of the Governor's Office of Economic Development

170 described in Section [63N-1-202](#);

171 (e) the chair of the State Board of Education;

172 (f) the chair of the Utah Board of Higher Education;

173 (g) a member of the governor's staff; and

174 (h) the chairs of the Education Interim Committee.

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

177 (a) coordinate strategic planning efforts;

178 (b) [~~encourage alignment of~~] align strategic plans; and

179 (c) report on the State Board of Education's strategic plan to the Utah Board of Higher
180 Education and the Utah Board of Higher Education's strategic plan to the State Board of
181 Education.

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

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

185 **53B-1-402. Establishment of board -- Powers, duties, and authority -- Reports.**

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

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

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

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

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

192 (2) The board shall:

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

195 (i) quality;

196 (ii) affordability;

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

- 198 (iii) access and equity;
- 199 (iv) completion;
- 200 [~~(iv)~~] (v) workforce alignment and preparation for high-quality jobs; and
- 201 [~~(v)~~] (vi) economic growth;
- 202 (b) establish policies and practices that advance the vision and goals;
- 203 (c) establish metrics to demonstrate and monitor:
- 204 (i) performance related to the goals; and
- 205 (ii) performance on measures of operational efficiency;
- 206 (d) collect and analyze data including economic data, demographic data, and data
- 207 related to the metrics;
- 208 (e) coordinate data collection across institutions;
- 209 (f) establish, approve, and oversee each institution's mission and role in accordance
- 210 with Section [53B-16-101](#);
- 211 (g) assess an institution's performance in accomplishing the institution's mission and
- 212 role;
- 213 (h) participate in the establishment and review of programs of instruction in accordance
- 214 with Section [53B-16-102](#);
- 215 (i) perform duties related to an institution of higher education president, including:
- 216 (i) appointing an institution of higher education president in accordance with [~~Sections~~
- 217 ~~[53B-2-102](#) and [53B-2a-107](#)~~] [Section 53B-2-102](#);
- 218 (ii) providing support and guidance to an institution of higher education president;
- 219 [~~and~~]
- 220 (iii) evaluating an institution of higher education president based on institution
- 221 performance and progress toward systemwide priorities; and
- 222 (iv) setting the compensation for an institution of higher education president;
- 223 (j) create and implement a strategic finance plan for higher education, including by:
- 224 (i) establishing comprehensive budget and finance priorities for academic education
- 225 and technical education;

- 226 (ii) allocating statewide resources to institutions;
- 227 (iii) setting tuition for each institution;
- 228 (iv) administering state financial aid programs;
- 229 (v) administering performance funding in accordance with Chapter 7, Part 7,
- 230 Performance Funding; and
- 231 (vi) developing a strategic capital facility plan and prioritization process in accordance
- 232 with Chapter 22, Part 2, Capital Developments, and Sections [53B-2a-117](#) and [53B-2a-118](#);
- 233 (k) create a seamless articulated education system for Utah students that responds to
- 234 changing demographics and workforce, including by:
 - 235 (i) providing for statewide prior learning assessment, in accordance with Section
 - 236 [53B-16-110](#);
 - 237 (ii) establishing and maintaining clear pathways for articulation and transfer, in
 - 238 accordance with Section [53B-16-105](#);
 - 239 (iii) establishing degree program requirement guidelines, including credit hour limits;
 - 240 (iv) aligning general education requirements across degree-granting institutions;
 - 241 (v) coordinating and incentivizing collaboration and partnerships between institutions
 - 242 in delivering programs;
 - 243 (vi) coordinating distance delivery of programs; and
 - 244 (vii) coordinating work-based learning;
- 245 (l) coordinate with the public education system:
 - 246 (i) regarding public education programs that provide postsecondary credit or
 - 247 certificates; and
 - 248 (ii) to ensure that an institution of higher education providing technical education
 - 249 serves secondary students in the public education system;
- 250 (m) delegate to an institution board of trustees certain duties related to institution
- 251 governance including:
 - 252 (i) guidance and support for the institution president;
 - 253 (ii) effective administration;

254 (iii) the institution's responsibility for contributing to progress toward achieving
255 systemwide goals; and

256 (iv) other responsibilities determined by the board;

257 (n) delegate to an institution of higher education president management of the
258 institution of higher education;

259 (o) consult with an institution of higher education board of trustees or institution of
260 higher education president before acting on matters pertaining to the institution of higher
261 education;

262 [~~(o)~~] (p) maximize efficiency throughout the Utah system of higher education by
263 identifying and establishing shared administrative services;

264 [~~(p)~~] (q) develop strategies for providing higher education, including career and
265 technical education, in rural areas;

266 [~~(q)~~] (r) manage and facilitate a process for initiating, prioritizing, and implementing
267 education reform initiatives; and

268 [~~(r)~~] (s) provide ongoing quality review of institutions.

269 (3) The board shall submit an annual report of the board's activities and performance
270 against the board's goals and metrics to:

271 (a) the Education Interim Committee;

272 (b) the Higher Education Appropriations Subcommittee;

273 (c) the governor; and

274 (d) each institution of higher education.

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

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

281 (b) how the emphasis on high demand, high wage, and high skill jobs in business and

282 industry is being provided;

283 (c) performance outcomes, including:

284 (i) entered employment;

285 (ii) job retention; and

286 (iii) earnings;

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

288 (e) student tuition and fees.

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

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

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

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

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

301 **53B-1-408. Appointment of commissioner of higher education -- Qualifications --**
302 **Associate commissioners -- Duties.**

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

306 (b) The commissioner may be terminated by:

307 (i) the board; or

308 (ii) the governor, after consultation with the board.

309 (c) The board shall:

- 310 (i) set the salary of the commissioner;
- 311 (ii) subject to Subsection (3), prescribe the duties and functions of the commissioner;
- 312 and
- 313 (iii) select a commissioner on the basis of outstanding professional qualifications.

314 (2) (a) The commissioner shall appoint, subject to approval by the board:

- 315 (i) an associate commissioner for academic education; and
- 316 (ii) an associate commissioner for technical education.

317 (b) (i) The commissioner may appoint associate commissioners in addition to the
318 associate commissioners described in Subsection (2)(a).

319 (ii) An association commissioner described in Subsection (2)(b)(i) is not subject to the
320 approval of the board.

321 (3) The commissioner is responsible to the board to:

322 (a) ensure that the policies, programs, and strategic plan of the board are properly
323 executed;

324 (b) furnish information about the Utah system of higher education and make
325 recommendations regarding that information to the board;

326 (c) provide state-level leadership in any activity affecting an institution of higher
327 education; and

328 (d) perform other duties assigned by the board in carrying out the board's duties and
329 responsibilities.

330 Section 5. Section **53B-2-102** is amended to read:

331 **53B-2-102. Appointment of institution of higher education presidents.**

332 (1) As used in this section:

333 (a) "Institution of higher education" means:

334 (i) a degree-granting institution[-]; or

335 (ii) a technical college.

336 (b) "President" means the president of an institution of higher education.

337 (c) "Search committee" means a committee that selects finalists for a position as an

338 institution of higher education president.

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

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

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

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

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

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

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

353 (c) A search committee described in Subsection (4)(a) shall forward three to five
354 finalists to the board to consider for a position as an institution of higher education president .

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

358 (5) (a) The board shall select an institution of higher education president from among
359 the finalists presented by a search committee.

360 (b) If the board is not satisfied with the finalists forwarded by a search committee, the
361 board may direct the search committee to resume the search process until the search committee
362 has forwarded three finalists with whom the board is satisfied.

363 (6) The board, through the commissioner, shall create a comprehensive, active
364 recruiting plan to ensure a strong, diverse pool of potential candidates for institution of higher
365 education presidents.

366 (7) (a) Except as provided in Subsection (7)(b), a record or information gathered or
367 generated during the search process, including a candidate's application and the search
368 committee's deliberations, is confidential and is a protected record under Section [63G-2-305](#).

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

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

372 **53B-2-103. Degree-granting institution board of trustees -- Powers and duties.**

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

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

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

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

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

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

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

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

387 (a) approve a strategic plan for the institution of higher education that is aligned with:

388 (i) state attainment goals;

389 (ii) workforce needs; ~~and~~

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

391 ~~[(iii)]~~ (iv) the institution of higher education's role, mission, and distinctiveness; and

392 (b) monitor the institution of higher education's progress toward achieving the strategic
393 plan.

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

395 **53B-2-104. Degree-granting institution board of trustees -- Membership -- Terms**
396 **-- Vacancies -- Oath -- Officers -- Bylaws -- Quorum -- Committees -- Compensation.**

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

399 ~~[(1)]~~ (2) (a) ~~[Except as provided in Subsection (10), the]~~ The board of trustees of ~~[an~~
400 ~~institution of higher education]~~ a degree-granting institution consists of the following:

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

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

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

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

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

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

414 (c) (i) The board of trustees of Utah State University has nine individuals appointed by
415 the governor with the advice and consent of the Senate in accordance with Title 63G, Chapter
416 24, Part 2, Vacancies.

417 (ii) One of the nine individuals described in Subsection ~~[(1)]~~ (2)(c)(i) shall reside in the
418 Utah State University Eastern service region or the Utah State University Blanding service
419 region.

420 ~~[(2)]~~ (3) (a) The governor shall appoint four members of each board of trustees during
421 each odd-numbered year to four-year terms commencing on July 1 of the year of appointment.

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

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

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

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

432 [~~(3)~~] (4) When a vacancy occurs in the membership of a board of trustees for any
433 reason, [~~the replacement shall be appointed~~] the governor shall appoint a replacement for the
434 unexpired term.

435 [~~(4)~~] (5) (a) Each member of a board of trustees shall take the official oath of office
436 prior to assuming the office.

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

438 [~~(5)~~] (6) A board of trustees shall elect a chair and vice chair, who serve for two years
439 and until their successors are elected and qualified.

440 [~~(6)~~] (7) (a) A board of trustees may enact bylaws for the board of trustees' own
441 government, including provisions for regular meetings.

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

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

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

448 (iv) An executive committee shall report the executive committee's activities to the
449 board of trustees at the board of trustees' next regular meeting following the action.

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

451 ~~[(7)]~~ (8) A quorum is required to conduct business and consists of six members.

452 ~~[(8)]~~ (9) A board of trustees may establish advisory committees.

453 ~~[(9)]~~ (10) A member may not receive compensation or benefits for the member's
454 service, but may receive per diem and travel expenses in accordance with:

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

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

457 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
458 63A-3-107.

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

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

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

464 **53B-2-106. Duties and responsibilities of the president of a degree-granting
465 institution of higher education -- Approval by board of trustees.**

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

468 ~~[(1)]~~ (2) (a) ~~[Except as provided in Subsection (6), the]~~ The president of each
469 ~~[institution of higher education described in Section 53B-2-101]~~ degree-granting institution
470 may exercise grants of power and authority as delegated by the board, as well as the necessary
471 and proper exercise of powers and authority not specifically denied to the ~~[institution of higher
472 education or the institution of higher education's]~~ degree-granting institution or the
473 degree-granting institution's administration, faculty, or students by the board or by law, to
474 ensure the effective and efficient administration and operation of the ~~[institution of higher
475 education]~~ degree-granting institution consistent with the statewide ~~[master]~~ strategic plan for
476 higher education.

477 (b) ~~[The president of each institution of higher education]~~ A president may, after

478 consultation with the [~~institution of higher education's~~] degree-granting institution's board of
 479 trustees, exercise powers relating to the [~~institution of higher education's~~] degree-granting
 480 institution's employees, including faculty and persons under contract with the [~~institution of~~
 481 ~~higher education~~] degree-granting institution, by implementing:

- 482 (i) furloughs;
- 483 (ii) reductions in force;
- 484 (iii) benefit adjustments;
- 485 (iv) program reductions or discontinuance;
- 486 (v) early retirement incentives that provide cost savings to the degree-granting
 487 institution [~~of higher education~~]; or
- 488 (vi) other measures that provide cost savings to the degree-granting institution [~~of~~
 489 ~~higher education~~].

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

492 (3) A president may:

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

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

497 [~~(ii)~~] (iii) appoint support personnel[;];

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

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

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

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

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

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

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

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

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

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

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

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

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

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

534 (ii) may provide for:

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

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

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

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

543 ~~[(3)]~~ (4) ~~[An institution of higher education]~~ A president shall manage the president's
544 degree-granting institution as a part of the Utah system of higher education.

545 ~~[(4)]~~ (5) (a) Compensation costs and related office expenses for ~~[appointed attorneys]~~
546 an attorney described in Subsection (3)(a)(vii) shall be funded within existing budgets.

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

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

550 (i) may not:

551 (A) conduct litigation;

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

553 (C) issue a formal legal opinion; and

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

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

558 ~~[(5)]~~ (6) The board shall establish guidelines relating to the roles and relationships
559 between ~~[institutional]~~ presidents and boards of trustees, including those matters which must be
560 approved by a board of trustees before implementation by the president.

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

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

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

566 **53B-2-112. Formation of non-profit corporations or foundations.**

567 (1) An institution of higher education described in Section 53B-2-101 may form a
568 non-profit corporation or foundation to aid or assist the institution of higher education, within
569 the institution of higher education's mission and role described in Section 53B-16-101, in
570 meeting the institution of higher education's charitable, scientific, literary, research,
571 educational, or other objectives.

572 (2) The board and the president of the institution of higher education control a
573 nonprofit corporation or foundation described in Subsection (1).

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

576 (a) legislative appropriations;

577 (b) government grants;

578 (c) private contracts; or

579 (d) private gifts.

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

581 **CHAPTER 2a. TECHNICAL EDUCATION**

582 **Part 1. Technical Colleges**

583 **53B-2a-100.5. Title.**

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

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

586 **53B-2a-107. Technical college presidents.**

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

589 [~~(b)~~] ~~The board shall establish a policy for appointing a technical college president~~

590 that:]

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

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

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

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

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

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

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

603 [(c) (i) Except as provided in Subsection (1)(c)(ii), a record or information gathered or
604 generated during the search process for a technical college president, including a candidate's
605 application and the search committee's deliberations, is confidential and is a protected record
606 under Section [63G-2-305](#).]

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

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

611 (b) A technical college president:

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

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

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

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

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

620 (3) A technical college president shall:

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

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

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

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

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

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

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

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

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

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

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

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

647 **53B-2a-110. Technical college board of trustees' powers and duties.**

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

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

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

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

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

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

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

665 ~~[(g) establish human resources and compensation policies for all employees in~~
666 ~~accordance with policies of the board;]~~

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

669 ~~[(i)]~~ (e) conduct annual program evaluations;

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

673 ~~[(k) approve regulations, both regular and emergency, to be issued and executed by the~~

674 technical college president;]

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

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

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

681 (A) state attainment goals;

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

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

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

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

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

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

690 ~~[(3)]~~ (2) A technical college board of trustees may not exercise jurisdiction over career
691 and technical education provided by a school district or charter school or provided by a higher
692 education institution independently of the technical college.

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

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

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

699 **53B-2a-201. Geographic service areas for degree-granting institutions that**
700 **provide technical education.**

701 (1) A degree-granting institution of higher education provides technical education in

702 the geographic areas of the state described in this section.

703 (2) (a) The Snow College Richfield campus, described in Section [53B-16-205](#),

704 provides technical education for the geographic area encompassing:

705 (i) the Juab School District;

706 (ii) the Millard School District;

707 (iii) the Tintic School District;

708 (iv) the North Sanpete School District;

709 (v) the South Sanpete School District;

710 (vi) the Wayne School District;

711 (vii) the Piute School District; and

712 (viii) the Sevier School District.

713 (b) A Utah State University regional institution, as defined in Section [53B-16-207](#),

714 provides technical education for the geographic area encompassing:

715 (i) for Utah State University Eastern, described in Section [53B-18-1201](#):

716 (A) the Carbon School District; and

717 (B) the Emery School District;

718 (ii) for Utah State University Blanding, described in Section [53B-18-1202](#), the San

719 Juan School District; and

720 (iii) for Utah State University Moab, described in Section [53B-18-301](#), the Grand

721 School District.

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

724 (i) the Salt Lake City School District;

725 (ii) the Granite School District;

726 (iii) the Murray School District;

727 (iv) the Canyons School District; and

728 (v) the Jordan School District.

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

730 **53B-2a-202. Degree-granting institutions that provide technical education --**

731 **Duties -- Board evaluation.**

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

733 (a) shall:

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

735 and

736 (ii) report annually to the board on:

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

738 and

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

740 degree-granting institution; and

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

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

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

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

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

746 **53B-6-105. Engineering and Computer Technology Initiative.**

747 ~~[(1) The Legislature recognizes that a significant increase in the number of~~
748 ~~engineering, computer science, and related technology graduates from the state system of~~
749 ~~higher education is required over the next several years to advance the intellectual, cultural,~~
750 ~~social, and economic well-being of the state and its citizens.]~~

751 [(2)] (1) (a) (i) The board shall ~~[therefore]~~ develop, establish, and maintain an
752 Engineering and Computer Science Initiative within the state system of higher education to
753 ~~[double]~~ increase the number of graduates in engineering, computer science, and related
754 technology ~~[by 2006 and triple the number of graduates by 2009]~~.

755 (ii) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
756 Administrative Rulemaking Act, providing the criteria for those fields of study that qualify as
757 "related technology" under this section and Section [53B-6-105.9](#).

758 (b) The initiative shall include components that:

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

761 (ii) provide incentives to institutions to hire and retain faculty under Section

762 [53B-6-105.9](#).

763 ~~[(3)]~~ (2) The increase in program capacity under Subsection ~~[(2)]~~ (1)(a) shall include
764 funding for new and renovated capital facilities and funding for new engineering and computer
765 science programs.

766 ~~[(4)]~~ (3) The Legislature shall provide an annual appropriation to the board to fund the
767 initiative.

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

769 **53B-7-103. Board designated state educational agent for federal contracts and**
770 **aid -- Individual research grants -- Powers of institutions or foundations under**
771 **authorized programs.**

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

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

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

784 (b) ~~[These authorized programs]~~ A program described in Subsection (2)(a) may be
785 conducted by and through the institution, or by and through any foundation or organization

786 [~~which~~] that is established for the purpose of assisting the institution in the accomplishment of
787 [~~its~~] the institution's purposes.

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

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

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

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

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

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

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

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

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

817 **53B-7-105. Higher education cost disclosure.**

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

- 821 (a) the full cost of instruction;
- 822 (b) the amount collected from student tuition and fees; and
- 823 (c) the difference between the amounts described under Subsections (1)(a) and (b).

824 (2) The disclosure under Subsection (1)(c) shall also clearly indicate that this balance
825 was paid by state tax dollars and other money.

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

827 **53B-8-115. Career and technical education scholarships.**

828 (1) As used in this section:

829 (a) "Eligible institution" means[;] a degree-granting institution that provides technical
830 education described in Section 53B-2a-201.

831 [~~(i) Salt Lake Community College's School of Applied Technology established in~~
832 ~~Section 53B-16-209;]~~

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

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

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

836 [~~(v) the Utah State University regional campus located at or near Moab described in~~
837 ~~Section 53B-18-301;]~~

838 (b) "High demand program" means a noncredit career and technical education program
839 that:

- 840 (i) is offered by an eligible institution;
- 841 (ii) leads to a certificate; and

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

843 (c) "Scholarship" means a career and technical education scholarship described in this
844 section.

845 (2) Subject to future budget constraints, the Legislature shall annually appropriate
846 money to the board to be distributed to eligible institutions to award career and technical
847 education scholarships.

848 (3) In accordance with the rules described in Subsection (5), an eligible institution may
849 award a scholarship to an individual who:

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

851 (b) demonstrates, in accordance with rules described in Subsection (5)(b), the
852 completion of a Free Application for Federal Student Aid.

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

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

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

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

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

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

865 (a) that establish:

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

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

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

- 870 (iv) a process for an individual to apply to an eligible institution to receive a
- 871 scholarship; and
- 872 (v) how to determine satisfactory progress described in Subsection (4)(c)(ii); and
- 873 (b) regarding the completion of the Free Application for Federal Student Aid described
- 874 in Subsection (3)(b), including:
 - 875 (i) provisions for students or parents to opt out of the requirement due to:
 - 876 (A) financial ineligibility for any potential grant or other financial aid;
 - 877 (B) personal privacy concerns; or
 - 878 (C) other reasons the board specifies; and
 - 879 (ii) direction for applicants to financial aid advisors.
- 880 (6) Every other year, after consulting with the Department of Workforce Services, the
- 881 board shall designate, as a high demand program, a noncredit career and technical education
- 882 program that prepares an individual to work in a job that has, in Utah:
 - 883 (a) high employer demand and high median hourly wages; or
 - 884 (b) significant industry importance.

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

886 **53B-8d-102. Definitions.**

887 As used in this chapter:

- 888 (1) "Division" means the Division of Child and Family Services.
- 889 (2) "Long-term foster care" means an individual who remains in the custody of the
- 890 division, whether or not the individual resides:
 - 891 (a) with licensed foster parents; or
 - 892 (b) in independent living arrangements under the supervision of the division.
- 893 (3) "State institution of higher education" means~~[-(a)]~~ an institution [~~designated~~
- 894 described in Section 53B-1-102[; or].
- 895 ~~[(b) a public institution that offers postsecondary education in consideration of the~~
- 896 ~~payment of tuition or fees for the attainment of educational or vocational objectives leading to~~
- 897 ~~a degree or certificate, including:]~~

- 898 [~~(i) a business school;~~
- 899 [~~(ii) a technical school;~~
- 900 [~~(iii) a trade school, or~~
- 901 [~~(iv) an institution offering related apprenticeship programs.]~~
- 902 (4) "Tuition" means tuition at the rate for residents of the state.
- 903 (5) "Ward of the state" means an individual:
- 904 (a) who is:
- 905 (i) at least 17 years [~~of age~~] old; and
- 906 (ii) not older than 26 years [~~of age~~] old;
- 907 (b) who had a permanency goal in the individual's child and family plan, as described
- 908 in Sections [62A-4a-205](#) and [78A-6-314](#), of long-term foster care while in the custody of the
- 909 division; and
- 910 (c) for whom the custody of the division was not terminated as a result of adoption.
- 911 Section 20. Section **53B-16-101** is amended to read:
- 912 **53B-16-101. Establishment of institutional roles and general courses of study.**
- 913 (1) Except as institutional roles are specifically assigned by the Legislature, the board:
- 914 (a) shall establish and define the roles of the various institutions of higher education;
- 915 and
- 916 (b) shall, within each institution of higher education's primary role, prescribe the
- 917 general course of study to be offered at the institution of higher education, including for:
- 918 (i) research universities, which provide undergraduate, graduate, and research programs
- 919 and include:
- 920 (A) the University of Utah; and
- 921 (B) Utah State University;
- 922 (ii) regional universities, which provide career and technical education, undergraduate
- 923 associate and baccalaureate programs, and select master's degree programs to fill regional
- 924 demands and include:
- 925 (A) Weber State University;

926 (B) Southern Utah University;
 927 (C) Dixie State University; and
 928 (D) Utah Valley University;
 929 (iii) comprehensive community colleges, which provide associate programs and
 930 include:

931 (A) Salt Lake Community College; and
 932 (B) Snow College; and
 933 (iv) technical colleges and degree-granting institutions that provide technical
 934 education, and include:

935 (A) each technical college; and
 936 ~~[(B) Salt Lake Community College's School of Applied Technology's technical~~
 937 ~~education role described in Section 53B-16-209;]~~

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

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

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

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

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

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

949 (a) the level of program that the institution of higher education generally offers;
 950 (b) broad fields that are within the institution of higher education's mission; and
 951 (c) any special characteristics of the institution of higher education, such as being a
 952 land grant university.

953 ~~[(4) On or before November 1, 2020, the board shall report to the Higher Education~~

954 ~~Strategic Planning Commission on the board's activities related to defining and clarifying each~~
955 ~~institution's role;]~~

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

957 **53B-16-205. Establishment of Snow College Richfield campus.**

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

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

963 (3) Snow College shall:

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

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

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

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

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

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

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

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

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

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

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

983 [~~(4) Snow College may not exercise any jurisdiction over career and technical~~
984 ~~education provided by a school district or charter school independently of Snow College.~~]

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

986 [~~(a) the status of and maintenance of the effort for career and technical education in the~~
987 ~~region served by Snow College, including access to open-entry, open-exit competency-based~~
988 ~~career and technical education programs; and]~~

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

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

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

993 **53B-16-207. Utah State University regional institutions -- Career and technical**
994 **education.**

995 (1) As used in this section:

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

997 (i) Utah State University Eastern;

998 (ii) Utah State University Blanding; or

999 (iii) Utah State University Moab.

1000 (b) "Utah State University Moab" means the Utah State University regional campus
1001 located at or near Moab described in Section [53B-18-301](#).

1002 (2) A USU regional institution shall:

1003 (a) maintain a strong curriculum in career and technical education courses at the USU
1004 regional institution's campus and within the region the USU regional institution serves that can
1005 be transferred to other institutions within the higher education system, together with lower
1006 division courses and courses required for associate degrees in science, arts, applied science, and
1007 career and technical education; and

1008 (b) work with school districts and charter schools in developing an aggressive
1009 concurrent enrollment program[; and].

1010 ~~[(c) provide for open-entry, open-exit competency-based career and technical education~~
1011 ~~programs, at a low cost tuition rate for adults and at no tuition cost to secondary students, that~~
1012 ~~emphasize short-term job training or retraining for immediate placement in the job market and~~
1013 ~~serve the geographic area encompassing.]~~

1014 ~~[(i) for Utah State University Eastern, the Carbon School District and the Emery~~
1015 ~~School District;]~~

1016 ~~[(ii) for Utah State University Blanding, the San Juan School District, and]~~

1017 ~~[(iii) for Utah State University Moab, the Grand School District.]~~

1018 ~~[(3) A USU regional institution may not exercise any jurisdiction over career and~~
1019 ~~technical education provided by a school district or charter school independently of the USU~~
1020 ~~regional institution.]~~

1021 ~~[(4) A USU regional institution shall report to the board annually on:]~~

1022 ~~[(a) the status of and maintenance of the effort for career and technical education in the~~
1023 ~~region served by the USU regional institution, including access to open-entry, open-exit~~
1024 ~~competency-based career and technical education programs; and]~~

1025 ~~[(b) student tuition and fees.]~~

1026 ~~[(5) Legislative appropriations to Utah State University career and technical education~~
1027 ~~described in this section shall be made as line items that are separate from other appropriations~~
1028 ~~for Utah State University.]~~

1029 Section 23. Section **53B-26-102** is amended to read:

1030 **53B-26-102. Definitions.**

1031 As used in this part:

1032 (1) "CTE" means career and technical education.

1033 (2) "CTE region" means an economic service area created in Section [35A-2-101](#).

1034 (3) "Eligible partnership" means:

1035 (a) a regional partnership; or

1036 (b) a statewide partnership.

1037 (4) "Employer" means a private employer, public employer, industry association, the

1038 military, or a union.

1039 (5) "Industry advisory group" means:

1040 (a) a group of at least five employers that represent the workforce needs to which a
1041 proposal submitted under Section 53B-26-103 responds; and

1042 (b) a representative of the Governor's Office of Economic Development, appointed by
1043 the executive director of the Governor's Office of Economic Development.

1044 [~~(6) "Institution of higher education" means the University of Utah, Utah State
1045 University, Southern Utah University, Weber State University, Snow College, Dixie State
1046 University, Utah Valley University, or Salt Lake Community College.~~]

1047 [~~(7)~~] (6) "Regional partnership" means a partnership that:

1048 (a) provides educational services within one CTE region; and

1049 (b) is between at least two of the following located in the CTE region:

1050 (i) a technical college;

1051 (ii) a school district or charter school; or

1052 [~~(iii) an institution of higher education.~~]

1053 (iii) a degree-granting institution.

1054 [~~(8)~~] (7) "Stackable sequence of credentials" means a sequence of credentials that:

1055 (a) an individual can build upon to access an advanced job or higher wage;

1056 (b) is part of a career pathway system;

1057 (c) provides a pathway culminating in the equivalent of an associate's or bachelor's
1058 degree;

1059 (d) facilitates multiple exit and entry points; and

1060 (e) recognizes sub-goals or momentum points.

1061 [~~(9)~~] (8) "Statewide partnership" means a partnership between at least two regional
1062 partnerships.

1063 [~~(10)~~] (9) "Technical college" means:

1064 (a) a college described in Section 53B-2a-105; or

1065 (b) a degree-granting institution that provides technical education described in Section

1066 [53B-2a-201.](#)

1067 ~~[(b) the School of Applied Technology at Salt Lake Community College established~~
1068 ~~under Section [53B-16-209](#);~~]

1069 ~~[(c) Utah State University Eastern established under Section [53B-18-1201](#);~~]

1070 ~~[(d) Utah State University Blanding established under Section [53B-18-1202](#); or]~~

1071 ~~[(e) the Snow College Richfield campus established under Section [53B-16-205](#).]~~

1072 Section 24. Section **53B-28-402** is amended to read:

1073 **53B-28-402. Campus safety study -- Report to Legislature.**

1074 (1) As used in this section:

1075 (a) "Campus law enforcement" means a unit of an institution that provides public
1076 safety services.

1077 (b) (i) "Institution" means an institution of higher education described in Section
1078 [53B-2-101](#).

1079 (ii) "Institution" includes an institution's campus law enforcement.

1080 (c) "Local district" means the same as that term is defined in Section [17B-1-102](#).

1081 (d) "Local law enforcement" means a state or local law enforcement agency other than
1082 campus law enforcement.

1083 (e) "Public safety services" means police services, security services, dispatch services,
1084 emergency services, or other similar services.

1085 (f) "Sexual violence" means the same as that term is defined in Section [53B-28-301](#).

1086 (g) "Special service district" means the same as that term is defined in Section
1087 [17D-1-102](#).

1088 (h) "Student" means the same as that term is defined in Section [53B-28-301](#).

1089 (i) "Student organization" means the same as that term is defined in Section
1090 [53B-28-401](#).

1091 (2) The board shall:

1092 (a) study issues related to providing public safety services on institution campuses,
1093 including:

- 1094 (i) policies and practices for hiring, supervision, and firing of campus law enforcement
1095 officers;
- 1096 (ii) training of campus law enforcement in responding to incidents of sexual violence
1097 or other crimes reported by or involving a student, including training related to lethality or
1098 similar assessments;
- 1099 (iii) how campus law enforcement and local law enforcement respond to reports of
1100 incidents of sexual violence or other crimes reported by or involving a student, including
1101 supportive measures for victims and disciplinary actions for perpetrators;
- 1102 (iv) training provided to faculty, staff, students, and student organizations on campus
1103 safety and prevention of sexual violence;
- 1104 (v) roles, responsibilities, jurisdiction, and authority of local law enforcement and
1105 campus law enforcement, including authority based on:
- 1106 (A) the type of public safety services provided; or
1107 (B) geographic boundaries;
- 1108 (vi) how an institution and local law enforcement coordinate to respond to on-campus
1109 and off-campus incidents requiring public safety services, including:
- 1110 (A) legal requirements or restrictions affecting coordination;
1111 (B) agreements, practices, or procedures governing coordination between an institution
1112 and local law enforcement, including mutual support, sharing information, or dispatch
1113 management;
- 1114 (C) any issues that may affect the timeliness of a response to an on-campus or
1115 off-campus incident reported by or involving a student;
- 1116 (vii) infrastructure, staffing, and equipment considerations that impact the effectiveness
1117 of campus law enforcement or local law enforcement responses to an on-campus or off-campus
1118 incident reported by or involving a student;
- 1119 (viii) the benefits and disadvantages of an institution employing campus law
1120 enforcement compared to local law enforcement providing public safety services on an
1121 institution campus;

1122 (ix) an institution's compliance with federal and state crime statistic reporting
1123 requirements;

1124 (x) how an institution informs faculty, staff, and students about a crime or emergency
1125 on campus;

1126 (xi) national best practices for providing public safety services on institution campuses,
1127 including differences in best practices based on the size, infrastructure, location, and other
1128 relevant characteristics of a college or university; and

1129 (xii) any other issue the board determines is relevant to the study;

1130 (b) make recommendations for providing public safety services on institution campuses
1131 statewide;

1132 (c) produce a final report of the study described in this section, including the
1133 recommendations described in Subsection (2)(b); and

1134 (d) in accordance with Section 68-3-14, present the final report described in Subsection
1135 (2)(c) to the Education Interim Committee and the Law Enforcement and Criminal Justice
1136 Interim Committee at or before the committees' November 2021 meetings.

1137 (3) In carrying out the board's duties under this section, the board may coordinate with
1138 individuals and organizations with knowledge, expertise, or experience related to the board's
1139 duties under this section, including:

1140 ~~[(a) the Utah System of Technical Colleges Board of Trustees;]~~

1141 ~~[(b)]~~ (a) the Utah Department of Health;

1142 ~~[(c)]~~ (b) the Utah Office for Victims of Crime;

1143 ~~[(d)]~~ (c) the Utah Council on Victims of Crime;

1144 ~~[(e)]~~ (d) institutions;

1145 ~~[(f)]~~ (e) local law enforcement;

1146 ~~[(g)]~~ (f) local districts or special service districts that provide 911 and emergency
1147 dispatch service; and

1148 ~~[(h)]~~ (g) community and other non-governmental organizations.

1149 Section 25. Section **53E-3-507** is amended to read:

1150 **53E-3-507. Powers of the state board.**

1151 The state board:

1152 (1) shall establish minimum standards for career and technical education programs in
1153 the public education system;

1154 (2) may apply for, receive, administer, and distribute funds made available through
1155 programs of federal and state governments to promote and aid career and technical education;

1156 (3) shall cooperate with federal and state governments to administer programs that
1157 promote and maintain career and technical education;

1158 (4) shall cooperate with the Utah Board of Higher Education, technical colleges, [~~Salt
1159 Lake Community College's School of Applied Technology, Snow College, Utah State
1160 University Eastern, and Utah State University Blanding~~] and degree-granting institutions that
1161 provide technical education described Section 53B-2a-201 to ensure that students in the public
1162 education system have access to career and technical education at technical colleges[~~, Salt Lake
1163 Community College's School of Applied Technology, Snow College, Utah State University
1164 Eastern, and Utah State University Blanding~~] and degree-granting institutions that provide
1165 technical education described in Section 53B-2a-201;

1166 (5) shall require that before a minor student may participate in clinical experiences as
1167 part of a health care occupation program at a high school or other institution to which the
1168 student has been referred, the student's parent has:

1169 (a) been first given written notice through appropriate disclosure when registering and
1170 prior to participation that the program contains a clinical experience segment in which the
1171 student will observe and perform specific health care procedures that may include personal
1172 care, patient bathing, and bathroom assistance; and

1173 (b) provided specific written consent for the student's participation in the program and
1174 clinical experience; and

1175 (6) shall, after consulting with school districts, charter schools, the Utah Board of
1176 Higher Education, technical colleges, [~~Salt Lake Community College's School of Applied
1177 Technology, Snow College, Utah State University Eastern, and Utah State University~~

1178 ~~Blanding~~ and degree-granting institutions that provide technical education described in
1179 Section 53B-2a-201, prepare and submit an annual report in accordance with Section
1180 53E-1-203 detailing:
1181 (a) how the career and technical education needs of secondary students are being met;
1182 and
1183 (b) the access secondary students have to programs offered:
1184 (i) at technical colleges; and
1185 (ii) within the regions served by [~~Salt Lake Community College's School of Applied~~
1186 ~~Technology, Snow College, Utah State University Eastern, and Utah State University~~
1187 ~~Blanding~~ degree-granting institutions that provide technical education described in Section
1188 53B-2a-201.

1189 Section 26. Section **63A-5b-102** is amended to read:

1190 **63A-5b-102. Definitions.**

1191 As used in this chapter:

- 1192 (1) "Board" means the state building board created in Section 63A-5b-201.
1193 (2) "Capitol hill facilities" means the same as that term is defined in Section
1194 63C-9-102.
1195 (3) "Capitol hill grounds" means the same as that term is defined in Section 63C-9-102.
1196 (4) "Compliance agency" means the same as that term is defined in Section 15A-1-202.
1197 (5) "Director" means the division director, appointed under Section 63A-5b-302.
1198 (6) "Division" means the Division of Facilities Construction and Management created
1199 in Section 63A-5b-301.
1200 (7) "Institution of higher education" means an institution listed in Subsection
1201 53B-2-101(1).
1202 (8) "Trust lands administration" means the School and Institutional Trust Lands
1203 Administration established in Section 53C-1-201.
1204 (9) "Utah Board of Higher Education" means the Utah Board of Higher Education
1205 established in Section 53B-1-402.

1206 ~~[(10) "UTech board" means the UTech Board of Trustees created in Section~~
1207 ~~53B-2a-103.]~~

1208 Section 27. Section **63A-5b-202** is amended to read:

1209 **63A-5b-202. State Building Board powers and duties.**

1210 (1) The board may, in accordance with Title 63G, Chapter 3, Utah Administrative
1211 Rulemaking Act, make rules that are necessary to discharge the board's duties.

1212 (2) The board shall:

1213 (a) review and approve agency master plans of structures built or contemplated;

1214 (b) submit capital development recommendations and priorities to the Legislature as
1215 set forth in Section **63A-5b-402**;

1216 (c) submit recommendations for dedicated projects and prioritize nondedicated projects
1217 as provided in Section **63A-5b-403**;

1218 (d) make a finding that the requirements of Section **53B-2a-112** are met before the
1219 board may consider a funding request [~~from the UTech board pertaining to new capital~~
1220 ~~facilities and land purchases~~] described in Section **53B-2a-117**; and

1221 (e) fulfill the board's responsibilities under:

1222 (i) Section **63A-5b-802**, relating to the approval of leases with terms of more than 10
1223 years;

1224 (ii) Section **63A-5b-907**, relating to vacant division-owned property; and

1225 (iii) Section **63A-5b-1003**, relating to the approval of loans from the state facility
1226 energy efficiency fund.

1227 (3) The board may:

1228 (a) authorize capital development projects without Legislative approval only as
1229 authorized in Section **63A-5b-404**; and

1230 (b) make rules relating to the categorical delegation of projects as provided in
1231 Subsection **63A-5b-604**(4).

1232 Section 28. Section **63A-5b-403** is amended to read:

1233 **63A-5b-403. Institutions of higher education -- Capital development projects --**

1234 **Dedicated and nondedicated projects -- Recommendations and prioritization.**

1235 (1) As used in this section:

1236 (a) "Dedicated project" has the same meaning as that term is defined in:

1237 (i) Section 53B-2a-101, for a capital development project under [~~Title 53B, Chapter 2a,~~
1238 ~~Technical Colleges~~] Title 53B, Chapter 2a, Technical Education; or

1239 (ii) Section 53B-22-201, for a capital development project under Title 53B, Chapter 22,
1240 Higher Education Capital Projects.

1241 (b) "Nondedicated project" has the same meaning as that term is defined in:

1242 (i) Section 53B-2a-101, for a capital development project under [~~Title 53B, Chapter 2a,~~
1243 ~~Technical Colleges~~] Title 53B, Chapter 2a, Technical Education; or

1244 (ii) Section 53B-22-201, for a capital development project under Title 53B, Chapter 22,
1245 Higher Education Capital Projects.

1246 (2) (a) The board shall submit recommendations to the Legislature in accordance with:

1247 (i) Section 53B-2a-117, for a dedicated project under [~~Title 53B, Chapter 2a, Technical~~
1248 ~~Colleges~~] Title 53B, Chapter 2a, Technical Education; or

1249 (ii) Section 53B-22-204, for a dedicated project under Title 53B, Chapter 22, Higher
1250 Education Capital Projects.

1251 (b) A dedicated project is not subject to prioritization by the board.

1252 (3) (a) The board shall prioritize nondedicated projects in accordance with:

1253 (i) Section 63A-5b-402; and

1254 (ii) (A) Section 53B-2a-117, for a nondedicated project under [~~Title 53B, Chapter 2a,~~
1255 ~~Technical Colleges~~] Title 53B, Chapter 2a, Technical Education; or

1256 (B) Section 53B-22-204, for a nondedicated project under Title 53B, Chapter 22,
1257 Higher Education Capital Projects.

1258 (b) In the board's scoring process for prioritizing nondedicated projects, the board shall
1259 give more weight to a request that is designated as a higher priority by the [~~UTech board or~~
1260 Utah Board of Higher Education than a request that is designated as a lower priority by the
1261 [~~UTech board or~~] Utah Board of Higher Education only for determining the order of

1262 prioritization among requests submitted by the [~~UTech board or~~] Utah Board of Higher
1263 Education[~~, respectively~~].

1264 (4) The board shall require that an institution of higher education that submits a request
1265 for a capital development project address whether and how, as a result of the project, the
1266 institution of higher education will:

1267 (a) offer courses or other resources that will help meet demand for jobs, training, and
1268 employment in the current market and the projected market for the next five years;

1269 (b) respond to individual skilled and technical job demand over the next three, five,
1270 and 10 years;

1271 (c) respond to industry demands for trained workers;

1272 (d) help meet commitments made by the Governor's Office of Economic Development,
1273 including relating to training and incentives;

1274 (e) respond to changing needs in the economy; and

1275 (f) respond to demands for online or in-class instruction, based on demographics.

1276 (5) The division shall:

1277 (a) (i) assist institutions of higher education in providing the information required by
1278 Subsection (3); and

1279 (ii) verify the completion and accuracy of the information submitted by an institution
1280 of higher education under Subsection (3);

1281 (b) assist the [~~UTech board~~] Utah Board of Higher Education to fulfill the requirements
1282 of Section [53B-2a-112](#) in connection with the finding that the [~~board~~] technical college is
1283 required to make under Subsection [53B-2a-112\(5\)\(b\)](#); and

1284 (c) assist the [~~Board of Regents~~] Utah Board of Higher Education in submitting a list of
1285 dedicated projects to the board for approval and nondedicated projects to the board for
1286 recommendation and prioritization pursuant to Section [53B-22-204](#).

1287 Section 29. Section **63I-2-253** is amended to read:

1288 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

1289 (1) (a) Section [53-2a-217](#), regarding procurement during an epidemic or pandemic

1290 emergency, is repealed on December 31, 2021.

1291 (b) When repealing Section 53-2a-217, the Office of Legislative Research and General
1292 Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make
1293 necessary changes to subsection numbering and cross references.

1294 [~~(2)~~ Section 53B-2a-103 is repealed July 1, 2021.]

1295 [~~(3)~~ Section 53B-2a-104 is repealed July 1, 2021.]

1296 [~~(4)~~ (2) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a
1297 technical college board of trustees, is repealed July 1, 2022.

1298 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
1299 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
1300 necessary changes to subsection numbering and cross references.

1301 [~~(5)~~ (3) Section 53B-6-105.7 is repealed July 1, 2024.

1302 [~~(6)~~ (4) (a) Subsection 53B-7-705(6)(b)(ii)(A), the language that states "Except as
1303 provided in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

1304 (b) Subsection 53B-7-705(6)(b)(ii)(B), regarding comparing a technical college's
1305 change in performance with the technical college's average performance, is repealed July 1,
1306 2021.

1307 [~~(7)~~ (5) (a) Subsection 53B-7-707(3)(a)(ii), the language that states "Except as
1308 provided in Subsection (3)(b)," is repealed July 1, 2021.

1309 (b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college
1310 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

1311 [~~(8)~~ (6) Section 53B-8-114 is repealed July 1, 2024.

1312 [~~(9)~~ (7) (a) The following sections, regarding the Regents' scholarship program, are
1313 repealed on July 1, 2023:

1314 (i) Section 53B-8-202;

1315 (ii) Section 53B-8-203;

1316 (iii) Section 53B-8-204; and

1317 (iv) Section 53B-8-205.

1318 (b) (i) Subsection [53B-8-201](#)(2), regarding the Regents' scholarship program for
1319 students who graduate from high school before fiscal year 2019, is repealed on July 1, 2023.

1320 (ii) When repealing Subsection [53B-8-201](#)(2), the Office of Legislative Research and
1321 General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make
1322 necessary changes to subsection numbering and cross references.

1323 [~~(10)~~] [\(8\)](#) Section [53B-10-101](#) is repealed on July 1, 2027.

1324 [~~(11)~~] [\(9\)](#) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
1325 repealed July 1, 2023.

1326 [~~(12)~~] Section [53E-3-519](#) regarding school counselor services is repealed July 1, 2020.]

1327 [~~(13)~~] [\(10\)](#) Section [53E-3-520](#) is repealed July 1, 2021.

1328 [~~(14)~~] Subsection [53E-5-306](#)(3)(b)(ii)(B), related to improving school performance and
1329 continued funding relating to the School Recognition and Reward Program, is repealed July 1,
1330 2020.]

1331 [~~(15)~~] Section [53E-5-307](#) is repealed July 1, 2020.]

1332 [~~(16)~~] [\(11\)](#) Subsection [53E-10-309](#)(7), related to the PRIME pilot program, is repealed
1333 July 1, 2024.

1334 [~~(17)~~] [\(12\)](#) In Subsections [53F-2-205](#)(4) and (5), regarding the State Board of
1335 Education's duties if contributions from the minimum basic tax rate are overestimated or
1336 underestimated, the language that states "or [53F-2-301.5](#), as applicable" is repealed July 1,
1337 2023.

1338 [~~(18)~~] [\(13\)](#) Subsection [53F-2-301](#)(1), relating to the years the section is not in effect, is
1339 repealed July 1, 2023.

1340 [~~(19)~~] [\(14\)](#) In Subsection [53F-2-515](#)(1), the language that states "or [53F-2-301.5](#), as
1341 applicable" is repealed July 1, 2023.

1342 [~~(20)~~] [\(15\)](#) Section [53F-4-207](#) is repealed July 1, 2022.

1343 [~~(21)~~] [\(16\)](#) In Subsection [53F-9-302](#)(3), the language that states "or [53F-2-301.5](#), as
1344 applicable" is repealed July 1, 2023.

1345 [~~(22)~~] [\(17\)](#) In Subsection [53F-9-305](#)(3)(a), the language that states "or [53F-2-301.5](#), as

1346 applicable" is repealed July 1, 2023.

1347 ~~[(23)]~~ (18) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
1348 applicable" is repealed July 1, 2023.

1349 ~~[(24)]~~ (19) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
1350 as applicable" is repealed July 1, 2023.

1351 ~~[(25)]~~ (20) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204(7),
1352 related to the civics engagement pilot program, are repealed on July 1, 2023.

1353 ~~[(26)]~~ (21) On July 1, 2023, when making changes in this section, the Office of
1354 Legislative Research and General Counsel shall, in addition to the office's authority under
1355 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
1356 identified in this section are complete sentences and accurately reflect the office's perception of
1357 the Legislature's intent.

1358 Section 30. Section 63N-12-501 is amended to read:

1359 **63N-12-501. Definitions.**

1360 As used in this part:

1361 (1) "Apprenticeship program" means a program that combines paid on-the-job learning
1362 with formal classroom instruction to prepare students for careers and that includes:

1363 (a) structured on-the-job learning for students under the supervision of a skilled
1364 employee;

1365 (b) classroom instruction for students related to the on-the-job learning;

1366 (c) ongoing student assessments using established competency and skills standards;

1367 and

1368 (d) the student receiving an industry-recognized credential or degree upon completion
1369 of the program.

1370 (2) "Career and technical education region" means an economic service area created in
1371 Section 35A-2-101.

1372 (3) "Center" means the Talent Ready Utah Center created in Section 63N-12-502.

1373 (4) "High quality professional learning" means the professional learning standards for

1374 teachers and principals described in Section [53G-11-303](#).

1375 (5) "Institution of higher education" means the University of Utah, Utah State
1376 University, Southern Utah University, Weber State University, Snow College, Dixie State
1377 University, Utah Valley University, or Salt Lake Community College.

1378 (6) "Local education agency" means a school district, a charter school, or the Utah
1379 Schools for the Deaf and the Blind.

1380 (7) "Master plan" means the computer science education master plan described in
1381 Section [63N-12-505](#).

1382 (8) "Participating employer" means an employer that:

1383 (a) partners with an educational institution on a curriculum for an apprenticeship
1384 program or work-based learning program; and

1385 (b) provides an apprenticeship or work-based learning program for students.

1386 (9) "Stackable credentials" means a sequence of credentials that:

1387 (a) can be accumulated over time to build up an individual's qualifications for a better
1388 job or higher wage;

1389 (b) are part of a career pathway system; and

1390 (c) provide the option of culminating in an associate or bachelor's degree.

1391 (10) "State board" means the State Board of Education.

1392 (11) "Talent ready board" means the Talent Ready Utah Board created in Section
1393 [63N-12-503](#).

1394 (12) "Technical college" means:

1395 (a) a technical college described in Section [53B-2a-105](#); and

1396 (b) a degree-granting institution that provides technical education described in Section
1397 [53B-2a-201](#).

1398 [~~(b) the School of Applied Technology at Salt Lake Community College established in~~
1399 ~~Section [53B-16-209](#);~~]

1400 [~~(c) Utah State University Eastern established in Section [53B-18-1201](#);~~]

1401 [~~(d) Utah State University Blanding established in Section [53B-18-1202](#); or]~~

1402 [~~(e) the Snow College Richfield campus established in Section 53B-16-205.~~]

1403 (13) (a) "Work-based learning program" means a program that combines structured and
1404 supervised learning activities with authentic work experiences and that is implemented through
1405 industry and education partnerships.

1406 (b) "Work-based learning program" includes the following objectives:

1407 (i) providing students an applied workplace experience using knowledge and skills
1408 attained in a program of study that includes an internship, externship, or work experience;

1409 (ii) providing an educational institution with objective input from a participating
1410 employer regarding the education requirements of the current workforce; and

1411 (iii) providing funding for programs that are associated with high-wage, in-demand, or
1412 emerging occupations.

1413 (14) "Workforce programs" means education or industry programs that facilitate
1414 training the state's workforce to meet industry demand.

1415 Section 31. **Repealer.**

1416 This bill repeals:

1417 Section **53B-1-115, Purchases of educational technology.**

1418 Section **53B-1-503, Commissioner beginning July 1, 2020.**

1419 Section **53B-2-105, Consultation with boards of trustees.**

1420 Section **53B-2a-103, UTech Board of Trustees -- Membership -- Terms --**

1421 **Vacancies -- Oath -- Officers -- Quorum -- Committees -- Compensation.**

1422 Section **53B-2a-104, Utah System of Technical Colleges Board of Trustees powers**
1423 **and duties.**

1424 Section **53B-2a-114, Educational program on the use of information technology.**

1425 Section **53B-16-201, Degrees and certificates that may be conferred.**

1426 Section **53B-16-209, Salt Lake Community College -- School of Applied**
1427 **Technology -- Career and technical education -- Supervision and administration --**

1428 **Institutional mission.**

1429 Section **53B-16-211, Salt Lake Community College -- Educational program on the**

1430 **use of information technology.**

1431 Section 32. **Effective date.**

1432 (1) Except as provided in Subsection (2), this bill takes effect May 5, 2021.

1433 (2) If approved by two-thirds of all the members elected to each house, Section

1434 53B-2-102 takes effect upon approval by the governor, or the day following the constitutional

1435 time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in

1436 the case of a veto, the date of veto override.

1437 Section 33. **Coordinating H.B. 318 with S.B. 136 -- Technical amendment.**

1438 If this H.B. 318 and S.B. 136, Higher Education Scholarship Amendments, both pass

1439 and become law, it is the intent of the Legislature that the Office of Legislative Research and

1440 General Counsel shall prepare the Utah Code database for publication by amending Subsection

1441 53B-8-115(1)(a) to read:

1442 (a) "Eligible institution" means:

1443 [~~(i) Salt Lake Community College's School of Applied Technology established in~~

1444 ~~Section 53B-16-209;~~]

1445 [~~(ii) Snow College;~~]

1446 [~~(iii) Utah State University Eastern established in Section 53B-18-1201;~~]

1447 [~~(iv) Utah State University Blanding established in Section 53B-18-1202; or~~]

1448 [~~(v) the Utah State University regional campus located at or near Moab described in~~

1449 ~~Section 53B-18-301;~~]

1450 (i) a degree-granting institution that provides technical education described in Section

1451 53B-2a-201; or

1452 (ii) a technical college."

1453 Section 34. **Coordinating H.B. 318 with S.B. 193 -- Substantive amendments.**

1454 If this H.B. 318 and S.B. 193, Higher Education Performance Funding, both pass and

1455 become law, it is the intent of the Legislature that the Office of Legislative Research and

1456 General Counsel shall prepare the Utah Code database for publication by amending Subsection

1457 53B-7-702(12) to read:

1458 "(12) "Technical college" means:
1459 (a) the same as that term is defined in Section 53B-1-101.5; and
1460 (b) a degree-granting institution acting in the degree-granting institution's technical
1461 education role described in Section 53B-2a-201."

1462 Section 35. **Coordinating H.B. 318 with H.B. 348 -- Substantive amendments.**
1463 If this H.B. 318 and H.B. 348, Economic Development Amendments, both pass and
1464 become law, it is the intent of the Legislature that the Office of Legislative Research and
1465 General Counsel shall prepare the Utah Code database for publication by:

1466 (1) amending Subsection 53B-26-102(10) to read:
1467 "(10) "Technical college" means:
1468 (a) [~~a college described in Section 53B-2a-105;~~] the same as that term is defined in
1469 Section 53B-1-101.5; and
1470 (b) a degree-granting institution acting in the degree-granting institution's technical
1471 education role described in Section 53B-2a-201;
1472 [~~(b) the School of Applied Technology at Salt Lake Community College established~~
1473 ~~under Section 53B-16-209;~~
1474 [~~(c) Utah State University Eastern established under Section 53B-18-1201;~~
1475 [~~(d) Utah State University Blanding established under Section 53B-18-1202; or~~
1476 [~~(e) the Snow College Richfield campus established under Section 53B-16-205;~~]"; and
1477 (2) amending Subsection 63N-1b-101(11) to read:
1478 "(11) "Technical college" means:
1479 (a) the same as that term is defined in Section 53B-1-101.5; and
1480 (b) a degree-granting institution acting in the degree-granting institution's technical
1481 education role described in Section 53B-2a-201."