

Effective 7/1/2020

Superseded 5/5/2021

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

- (1) There is established a State Board of Regents, which:
 - (a) beginning July 1, 2020, is renamed the Utah Board of Higher Education;
 - (b) is the governing board for the institutions of higher education;
 - (c) controls, manages, and supervises the Utah system of higher education; and
 - (d) is a body politic and corporate with perpetual succession and with all rights, immunities, and franchises necessary to function as a body politic and corporate.
- (2) The board shall:
 - (a) establish and promote a state-level vision and goals for higher education that emphasize system priorities, including:
 - (i) quality;
 - (ii) affordability;
 - (iii) educational opportunity, access, equity, and completion;
 - (iv) workforce alignment and preparation for high-quality jobs; and
 - (v) economic growth;
 - (b) establish policies and practices that advance the vision and goals;
 - (c) establish metrics to demonstrate and monitor:
 - (i) performance related to the goals; and
 - (ii) performance on measures of operational efficiency;
 - (d) collect and analyze data including economic data, demographic data, and data related to the metrics;
 - (e) coordinate data collection across institutions;
 - (f) establish, approve, and oversee each institution's mission and role in accordance with Section 53B-16-101;
 - (g) assess an institution's performance in accomplishing the institution's mission and role;
 - (h) participate in the establishment and review of programs of instruction in accordance with Section 53B-16-102;
 - (i) perform duties related to an institution of higher education president, including:
 - (i) appointing an institution of higher education president in accordance with Sections 53B-2-102 and 53B-2a-107;
 - (ii) providing support and guidance to an institution of higher education president; and
 - (iii) evaluating an institution of higher education president based on institution performance and progress toward systemwide priorities;
 - (j) create and implement a strategic finance plan for higher education, including by:
 - (i) establishing comprehensive budget and finance priorities for academic education and technical education;
 - (ii) allocating statewide resources to institutions;
 - (iii) setting tuition for each institution;
 - (iv) administering state financial aid programs;
 - (v) administering performance funding in accordance with Chapter 7, Part 7, Performance Funding; and
 - (vi) developing a strategic capital facility plan and prioritization process in accordance with Chapter 22, Part 2, Capital Developments, and Sections 53B-2a-117 and 53B-2a-118;
 - (k) create a seamless articulated education system for Utah students that responds to changing demographics and workforce, including by:
 - (i) providing for statewide prior learning assessment, in accordance with Section 53B-16-110;

- (ii) establishing and maintaining clear pathways for articulation and transfer, in accordance with Section 53B-16-105;
 - (iii) establishing degree program requirement guidelines, including credit hour limits;
 - (iv) aligning general education requirements across degree-granting institutions;
 - (v) coordinating and incentivizing collaboration and partnerships between institutions in delivering programs;
 - (vi) coordinating distance delivery of programs; and
 - (vii) coordinating work-based learning;
- (l) coordinate with the public education system:
- (i) regarding public education programs that provide postsecondary credit or certificates; and
 - (ii) to ensure that an institution of higher education providing technical education serves secondary students in the public education system;
- (m) delegate to an institution board of trustees certain duties related to institution governance including:
- (i) guidance and support for the institution president;
 - (ii) effective administration;
 - (iii) the institution's responsibility for contributing to progress toward achieving systemwide goals; and
 - (iv) other responsibilities determined by the board;
- (n) delegate to an institution of higher education president management of the institution of higher education;
- (o) maximize efficiency throughout the Utah system of higher education by identifying and establishing shared administrative services;
- (p) develop strategies for providing higher education, including career and technical education, in rural areas;
- (q) manage and facilitate a process for initiating, prioritizing, and implementing education reform initiatives; and
- (r) provide ongoing quality review of institutions.
- (3) The board shall submit an annual report of the board's activities and performance against the board's goals and metrics to:
- (a) the Education Interim Committee;
 - (b) the Higher Education Appropriations Subcommittee;
 - (c) the governor; and
 - (d) each institution of higher education.
- (4) The board shall prepare and submit an annual report detailing the board's progress and recommendations on workforce related issues, including career and technical education, to the governor and to the Legislature's Education Interim Committee by October 31 of each year, including information detailing:
- (a) how the career and technical education needs of secondary students are being met by institutions of higher education;
 - (b) how the emphasis on high demand, high wage, and high skill jobs in business and industry is being provided;
 - (c) performance outcomes, including:
 - (i) entered employment;
 - (ii) job retention; and
 - (iii) earnings;
 - (d) an analysis of workforce needs and efforts to meet workforce needs; and
 - (e) student tuition and fees.

- (5) The board may modify the name of an institution of higher education to reflect the role and general course of study of the institution.
- (6) The board may not conduct a feasibility study or perform another act relating to merging a technical college with another institution of higher education.
- (7) This section does not affect the power and authority vested in the State Board of Education to apply for, accept, and manage federal appropriations for the establishment and maintenance of career and technical education.
- (8) The board shall ensure that any training or certification that an employee of the higher education system is required to complete under this title or by board rule complies with Title 63G, Chapter 22, State Training and Certification Requirements.