



## USHE Weekly Legislative Report Week 4 (February 8-12, 2021)

### **Higher Education Appropriations Subcommittee**

The Higher Education Appropriations Subcommittee (HEAS) wrapped up its work on Wednesday, February 10. The Subcommittee ranked the USHE budget priorities along with several other requests for state appropriations and advanced those to the Executive Appropriations Committee for further review on February 12. The Subcommittee's rankings are [available here](#).

### **Legislation of Interest:**

**[SB 45, Higher Education Classes for Veterans](#)** by Rep. Weiler — allows veterans to audit classes at institutions of higher education tuition-free if the veterans are Utah residents. The bill passed both the House and the Senate and was recently sent for enrolling.

**[HB 159, Higher Education Student Speech Rights](#)** by Rep. Jordan Teuscher — establishes a specific threshold that determines when student-on-student speech becomes harassment, as opposed to protected speech. Staff has worked with the legislative sponsor on a compromise that reduces legal liability to the institutions. The bill passed the House with a vote 60-11 and awaits further consideration by the Senate Judiciary, Law Enforcement, and Criminal Justice Committee

**[HB 233, Education immunization Modifications](#)** by Rep. Mark Strong — prohibits USHE institutions from requiring proof of vaccination as a condition to enroll. It also prohibits institutions from requiring a vaccine-exempt student to participate remotely rather than in-person. After lengthy testimony amidst concern of its implications, the bill was held in the House Health and Human Services Committee.

**[HB 278 Name Change Process for Dixie State University](#)** by Rep. Kelly Miles — establishes a process for the Dixie State University Board of Trustees and Utah Board of Higher Education to select and recommend a new name for the institution to the Legislature. The bill passed the House with a 51-20 vote and awaits further consideration by the Senate.

**[HB 279 Higher Education for Incarcerated Youth](#)** by Rep. Lowry Snow — establishes a virtually-delivered concurrent enrollment program and accompanying advisory program at Dixie State University for students in certain custody situations. The bill awaits consideration by the House Education Committee.

[\*\*HB 302 Preserving Sports for Female Students\*\*](#) by Rep. Kera Birkland — requires schools and to designate athletic activities by sex and prohibits a student of the male sex from participating in an athletic activity. The bill has been modified from its original draft removing higher education. However, the bill is similar to controversial bills that have been adopted in other states that have led to litigation in Idaho and Connecticut, this recent [AP news story](#) provides additional background. After lengthy discussion, the House Education Committee passed the bill on an 8-6 vote. The bill awaits further consideration by the House.

[\*\*HB 318, Higher Education Amendments\*\*](#) by Rep. Melissa Ballard — clarifies and makes technical changes as required by [SB 111 from the 2020 Legislative Session](#). It clarifies the roles of institutions and those of the Board of Higher Education, it revises the Board's priorities, and revises the procedures for presidential searches. The bill awaits a standing committee assignment. **The Utah Board of Higher Education supports this legislation.**

[\*\*HB327, School for Civics and Economic Thought and Leadership\*\*](#) by Rep. Jefferson Burton — establishes the School for Civics and Economic Thought and Leadership at Utah Valley University, seeking an ongoing appropriation of \$3 million. This bill awaits a House Committee assignment.

[\*\*HB328, Adult Learners Grant Program\*\*](#) by Rep. Lowry Snow — establishes a scholarship program for students over 26 years old, who demonstrate financial need and are enrolled in an entirely online certificate program in a field with industry need. This bill awaits a House Committee assignment.

[\*\*SB 136, Higher Education Scholarship Amendments\*\*](#) by Sen. Derrin Owens — replaces the Regents' Scholarship Program with the Opportunity Scholarship. It also extends opportunities for scholarships within technical education and forecloses new applications for the New Century Scholarship after this academic year. This legislation is in conjunction with the Board's action in December 2020 to [rename and simplify the state's achievement-based scholarships](#). This bill received unanimous support in the Senate and awaits further consideration by the House. **The Utah Board of Higher Education supports this legislation.**

[\*\*SB 163, Campus Safety Amendments\*\*](#) by Sen. Jani Iwamoto — establishes a student-led Safety and Equity Commission appointed by institution student leadership, that makes recommendations to the Utah Board of Higher Education. The bill also clarifies reporting requirements of institution annual safety reports, along with additional requirements how those reports are publicized. This bill awaits a Senate Committee assignment.

[\*\*SB 193, Higher Education Performance Funding\*\*](#) by Sen. Ann Millner — modifies the current statute on performance funding by requiring the Board of Higher Education to establish five-year statewide goals in conjunction with 5-year goals the institutions set. State funding appropriations will be allocated to the institutions based on their performance in relation to these goals. The bill awaits a committee assignment. **The Utah Board of Higher Education supports this legislation.**