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Higher Education Revisions
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Val L. Peterson
Senate Sponsor:

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3 **LONG TITLE**4 **General Description:**

5 This bill amends the application of Title 53B, State System of Higher Education.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines a term;

9 ▶ exempts private institutions of higher education from the provisions in Title 53B, Utah

10 System of Higher Education, unless expressly stated otherwise; and

11 ▶ makes technical and conforming changes.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**17 **AMENDS:**18 **53B-1-113**, as last amended by Laws of Utah 2019, Chapter 32419 **53B-8-105**, as last amended by Laws of Utah 2022, Chapter 37020 **53B-8-112.5**, as enacted by Laws of Utah 2023, Chapter 45321 **53B-8-116**, as last amended by Laws of Utah 2020, Chapter 19622 **53B-8-117**, as last amended by Laws of Utah 2024, Chapter 3923 **53B-8-201**, as last amended by Laws of Utah 2024, Chapter 37824 **53B-8a-102.5**, as last amended by Laws of Utah 2023, Chapter 37425 **53B-8a-201**, as last amended by Laws of Utah 2018, Chapters 292, 306 and last amended

26 by Coordination Clause, Laws of Utah 2018, Chapter 315

27 **53B-8a-204**, as last amended by Laws of Utah 2020, Chapter 36528 **53B-10-101**, as last amended by Laws of Utah 2022, Chapter 37029 **53B-13-111**, as enacted by Laws of Utah 1987, Chapter 16730 **53B-13a-102**, as last amended by Laws of Utah 2023, Chapter 254

- 31 **53B-13b-102**, as last amended by Laws of Utah 2023, Chapter 254
 32 **53B-13c-101**, as last amended by Laws of Utah 2023, Chapter 254
 33 **53B-16-105**, as last amended by Laws of Utah 2023, Chapter 254
 34 **53B-16-401**, as last amended by Laws of Utah 2024, Chapter 68
 35 **53B-17-901**, as last amended by Laws of Utah 2020, Chapter 365
 36 **53B-20-107**, as enacted by Laws of Utah 2024, Chapter 96
 37 **53B-28-102**, as enacted by Laws of Utah 2017, Chapter 188

38 ENACTS:

39 **53B-1-103**, Utah Code Annotated 1953

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

42 Section 1. Section **53B-1-103** is enacted to read:

43 **53B-1-103 . Application to private institutions.**

44 (1)(a) As used in this title, "private postsecondary educational institution" means an
 45 institution that:

- 46 (i) does not receive direct funding through state appropriations; and
 47 (ii) provides higher education programs.

48 (b) "Private postsecondary educational institution" includes:

- 49 (i) a private nonprofit college or university; and
 50 (ii) a private for-profit college or university.

51 (2) Except as expressly provided, the provisions of this title do not apply to a private
 52 postsecondary educational institution.

53 Section 2. Section **53B-1-113** is amended to read:

54 **53B-1-113 . Education loan notifications.**

55 (1) As used in this section:

56 (a) "Borrower" means:

- 57 (i) an individual enrolled in an eligible postsecondary institution who receives an
 58 education loan; or
 59 (ii) an individual, including a parent or legal guardian, who receives an education
 60 loan to fund education expenses of an individual enrolled in an eligible
 61 postsecondary institution.

62 (b) "Education loan" means a loan made to a borrower that is:

- 63 (i) made directly by a federal or state program; or
 64 (ii) insured or guaranteed under a federal or state program.

- 65 (c) "Eligible postsecondary institution" means a public or [~~private postsecondary~~
66 ~~institution~~] private postsecondary educational institution that:
- 67 (i) is located in Utah; and
- 68 (ii) participates in federal student assistance programs under the Higher Education
69 Act of 1965, Title IV, 20 U.S.C. Sec. 1070 et seq.
- 70 (2) Annually, on or before July 1, an eligible postsecondary institution that receives
71 information about a borrower's education loan shall:
- 72 (a) notify the borrower that the borrower has an education loan;
- 73 (b) direct the borrower to the National Student Loan Data System described in 20 U.S.C.
74 Sec. 1092b to receive information about the borrower's education loan; and
- 75 (c) provide the borrower information on how the borrower can access an online
76 repayment calculator.
- 77 (3) An eligible postsecondary institution does not incur liability for information provided to
78 a borrower in accordance with this section.

79 Section 3. Section **53B-8-105** is amended to read:

80 **53B-8-105 . New Century scholarships -- High school requirements.**

- 81 (1) Notwithstanding the provisions of this section, the board may not accept a new
82 application for a scholarship described in this section on or after August 15, 2021.
- 83 (2) As used in this section:
- 84 (a) "Complete the requirements for an associate degree" means that a student:
- 85 (i)(A) completes all the required courses for an associate degree from a higher
86 education institution within the state system of higher education that offers
87 associate degrees; and
- 88 (B) applies for the associate degree from the institution; or
- 89 (ii) completes equivalent requirements described in Subsection (2)(a)(i)(A) from a
90 higher education institution within the state system of higher education that offers
91 baccalaureate degrees but does not offer associate degrees.
- 92 (b) "Fee" means a fee approved by the board.
- 93 (3)(a) The board shall award New Century scholarships.
- 94 (b) The board shall develop and approve the math and science curriculum described
95 under Subsection (4)(a)(ii).
- 96 (4)(a) In order to qualify for a New Century scholarship, a student in Utah schools shall
97 complete the requirements for an:
- 98 (i) associate degree; or

- 99 (ii) approved math and science curriculum.
- 100 (b) The requirements under Subsection (4)(a) shall be completed:
- 101 (i) by the day on which the student's class graduates from high school; and
- 102 (ii) with at least a 3.0 grade point average.
- 103 (c) In addition to the requirements in Subsection (4)(a), a student in Utah shall:
- 104 (i) complete the high school graduation requirements of:
- 105 (A) a public high school established by the State Board of Education and the
- 106 student's school district or charter school; or
- 107 (B) a private high school in the state that is accredited by a regional accrediting
- 108 body approved by the board; and
- 109 (ii) complete high school with at least a 3.5 cumulative high school grade point
- 110 average.
- 111 (5) Notwithstanding Subsection (4), for a student who does not receive a high school grade
- 112 point average, the student shall:
- 113 (a) complete the requirements for an associate degree:
- 114 (i) by June 15 of the year the student completes high school; and
- 115 (ii) with at least a 3.0 grade point average; and
- 116 (b) score a composite ACT score of 26 or higher.
- 117 (6)(a) To be eligible for the scholarship, a student:
- 118 (i) shall submit an application to the board with:
- 119 (A) an official college transcript showing college courses the student has
- 120 completed to complete the requirements for an associate degree; and
- 121 (B) if applicable, an official high school transcript or, if applicable, a copy of the
- 122 student's ACT scores;
- 123 (ii) shall be a citizen of the United States or a noncitizen who is eligible to receive
- 124 federal student aid;
- 125 (iii) if applicable, shall meet the application deadlines as established by the board
- 126 under Subsection (11); and
- 127 (iv) shall demonstrate, in accordance with rules described in Subsection (6)(b), the
- 128 completion of a Free Application for Federal Student Aid.
- 129 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 130 board shall make rules regarding the completion of the Free Application for Federal
- 131 Student Aid described in Subsection (6)(a)(iv), including:
- 132 (i) provisions for students or parents to opt out of the requirement due to:

- 133 (A) financial ineligibility for any potential grant or other financial aid;
134 (B) personal privacy concerns; or
135 (C) other reasons the board specifies; and
136 (ii) direction for applicants to financial aid advisors.
- 137 (7)(a) The scholarship may be used at a:
- 138 (i) higher education institution within the state system of higher education that offers
139 baccalaureate programs; or
140 (ii) if the scholarship holder applies for the scholarship on or before October 1, 2019, [
141 ~~private, nonprofit college or university in the state accredited by the Northwest~~
142 ~~Association of Schools and Colleges]~~ private postsecondary educational institution
143 that offers baccalaureate programs.
- 144 (b)(i) Subject to Subsection (7)(e), the total value of the scholarship is up to \$5,000,
145 allocated over a time period described in Subsection (7)(c), as prescribed by the
146 board.
- 147 (ii) The board may increase the scholarship amount described in Subsection (7)(b)(i)
148 by an amount not to exceed the average percentage tuition increase approved by
149 the board for institutions in the state system of higher education.
- 150 (c) The scholarship is valid for the shortest of the following time periods:
- 151 (i) two years of full-time equivalent enrollment;
152 (ii) 60 credit hours; or
153 (iii) until the student meets the requirements for a baccalaureate degree.
- 154 (d)(i) A scholarship holder shall enroll full-time at a higher education institution by
155 no later than the fall term immediately following the student's high school
156 graduation date or receive an approved deferral from the board.
- 157 (ii) The board may grant a deferral or leave of absence to a scholarship holder, but
158 the scholarship holder may only receive scholarship money within five years of
159 the student's high school graduation date.
- 160 (e) For a scholarship for which a student applies after October 1, 2019:
- 161 (i) the board shall reduce the amount of the scholarship holder's scholarship so that
162 the total amount of state aid awarded to the scholarship holder, including tuition or
163 fee waivers or the scholarship, does not exceed the cost of the scholarship holder's
164 tuition and fees; and
165 (ii) the scholarship holder may only use the scholarship for tuition and fees.
- 166 (8) The board may cancel a New Century scholarship at any time if the student fails to:

- 167 (a) register for at least 15 credit hours per semester;
- 168 (b) maintain a 3.3 grade point average for two consecutive semesters; or
- 169 (c) make reasonable progress toward the completion of a baccalaureate degree.
- 170 (9)(a) Subject to future budget constraints, the Legislature shall make an annual
- 171 appropriation from the General Fund to the board for the costs associated with the
- 172 New Century Scholarship Program authorized under this section.
- 173 (b) It is understood that the appropriation is offset in part by the state money that would
- 174 otherwise be required and appropriated for these students if they were enrolled in a
- 175 four-year postsecondary program at a state-operated institution.
- 176 (c) Notwithstanding Subsections (3)(a) and (7), if the appropriation under Subsection
- 177 (9)(a) is insufficient to cover the costs associated with the New Century Scholarship
- 178 Program, the board may reduce the scholarship amount.
- 179 (d) If money appropriated under this section is available after New Century scholarships
- 180 are awarded, the board shall use the money for the Utah Promise Program created in
- 181 Section 53B-13a-103.
- 182 (10)(a) The board shall adopt policies establishing an application process and an appeal
- 183 process for a New Century scholarship.
- 184 (b) The board shall disclose on all applications and related materials that the amount of
- 185 the scholarship is subject to funding and may be reduced, in accordance with
- 186 Subsection (9)(c).
- 187 (c) The board shall require an applicant for a New Century scholarship to certify under
- 188 penalty of perjury that:
- 189 (i) the applicant is a United States citizen; or
- 190 (ii) the applicant is a noncitizen who is eligible to receive federal student aid.
- 191 (d) The certification under this Subsection (10) shall include a statement advising the
- 192 signer that providing false information subjects the signer to penalties for perjury.
- 193 (11) The board may set deadlines for receiving New Century scholarship applications and
- 194 supporting documentation.
- 195 (12) A student may not receive both a New Century scholarship and an Opportunity
- 196 scholarship established in Section 53B-8-201.
- 197 Section 4. Section **53B-8-112.5** is amended to read:
- 198 **53B-8-112.5 . Karen Mayne Public Safety Officer Scholarship Program.**
- 199 (1) As used in this section:
- 200 (a) "Peace officer" means the same as that term is defined in Section 53B-8c-102.

- 201 (b) "POST" means the Peace Officer Standards and Training Division created in Section
202 53-6-103.
- 203 (c) "Program" means the Karen Mayne Public Safety Officer Scholarship Program that
204 this section creates.
- 205 (2) This section creates the Karen Mayne Public Safety Officer Scholarship Program.
- 206 (3)(a) Subject to legislative appropriations, the board shall award a scholarship to a
207 qualified applicant who:
- 208 (i) is a high school graduate;
- 209 (ii) submits an application to the board with a copy of the student's high school
210 diploma;
- 211 (iii) when eligible, enrolls in a basic training course at a state certified academy as
212 defined in Section 53-6-202;
- 213 (iv) subject to Subsection (3)(b), is enrolled in a qualifying post-secondary program
214 from:
- 215 (A) an institution of higher education within the state system of higher education,
216 described in Section 53B-1-102; or
- 217 (B) ~~[a private, nonprofit institution of higher education in the state that is~~
218 ~~accredited by the Northwest Commission on Colleges and Universities]~~ a
219 private postsecondary educational institution; and
- 220 (v) commits to working as a peace officer for no less than five years after the day on
221 which POST certifies the scholarship recipient.
- 222 (b) For purposes of Subsection (3)(a)(iv), the board shall determine the programs that
223 qualify for a scholarship award, including criminal justice, police administration,
224 criminology, social sciences, and other disciplines.
- 225 (4)(a) The board shall determine the amount of a scholarship award, ensuring that the
226 amount does not exceed the combined cost of tuition, fees, and required textbooks.
- 227 (b) A scholarship award described in Subsection (4)(a) is limited to:
- 228 (i) POST training and certification in accordance with Title 53, Chapter 6, Peace
229 Officer Standards and Training Act; and
- 230 (ii) a maximum of four academic years in a post-secondary program.
- 231 (5) The board shall design the scholarship program to ensure that participating institutions
232 combine state or federal loans or grants, internships, student employment, and family
233 and individual contributions toward financing the cost of attendance.
- 234 (6) A scholarship recipient shall:

- 235 (a) notify the board of the scholarship recipient's POST certification within 15 days after
236 the day on which POST certifies the scholarship recipient;
- 237 (b) submit verification of the scholarship recipient's employment to the board within 15
238 days after the day on which the scholarship recipient is employed as a peace officer,
239 including:
- 240 (i) the employer's name, address, and telephone number;
- 241 (ii) the date of the scholarship recipient's hiring; and
- 242 (iii) the scholarship recipient's job title; and
- 243 (c) notify the board within 15 days after the day on which the employer terminates the
244 scholarship recipient.
- 245 (7)(a) The board may require a scholarship recipient to repay the full amount of the
246 scholarship award that the scholarship recipient received under the program,
247 including money paid for tuition, fees, and required textbooks, if the scholarship
248 recipient fails to:
- 249 (i) meet the requirements for POST certification as described in Title 53, Chapter 6,
250 Part 2, Peace Officer Training and Certification Act;
- 251 (ii) work as a peace officer for five years after the day on which POST certifies the
252 scholarship recipient; or
- 253 (iii) subject to Subsection (3), earn a degree in a post-secondary program.
- 254 (b) Notwithstanding Subsection (7)(a), a scholarship recipient is not required to repay
255 any amount of the scholarship award if the scholarship recipient:
- 256 (i) is unable to secure employment as a peace officer within 12 months after the day
257 on which the scholarship recipient is POST certified; and
- 258 (ii) provides documentation from a prospective employer that the scholarship
259 recipient was not extended an offer of employment.
- 260 (8) The board may use up to 2% of the money appropriated for the scholarship program for
261 administrative costs.
- 262 (9)(a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
263 Administrative Rulemaking Act, to:
- 264 (i) set deadlines for receiving scholarship applications and supporting documentation;
- 265 (ii) establish an application process and appeal process for the program;
- 266 (iii) establish policies and procedures for cancellation or repayment of scholarship
267 awards if the scholarship recipient fails to meet the requirements under this
268 section;

269 (iv) collaborate with POST and other law enforcement and correction agencies to
 270 provide high school students information on law enforcement careers; and
 271 (v) notify POST when a student receives a scholarship under the program.

272 (b) The board shall include a disclosure on all applications and materials related to the
 273 program that the amount of the awarded scholarship may be subject to funding
 274 availability or reduction in accordance with Subsection (10).

275 (10) If an appropriation under this section is insufficient to cover the costs associated with
 276 the program, the board may:

277 (a) reduce the amount of a scholarship award; and

278 (b) distribute scholarship awards on a pro rata basis to all eligible applicants who
 279 submitted a complete application before the application deadline.

280 Section 5. Section **53B-8-116** is amended to read:

281 **53B-8-116 . Terrel H. Bell Education Scholarship Program -- Scholarship**
 282 **requirements -- Rulemaking.**

283 (1) As used in this section:

284 (a) "Approved program" means a program that:

285 (i) is a teacher preparation program that:

286 (A) meets the standards described in Section 53E-6-302; and

287 (B) provides enhanced clinical experiences; or

288 (ii) prepares an individual to become:

289 (A) a speech-language pathologist; or

290 (B) another licensed professional providing services in a public school to students
 291 with disabilities.

292 (b) "Eligible institution" means a Utah institution that offers an approved program and is:

293 (i) a public postsecondary educational institution; or

294 (ii) [~~private institution of higher education in Utah that offers an approved program.~~]
 295 a private postsecondary educational institution.

296 (c) "High needs area" means a subject area or field in public education that has a high
 297 need for teachers or other employees, as determined in accordance with Subsections
 298 (6) and (7).

299 (d) "Scholarship" means a scholarship described in this section.

300 (2) Subject to future budget constraints, the Legislature shall annually appropriate money to
 301 the board for the Terrel H. Bell Education Scholarship Program to be distributed to
 302 eligible institutions to award scholarships to incentivize students to work in public

- 303 education in Utah.
- 304 (3)(a) Subject to the prioritization described in Subsection (3)(b), an eligible institution
305 may award a scholarship to an individual who:
- 306 (i) meets the academic standards described in Subsection (6);
307 (ii) is enrolled in at least six credit hours at the eligible institution;
308 (iii) declares an intent to:
- 309 (A) apply to and complete an approved program at the eligible institution; and
310 (B) work in a Utah public school; and
- 311 (iv) demonstrates, in accordance with rules described in Subsection (6)(b), the
312 completion of a Free Application for Federal Student Aid.
- 313 (b) An eligible institution shall prioritize awarding of scholarships:
- 314 (i) first, to first generation students who intend to work in any area in a Utah public
315 school;
316 (ii) second, to students who:
317 (A) are not first generation students; and
318 (B) intend to work in a high needs area in a Utah public school; and
319 (iii) last, to other students who meet the requirements described in Subsection (3)(a).
- 320 (4)(a) Except as provided in Subsection (4)(b), an eligible institution may award a
321 scholarship to an individual for an amount up to the cost of resident tuition, fees, and
322 books for the number of credit hours in which the individual is enrolled each
323 semester.
- 324 (b) An eligible institution that is a [~~private institution~~] private postsecondary educational
325 institution may not award a scholarship for an amount of money that exceeds the
326 average scholarship amount granted by a public institution of higher education.
- 327 (5)(a) Except as provided in Subsection (5)(b), an eligible institution may award a
328 scholarship to an individual for up to four consecutive years.
- 329 (b) An eligible institution may grant a scholarship recipient a leave of absence.
- 330 (c) An eligible institution may cancel a scholarship if:
- 331 (i) the scholarship recipient fails to make reasonable progress toward completion of
332 the approved program, as determined by the eligible institution; or
333 (ii) the eligible institution determines with reasonable certainty that the scholarship
334 recipient does not intend to work in a Utah public school.
- 335 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
336 board shall make rules:

- 337 (a) that establish:
- 338 (i) requirements related to an eligible institution's administration of a scholarship;
- 339 (ii) a process for an individual to apply to an eligible institution to receive a
- 340 scholarship;
- 341 (iii) in accordance with Subsection (3)(a), requirements related to eligibility for a
- 342 scholarship, including required academic standards;
- 343 (iv) in accordance with Subsection (3)(b), requirements related to prioritization of
- 344 scholarships, including determination of:
- 345 (A) whether a student is a first generation student; and
- 346 (B) high needs areas; and
- 347 (v) criteria to determine whether an individual intends to work in a Utah public
- 348 school; and
- 349 (b) regarding the completion of the Free Application for Federal Student Aid described
- 350 in Subsection (3)(a)(iv), including:
- 351 (i) provisions for students or parents to opt out of the requirement due to:
- 352 (A) financial ineligibility for any potential grant or other financial aid;
- 353 (B) personal privacy concerns; or
- 354 (C) other reasons the board specifies; and
- 355 (ii) direction for applicants to financial aid advisors.
- 356 (7) The board shall consult with the State Board of Education to determine:
- 357 (a) whether a teacher preparation program provides enhanced clinical experiences; and
- 358 (b) which subject areas and fields are high needs areas.
- 359 (8) The board may use up to 5% of money appropriated for the purposes described in this
- 360 section to promote the scholarships described in this section.

361 Section 6. Section **53B-8-117** is amended to read:

362 **53B-8-117 . First Responder Mental Health Services Grant Program.**

- 363 (1) As used in this section:
- 364 (a) "First responder" means an individual who works in Utah as:
- 365 (i) a law enforcement officer, as defined in Section 53-13-103;
- 366 (ii) an emergency medical technician, as defined in Section 53-2e-101;
- 367 (iii) an advanced emergency medical technician, as defined in Section 53-2e-101;
- 368 (iv) a paramedic, as defined in Section 53-2e-101;
- 369 (v) a firefighter, as defined in Section 34A-3-113;
- 370 (vi) a dispatcher, as defined in Section 53-6-102;

- 371 (vii) a correctional officer, as defined in Section 53-13-104;
- 372 (viii) a special function officer, as defined in Section 53-13-105, employed by a local
373 sheriff;
- 374 (ix) a search and rescue worker under the supervision of a local sheriff;
- 375 (x) a forensic interviewer or victim advocate employed by a children's justice center
376 established in accordance with Section 67-5b-102;
- 377 (xi) a credentialed criminal justice system victim advocate as defined in Section
378 77-38-403 who responds to incidents with a law enforcement officer;
- 379 (xii) a crime scene investigator technician;
- 380 (xiii) a wildland firefighter;
- 381 (xiv) an investigator or prosecutor of cases involving sexual crimes against children;
382 or
- 383 (xv) a civilian employee of a first responder agency who has been authorized to view
384 or otherwise access information concerning crimes, accidents, or other traumatic
385 events.
- 386 (b) "First responder agency" means the same as that term is defined in Section 53-21-101.
- 387 (c) "First responder volunteer" means:
- 388 (i) an individual who donates services as a first responder to a first responder agency
389 located in Utah without pay or other compensation except:
- 390 (A) expenses that the individual actually and reasonably incurs as the supervising
391 first responder agency approves; and
- 392 (B) health insurance that a participant in the Volunteer Emergency Medical
393 Service Personnel Health Insurance Program described in Section 26-8a-603
394 receives; or
- 395 (ii) a volunteer firefighter who is not regularly employed as a firefighter service
396 employee, but who:
- 397 (A) has received training in firefighter techniques and skills;
- 398 (B) continues to receive regular firefighter training; and
- 399 (C) is on the rolls of a legally organized volunteer fire department that provides
400 ongoing training and serves a political subdivision of the state.
- 401 (d) "Retiree" means the same as that term is defined in Section 49-11-102.
- 402 (2) This section creates the First Responder Mental Health Services Grant Program.
- 403 (3) Subject to legislative appropriations and Subsection (8), the board shall award a grant to
404 an applicant who:

- 405 (a) is a first responder, a first responder volunteer, or a retiree who worked as a first
406 responder in the state; and
- 407 (b) is seeking a post-secondary degree or certification to become a mental health
408 therapist, as that term is defined in Section 58-60-102, from:
- 409 (i) an institution of higher education within the state system of higher education,
410 described in Section 53B-1-102; or
- 411 (ii) a [~~private, nonprofit institution of higher education in the state that is accredited~~
412 ~~by the Northwest Commission on Colleges and Universities]~~ private postsecondary
413 educational institution.
- 414 (4)(a) Subject to Subsection (4)(b), the board may award a qualified applicant a grant in
415 an amount that is equal to the difference between:
- 416 (i) the total cost of tuition and fees for the program in which the recipient is enrolled;
417 and
- 418 (ii) the total value of all other grants, tuition waivers, fee waivers, and scholarships
419 that the recipient receives to attend the institution.
- 420 (b) A grant award under Subsection (4)(a) is limited to:
- 421 (i) a maximum of \$6,000 each academic year; and
- 422 (ii) a maximum of four academic years.
- 423 (5) The board shall design the program to ensure that institutions combine loans, grants,
424 employment, and family and individual contributions toward financing the cost of
425 attendance.
- 426 (6) The board shall:
- 427 (a) select two periods during each calendar year to accept applications for the program;
428 and
- 429 (b) accept applications for no fewer than 30 days during each period described in
430 Subsection (6)(a).
- 431 (7)(a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
432 Administrative Rulemaking Act, to:
- 433 (i) set deadlines for receiving grant applications and supporting documentation; and
434 (ii) establish the application process and an appeal process for the First Responder
435 Mental Health Services Grant Program.
- 436 (b) The board shall include a disclosure on all applications and related materials that the
437 amount of the awarded grants may be subject to funding or be reduced, in accordance
438 with Subsection (8).

- 439 (8)(a) Subject to future budget constraints, the Legislature shall make an annual
440 appropriation from the Income Tax Fund to the board for the costs associated with
441 the First Responder Mental Health Services Grant Program authorized under this
442 section.
- 443 (b) Notwithstanding the provisions of this section, if the appropriation under this section
444 is insufficient to cover the costs associated with the First Responder Mental Health
445 Services Grant Program, the board may:
- 446 (i) reduce the amount of a grant; or
447 (ii) distribute grants on a pro rata basis to all eligible applicants who submitted a
448 complete application before the application deadline.

449 Section 7. Section **53B-8-201** is amended to read:

450 **53B-8-201 . Opportunity Scholarship Program.**

- 451 (1) As used in this section:
- 452 (a) "Eligible institution" means:
- 453 (i) a degree-granting institution of higher education within the state system of higher
454 education; or
455 (ii) a [~~private, nonprofit college or university in the state that is accredited by the~~
456 ~~Northwest Commission on Colleges and Universities]~~ private postsecondary
457 educational institution.
- 458 (b) "Eligible student" means a student who:
- 459 (i) applies to the board in accordance with the rules described in Subsection (5);
460 (ii) is enrolled in an eligible institution; and
461 (iii) meets the criteria established by the board in rules described in Subsection (5).
- 462 (c) "Fee" means:
- 463 (i) for an eligible institution that is a degree-granting institution, a fee approved by
464 the board; or
465 (ii) for an eligible institution that is a technical college, a fee approved by the eligible
466 institution.
- 467 (d) "Program" means the Opportunity Scholarship Program described in this section.
- 468 (2)(a) Subject to legislative appropriations, the board shall annually distribute money for
469 the Opportunity Scholarship Program described in this section to each eligible
470 institution to award as Opportunity scholarships to eligible students.
- 471 (b) The board shall annually determine the amount of an Opportunity scholarship based
472 on:

- 473 (i) the number of eligible students in the state; and
474 (ii) money available for the program.
- 475 (c) The board may not use more than 3% of the money appropriated to the program for
476 administrative costs and overhead.
- 477 (3)(a) Except as provided in this Subsection (3), an eligible institution shall provide to
478 an eligible student an Opportunity scholarship in the amount determined by the board
479 described in Subsection (2)(b).
- 480 (b) For an Opportunity scholarship for which an eligible student applies on or before
481 July 1, 2019, an eligible institution may reduce the amount of the Opportunity
482 scholarship based on other state aid awarded to the eligible student for tuition and
483 fees.
- 484 (c) For an Opportunity scholarship for which an eligible student applies after July 1,
485 2019:
- 486 (i) an eligible institution shall reduce the amount of the Opportunity scholarship so
487 that the total amount of state aid awarded to the eligible student, including tuition
488 or fee waivers and the Opportunity scholarship, does not exceed the cost of the
489 eligible student's tuition and fees; and
- 490 (ii) the eligible student may only use the Opportunity scholarship for tuition and fees.
- 491 (d) An institution described in Subsection (1)(a)(ii) may not award an Opportunity
492 scholarship to an eligible student in an amount that exceeds the average total cost of
493 tuition and fees among the eligible institutions described in Subsection (1)(a)(i).
- 494 (e) If the allocation for an eligible institution described in Subsection (1)(a)(ii) is
495 insufficient to provide the amount described in Subsection (2)(b) to each eligible
496 student, the eligible institution may reduce the amount of an Opportunity scholarship.
- 497 (4) The board may:
- 498 (a) audit an eligible institution's administration of Opportunity scholarships;
499 (b) require an eligible institution to repay to the board money distributed to the eligible
500 institution under this section that is not provided to an eligible student as an
501 Opportunity scholarship; and
- 502 (c) require an eligible institution to enter into a written agreement with the board in
503 which the eligible institution agrees to provide the board with access to information
504 and data necessary for the purposes of the program.
- 505 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
506 board shall make rules that establish:

- 507 (a) requirements related to an eligible institution's administration of Opportunity
508 scholarships;
- 509 (b) a process for a student to apply to the board to determine the student's eligibility for
510 an Opportunity scholarship;
- 511 (c) criteria to determine a student's eligibility for an Opportunity scholarship, including:
512 (i) minimum secondary education academic performance standards; and
513 (ii) the completion of a Free Application for Federal Student Aid or a process
514 approved by the board in lieu of the Free Application for Federal Student Aid;
- 515 (d) a requirement for each eligible institution to annually report to the board on all
516 Opportunity scholarships awarded by the eligible institution; and
- 517 (e) a process for a student to apply to the board for an Opportunity scholarship who
518 would have likely received the scholarship but for an irreconcilable error in the
519 application process described in Subsection (5)(b).
- 520 (6) The board shall annually report on the program to the Higher Education Appropriations
521 Subcommittee.
- 522 (7) The State Board of Education, a school district, or a public high school shall cooperate
523 with the board and eligible institutions to facilitate the program, including by
524 exchanging relevant data where allowed by law.

525 Section 8. Section **53B-8a-102.5** is amended to read:

526 **53B-8a-102.5 . Definitions for part.**

527 As used in this part:

- 528 (1) "Administrative fund" means the money used to administer the Utah Educational
529 Savings Plan.
- 530 (2) "Board" means the Utah Education Savings Board of Trustees created in Section
531 53B-8a-105.
- 532 (3) "Endowment fund" means the endowment fund established under Section 53B-8a-107,
533 which is held as a separate fund within the Utah Educational Savings Plan.
- 534 (4) "Executive director" means the administrator appointed to administer and manage the
535 Utah Educational Savings Plan.
- 536 (5) "Federally insured depository institution" means an institution whose deposits and
537 accounts are to any extent insured by a federal deposit insurance agency, including the
538 Federal Deposit Insurance Corporation and the National Credit Union Administration.
- 539 (6) "Grantor trust" means a trust, the income of which is for the benefit of the grantor under
540 Section 677, Internal Revenue Code.

- 541 (7) "Higher education costs" means qualified higher education expenses as defined in
 542 Section 529(e)(3), Internal Revenue Code.
- 543 (8) "Institution of higher education" means:
 544 (a) a private postsecondary educational institution; or
 545 (b) an institution of higher education listed in Section 53B-1-102.
- 546 [~~(8)~~] (9) "Owner of the grantor trust" means one or more individuals who are treated as an
 547 owner of a trust under Section 677, Internal Revenue Code, if that trust is a grantor trust.
- 548 [~~(9)~~] (10) "Program fund" means the program fund created under Section 53B-8a-107,
 549 which is held as a separate fund within the Utah Educational Savings Plan.
- 550 [~~(10)~~] (11) "Qualified investment" means an amount invested in accordance with an account
 551 agreement established under this part.
- 552 [~~(11)~~] (12) "Tuition and fees" means the quarterly or semester charges imposed to attend an
 553 institution of higher education and required as a condition of enrollment.
- 554 Section 9. Section **53B-8a-201** is amended to read:
 555 **53B-8a-201 . Definitions.**
 556 As used in this part:
- 557 (1) "529 savings account" means a tax-advantaged method of saving for higher education
 558 costs on behalf of a particular individual that:
 559 (a) meets the requirements of Section 529, Internal Revenue Code; and
 560 (b) is managed by the plan.
- 561 (2) "Child" means an individual less than 20 years of age.
- 562 (3) "Community partner" means a nonprofit organization that provide services to a child
 563 who is economically disadvantaged or a family member, legal guardian, or legal
 564 custodian of a child who is economically disadvantaged.
- 565 (4) "Donation" means a gift, grant, donation, or any other conveyance of money by a person
 566 other than the Legislature that is not made directly for the benefit or on behalf of a
 567 particular individual.
- 568 (5) "Economically disadvantaged" means that a child is:
 569 (a) experiencing intergenerational poverty;
 570 (b) a member or foster child of a family with an annual income at or below 185% of the
 571 federal poverty level;
 572 (c) living with a legal custodian or legal guardian with an annual family income at or
 573 below 185% of the federal poverty level; or
 574 (d) living with a legal custodian or legal guardian who can attest that the child or the

- 575 child's household is receiving services benefitting low-income households or
 576 individuals.
- 577 (6) "Eligible individual" means an individual who:
- 578 (a) is under 20 years of age and is a resident of Utah;
- 579 (b) is economically disadvantaged; and
- 580 (c) receives, or has a family member, a foster family member, or a legal custodian or
 581 legal guardian who receives, services from a community partner.
- 582 (7) "Federal poverty level" means the poverty level as defined by the most recently revised
 583 poverty income guidelines published by the United States Department of Health and
 584 Human Services in the Federal Register.
- 585 (8) "Higher education costs" means the same as that term is defined in Section 53B-8a-102.5,
 586 except that the expenses must be incurred at:
- 587 (a) a credit-granting institution of higher education within the state system of higher
 588 education;
- 589 (b) a ~~[private, nonprofit college or university in the state that is accredited by the~~
 590 ~~Northwestern Association of Schools and Colleges]~~ private postsecondary educational
 591 institution; or
- 592 (c) a technical college.
- 593 (9) "Intergenerational poverty" means the same as that term is defined in Section 35A-9-102.
- 594 (10) "Program" means the Student Prosperity Savings Program created in Section
 595 53B-8a-202.

596 Section 10. Section **53B-8a-204** is amended to read:

597 **53B-8a-204 . Distribution of program money -- Application process --**

598 **Prioritization -- Account agreements.**

- 599 (1) The plan shall distribute money in the program by creating a 529 savings account for an
 600 eligible individual identified by a community partner.
- 601 (2)(a)(i) The plan shall carry out the responsibility described in Subsection (1) by
 602 establishing a process in which a community partner may apply for an allocation
 603 of program money to designate for eligible individuals.
- 604 (ii) The Utah Board of Higher Education shall establish the application process for a
 605 community partner to apply for an allocation of program money.
- 606 (iii) The application process described in Subsection (2)(a)(ii) shall include:
- 607 (A) the criteria for a community partner to apply for an allocation of program
 608 money;

- 609 (B) the criteria that the plan will use to prioritize applications if the dollar amounts
610 requested in the applications exceed the dollar amount available;
- 611 (C) the requirements for establishing a 529 savings account in the name of an
612 eligible individual; and
- 613 (D) the roles and responsibilities of a community partner that makes a successful
614 application for an allocation of program money.
- 615 (b)(i) A community partner that receives an allocation of program money shall enter
616 into a contract with the plan.
- 617 (ii) The contract described in Subsection (2)(b)(i) shall:
- 618 (A) define the roles and responsibilities of the community partner and the plan
619 with regard to the community partner's allocation of program money; and
- 620 (B) specify that the individual the community partner identifies to receive a
621 portion of the community partner's allocation is an eligible individual.
- 622 (3) If the plan approves a community partner's application for an allocation of program
623 money, the plan may not promise or otherwise encumber the allocation to any other
624 person unless the allocation is forfeited under Subsection (5)(b)(ii).
- 625 (4)(a) A community partner shall identify each eligible individual who will receive a
626 portion of the community partner's allocation of program money.
- 627 (b) After a community partner identifies an eligible individual to receive a portion of the
628 community partner's allocation, the community partner shall notify the plan of:
- 629 (i) the amount of the community partner's allocation that shall transfer to a 529
630 savings account in the name of the identified eligible individual; and
- 631 (ii) the amount, if any, that the community partner will be contributing in accordance
632 with Part 1, Utah Educational Savings Plan, to the 529 savings account on behalf
633 of the identified eligible individual.
- 634 (5)(a) Upon receiving the information described in Subsection (4)(b), the plan shall
635 establish a 529 savings account for the identified eligible individual, with the
636 community partner as the account owner.
- 637 (b) The community partner shall inform the beneficiary that:
- 638 (i) within three years after the day on which the beneficiary graduates from high
639 school, the beneficiary shall enroll in:
- 640 (A) a credit-granting institution of higher education within the state system of
641 higher education;
- 642 (B) a ~~[private, nonprofit college or university in the state that is accredited by the~~

643 ~~Northwestern Association of Schools and Colleges]~~ private postsecondary
 644 educational institution; or

645 (C) a technical college; and

646 (ii) if the beneficiary fails to enroll within three years after the day on which the
 647 beneficiary graduates from high school, any money that remains in the 529
 648 savings account shall be returned to the program.

649 (c) After entering into the account agreement described in Subsection (5)(a), the plan
 650 shall deposit into the beneficiary's 529 savings account the amount of the allocation
 651 described in Subsection (4)(b)(i).

652 Section 11. Section **53B-10-101** is amended to read:

653 **53B-10-101 . Terrel H. Bell Teaching Incentive Loans program -- Eligible**
 654 **students -- Cancellation of incentive loans -- Repayment by recipient who fails to meet**
 655 **requirements -- Duration of incentive loans.**

656 (1)(a) Notwithstanding the provisions of this section, the board may not award an
 657 incentive loan described in this section on or after July 1, 2019.

658 (b) The provisions of this section apply to an incentive loan described in this section that
 659 was awarded before July 1, 2019.

660 (2)(a) A Terrel H. Bell Teaching Incentive Loans program is established to recruit and
 661 train superior candidates for teaching in Utah's public school system as a component
 662 of the teacher quality continuum referred to in Subsections 53E-2-302(7) and
 663 53E-6-103(2)(a).

664 (b) Under the program, the incentive loans may be used in any of Utah's state-operated
 665 institutions of higher education or at a [~~private institution of higher education~~] private
 666 postsecondary educational institution in Utah that offers a state-approved teacher
 667 education program.

668 (3)(a) The board shall award the incentive loans to college students who have been
 669 admitted to, or have made application to and are prepared to enter into, a program
 670 preparing students for licensure and who declare an intent to complete the prescribed
 671 course of instruction and to teach in this state in accordance with the priorities
 672 described under Subsection (6)(c).

673 (b) The incentive loan may be canceled at any time by the institution of attendance if:

674 (i) the student fails to make reasonable progress toward completion of licensing
 675 requirements; or

676 (ii) it appears to be a reasonable certainty that the student does not intend to teach in

- 677 Utah.
- 678 (c) The board may grant leaves of absence to incentive loan holders.
- 679 (d) The board may establish by rule made in accordance with Title 63G, Chapter 3, Utah
680 Administrative Rulemaking Act, criteria and procedures under which the board may
681 forgive a loan made under this section.
- 682 (4) The board may require an incentive loan recipient who fails to complete the
683 requirements for licensing without good cause to repay all tuition and fees provided by
684 the loan, together with appropriate interest.
- 685 (5)(a) The board may require an incentive loan recipient who does not work in the state's
686 public school system or a private school within the state within two years after
687 graduation to repay all tuition and fees provided by the loan, together with
688 appropriate interest, unless waived for good cause.
- 689 (b)(i) A recipient who does not teach for a term equal to the number of years of the
690 incentive loan within a reasonable period of time after graduation shall repay a
691 graduated portion of the tuition and fees based upon the uncompleted term.
- 692 (ii) One year of teaching is credit for one year's tuition and fees.
- 693 (c) All repayments made under this Subsection (5) are for use in the Terrel H. Bell
694 Education Scholarship Program described in Section 53B-8-116.
- 695 (6)(a) Each incentive loan is valid for up to four years of full-time equivalent
696 enrollment, or until requirements for licensing or advanced licensing have been met,
697 whichever is less.
- 698 (b)(i) Incentive loans apply to both tuition and fees in amounts and are subject to
699 conditions approved by the board, based upon criteria developed to ensure that all
700 recipients of the loans will pursue an education career within the state.
- 701 (ii) An incentive loan for tuition and fees at a [~~private institution~~] private
702 postsecondary educational institution may not exceed the average scholarship
703 amounts granted for tuition and fees at public institutions of higher education
704 within the state.
- 705 (c) Incentive loans shall be awarded in accordance with prioritized critical areas of need
706 for teaching expertise within the state, as determined by the State Board of
707 Education's criticality index and school district priorities based upon data provided by
708 the school district, and may include preparing persons as:
- 709 (i) a special education teacher;
- 710 (ii) a speech or language pathologist; or

711 (iii) another licensed professional providing services in the public schools to pupils
712 with disabilities.

713 Section 12. Section **53B-13-111** is amended to read:

714 **53B-13-111 . Loans or purchase of obligations -- Rules -- Options -- Repayment**
715 **of federally insured loans.**

- 716 (1) The board may purchase obligations from lenders or make loans to eligible borrowers,
717 out of money available to the board for loans. The board shall promulgate rules for
718 determining the needs of the respective borrowers for loans and for the purpose of
719 making loans or purchasing obligations. The amount of an obligation purchased by the
720 board or of a loan made by the board to an eligible borrower, whether enrolled or to be
721 enrolled in a [~~private institution~~] private postsecondary educational institution or a
722 tax-supported public institution, is determined by the board upon the basis of
723 substantially similar standards and guides set forth in the board's rules. The board, in
724 determining the needs of eligible borrowers for guaranteed loans, may consider the
725 amount of assistance available to the students.
- 726 (2) When the board purchases an obligation or makes a loan, and again immediately before
727 a repayment schedule on the loan or obligation is signed by the borrower, the board shall
728 cause a written statement to be delivered to the borrower describing in detail whether an
729 option exists and, if so, who may exercise the option, under what conditions the option
730 may be exercised, and what options are available relating to the following:
- 731 (a) the term of the loan;
 - 732 (b) the repayment period on the loan;
 - 733 (c) an extension of the term or repayment period on the loan and the conditions of
734 repayment under the extension;
 - 735 (d) a deferment or forbearance on the repayment of the loan or on interest accruing on
736 the loan, whether interest is to be paid during the deferment or forbearance, and the
737 terms of repayment after the deferment or forbearance;
 - 738 (e) the period of time between installment payments on the loan and whether graduated
739 or unequal installment payments may be made;
 - 740 (f) the minimum annual payment on the loan, and if more than one loan is taken from
741 the board or if the borrower takes or has taken an educational loan from another
742 source, the availability of consolidation, transfer, or assignment of the loans and the
743 minimum annual payment on the aggregate of the loans;
 - 744 (g) the granting of an interview before or at the time the borrower signs a repayment

745 schedule; and
746 (h) the revision or renegotiation of the repayment schedule on the loan after repayment
747 has commenced, or if other educational loans from the board or another source are
748 taken after the repayment has commenced.

749 (3) On obligations purchased or loans made by the board which are federally insured loans,
750 the board may establish variable repayment schedules conforming to the need and
751 documented income levels of borrowers, if the schedules are not inconsistent with
752 federal laws, rules, or regulations governing the insured loans. A borrower making
753 payments on a loan may request and be granted a revised repayment term or schedule
754 based upon the established variable repayment schedules.

755 Section 13. Section **53B-13a-102** is amended to read:

756 **53B-13a-102 . Definitions.**

757 As used in this chapter:

758 (1)(a) "Cost of attendance" means the estimated costs associated with attending an
759 institution, as established by the institution in accordance with board policies.

760 (b) "Cost of attendance" includes costs payable to the institution, other direct educational
761 expenses, transportation, and living expenses while attending the institution.

762 (2)(a) "Eligible student" means a financially needy student who is:

763 (i) unconditionally admitted to and enrolled at a Utah postsecondary institution on at
764 least a half-time basis, as defined by the board, in an eligible postsecondary
765 program leading to a defined education or training objective, as defined by the
766 board;

767 (ii) making satisfactory academic progress, as defined by the institution in published
768 policies or rules, toward an education or training objective; and

769 (iii)(A) a resident student under Section 53B-8-102 and rules of the board; or

770 (B) exempt from paying the nonresident portion of total tuition under Section
771 53B-8-106.

772 (b) "Eligible student" does not include a graduate student.

773 (3) "Financially needy student" means a student who demonstrates the financial inability to
774 meet all or a portion of the cost of attendance at an institution for any period of
775 attendance as defined by the board, after considering the student's expected family
776 contribution.

777 (4) "Fiscal year" means the fiscal year of the state.

778 (5) "Partner award" means a financial award described in Section 53B-13a-106.

- 779 (6) "Program" means the Utah Promise Program.
- 780 (7) "Promise partner" means an employer that participates in the program described in
781 Section 53B-13a-106.
- 782 (8) "Utah postsecondary institution" or "institution" means:
- 783 (a) an institution of higher education listed in Section 53B-1-102; or
- 784 (b) a Utah [~~private, nonprofit postsecondary institution that is accredited by an~~
785 ~~accrediting organization that the United States Department of Education recognizes]~~
786 private postsecondary educational institution.
- 787 Section 14. Section **53B-13b-102** is amended to read:
- 788 **53B-13b-102 . Definitions.**
- 789 As used in this chapter:
- 790 (1) "Federal program" means a veterans educational assistance program established in:
- 791 (a) United States Code, Title 10, Chapter 1606, Educational Assistance for Members of
792 the Selected Reserve;
- 793 (b) United States Code, Title 38, Chapter 30, All-Volunteer Force Educational
794 Assistance Program;
- 795 (c) United States Code, Title 38, Chapter 31, Training and Rehabilitation for Veterans
796 with Service-Connected Disabilities;
- 797 (d) United States Code, Title 38, Chapter 32, Post-Vietnam Era Veterans' Educational
798 Assistance; or
- 799 (e) United States Code, Title 38, Chapter 33, Post-9/11 Educational Assistance.
- 800 (2) "Institution of higher education" or "institution" means:
- 801 (a) an institution of higher education listed in Subsection 53B-2-101(1); or
- 802 (b) a [~~private, nonprofit, postsecondary institution located in Utah that is accredited by~~
803 ~~an accrediting organization that the United States Department of Education recognizes]~~
804 private postsecondary educational institution.
- 805 (3) "Program" means the Veterans Tuition Gap Program created in this chapter.
- 806 (4)(a) "Qualifying military veteran" means a veteran, as defined in Section 68-3-12.5,
807 who:
- 808 (i) is a resident student under Section 53B-8-102 and rules of the board;
- 809 (ii) is accepted into an institution and enrolled in a program leading to a bachelor's
810 degree;
- 811 (iii)(A) has exhausted the federal benefit under a federal program; or
- 812 (B) demonstrates that the veteran no longer qualifies to receive federal benefits

- 813 under any federal program; and
- 814 (iv) has not completed a bachelor's degree.
- 815 (b) "Qualifying military veteran" does not include a family member.
- 816 Section 15. Section **53B-13c-101** is amended to read:
- 817 **53B-13c-101 . Definitions.**
- 818 As used in this chapter:
- 819 (1)(a) "Cost of attendance" means the estimated costs associated with taking an online
- 820 course, as established by an eligible institution in accordance with board policies.
- 821 (b) "Cost of attendance" includes tuition, costs payable to the eligible institution, and
- 822 other direct educational expenses related to taking an online course.
- 823 (2) "Eligible institution" means an institution that offers a postsecondary level course of
- 824 instruction using digital technology.
- 825 (3) "Eligible student" means a financially needy student who is:
- 826 (a) at least 26 years old;
- 827 (b) enrolled in an online course at an eligible institution;
- 828 (c) pursuing:
- 829 (i) an online postsecondary degree program in a field where there is a demonstrated
- 830 industry need; or
- 831 (ii) an online non-degree program that is designed to meet industry needs and leads to
- 832 a certificate or another recognized educational credential; and
- 833 (d) a resident student under Section 53B-8-102 and rules the board establishes.
- 834 (4) "Financially needy student" means a student who demonstrates the financial inability to
- 835 meet all or a portion of the cost of attendance at an eligible institution as defined by the
- 836 board, after utilizing family and personal resources, federal assistance, and scholarships.
- 837 (5) "Fiscal year" means the fiscal year of the state.
- 838 (6) "Institution" means:
- 839 (a) an institution described in Section 53B-1-102; or
- 840 (b) a Utah ~~[private, nonprofit postsecondary institution that is accredited by an~~
- 841 ~~accrediting organization that the United States Department of Education recognizes]~~
- 842 private postsecondary educational institution.
- 843 (7) "Online course" means a postsecondary level course of instruction offered by an eligible
- 844 institution using digital technology.
- 845 (8) "Program" means the Adult Learners Grant Program established in Section 53B-13c-102.
- 846 (9) "Tuition" means tuition and fees at the rate charged for residents of the state.

847 Section 16. Section **53B-16-105** is amended to read:

848 **53B-16-105 . Common course numbering -- Transferability of credits --**

849 **Agreement with competency-based general education provider -- Policies.**

850 (1) As used in this section:

851 (a) "Accredited institution" means an institution that:

852 (i) offers a competency-based postsecondary general education course online or in
853 person; and

854 (ii) is accredited by an organization that the United States Department of Education
855 recognizes.

856 (b) "Articulation agreement" means an agreement between the board and a provider that
857 allows a student to transfer credit awarded by the provider for a general education
858 course to any institution of higher education.

859 (c) "Competency-based" means a system where a student advances to higher levels of
860 learning when the student demonstrates competency of concepts and skills regardless
861 of time, place, or pace.

862 (d) "Competency-based general education provider" or "provider" means a [~~private~~
863 institution] private postsecondary educational institution that:

864 (i) offers a postsecondary competency-based general education course online or in
865 person;

866 (ii) awards academic credit; and

867 (iii) does not award degrees, including associates degrees or baccalaureate degrees.

868 (e) "Credit for prior learning" means the same as that term is defined in Section
869 53B-16-110.

870 (f) "Institution of higher education" means an institution described in Section 53B-1-102.

871 (2) The board shall:

872 (a) facilitate articulation and the seamless transfer of courses, programs, and credit for
873 prior learning within the Utah System of Higher Education;

874 (b) provide for the efficient and effective progression and transfer of students within the
875 Utah System of Higher Education;

876 (c) avoid the unnecessary duplication of courses;

877 (d) communicate ways in which a student may earn credit for prior learning; and

878 (e) allow a student to proceed toward the student's educational objectives as rapidly as
879 the student's circumstances permit.

880 (3) The board shall develop, coordinate, and maintain a transfer and articulation system that:

- 881 (a) maintains a course numbering system that assigns common numbers to specified
882 courses of similar level with similar curricular content, rigor, and standards;
- 883 (b) allows a student to track courses that transfer among institutions of higher education;
- 884 (c) allows a student to transfer courses from a provider with which the board has an
885 articulation agreement to any institution of higher education;
- 886 (d) allows a student to transfer competency-based general education courses from an
887 accredited institution to an institution of higher education;
- 888 (e) improves program planning;
- 889 (f) increases communication and coordination between institutions of higher education;
- 890 (g) facilitates student acceleration and the transfer of students and credits between
891 institutions of higher education; and
- 892 (h) if the system includes a software or data tool:
- 893 (i) provides predictive analysis that models probabilities of student success; and
894 (ii) develops tailored strategies to best support students.
- 895 (4)(a) The board shall identify general education courses in the humanities, social
896 sciences, arts, physical sciences, and life sciences with uniform prefixes and common
897 course numbers.
- 898 (b) A degree-granting institution shall annually identify institution courses that satisfy
899 requirements of courses described in Subsection (4)(a).
- 900 (c) A degree-granting institution shall accept a course described in Subsection (3)(c),
901 (3)(d), or (4)(a) toward filling specific area requirements for general education or
902 lower division courses that transfer to baccalaureate majors.
- 903 (5)(a) The board shall:
- 904 (i) identify technical education programs with common names, descriptions, lengths,
905 and objectives; and
- 906 (ii) within technical education programs, common course names, descriptions, length,
907 and objectives allowing for customization of electives to meet regional industry
908 demand.
- 909 (b) The commissioner shall appoint committees of faculty members from technical
910 education committees to recommend aligned programs and courses that will satisfy
911 graduation requirements.
- 912 (6)(a) The board shall identify common prerequisite courses and course substitutions for
913 degree programs across degree-granting institutions.
- 914 (b) The commissioner shall appoint committees of faculty members from the

915 degree-granting institutions to recommend appropriate courses of similar content and
916 numbering that will satisfy requirements for lower division courses that transfer to
917 baccalaureate majors.

918 (c) A degree-granting institution shall annually identify institution courses that satisfy
919 requirements of courses described in Subsection (6)(a).

920 (d) A degree-granting institution shall accept a course described in Subsection (3)(c),
921 (3)(d), or (6)(a) toward filling graduation requirements.

922 (7)(a)(i) The board shall seek proposals from providers to enter into articulation
923 agreements.

924 (ii) A proposal described in Subsection (7)(a)(i) shall include the general education
925 courses that the provider intends to include in an articulation agreement.

926 (b) The board shall:

927 (i) evaluate each general education course included in a proposal described in
928 Subsection (7)(a) to determine whether the course is equally rigorous and includes
929 the same subject matter as the equivalent course offered by any institution of
930 higher education; and

931 (ii) if the board determines that a course included in a provider's proposal is equally
932 rigorous and includes the same subject matter as the equivalent course offered by
933 any institution of higher education, enter into an articulation agreement with the
934 provider.

935 (8) The board shall establish policies to administer the policies and requirements described
936 in this section.

937 (9) The board shall include information demonstrating that institutions of higher education
938 are complying with the provisions of this section and the policies established in
939 accordance with Subsection (8) in the annual report described in Section 53B-1-402.

940 Section 17. Section **53B-16-401** is amended to read:

941 **53B-16-401 . Definitions.**

942 As used in this part:

943 (1)(a) "Cooperating employer" means a public or private entity which, as part of a work
944 experience and career exploration program offered through an institution of higher
945 education, provides interns with training and work experience in activities related to
946 the entity's ongoing business activities.

947 (b) "Cooperating employer" also means an institution of higher education that provides
948 the work experience segment of an intern's work experience and career exploration

949 program.

950 (2) "Institution of higher education" means any:

951 (a) component of the state system of higher education, as defined under Section

952 53B-1-102, that is authorized by the board to offer internship programs; and

953 (b) [~~private institution of higher education~~] private postsecondary educational institution

954 which offers internship programs under this part.

955 (3) "Intern" means a student enrolled in a work experience and career exploration program

956 under Section 53B-16-402:

957 (a) that an institution of higher education sponsors;

958 (b) involves both classroom instruction and work experience with a cooperating

959 employer; and

960 (c) for which the student receives no compensation.

961 (4) "Internship" means the work experience segment of an intern's work experience and

962 career exploration program that:

963 (a) an institution of higher education sponsors under a written agreement with a

964 cooperating employer; and

965 (b) an intern performs under the direct supervision of a cooperating employer.

966 Section 18. Section **53B-17-901** is amended to read:

967 **53B-17-901 . Admissions -- Increase authorized.**

968 (1) Beginning with the 2013-14 school year and subject to Subsection (2), the University of

969 Utah School of Medicine may increase the number of students admitted by 40 students

970 for a total of 122 students admitted annually.

971 (2) Beginning with the 2013-14 school year, no fewer than 82% of the students admitted

972 annually shall:

973 (a) meet the qualifications of a resident student for the purpose of tuition in accordance

974 with:

975 (i) Section 53B-8-102;

976 (ii) board policy on determining resident status; and

977 (iii) University of Utah policy on determining resident status;

978 (b) have graduated from a public or [~~private college or university~~] private postsecondary

979 educational institution located in Utah; or

980 (c) have graduated from a public or private high school located in Utah.

981 Section 19. Section **53B-20-107** is amended to read:

982 **53B-20-107 . Powers of chief administrative officer to order individuals off an**

983 **institution of higher education's property.**

984 (1) As used in this section:

985 (a) "Chief administrative officer" means the president of an institution or an individual
986 designated by the president.

987 (b) "Institution of higher education" means:

988 (i) a state institution of higher education as defined in Section 53B-3-102; or

989 (ii) a ~~[private institution of higher education in the state accredited by a regional or~~
990 ~~national accrediting agency recognized by the United States Department of~~
991 ~~Education]~~ private postsecondary educational institution.

992 (2) It is the purpose of this section to:

993 (a) supplement and clarify the power vested in the governing board of each institution of
994 higher education; and995 (b) regulate, conduct, and enforce law and order on property owned, operated, or
996 controlled by each institution of higher education.997 (3) A chief administrative officer may order an individual to leave property that is owned,
998 operated, or controlled by an institution of higher education if:999 (a) the individual acts, or if the chief administrative officer has reasonable cause to
1000 believe that the individual intends to act, to:

1001 (i) cause injury to an individual;

1002 (ii) cause damage to property;

1003 (iii) commit a crime;

1004 (iv) interfere with the peaceful conduct of the activities of the institution of higher
1005 education;1006 (v) violate a rule or regulation of the institution of higher education if that rule or
1007 regulation is not in conflict with state law; or1008 (vi) disrupt the institution of higher education, the institution's pupils, or the
1009 institution of higher education's activities; or1010 (b) the individual is reckless as to whether the individual's actions will cause fear for the
1011 safety of another individual.1012 (4)(a) If a law enforcement agency or security department of an institution of higher
1013 education lacks sufficient manpower to deal effectively with a condition of unrest
1014 existing or developing on a campus or related facility of the institution of higher
1015 education in the judgment of the chief administrative officer, the chief administrative
1016 officer may call for assistance from the county sheriff of the county, a city law

- 1017 enforcement agency, or the Department of Public Safety.
- 1018 (b) Upon receipt of the request under Subsection (4)(a), the county sheriff, a city law
1019 enforcement agency, or the Department of Public Safety must render all necessary
1020 assistance without expense to the institution of higher education.
- 1021 (c) All personnel while rendering assistance to the institution of higher education shall
1022 serve under the general direction of the chief administrative officer.
- 1023 (5) Nothing in this section shall limit:
- 1024 (a) the right or duty of a local law enforcement agency to enforce the law which the local
1025 law enforcement agency had prior to this enactment; or
- 1026 (b) the right of a state or local law enforcement agency to enforce the laws of this state.
- 1027 Section 20. Section **53B-28-102** is amended to read:
- 1028 **53B-28-102 . Definitions.**
- 1029 As used in this chapter, "institution" means a Utah institution that is a private
1030 postsecondary educational institution or a public [or private postsecondary] institution[that is
1031 located in Utah], including an institution of higher education listed in Section 53B-1-102.
- 1032 Section 21. **Effective Date.**
- 1033 This bill takes effect on May 7, 2025.