

29 Section 1. Section **53H-1-203** is amended to read:

30 **53H-1-203 . Establishment of board -- Powers, duties, and authority -- Reports.**

31 (1)(a) There is established the Utah Board of Higher Education, which:

32 (i) is the governing board for the institutions of higher education; and

33 (ii) controls, oversees, and regulates the Utah System of Higher Education in a
34 manner consistent with the purpose of this title and the specific powers and
35 responsibilities granted to the board.

36 (b)(i) The University of Utah shall provide administrative support for the board.

37 (ii) Notwithstanding Subsection (1)(b)(i), the board shall maintain the board's
38 independence, including in relation to the powers and responsibilities granted to
39 the board.

40 (2) The board shall:

41 (a) establish and promote a state-level vision and goals for higher education that
42 emphasize data-driven retrospective and prospective system priorities, including:

43 (i) quality;

44 (ii) affordability;

45 (iii) access and equity;

46 (iv) completion;

47 (v) workforce alignment and preparation for high-quality jobs; and

48 (vi) economic growth;

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

50 (c) establish metrics to demonstrate and monitor:

51 (i) performance related to the goals; and

52 (ii) performance on measures of operational efficiency;

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

55 (e) govern data quality and collection across institutions;

56 (f) establish, approve, and oversee each institution's mission and role in accordance with
57 Section 53H-3-602;

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

59 (h) participate in the establishment and review of programs of instruction in accordance
60 with Section 53H-3-603;

61 (i) perform the following duties related to an institution of higher education president,
62 including:

- 63 (i) hiring an institution of higher education president in accordance with Section
64 53H-3-302;
- 65 (ii) through the commissioner and the board's executive committee:
- 66 (A) providing support and guidance to an institution of higher education president;
67 and
- 68 (B) evaluating an institution of higher education president based on institution
69 performance and progress toward systemwide priorities;
- 70 (iii) setting the terms of employment for an institution of higher education president,
71 including performance-based compensation, through an employment contract or
72 another method of establishing employment; and
- 73 (iv) establishing, through a confidential process, a statewide succession plan to
74 develop potential institution presidents from within the system;
- 75 (j) create and implement a strategic finance plan for higher education, including by:
- 76 (i) establishing comprehensive budget and finance priorities for academic education
77 and technical education;
- 78 (ii) allocating statewide resources to institutions;
- 79 (iii) setting tuition for each institution;
- 80 (iv) administering state financial aid programs;
- 81 (v) administering performance funding in accordance with Chapter 8, Part 3,
82 Performance Funding; and
- 83 (vi) developing a strategic capital facility plan and prioritization process in
84 accordance with Chapter 9, Part 5, General Capital Developments, and Sections
85 53H-9-604 and 53H-9-605;
- 86 (k) create and annually report to the Higher Education Appropriations Subcommittee on
87 a seamless articulated education system for Utah students that responds to changing
88 demographics and workforce, including by:
- 89 (i) providing for statewide prior learning assessment, in accordance with Section
90 53H-3-702;
- 91 (ii) establishing and maintaining, in accordance with Section 53H-3-604, clear
92 pathways for articulation and transfer, [~~in accordance with Section 53H-3-604~~]
93 including identifying strategies that promote transfer from an institution external
94 to the Utah System of Higher Education;
- 95 (iii) establishing degree program requirement guidelines, including credit hour limits;
- 96 (iv) aligning general education requirements across degree-granting institutions;

- 97 (v) coordinating and incentivizing collaboration and partnerships between institutions
98 in delivering programs;
- 99 (vi) coordinating distance delivery of programs;
- 100 (vii) coordinating work-based learning; and
- 101 (viii) emphasizing the system priorities and metrics described in Subsections (2)(a)
102 and (c);
- 103 (l) coordinate with the public education system:
- 104 (i) regarding public education programs that provide postsecondary credit or
105 certificates; and
- 106 (ii) to ensure that an institution of higher education providing technical education
107 serves secondary students in the public education system;
- 108 (m) delegate to an institution board of trustees certain duties related to institution
109 governance including:
- 110 (i) guidance and support for the institution president;
- 111 (ii) effective administration;
- 112 (iii) the institution's responsibility for contributing to progress toward achieving
113 systemwide goals; and
- 114 (iv) other responsibilities determined by the board;
- 115 (n) delegate to an institution of higher education president management of the institution
116 of higher education;
- 117 (o) consult with an institution of higher education board of trustees or institution of
118 higher education president before acting on matters pertaining to the institution of
119 higher education;
- 120 (p) maximize efficiency throughout the Utah System of Higher Education by identifying
121 and establishing shared administrative services, beginning with:
- 122 (i) commercialization;
- 123 (ii) services for compliance with Title IX of the Education Amendments of 1972, 20
124 U.S.C. Sec. 1681 et seq.;
- 125 (iii) information technology services; and
- 126 (iv) human resources, payroll, and benefits administration;
- 127 (q) develop strategies for providing higher education, including career and technical
128 education, in rural areas;
- 129 (r) manage and facilitate a process for initiating, prioritizing, and implementing
130 education reform initiatives, beginning with common applications and direct

- 131 admissions;
- 132 (s) provide ongoing quality review of programs;
- 133 (t) before each annual legislative general session, provide to the Higher Education
- 134 Appropriations Subcommittee a prioritization of all projects and proposals for which
- 135 the board or an institution of higher education seeks an appropriation; and
- 136 (u) coordinate with the Department of Corrections to establish educational programs for
- 137 inmates as described in Section 64-13-6.
- 138 (3) The board shall submit an annual report of the board's activities and performance
- 139 against the board's goals and metrics to:
- 140 (a) the Education Interim Committee;
- 141 (b) the Higher Education Appropriations Subcommittee;
- 142 (c) the governor; and
- 143 (d) each institution of higher education.
- 144 (4) The board shall prepare and submit an annual report detailing the board's progress and
- 145 recommendations on workforce related issues, including career and technical education,
- 146 to the governor and to the Education Interim Committee by December 1 of each year,
- 147 including information detailing:
- 148 (a) how institutions of higher education are meeting the career and technical education
- 149 needs of secondary students;
- 150 (b) how the system emphasized high demand, high wage, and high skill jobs in business
- 151 and industry;
- 152 (c) performance outcomes, including:
- 153 (i) entered employment;
- 154 (ii) job retention; and
- 155 (iii) earnings;
- 156 (d) an analysis of workforce needs and efforts to meet workforce needs; and
- 157 (e) student tuition and fees.
- 158 (5) The board may modify the name of an institution of higher education to reflect the role
- 159 and general course of study of the institution.
- 160 (6) The board may not take action relating to merging a technical college with another
- 161 institution of higher education without legislative approval.
- 162 (7) This section does not affect the power and authority vested in the State Board of
- 163 Education to apply for, accept, and manage federal appropriations for the establishment
- 164 and maintenance of career and technical education.

- 165 (8) The board shall ensure that any training or certification that an employee of the higher
 166 education system is required to complete under this title or by board rule complies with
 167 Title 63G, Chapter 22, State Training and Certification Requirements.
- 168 (9) The board shall demonstrate compliance with Subsection (2)(p) by providing to the
 169 Higher Education Appropriations Subcommittee:
- 170 (a) on or before October 1, 2024, evidence of implementation of at least one shared
 171 administrative service;
- 172 (b) on or before October 1, 2025, evidence of implementation of at least two shared
 173 administrative services; and
- 174 (c) on or before October 1, 2026, evidence of implementation of at least three shared
 175 administrative services.
- 176 (10) If the Higher Education Appropriations Subcommittee finds the board to be out of
 177 compliance with Subsection (9), the Legislature shall:
- 178 (a) deduct 10% of the appropriation described in Section 53H-8-302 for the following
 179 fiscal year; and
- 180 (b) deduct an additional 10% of the appropriation described in Section 53H-8-302 for
 181 each subsequent year of noncompliance up to a maximum deduction of 30%.
- 182 Section 2. Section **53H-3-604** is amended to read:
- 183 **53H-3-604 . Common course numbering -- Transferability of credits --**
 184 **Agreement with competency-based general education provider -- Policies.**
- 185 (1) As used in this section:
- 186 (a) "Accredited institution" means an institution that:
- 187 (i) offers a competency-based postsecondary general education course online or in
 188 person; and
- 189 (ii) is accredited by an organization that the United States Department of Education
 190 recognizes.
- 191 (b) "Articulation agreement" means an agreement between the board and a provider that
 192 allows a student to transfer credit awarded by the provider for a general education
 193 course to any institution of higher education.
- 194 (c) "Competency-based" means a system where a student advances to higher levels of
 195 learning when the student demonstrates competency of concepts and skills regardless
 196 of time, place, or pace.
- 197 (d) "Competency-based general education provider" or "provider" means a private
 198 postsecondary educational institution that:

- 199 (i) offers a postsecondary competency-based general education course online or in
200 person;
- 201 (ii) awards academic credit; and
- 202 (iii) does not award degrees, including associates degrees or baccalaureate degrees.
- 203 (e) "Credit for prior learning" means the same as that term is defined in Section
204 53H-3-702.
- 205 (2) The board shall:
- 206 (a) facilitate articulation and the seamless transfer of courses, programs, and credit for
207 prior learning within the Utah System of Higher Education;
- 208 (b) provide for the efficient and effective progression and transfer of students within the
209 Utah System of Higher Education;
- 210 (c) avoid the unnecessary duplication of courses, including for a student who transfers
211 from an institution external to the Utah System of Higher Education described in
212 Section 53H-1-102;
- 213 (d) communicate ways in which a student may earn credit for prior learning;
- 214 (e) ensure an institution informs a student of the student's options for appealing a
215 decision related to the transfer and acceptance of credits; and
- 216 [(e)] (f) allow a student to proceed toward the student's educational objectives as rapidly
217 as the student's circumstances permit.
- 218 (3) The board shall develop, coordinate, and maintain a transfer and articulation system that:
- 219 (a) maintains a course numbering system that assigns common numbers to specified
220 courses of similar level with similar curricular content, rigor, and standards;
- 221 (b) allows a student to track courses that transfer among institutions of higher education;
- 222 (c) allows a student to transfer courses from a provider with which the board has an
223 articulation agreement to any institution of higher education;
- 224 (d) allows a student to transfer competency-based general education courses from an
225 accredited institution to an institution of higher education;
- 226 (e) improves program planning;
- 227 (f) increases communication and coordination between institutions of higher education;
- 228 (g) facilitates student acceleration and the transfer of students and credits between
229 institutions of higher education; and
- 230 (h) if the system includes a software or data tool:
- 231 (i) provides predictive analysis that models probabilities of student success; and
232 (ii) develops tailored strategies to best support students.

- 233 (4)(a) The board shall identify general education courses in the humanities, social
234 sciences, arts, physical sciences, and life sciences with uniform prefixes and common
235 course numbers.
- 236 (b) A degree-granting institution shall annually identify institution courses that satisfy
237 requirements of courses described in Subsection (4)(a).
- 238 (c) A degree-granting institution shall accept a course described in Subsection (3)(c),
239 (3)(d), or (4)(a) toward filling specific area requirements for general education or
240 lower division courses that transfer to baccalaureate majors.
- 241 (5)(a) The board shall:
- 242 (i) identify technical education programs with common names, descriptions, lengths,
243 and objectives; and
- 244 (ii) within technical education programs, common course names, descriptions, length,
245 and objectives[~~allowing~~] , allow for customization of electives to meet regional
246 industry demand.
- 247 (b) The commissioner shall appoint committees of faculty members from technical
248 education committees to recommend aligned programs and courses that will satisfy
249 graduation requirements.
- 250 (6)(a) The board shall identify common prerequisite courses and course substitutions for
251 degree programs across degree-granting institutions.
- 252 (b) The commissioner shall appoint committees of faculty members from the
253 degree-granting institutions to recommend appropriate courses of similar content and
254 numbering that will satisfy requirements for lower division courses that transfer to
255 baccalaureate majors.
- 256 (c) A degree-granting institution shall annually identify institution courses that satisfy
257 requirements of courses described in Subsection (6)(a).
- 258 (d) A degree-granting institution shall accept a course described in Subsection (3)(c),
259 (3)(d), or (6)(a) toward filling graduation requirements.
- 260 (7)(a)(i) The board shall seek proposals from providers to enter into articulation
261 agreements.
- 262 (ii) A proposal described in Subsection (7)(a)(i) shall include the general education
263 courses that the provider intends to include in an articulation agreement.
- 264 (b) The board shall:
- 265 (i) evaluate each general education course included in a proposal described in
266 Subsection (7)(a) to determine whether the course is equally rigorous and includes

267 the same subject matter as the equivalent course offered by any institution of
268 higher education; and
269 (ii) if the board determines that a course included in a provider's proposal is equally
270 rigorous and includes the same subject matter as the equivalent course offered by
271 any institution of higher education, enter into an articulation agreement with the
272 provider.

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

275 (9) The board shall include information demonstrating that institutions of higher education
276 are complying with the provisions of this section and the policies established in
277 accordance with Subsection (8) in the annual report described in Section 53H-1-203.

278 **Section 3. Effective Date.**

279 This bill takes effect on May 6, 2026.