

DIXIE COLLEGE NAME CHANGE

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: John W. Hickman

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11 AN ACT RELATING TO HIGHER EDUCATION; CHANGING THE NAME OF DIXIE
12 COLLEGE TO DIXIE STATE COLLEGE OF UTAH; AND PROVIDING AN EFFECTIVE
13 DATE.

14 This act affects sections of Utah Code Annotated 1953 as follows:

15 AMENDS:

- 16 **53B-1-102**, as last amended by Chapter 63, Laws of Utah 1994
- 17 **53B-2-101**, as last amended by Chapter 63, Laws of Utah 1994
- 18 **53B-3-102**, as last amended by Chapter 63, Laws of Utah 1994
- 19 **53B-8-101**, as last amended by Chapters 63 and 276, Laws of Utah 1994
- 20 **76-8-701**, as last amended by Chapter 63, Laws of Utah 1994

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

22 Section 1. Section **53B-1-102** is amended to read:

23 **53B-1-102. State system of higher education.**

- 24 (1) The state system of higher education consists of the following institutions:
- 25 (a) State Board of Regents;
- 26 (b) the University of Utah;
- 27 (c) Utah State University of Agricultural and Applied Science, hereafter referred to in this
- 28 title as Utah State University;
- 29 (d) Weber State University;

- 30 (e) Southern Utah University;
- 31 (f) Snow College;
- 32 (g) Dixie State College of Utah;
- 33 (h) the College of Eastern Utah;
- 34 (i) Utah Valley State College;
- 35 (j) Salt Lake Community College; and
- 36 (k) other public post-high school educational institutions as the Legislature may designate.

37 (2) A change in the name of an institution within the system of higher education shall not
38 be considered a change in the role or mission of the institution, unless otherwise authorized by the
39 State Board of Regents.

40 (3) It is not the intent of the Legislature to increase the number of research universities in
41 the state beyond the University of Utah and Utah State University.

42 (4) These institutions are empowered to sue and be sued and to contract and be contracted
43 with.

44 Section 2. Section **53B-2-101** is amended to read:

45 **53B-2-101. Institutions of higher education -- Corporate bodies -- Powers.**

46 (1) The following institutions of higher education are bodies politic and corporate with
47 perpetual succession and with all rights, immunities, and franchises necessary to function as such:

- 48 (a) the University of Utah;
- 49 (b) Utah State University;
- 50 (c) Weber State University;
- 51 (d) Southern Utah University;
- 52 (e) Snow College;
- 53 (f) Dixie State College of Utah;
- 54 (g) the College of Eastern Utah;
- 55 (h) Utah Valley State College; and
- 56 (i) Salt Lake Community College.

57 (2) (a) Each institution may have and use a corporate seal and may, subject to Section
58 53B-20-103, take, hold, lease, sell, and convey real and personal property as the interest of the
59 institution requires.

60 (b) Each institution is vested with all the property, franchises, and endowments of, and is

61 subject to, all the contracts, obligations, and liabilities of its respective predecessor.

62 Section 3. Section 53B-3-102 is amended to read:

63 **53B-3-102. "State institution of higher education" defined.**

64 (1) As used in this chapter, "state institution of higher education" means the University of
65 Utah, Utah State University, Southern Utah University, Weber State University, Snow College,
66 Dixie State College of Utah, the College of Eastern Utah, Utah Valley State College, Salt Lake
67 Community College, and any other university or college which may be established and maintained
68 by the state [~~of Utah~~].

69 (2) It includes any branch or affiliated institution and any campus or facilities owned,
70 operated, or controlled by the governing board of the university or college.

71 Section 4. Section 53B-8-101 is amended to read:

72 **53B-8-101. Waiver of tuition.**

73 (1) The president of each institution may waive all or part of the tuition in behalf of
74 meritorious or impecunious resident students to an amount not exceeding 10% of the total amount
75 of tuition which, in the absence of the waivers, would have been collected from all Utah resident
76 students at the institution.

77 (2) (a) Each academic year the president of each of the following institutions may waive
78 all or part of the resident portion of the tuition in behalf of the additional number of meritorious
79 nonresident students set forth below who are not current recipients of the waiver:

	Number of Nonresident
Institution	Students
81 <u>the</u> University of Utah	190
82 Utah State University	165
83 Weber State University	135
84 Southern Utah University	68
85 Snow College	18
86 Dixie <u>State</u> College <u>of Utah</u>	18
87 <u>the</u> College of Eastern Utah	18
88 Utah Valley State College	22
89 Salt Lake Community College	22

91 The president may continue to waive the resident portion of the tuition during the entire

92 time the affected meritorious nonresident student remains an undergraduate student in good
93 standing at the institution. The resident portion of the tuition for each nonresident student is equal
94 to the tuition for resident students at the institution.

95 (b) The president may waive the nonresident portion of tuition for a meritorious
96 nonresident student receiving a waiver under Subsection (2)(a) after completion of the student's
97 first year of full-time study at the institution.

98 (c) (i) In addition to the waivers authorized by Subsections (2)(a) and (b), the president
99 may waive all or part of the nonresident portion of tuition for a meritorious nonresident student
100 during the student's first year of full-time study at the institution.

101 (ii) The number of these nonresident waivers for each institution is limited to the
102 percentage of nonresident students at each institution times the nonresident student number
103 allowed under Subsection (2)(a).

104 (3) Upon recommendation of the board, the president may grant additional full or partial
105 tuition waivers to encourage students to enroll for instruction in occupations critical to the state
106 for which trained personnel are in short supply.

107 (4) The president may waive all or part of the difference between resident and nonresident
108 tuition in the case of meritorious graduate students and nonresident summer school students.

109 (5) The board shall submit annual budget appropriation requests for each institution which
110 include requests for funds sufficient in amount to equal the estimated loss of dedicated credits that
111 would be realized if all of the tuition waivers authorized by Subsection (2) were granted.

112 Section 5. Section **76-8-701** is amended to read:

113 **76-8-701. Definitions.**

114 For the purposes of this part:

115 (1) "Chief administrative officer" means the president of a private or state institution of
116 higher education or the officer designated by the president or by the governing board of the
117 institution to administer the affairs of a campus or other facility owned by the institution or
118 operated or controlled by the governing board of the institution.

119 (2) "School" or "institution of higher education" means any private institution of higher
120 education or any state institution of higher education as defined in Section 53B-1-102.

121 (3) "State institution of higher education" includes the University of Utah, Utah State
122 University, Southern Utah University, Weber State University, Snow College, Dixie State College

123 of Utah, the College of Eastern Utah, Utah Valley State College, Salt Lake Community College,
124 and any other university or college which may be established and maintained by the state [~~of Utah~~],
125 and includes any branch or affiliated institution and any campus or facility owned, operated, or
126 controlled by the governing board of the university or college.

127 Section 6. **Effective date.**

128 This act takes effect on July 1, 2000.

Legislative Review Note
as of 11-17-99 2:49 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Education Interim Committee recommended this bill.