

Representative Ron Bigelow proposes the following substitute bill:

UTAH COLLEGE OF APPLIED TECHNOLOGY

AMENDMENTS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Ron Bigelow

This act modifies the State System of Higher Education Code by modifying provisions relating to the Utah College of Applied Technology. This act changes terminology of the Utah College of Applied Technology's college campuses, campus presidents, and campus boards of directors. This act amends definitions. This act modifies some governance provisions within the Utah College of Applied Technology and its campuses as well as provisions relating to governance by the State Board of Regents. This act allows market cost tuition for adult students of the Utah College of Applied Technology. This act authorizes certain Utah College of Applied Technology campus leases. This act makes technical corrections. This act takes effect on July 1, 2003.

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

AMENDS:

53A-1-402, as last amended by Chapter 244, Laws of Utah 2002

53A-15-202, as last amended by Chapter 5, Laws of Utah 2001, First Special Session

53B-1-103, as last amended by Chapter 5, Laws of Utah 2001, First Special Session

53B-1-104, as last amended by Chapter 176, Laws of Utah 2002

53B-2a-101, as enacted by Chapter 5, Laws of Utah 2001, First Special Session

53B-2a-102, as enacted by Chapter 5, Laws of Utah 2001, First Special Session

53B-2a-103, as enacted by Chapter 5, Laws of Utah 2001, First Special Session

53B-2a-104, as enacted by Chapter 5, Laws of Utah 2001, First Special Session

53B-2a-105, as enacted by Chapter 5, Laws of Utah 2001, First Special Session



26 **53B-2a-106**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
27 **53B-2a-107**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
28 **53B-2a-108**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
29 **53B-2a-109**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
30 **53B-2a-110**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
31 **53B-2a-111**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
32 **53B-2a-112**, as enacted by Chapter 5, Laws of Utah 2001, First Special Session
33 **53B-16-205**, as last amended by Chapter 5, Laws of Utah 2001, First Special Session
34 **63A-5-305**, as enacted by Chapter 113, Laws of Utah 1995

35 ENACTS:

36 **53B-2a-113**, Utah Code Annotated 1953

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

38 Section 1. Section **53A-1-402** is amended to read:

39 **53A-1-402. Board to establish minimum standards for public schools.**

40 (1) The State Board of Education shall establish rules and minimum standards for the
41 public schools that are consistent with this title, including rules and minimum standards
42 governing the following:

43 (a) (i) the qualification and certification of educators and ancillary personnel who
44 provide direct student services;

45 (ii) required school administrative and supervisory services; and

46 (iii) the evaluation of instructional personnel;

47 (b) (i) access to programs;

48 (ii) attendance;

49 (iii) competency levels;

50 (iv) graduation requirements; and

51 (v) discipline and control;

52 (c) (i) school accreditation;

53 (ii) the academic year;

54 (iii) alternative and pilot programs;

55 (iv) curriculum and instruction requirements;

56 (v) school libraries; and

- 57 (vi) services to:
- 58 (A) persons with a disability as defined by and covered under:
- 59 (I) the Americans with Disabilities Act of 1990, 42 U.S.C. 12102;
- 60 (II) the Rehabilitation Act of 1973, 29 U.S.C. 705(20)(A); and
- 61 (III) the Individuals with Disabilities Education Act, 20 U.S.C. 1401(3); and
- 62 (B) other special groups;
- 63 (d) (i) state reimbursed bus routes;
- 64 (ii) bus safety and operational requirements; and
- 65 (iii) other transportation needs; and
- 66 (e) (i) school productivity and cost effectiveness measures;
- 67 (ii) federal programs;
- 68 (iii) school budget formats; and
- 69 (iv) financial, statistical, and student accounting requirements.

- 70 (2) The board shall determine if:
- 71 (a) the minimum standards have been met; and
- 72 (b) required reports are properly submitted.
- 73 (3) The board may apply for, receive, administer, and distribute to eligible applicants
- 74 funds made available through programs of the federal government.

75 (4) (a) The board shall [approve any] authorize the Utah College of Applied
 76 Technology Board of Trustees to develop and submit a competency-based high school diploma
 77 [equivalent before any applied technology college may offer the diploma equivalent] proposal
 78 to the board.

79 (b) The board shall grant final approval before the Utah College of Applied
 80 Technology offers the diploma.

81 Section 2. Section **53A-15-202** is amended to read:

82 **53A-15-202. Powers of the board.**

83 The State Board of Education:

84 (1) shall establish minimum standards for applied technology programs in the public
 85 education system;

86 (2) may apply for, receive, administer, and distribute funds made available through
 87 programs of federal and state governments to promote and aid applied technology education;

88 (3) shall cooperate with federal and state governments to administer programs which
89 promote and maintain applied technology education;

90 (4) shall cooperate with the Utah College of Applied Technology to ensure that
91 students in the public education system have access to applied technology education [~~in applied~~
92 ~~technology colleges; and~~] at Utah College of Applied Technology campuses; and

93 (5) shall, after consulting with local school districts, prepare and submit an annual
94 report to the governor and to the Legislature's Education Interim Committee by October 31 of
95 each year detailing:

96 (a) how the applied technology education needs of secondary students are being met;
97 and

98 (b) what access secondary students have to programs offered at applied technology
99 colleges.

100 Section 3. Section **53B-1-103** is amended to read:

101 **53B-1-103. Establishment of State Board of Regents -- Powers and authority.**

102 (1) There is established a State Board of Regents.

103 (2) (a) The board is vested with the control, management, and supervision of the
104 institutions of higher education designated in Section 53B-1-102 in a manner consistent with
105 the policy and purpose of this title and the specific powers and responsibilities granted to it.

106 (b) The board is vested with the following powers relating to the Utah College of
107 Applied Technology and its [~~regional applied technology colleges~~] college campuses:

108 (i) approving each competency-based associate of applied technology degree before
109 allowing [~~an applied technology~~] a college campus to offer the degree;

110 (ii) making rules governing the transfer of applied technology education degrees
111 awarded by the Utah College of Applied Technology to other higher education institutions;

112 (iii) appointing the president for the Utah College of Applied Technology in
113 accordance with Section 53B-2a-102 and board policy; and

114 (iv) facilitating and coordinating the operation of the Utah College of Applied
115 Technology within the system of higher education.

116 (c) Except for the Utah College of Applied Technology, the board may modify the
117 name of an institution under its control and management, as designated in Section 53B-1-102,
118 to reflect the role and general course of study of the institution.

119 (3) The board is the State Postsecondary Review Entity for Utah for purposes of Title
120 IV, Part H, of the federal Higher Education Act of 1965, as amended by the Higher Education
121 Act Amendments of 1992.

122 (4) This section does not affect the power and authority vested in the State Board of
123 Education to apply for, accept, and manage federal appropriations for the establishment and
124 maintenance of applied technology education.

125 Section 4. Section **53B-1-104** is amended to read:

126 **53B-1-104. Membership of the board -- Student appointee -- Terms -- Oath --**
127 **Officers -- Committees -- Bylaws -- Meetings -- Quorum -- Vacancies -- Compensation.**

128 (1) (a) The board shall consist of 18 residents of the state.

129 (b) (i) Fifteen members shall be appointed by the governor with the consent of the
130 Senate.

131 (ii) (A) One additional member shall be appointed by the governor from nominations
132 of the student body presidents council.

133 (B) The council shall nominate three qualified, matriculated students enrolled in the
134 state institutions of higher education.

135 (C) Student body presidents are not eligible for nomination.

136 (iii) Other than the student appointee, not more than eight members appointed by the
137 governor shall, at any time, be from one political party.

138 (iv) In making appointments to the board, the governor shall select:

139 (A) individuals from the state at large with due consideration for geographical
140 representation; and

141 (B) at least three individuals with personal experience in applied technology education,
142 which could include service on a [~~regional applied technology college regional~~] campus board
143 of directors.

144 (c) (i) In addition to the members designated under Subsection (1)(b), two members of
145 the State Board of Education, appointed by the chair of the State Board of Education, shall
146 serve as nonvoting members of the board.

147 (ii) A nonvoting member shall continue to serve as a member without a set term until
148 the member is replaced by the chair of the State Board of Education.

149 (2) (a) Five members of the board, other than the student member and the State Board

150 of Education members, shall be appointed during each odd-numbered year to six-year
151 staggered terms which commence on July 1 of the year of appointment.

152 (b) (i) The student member shall be appointed for a one-year term and may be
153 reappointed for one additional term.

154 (ii) The student member has full voting rights and may vote on selection of a board
155 chair or vice chair, but not serve in either office.

156 (c) Board members shall hold office until their successors have been appointed and
157 qualified.

158 (3) (a) Each member of the board shall take the official oath of office before entering
159 upon the duties of office.

160 (b) The oath shall be filed with the Division of Archives and Records Services.

161 (4) The board shall elect a chair and vice chair from its members who shall serve terms
162 of two years and until their successors are chosen and qualified.

163 (5) (a) The board shall appoint a secretary from the staff of its chief executive to serve
164 at its discretion.

165 (b) The secretary shall be a full-time employee who receives a salary set by the board.

166 (c) The secretary shall record and maintain a record of all board meetings and perform
167 other duties as the board directs.

168 (6) The board shall appoint a treasurer who serves at the discretion of the board.

169 (7) (a) The board may establish advisory committees.

170 (b) The powers and authority of the board are nondelegable, except as specifically
171 provided for in this title.

172 (c) All matters requiring board determination shall be addressed in a properly convened
173 meeting of the board or its executive committee.

174 (8) The board shall enact bylaws for its own government not inconsistent with the
175 constitution or the laws of this state.

176 (9) (a) The board shall meet regularly upon its own determination.

177 (b) The board may also meet, in full or executive session, at the request of its chair, its
178 executive officer, or five members of the board.

179 (10) A quorum of the voting members of the board is required to conduct its business
180 and consists of nine members.

181 (11) (a) A vacancy in the board occurring before the expiration of a voting member's
182 full term shall be immediately filled by appointment by the governor with the consent of the
183 Senate.

184 (b) The appointee serves for the remainder of the unexpired term.

185 (12) (a) Each member of the board shall receive a per diem as provided by law as
186 compensation for services for attending meetings of the board.

187 (b) Each member shall also be paid actual expenses incurred for attending meetings of
188 the board or its committees or for attending to any business of the institutions under the
189 direction of the board or authority of the board or its committees.

190 Section 5. Section **53B-2a-101** is amended to read:

191 **53B-2a-101. Definitions.**

192 As used in this chapter:

193 (1) "Applied technology education" means [~~open-entry, open-exit, competency-based~~
194 ~~education. "Applied technology education" may include approved programs that are not~~
195 ~~open-entry, open-exit, competency-based education only for secondary students.;~~] organized
196 educational programs offering sequences of courses or skill sets directly related to preparing
197 individuals for paid or unpaid employment in current or emerging occupations that do not
198 require a baccalaureate or advanced degree.

199 (2) "Board of trustees" means the Utah College of Applied Technology Board of
200 Trustees.

201 (3) "College campus" means a college campus of the Utah College of Applied
202 Technology.

203 [(3)] (4) "Competency-based" means mastery of subject matter or skill level, as
204 demonstrated through business and industry approved standards and assessments [~~rather than~~
205 ~~credit hours.~~], achieved through participation in a hands-on learning environment, and which is
206 tied to observable, measurable performance objectives.

207 (5) "Open-entry, open-exit" means a method of instructional delivery that allows for
208 flexible scheduling in response to individual student needs or requirements and demonstrated
209 competency when knowledge and skills have been mastered.

210 Section 6. Section **53B-2a-102** is amended to read:

211 **53B-2a-102. President -- Appointment -- Duties.**

212 (1) (a) The board shall appoint a president for the Utah College of Applied
213 Technology.

214 (b) The president of the Utah College of Applied Technology does not need to have a
215 doctorate degree, but shall have extensive experience in applied technology education.

216 (c) The president shall serve at the board's discretion [~~and at the salary the board~~
217 ~~determines~~].

218 [~~(d) As president of the Utah College of Applied Technology, the president is also an~~
219 ~~associate commissioner of higher education.~~]

220 [~~(e)~~ (d) The names of the final candidates for president of the Utah College of Applied
221 Technology shall be publicly disclosed.

222 (2) The president shall:

223 (a) direct the Utah College of Applied Technology and coordinate the activities of each
224 [~~regional applied technology~~] of its college campuses;

225 (b) in cooperation with the board of trustees and with the approval of the board,
226 develop a competency-based associate of applied technology degree;

227 (c) ensure that an applied technology education degree is transferable to other higher
228 education institutions in accordance with board rules;

229 (d) in consultation with the board of trustees, [~~applied technology college regional~~]
230 campus presidents, and [~~applied technology college regional~~] campus boards of directors,
231 prepare a comprehensive strategic plan for delivering applied technology education through the
232 [~~regional applied technology colleges~~] Utah College of Applied Technology college campuses;

233 (e) after consulting with local school districts and other higher education institutions in
234 the regions, ensure that the curricula of the [~~regional applied technology colleges meet~~] Utah
235 College of Applied Technology meets the needs of the state, the regions, and the local school
236 districts;

237 (f) in consultation with the board of trustees, [~~applied technology college regional~~]
238 campus presidents, and [~~applied technology college regional~~] campus boards of directors, and
239 after consulting with local school districts and other higher education institutions in the region,
240 develop strategies for providing applied technology education in rural areas, specifically
241 considering the distances between rural applied technology education providers;

242 (g) establish minimum standards for applied technology programs of the [~~regional~~

243 ~~applied technology colleges]~~ Utah College of Applied Technology college campuses;

244 (h) in conjunction with the board of trustees, develop and implement a system of
245 common definitions, standards, and criteria for tracking and measuring the effectiveness of
246 applied technology education;

247 (i) in conjunction with the board of trustees, develop and implement a plan to inform
248 citizens about the availability, cost, and advantages of applied technology education; and

249 (j) after consulting with the State Board of Education and local school districts, ensure
250 that secondary students in the public education system have access to applied technology
251 education [~~in applied technology colleges]~~ through the Utah College of Applied Technology
252 college campuses.

253 Section 7. Section **53B-2a-103** is amended to read:

254 **53B-2a-103. Utah College of Applied Technology Board of Trustees --**

255 **Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees --**

256 **Compensation.**

257 (1) There is created the Utah College of Applied Technology Board of Trustees,
258 composed of the following members:

259 (a) two members of the State Board of Education appointed by the governor with the
260 consent of the Senate;

261 (b) two members of the State Board of Regents appointed by the governor with the
262 consent of the Senate;

263 (c) one member representing business and industry from the regional board of each
264 regional applied technology college appointed by a majority vote of the business and industry
265 members of the regional board; and

266 (d) one business or industry representative appointed by the governor with the consent
267 of the Senate from nominations submitted by the speaker of the House of Representatives and
268 president of the Senate.

269 (2) (a) Except as provided in Subsection (2)(b), the members of the board of trustees
270 shall be appointed commencing on September 1 of the year of appointment to:

271 (i) two-year terms for the members described in Subsections (1)(a) and (b); and

272 (ii) four-year terms for the members described in Subsections (1)(c) and (d).

273 (b) At the first meeting of the board of trustees:

274 (i) the members described in Subsections (1)(c) and (d) shall divide up their positions
275 so that approximately half of them serve for initial two-year terms; and

276 (ii) the members described in Subsections (1)(a) and (b) shall divide up their positions
277 so that approximately half of them serve for initial one-year terms.

278 (c) An appointed member holds office until a successor is appointed and qualified.

279 (3) When a vacancy occurs in the membership for any reason, the replacement shall be
280 appointed for the unexpired term.

281 (4) (a) Each member shall take the official oath of office prior to assuming the office.

282 (b) The oath shall be filed with the Division of Archives and Records Services.

283 (5) The board of trustees shall elect a chair and vice chair, who serve for two years and
284 until their successors are elected and qualified.

285 (6) (a) The board of trustees may enact bylaws for its own government, including
286 provision for regular meetings.

287 (b) (i) The board of trustees may provide for an executive committee in its bylaws.

288 (ii) If established, the committee shall have full authority of the board of trustees to act
289 upon routine matters during the interim between board of trustees meetings.

290 (iii) The committee may act on nonroutine matters only under extraordinary and
291 emergency circumstances.

292 (iv) The committee shall report its activities to the board of trustees at its next regular
293 meeting following the action.

294 (c) Copies of the board of trustees' bylaws shall be filed with the [board] Board of
295 Regents.

296 (7) A quorum shall be required to conduct business which shall consist of a majority of
297 board of trustee members.

298 (8) The board of trustees may establish advisory committees.

299 (9) (a) (i) Members who are not government employees shall receive no compensation
300 or benefits for their services, but may receive per diem and expenses incurred in the
301 performance of the member's official duties at the rates established by the Division of Finance
302 under Sections 63A-3-106 and 63A-3-107.

303 (ii) Members may decline to receive per diem and expenses for their service.

304 (b) (i) State government officer and employee members who do not receive salary, per

305 diem, or expenses from their agency for their service may receive per diem and expenses
 306 incurred in the performance of their official duties from the board of trustees at the rates
 307 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

308 (ii) State government officer and employee members may decline to receive per diem
 309 and expenses for their service.

310 (c) (i) Higher education members who do not receive salary, per diem, or expenses
 311 from the entity that they represent for their service may receive per diem and expenses incurred
 312 in the performance of their official duties from the [~~committee~~] board of trustees at the rates
 313 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

314 (ii) Higher education members may decline to receive per diem and expenses for their
 315 service.

316 Section 8. Section **53B-2a-104** is amended to read:

317 **53B-2a-104. Utah College of Applied Technology Board of Trustees -- Powers**
 318 **and duties.**

319 The Utah College of Applied Technology Board of Trustees shall:

320 (1) in cooperation with the president of the Utah College of Applied Technology, and
 321 with the approval of the State Board of Regents, develop [a] competency-based associate of
 322 applied technology [~~degree~~] degrees to be offered by the [~~regional applied technology colleges~~]
 323 Utah College of Applied Technology;

324 (2) approve the courses and requirements for the associate of applied technology
 325 degrees;

326 [~~(2)~~] (3) ensure that an applied technology education degree is transferable to other
 327 higher education institutions in accordance with State Board of Regents rules;

328 [~~(3)~~] (4) ensure that [~~the regional applied technology colleges within~~] the Utah College
 329 of Applied Technology college campuses comply with the requirements in Section
 330 53B-2a-106;

331 [~~(4)~~] (5) advise the president of the Utah College of Applied Technology and the State
 332 Board of Regents on issues related to applied technology education;

333 [~~(5)~~] (6) receive budget requests from each [~~regional applied technology~~] college
 334 campus, compile and prioritize the requests, and submit the [prioritized requests] request to:

335 (a) the Legislature; and

336 (b) the Governor's Office of Planning and Budget;
 337 ~~[(6)]~~ (7) receive funding requests pertaining to capital facilities and land purchases
 338 from each ~~[regional applied technology]~~ college campus, ensure that the requests comply with
 339 Section 53B-2a-112, prioritize the requests, and submit the prioritized requests to the State
 340 Building Board;

341 ~~[(7)]~~ (8) prepare and submit an annual report detailing its progress and
 342 recommendations on applied technology education issues to the governor and to the
 343 Legislature's Education Interim Committee by October 31 of each year, which shall include
 344 information detailing:

345 (a) how the applied technology education needs of secondary students are being met;
 346 and

347 (b) what access secondary students have to programs offered at ~~[applied technology~~
 348 ~~colleges]~~ college campuses; and

349 ~~[(8)]~~ (9) perform other duties and responsibilities ~~[as delegated by]~~ prescribed under
 350 the policies of the State Board of Regents.

351 Section 9. Section **53B-2a-105** is amended to read:

352 **53B-2a-105. Utah College of Applied Technology -- Composition.**

353 The Utah College of Applied Technology is composed of the following ~~[regional~~
 354 ~~applied technology colleges]~~ college campuses:

355 (1) the Bridgerland Applied Technology College Campus which~~[-(a)]~~ serves the
 356 geographic area encompassing:

357 ~~[(i)]~~ (a) the Box Elder School District;

358 ~~[(ii)]~~ (b) the Cache School District;

359 ~~[(iii)]~~ (c) the Logan School District; and

360 ~~[(iv)]~~ (d) the Rich School District; ~~[and]~~

361 ~~[(b) includes the facilities, equipment, and personnel of the Bridgerland Applied~~
 362 ~~Technology Center;]~~

363 (2) the Ogden-Weber Applied Technology College Campus which~~[-(a)]~~ serves the
 364 geographic area encompassing:

365 ~~[(i)]~~ (a) the Ogden City School District; and

366 ~~[(ii)]~~ (b) the Weber School District; ~~[and]~~

367 ~~[(b) includes the facilities, equipment, and personnel of the Ogden-Weber Applied~~
368 ~~Technology Center;]~~

369 (3) the Davis Applied Technology College Campus which~~[-(a)]~~ serves the geographic
370 area encompassing:

371 ~~[(i)]~~ (a) the Davis School District; and

372 ~~[(ii)]~~ (b) the Morgan School District; ~~[and]~~

373 ~~[(b) includes the facilities, equipment, and personnel of the Davis Applied Technology~~
374 ~~Center;]~~

375 (4) the Salt Lake/Tooele Applied Technology College Campus which~~[-(a)]~~ serves the
376 geographic area encompassing:

377 ~~[(i)]~~ (a) the Salt Lake City School District;

378 ~~[(ii)]~~ (b) the Granite School District;

379 ~~[(iii)]~~ (c) the Jordan School District;

380 ~~[(iv)]~~ (d) the Murray School District; and

381 ~~[(v)]~~ (e) the Tooele School District; ~~[and]~~

382 ~~[(b) includes the facilities, equipment, and personnel of the Wasatch Front South~~
383 ~~Applied Technology Center;]~~

384 (5) the ~~[Mountainlands]~~ Mountainland Applied Technology College Campus which~~[-~~
385 ~~(a)]~~ serves the geographic area encompassing:

386 ~~[(i)]~~ (a) the Alpine School District;

387 ~~[(ii)]~~ (b) the Nebo School District;

388 ~~[(iii)]~~ (c) the Provo School District;

389 ~~[(iv)]~~ (d) the South Summit School District;

390 ~~[(v)]~~ (e) the North Summit School District;

391 ~~[(vi)]~~ (f) the Wasatch School District; and

392 ~~[(vii)]~~ (g) the Park City School District; ~~[and]~~

393 ~~[(b) includes the facilities, equipment, and personnel of the Mountainlands Applied~~
394 ~~Technology Center Service Region;]~~

395 (6) the Uintah Basin Applied Technology College Campus which~~[-(a)]~~ serves the
396 geographic area encompassing:

397 ~~[(i)]~~ (a) the Daggett School District;

398 [(ii)] (b) the Duchesne School District; and
399 [(iii)] (c) the Uintah School District; [~~and~~]
400 [~~(b) includes the existing facilities, equipment, and personnel of the Uintah Basin~~
401 ~~Applied Technology Center;~~]
402 (7) the Central Applied Technology College Campus which serves the geographic area
403 encompassing:
404 (a) the Juab School District;
405 (b) the Millard School District;
406 (c) the Tintic School District;
407 (d) the North Sanpete School District;
408 (e) the South Sanpete School District;
409 (f) the Wayne School District;
410 (g) the Piute School District; and
411 (h) the Sevier School District;
412 (8) the Southwest Applied Technology College Campus which[~~-(a)~~] serves the
413 geographic area encompassing:
414 [(i)] (a) the Beaver School District;
415 [(ii)] (b) the Garfield School District;
416 [(iii)] (c) the Iron School District; and
417 [(iv)] (d) the Kane School District; [~~and~~]
418 [~~(b) includes the facilities, equipment, and personnel of the Southwest Applied~~
419 ~~Technology Education Center Service Region;~~]
420 (9) the Dixie Applied Technology College Campus which serves the geographic area
421 encompassing the Washington School District; and
422 (10) the Southeast Applied Technology College Campus which[~~-(a)~~] serves the
423 geographic area encompassing:
424 [(i)] (a) the Carbon School District;
425 [(ii)] (b) the Emery School District;
426 [(iii)] (c) the Grand School District; and
427 [(iv)] (d) the San Juan School District[~~-(and)~~].
428 [~~(b) includes the facilities, equipment, and personnel of the Southeast Applied~~

429 ~~Technology Center Service Region.]~~

430 Section 10. Section **53B-2a-106** is amended to read:

431 **53B-2a-106. College campuses -- Duties.**

432 (1) Each ~~[regional applied technology college]~~ Utah College of Applied Technology
433 college campus shall:

434 (a) offer a post-secondary and extra-secondary applied technology education
435 curriculum;

436 (b) offer that curriculum at ~~[low]~~:

437 (i) market cost to adult students, as approved by the board of trustees and the State
438 Board of Regents; and ~~[at]~~

439 (ii) no ~~[cost]~~ tuition to secondary students within the ~~[college's]~~ campus' jurisdiction;

440 (c) provide applied technology education that will result in:

441 (i) appropriate licensing, certification, or other evidence of completion of training; and

442 (ii) qualification for specific employment in business and industry;

443 (d) offer ~~[competency-based associate of applied technology degrees]~~ associate of
444 applied technology degrees that have:

445 (i) instruction provided in an open-entry, open-exit environment, except as required by
446 external entities; and

447 (ii) been reviewed by the board of trustees and approved by the State Board of Regents
448 in accordance with Section 53B-1-103;

449 (e) develop cooperative agreements with local school districts, other higher education
450 institutions, businesses, industries, and community and private agencies to maximize the
451 availability of instructional facilities; and

452 (f) after consulting with local school districts within the geographic area served by the
453 ~~[regional applied technology]~~ college campus:

454 (i) ensure that secondary students in the public education system have access to applied
455 technology education ~~[in the regional applied technology]~~ at each college campus; and

456 (ii) prepare and submit an annual report to the Utah College of Applied Technology
457 detailing:

458 (A) how the applied technology education needs of secondary students within the
459 region are being met; and

460 (B) what access secondary students within the region have to programs offered at
461 ~~[applied technology colleges]~~ college campuses.

462 (2) A ~~[regional applied technology]~~ college campus may offer a competency-based
463 high school diploma ~~[equivalent]~~ approved by the State Board of Education in accordance with
464 Section 53A-1-402.

465 (3) A ~~[regional applied technology]~~ college campus may not:

466 (a) offer courses other than applied technology education[;] and preparatory instruction
467 in areas such as reading and mathematics that are necessary for student success in the chosen
468 applied technology education program;

469 (b) offer a degree other than ~~[a competency-based]~~ an associate of applied technology
470 degree approved by the State Board of Regents in accordance with Section 53B-1-103;

471 (c) provide tenure or academic rank for its instructors; and

472 (d) participate in intercollegiate athletics.

473 (4) The mission of a ~~[regional applied technology]~~ college campus is limited to applied
474 technology education and may not expand to include credit-based academic programs typically
475 offered by community colleges or other institutions of higher education.

476 Section 11. Section **53B-2a-107** is amended to read:

477 **53B-2a-107. Campus presidents -- Appointments -- Duties.**

478 (1) (a) The president of the Utah College of Applied Technology shall appoint a
479 ~~[regional]~~ campus president for ~~[each regional applied technology]~~ a college campus from a list
480 of at least three names submitted to the president by the ~~[regional]~~ campus board of directors to
481 serve as the chief executive officer of the ~~[regional applied technology]~~ college campus.

482 (b) A campus president does not need to have a doctorate degree, but shall have
483 extensive experience in applied technology education.

484 (c) A campus president is subject to regular review and evaluation administered by the
485 Utah College of Applied Technology president through a process approved by the board of
486 trustees.

487 (d) A campus president serves at the discretion of the Utah College of Applied
488 Technology president.

489 (2) Each ~~[regional]~~ campus president of a ~~[regional applied technology]~~ college
490 campus shall:

- 491 (a) serve as the executive officer of the [~~regional~~] campus board of directors;
- 492 (b) administer the day-to-day operations of the [~~regional applied technology~~] college
- 493 campus under the direction of the [~~regional~~] campus board of directors; and
- 494 (c) administer human resource policies and employee compensation plans in
- 495 accordance with the requirements of the Utah College of Applied Technology.

496 Section 12. Section **53B-2a-108** is amended to read:

497 **53B-2a-108. Campus boards of directors -- Membership -- Appointments.**

498 [~~Beginning September 1, 2001, each regional applied technology college~~] Each campus

499 shall have a [~~regional~~] campus board of directors appointed as follows:

500 (1) the Bridgerland Applied Technology College [~~Regional~~] Campus Board of

501 Directors shall be composed of the following 13 members:

- 502 (a) one elected local school board member appointed by the board of education for the
- 503 Box Elder School District;
- 504 (b) one elected local school board member appointed by the board of education for the
- 505 Cache School District;
- 506 (c) one elected local school board member appointed by the board of education for the
- 507 Logan School District;
- 508 (d) one elected local school board member appointed by the board of education for the
- 509 Rich School District;
- 510 (e) one member of the Utah State University board of trustees;
- 511 (f) one member of the State Board of Regents designated by the chair of the State
- 512 Board of Regents to serve a one-year term; and
- 513 (g) seven representatives of business or industry within the region appointed jointly by
- 514 the members appointed under Subsections (1)(a) through (f);

515 (2) the Ogden-Weber Applied Technology College [~~Regional~~] Campus Board of

516 Directors shall be composed of the following 11 members:

- 517 (a) one elected local school board member appointed by the board of education for the
- 518 Ogden City School District;
- 519 (b) one elected local school board member appointed by the board of education for the
- 520 Weber School District;
- 521 (c) one elected local school board member jointly appointed by the boards of education

522 for the Ogden City School District and the Weber School District;

523 (d) one member of the Weber State University board of trustees;

524 (e) one member of the State Board of Regents designated by the chair of the State
525 Board of Regents to serve a one-year term; and

526 (f) six representatives of business or industry within the region appointed jointly by the
527 members appointed under Subsections (2)(a) through (e);

528 (3) the Davis Applied Technology College [~~Regional~~] Campus Board of Directors shall
529 be composed of the following 11 members:

530 (a) one elected local school board member appointed by the board of education for the
531 Davis School District;

532 (b) one elected local school board member appointed by the board of education for the
533 Morgan School District;

534 (c) one elected local school board member jointly appointed by the boards of education
535 for the Davis School District and the Morgan School District;

536 (d) one member of the Weber State University board of trustees;

537 (e) one member of the State Board of Regents designated by the chair of the State
538 Board of Regents to serve a one-year term; and

539 (f) six representatives of business or industry within the region appointed jointly by the
540 members appointed under Subsections (3)(a) through (e);

541 (4) the Salt Lake/Tooele Applied Technology College [~~Regional~~] Campus Board of
542 Directors shall be composed of the following 15 members:

543 (a) one elected local school board member appointed by the board of education for the
544 Salt Lake City School District;

545 (b) one elected local school board member appointed by the board of education for the
546 Granite School District;

547 (c) one elected local school board member appointed by the board of education for the
548 Jordan School District;

549 (d) one elected local school board member appointed by the board of education for the
550 Murray School District;

551 (e) one elected local school board member appointed by the board of education for the
552 Tooele School District;

- 553 (f) one member of the Salt Lake Community College board of trustees;
- 554 (g) one member of the State Board of Regents designated by the chair of the State
555 Board of Regents to serve a one-year term; and
- 556 (h) eight representatives of business or industry within the region appointed jointly by
557 the members appointed under Subsections (4)(a) through (g);
- 558 (5) the [~~Mountainlands~~] Mountainland Applied Technology College [~~Regional~~]
559 Campus Board of Directors shall be composed of the following 19 members:
- 560 (a) one elected local school board member appointed by the board of education for the
561 Alpine School District;
- 562 (b) one elected local school board member appointed by the board of education for the
563 Nebo School District;
- 564 (c) one elected local school board member appointed by the board of education for the
565 Provo School District;
- 566 (d) one elected local school board member appointed by the board of education for the
567 South Summit School District;
- 568 (e) one elected local school board member appointed by the board of education for the
569 North Summit School District;
- 570 (f) one elected local school board member appointed by the board of education for the
571 Wasatch School District;
- 572 (g) one elected local school board member appointed by the board of education for the
573 Park City School District;
- 574 (h) one member of the Utah Valley State College board of trustees;
- 575 (i) one member of the State Board of Regents designated by the chair of the State
576 Board of Regents to serve a one-year term; and
- 577 (j) ten representatives of business or industry within the region appointed jointly by the
578 members appointed under Subsections (5)(a) through (i);
- 579 (6) the Uintah Basin Applied Technology College [~~Regional~~] Campus Board of
580 Directors shall be composed of the following 11 members:
- 581 (a) one elected local school board member appointed by the board of education for the
582 Daggett School District;
- 583 (b) one elected local school board member appointed by the board of education for the

584 Duchesne School District;

585 (c) one elected local school board member appointed by the board of education for the
586 Uintah School District;

587 (d) one member of the Utah State University board of trustees;

588 (e) one member of the State Board of Regents designated by the chair of the State
589 Board of Regents to serve a one-year term; and

590 (f) six representatives of business or industry within the region appointed jointly by the
591 members appointed under Subsections (6)(a) through ~~(f)~~ (e);

592 (7) the Central Applied Technology College [~~Regional~~] Campus Board of Directors
593 shall be composed of the following 21 members:

594 (a) one elected local school board member appointed by the board of education for the
595 Juab School District;

596 (b) one elected local school board member appointed by the board of education for the
597 Millard School District;

598 (c) one elected local school board member appointed by the board of education for the
599 Tintic School District;

600 (d) one elected local school board member appointed by the board of education for the
601 North Sanpete School District;

602 (e) one elected local school board member appointed by the board of education for the
603 South Sanpete School District;

604 (f) one elected local school board member appointed by the board of education for the
605 Wayne School District;

606 (g) one elected local school board member appointed by the board of education for the
607 Piute School District;

608 (h) one elected local school board member appointed by the board of education for the
609 Sevier School District;

610 (i) one member of the Snow College board of trustees;

611 (j) one member of the State Board of Regents designated by the chair of the State
612 Board of Regents to serve a one-year term; and

613 (k) 11 representatives of business or industry within the region appointed jointly by the
614 members appointed under Subsections (7)(a) through (j);

615 (8) the Southwest Applied Technology College [~~Regional~~] Campus Board of Directors
616 shall be composed of the following 13 members:

617 (a) one elected local school board member appointed by the board of education for the
618 Beaver School District;

619 (b) one elected local school board member appointed by the board of education for the
620 Garfield School District;

621 (c) one elected local school board member appointed by the board of education for the
622 Iron School District;

623 (d) one elected local school board member appointed by the board of education for the
624 Kane School District;

625 (e) one member of the Southern Utah University board of trustees;

626 (f) one member of the State Board of Regents designated by the chair of the State
627 Board of Regents to serve a one-year term; and

628 (g) seven representatives of business or industry within the region appointed jointly by
629 the members appointed under Subsections (8)(a) through (f);

630 (9) the Dixie Applied Technology College [~~Regional~~] Campus Board of Directors shall
631 be composed of the following 11 members:

632 (a) three elected local school board members appointed by the board of education for
633 the Washington School District;

634 (b) one member of the Dixie State College of Utah board of trustees;

635 (c) one member of the State Board of Regents designated by the chair of the State
636 Board of Regents to serve a one-year term; and

637 (d) six representatives of business or industry within the region appointed jointly by the
638 members appointed under Subsections (9)(a) through (c);

639 (10) the Southeast Applied Technology College [~~Regional~~] Campus Board of Directors
640 shall be composed of the following 13 members:

641 (a) one elected local school board member appointed by the board of education for the
642 Carbon School District;

643 (b) one elected local school board member appointed by the board of education for the
644 Emery School District;

645 (c) one elected local school board member appointed by the board of education for the

646 Grand School District;

647 (d) one elected local school board member appointed by the board of education for the
648 San Juan School District;

649 (e) one member of the College of Eastern Utah board of trustees;

650 (f) one member of the State Board of Regents designated by the chair of the State
651 Board of Regents to serve a one-year term; and

652 (g) seven representatives of business or industry within the region appointed jointly by
653 the members appointed under Subsections (10)(a) through (f); and

654 (11) the representatives of business or industry shall be appointed jointly by the
655 designated members from a list of names provided by local organizations or associations whose
656 members employ workers with applied technology education.

657 Section 13. Section **53B-2a-109** is amended to read:

658 **53B-2a-109. Campus boards of directors -- Terms -- Quorum -- Chair--**
659 **Compensation.**

660 (1) (a) At the first meeting of [~~an applied technology college regional~~] a campus board
661 of directors after September 1, 2001:

662 (i) the representatives from the local school boards shall divide up their positions so
663 that approximately half of them serve for two-year terms and half serve for four-year terms;
664 and

665 (ii) the representatives from business and industry shall divide up their positions so that
666 approximately half of them serve for two-year terms and half serve for four-year terms.

667 (b) Except as provided in Subsection (1)(a) and except for State Board of Regents
668 members who serve a one-year term, individuals appointed to [~~the~~] a campus board of directors
669 shall serve four-year terms.

670 (2) The original appointing authority shall fill any vacancies that occur on the
671 [~~regional~~] campus board of directors.

672 (3) A majority of the [~~regional~~] campus board of directors is a quorum.

673 (4) The [~~regional~~] campus board of directors shall elect a chair from its membership.

674 (5) (a) (i) Members who are not government employees shall receive no compensation
675 or benefits for their services, but may receive per diem and expenses incurred in the
676 performance of the member's official duties from the campus board of directors at the rates

677 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

678 (ii) Members may decline to receive per diem and expenses for their service.

679 (b) (i) Higher education members who do not receive salary, per diem, or expenses
680 from the entity that they represent for their service may receive per diem and expenses incurred
681 in the performance of their official duties from the ~~[regional]~~ campus board of directors at the
682 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

683 (ii) Higher education members may decline to receive per diem and expenses for their
684 service.

685 (c) (i) Members appointed by local school boards who do not receive salary, per diem,
686 or expenses from the entity that they represent for their service may receive per diem and
687 expenses incurred in the performance of their official duties from the ~~[regional]~~ campus board
688 of directors at the rates established by the Division of Finance under Sections 63A-3-106 and
689 63A-3-107.

690 (ii) Local school board members may decline to receive per diem and expenses for
691 their service.

692 (6) (a) Each ~~[regional]~~ campus board of directors may enact bylaws for its own
693 government, including provision for regular meetings, that are in accordance with the policies
694 of the Utah College of Applied Technology.

695 (b) (i) The ~~[regional]~~ campus board of directors may provide for an executive
696 committee in its bylaws.

697 (ii) If established, the committee shall have the full authority of the ~~[regional]~~ campus
698 board of directors to act upon routine matters during the interim between regional board
699 meetings.

700 (iii) The committee may act on nonroutine matters only under extraordinary and
701 emergency circumstances.

702 (iv) The committee shall report its activities to the ~~[regional]~~ campus board of directors
703 at its next regular meeting following the action.

704 (7) A regional board may establish advisory committees.

705 Section 14. Section **53B-2a-110** is amended to read:

706 **53B-2a-110. Campus board of directors -- Powers and duties.**

707 (1) Each ~~[applied technology college regional]~~ campus board of directors shall:

708 (a) prepare and submit a budget request for its annual operations to the Utah College of
709 Applied Technology Board of Trustees;

710 (b) after consulting with the Utah College of Applied Technology, other higher
711 education institutions, and local school districts within its region, prepare a comprehensive
712 strategic plan for delivering applied technology education within its region;

713 (c) consult with business, industry, the Department of Workforce Services, and the
714 Governor's Office of Planning and Budget on an ongoing basis to determine what workers and
715 skills are needed for employment in Utah businesses and industries;

716 (d) develop programs based upon the information gathered in accordance with
717 Subsection (1)(c), including expedited program approval and termination procedures to meet
718 market needs;

719 (e) adopt an annual budget and fund balances;

720 (f) develop policies for the operation of applied technology education facilities under
721 its jurisdiction;

722 (g) establish human resources and compensation policies for all employees in
723 accordance with policies of the Utah College of Applied Technology;

724 (h) [~~establish~~] approve credentials for employees and [~~define employee~~] assign
725 employees to duties in accordance with the Utah College of Applied Technology policies and
726 accreditation guidelines;

727 (i) conduct annual program evaluations;

728 (j) appoint program advisory committees and other advisory groups to provide counsel,
729 support, and recommendations for updating and improving the effectiveness of training
730 programs and services;

731 (k) approve regulations, both regular and emergency, to be issued and executed by the
732 [~~regional~~] campus president;

733 (l) coordinate with local school boards and districts to protect the applied technology
734 education needs of secondary students; and

735 (m) develop policies and procedures for the admission, classification, instruction, and
736 examination of students in accordance with the policies and accreditation guidelines of the
737 Utah College of Applied Technology, the State Board of Education, and the State Board of
738 Regents.

739 (2) In apportioning monies appropriated by the Legislature to the Central Applied
 740 Technology College Campus, the [~~regional~~] campus board of directors of the Central Applied
 741 Technology College Campus:

742 (a) may not, until June 30, 2006, diminish applied technology education services
 743 currently being provided at Snow College South; and

744 (b) may direct that any new monies provided to the Central Applied Technology
 745 College Campus go first to funding underserved portions of the geographic area it serves.

746 (3) A [~~regional~~] campus board of directors may not exercise any jurisdiction over
 747 applied technology education provided by a local school district or provided by a higher
 748 education institution independently of a [~~regional-applied technology~~] college campus.

749 (4) If a program advisory committee or other advisory group submits a printed
 750 recommendation to the [~~regional~~] campus board of directors, the campus board of directors
 751 shall acknowledge the recommendation with a printed response that explains the campus board
 752 of directors' action regarding the recommendation and the reasons for the action.

753 Section 15. Section **53B-2a-111** is amended to read:

754 **53B-2a-111. State Board of Regents -- Consultation with boards of trustees.**

755 (1) The board shall consult with the Utah College of Applied Technology Board of
 756 Trustees or the president of the Utah College of Applied Technology or both before acting on
 757 matters pertaining to the Utah College of Applied Technology.

758 (2) The board shall consult with [~~an applied technology college regional~~] a campus
 759 board of directors or the [~~regional~~] campus president [~~of an applied technology college~~] or both
 760 before acting on matters pertaining to a [~~regional-applied technology~~] college campus.

761 (3) The board may:

762 (a) call meetings with the Utah College of Applied Technology Board of Trustees or
 763 one or more of the [~~applied technology college regional~~] campus boards of directors; and

764 (b) appoint committees to perform duties assigned by the board that include:

765 (i) (A) members of the Utah College of Applied Technology Board of Trustees; or

766 (B) administrators of the Utah College of Applied Technology; or

767 (ii) (A) members of one or more of the [~~applied technology college regional~~] campus
 768 boards of directors; or

769 (B) administrators, faculty staff members, or students of one or more of the [~~applied-~~

770 ~~technology colleges]~~ college campuses.

771 Section 16. Section **53B-2a-112** is amended to read:

772 **53B-2a-112. College campuses -- Relationships with other public and higher**
773 **education institutions -- Agreements -- Priorities -- New capital facilities.**

774 (1) As used in this section, "higher education institution" means, for each [~~regional~~
775 ~~applied technology]~~ college campus, the higher education institution designated in Section
776 53B-2a-108, except for the State Board of Regents, to have a representative on its [~~regional]~~
777 campus board of directors.

778 (2) A [~~regional applied technology]~~ college campus shall avoid any unnecessary
779 duplication of applied technology instructional facilities, programs, administration, and staff
780 between the [~~regional applied technology]~~ college campus and other public and higher
781 education institutions.

782 (3) A [~~regional applied technology]~~ college campus may enter into agreements:

783 (a) with other higher education institutions to cultivate cooperative relationships;

784 (b) with other public and higher education institutions to enhance applied technology
785 education within its region; or

786 (c) to comply with Subsection (2).

787 (4) Before a [~~regional applied technology]~~ college campus develops its own new
788 instructional facilities, it shall give priority to:

789 (a) maintaining its own existing instructional facilities for both secondary and adult
790 students;

791 (b) coordinating with the president of a higher education institution and entering into
792 any necessary agreements to provide applied technology education to both secondary and adult
793 students that:

794 (i) maintain and support existing higher education applied technology education
795 programs; and

796 (ii) maximize the use of existing higher education facilities; and

797 (c) developing cooperative agreements with local school districts, other higher
798 education institutions, businesses, industries, and community and private agencies to maximize
799 the availability of applied technology instructional facilities for both secondary and adult
800 students.

801 (5) (a) Before submitting a funding request pertaining to new capital facilities and land
802 purchases to the Utah College of Applied Technology, a [~~regional-applied technology~~] college
803 campus shall:

804 (i) ensure that all available instructional facilities are maximized in accordance with
805 Subsections (4)(a) through (c); and

806 (ii) coordinate the request with the president of a higher education institution, if
807 applicable.

808 (b) The State Building Board shall make a finding that the requirements of this section
809 are met before it may consider a funding request of the Utah College of Applied Technology
810 pertaining to new capital facilities and land purchases.

811 (c) A [~~regional-applied technology~~] college campus may not construct, approve the
812 construction of, plan for the design or construction of, or consent to the construction of an
813 applied technology education facility without approval of the Legislature.

814 (6) Before acquiring new fiscal and administrative support structures, a [~~regional~~
815 ~~applied technology~~] college campus shall:

816 (a) review the use of existing public or higher education administrative and accounting
817 systems, financial record systems, and student and financial aid systems for the delivery of
818 applied technology education in the region;

819 (b) determine whether it is feasible to use those existing systems; and

820 (c) with the approval of the [~~regional~~] campus board of directors and the board of
821 trustees, use those existing systems.

822 (7) (a) The higher education institution for the region shall have the first opportunity to
823 offer the general education courses that are required for an associate of applied technology
824 degree offered by [~~a regional-applied technology college~~] the Utah College of Applied
825 Technology, at the [~~applied technology~~] college campus site.

826 (b) The content of the general education courses described in Subsection (7)(a) shall be
827 defined by the higher education institution for the region in a manner consistent with the needs
828 of the Utah College of Applied Technology.

829 (c) If the higher education institution for the region is unable to offer the courses
830 described in Subsection (7)(a), other institutions of higher education may offer those courses.

831 (d) The [~~regional-applied technology colleges~~] college campuses shall be responsible to

832 provide technical skills training and basic skills as required by business and industry towards
833 an associate of applied technology degree.

834 Section 17. Section **53B-2a-113** is enacted to read:

835 **53B-2a-113. College campuses -- Leasing authority -- Report.**

836 (1) In accordance with Subsection 53B-2a-112(2), a college campus may enter into a
837 lease with other higher education institutions, public school districts, state agencies, or business
838 and industry for a term of:

839 (a) one year or less with the approval of the campus board of directors; and

840 (b) more than one year with the approval of the board of trustees.

841 (2) (a) Each college campus shall provide an annual lease report to the board of
842 trustees that details each of its leases, annual costs, location, square footage, and
843 recommendations for lease continuation.

844 (b) The president of the Utah College of Applied Technology shall compile and
845 distribute an annual combined lease report for all college campuses to the Division of Facilities
846 Construction Management and to others upon request.

847 (3) The Utah College of Applied Technology shall use the annual combined lease
848 report in determining planning, utilization, and budget requests.

849 Section 18. Section **53B-16-205** is amended to read:

850 **53B-16-205. Establishment of Snow College South -- Supervision and**
851 **administration -- Transition -- Institutional mission.**

852 (1) There is established a branch campus of Snow College in Richfield, Utah, hereafter
853 referred to as Snow College South.

854 (2) Snow College shall administer the branch campus under the general control and
855 supervision of the State Board of Regents as an integrated part of Snow College's mission,
856 programs, and curriculum.

857 (3) (a) Snow College shall:

858 (i) maintain a strong curriculum in applied technology and technical courses of a
859 general nature at Snow College South which can be transferred to other institutions within the
860 higher education system, together with lower division courses of a general nature and courses
861 required for associate degrees in science, arts, and applied science; and

862 (ii) work with local school districts in developing an aggressive concurrent enrollment

863 program in cooperation with Snow College South.

864 (b) The institution shall coordinate offerings of applied technology education with the
865 Central Applied Technology College Campus to provide for open-entry, open-exit applied
866 technology education programs at Snow College South that emphasize short-term job training
867 or retraining for immediate placement in the job market.

868 (c) Snow College shall make provisions for students, including high school students, to
869 take classes at Snow College South for which college credit is not awarded, together with
870 appropriate fees for taking such classes.

871 (d) The State Board of Regents or the president of Snow College may waive any board
872 rule or institutional policy that would prevent or inhibit Snow College South from achieving its
873 performance goals, unless approval of the request would conflict with state or federal law or
874 put the institution out of compliance with matters related to health, safety, civil rights, and
875 insurance.

876 Section 19. Section **63A-5-305** is amended to read:

877 **63A-5-305. Leasing by higher education institutions.**

878 (1) The Board of Regents shall establish written policies and procedures governing
879 leasing by higher education institutions.

880 (2) [~~Each~~] Except as provided in Section 53B-2a-113, each higher education institution
881 shall comply with the procedures and requirements of the Board of Regents' policies before
882 signing or renewing any lease.

883 Section 20. **Effective date.**

884 This act takes effect on July 1, 2003.