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~~text~~ shows text that was in HB0300 but was deleted in HB0300S01.

Inserted text shows text that was not in HB0300 but was inserted into HB0300S01.

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Senator Ann Millner proposes the following substitute bill:

HIGHER EDUCATION ~~GOVERNANCE~~ ~~AMENDMENTS~~ MODIFICATIONS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill amends provisions related to higher education ~~governance~~.

Highlighted Provisions:

This bill:

- ▶ defines terms, including defining the term "UTech" to mean the Utah System of Technical Colleges;
- ▶ removes a provision requiring Senate consent for the appointment of the student member of the State Board of Regents;
- ▶ permits the governor to remove, for cause, certain members of:
 - the State Board of Regents;

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- the Utah System of Technical Colleges Board of Trustees;
- an institution of higher education board of trustees; and
- a technical college board of directors;
- ▶ amends provisions related to the role of a technical college board of directors in relation to a technical college president;
- ▶ amends the membership of a technical college board of directors;
- ▶ creates a term limit for a member of a technical college board of directors;
- ▶ provides that the State Board of Regents may make policies regarding tuition waivers;
- ▶ enacts provisions related to the Higher Education Strategic Planning Commission, including:
 - creating the commission;
 - describing the membership of the commission; and
 - enacting powers and duties of the commission; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

~~{None}~~ This bill appropriates in fiscal year 2018:

- ▶ to the Legislature - Legislative Services - Administration as a one-time appropriation:
 - from the General Fund, One-time, \$337,000;
- ▶ to the Legislature - Senate - Administration as a one-time appropriation:
 - from the General Fund, One-time, \$6,300; and
- ▶ to the Legislature - House of Representatives - Administration as a one-time appropriation:
 - from the General Fund, One-time, \$6,300.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-1-104, as last amended by Laws of Utah 2017, Chapter 382

53B-2-102, as repealed and reenacted by Laws of Utah 2017, Chapter 382

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53B-2-104, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-101, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-102, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-103, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-104, as last amended by Laws of Utah 2017, Chapters 365 and 382
53B-2a-105, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-106, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-107, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-109, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-112, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-113, as last amended by Laws of Utah 2017, Chapter 382
53B-2a-114, as last amended by Laws of Utah 2017, Chapter 382
53B-8-101, as last amended by Laws of Utah 2017, Chapter 382
63I-2-253, as last amended by Laws of Utah 2017, Chapters 217, 223, 350, 365, 381,
386, and 468
63I-2-263, as last amended by Laws of Utah 2017, First Special Session, Chapter 1

ENACTS:

63C-19-101, Utah Code Annotated 1953
63C-19-102, Utah Code Annotated 1953
63C-19-201, Utah Code Annotated 1953
63C-19-202, Utah Code Annotated 1953

REPEALS AND REENACTS:

53B-2a-108, as last amended by Laws of Utah 2017, Chapter 382

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

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

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

(1) Except as provided in Subsection (2), the board consists of:

(a) [~~17~~] 16 residents of the state appointed by the governor with the consent of the

Senate, as follows:

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~~(a)~~ (i) eight ~~at-large~~ at-large members; and

~~(b)~~ (ii) eight members, each of whom is:

~~(i)~~ (A) selected from three nominees presented to the governor by a higher education institution board of trustees; and

~~(ii)~~ (B) a current or former member of the institution of higher education board of trustees that nominates the member; and

~~(c)~~ (b) one member, ~~selected~~ appointed by the governor from three nominees presented to the governor by the student body presidents of the institutions of higher education, who:

(i) is a fully matriculated student enrolled in an institution of higher education; and

(ii) is not serving as a student body president at the time of the nomination.

(2) (a) (i) An individual appointed to the board on or before May 8, 2017, may serve on the board, even if the individual does not fulfill a requirement for the composition of the board described in Subsection (1).

(ii) The governor may reappoint a member described in Subsection (2)(a)(i) when the member's term expires.

(b) An individual appointed to the board on or before May 8, 2017, who is a current or former member of an institution of higher education board of trustees is the board member for the institution of higher education described in Subsection (1)~~(b)~~(a)(ii).

(c) (i) Subject to Subsection (2)(c)(ii), as positions on the board become vacant, the governor shall ensure that newly appointed members move the board toward the composition described in Subsection (1).

(ii) In appointing a new member to the board, the governor shall first appoint a member described in Subsection (1)~~(b)~~(a)(ii) until the eight positions described in Subsection (1)~~(b)~~(a)(ii) are filled.

(3) (a) All appointments to the board shall be made on a nonpartisan basis.

(b) In making appointments to the board, the governor shall consider:

(i) geographic representation of members;

(ii) diversity;

(iii) experience in higher education governance;

(iv) experience in economic development; and

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(v) exposure to institutions of higher education.

(c) An individual may not serve simultaneously on the State Board of Regents and an institution of higher education board of trustees.

(4) (a) Except as provided in [~~Subsection~~] Subsections (4)(b) and (c), members of the board shall be appointed to six-year staggered terms, which begin on July 1 of the year of appointment.

(b) A student member described in Subsection (1)[~~(c)~~](b) shall be appointed to a one-year term.

(c) (i) The governor may remove a member of the board for cause.

(ii) The governor shall consult with the president of the Senate before removing a member of the board.

(5) (a) A member of the board shall take the official oath of office before entering upon the duties of office.

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

(6) The board shall elect a chair and vice chair from among the board's members who shall serve terms of two years and until their successors are chosen and qualified.

(7) (a) The board shall appoint a secretary from the staff of the board's chief executive to serve at the board's discretion.

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

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

(8) (a) The board may establish advisory committees.

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

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

(9) The board shall enact bylaws for the board's own government not inconsistent with the constitution or the laws of this state.

(10) (a) The board shall meet regularly upon the board's own determination.

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

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(11) A quorum of the voting members of the board is required to conduct the board's business and consists of nine members.

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

(b) An individual appointed under Subsection (12)(a) serves for the remainder of the unexpired term.

(13) A board member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

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

53B-2-102. Board to appoint president for each institution.

(1) As used in this section:

(a) "Institution of higher education" means an institution that is part of the Utah System of Higher Education described in Subsection 53B-1-102(1)(a).

(b) "Search committee" means a committee that selects finalists for a position as an institution of higher education president.

(2) The board shall appoint a president for each institution of higher education.

(3) An institution of higher education president serves at the pleasure of the board.

(4) (a) To appoint an institution of higher education president, the board shall establish a search committee that includes representatives of faculty, staff, students, the institution of higher education board of trustees, alumni, the outgoing institution of higher education president's executive council or cabinet, and the board.

(b) A search committee shall be cochaired by a member of the board and a member of the institution of higher education board of trustees.

(c) A search committee described in Subsection (4)(a) shall forward three to five finalists to the board to consider for a position as an institution of higher education president.

(d) A search committee may not forward an individual to the board as a finalist unless

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two-thirds of the search committee members, as verified by the commissioner, find the individual to be qualified and likely to succeed as an institution of higher education president.

(5) (a) The board shall select an institution of higher education president from among the finalists presented by a search committee.

(b) If the board is not satisfied with the finalists forwarded by a search committee, the board may direct the search committee to resume the search process until the search committee has forwarded three finalists with ~~[which]~~ whom the board is satisfied.

(6) The board, through the commissioner, shall create a comprehensive, active recruiting plan to ensure a strong, diverse pool of potential candidates for institution of higher education presidents.

(7) (a) Except as provided in Subsection (7)(b), a record or information gathered or generated during the search process, including a candidate's application and the search committee's deliberations, is confidential and is a protected record under Section 63G-2-305.

(b) Application materials for a publicly named finalist described in Subsection (5)(a) are not protected records under Section 63G-2-305.

Section 3. Section **53B-2-104** is amended to read:

53B-2-104. Memberships of board of trustees -- Terms -- Vacancies -- Oath -- Officers -- Bylaws -- Quorum -- Committees -- Compensation -- Applicability to technical colleges.

(1) (a) Except as provided in Subsection (10), the board of trustees of an institution of higher education consists of the following:

(i) except as provided in Subsection 53B-18-1201(3)(b), eight individuals appointed by the governor with the consent of the Senate; and

(ii) two ex officio members who are the president of the institution's alumni association, and the president of the associated students of the institution.

(b) The appointed members of the boards of trustees for Utah Valley University and Salt Lake Community College shall be representative of the interests of business, industry, and labor.

(2) (a) The governor shall appoint four members of each board of trustees during each odd-numbered year to four-year terms commencing on July 1 of the year of appointment.

(b) ~~[An appointed member]~~ Except as provided in Subsection (2)(d), a member

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appointed under Subsection (1)(a)(i) holds office until a successor is appointed and qualified.

(c) The ex officio members serve for the same period as they serve as presidents and until their successors have qualified.

(d) (i) The governor may remove a member appointed under Subsection (1)(a)(i) for cause.

(ii) The governor shall consult with the president of the Senate before removing a member appointed under Subsection (1)(a)(i).

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

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

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

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

(6) (a) A board of trustees may enact bylaws for the board of trustees' own government, including provisions for regular meetings.

(b) (i) A board of trustees may provide for an executive committee in the board of trustees' bylaws.

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

(iii) An executive committee may act on nonroutine matters only under extraordinary and emergency circumstances.

(iv) An executive committee shall report the executive committee's activities to the board of trustees at the board of trustees' next regular meeting following the action.

(c) Copies of a board of trustees' bylaws shall be filed with the board.

(7) A quorum is required to conduct business and consists of six members.

(8) A board of trustees may establish advisory committees.

(9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

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(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(10) This section does not apply to a technical college board of directors described in Section 53B-2a-108.

Section 4. Section **53B-2a-101** is amended to read:

53B-2a-101. Definitions.

As used in this chapter:

(1) "Board of trustees" means the [~~Utah System of Technical Colleges~~] UTech Board of Trustees.

(2) "Commissioner of technical education" means the [~~Utah System of Technical Colleges~~] UTech commissioner of technical education.

(3) "Competency-based" means mastery of subject matter or skill level, as demonstrated through business and industry approved standards and assessments, achieved through participation in a hands-on learning environment, and which is tied to observable, measurable performance objectives.

~~[(4) "Member" means a member of the board of trustees.]~~

~~[(5)]~~ (4) "Open-entry, open-exit" means:

(a) a method of instructional delivery that allows for flexible scheduling in response to individual student needs or requirements and demonstrated competency when knowledge and skills have been mastered;

(b) students have the flexibility to begin or end study at any time, progress through course material at their own pace, and demonstrate competency when knowledge and skills have been mastered; and

(c) if competency is demonstrated in a program of study, a credential, certificate, or diploma may be awarded.

(5) "UTech" means the Utah System of Technical Colleges described in Section 53B-1-102.

Section 5. Section **53B-2a-102** is amended to read:

53B-2a-102. Commissioner of technical education -- Appointment -- Duties.

(1) (a) The board of trustees, upon approval from the governor and with the consent of the Senate, shall appoint a commissioner of technical education to serve as the board of

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trustees' chief executive officer.

(b) The commissioner of technical education shall:

(i) have an appropriate and relevant educational background, including, at a minimum, a master's degree; and

(ii) have extensive experience in career and technical education.

(c) The commissioner of technical education shall serve at the board of trustees' discretion and may be terminated by:

(i) the board of trustees; or

(ii) the governor, after consultation with the board of trustees.

(d) If the board of trustees intends to appoint an interim or acting commissioner of technical education during a leave of absence of the commissioner of technical education, the board of trustees shall appoint the interim or acting commissioner of technical education with the consent of the Senate.

(e) The name of each final candidate for commissioner of technical education shall be publicly disclosed.

(2) The board of trustees shall:

(a) set the salary of the commissioner of technical education;

(b) prescribe the duties and functions of the commissioner of technical education; and

(c) select a commissioner of technical education on the basis of outstanding professional qualifications.

(3) The commissioner of technical education is responsible to the board of trustees to:

(a) ensure that the policies and programs of the board of trustees are properly executed;

(b) furnish information about [~~the Utah System of Technical Colleges~~] UTech and make recommendations regarding the information to the board of trustees;

(c) provide state-level leadership in an activity affecting a technical college; and

(d) perform other duties as assigned by the board of trustees in carrying out the board of trustees' duties and responsibilities.

Section 6. Section **53B-2a-103** is amended to read:

53B-2a-103. UTech Board of Trustees -- Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees -- Compensation.

(1) There is created the [~~Utah System of Technical Colleges~~] UTech Board of Trustees.

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(2) Except as provided in Subsections (3) and (4), the board of trustees is composed of the following members:

(a) one member, representing business and industry employers from each technical college board of directors, appointed by a majority vote of the business and industry employer members of the technical college board of directors;

(b) one member representing business and industry employers from the Snow College Economic Development and Workforce Preparation Advisory Committee appointed by a majority of the business and industry employer members of the advisory committee;

(c) one member representing business and industry employers from the Utah State University Eastern career and technical education advisory committee appointed by a majority of the business and industry employer members of the advisory committee;

(d) one member representing business and industry employers from the Salt Lake Community College School of Applied Technology Board of Directors appointed by a majority of the business and industry employer members of the board of directors;

(e) one business or industry employer representative appointed by the governor with the consent of the Senate from nominations submitted by the speaker of the House of Representatives and president of the Senate;

(f) one representative of union craft, trade, or apprenticeship programs that prepare workers for employment in career and technical education fields, appointed by the governor with the consent of the Senate;

(g) one representative of non-union craft, trade, or apprenticeship programs that prepare workers for employment in career and technical education fields, appointed by the governor with the consent of the Senate; and

(h) the executive director of the Governor's Office of Economic Development or the executive director's designee.

(3) (a) Beginning on July 1, 2019, the board of trustees is composed of 15 members appointed by the governor with the consent of the Senate, as follows:

(i) one member selected from at least two nominees presented to the governor by the board of directors of each technical college, for a total of eight members; and

(ii) one member who is employed in and represents each of the following sectors:

(A) information technology;

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- (B) manufacturing;
- (C) life sciences;
- (D) health care;
- (E) transportation;
- (F) union craft, trade, or apprenticeship; and
- (G) non-union craft, trade, or apprenticeship.

(b) The seven members described in Subsection (3)(a)(ii) shall be selected from the state at large, subject to the following conditions:

(i) at least four members shall reside in a geographic area served by a technical college; and

(ii) no more than two members may reside in a single geographic area served by a technical college.

(c) The governor shall make appointments to the board of trustees on a nonpartisan basis.

(d) An individual may not serve on the board of trustees and a technical college board of directors simultaneously.

(4) (a) To transition from the composition of the board of trustees described in Subsection (2) to the composition described in Subsection (3), for a member who was appointed to the board of trustees on or before May 10, 2016, the governor shall appoint a replacement:

(i) when the member's current term expires, for a member who, on May 10, 2016, has served less than two consecutive full terms on the board of trustees; or

(ii) on May 10, 2016, for a member who, on May 10, 2016, has served two or more consecutive full terms on the board of trustees.

(b) In replacing a member who was appointed under Subsection (2)(a), the governor shall appoint a member for the technical college represented by the member whose term expires by:

(i) soliciting the technical college's board of directors to nominate at least two individuals for the position; and

(ii) selecting from the nominees presented.

(c) In replacing a member who was appointed under Subsections (2)(b) through (2)(h),

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the governor shall appoint a new member at large, ensuring representation from the sectors described in Subsection (3)(a)(ii).

(d) In making an appointment under this Subsection (4), the governor:

(i) shall appoint a member on a nonpartisan basis; and

(ii) may not reappoint the member who is being replaced if the member has served on the board of trustees for at least two consecutive full terms.

(5) (a) (i) Except as provided under Subsection (5)(a)(ii), a member shall be appointed commencing on July 1 of each odd-numbered year to a four-year term.

(ii) The governor shall ensure that member terms are staggered so that approximately one-half of the members' terms expire in any odd-numbered year.

(b) A member may not hold office for more than two consecutive full terms.

(c) (i) The governor may remove a member of the board of trustees for cause.

(ii) The governor shall consult with the president of the Senate before removing a member of the board of trustees.

(6) When a vacancy occurs on the board of trustees for any reason, the governor shall appoint a replacement for the unexpired term.

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

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

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

(b) A member may not serve more than two consecutive terms as the chair or vice chair.

(9) (a) The board of trustees shall enact bylaws for the board of trustees' own government, including provisions for regular meetings.

(b) (i) The board of trustees shall provide for an executive committee in the board of trustees' bylaws.

(ii) The executive committee shall have full authority of the board of trustees to act upon routine matters during the interim between board of trustees meetings.

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

(iv) The executive committee shall report the executive committee's activities to the

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board of trustees at the board of trustees' next regular meeting following the executive committee's activities.

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

(11) The board of trustees may establish advisory committees.

(12) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Section 7. Section **53B-2a-104** is amended to read:

53B-2a-104. Board of trustees powers and duties.

(1) The board of trustees is vested with the control, management, and supervision of technical colleges in a manner consistent with the policy and purpose of this title and the specific powers and responsibilities granted to the board of trustees.

(2) The board of trustees shall:

(a) ensure that a technical college complies with the requirements in Section 53B-2a-106;

(b) appoint the commissioner of technical education in accordance with Section 53B-2a-102;

(c) advise the commissioner of technical education and the State Board of Regents on issues related to career and technical education, including articulation with institutions of higher education and public education;

(d) ensure that a secondary student in the public education system has access to career and technical education through a technical college in the secondary student's service region;

(e) in consultation with the State Board of Education, the State Board of Regents, and technical college presidents, develop strategies for providing career and technical education in rural areas, considering distances between rural career and technical education providers;

(f) receive budget requests from each technical college, compile and prioritize the requests, and submit the request to:

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- (i) the Legislature; and
- (ii) the Governor's Office of Management and Budget;
- (g) receive funding requests pertaining to capital facilities and land purchases from each technical college, ensure that the requests comply with Section 53B-2a-112, prioritize the requests, and submit the prioritized requests to the State Building Board;
- (h) comply with Chapter 7, Part 7, Performance Funding;
- (i) in conjunction with the commissioner of technical education, establish benchmarks, provide oversight, evaluate program performance, and obtain independent audits to ensure that a technical college follows the noncredit career and technical education mission described in this part;
- (j) approve programs for [~~the Utah System of Technical Colleges~~] UTech;
- (k) approve the tuition rates for technical colleges;
- (l) prepare and submit an annual report detailing the board of trustees' progress and recommendations on career and technical education issues to the governor and to the Legislature's Education Interim Committee by October 31 of each year, which shall include information detailing:
 - (i) how the career and technical education needs of secondary students are being met, including what access secondary students have to programs offered at technical colleges;
 - (ii) how the emphasis on high demand, high wage, and high skill jobs in business and industry described in Section 53B-2a-106 is being provided;
 - (iii) performance outcomes, including:
 - (A) performance on the metrics described in Section 53B-7-707; and
 - (B) earnings; and
 - (iv) student tuition and fees; and
 - (m) collaborate with the State Board of Regents, the State Board of Education, the Department of Workforce Services, and the Governor's Office of Economic Development on the delivery of career and technical education.
- (3) The board of trustees, the commissioner of technical education, or a technical college president or board of directors may not conduct a feasibility study or perform another act relating to offering a degree or awarding credit.

Section 8. Section **53B-2a-105** is amended to read:

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53B-2a-105. UTech Composition.

[~~The Utah System of Technical Colleges~~] UTech is composed of the following technical colleges:

- (1) Bridgerland Technical College, which serves the geographic area encompassing:
 - (a) the Box Elder School District;
 - (b) the Cache School District;
 - (c) the Logan School District; and
 - (d) the Rich School District;
- (2) Ogden-Weber Technical College, which serves the geographic area encompassing:
 - (a) the Ogden City School District; and
 - (b) the Weber School District;
- (3) Davis Technical College, which serves the geographic area encompassing:
 - (a) the Davis School District; and
 - (b) the Morgan School District;
- (4) Tooele Technical College, which serves the geographic area encompassing the Tooele County School District;
- (5) Mountainland Technical College, which serves the geographic area encompassing:
 - (a) the Alpine School District;
 - (b) the Nebo School District;
 - (c) the Provo School District;
 - (d) the South Summit School District;
 - (e) the North Summit School District;
 - (f) the Wasatch School District; and
 - (g) the Park City School District;
- (6) Uintah Basin Technical College, which serves the geographic area encompassing:
 - (a) the Daggett School District;
 - (b) the Duchesne School District; and
 - (c) the Uintah School District;
- (7) Southwest Technical College, which serves the geographic area encompassing:
 - (a) the Beaver School District;
 - (b) the Garfield School District;

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(c) the Iron School District; and

(d) the Kane School District; and

(8) Dixie Technical College, which serves the geographic area encompassing the Washington School District.

Section 9. Section **53B-2a-106** is amended to read:

53B-2a-106. Technical colleges -- Duties.

(1) Each technical college shall, within the geographic area served by the technical college:

(a) offer a noncredit postsecondary and secondary career and technical education curriculum;

(b) offer that curriculum at:

(i) low cost to adult students, as approved by the board of trustees; and

(ii) no tuition to secondary students;

(c) provide career and technical education that will result in:

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

(ii) qualification for specific employment, with an emphasis on high demand, high wage, and high skill jobs in business and industry;

(d) develop cooperative agreements with school districts, charter schools, other higher education institutions, businesses, industries, and community and private agencies to maximize the availability of instructional facilities within the geographic area served by the technical college; and

(e) after consulting with school districts and charter schools within the geographic area served by the technical college:

(i) ensure that secondary students in the public education system have access to career and technical education at the technical college; and

(ii) prepare and submit an annual report to the board of trustees detailing:

(A) how the career and technical education needs of secondary students within the region are being met;

(B) what access secondary students within the region have to programs offered at the technical college;

(C) how the emphasis on high demand, high wage, high skill jobs in business and

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industry described in Subsection (1)(c)(ii) is being provided; and

(D) student tuition and fees.

(2) A technical college may offer:

(a) a competency-based high school diploma approved by the State Board of Education in accordance with Section 53A-1-402;

(b) noncredit, basic instruction in areas such as reading, language arts, and mathematics that are necessary for student success in a chosen career and technical education or job-related program;

(c) noncredit courses of interest when similar offerings to the community are limited and courses are financially self-supporting; and

(d) secondary school level courses through the Statewide Online Education Program in accordance with Section 53A-15-1205.

(3) Except as provided in Subsection (2)(d), a technical college may not:

(a) offer courses other than noncredit career and technical education or the noncredit, basic instruction described in Subsections (2)(b) and (c);

(b) offer a degree;

(c) offer career and technical education or basic instruction outside the geographic area served by the technical college without a cooperative agreement between an affected institution, except as provided in Subsection (6);

(d) provide tenure or academic rank for its instructors; or

(e) participate in intercollegiate athletics.

(4) The mission of a technical college is limited to noncredit career and technical education and may not expand to include credit-based academic programs typically offered by community colleges or other institutions of higher education.

(5) A technical college shall be recognized as a member of [~~the Utah System of Technical Colleges~~] UTech, and regional affiliation shall be retained and recognized through local designations such as "Bridgerland Technical College: A member technical college of the Utah System of Technical Colleges."

(6) (a) A technical college may offer career and technical education or basic instruction outside the geographic area served by the technical college without a cooperative agreement, as required in Subsection (3)(c), if:

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(i) the career and technical education or basic instruction is specifically requested by:

- (A) an employer; or
- (B) a craft, trade, or apprenticeship program;

(ii) the technical college notifies the affected institution about the request; and

(iii) the affected institution is given an opportunity to make a proposal, prior to any contract being finalized or training being initiated by the technical college, to the employer, craft, trade, or apprenticeship program about offering the requested career and technical education or basic instruction, provided that the proposal shall be presented no later than one business week from the delivery of the notice described under Subsection (6)(a)(ii).

(b) The requirements under Subsection (6)(a)(iii) do not apply if there is a prior training relationship.

Section 10. Section **53B-2a-107** is amended to read:

53B-2a-107. Technical college presidents -- Appointments -- Duties.

(1) (a) The board of trustees shall [~~after consultation with a technical college board of directors,~~] appoint a president for [~~the~~] each technical college.

(b) The board of trustees shall establish a policy for appointing a technical college president that:

- (i) requires the board of trustees to create a search committee that:
 - (A) includes an equal number of board of trustees members and members from the technical college board of directors; and
 - (B) may include technical college faculty, students, or other individuals;
- (ii) requires the search committee to seek nominations, interview candidates, and forward qualified candidates to the board of trustees for consideration;
- (iii) provides for at least two members of the technical college board of directors to participate in board of trustees' interviews of finalists; and
- (iv) provides for the board of trustees to vote to appoint a technical college president in a meeting that complies with Title 52, Chapter 4, Open and Public Meetings Act.

(2) (a) A technical college president shall serve as the chief executive officer of the technical college.

(b) A technical college president does not need to have a doctorate degree, but shall have extensive experience in career and technical education.

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(c) A technical college president is subject to regular review and evaluation administered by the board of trustees, in [~~cooperation~~] consultation with the technical college board of directors, through a process approved by the board of trustees.

(d) A technical college president serves at the [~~discretion~~] pleasure of the board of trustees[~~in cooperation with the technical college board of directors~~].

(e) The board of trustees, in [~~cooperation~~] consultation with a technical college board of directors, shall set the compensation for the technical college president using market survey information.

(3) A technical college president shall:

(a) serve as the executive officer of the technical college board of directors;

(b) administer the day-to-day operations of the technical college;

(c) consult with the technical college board of directors; and

(d) administer human resource policies and employee compensation plans in accordance with the requirements of the board of trustees.

Section 11. Section **53B-2a-108** is repealed and reenacted to read:

53B-2a-108. Technical college boards of directors -- Membership --

Appointments.

(1) As used in this section:

(a) "Higher education institution" means the same as that term is defined in Section 53B-2a-112.

(b) "Technical college service area" means the geographic area served by each technical college as described in Section 53B-2a-105.

(2) A technical college board of directors consists of:

(a) one member of the local school board for each school district in the technical college service area, appointed by the local school board to which the member belongs;

(b) except as provided in Subsection (3)(b), one individual who is a member of the higher education institution board of trustees, appointed by the higher education institution board of trustees; and

(c) a number of individuals, appointed by the governor with the consent of the Senate, that is ~~the greater of:~~

~~(i) the number of individuals that makes the total number of members on the technical~~

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~~college board of directors nine; or~~

~~(ii) the number of individuals that is one more than the sum of the number of members appointed to the technical college board of directors under Subsections (2)(a) and (b):~~

~~(3)†:~~

~~(i) seven for:~~

~~(A) Tooele Technical College;~~

~~(B) Uintah Basin Technical College; and~~

~~(C) Dixie Technical College;~~

~~(ii) eight for:~~

~~(A) Bridgerland Technical College;~~

~~(B) Ogden-Weber Technical College;~~

~~(C) Davis Technical College; and~~

~~(D) Southwest Technical College; or~~

~~(iii) nine for Mountainland Technical College.~~

(3) (a) In appointing the members described in Subsection (2)(c), the governor shall appoint individuals who represent the interests of business, industry, or labor in the technical college service area.

(b) If no member of the institution of higher education board of trustees lives within the technical college service area, the institution of higher education board of trustees may nominate an individual to be appointed by the governor with the consent of the Senate instead of appointing a member described in Subsection (2)(b).

(4) (a) The governor may remove a member appointed under Subsection (2)(c) ~~or (3)(b)~~ for cause.

(b) The governor shall consult with the president of the Senate before removing a member appointed under Subsection (2)(c) ~~or (3)(b)~~.

(5) (a) Notwithstanding Subsection (2) or 53B-2a-109(2), an individual appointed to a technical college board of directors on or before May 7, 2018, may continue to serve on the technical college board of directors until the end of the individual's current term, even if the total number of members on the technical college board of directors exceeds the number of members for the technical college board of directors described in Subsection (2).

(b) Notwithstanding Subsection (2), the governor may only make an appointment

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described in Subsection (2)(c) if the number of members on the technical college board of directors following the appointment will be less than or equal to the number of members for the technical college board of directors described in Subsection (2).

Section 12. Section **53B-2a-109** is amended to read:

53B-2a-109. Technical college boards of directors -- Terms -- Quorum -- Chair -- Compensation.

~~[(1)(a) At the first meeting of a technical college board of directors after July 1, 2009:]~~

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

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

~~[(b) Except as provided in Subsection (1)(a), individuals appointed to]~~

(1) (a) Except as provided in this Subsection (1), a member of a technical college board of directors [shall serve] is appointed to a four-year [terms] term.

(b) The governor may appoint a member described in Subsection 53B-2a-108(2)(c) to a two-year term to ensure that the terms of approximately half of the members described in Subsection 53B-2a-108(2)(c) expire every other year.

(c) When a vacancy occurs in the membership of a technical college board of directors, the appointing authority for the vacant position described in Section 53B-2a-108 shall appoint a replacement for the remainder of the term.

(d) An appointed member holds office until a successor is appointed in accordance with Section 53B-2a-108.

(2) A member of a technical college board of directors may not hold office for more than two consecutive full terms.

~~[(2) The original appointing authority shall fill any vacancies that occur on a technical college board of directors.]~~

(3) A majority of a technical college board of directors is a quorum.

(4) A technical college board of directors shall elect a chair from the technical college board of directors' membership.

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(5) A member of a technical college board of directors may not receive compensation or benefits for the member of the technical college board of director's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(6) (a) A technical college board of directors may enact bylaws for the technical college board of directors' own government, including provisions for regular meetings, that are in accordance with the policies of the board of trustees.

(b) (i) A technical college board of directors may provide for an executive committee in the technical college board of directors' bylaws.

(ii) If established, an executive committee shall have the full authority of the technical college board of directors to act upon routine matters during the interim between board of directors' meetings.

(iii) An executive committee may act on nonroutine matters only under extraordinary and emergency circumstances.

(iv) An executive committee shall report the executive committee's activities to the technical college board of directors at the technical college board of directors' next regular meeting following the activities.

(7) A technical college board of directors may establish advisory committees.

Section 13. Section **53B-2a-112** is amended to read:

53B-2a-112. Technical colleges -- Relationships with other public and higher education institutions -- Agreements -- Priorities -- New capital facilities.

(1) As used in this section, "higher education institution" means~~[, for each technical college, the higher education institution designated in Section 53B-2a-108 that has a representative on the technical college's board of directors.]:~~

(a) Utah State University for:

(i) Bridgerland Technical College;

(ii) Tooele Technical College; and

(iii) Uintah Basin Technical College;

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(b) Weber State University for:

(i) Ogden-Weber Technical College; and

(ii) Davis Technical College;

(c) Utah Valley University for Mountainland Technical College;

(d) Southern Utah University for Southwest Technical College; and

(e) Dixie State University for Dixie Technical College.

(2) A technical college shall avoid any unnecessary duplication of career and technical education instructional facilities, programs, administration, and staff between the technical college and other public and higher education institutions.

(3) A technical college may enter into agreements:

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

(b) with other public and higher education institutions to enhance career and technical education within [its] the technical college's region; or

(c) to comply with Subsection (2).

(4) Before a technical college develops new instructional facilities, the technical college shall give priority to:

(a) maintaining the technical college's existing instructional facilities for both secondary and adult students;

(b) coordinating with the president of [a] the technical college's higher education institution and entering into any necessary agreements to provide career and technical education to [both] secondary and adult students that:

(i) maintain and support existing higher education career and technical education programs; and

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

(c) developing cooperative agreements with school districts, charter schools, other higher education institutions, businesses, industries, and community and private agencies to maximize the availability of career and technical education instructional facilities for both secondary and adult students.

(5) (a) Before submitting a funding request pertaining to new capital facilities and land purchases to the board of trustees, a technical college shall:

(i) ensure that all available instructional facilities are maximized in accordance with

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Subsections (4)(a) through (c); and

(ii) coordinate the request with the president of [~~a~~] the technical college's higher education institution, if applicable.

(b) The State Building Board shall make a finding that the requirements of this section are met before the State Building Board may consider a funding request from the board of trustees pertaining to new capital facilities and land purchases.

(c) A technical college may not construct, approve the construction of, plan for the design or construction of, or consent to the construction of a career and technical education facility without approval of the Legislature.

(6) Before acquiring new fiscal and administrative support structures, a technical college shall:

(a) review the use of existing public or higher education administrative and accounting systems, financial record systems, and student and financial aid systems for the delivery of career and technical education in the region;

(b) determine [~~whether it is feasible to use those~~] the feasibility of using existing systems; and

(c) with the approval of the technical college board of directors and the board of trustees, use [~~those~~] the existing systems.

Section 14. Section **53B-2a-113** is amended to read:

53B-2a-113. Technical colleges -- Leasing authority -- Lease-purchase agreements -- Report.

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

(a) one year or less with the approval of the technical college board of directors; or

(b) more than one year with the approval of the board of trustees and:

(i) the approval of funding for the lease by the Legislature prior to a technical college entering into the lease; or

(ii) the lease agreement includes language that allows termination of the lease without penalty.

(2) (a) In accordance with Subsection 53B-2a-112(2), a technical college may enter

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into a lease-purchase agreement if:

- (i) there is a long-term benefit to the state;
- (ii) the project is included in both the technical college and [~~Utah System of Technical Colleges~~] UTech master plans;
- (iii) the lease-purchase agreement includes language that allows termination of the lease;
- (iv) the lease-purchase agreement is approved by the technical college board of directors and the board of trustees; and
- (v) the lease-purchase agreement is:
 - (A) reviewed by the Division of Facilities Construction and Management;
 - (B) reviewed by the State Building Board; and
 - (C) approved by the Legislature.
- (b) An approval under Subsection (2)(a) shall include a recognition of:
 - (i) all parties, dates, and elements of the agreement;
 - (ii) the equity or collateral component that creates the benefit; and
 - (iii) the options dealing with the sale and division of equity.
- (3) (a) Each technical college shall provide an annual lease report to the board of trustees that details each of the technical college's leases, annual costs, location, square footage, and recommendations for lease continuation.
- (b) The board of trustees shall compile and distribute an annual combined lease report for all technical colleges to the Division of Facilities Construction and Management and to others upon request.
- (4) The board of trustees shall use the annual combined lease report in determining planning, utilization, and budget requests.

Section 15. Section **53B-2a-114** is amended to read:

53B-2a-114. Educational program on the use of information technology.

- (1) [~~The Utah System of Technical Colleges~~] UTech shall offer an educational program on the use of information technology as provided in this section.
- (2) An educational program on the use of information technology shall:
 - (a) provide instruction on skills and competencies essential for the workplace and requested by employers;

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(b) include the following components:

- (i) a curriculum;
- (ii) online access to the curriculum;
- (iii) instructional software for classroom and student use;
- (iv) certification of skills and competencies most frequently requested by employers;
- (v) professional development for faculty; and
- (vi) deployment and program support, including integration with existing curriculum

standards; and

(c) be made available to students, faculty, and staff of technical colleges.

Section 16. Section 53B-8-101 is amended to read:

53B-8-101. Waiver of tuition.

(1) (a) The president of an institution of higher education described in Section 53B-2-101 may waive all or part of the tuition in on behalf of meritorious or impecunious resident students to an amount not exceeding 10% of the total amount of tuition which, in the absence of the waivers, would have been collected from all Utah resident students at the institution of higher education.

(b) (i) Two and a half percent of the waivers designated in Subsection (1)(a) shall be set aside for members of the Utah National Guard. ~~{ }~~ Waivers

(ii) A waiver described in Subsection (1)(b)(i) shall be preserved by the student at least 60 days before the beginning of an academic term.

(2) (a) A president of an institution of higher education listed in Subsections 53B-2-101(1)(a) through (h) may waive all or part of the nonresident portion of tuition for a meritorious nonresident undergraduate student.

(b) In determining which students are meritorious for purposes of granting a tuition waiver under Subsection (2)(a), a president shall consider students who are performing above the average at the institution of higher education, including having an admissions index higher than the average for the institution, if an admissions index is used.

(c) A president of an institution of higher education may continue to waive the nonresident portion of tuition for a student described in Subsection (2)(a) for as long as the student is enrolled at the institution of higher education.

(d) In addition to waiving the nonresident portion of tuition for a meritorious

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nonresident student under Subsection (2)(a), a president of an institution of higher education may waive the resident portion of tuition after the meritorious nonresident student completes a year of full-time study at the institution of higher education.

(3) To encourage students to enroll for instruction in occupations critical to the state for which trained personnel are in short supply, a president of an institution of higher education shall grant additional full or partial tuition waivers upon recommendation of:

(a) the board, for an institution of higher education described in ~~Subsection (1)(a)~~ Subsections 53B-2-101(1)(a) through (h); or

(b) the Utah System of Technical Colleges Board of Trustees, for a technical college.

(4) A president of an institution of higher education may waive all or part of the difference between resident and nonresident tuition ~~in the case of~~ for:

(a) meritorious graduate students; or

(b) nonresident summer school students.

(5) The board may establish policies that:

(a) require an institution of higher education described in Subsections 53B-2-101(1)(a) through (h) to regularly assess and report whether the institution of higher education's use of tuition waivers supports the goals established by the board in accordance with Section 53B-1-103 for the institution of higher education;

(b) subject to Subsection (1)(a), establish the total amount or percentage of tuition that an institution of higher education may waive;

(c) define the terms "meritorious" and "impecunious," as the terms apply to tuition waivers for resident students described in Subsection (1)(a); and

(d) establish limitations on an institution of higher education's allocation of waivers described in Subsection (1)(a) for resident students who are meritorious or resident students who are impecunious.

~~(5)~~ (6) (a) The board shall submit an annual budget appropriation request for each institution of higher education described in Subsections 53B-2-101(1)(a) through (h).

(b) The Utah System of Technical Colleges Board of Trustees shall submit an annual budget appropriation request for each technical college.

(c) A request described in Subsection ~~(5)~~ (6)(a) or (b) shall include requests for funds sufficient in amount to equal the estimated loss of dedicated credits that would be realized if all

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of the tuition waivers authorized by Subsection (2) were granted.

Section ~~{16}~~17. Section 63C-19-101 is enacted to read:

CHAPTER 19. HIGHER EDUCATION STRATEGIC PLANNING COMMISSION

Part 1. General Provisions

63C-19-101. Title.

This chapter is known as "Higher Education Strategic Planning Commission."

Section 18. Section 63C-19-102 is enacted to read:

63C-19-102. Definitions.

As used in this chapter:

(1) "Commission" means the Higher Education Strategic Planning Commission created in Section 63C-19-201.

(2) "Institution of higher education" means an institution described in Subsections 53B-1-102(1)(a)(ii) through (ix).

(3) "Institutional role" means an institution of higher education's role described in Section 53B-16-101.

(4) "State system of higher education" means the state system of higher education described in Section 53B-1-102.

(5) "Strategic plan" means the strategic plan described in Section 63C-19-202.

(6) "Technical college" means the same as that term is defined in Section 53B-1-101.5.

Section 19. Section 63C-19-201 is enacted to read:

Part 2. Higher Education Strategic Planning Commission

63C-19-201. Commission -- Membership -- Quorum and voting requirements -- Compensation -- Staff support.

(1) There is created the Higher Education Strategic Planning Commission consisting of the following 22 members:

(a) two members of the Senate, appointed by the president of the Senate;

(b) two members of the House of Representatives, appointed by the speaker of the House of Representatives;

(c) two members of the State Board of Regents, appointed by the chair of the State Board of Regents;

(d) two members of the Utah System of Technical Colleges Board of Trustees,

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appointed by the chair of the Utah System of Technical Colleges Board of Trustees;

(e) four individuals, appointed by the chair of the State Board of Regents, who represent institutions of higher education from a range of geographic areas and with varied institutional roles;

(f) two individuals, appointed by the chair of the Utah System of Technical Colleges Board of Trustees, who represent technical colleges from a range of geographic areas;

(g) the commissioner of higher education or the commissioner's designee;

(h) the commissioner of technical education or the commissioner's designee;

(i) a member of the governor's staff who is responsible for advising the governor on education issues, appointed by the governor;

(j) the executive director of the Governor's Office of Economic Development or the executive director's designee;

(k) the executive director of the Department of Workforce Services or the executive director's designee;

(l) the state superintendent of public instruction or the superintendent's designee; and

(m) two Utah business leaders, one appointed by the president of the Senate and one appointed by the speaker of the House of Representatives.

(2) (a) The president of the Senate shall appoint one of the members described in Subsection (1)(a) as a cochair of the commission.

(b) The speaker of the House of Representatives shall appoint one of the members described in Subsection (1)(b) as a cochair of the commission.

(c) The chair of the State Board of Regents shall appoint one of the members described in Subsection (1)(c) as a vice chair of the commission.

(d) The chair of the Utah System of Technical Colleges Board of Trustees shall appoint one of the members described in Subsection (1)(d) as a vice chair of the commission.

(3) (a) The salary and expenses of a commission member who is a legislator shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislator Compensation.

(b) A commission member who is not a legislator may not receive compensation or benefits for the member's service on the commission, but may receive per diem and reimbursement for travel expenses incurred as a commission member at the rates established by

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the Division of Finance under:

(i) Sections 63A-3-106 and 63A-3-107; and

(ii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(4) (a) A majority of the commission members constitutes a quorum.

(b) The action of a majority of a quorum constitutes an action of the commission.

(5) The Office of Legislative Research and General Counsel and the Office of the Legislative Fiscal Analyst shall provide staff support to the commission.

Section 20. Section 63C-19-202 is enacted to read:

63C-19-202. Commission powers and duties -- Strategic plan -- Consultant --

Reports.

(1) (a) The commission shall develop a strategic plan aimed at meeting the future challenges of the state system of higher education.

(b) The strategic plan shall address:

(i) providing quality, accessible, and innovative postsecondary education that prepares Utahns for the twenty-first century;

(ii) cost-effective and affordable modes of higher education delivery;

(iii) the integration of prior learning and competency-based experiences to meet degree or certificate requirements;

(iv) maximizing the role of the state system of higher education in workforce and economic development;

(v) a statewide campus and technology master plan that reflects regional differences in projected student enrollment growth in the state system of higher education;

(vi) governance of the state system of higher education, including studying best practices and recommending modifications; and

(vii) other issues related to the state system of higher education as determined by the commission.

(2) (a) The commission shall:

(i) select a consultant to manage the strategic planning process in accordance with Subsection (3);

(ii) guide the analytical work of a consultant described in Subsection (2)(a)(i) and

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review the results of the work;

(iii) coordinate with a consultant described in Subsection (2)(a)(i) to engage in a strategic planning process and create a strategic plan;

(iv) conduct regional meetings to gather stakeholder input during the strategic planning process; and

(v) report to the Legislature and the governor in accordance with Subsection (5).

(b) The commission may designate and assign working groups within the commission to address, study, evaluate, or discuss issues related to the commission's work.

(3) Subject to direction from the commission, a consultant selected under Subsection (2)(a) shall:

(a) collect and analyze data related to the current and future projected conditions of the state system of higher education, including:

(i) relevant demographics and educational attainment;

(ii) the state's economy, including workforce supply and demand;

(iii) affordability and financing of higher education through tuition, state funding, and other sources;

(iv) innovation by institutions of higher education, including research and research commercialization;

(v) operational and capital facility efficiencies;

(vi) accountability measures to assess the performance of the state system of higher education; and

(vii) any other data collection or analysis requested by the commission;

(b) based on the data described in Subsection (3)(a), make comparisons between higher education in Utah and higher education in other states or countries;

(c) project the condition of the state system of higher education in the future under the state's current system based on the projected:

(i) population;

(ii) workforce needs; and

(iii) funding requirements through tuition and state funding;

(d) develop alternatives to the projection described in Subsection (3)(c) by modeling potential changes to:

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- (i) industry and economic growth;
 - (ii) student enrollment patterns;
 - (iii) the portion of funding for the state system of higher education that comes from tuition and the portion of funding that comes from state funding; and
 - (iv) investments in capital facilities or technology infrastructure;
 - (e) recommend accountability or performance measures to assess the effectiveness of the state system of higher education;
 - (f) in coordination with the commission, conduct the regional meetings described in Subsection (2)(a)(iv) to share information and seek input from a range of stakeholders;
 - (g) recommend changes to the governance system for the state system of higher education that would facilitate implementation of the strategic plan; and
 - (h) produce for the commission:
 - (i) a draft report, including findings, observations, and strategic priorities; and
 - (ii) a final report, incorporating feedback from the commission on the draft report described in Subsection (3)(h)(i), regarding the future of the state system of higher education.
 - (4) An institution within the state system of higher education shall provide the commission and a consultant selected under Subsection (2)(a) with data and data analysis as requested by the commission.
 - (5) (a) On or before November 30, 2018, the commission shall report on the commission's progress to:
 - (i) the Education Interim Committee;
 - (ii) the Higher Education Appropriations Subcommittee;
 - (iii) the Legislative Management Committee; and
 - (iv) the governor.
 - (b) On or before November 30, 2019, the commission shall provide a final report, including a strategic plan and any recommendations, to:
 - (i) the Education Interim Committee;
 - (ii) the Higher Education Appropriations Subcommittee;
 - (iii) the Legislative Management Committee; and
 - (iv) the governor.
- Section 21. Section **63I-2-253** is amended to read:

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63I-2-253. Repeal dates -- Titles 53 through 53G.

~~[(1) Section 53A-1-403.5 is repealed July 1, 2017.]~~

~~[(2) Section 53A-1-411 is repealed July 1, 2017.]~~

~~[(3) Section 53A-1-415 is repealed July 1, 2019.]~~

~~[(4) Section 53A-1-709 is repealed July 1, 2020.]~~

~~[(5) Subsection 53A-1-1207(3)(b)(ii)(B) is repealed July 1, 2020.]~~

~~[(6) Section 53A-1-1208 is repealed July 1, 2020.]~~

~~[(7) Subsection 53A-1a-513(4) is repealed July 1, 2017.]~~

~~[(8) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is repealed July 1, 2017.]~~

~~[(9) Section 53A-24-601 is repealed January 1, 2018.]~~

~~[(10)] (1) Section 53A-24-602 is repealed July 1, 2018.~~

~~[(11)] (2) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.~~

(b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(3) (a) Subsection 53B-2a-108(5) is repealed July 1, 2022.

(b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

~~[(12) Subsections 53B-7-101(2)(b)(iii)(A) and (3) are repealed January 1, 2018.]~~

~~[(13)] (4) Subsection 53B-7-705(6)(b)(ii)(B) is repealed July 1, 2021.~~

~~[(14)] (5) Subsection 53B-7-707(4)(b) is repealed July 1, 2021.~~

~~[(15)] (6) (a) The following sections are repealed on July 1, 2023:~~

~~(i) Section 53B-8-202;~~

~~(ii) Section 53B-8-203;~~

~~(iii) Section 53B-8-204; and~~

~~(iv) Section 53B-8-205.~~

(b) (i) Subsection 53B-8-201(2) is repealed on July 1, 2023.

(ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make

HB0300S01 compared with HB0300

necessary changes to subsection numbering and cross references.

~~[(16)]~~ (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is repealed July 1, 2023.

(8) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.

(9) Section 53E-5-307 is repealed July 1, 2020.

(10) Section 53F-4-204 is repealed July 1, 2019.

(11) Section 53F-6-202 is repealed July 1, 2020.

†

Legislative Review Note

~~Office of Legislative Research and General Counsel;~~ Section 22. Section 63I-2-263 is amended to read:

63I-2-263. Repeal dates, Title 63A to Title 63N.

[(1) Section 63A-5-227 is repealed on January 1, 2018.]

(1) Title 63C, Chapter 19, Higher Education Strategic Planning Commission, is repealed July 1, 2020.

(2) Section 63H-7a-303 is repealed on July 1, 2022.

(3) On July 1, 2019:

(a) in Subsection 63J-1-206(3)(c)(i), the language that states "(i) Except as provided in Subsection (3)(c)(ii)" is repealed; and

(b) Subsection 63J-1-206(3)(c)(ii) is repealed.

(4) Subsection 63N-3-109(2)(f)(i)(B) is repealed July 1, 2020.

(5) Section 63N-3-110 is repealed July 1, 2020.

Section 23. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

HB0300S01 compared with HB0300

ITEM 1

To Legislature - Legislative Services

From General Fund, one-time \$337,000

Schedule of Programs:

Administration \$337,000

The Legislature intends that the appropriation under this item be used for the requirements described in Title 63C, Chapter 19, Higher Education Strategic Planning Commission.

ITEM 2

To Legislature - Senate

From General Fund, one-time \$6,300

Schedule of Programs:

Administration \$6,300

ITEM 3

To Legislature - House of Representatives

From General Fund, one-time \$6,300

Schedule of Programs:

Administration \$6,300