

TEACHER EDUCATION QUALIFICATION AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires the Utah Board of Higher Education to establish admission pathways for accepting students who earn a degree from a non-accredited college or university into a graduate program.

Highlighted Provisions:

This bill:

► requires the Utah Board of Higher Education to establish admission pathways for accepting students who earn an undergraduate degree from a non-accredited college or university into a graduate program.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-1-402, as last amended by Laws of Utah 2022, Chapters 166, 177

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

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

53B-1-402. Establishment of board -- Powers, duties, and authority -- Reports.



- 28 (1) There is established a State Board of Regents, which:
 - 29 (a) beginning July 1, 2020, is renamed the Utah Board of Higher Education;
 - 30 (b) is the governing board for the institutions of higher education;
 - 31 (c) controls, manages, and supervises the Utah system of higher education; and
 - 32 (d) is a body politic and corporate with perpetual succession and with all rights,
33 immunities, and franchises necessary to function as a body politic and corporate.
- 34 (2) The board shall:
 - 35 (a) establish and promote a state-level vision and goals for higher education that
36 emphasize system priorities, including:
 - 37 (i) quality;
 - 38 (ii) affordability;
 - 39 (iii) access and equity;
 - 40 (iv) completion;
 - 41 (v) workforce alignment and preparation for high-quality jobs; and
 - 42 (vi) economic growth;
 - 43 (b) establish policies and practices that advance the vision and goals;
 - 44 (c) establish metrics to demonstrate and monitor:
 - 45 (i) performance related to the goals; and
 - 46 (ii) performance on measures of operational efficiency;
 - 47 (d) collect and analyze data including economic data, demographic data, and data
48 related to the metrics;
 - 49 (e) coordinate data collection across institutions;
 - 50 (f) establish, approve, and oversee each institution's mission and role in accordance
51 with Section [53B-16-101](#);
 - 52 (g) assess an institution's performance in accomplishing the institution's mission and
53 role;
 - 54 (h) participate in the establishment and review of programs of instruction in accordance
55 with Section [53B-16-102](#);
 - 56 (i) perform duties related to an institution of higher education president, including:
 - 57 (i) appointing an institution of higher education president in accordance with Section
58 [53B-2-102](#);

- 59 (ii) providing support and guidance to an institution of higher education president;
- 60 (iii) evaluating an institution of higher education president based on institution
- 61 performance and progress toward systemwide priorities; and
- 62 (iv) setting the compensation for an institution of higher education president;
- 63 (j) create and implement a strategic finance plan for higher education, including by:
- 64 (i) establishing comprehensive budget and finance priorities for academic education
- 65 and technical education;
- 66 (ii) allocating statewide resources to institutions;
- 67 (iii) setting tuition for each institution;
- 68 (iv) administering state financial aid programs;
- 69 (v) administering performance funding in accordance with Chapter 7, Part 7,
- 70 Performance Funding; and
- 71 (vi) developing a strategic capital facility plan and prioritization process in accordance
- 72 with Chapter 22, Part 2, Capital Developments, and Sections [53B-2a-117](#) and [53B-2a-118](#);
- 73 (k) create a seamless articulated education system for Utah students that responds to
- 74 changing demographics and workforce, including by:
- 75 (i) providing for statewide prior learning assessment, in accordance with Section
- 76 [53B-16-110](#);
- 77 (ii) establishing and maintaining clear pathways for articulation and transfer, in
- 78 accordance with Section [53B-16-105](#);
- 79 (iii) establishing degree program requirement guidelines, including credit hour limits;
- 80 (iv) establishing and maintaining pathways for admitting students who earn
- 81 undergraduate degrees from a non-accredited institution into an institution of higher education
- 82 graduate program;
- 83 [~~(iv)~~] (v) aligning general education requirements across degree-granting institutions;
- 84 [~~(v)~~] (vi) coordinating and incentivizing collaboration and partnerships between
- 85 institutions in delivering programs;
- 86 [~~(vi)~~] (vii) coordinating distance delivery of programs; and
- 87 [~~(vii)~~] (viii) coordinating work-based learning;
- 88 (l) coordinate with the public education system:
- 89 (i) regarding public education programs that provide postsecondary credit or

90 certificates; and

91 (ii) to ensure that an institution of higher education providing technical education
92 serves secondary students in the public education system;

93 (m) delegate to an institution board of trustees certain duties related to institution
94 governance including:

95 (i) guidance and support for the institution president;

96 (ii) effective administration;

97 (iii) the institution's responsibility for contributing to progress toward achieving
98 systemwide goals; and

99 (iv) other responsibilities determined by the board;

100 (n) delegate to an institution of higher education president management of the
101 institution of higher education;

102 (o) consult with an institution of higher education board of trustees or institution of
103 higher education president before acting on matters pertaining to the institution of higher
104 education;

105 (p) maximize efficiency throughout the Utah system of higher education by identifying
106 and establishing shared administrative services;

107 (q) develop strategies for providing higher education, including career and technical
108 education, in rural areas;

109 (r) manage and facilitate a process for initiating, prioritizing, and implementing
110 education reform initiatives; and

111 (s) provide ongoing quality review of institutions.

112 (3) The board shall submit an annual report of the board's activities and performance
113 against the board's goals and metrics to:

114 (a) the Education Interim Committee;

115 (b) the Higher Education Appropriations Subcommittee;

116 (c) the governor; and

117 (d) each institution of higher education.

118 (4) The board shall prepare and submit an annual report detailing the board's progress
119 and recommendations on workforce related issues, including career and technical education, to
120 the governor and to the Legislature's Education Interim Committee by October 31 of each year,

121 including information detailing:

122 (a) how the career and technical education needs of secondary students are being met
123 by institutions of higher education;

124 (b) how the emphasis on high demand, high wage, and high skill jobs in business and
125 industry is being provided;

126 (c) performance outcomes, including:

127 (i) entered employment;

128 (ii) job retention; and

129 (iii) earnings;

130 (d) an analysis of workforce needs and efforts to meet workforce needs; and

131 (e) student tuition and fees.

132 (5) The board may modify the name of an institution of higher education to reflect the
133 role and general course of study of the institution.

134 (6) The board may not take action relating to merging a technical college with another
135 institution of higher education without legislative approval.

136 (7) This section does not affect the power and authority vested in the State Board of
137 Education to apply for, accept, and manage federal appropriations for the establishment and
138 maintenance of career and technical education.

139 (8) The board shall ensure that any training or certification that an employee of the
140 higher education system is required to complete under this title or by board rule complies with
141 Title 63G, Chapter 22, State Training and Certification Requirements.

142 (9) The board shall adopt a policy requiring institutions to provide at least three work
143 days of paid bereavement leave for an employee:

144 (a) following the end of the employee's pregnancy by way of miscarriage or stillbirth;

145 or

146 (b) following the end of another individual's pregnancy by way of a miscarriage or
147 stillbirth, if:

148 (i) the employee is the individual's spouse or partner;

149 (ii) (A) the employee is the individual's former spouse or partner; and

150 (B) the employee would have been a biological parent of a child born as a result of the
151 pregnancy;

152 (iii) the employee provides documentation to show that the individual intended for the
153 employee to be an adoptive parent, as that term is defined in Section [78B-6-103](#), of a child born
154 as a result of the pregnancy; or

155 (iv) under a valid gestational agreement in accordance with Title 78B, Chapter 15, Part
156 8, Gestational Agreement, the employee would have been a parent of a child born as a result of
157 the pregnancy.