

863 (5) A president shall:

864 (a) control and manage the budget and finances of the institution, including by, as
865 determined by the president:

866 (i) establishing the institution's budget; and

867 (ii) establishing or adjusting administrative or academic unit budgets; and

868 (b) subject to Section 53B-7-101, establish:

869 (i) tuition for the institution, including both resident and nonresident tuition if the
870 institution is a degree-granting institution, subject to the approval of the board as described in
871 Section 53B-1-402; and

872 (ii) fees and other charges for the institution; and

873 (c) establish the organization and structure of the institution, including by, as
874 determined by the president, creating, merging, or eliminating a college, department, or other
875 administrative or academic unit of the institution;

876 (6) Subject to the approval of the institution's board of trustees, a president:

877 (a) shall establish a budgetary policy, such as policy regarding benefits and endowment
878 investments;

879 (b) shall provide for the constitution, government, and organization of the faculty and
880 administration, including ~~H→~~ [by, as determined by the president,] :

880a (i) ~~←H~~ enacting and implementing rules ~~H→~~ [;] ; ~~←H~~

880b ~~H→~~ (ii) ensuring that the faculty may only have jurisdiction over: ~~←H~~

880c ~~H→~~ (A) academic requirements for admission, degrees, and certificates; and

880d (B) course curriculum and instruction;

880e (iii) permitting faculty to have jurisdiction over a matter other than a matter described
880f in Subsection (6)(b)(ii) only if the following entities expressly authorize or delegate such power:

880g (A) the Legislature;

880h (B) the board;

880i (C) the institution's board of trustees; or

880j (D) the insitution's president; and ~~←H~~

88k ~~H→~~ [including the establishment of a prescribed system of tenure] (iv) ~~←H~~ if the institution is a
882 degree-granting institution ~~H→~~ , the establishment of a prescribed system of tenure ~~←H~~ ; and

883 (c) may authorize the faculty to determine the general initiation and direction of
884 instruction and of the examination, admission, and classification of students.

885 (7) A president may establish policies for the administration and operation of the
886 institution that:

887 (a) are consistent with the institution's role that the board establishes, rules which the ☉

888 board enacts, and the laws of the state; and

889 (b) may provide for:

890 (i) administrative, faculty, student, and joint committees with jurisdiction over

891 specified institutional matters:

892 (ii) student government and student affairs organizations;

893 (iii) the establishment of institutional standards in furtherance of the ideals of higher

2695	Instruction	\$61,200
2696	ITEM 18 To Tooele Technical College - Education and General	
2697	From Income Tax Fund Restricted - Performance Funding Rest. Acct.	\$53,400
2698	Schedule of Programs:	
2699	Instruction	\$53,400
2700	ITEM 19 To Uintah Basin Technical College - Education and General	
2701	From Income Tax Fund Restricted - Performance Funding Rest. Acct.	\$137,200
2702	Schedule of Programs:	
2703	Instruction	\$137,200
2704	Subsection 55(b). Restricted Fund and Account Transfers.	
2705	The Legislature authorizes the State Division of Finance to transfer the following	
2706	amounts between the following funds or accounts as indicated. Expenditures and outlays from	
2707	the funds to which the money is transferred must be authorized by an appropriation.	
2708	ITEM 20 To Performance Funding Restricted Account	
2709	From Income Tax Fund	\$20,000,000
2710	Schedule of Programs:	
2711	Performance Funding Restricted Account	\$20,000,000

2712 Section 56. **Effective date.**

2713 This bill takes effect on May 1, 2024.

2714 Section 57. **Coordinating S.B. 192 with H.B. 438**

2715 If S.B. 192, Higher Education Amendments, and H.B. 438, Higher Education

2716 Revisions, both pass and become law, the Legislature intends that, on May 1, 2024, Subsection

2717 53B-2-106(6)(b) in S.B. 192 be amended to read:

2718 "(b) subject to Section 53B-2-106.1, shall provide for the constitution, government,

2719 and organization of the faculty and administration, including ~~H~~→ **[by, as determined by the**

- 2720 president, enacting and implementing rules, including the establishment of a prescribed system
2721 of tenure if the institution is a degree-granting institution; and] :
- 2721a (i) enacting and implementing rules ;
- 2721b (ii) ensuring that the faculty may only have jurisdiction over:
- 2721c (A) academic requirements for admission, degrees, and certificates; and
- 2721d (B) course curriculum and instruction;
- 2721e (iii) permitting faculty to have jurisdiction over a matter other than a matter described
2721f in Subsection (6)(b)(ii) only if the following entities expressly authorize or delegate such power:
- 2721g (A) the Legislature;
- 2721h (B) the board;
- 2721i (C) the institution's board of trustees; or
- 2721j (D) the insitution's president; and
- 2721k (iv) if the institution is a degree-granting institution, the establishment of a prescribed
2721l system of tenure; ←Ĥ " .