

**TEACHER EDUCATION QUALIFICATION AMENDMENTS**

2024 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 a 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 2023, Chapter 254

---

---

*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) (a) There is established the Utah Board of Higher Education, which:  
29 (i) is the governing board for the institutions of higher education; and  
30 (ii) controls, oversees, and regulates the Utah system of higher education in a manner  
31 consistent with the purpose of this title and the specific powers and responsibilities granted to  
32 the board[~~;~~and].

33 (b) (i) The University of Utah shall provide administrative support for the board.

34 (ii) Notwithstanding Subsection (1)(b)(i), the board shall maintain the board's  
35 independence, including in relation to the powers and responsibilities granted to the board.

36 (2) The board shall:

37 (a) establish and promote a state-level vision and goals for higher education that  
38 emphasize data-driven retrospective and prospective system priorities, including:

39 (i) quality;

40 (ii) affordability;

41 (iii) access and equity;

42 (iv) completion;

43 (v) workforce alignment and preparation for high-quality jobs; and

44 (vi) economic growth;

45 (b) establish system policies and practices that advance the vision and goals;

46 (c) establish metrics to demonstrate and monitor:

47 (i) performance related to the goals; and

48 (ii) performance on measures of operational efficiency;

49 (d) collect and analyze data including economic data, demographic data, and data  
50 related to the metrics;

51 (e) govern data quality and collection across institutions;

52 (f) establish, approve, and oversee each institution's mission and role in accordance  
53 with Section [53B-16-101](#);

54 (g) assess an institution's performance in accomplishing the institution's mission and  
55 role;

56 (h) participate in the establishment and review of programs of instruction in accordance  
57 with Section [53B-16-102](#);

58 (i) perform the following duties related to an institution of higher education president,

- 59 including:
- 60 (i) appointing an institution of higher education president in accordance with Section  
61 [53B-2-102](#);
- 62 (ii) through the commissioner and the board's executive committee:
- 63 (A) providing support and guidance to an institution of higher education president; and
- 64 (B) evaluating an institution of higher education president based on institution  
65 performance and progress toward systemwide priorities;
- 66 (iii) setting the terms of employment for an institution of higher education president,  
67 including performance-based compensation, through an employment contract or another  
68 method of establishing employment; and
- 69 (iv) establishing, through a public process, a statewide succession plan to develop  
70 potential institution presidents from within the system;
- 71 (j) create and implement a strategic finance plan for higher education, including by:
- 72 (i) establishing comprehensive budget and finance priorities for academic education  
73 and technical education;
- 74 (ii) allocating statewide resources to institutions;
- 75 (iii) setting tuition for each institution;
- 76 (iv) administering state financial aid programs;
- 77 (v) administering performance funding in accordance with Chapter 7, Part 7,  
78 Performance Funding; and
- 79 (vi) developing a strategic capital facility plan and prioritization process in accordance  
80 with Chapter 22, Part 2, Capital Developments, and Sections [53B-2a-117](#) and [53B-2a-118](#);
- 81 (k) create and annually report to the Higher Education Appropriations Subcommittee  
82 on a seamless articulated education system for Utah students that responds to changing  
83 demographics and workforce, including by:
- 84 (i) providing for statewide prior learning assessment, in accordance with Section  
85 [53B-16-110](#);
- 86 (ii) establishing and maintaining clear pathways for articulation and transfer, in  
87 accordance with Section [53B-16-105](#);
- 88 (iii) establishing degree program requirement guidelines, including credit hour limits;
- 89 (iv) establishing and maintaining pathways for students who earn undergraduate

90 degrees from a non-accredited institution into an institution of higher education graduate  
91 program;

92 [~~(iv)~~] (v) aligning general education requirements across degree-granting institutions;

93 [~~(v)~~] (vi) coordinating and incentivizing collaboration and partnerships between

94 institutions in delivering programs;

95 [~~(vi)~~] (vii) coordinating distance delivery of programs;

96 [~~(vii)~~] (viii) coordinating work-based learning; and

97 [~~(viii)~~] (ix) emphasizing the system priorities and metrics described in Subsections

98 (2)(a) and (c);

99 (l) coordinate with the public education system:

100 (i) regarding public education programs that provide postsecondary credit or  
101 certificates; and

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

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

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

107 (ii) effective administration;

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

110 (iv) other responsibilities determined by the board;

111 (n) delegate to an institution of higher education president management of the  
112 institution of higher education;

113 (o) consult with an institution of higher education board of trustees or institution of  
114 higher education president before acting on matters pertaining to the institution of higher  
115 education;

116 (p) maximize efficiency throughout the Utah system of higher education by identifying  
117 and establishing shared administrative services, beginning with:

118 (i) commercialization;

119 (ii) services for compliance with Title IX of the Education Amendments of 1972, 20

120 U.S.C. Sec. 1681 et seq.;

- 121 (iii) information technology services; and
- 122 (iv) human resources, payroll, and benefits administration;
- 123 (q) develop strategies for providing higher education, including career and technical
- 124 education, in rural areas;
- 125 (r) manage and facilitate a process for initiating, prioritizing, and implementing
- 126 education reform initiatives, beginning with common applications and direct admissions;
- 127 (s) provide ongoing quality review of programs; and
- 128 (t) before each annual legislative general session, provide to the Higher Education
- 129 Appropriations Subcommittee a prioritization of all projects and proposals for which the board
- 130 or an institution of higher education seeks an appropriation.
- 131 (3) The board shall submit an annual report of the board's activities and performance
- 132 against the board's goals and metrics to:
  - 133 (a) the Education Interim Committee;
  - 134 (b) the Higher Education Appropriations Subcommittee;
  - 135 (c) the governor; and
  - 136 (d) each institution of higher education.
- 137 (4) The board shall prepare and submit an annual report detailing the board's progress
- 138 and recommendations on workforce related issues, including career and technical education, to
- 139 the governor and to the Legislature's Education Interim Committee by October 31 of each year,
- 140 including information detailing:
  - 141 (a) how institutions of higher education are meeting the career and technical education
  - 142 needs of secondary students;
  - 143 (b) how the system emphasized high demand, high wage, and high skill jobs in
  - 144 business and industry;
  - 145 (c) performance outcomes, including:
    - 146 (i) entered employment;
    - 147 (ii) job retention; and
    - 148 (iii) earnings;
  - 149 (d) an analysis of workforce needs and efforts to meet workforce needs; and
  - 150 (e) student tuition and fees.
- 151 (5) The board may modify the name of an institution of higher education to reflect the

152 role and general course of study of the institution.

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

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

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

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

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

164 or

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

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

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

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

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

174 (iv) under a valid gestational agreement in accordance with Title 78B, Chapter 15, Part  
175 8, Gestational Agreement, the employee would have been a parent of a child born as a result of  
176 the pregnancy.

177 Section 2. **Effective date.**

178 This bill takes effect on May 1, 2024.