



UTAH SYSTEM OF
HIGHER EDUCATION

MEMORANDUM

January 13, 2023

Tooele Technical College - Request for Exception from R555, Providing Facilities, Goods, and Services in Competition with Private Enterprise

Board Policy R550, *Auxiliary Enterprises Operation and Accountability*, was amended by the Board in July 2022. The revisions make this policy now applicable to the system's technical colleges.

Paragraph R550-4.1 of the policy states:

Services provided by auxiliary enterprises may be incidentally available to members of the general public but are not to be marketed to the general public or outside organizations unless those services qualify as an exception under section 4 of Board Policy R555, Providing Facilities, Goods and Services in Competition with Private Enterprise. All auxiliary enterprise organizations are required to comply with Board Policy R555.

Board Policy R555, *Providing Facilities, Goods and Services in Competition with Private Enterprise*, states:

4.4 Private Enterprise on Campus: *Private enterprise entities which operate services or auxiliary units on a campus under contract with an institution are subject to this policy.*

4.5 Exceptions Authorized by Board of Higher Education: *An institution may submit a proposal to the Board of Higher Education requesting an exception to Policy R555. Exceptions to this policy may be authorized if the Board determines, upon consideration and weighing of the various interests and public policies pertinent to providing the facilities, goods or services in competition with private enterprise, that the public interest favoring an exception outweighs the interest favoring denial of an exception.*

Tooele Technical College has submitted a request for an exception from these policy requirements for the Café operation located on their campus. The school's request is attached.

Commissioner's Recommendation

The Commissioner recommends the Board approve the proposed exception requested by Tooele Technical College to Board Policy R555, *Providing Facilities, Goods and Services in Competition with Private Enterprise*.

Attachment