



UTAH SYSTEM OF
HIGHER EDUCATION

MEMORANDUM

August 30, 2024

Board Policy Updates

As outlined below, the Commissioner of Higher Education recommends the approval of one new Utah Board of Higher Education policy, amendments to six Board policies, and the repeal of two technical college policies based on the Office of the Commissioner's five-year policy review and changes in state law.

R121, Standard for Making Technical Edits to Board Policies

Board Policy R121 is recommended as a new Board policy. The new Board policy:

- Outlines the process for when the Office of the Commissioner of Higher Education may update Board policies based on technical edits without having the Board approve the updates in a Committee of the Whole Board meeting; and
- Requires approval from the Board's secretary for the Office of the Commissioner to update a Board policy based on technical edits.

R131, Review and Approval of Centers for Compliance with Equal Opportunity Initiatives

The following amendments to Board Policy R131 are recommended based on feedback from institutions:

- Clarifying that the definition of a student resource or cultural center for a specific culture, population, or group is based on a personal identity characteristic.

The Office of the Commissioner shared this information with vice presidents of student affairs and institution general counsels for feedback.

R141, Responsibilities of the Commissioner of Higher Education

The following amendments to Board Policy R141 are recommended based on the Office of the Commissioner's five-year policy review and Senate Bill 192:

- Updating the references to align with current Utah Code titles;
- Updating the Commissioner's duties and responsibilities to align with the Commissioner's updated job description; and
- Updating language to align with statutory updates in Utah Code 53B-1-408 that states the Commissioner's responsibility to the governor is to "inform the governor about the Board's strategic plan and progress on accomplishing the strategic plan and significant issues impacting the Utah System of Higher Education. Provides other information and updates as requested by the governor."

The Office of the Commissioner shared this information with the Executive Committee and presidents for feedback.

R150, Council of Presidents

The following amendments to Board Policy R150 are recommended based on the Office of the Commissioner's five-year policy review:

- Updating the references to align with current Utah Code titles;
- Updating language for consistency and clarity; and
- Non-substantive edits for clarity and consistency with other Board policies.

The Office of the Commissioner shared this information with institution general counsels for feedback.

R201, Presidents' Responsibility to the System, the Assigned Institution, and for Legislative Relations

The following amendments to Board Policy R201 are recommended based on the Office of the Commissioner's five-year policy review:

- Updating the references to align with current Utah Code titles;
- Updating language for consistency and clarity; and
- Non-substantive edits for clarity and consistency with other Board policies.

The Office of the Commissioner shared this information with presidents and institution general counsels for feedback.

R206, Chief Executive Officer External Service

The following amendments to Board Policy R206 are recommended based on the Office of the Commissioner's five-year policy review:

- Updating the references to align with current Utah Code titles;
- Updating language for consistency and clarity;
- Clarifying that presidents and the Commissioner shall not be paid for serving on charitable and/or corporate boards unless granted an exception by the Board according to Board Policy R205;
- Clarifying that the Commissioner and presidents may receive nominal reimbursement for personal expenses incurred for service on charitable and/or corporate boards;
- Adding that presidents shall follow their institution's conflict of interest policy and the Commissioner shall follow Board Policy R122; and
- Non-substantive edits for clarity and consistency with other Board policies.

The Office of the Commissioner shared this information with presidents and institution general counsels for feedback.

R210, Chief Executive Officer Leaves of Absence

The following amendments to Board Policy R210 are recommended based on the Office of the Commissioner's five-year policy review:

- Updating the references to align with current Utah Code titles;
- Updating language for consistency and clarity; and
- Non-substantive edits for clarity and consistency with other Board policies.

The Office of the Commissioner shared this information with presidents and institution general counsels for feedback.

R250, Legislative Communications

The following amendments to Board Policy R250 are recommended based on the Office of the Commissioner's five-year policy review:

- Updating the references to align with current Utah Code titles;
- Adding subsection 4.3 that states, "Additionally, presidents may place limits on an employee's participation in political advocacy in their business and employment activities in alignment with state and federal law and Board policy and resolution;" and
- Non-substantive edits for clarity and consistency with other Board policies.

The Office of the Commissioner shared this information with presidents and institution general counsels for feedback.

Technical College Policy 201, Membership Hour Reporting

The Office of the Commissioner recommends the repeal of Technical College Policy 201 because the membership hour reporting requirements by technical colleges are no longer required and, therefore, should be repealed. Technical colleges are required to follow all relevant reporting requirements in Board policies.

The Office of the Commissioner shared this information with presidents for feedback.

Technical College Policy 205, Student Enrollment and Outcome Reporting

The Office of the Commissioner recommends the repeal of Technical College Policy 205 because the reporting requirements specific to technical colleges are no longer required and, therefore, should be repealed. Technical colleges are required to follow all relevant reporting requirements in Board policies.

The Office of the Commissioner shared this information with presidents for feedback.

Commissioner's Recommendation

The Commissioner recommends that the Board approve one new Board policy, amend six Board policies, and repeal two technical college policies, as outlined above.

Attachments

- Attachment 1 – Policies R121-R150
 - Clean New Board Policy R121
 - Redlined Board Policy R131
 - Clean Board Policy R131
 - Redlined Board Policy R141
 - Clean Board Policy R141
 - Redlined Board Policy R150
 - Clean Board Policy R150
- Attachment 2 – Policies R201-R250
 - Redlined Board Policy R201
 - Clean Board Policy R201
 - Redlined Board Policy R206
 - Clean Board Policy R206
 - Redlined Board Policy R210
 - Clean Board Policy R210
 - Redlined Board Policy R250
 - Clean Board Policy R250
- Attachment 3 – Technical College Policies 201 & 205
 - Redlined Technical College Policy 201
 - Redlined Technical College Policy 205