

R201, Presidents' Responsibility to the System, the Assigned Institution, and for Legislative Relations¹

R201-1- Purpose: To establish the priority of responsibilities of Utah System of Higher Education (“USHE”) presidents ~~of member institutions to the System~~ and to a particular institution which is a part of ~~the System~~ USHE.

R201-2- References

- 2.1- Utah Code § 53B-2-106, ~~(Duties and Responsibilities of the President)~~**
- 2.2- Policy and Procedures Board Policy R120, Board of Higher Education Bylaws R120, Bylaws of the State Board of Regents, Section 3.3.3, Institutional Governance and Administration**

R201-3- Policy

3.1- First Responsibility to System: The ~~p~~Presidents, as executive officers, owe a responsibility first to the ~~S~~System and then to a particular institution which is a part of the ~~S~~System. It is the duty of the ~~p~~Presidents under the law to support the ~~State Board of Regents'~~Utah Board of Higher Education decisions including, but not limited to, budget, finance, facilities, planning, roles, curriculum, programs, and System-wide administrative policies.

3.2- Informational Liaison with Legislators: The ~~p~~Presidents shall maintain effective informational liaison with members of the Utah Legislature. Institutional representatives should keep members of the legislature fully informed so that they can better understand and resolve the problems and appreciate the accomplishments of the ~~S~~System.

¹ *Adopted July 27, 1971; amended September 2, 1999; and August 30, 2024.*



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R201-1 Purpose: To establish the priority of responsibilities of Utah System of Higher Education (“USHE”) presidents and to a particular institution which is a part of USHE.

R201-2 References

- 2.1** Utah Code § 53B-2-106, Duties and Responsibilities of the President
- 2.2** Board Policy R120, Board of Higher Education Bylaws

R201-3 Policy

3.1 First Responsibility to System: The presidents, as executive officers, owe a responsibility first to the System and then to a particular institution which is a part of the System. It is the duty of the presidents under the law to support the Utah Board of Higher Education decisions including, but not limited to, budget, finance, facilities, planning, roles, curriculum, programs, and System-wide administrative policies.

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R206, ~~Executive Officer~~ External Service for the Commissioner and Presidents¹

R206-1 Purpose: To provide guidelines for ~~executive officers~~ the Utah Commissioner of Higher Education (“commissioner”) and presidents of Utah System of Higher Education (“USHE”) institutions who serve on boards of charitable and/or business corporations.

R206-2 References

- 2.1** Utah Code §53B-2-106, Duties and Responsibilities of the President of a Degree Granting Institution of Higher Education
- 2.2** ~~Utah Code Title 67, Chapter 16 (Utah Public Officers' and Employees' Ethics Act)~~ Utah Code §67-16, Utah Public Officers' and Employees' Ethics Act
- 2.3** ~~Board Policy R120, Board of Education Bylaws~~ Bylaws R120, Section 3.3.3., Institutional Governance and Administration
- 2.4** Board Policy R122, Board Conflict of Interest Policy
- 2.54** ~~Board Policy R201, Presidents' Responsibility to the System, the Assigned Institution, and for Legislative Relations~~ Policy and Procedures R201, Presidents' Responsibility to the System, the Assigned Institution, and for Legislative Relations
- 2.6** Board Policy R205, Presidential Appointment, Compensation, and Benefits

R206-3 Policy

3.1 Service on External Boards: The ~~chief executive officers of the Utah System of Higher Education (“USHE”)~~ commissioner and presidents may serve on charitable and/or corporate boards, ~~with or without honoraria, but~~ Notwithstanding Board Policy R205, *Presidential Appointment, Compensation, and Benefits*, the commissioner and presidents may receive reimbursement for nominal personal expenses incurred for service on charitable and/or corporate boards without prior approval from the Board.

3.2 Conflicts of Interest ~~Avoided~~: The ~~chief executive officer~~ commissioner and presidents shall avoid any action or participation which creates a substantial conflict of interest between ~~his or her~~ their institution, ~~or the System of Higher Education~~ USHE, and the external ~~organization~~ charitable and/or corporate boards, and shall take every reasonable precaution to avoid the appearance of any such conflict of interest as a result of ~~her or his~~ their service on the

¹ Adopted July 21, 1989; amended August 30, 2024.

external board(s). Presidents shall follow their institution's conflict of interest policy. The Commissioner shall follow Board Policy R122, *Board Conflict of Interest Policy*.

3.3 Report of Service on External Boards: The ~~executive officer~~commissioner and presidents shall report service on external boards annually to the ~~Commissioner~~Utah Board of Higher Education in writing.

R206, External Service for the Commissioner and Presidents¹

R206-1 Purpose: To provide guidelines for the Utah Commissioner of Higher Education (“commissioner”) and presidents of Utah System of Higher Education (“USHE”) institutions who serve on boards of charitable and/or business corporations.

R206-2 References

- 2.1 Utah Code §53B-2-106, Duties and Responsibilities of the President of a Degree Granting Institution of Higher Education
- 2.2 Utah Code §67-16, Utah Public Officers’ and Employees’ Ethics Act
- 2.3 Board Policy R120, Board of Education Bylaws
- 2.4 Board Policy R122, Board Conflict of Interest Policy
- 2.5 Board Policy R201, Presidents’ Responsibility to the System, the Assigned Institution, and for Legislative Relations
- 2.6 Board Policy R205, Presidential Appointment, Compensation, and Benefits

R206-3 Policy

3.1 Service on External Boards: The commissioner and presidents may serve on charitable and/or corporate boards. Notwithstanding Board Policy R205, *Presidential Appointment, Compensation, and Benefits*, the commissioner and presidents may receive reimbursement for nominal personal expenses incurred for service on charitable and/or corporate boards without prior approval from the Board.

3.2 Conflicts of Interest: The commissioner and presidents shall avoid any action or participation which creates a substantial conflict of interest between their institution, USHE, and the external charitable and/or corporate boards, and shall take every reasonable precaution to avoid the appearance of any such conflict of interest as a result of their service on the external board(s). Presidents shall follow their institution’s conflict of interest policy. The Commissioner shall follow Board Policy R122, *Board Conflict of Interest Policy*.

3.3 Report of Service on External Boards: The commissioner and presidents shall report service on external boards annually to the Utah Board of Higher Education in writing.

¹ Adopted July 21, 1989; amended August 30, 2024.

R210, ~~Chief Executive Officer~~ Leaves of Absence for the Commissioner and Presidents¹

R210-1 Purpose: To provide Utah System of Higher Education (“USHE”) presidents and the Commissioner of Higher Education (“Commissioner”)~~Chief Executive Officers of the Utah System of Higher Education~~ with personal renewal and professional development leaves of absence in addition to their regular earned vacation.

R210-2 References

2.1 ~~Utah Code §53B-2-102 (Board to Appoint President of Each Institution) Utah Code §53B-2-102, Appointment of Institution of Higher Education Presidents~~

2.2 ~~Policy and Procedures R205~~ Board Policy R205, Presidential Appointment, Term of Office, and Compensation and Benefits

2.3 ~~Policy and Procedures R208~~ Board Policy R208, Annual Chief Executive Officers Performance Review Resource and Review Teams

2.4 ~~Policy and Procedures R209~~ Board Policy R209, Appraisal of Chief Executive Officers Evaluation of Presidents

R210-3 Policy

3.1 Criteria for an Executive Officer Leave of Absence: The Utah Board of Higher Education (“Board”), in consultation with institutional bBoards of tTrustees for presidents, may grant a leave of absence to an institutional pPresident or the cCommissioner of Higher Education when it determines that such leave is desirable for the individual to keep abreast of his or her~~their~~ field or for rest and renewal in order to remain effective in his or her~~their~~ present assignment. The Board, in determining the appropriateness and duration of a proposed leave of absence, will consider:

3.1.1 ~~T~~he size and complexity of the institution and the demands of the position;

3.1.2 ~~T~~he ~~Chief Executive Officer's~~president's or commissioner's personal or professional development needs;

¹ *Adopted November 17, 1989; amended November 4, 1994; and August 30, 2024.*

3.1.3 ~~The nature of the activities which the Chief Executive Officer~~president or commissioner proposes to undertake during such leave; ~~and-~~

3.1.4 ~~The Chief Executive Officer's~~president's or commissioner's work performance record;

3.2 Years of Service for Eligibility: The Board may grant a leave of absence at any time it determines the need as provided in subsection 3.1. However, except in unusual circumstances, a leave of absences will not be considered for ~~Chief Executive Officers~~a president or commissioner who has ~~ve~~ served on a full-time continuous basis for a period of less than three years. The Board will consider a leave of absence for a ~~p~~President or commissioner for a duration of approximately one month for each two years of full-time service ~~and,~~ up to three total months of leave for ~~service of six or more years of full-time service or more.~~

3.3 Purpose of the Leave: The purpose and activities of the leave of absence shall be mutually beneficial to the ~~Chief Executive Officer~~president and the institution or the commissioner and the Board, and shall provide for the ~~Chief Executive Officer's~~president's or commissioner's personal renewal and professional development through rest and recreation, scholarly activities, conference and workshop attendance, and so forth.

3.4 Duration of the Leave: A leave of absence may be approved by the Board for a period of one to three months with full pay. ~~Chief Executive Officers~~Presidents and the commissioner on leave will be regarded as on active institutional employment status for purposes of benefits; and will continue to receive and accrue such benefits under applicable institutional policies.

3.5 Leave Expense: Certain professional expenses of the ~~Chief Executive Officer~~president or commissioner may be covered by institutional funds for the president, the Commissioner's Office funds for the commissioner, or other funds as approved in the leave of absence written agreement.

R210-4 Procedures

4.1 Board Invitation for ~~Executive Officer's~~ Leave Proposal: Based on ~~Annual Chief Executive Officers~~a president's ~~p~~Performance ~~r~~Reviews under Board Policy R208, Institutional Liaisons and Board Policy R209, Evaluation of Presidents~~Policy and Procedures R208, Appraisals of Chief Executive Officers under Policy and Procedures R209,~~ at the recommendation of the ~~c~~Commissioner, or the request of the ~~Chief Executive Officer~~president, the Board may extend an invitation to a ~~Chief Executive Officer~~president to prepare a proposal for a leave of absence to provide rest and renewal, to keep abreast of ~~his or her~~their field, or to remain effective in ~~his or her~~their assignments.

4.2 Committee Review: The ~~Chairman~~Board chair may establish an ad hoc committee ~~or use a standing committee of the Board~~ to review the ~~Chief Executive Officer's~~president's or commissioner's proposal and make a recommendation to the full Board.

4.3 Board Action on a Personnel Matter: The Board will meet in executive session to review the leave proposal and committee recommendations. ~~The Board will take a~~Action to grant a leave of absence ~~for a president or the commissioner will be taken~~ in a regular meeting of the Board.

4.4 Funding and Leave Coordination: The ~~respective relevant~~ institutional ~~b~~Board of ~~t~~Trustees and the ~~Chief Executive Officer~~president will be consulted in all funding and leave decisions.

R210, Leaves of Absence for the Commissioner and Presidents¹

R210-1 Purpose: To provide Utah System of Higher Education (“USHE”) presidents and the Commissioner of Higher Education (“commissioner”) with personal renewal and professional development leaves of absence in addition to their regular earned vacation.

R210-2 References

- 2.1** Utah Code § 53B-2-102, Appointment of Institution of Higher Education Presidents
- 2.2** Board Policy R205, Presidential Appointment, Term of Office, and Compensation and Benefits
- 2.3** Board Policy R208, Resource and Review Teams
- 2.4** Board Policy R209, Evaluation of Presidents

R210-3 Policy

3.1 Criteria for an Executive Officer Leave of Absence: The Utah Board of Higher Education (“Board”), in consultation with institutional boards of trustees for presidents, may grant a leave of absence to an institutional president or the commissioner when it determines that such leave is desirable for the individual to keep abreast of their field or for rest and renewal in order to remain effective in their present assignment. The Board, in determining the appropriateness and duration of a proposed leave of absence, will consider:

- 3.1.1** The size and complexity of the institution and the demands of the position;
- 3.1.2** The president’s or commissioner’s personal or professional development needs;
- 3.1.3** The nature of the activities which the president or commissioner proposes to undertake during such leave; and
- 3.1.4** The president’s or commissioner’s work performance record.

3.2 Years of Service for Eligibility: The Board may grant a leave of absence at any time it determines the need as provided in subsection 3.1. However, except in unusual circumstances, a leave of absence will not be considered for a president or commissioner who has served on a full-

¹ *Adopted November 17, 1989; amended November 4, 1994; and August 30, 2024.*

time continuous basis for a period of less than three years. The Board will consider a leave of absence for a president or commissioner for a duration of approximately one month for each two years of full-time service and up to three total months of leave for six or more years of full-time service.

3.3 Purpose of the Leave: The purpose and activities of the leave of absence shall be mutually beneficial to the president and the institution or the commissioner and the Board, and shall provide for the president's or commissioner's personal renewal and professional development through rest and recreation, scholarly activities, conference and workshop attendance, and so forth.

3.4 Duration of the Leave: A leave of absence may be approved by the Board for a period of one to three months with full pay. Presidents and the commissioner on leave will be regarded as on active institutional employment status for purposes of benefits and will continue to receive and accrue such benefits under applicable institutional policies.

3.5 Leave Expense: Certain professional expenses of the president or commissioner may be covered by institutional funds for the president, the Commissioner's Office funds for the commissioner, or other funds as approved in the leave of absence written agreement.

R210-4 Procedures

4.1 Board Invitation for Leave Proposal: Based on a president's performance reviews under Board Policy R208, *Institutional Liaisons* and Board Policy R209, *Evaluation of Presidents*, at the recommendation of the commissioner, or the request of the president, the Board may extend an invitation to a president to prepare a proposal for a leave of absence to provide rest and renewal, to keep abreast of their field, or to remain effective in their assignments.

4.2 Committee Review: The Board chair may establish an ad hoc committee to review the president's or commissioner's proposal and make a recommendation to the full Board.

4.3 Board Action on a Personnel Matter: The Board will meet in executive session to review the leave proposal and committee recommendations. The Board will take action to grant a leave of absence for a president or the commissioner in a regular meeting of the Board.

4.4 Funding and Leave Coordination: The relevant institutional board of trustees and the president will be consulted in all funding and leave decisions.

R250, Legislative Communications ¹

R250-1 Purpose: To provide guidance to Utah System of Higher Education (“USHE”) institutions on legislative communications and expenditures associated with legislative communications.

R250-2 References

- 2.1 Utah Code § 53B-1-402, ~~103(2)~~ (State Board of Regents: Powers and Duties) Establishment of Board – Power, Duties, and Authority - Reports
- 2.2 Utah Code Title §36, Chapter -11, (Lobbyist Disclosure and Regulation Act)
- 2.3 Regent Board Policy ~~3-3-3.5~~R201, Presidents’ Responsibility to the System, the Assigned Institution, and for Legislative Relations. ~~(Advocacy Consistent with Board Actions)~~

R250-3 Definitions

3.1 "Event" means entertainment, a performance, a contest, or a recreational activity that an individual participates in or is a spectator at, including a sporting event, an artistic event, a play, a movie, dancing, or singing.

3.2 "Expenditure" means any of the items listed in Utah Code section 36-11-102(11)(a) when given to or for the benefit of a public official unless consideration of equal or greater value is received, ~~including:~~

~~3.2.1 a purchase, payment, or distribution;~~

~~3.2.2 a loan, gift, or advance;~~

~~3.2.3 money;~~

~~3.2.4 services or goods; or~~

~~3.2.5 a ticket or admission to an event.~~ Expenditure does not mean any of the items listed in Utah Code section 36-11-102(11)(b).

¹Adopted July 20, 2018; amended August 30, 2024.

~~3.3 "Expenditure" does not mean:~~

~~3.3.1 the item is food or beverage with a value that does not exceed the food reimbursement rate, and the aggregate daily expenditures for food and beverage do not exceed the food reimbursement rate; or~~

~~3.3.2 the item is not food or beverage, has a value of less than \$10, and the aggregate daily expenditures do not exceed \$10;~~

~~3.3.3 food or beverage that is provided at an event, a tour, or a meeting to which the following are invited:~~

~~3.3.3.1 all members of the Legislature;~~

~~3.3.3.2 all members of a standing or interim committee;~~

~~3.3.3.3 all members of an official legislative task force;~~

~~3.3.3.4 all members of a party caucus; or~~

~~3.3.4 travel to, lodging at, food or beverage served at, and admission to an approved activity;~~

~~3.3.5 sponsorship of an event that is an approved activity;~~

~~3.3.6 admission to, attendance at, or travel to or from an event, a tour, or a meeting:~~

~~3.3.6.1 that is sponsored by a governmental entity; or~~

~~3.3.6.2 that is widely attended and related to a governmental duty of a public official;~~

~~3.3.7 travel to a widely attended tour or meeting related to a governmental duty of a public official if that travel results in a financial savings to the state; or~~

~~3.3.8 other actions excluded from the meaning of "expenditure" under.~~

3.34 "Legislative Communications" means, for the purposes of this policy, a USHE institution employee in his or her~~their~~ official capacity, either directly or indirectly, communicating with a legislator to influence legislative action.; "Legislative Communications"

does not include: (i) requests to a legislator to sponsor legislation; (ii) communications between or within a USHE institutions or other agencies of the Executive Branch; (iii) testifying before a legislative body, including a legislative committee or task force; (iv) answering questions asked by a legislators' questions; (v) communications with legislative staff; or (vi) communications required by law.

3.45 "Meeting" means a gathering of people to discuss an issue, receive instruction, or make a decision, including a conference, seminar, or summit.

3.56 "Tour" means visiting a location, for a purpose relating to the duties of a public official, and not primarily for entertainment, including:

3.56.1 Viewing a facility;

3.56.2 Viewing the sight of a natural disaster; or

3.56.3 Assessing a circumstance in relation to which a public official may need to take action within the scope of the public official's duties.

R250-4 Legislative Communications

4.1 ~~2~~ USHE institutions may represent the Board of Regents-Higher Education ("Board") by taking official positions on legislative action. Institutions may not take a position on legislative action that is contrary to the Board's position.

4.2 A USHE president, a senior vice-president (or equivalent), or institution legislative liaison may engage in legislative communications without restriction at any time and for any reason.

4.2.1 A president may appoint up to two institution legislative liaisons for any General Session or Special Session of the Legislature.

4.3 Unless authorized under this policy, USHE institution employees in their official capacities shall not engage in legislative communications. 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.

4.3.1 A president may authorize an employee at their institution to engage in legislative communications for the limited purpose of explaining technical concepts, or providing subject-matter expertise.

4.33.2 Institutions may not engage outside entities to conduct legislative communications on the institution's behalf unless granted specific authorization from the Board ~~of Regents~~.

R250-5 Expenditures

5.1 Expenditures are Prohibited: Expenditures associated directly or indirectly with legislative communications are prohibited except in the following circumstances:

5.1.1 Institutions may host legislators at institution-sponsored events.

5.1.1.1 Institutions may only host legislators at a maximum of two institution-sponsored men's football or men's basketball athletic events per calendar year.

5.1.1.2 The institutions shall annually report to the Board at the end of the fiscal year the legislators who attended, and the costs associated with hosting the legislators at the events, including the cost of admission (in any).

5.1.2 Institutions may pay travel and registration costs for a legislator to attend a meeting that addresses specific policies and issues impacting public higher education and that would assist legislators in understanding and addressing issues for the USHE institution.

5.1.2.1 The institutions shall annually report to the Board at the end of the fiscal year any meetings legislators attended and the associated travel costs ~~of for any~~ the legislators to attend the meeting, including travel, admission, meals and any other associated or incidental costs or benefits the legislator received.

R250, Legislative Communications ¹

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3.3 "Legislative Communications" means, for the purposes of this policy, a USHE institution employee in their official capacity, either directly or indirectly, communicating with a legislator to influence legislative action. "Legislative Communications" do not include: (i) requests to a legislator to sponsor legislation; (ii) communications between or within USHE institutions or other agencies of the Executive Branch; (iii) testifying before a legislative body, including a legislative committee or task force; (iv) answering questions asked by a legislator; (v) communications with legislative staff; or (vi) communications required by law.

3.4 "Meeting" means a gathering of people to discuss an issue, receive instruction, or make a decision, including a conference, seminar, or summit.

3.5 "Tour" means visiting a location, for a purpose relating to the duties of a public official, and not primarily for entertainment, including:

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3.5.1 Viewing a facility;

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4.2.1 A president may appoint up to two institution legislative liaisons for any General Session or Special Session of the Legislature.

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4.3.1 A president may authorize an employee at their institution to engage in legislative communications for the limited purpose of explaining technical concepts or providing subject-matter expertise.

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5.1.2.1 The institutions shall annually report to the Board at the end of the fiscal year any meetings legislators attended and the associated travel costs for the legislators to attend the meeting; including travel, admission, meals and any other associated or incidental costs or benefits the legislator received.