

Attachment 1: Passed Bills

SENATE BILLS		
Bill	Impacts on Higher Education	Near-Term Action Items
SB 115	<p><u>HIGHER EDUCATION TUITION AMENDMENTS</u> Grants residency for tuition purposes to military service members' children who attended at least one year of 9th-12th grade in Utah.</p>	<p><u>BOARD and OCHE:</u> Amend R512 (Resident Student Status) to reflect statute.</p>
SB 150	<p><u>EXERCISE OF RELIGION AMENDMENTS</u> Prohibits a government entity from taking action that substantially burdens an individual's exercise of religion unless the burden is essential to furthering a compelling governmental interest and is the least restrictive means of furthering that interest.</p>	<p><u>BOARD and OCHE:</u> Review R264 (Student Religious Accommodations) and revise as necessary to ensure policy aligns with statute.</p>
SB 190	<p><u>HIGHER EDUCATION DEVELOPMENT AREAS</u> Requires the Political Subdivisions Interim Committee to study issues related to a university's development of university-owned property assessing questions such as:</p> <ul style="list-style-type: none"> • How much land a university should be allowed to develop • Conditions under which a university may enter into a development agreement with a private entity for the development of a university-owned property, what the approval process should look like for entering into such agreements, whether a university should be required to include restrictions on a development partner that enters into such an agreement, and how such development agreements would impact counties, cities, etc. 	<p><u>BOARD, OCHE, and INSTITUTIONS</u> If requested, provide the Political Subdivisions Interim Committee with the information needed to complete the study.</p>

	<ul style="list-style-type: none"> • Whether a privilege tax should apply to buildings and other improvements constructed on university-owned property • If the privilege tax does not apply, how the revenue that would have resulted from the privilege tax should be apportioned or retained • If privilege tax does apply, how the revenue from the tax should be distributed 	
<p><u>SB 192</u></p>	<p><u>HIGHER EDUCATION AMENDMENTS</u> Shifts certain statutory responsibilities to USHE institutions to better reflect the Board’s role as a governing body. Combines related provisions of presidential powers between technical colleges and degree-granting institutions. Amends the statutes governing performance metrics and performance funding and allocates performance funding. Creates a requirement to demonstrate evidence of implementation of shared services and program alignment within a specified period of time. Allows Talent Ready Utah to create talent advisory councils for talent initiatives. Amends requirements related to operations and maintenance funding requests. Contains a coordinating clause with HB 438: Higher Education Revisions (related to tenure).</p>	<p><u>BOARD and OCHE:</u> Review, amend, rescind, and adopt policies as needed to reflect various statutory changes enacted by the bill, including:</p> <ul style="list-style-type: none"> • R135 (Institutional Legal Counsel in the System of Higher Education) • R141 (Functions of the Commissioner of Higher Education) • R201 (Presidents’ Responsibility to the System, the Assigned Institution, and for Legislative Relations) • R220 (Checklist of Presidents’ and Trustees’ Responsibilities) • R253 (Campus Discipline) • R254 (Secure Area Hearing Rooms) • R256 (Student Disciplinary Processes) • R262 (Student Safety) • R264 (Student Religious Accommodations) • R512 (Resident Student Status) • R522 (Annual Performance Goal Setting and Fund Determination) • R608 (Opportunity Scholarship) • R821 (Employees’ Benefits)-related to statutory changes around bereavement leave • R847 (Criminal Background Checks) <p><u>INSTITUTIONS:</u> Amend or adopt policies in alignment with new or revised statutory responsibilities.</p>
<p><u>SB 223</u></p>	<p><u>YOUTH FEE WAIVER AMENDMENTS</u></p>	<p><u>BOARD and OCHE:</u> Draft and adopt policy.</p>

	Requires the Board to adopt a policy that waives transcript fees for USHE students who are under 26 and are unhoused or who aged out of the foster care system.	
SJR 15	<u>JOINT RESOLUTION – HIGHER EDUCATION OPERATIONS AND MAINTENANCE COSTS</u> Requires the Executive Appropriations Committee to consider construction inflation and the operation and maintenance costs of certain higher education capital development projects.	N/A

HOUSE BILLS		
Bill	Impacts on Higher Education	Near-Term Action Items
HB 67	<u>FIRST RESPONDER MENTAL HEALTH SERVICES GRANT PROGRAM AMENDMENTS</u> Expands program eligibility to private, not-for-profit institutions and non-first responder employees of first responder agencies (e.g., dispatchers) and specifies application timeline requirements.	<u>BOARD and OCHE:</u> Amend R627 (First Responder Mental Health Services Grant) to align with new statutory requirements. <u>OCHE:</u> Begin operating two application windows per calendar year of at least 30 days each.
HB 202	<u>STUDENT ATHLETE AMENDMENTS</u> Prohibits student-athletes from endorsing certain products and services, clarifies that student-athlete contracts and communications about their contracts are not public records, and requires institutions to review student-athlete contracts exceeding \$600 and notify the student-athlete if the contract conflicts with institutional policy.	<u>INSTITUTIONS:</u> Begin/continue reviewing student athlete contracts exceeding \$600 in value.
HB 208	<u>TEACHER LICENSURE AMENDMENTS</u> Requires the Utah State Board of Education and Utah Board of Higher Education, in consultation with administrators and staff responsible for hiring licensed educators at Utah LEAs or regional education service agencies, to develop a strategy by 2028 for	<u>BOARD and OCHE:</u> Conduct study.

	expanding traditional and alternative programs for training teachers.	
HB 244	<u>STATE AGENCY AUDIT COMPLIANCE REQUIREMENTS</u> In connection with audits, requires the Utah Data Research Center to provide the Office of the Legislative Auditor General with data and materials that are not de-identified at no cost to OLAG.	N/A
HB 247	<u>STATEWIDE ONLINE EDUCATION PROGRAM AMENDMENTS</u> Requires the Board and USBE to study funding structures and access barriers related to concurrent enrollment for the Statewide Online Education Program and provide recommendations to the Education Interim Committee no later than the committee's November 2024 meeting.	<u>BOARD and OCHE:</u> Conduct study and report to the Education Interim Committee by November 2024 meeting.
HB 248	<u>INMATE AMENDMENTS</u> Requires USHE institutions to consider an inmate a state resident for tuition purposes during the time the inmate is enrolled in coursework and for one year after the day on which the inmate is released from a correctional facility. Requires degree-granting USHE institutions to provide incarcerated students relevant academic and career advising services that are substantially similar to services provided to students who are not incarcerated.	<u>BOARD and OCHE:</u> Amend R512 (Resident Student Status) to reflect statute. <u>INSTITUTIONS:</u> Begin/continue to provide advising.
HB 257	<u>SEX-BASED DESIGNATIONS FOR PRIVACY, ANTI-BULLYING, AND WOMEN'S OPPORTUNITIES</u> Defines individual sexes and, using those definitions, states that an individual may only access an operational sex-designated changing room - or a restroom when a changing room contains or is attached to a restroom - in a higher education facility that is open to the general public if either (1) the individual's sex corresponds with the sex designation of the changing room or (2) the individual has changed the gender on their birth certificate and has undergone a primary sex characteristic surgical procedure to correspond with the sex	<u>INSTITUTIONS:</u> Review institutional policies and revise as necessary to comply with this law. Consider the feasibility of retrofitting existing spaces to enhance privacy. Ensure new construction includes a single-occupancy privacy space.

	<p>designation of the changing room. The bill creates additional exceptions for entering a changing room or restroom that does not align with the individual's sex assigned at birth if the reason for entering is to assist a minor/dependent child or dependent adult, care for a patient, or perform maintenance or cleaning. Additionally, the bill creates requirements for single-occupancy privacy space in new government buildings. Defines criminal penalties for voyeurism and criminal trespass in privacy spaces. Requires government entities to ensure the preservation of distinctions based on sex that protect individual privacy and competitive opportunity.</p>	
<p><u>HB 261</u></p>	<p><u>EQUAL OPPORTUNITY INITIATIVES</u> Prohibits institutions from engaging in certain practices, including requiring certain "prohibited submissions", as defined in the bill, before, during, or after admission or employment. Prohibits requiring individuals to attend certain mandatory training that promotes differential treatment or includes "prohibited discriminatory practices". Prohibits institutions from having a policy, procedure, practice, program, office, initiative, or required training named or referred to as diversity, equity, and inclusion and prohibits institutions from establishing or maintaining an office, division, employment position, or other unit of an institution established to implement, develop, plan, or promote campus policies, procedures, practices, programs, or initiatives, regarding "prohibited discriminatory practices" as defined by the bill. Makes exceptions for the need to comply with federal law, state law, certain grants, academic freedom, academic research, classroom instruction, athletics, and accreditation requirements. Prohibits institutions from considering an individual's "personal identity characteristics", as defined in the bill, in determining receipt of state financial aid, including waivers, but excluding private scholarships. Requires institutions to ensure all students have access to programs that provide student success</p>	<p><u>BOARD, COMMISSIONER, AND INSTITUTIONAL LEADERS:</u> Meet to discuss and come to a consensus on questions surrounding the implementation of the bill.</p> <p>Develop strategies to promote viewpoint diversity and establish policies and procedures to include opportunities for education and research on free speech and civic education.</p> <p>Review system policies, including R251 (Campus Speakers), R801 (Equal Opportunity, Diversity, and Nondiscrimination), R805 (Gender, Race, and Ethnicity Representation within the Utah System of Higher Education Workforce) and amend or create policies as needed to comport with the law.</p> <p><u>INSTITUTIONS:</u> Review policies, procedures, practices, programs, offices, initiatives., and required training and make changes as necessary to comply with this law.</p> <p>Annually train employees on the separation of personal and political advocacy from an institution's business and employment activities (OCHE/Board can consider helping to create a centralized training).</p> <p>Annually train faculty and staff on academic freedom and freedom of speech</p>

	<p>and support. Requires institutions to develop strategies to promote viewpoint diversity and establish policies and procedures to include opportunities for education and research on free speech and civic education. Requires institutions to annually train employees on the separation of personal and political advocacy from an institution’s business and employment activities. Requires the Board to contract with a third party to conduct a campus climate survey. Requires the Board of Higher Education to monitor and report on compliance.</p>	<p>in accordance with state and federal law (OCHE/Board can consider helping to create a centralized training).</p> <p>Identify and publish the titles and syllabi of all mandatory courses, seminars, classes, workshops, and training sessions on the institution’s website in an online database readily searchable by the public.</p> <p>Develop or continue to operate an office, division, employment position, or other units to provide support, guidance, and resources that equip all students, including all students at higher risk of not completing a degree, with experiences and opportunities for success in each student’s academic and career goals, and without excluding individuals based on an individual’s “personal identity characteristics”.</p> <p><u>BOARD</u> Monitor compliance as detailed in the statute and prepare a report for the Higher Education Appropriations Subcommittee by November 2024.</p> <p>Contract with a third party to conduct a campus climate survey.</p> <p>Make an administrative rule to establish a procedure for accepting and processing an individual’s complaint against an institution for an alleged violation of this law.</p> <p>Prepare to report to the Higher Education Appropriations Subcommittee (by July 2025) on the status and allocation of appropriated funds for student success and support.</p>
<p>HB 286</p>	<p><u>STATE AID FOR SCHOLARSHIPS</u> Specifies that alumni legacy waivers of the nonresident portion of tuition can only be awarded to individuals whose parent(s) attended the institution and that the waiver can only be provided for the first two semesters or four quarters of the student’s enrollment.</p>	<p><u>BOARD and OCHE:</u> Amend R513 (Tuition Waivers and Reductions) to reflect statute.</p> <p><u>INSTITUTIONS:</u> Review policies and practices and revise as necessary to comply with this law.</p>
<p>HB 332</p>	<p><u>CAMPUS SAFETY AMENDMENTS</u> Shifts responsibility for reporting campus crime statistics aggregated by housing during the interim session</p>	<p><u>BOARD and OCHE:</u> Amend R262 (Student Safety) to reflect statutory changes.</p>

	<p>from the Board to the institutions. Removes a requirement for a campus safety study that was completed.</p>	<p><u>INSTITUTIONS</u> Report crime statistics aggregated by housing to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee by November interim meetings (institutions previously were required to submit these statistics to the Board, and the Board would then report to interim committees).</p>
HB 335	<p><u>STATE GRANT PROCESS AMENDMENTS</u> Requires that a state grant recipient agree to deliverables, reporting, audit, and clawback requirements before receiving grant funds. Provides requirements specific to direct award grants and competitive grants.</p>	<p><u>OCHE:</u> Review TRU and other grant awarding to ensure compliance with statute.</p> <p><u>INSTITUTIONS:</u> Review policies and practices around grants and revise as necessary to comply with this law.</p>
HB 396	<p><u>WORKPLACE DISCRIMINATION AMENDMENTS</u> Prohibits an employer from compelling an employee to communicate or otherwise act in a manner that the employee believes would burden or offend the employee's sincerely held religious beliefs. Creates exceptions to protect the employer's core mission, the employer's ability to conduct business in an effective or financially responsible manner, and the employer's ability to provide training and safety instruction for the job. Provides a process for an employer to accommodate an employee's religious liberties.</p>	<p><u>BOARD and OCHE:</u> Review R801 (Equal Opportunity, Diversity, and Nondiscrimination) and revise as necessary to align with statute.</p> <p><u>INSTITUTIONS:</u> Review policies and practices and revise as necessary to comply with this law.</p>
HB 414	<p><u>DUE PROCESS AMENDMENTS</u> Governs adjudicatory hearings in front of hearing officers or hearing panels for nonacademic infractions that can result in an individual student being expelled or suspended for at least 10 days or that can result in the suspension or removal of institutional recognition of a student organization. Institutions may not prohibit accused students, alleged victims, or accused student groups from being represented, at the student or student group's expense, by legal representation or a non-attorney advocate. Requires institutions to ensure that an accused student, alleged victim, or accused student organization</p>	<p><u>BOARD and OCHE:</u> Amend R256 (Student Disciplinary Processes) to reflect statute.</p> <p><u>INSTITUTIONS:</u> Review policies and practices and revise as necessary to comply with this law.</p>

	<p>has access to all material evidence in the institution's possession no later than one week before the proceeding begins. Requires institutions to notify accused students, alleged victims, and accused student groups of their rights under this section as soon as practicable but no later than seven days before a proceeding. Specifies certain evidence (journals and medical and therapy-related records) cannot be used in student disciplinary proceedings and clarifies that evidence used in student disciplinary proceedings is confidential and may not be used in subsequent proceedings or disclosed to a third party other than for the purpose of the proceeding. Specifies that the attorney general may bring an action to enjoin a violation of this part against an institution or an institution's agent acting in the agent's official capacity. Amends government immunity provisions.</p>	
<p>HB 438</p>	<p><u>HIGHER EDUCATION REVISIONS</u> Requires a president of a degree-granting institution, in consultation with the Board of Trustees, to make policies regarding tenure and post-tenure review. Describes certain minimum requirements for tenure and post-tenure review, including protections for academic freedom, processes for dismissing a tenured faculty member for cause or for program discontinuation or significant program modification, appeals processes, and more. Requires each institutional president to report annually to the Utah Board of Higher Education no later than October 1 with information from the previous year, including the number of post-tenure reviews completed, analysis of scores from post-tenure reviews (with personal information redacted), the number of post-tenure reviews that resulted in a remediation plan, a qualitative summary of the types of remediation plans created, including average timeline by which faculty are expected to address deficiencies, and, if applicable, a summary of written justification to keep tenured faculty</p>	<p><u>BOARD and OCHE:</u> Review R220 (Checklist of Presidents' and Trustees' Responsibilities), R481 (Academic Freedom, Professional Responsibility, Tenure, Termination, and Post-Tenure Review), and R483 (Award of Tenure) and amend as needed to align with statute.</p> <p><u>INSTITUTIONAL PRESIDENTS:</u> In consultation with the Board of Trustees, review, amend, and create policies as necessary regarding awarding of tenure and post-tenure review in alignment with statutory requirements.</p> <p>Submit statutorily required report to UBHE no later than October 1.</p>

	who did not address deficiencies (personal information redacted).	
HB 460	<p><u>GOVERNMENT EMPLOYEE CONSCIENCE PROTECTION AMENDMENTS</u></p> <p>Requires a governmental entity to grant an employee’s request to be relieved from performing a certain task if the task violates the employee’s conscience as defined in the bill and if granting the request would not place an undue hardship on the governmental entity. Creates protections for employees who request to be relieved from a certain task. Creates a cause of action for a government employee whose request to be relieved from performing a certain task was denied.</p>	<p><u>BOARD and OCHE:</u> Review R801 (Equal Opportunity, Diversity, and Nondiscrimination) and revise as necessary to align with statute.</p> <p><u>INSTITUTIONS:</u> Review, amend, and adopt policies as necessary to align with statute.</p>
HB 491	<p><u>DATA PRIVACY AMENDMENTS</u></p> <p>Describes governmental entity duties related to personal data privacy, including breach notification, limits on data collection and use, and the ability to correct and access personal data. Creates the state data privacy policy that outlines the broad data privacy goals for the state. Creates the Utah Privacy Governing Board to recommend changes in the state data privacy policy. Establishes the Office of Data Privacy to coordinate the implementation of privacy protections.</p>	<p><u>INSTITUTIONS:</u> Review, amend, and adopt policies and practices as necessary to align with statute.</p>
HB 494	<p><u>FUNDS ADMINISTRATION MODIFICATIONS</u></p> <p>For higher education endowment funds (including the Higher Education Student Success Endowment), specifies that the administering body may hold closed meetings to discuss sales and purchases and that materials related to investment activities of these funds are not subject to GRAMA.</p>	<p><u>BOARD and OCHE:</u> Review R1100 (Higher Education Student Success Endowment) and amend as needed to reflect statutory changes to deliberations and records.</p>