

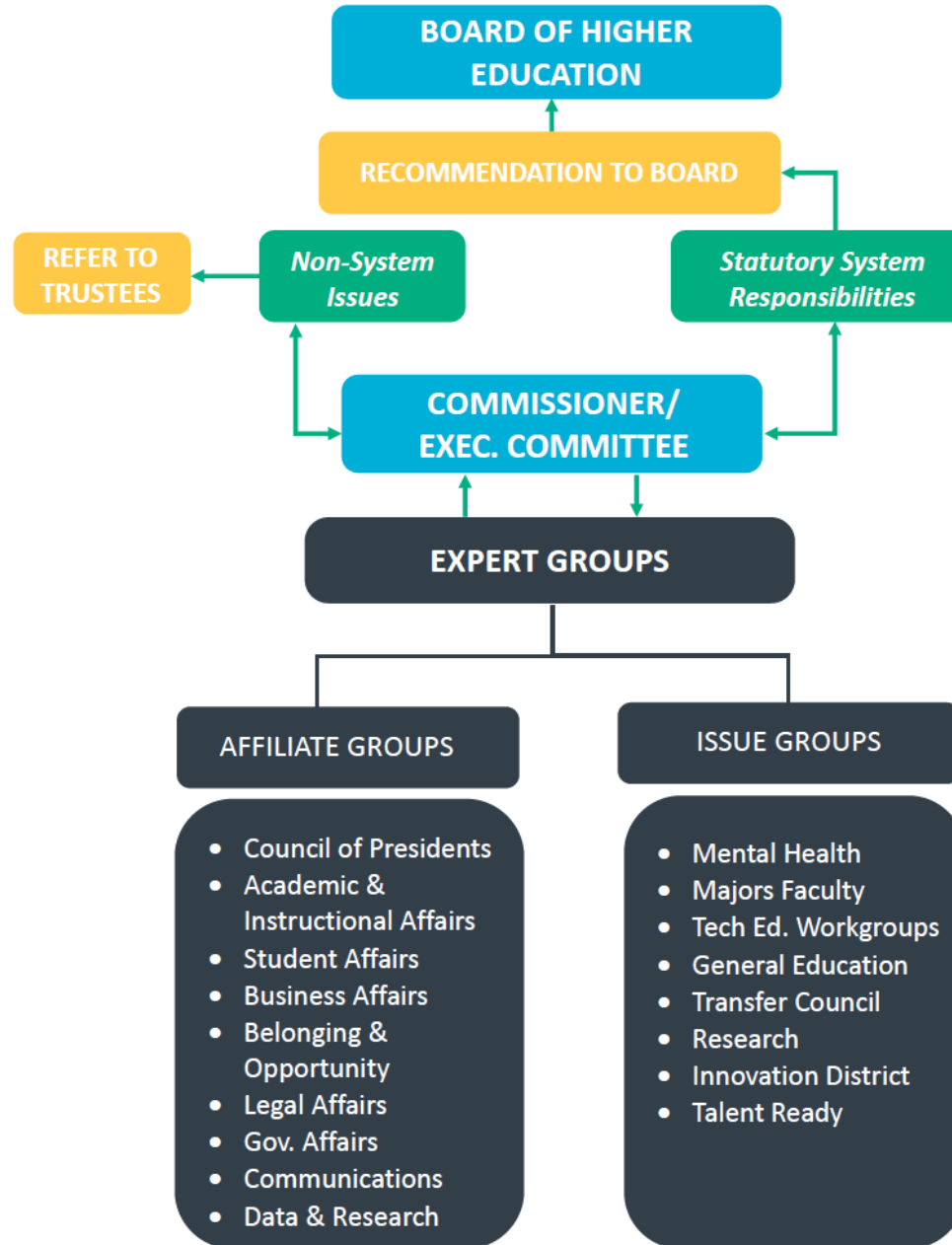
# Utah Board of Higher Education Meeting

August 10, 2023



UTAH  
SYSTEM OF  
HIGHER  
EDUCATION

# BOARD WORKFLOW



# ROLES & MISSIONS

# BOARD'S ROLE

Under Utah law, the Board has responsibility to **“establish, approve, and oversee each institution's mission and role.”** Utah Code § 53B-1-402(2)(f)

# ROLE VS. MISSION

**Role** – the general category within which an institution fits.

- Set by the Legislature through statute.
- Clarified by the Board through Board Policy R312.

# ROLE VS. MISSION

**Mission** – an institution’s general purpose and functions as informed by the Board of Higher Education’s strategic goals and the institution’s role(s) designated by section R312-5.

- Set by the institution with approval of the Board (Board Policy R312).

# INSTITUTION TYPES

- **Research University**

- University of Utah
- Utah State University

- **Regional University**

- Southern Utah University
- Utah Valley University
- Utah Tech University
- Weber State University

- **Community College**

- Salt Lake Community College
- Snow College

- **Degree-Granting with a Technical College Role**

- Salt Lake Community College
- Snow College
- Utah State University

- **Technical College**

- Bridgerland Technical College
- Davis Technical College
- Dixie Technical College
- Mountainland Technical College
- Ogden-Weber Technical College
- Southwest Technical College
- Tooele Technical College
- Uintah Basin Technical College

# RESEARCH UNIVERSITY ROLE

**Statutory Role (53B-16-101):** Provide undergraduate, graduate, and research programs.

**Policy Role (R312):** A research university's role is to advance knowledge, drive innovation, and discover, create, and impart knowledge through research, teaching, and service. A research university provides academic programs at the undergraduate, graduate and professional level with an emphasis on research. The research institutions contribute to the quality of life and economic development of Utah, the nation, and the world. Many research efforts generate grants and contracts that also expand economic development. Research Universities have a responsibility to provide access to students from all parts of the state and to foster interdisciplinary collaborations and partnerships to address complex challenges and social problems.



# REGIONAL UNIVERSITY ROLE

**Statutory Role (53B-16-101):** Provide career and technical education, undergraduate associate and baccalaureate degrees, and select master's degree programs to fill regional demands.

**Policy Role (R312):** A regional university's role is to offer academic certificates, associate degrees, bachelor's degrees, and select master's degrees to meet regional demand; offer degrees that build upon certificates earned at technical colleges; through its community college role in its service region, offer open admission for students and provide developmental education when needed; provide scholarly and creative activity to supplement the teaching role and contribute to the intellectual and cultural life of the region; engage in discipline-based scholarly activity; provide concurrent enrollment in partnership with secondary schools; provide community outreach and continuing education; contribute to the quality of life and economic development of the community, the region, and Utah.

**Southern Utah University; Utah Valley University; Utah Tech University; Weber State University**

# COMMUNITY COLLEGE ROLE

**Statutory Role (53B-16-101):** Provide associate programs.

**Policy Role (R312):** A community college's role is to offer academic certificates and associate degrees, focused on lower division teaching and training, that either lead directly to the workforce or prepare students to transfer to baccalaureate programs; provide open admission for students; provide concurrent enrollment in partnership with secondary schools; provide developmental education when needed; provide community outreach and continuing education; and contribute to the quality of life and economic development of the community and the region.

# DEGREE-GRANTING WITH TECHNICAL COLLEGE ROLE

## **Salt Lake Community College**

**Statutory Role (53B-16-101):** Provide technical education with an emphasis primarily on open-entry, open-exit programs at low cost to adult students and no tuition cost to secondary students that will result in appropriate licensing, certification, or other evidence of completion of training, and qualification for specific employment, with an emphasis on high demand, high wage, and high skill jobs in business and industry.

**Secondary Service Region:** Salt Lake

## **Snow College**

**Statutory Role (53B-16-205):** Provide, through the Snow College Richfield Campus, for open-entry, open-exit competency-based technical education programs, at a low cost tuition rate for adults and at no tuition cost to secondary students, that emphasize short-term job training or retraining for immediate placement in the job market.

**Secondary Service Region:** Juab School District, Millard School District, Tintic School District, North Sanpete School District, South Sanpete School District, Wayne School District, Piute School District, and Sevier School District

# DEGREE-GRANTING WITH TECHNICAL COLLEGE ROLE

## Utah State University

**Statutory Role (53B-16-207):** Provide for open-entry, open-exit competency-based technical education programs, at a low-cost tuition rate for adults and at no tuition cost to secondary students, that emphasize short-term job training or retraining for immediate placement in the job market.

**Secondary Service Region:** For Utah State University Eastern, the Carbon School District and the Emery School District; for Utah State University Blanding, the San Juan School District; and for Utah State University Moab, the Grand School District.

# TECHNICAL COLLEGE ROLE

**Statutory Role (53B-16-101):** Provide technical education.

**Policy Role:** A technical college's role is to offer technical education programs that either lead to technical education certificates or provide short-term occupational training; generally admit students year-round, with opportunities to begin most programs at any time on a flexible schedule and advance as they attain competency; provide technical concurrent enrollment in partnership with secondary schools; provide developmental education when needed; meet the needs of Utah's economy and employers by providing market-driven technical education to secondary and post-secondary students; prepare students to enter or advance in the workforce; and contribute to the quality of life and economic development of the community and region.

Only technical colleges or statutorily authorized institutions may provide technical education without authorization from the Board.

**Bridgerland Technical College; Davis Technical College; Dixie Technical College; Mountainland Technical College  
Ogden-Weber Technical College; Southwest Technical College; Tooele Technical College; Uintah Basin Technical College**

# Academic Degree Program Approval Process

*Time: varies by institution from 2-12 months*

Institution: 1) drafts new program proposal; 2) submits new program through institutional review processes (i.e., curriculum committees); 3) submits proposal to the Office of the Commissioner of Higher Education.

*Time: 1-2 days*

Commissioner's staff reviews proposal to determine whether it falls within institutional role and mission.

## Within institutional role/region

Commissioner's staff 1) works with institution, as needed, to clarify questions and issues and 2) organizes peer institutions' feedback.

Chief Academic Officers of other USHE institutions provide peer-review of the proposal.

Commissioner's staff prepares Peer Review and Commissioner's Office Report; conveys report to the institution's Secretary of the Board of Trustees, President, and Chief Academic Officer.

Institution's Board of Trustees takes action on the proposal using criteria provided by the Utah Board of Higher Education. Board of Trustees may approve, defer, or not approve a proposal.

If Board of Trustees approves, the institution: notifies Commissioner's office of the Board of Trustees approval date and the proposal is placed on the Board of Higher Ed's General Consent Calendar.

*Time: one month*

## Outside institutional role/region

Commissioner's staff: 1) works with institution, as needed, to clarify questions and issues; 2) performs an in-depth workforce development, economic impact, and academic analysis to determine whether an out-of-role approval would serve the workforce needs of the state; and 3) organizes peer institutions' feedback and consideration of whether partnership with existing programs would be preferable to an out-of-mission/out-of-region program.

Chief Academic Officers of other USHE institutions provide peer-review of the proposal. Council of Presidents has the opportunity to review the program.

Commissioner's staff prepares the Peer Review Report and Commissioner's Office Assessment and conveys it to the institution's Secretary of the Board of Trustees, President, and Chief Academic Officer.

The institution's Board of Trustees takes action on the proposal based on materials provided by the Commissioner's Office: it may vote to defer, disapprove the proposal, or forward the proposal to the Board of Higher Education.

Board of Higher Education takes action on the proposal; the Board may approve, defer, or not approve a proposal.

*Time 3-9 months*

# TALENT READY UTAH

Vic Hockett, Associate Commissioner

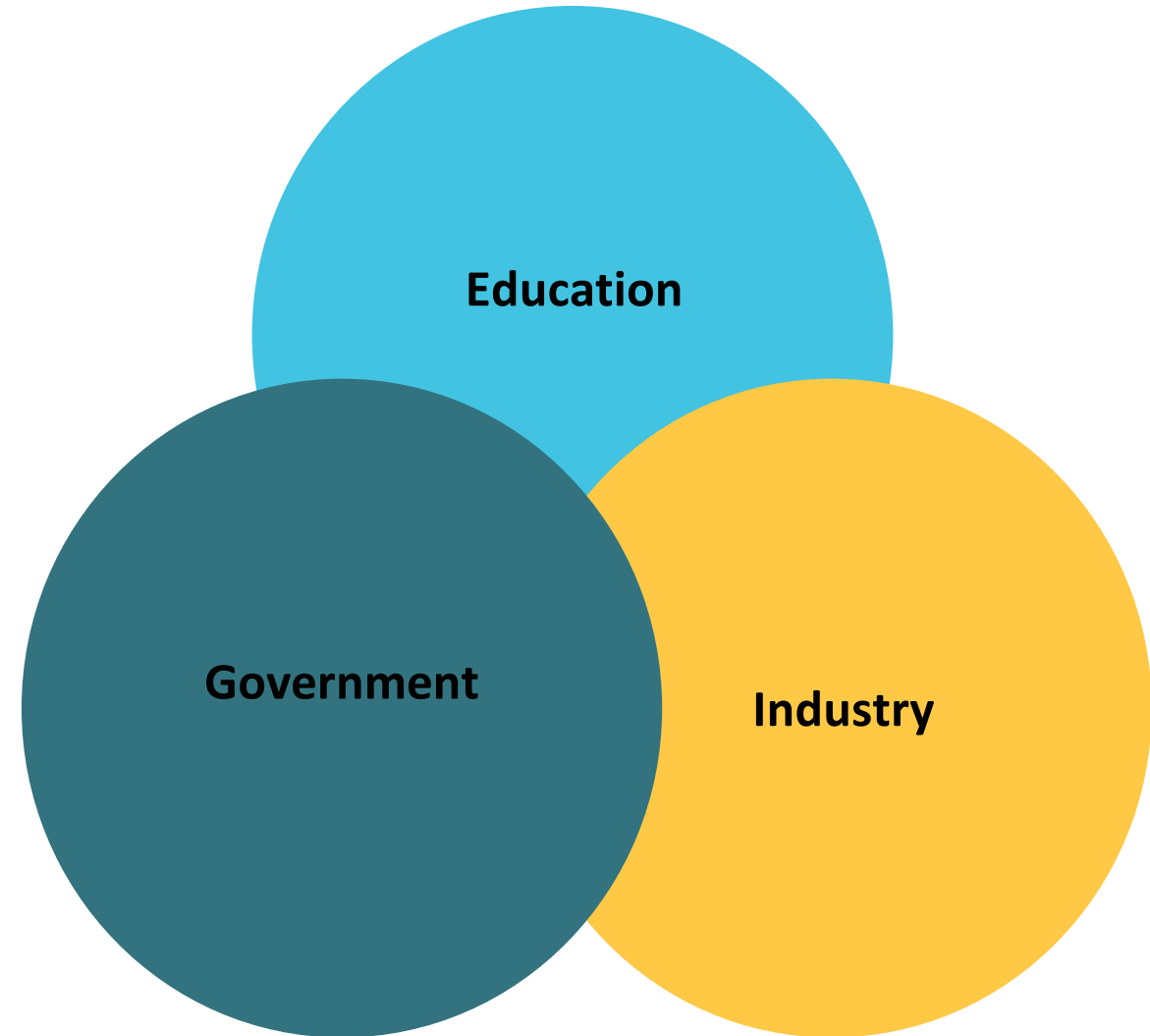


UTAH SYSTEM OF HIGHER EDUCATION  
TALENT READY UTAH

# MISSION & PURPOSE

**Talent Ready Utah** was legislatively created in 2018 in the Governor's Office of Economic Opportunity to be an industry-facing department to collaborate with industry, education, and government to align educational programs to workforce demands.

Our role is to engage with and convene industry, education, and other stakeholders to create, expand, and align short-term and long-term workforce training & education solutions.





# THE TALENT READY UTAH STORY

2014

Boeing Approaches Utah



2015

In Response UAP Launched



2018

A Vision Was Set



Today

Developing Talent Through  
Workforce Alignment



**Senator Ann Millner, Chair**  
**Representative Jefferson Moss**  
**Brittney Cummins - Gov's Education Advisor**  
**Ryan Starks - GOEO Executive Director**  
**Casey Cameron - DWS Executive Director**  
**Margaret Busse - Commerce Executive Director**  
**Dave Woolstenhulme - Commissioner of USHE**  
**Syd Dickson - Superintendent of USBE**  
**Jim Moss – Chair, State School Board**  
**Joshua Aikens - Zonos, Chief of Staff**  
**Chuck Taylor - Syberjet, CEO**  
**Jake Hinkley - Sunroc, Director of Workforce**  
**Erin Casale - Qualtrics, Director of Customer**  
**Rick Allen - BAE, VP**  
**Alison O'Mahony – VP, Recursion**  
**Heather Brace - Intermountain Health, SVP**  
**Aaron Skonnard - Pluralsight, CEO**  
**Trina Eyring - ZBC, VP**  
**Sidni Shorter - CEO Black Chamber**  
**Derek Miller - CEO SLC Chamber**  
**Juan Pascua - CEO Hispanic Chamber**



# **STRATEGIC PLAN**

## **WORKFORCE PILLAR STRATEGIES**

- 1. Engage industry to align education with workforce demands that result in career placements.**
- 2. Develop legislative priorities, policies, and funding requests for workforce development programs.**
- 3. Increase stakeholder collaboration to develop and promote workforce programs.**
- 4. Increase student participation in high-quality Work-Based Learning.**

# RESULTS OF A TALENTED WORKFORCE

## Best Economic Outlook

Utah ranked No. 1 for the 16th year in a row

Rich States Poor States — April 2023

## Best Economy

Utah ranked the nation's best economy and No. 3 overall

*U.S. News & World Report* — April 2023

## #1 State for GDP Growth

Utah No. 1 for GDP Growth (2021)

*Forbes* — August 2021

## Best State to Start a Business

Utah is the No. 1 best state to start a business

WalletHub — January 2023

## #2 Best Employment

Utah was determined the No. 2 best state for job opportunities

*U.S. News & World Report* — August 2022

## #1 State Economy

Utah ranked No. 1 for best economy

WalletHub — June 2021

# RESULTS OF A TALENTED WORKFORCE

## Best-Performing Large Cities

### Best-Performing Cities 2022

#1 = Provo-Orem

#3 = Salt Lake City

#13 = Ogden-Clearfield

Milken Institute — March 2022

## #1 State for the Middle Class

Utah No. 1 for the middle class

SmartAsset — April 2022

## Best-Performing Small Cities

### Best-Performing Cities 2022

#1 = Logan

#2 = St. George

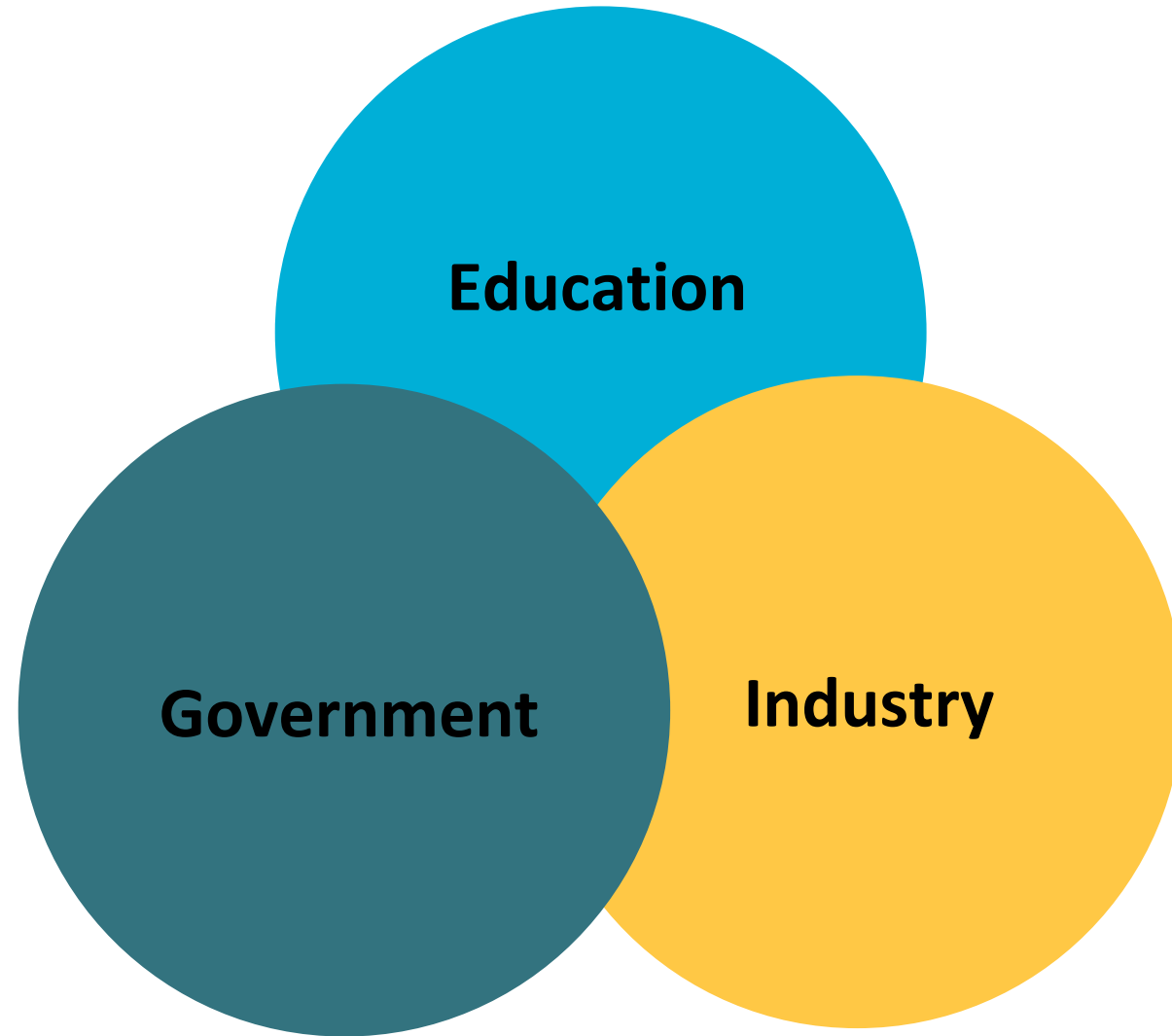
Milken Institute — March 2022

## #3 State with the Most Civic Engagement in Racial Equality

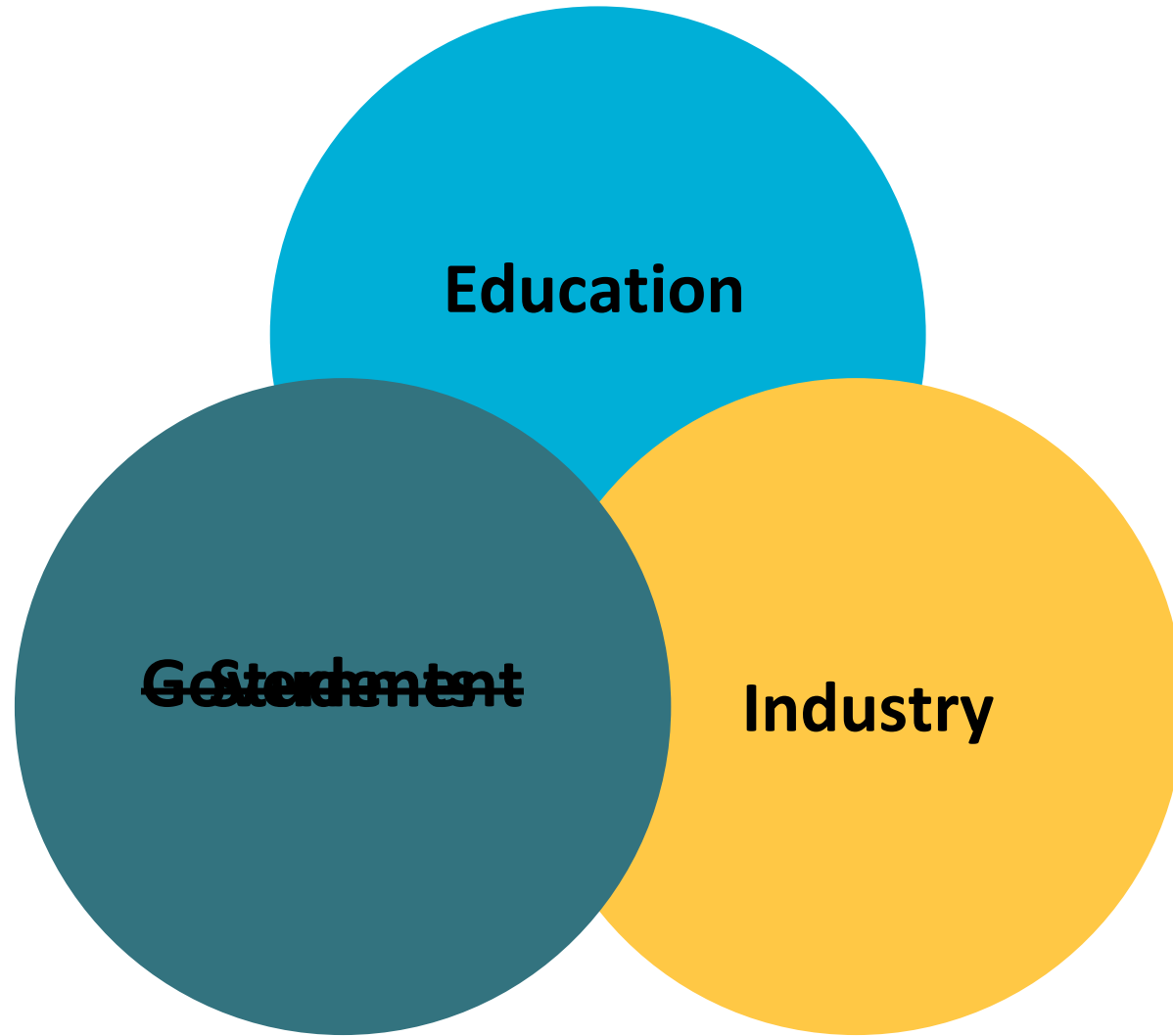
Utah No. 3 for racial equality

WalletHub — June 2022

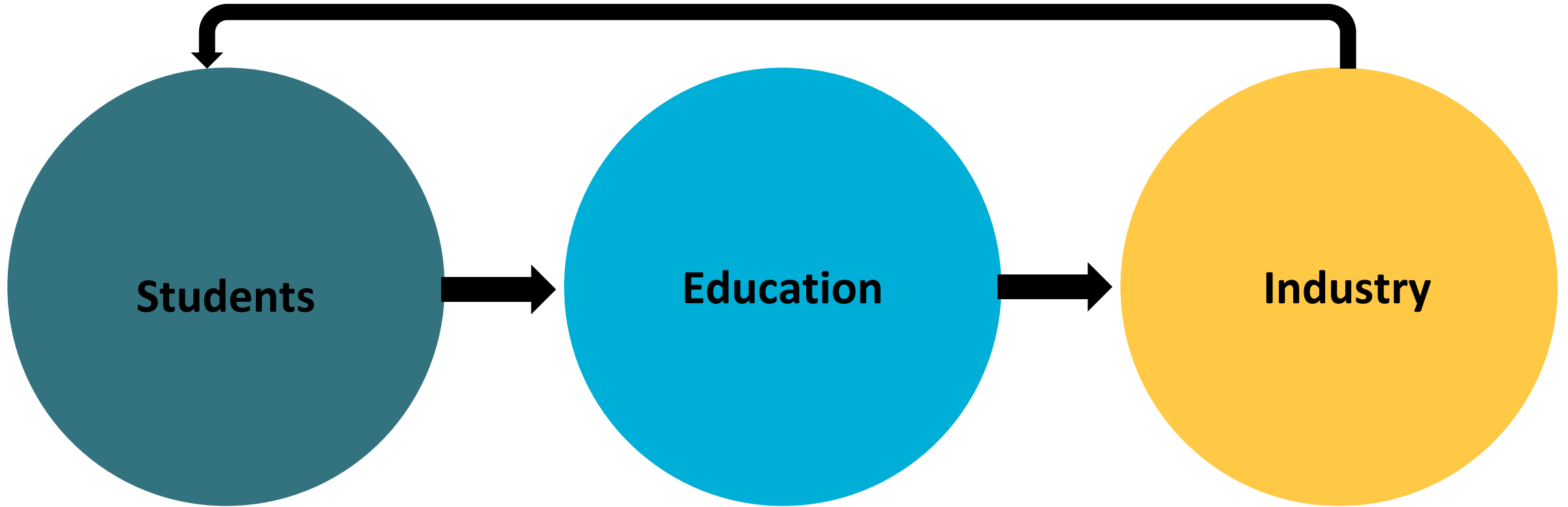
# STAKEHOLDERS



# ~~STAKEHOLDERS~~



# CUSTOMER VALUE STREAM



## Input Customers

They pay to be educated to change their ability to have economic mobility.

## Mechanism

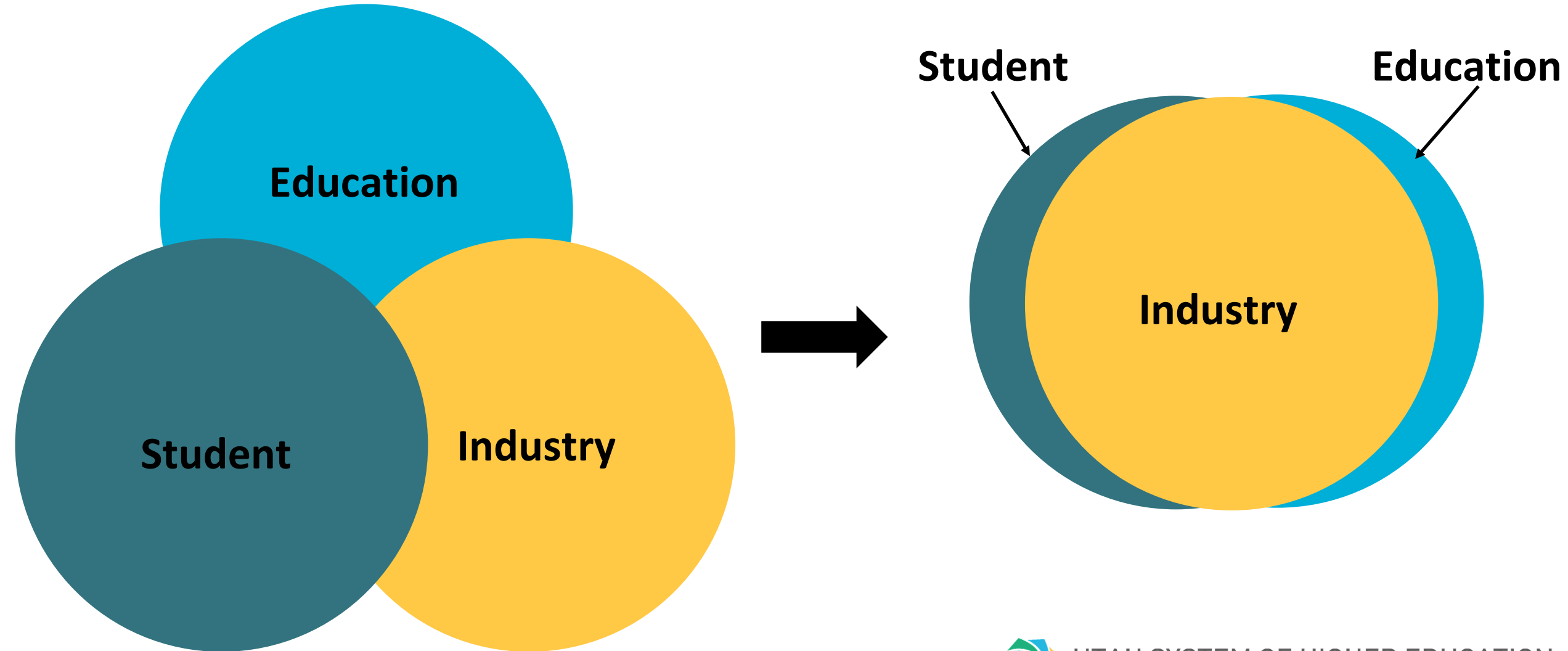
Changes the market form of the student through education and competence.

## Output Customers

They pay for an educated student that can add value to an organization.



# WORKFORCE ALIGNMENT



# TALENT READY UTAH PROGRAMS

## Higher Education Programs

- Learn & Work
- Utah Works
- Return-To-Work
- Talent Ready Connections
- Healthcare Workforce Initiative
- Emerging Tech / Deep Tech
- Targeted Workforce Development
  - Healthcare
  - Computer Sciences

## K-12 Programs

- Utah Adopt-A-School
- Computer Science Master Plan
- Computer Science for Utah Grants
- Talent Ready WBL Pathways
  - Utah Aerospace Pathway
  - Utah Rotor Pathway
  - Utah Diesel Tech Pathway
  - Medical Innovation Pathway
  - Utah's Architecture, Engineering, & Construction Pathway

## **K-12**

**Total Funding - \$16M**

**Students Served – 560,000+**

## **Higher Education**

**Total Funding - \$54.75M**

**Students Served – 17,000+**

## **FY23 TWD – Higher Ed**

**Total Funding - \$8.1M**

**Students Served – 2,000+**

# **TRU IMPACTS**



# THANK YOU!

[Vic.hockett@ushe.edu](mailto:Vic.hockett@ushe.edu)



UTAH SYSTEM OF HIGHER EDUCATION  
TALENT READY UTAH

| **USHE INNOVATION**



**UTAH  
SYSTEM OF  
HIGHER  
EDUCATION**

# TEAM



**Jefferson Moss**

Associate Commissioner  
of Innovation,  
Commercialization, &  
Economic Development



**Gabi Tellez**

Director of Innovation &  
Commercialization



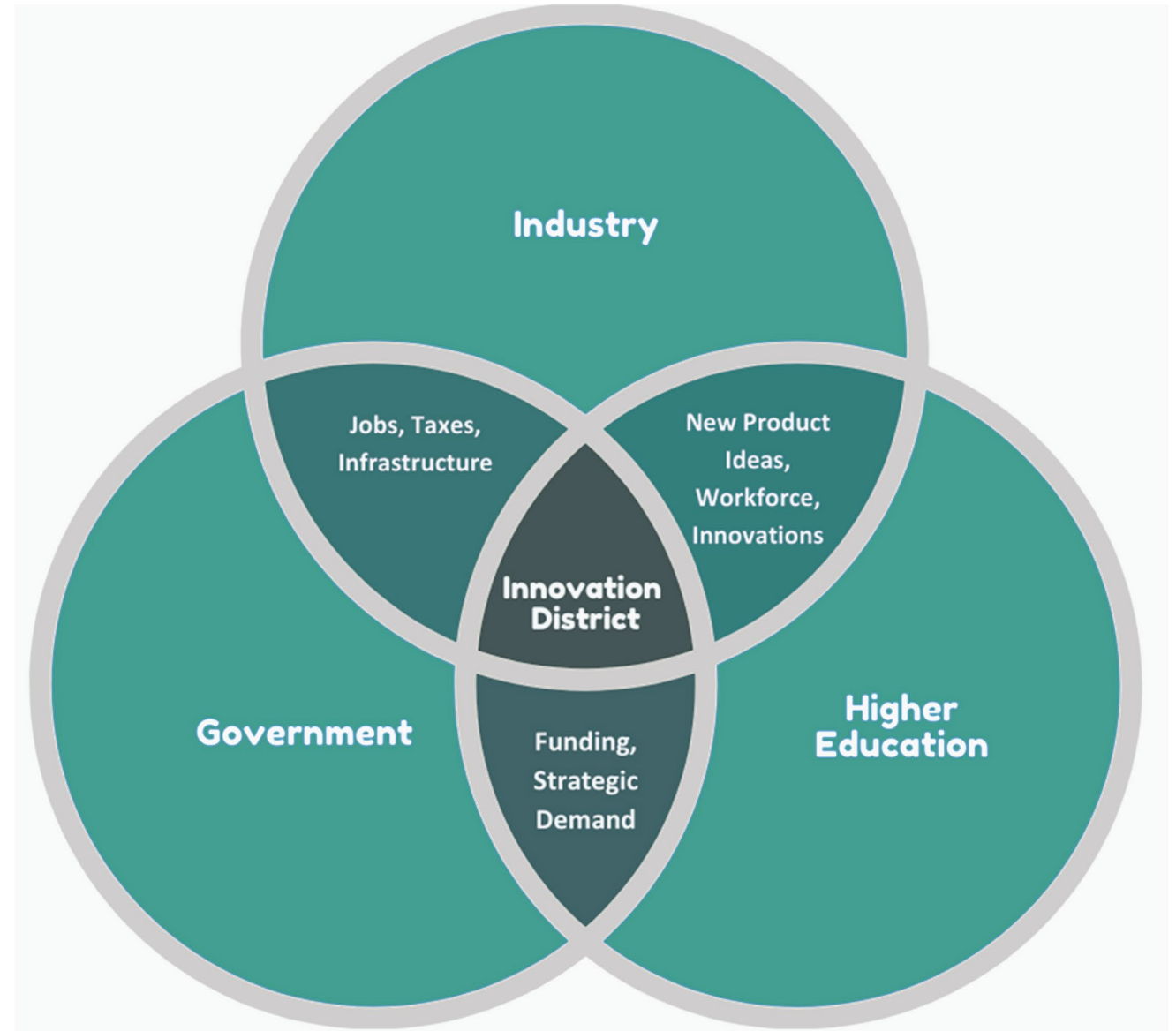
**Tori Hooper**

Project Coordinator &  
Admin

# THEME

“Long-term success demands a collaborative approach to governance. An innovation district’s work ethic and culture is “collaborate to compete.” A bottom-up horizontal governance model—involving business, academic and civic institutions, government, workers, and residents—can best orchestrate what must be done collectively: Identifying assets; design, finance and strategic initiatives; public space management; and evaluating progress.”

Brookings Institute “The Rise of Innovation Districts”



# INNOVATION GOALS

## **Leader in Innovation:**

- Establish Utah as a leader in innovation and commercialization in the field of higher education, driving impactful scientific advances, economic growth, and job creation.

## **Collaboration and Synergy:**

- Encourage collaboration and synergy among universities, faculty, and departments to maximize research and innovation potential through shared resources and expertise.
- Encourage and facilitate strong partnerships among different universities, programs, and departments to address major challenges through interdisciplinary research.

## **Public-Private Partnerships:**

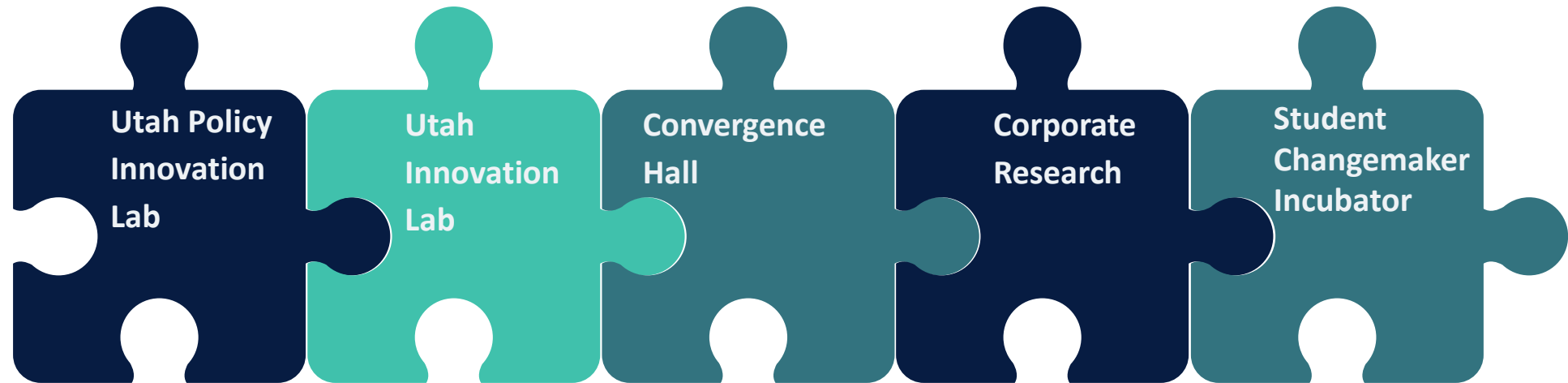
- Engage with industry leaders, policy makers, and donors to foster public-private partnerships that elevate the value of higher education innovations and discoveries.
- Empower faculty and students within all institutions of higher education to solve business and policy problems for the state and the nation.



# INITIATIVES

Our goal is to help Utah become the innovation hub of the world.

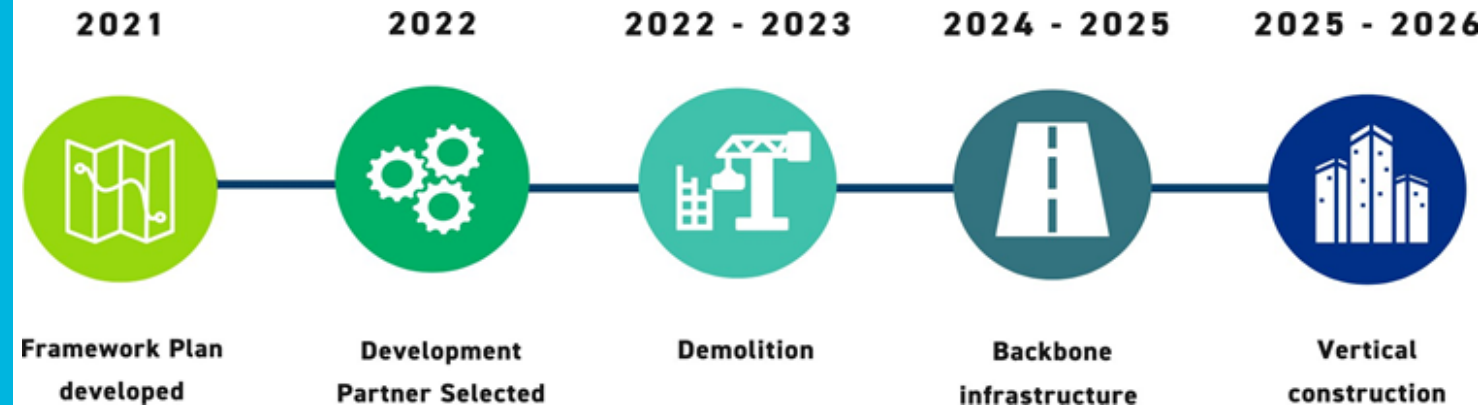
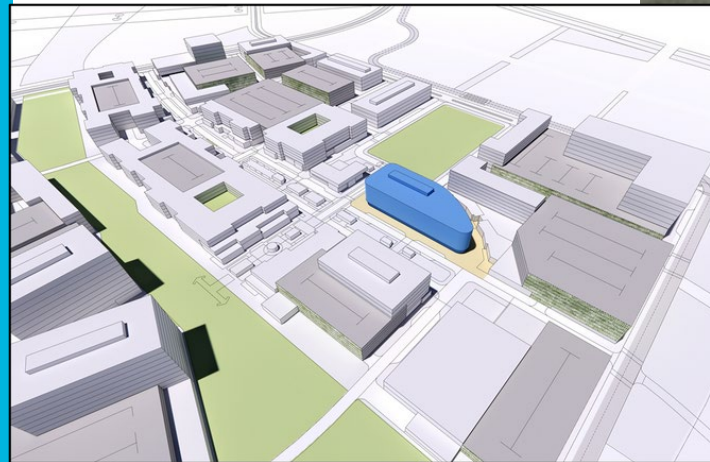
We are doing our part through the following initiatives:



# CONVERGENCE HALL

# CONVERGENCE HALL

In 2023, the State of Utah approved \$50M in one-time state funding for the creation of Convergence Hall - the pinnacle building of The Point's Innovation District that is poised to bring together higher education, policymakers, investors, industry, students, entrepreneurs, etc. in a collaborative workspace.



# Convergence Hall as a Facilitator of Bumpability

The ability to have incidental interactions with a variety of people, ideas, and resources, commonly known as bumpability, can be an essential requirement for success in today's world. Whether for individuals, organizations, or communities, it is a vital tool for exploring and discovering fresh ideas, building new relationships, and uncovering the resources needed to develop innovative solutions and intellectual property.



# SPATIAL QUALITIES

Student Housing

Flexible Study Space

University Office Space

Lecture Hall / Auditorium

Retail / Dining

Flexible Classroom Space

Innovation Museum / Makerspace

Incubator/ Venture Studio Space





UTAH POLICY  
INNOVATION LAB

# Utah Policy Innovation Lab

A Public-private partnership that brings together academics, policy experts, & business leaders to collaborate & share best practices to ensure Utah is leading out on innovative policies that are rooted in research & practical experience.

The Policy Lab acts as a convener, breaking down silos & facilitating information sharing through workgroups, panels, research, etc.

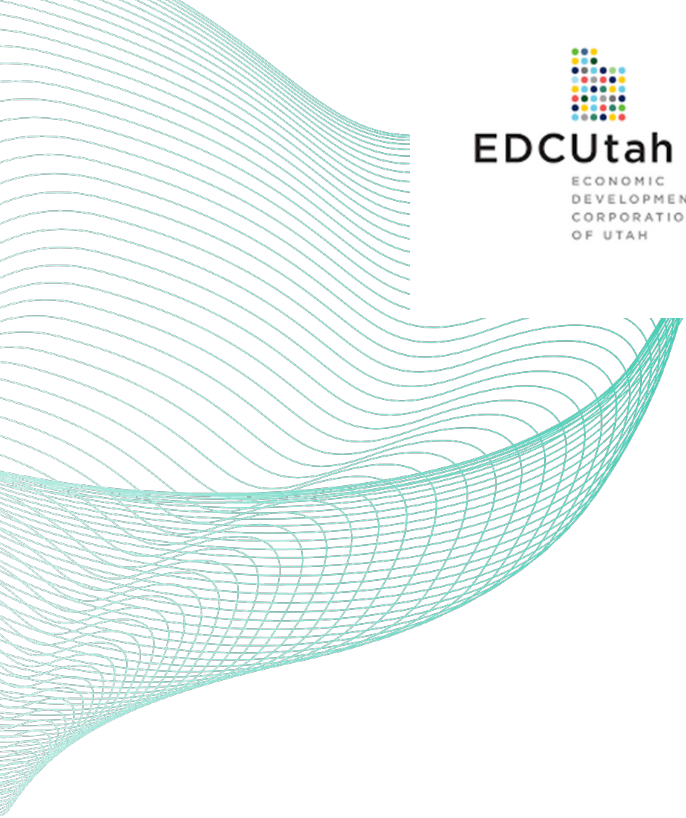


 UTAH POLICY INNOVATION LAB

## Navigating AI Policy in Utah: Opportunities and Risks Panel

**When:** Friday, June 2nd 2023 at 8:30am-10am  
**Where:** Thomas S. Monson Center, SLC  
**Panelists:** Rep. Jefferson Moss, Sen. Kirk Cullimore, Chris Bramwell-Chief Privacy Officer, Margaret Busse- Director of Commerce, Deno Himonas- Former State Supreme Court Justice, Alan Fuller-State CIO, Dr. Alex Lawrence-Weber State University, Barclay Burns, Matthew Poll, and Nick Pelikan.  
**Register:** Seating is limited or Virtual Option - <https://Aipolicypanel.eventbrite.com>

 UTAH SYSTEM OF HIGHER EDUCATION  
 UTAH STATE LEGISLATURE  
 Governor's Office of Economic Opportunity  
 WORLD TRADE CENTER UTAH  
 SILICON SLOPES  
 WILSON SONSINI  
 Kinect Capital  
 WIN



**SAN RAFAEL**  
Energy Research Center



**Governor's Office of  
Economic Opportunity**

# Partnerships & Current Work

**Energy Advisory Council**

**Energy Strategic Planning Committee**

**Blockchain & Digital Innovation Task Force**

**Data Privacy Working Group**

**AI Policy Working Group**

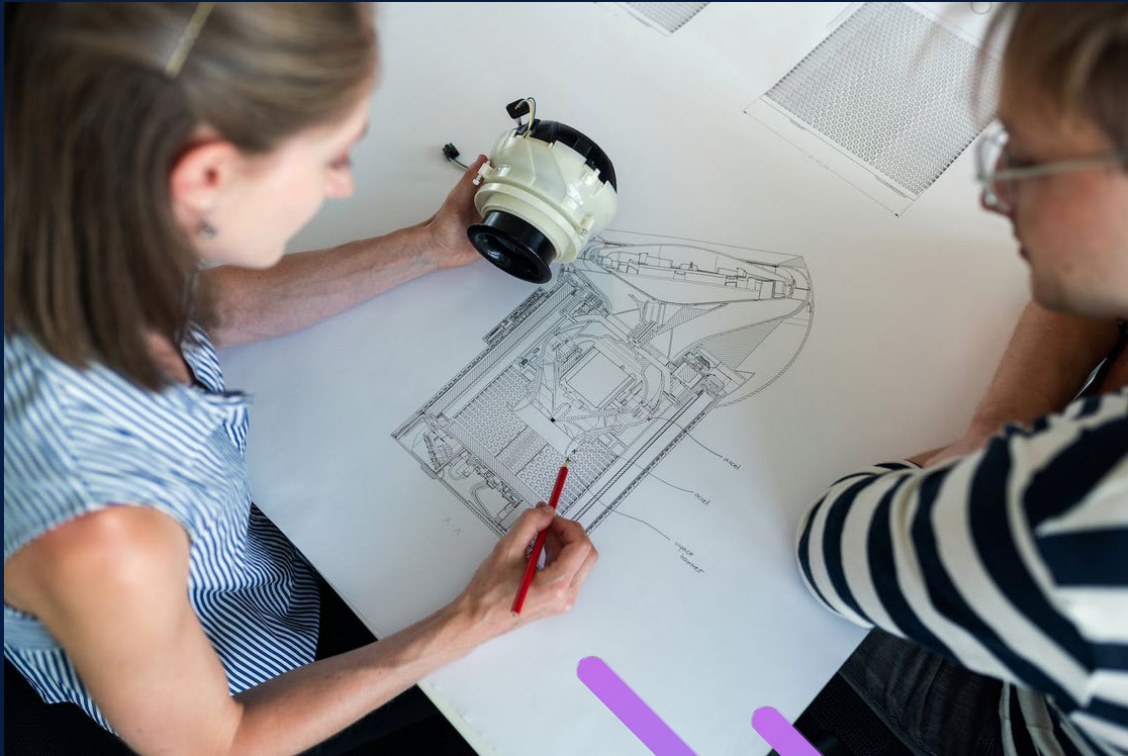
**United Economic Opportunity Commission – Technology, Innovation, &  
Investment**

**Regulatory Sandbox**





**Utah**Innovation  
— LAB —



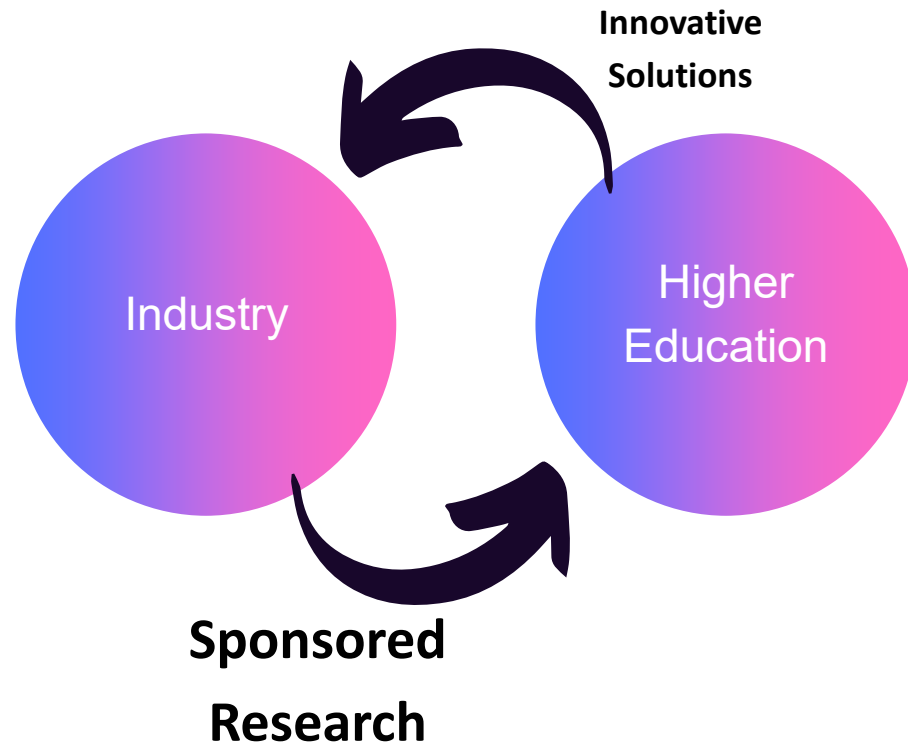
# About us

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The Utah Innovation Lab was created by the state of Utah to elevate Utah's economy by commercializing technologies discovered, advanced, or developed at Utah's institutions of higher education. Our goal is to bridge the gap between industry and higher education.

# The Opportunity

Right now, inside Utah's university & technical colleges is \$Bs worth of opportunity waiting to solve society's biggest challenges.



01

## Redefining Higher Education

We are creating a world where higher education institutions are laboratories of innovation for corporations and society, **where industry leaders task expert researchers with solving their biggest problems.**

02

## Reimagining Tech Transfer

Through the Utah Innovation Lab, all higher education institutions in Utah will have access to the resources required for successful commercialization of promising innovations.

03

## Changing the Industry-Education Dynamic

Instead of PUSHING innovation out of universities, we work with industry and government to PULL innovation that has market demand into industry.

# Our Approach

SUCCESSFUL VENTURES ARE MADE OF...

1

Strong & Investable  
Management Teams

4

Customers & Partnerships

2

A Validated Value Proposition  
& Sufficient Market-Size

5

Lean Operations

3

Sufficient Capital

# Our Approach

## CONNECTIONS FOR SUCCESS!

### TEAM

Our **Database of Operators** connects companies to sector-specific, previously successful & previously funded founders who have agreed to serve as mentors/operators.

### VALUE-PROP

Our **Industry Advisory Boards** are made up of top experts who have agreed to advise companies within their expertise on the technical viability & industry desirability of their research.

### CAPITAL

The **Utah Innovation Fund** is a \$15M venture capital fund that invests in promising technologies being developed & explored at universities and technical colleges in Utah. Our **network of later-stage investors** provides future capital for companies that continue to show promise.

### CUSTOMERS

Our **Industry Advisory Boards** are made up of some of the largest employers and organizations in the state who have expressed interest in exploring relevant, innovative technologies via customer relationships & partnerships.

### OPERATIONS

Our **Business Services Network** connects founders & operators to relevant service providers who have a mission to support Utah's growing startup community.

# Board

## EXPERIENCED BUILDERS & INVESTORS



Dave Carlebach  
COO,  
World Trade Center  
Utah



Mark Paul  
Executive Director,  
Center of Medical  
Innovation



Christian Iverson  
Director,  
Tech Transfer & Utah  
State University



Jefferson Moss  
Associate Commissioner of  
Innovation,  
Commercialization, &  
Economic Development,  
USHE



Cydni Tetro  
CEO,  
Brandless



Barclay Burns  
Founder,  
Generative Impact.AI



Tom Ngo  
Founder,  
Lumin.ai

# Investment Criteria



Company being spun-out  
of or partnering with a  
Utah institution of higher  
education



Investment Verticals

- Advanced Manufacturing
- Aerospace & Defense
- Energy & Natural Resources
- FinTech & Blockchain
- Life Sciences & Healthcare
- Software Technology
- Outdoor Products & Recreation



Pre-Seed & Seed investment



# HIGHER EDUCATION AS A LABORATORY FOR CORPORATE INNOVATION



# CORPORATE INNOVATION

Where corporate partners bring their problems for faculty & students to solve.

1

Corporate partner brings the Utah System of Higher Education their problem & any related details / specs.

2

USHE's Corporate Innovation Team convenes a team of leading researchers and students to solve the problem & potentially create IP.

3

The team of students, professors, & experts deliver up-to-specified solution(s).

# STUDENT CHANGEMAKER INCUBATOR

# EMPOWERING STUDENTS TO SOLVE THE STATE'S PROBLEMS

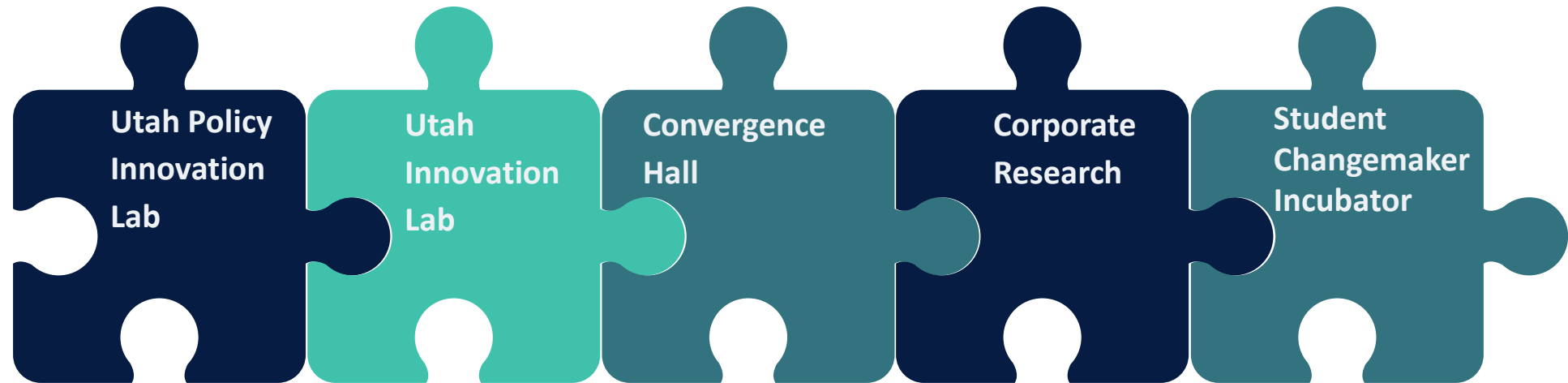
The Student Changemaker Incubator is an innovative program designed to empower students to tackle the world's most pressing challenges through collaborative initiatives, hackathons, competitions, etc.



# INITIATIVES

Our goal is to help Utah become the innovation hub of the world.

We are doing our part through the following initiatives:



# FY 2025 PRELIMINARY BUDGET GUIDANCE



UTAH  
SYSTEM OF  
HIGHER  
EDUCATION

# FY 2025 BUDGET CYCLE – KEY DATES

Aug. 10: Board Meeting and Budget Guidance Adoption

Aug. 14: Budget Request Initiatives Due to Commissioner's office

Sept. 25 – Sept. 28: Budget Hearings with the Governor's Office

Oct. 10: Legislative Subcommittee Voting on New Line Item Structure

Nov. TBD: AY 2022-23 Performance Goal Evaluation

Nov. 14: Legislative Interim Committee Meetings

Nov. TBD: Board Meeting and Budget Recommendations Adoption

Dec. TBD: Governor's Budget Released

Dec. 5: Legislative Executive Appropriations Committee

Dec. 15: Institutions Propose AY 2023-24 Performance Goals

Jan. TBD: Board Meeting and AY 2023-24 Performance Goal Adoption

Jan. 16: First day of 2024 General Session of Utah State Legislature

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# Utah System of Higher Education

## Financial Summary 2023 General Session

<b>Revenues/Other Additions</b>	<b>2021-22 Actual Appropriated</b>	<b>2021-22 Actual All Sources</b>
Tuition and Fees	\$ 978,708,641	\$ 988,041,604
Operating Grants/ Contracts		1,001,474,195
Sales/Services: Auxiliaries	172,880	1,683,481,097
Sales/Service: Hospitals		3,193,279,475
Other Operating Revenue	110,851,284	665,655,282
State/Federal Appropriations	1,162,563,355	1,271,816,188
Federal/State Grants	8,049,999	486,222,032
Gifts/Contributions		230,896,601
Investment Income		(142,125,525)
Other Non-Operating		16,000,340
Capital Appropriations		155,681,669
Capital Grants & Gifts		77,983,662
Additions to Endowments	3,603,066	60,750,462
Other Revenues	354,307,190	378,638,589
<b>Total Revenues</b>	<b>\$2,618,256,416</b>	<b>\$10,067,795,670</b>

# UTAH CODE 53b-7-101

(2) (a) The board shall recommend a combined appropriation for the operating budgets of higher education institutions for inclusion in a state appropriations act.

(b) The board's combined budget recommendation shall include:

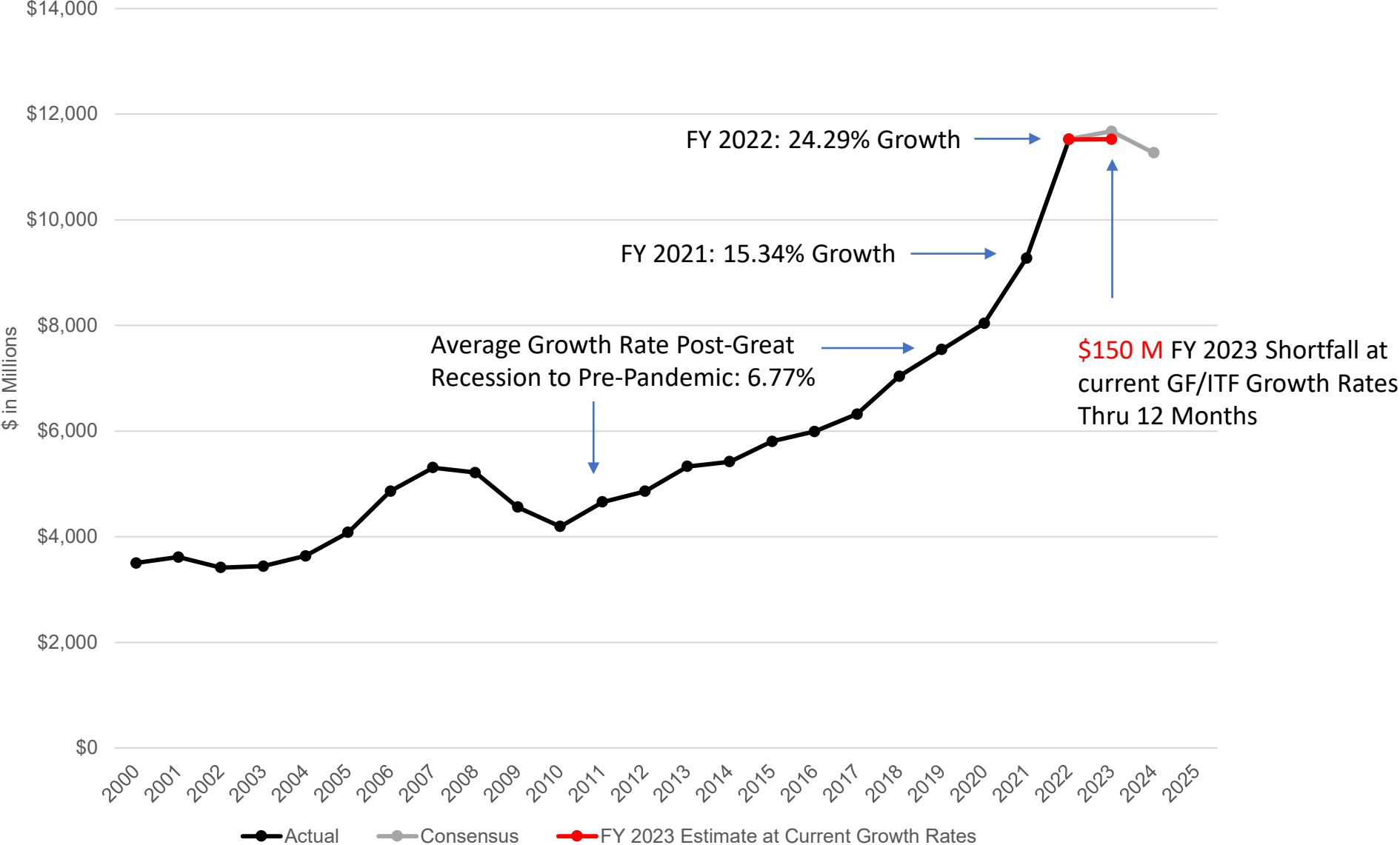
- (i) Employee compensation;
- (ii) Mandatory costs...
- (iii) Performance Funding
- (iv) Statewide institutional priorities...
- (v) Enrollment growth

(5)(b) The appropriations recommended by the board shall be made with the dual objective of:

- (i) Justifying for higher education institutions appropriations consistent with their needs, and consistent with the financial ability of the state
  - (ii) Determining and equitable distribution of funds among the respective institutions in accordance with the aims and objectives of the statewide master plan for higher education.
-



# Combined State General Fund and Income Tax Fund Revenue



# FY 2024/2025 STATE REVENUE & BUDGET OUTLOOK

## **Extraordinary Revenue Growth Environment Over?**

- State revenue growth has softened considerably as federal stimulus impacts wane and consumption patterns shift back toward pre-recession norms; will likely miss FY 2023 expectations

## **Mixed Economic Outlook & Lagged Rate Effects**

- Elevated U.S. Recession Risk over the next 12-18 months & Federal Reserve rate hike signaling

## **State Expenditure Demands and Possible Foregone Revenue**

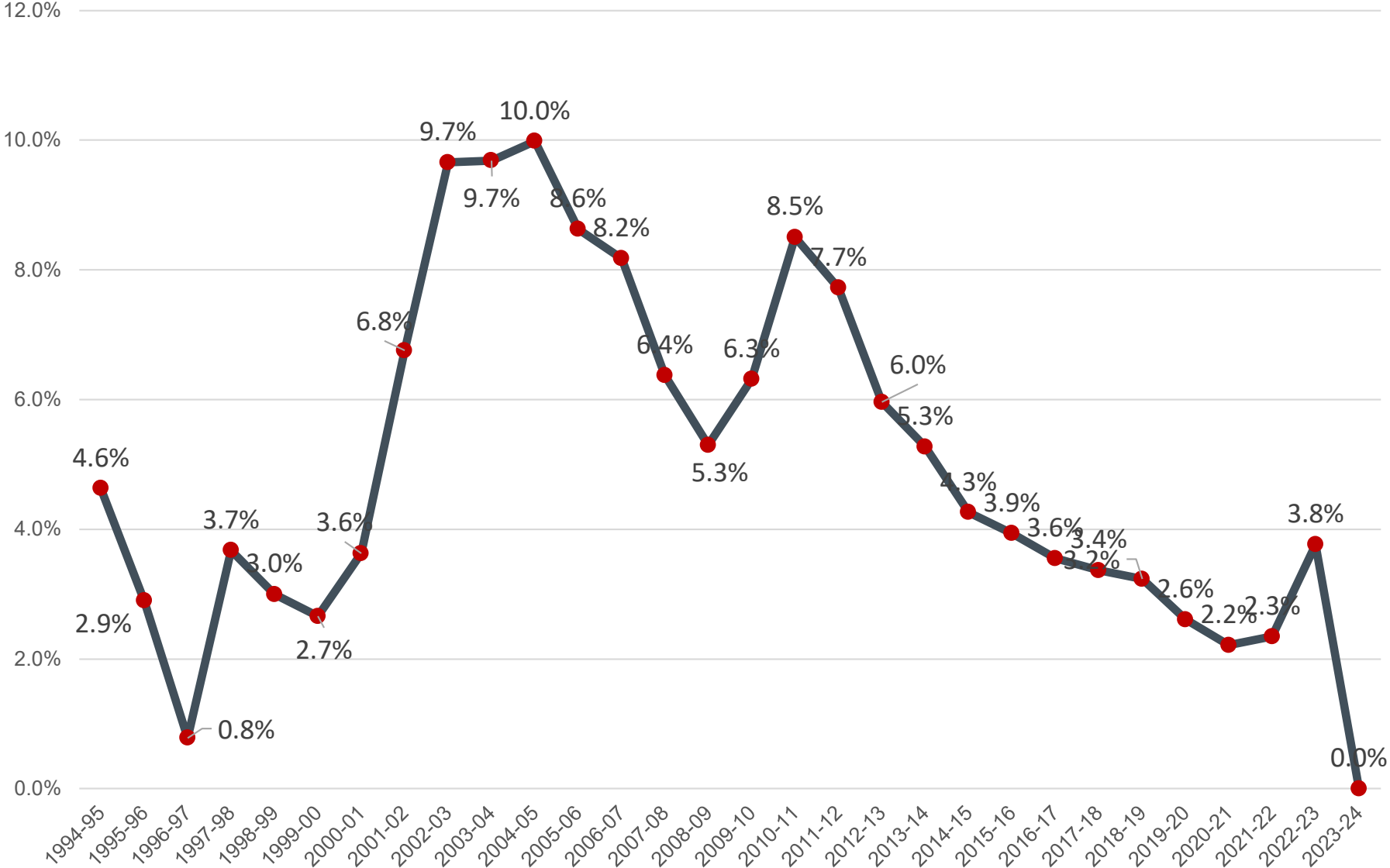
- Upcoming ballot initiative could remove state sales tax on food (\$200 M)
  - Counter-cyclical expenditure demands could accelerate in an economic downturn
-

# FY 2025 PRELIMINARY INSTITUTION BUDGET PRIORITIES & GUIDANCE

- Minimal or no tuition or fee increases combined with conservative budget ask that recognizes state revenue environment
  - Mandatory cost increases
  - Compensation
  - Performance Funding
  - Growth Funding
  - Technical College & Degree-Granting Equipment
  - Other System Priorities
  - Capital
  - New Request for Appropriation Prioritization Process
-

# USHE TUITION & FEE INCREASE HISTORY

USHE Annual Percent Increase in Tuition and Fees (weighted average)



Source: USHE 2023 Databook

# MANDATORY COST INCREASES

The Commissioner's office recommends that the Board request funding for mandatory cost increases. These increases typically include appropriations for state-provided internal service fund (ISF) expenditures such as:

- Property, Liability, Cybersecurity, and other Insurance
- Attorney General Services

In the 2023 General Session, the System was appropriated roughly \$5.5 million in state tax dollars for increases in ISF payment costs.

Degree-granting institutions receive state tax dollars to support 75% of the incremental cost increases, whereas technical colleges receive appropriations to fully cover the incremental cost increases.

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# COMPENSATION

The Commissioner's office recommends that the System requests parity with state employees for appropriated increases to support salary and health benefits for System employees.

In the 2023 General Session, the System was appropriated roughly \$148 million in state tax dollars to provide an 8.75% discretionary salary increase for higher education employees, along with increases to cover health and dental benefit costs commensurate with state employees.

Degree-granting institutions receive state tax dollars to support 75% of the incremental cost increases, whereas technical colleges receive 100%.

With inflation normalizing, it is likely that appropriated salary increases will return to a more typical 2-4% range.

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# PERFORMANCE FUNDING

The Commissioner's office tentatively recommends that the Board request \$50 million in new combined performance funding for degree-granting institutions and technical colleges.

Institutions will submit detailed plans for how they intend to use performance funding.

In the 2023 General Session, the degree-granting institutions were appropriated \$35 million for performance funding and technical colleges were appropriated about \$10.5 million in performance-equivalent funding.

Fiscal Year 2024 degree-granting performance funding may be reallocated based on academic year 2022-2023 performance.

Fiscal Year 2025 degree-granting and technical college performance funding will be allocated based on academic year 2022-2023 performance.

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# PRELIMINARY PROPOSED FY 2025 DEGREE-GRANTING INSTITUTION PERFORMANCE FUNDING REQUEST

Institution	2022-23 Annualized Budget FTE	% of Total	50% \$ 20,000,000	2023-24 Total State Funded Appropriations	% of Approps	50% \$ 20,000,000	Eligible Performance Funding Amount	% of Total
<b>UU</b>	32,436	25.98%	\$5,196,400	\$586,731,400	37.70%	\$7,539,200	\$12,735,600	31.84%
<b>USU</b>	20,704	16.58%	\$3,316,900	\$321,370,500	20.65%	\$4,129,400	\$7,446,300	18.62%
<b>WSU</b>	14,104	11.30%	\$2,259,600	\$150,344,100	9.66%	\$1,931,800	\$4,191,400	10.48%
<b>SUU</b>	10,342	8.28%	\$1,656,900	\$74,420,700	4.78%	\$956,300	\$2,613,200	6.53%
<b>SNOW</b>	3,990	3.20%	\$639,200	\$41,615,300	2.67%	\$534,700	\$1,173,900	2.93%
<b>UT</b>	7,866	6.30%	\$1,260,200	\$64,469,100	4.14%	\$828,400	\$2,088,600	5.22%
<b>UVU</b>	23,546	18.86%	\$3,772,200	\$188,583,700	12.12%	\$2,423,200	\$6,195,400	15.49%
<b>SLCC</b>	11,851	9.49%	\$1,898,600	\$128,953,900	8.28%	\$1,657,000	\$3,555,600	8.89%
<b>Total</b>	<b>124,839</b>	<b>100.0%</b>	<b>\$20,000,000</b>	<b>\$1,556,488,700</b>	<b>100.0%</b>	<b>\$20,000,000</b>	<b>\$40,000,000</b>	<b>100.0%</b>



# PRELIMINARY PROPOSED FY 2025 TECHNICAL COLLEGE PERFORMANCE FUNDING REQUEST\*

Institution	2021-22 Annualized Budget FTE*	% of Total	\$ 50% 5,000,000	2023-24 Total State Funded Appropriations	% of Approps	\$ 50% 5,000,000	Eligible Performance Funding Amount	% of Total
<b>BTC</b>	829	14.37%	\$718,400	\$23,177,700	12.86%	\$642,900	\$1,361,300	13.61%
<b>DTC</b>	1,142	19.79%	\$989,600	\$27,458,200	15.23%	\$761,600	\$1,751,200	17.51%
<b>DXTC</b>	444	7.70%	\$384,800	\$20,230,900	11.22%	\$561,100	\$945,900	9.46%
<b>MTC</b>	1,049	18.18%	\$909,100	\$28,011,000	15.54%	\$776,900	\$1,686,000	16.86%
<b>OWTC</b>	939	16.27%	\$813,700	\$24,535,300	13.61%	\$680,500	\$1,494,200	14.94%
<b>SLCC</b>	203	3.51%	\$175,600	\$12,669,200	7.03%	\$351,400	\$527,000	5.27%
<b>Snow</b>	258	4.47%	\$223,600	\$5,279,600	2.93%	\$146,400	\$370,000	3.70%
<b>SWTC</b>	185	3.21%	\$160,300	\$9,214,300	5.11%	\$255,600	\$415,900	4.16%
<b>TTC</b>	237	4.11%	\$205,400	\$8,567,000	4.75%	\$237,600	\$443,000	4.43%
<b>UBTC</b>	186	3.22%	\$161,200	\$13,528,900	7.50%	\$375,200	\$536,400	5.36%
<b>USU</b>	298	5.17%	\$258,300	\$7,600,700	4.22%	\$210,800	\$469,100	4.69%
<b>Total</b>	<b>5,770</b>	<b>100.0%</b>	<b>\$5,000,000</b>	<b>\$180,272,800</b>	<b>100.0%</b>	<b>\$5,000,000</b>	<b>\$10,000,000</b>	<b>100.0%</b>

\*Allocation estimate based on 2021-22 FTE, will be updated by fall of 2023

# DEGREE-GRANTING PERFORMANCE FUNDING PROPOSAL FOR FY 2024 ONGOING FUNDS

Institution	Ongoing FY 2024 Performance Funding Proposal			Ongoing Available by Metric		
	Original FY 2024 Eligible Amount	FY 2024 Earned Metric Amount (Recommended Base Ongoing)	Additional FY 2024 Ongoing Funding Available Based on New Performance Funding Model	Access	Timely Completion	High-Yield
University of Utah	\$10,138,000	\$6,082,800	\$4,055,200	\$1,351,733	\$1,351,733	\$1,351,733
Utah State University	\$7,004,200	\$4,202,500	\$2,801,700	\$933,900	\$933,900	\$933,900
Weber State University	\$3,571,400	\$3,571,400	\$0			
Southern Utah University	\$2,308,400	\$2,308,400	\$0			
Utah Tech University	\$1,928,100	\$1,928,100	\$0			
Utah Valley University	\$5,473,700	\$5,473,700	\$0			
Snow College	\$1,113,900	\$1,113,900	\$0			
Salt Lake Community College	\$3,462,300	\$2,943,000	\$519,300	\$173,100	\$173,100	\$173,100
<b>Total</b>	<b>\$35,000,000</b>	<b>\$27,623,800</b>	<b>\$7,376,200</b>	<b>\$2,458,733</b>	<b>\$2,458,733</b>	<b>\$2,458,733</b>

# ENROLLMENT GROWTH

The Commissioner's office recommends that the Board request enrollment growth funding for degree-granting institutions and technical colleges. Pursuant to legislative intent, growth model methodologies will contemplate net growth across institution course levels.

At current enrollment levels, degree-granting institutions are not expected to qualify for new incremental growth funding. Technical college enrollment counts will be available for use in growth calculations later this fall.

In the 2023 General Session, Southern Utah University was the only degree-granting institution to qualify for enrollment growth funding (\$604,000). Technical colleges will follow a newly adopted growth model in FY 2025. Based on the same growth model as degree-granting institutions.

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# EQUIPMENT

The Commissioner's office recommends that the Board request funding for institution equipment that is needed for growing programs. Institutions shall submit detailed requests to the Commissioner's Office, demonstrating critical needs in this area. Requests may be refined for commensurability with projected state revenue.

In the 2023 General Session, technical colleges received \$3 million in ongoing appropriations for equipment.

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# OTHER SYSTEM PRIORITIES

The Commissioner's office recommends that the Board, at its discretion, identify and consider for prioritization funding needs for any other strategic initiatives that may impact multiple institutions or the System as a whole.

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# CAPITAL REQUESTS

- Dedicated Projects
  - Non-Dedicated Projects
  - Landbank Requests
  - Capital Improvements
-

# HIGHER EDUCATION CAPITAL PROJECTS FUND

## Higher Education Capital Projects Fund Current (FY 24) and Anticipated Status (FY 25)

School	2023 General Session: FY 24			2024 General Session: FY 25		
	Beginning Balance	Allocations		Balance	Base Approp. (e)	Balance (e)
		To Fund	From Fund			
UU	\$15,371,500	\$20,251,300	\$(35,543,000)	\$79,800	\$20,251,300	\$20,331,100
UVU	\$0	\$16,211,200	\$0	\$16,211,200	\$16,211,200	\$32,422,400
USU	\$0	\$13,457,700	\$(13,457,700)	\$0	\$13,457,700	\$13,457,700
SUU	\$0	\$11,533,600	\$(11,533,600)	\$0	\$11,533,600	\$11,533,600
UTU	\$0	\$11,141,800	\$0	\$11,141,800	\$11,141,800	\$22,283,600
WSU	\$0	\$11,389,700	\$(8,332,400)	\$3,057,300	\$11,389,700	\$14,447,000
SLCC	\$9,031,700	\$8,783,200	\$(17,814,900)	\$0	\$8,783,200	\$8,783,200
Snow	\$8,018,200	\$7,921,200	\$0	\$15,939,400	\$7,921,200	\$23,860,600
Total	\$32,421,400	\$100,689,700	\$(86,681,600)	\$46,429,500	\$100,689,700	\$147,119,200

(e) = estimate based on anticipated base budget appropriation

# DEGREE-GRANTING DEDICATED PROJECTS

## **Utah State University: Human Resources Building**

\$4,987,700 Higher Education Capital Projects Fund

\$5,000,000 Institution Funds

**Total Project Cost = \$9,987,700**

-\$9,800 in O&M Income Tax Fund

Request is to demolish and exit the East Campus Office Building, which is at the end of its useful life, and replace it with a new 12,698 sqft building to house USU Human Resource staffing and operations.

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# DEGREE-GRANTING NON-DEDICATED PROJECTS

## **Snow College: Center for Rural Studies and Community Development**

\$23,860,600 Higher Education Capital Projects Fund

\$17,404,400 Income Tax Fund

\$735,000 Institution Funds

**Total Project Cost = \$42,000,000**

\$471,300 in O&M Income Tax Fund

Request is to construct 45,030 sqft of new space to support competency-based education, computer methodology courses, inter-disciplinary studies and rural development outreach, among other activities.

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# TECHNICAL COLLEGE CAPITAL PROJECTS FUND

## Tech Colleges Dedicated Capital Projects Fund Current (FY 24) and Anticipated Status (FY 25)

2023 General Session: FY 24				2024 General Session: FY 25	
Base Approp.	Additional Approps.		Balance	Base Approp. (e)	Balance (e)
	To Fund	From Fund			
\$7,310,000	\$19,310,300	\$(26,620,300)	\$0	\$19,310,300	\$19,310,300
	<i>Mountainland Tech</i>	\$(26,620,300)			

(e) = estimate based on anticipated base budget appropriation

# TECHNICAL COLLEGE NON-DEDICATED PROJECTS

## **Ogden-Weber Technical College: Pathway Building**

\$19,310,300 Technical College Capital Projects Fund

\$60,651,700 Income Tax Fund

Total Project Cost: \$79,962,000

\$630,100 in O&M (ITF)

Request is to construct 121,798 sqft in new building space to support program expansion in business, computer programming, graphic design, real estate, plumbing apprenticeship, and electrical apprenticeship serving an additional 900 students.

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# LANDBANK REQUESTS

## **Southern Utah University: Highway 56 Phoenix Plaza**

\$4,635,000 Income Tax Fund

\$162,600 in O&M (ITF)

Request is to purchase 3.39 acres of classroom and office space nearly adjacent to the main campus. The new space will accommodate graduate and online program administrative staff and the instructional arm of the SUU Aviation Program.

## **Snow College: Nephi Property**

\$2,000,000 Income Tax Fund

Request is to purchase 5.44 acres of undeveloped land contiguous with a 5.0-acre parcel secured through an FY 2024 landbank request in Nephi. Snow College intends to use dedicated project funds in future years to construct buildings on the land and meet the growing education needs of Juab county.

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# RFA PRIORITIZATION REQUIREMENT

SB 146 of the 2023 GS enacted a new requirement for the Board to *provide to the Higher Education Appropriations Subcommittee a prioritization of all projects and proposals for which the Board or an institution of higher education seeks an appropriation.*

The Commissioner's office will be developing institutional guidance and processes for collecting these requests. This will require coordination between legislative reps, budget officers, and other institution leaders to assemble and report.

Expect that the reported items will be de-duplicated and unique from other institutional requests (e.g., performance funding items, any systemwide priorities, etc.)

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UTAH SYSTEM OF  
HIGHER EDUCATION

# Motion

I move to adopt the preliminary fiscal year 2025 budget guidelines and priorities as presented.

# Motion

I move to approve the planning and design for the new baseball stadium capital development project at the University of Utah, with the accompanying requirement that the University of Utah return to the Board in December 2023 for full project approval.



# Motion

I move to appoint the following members to the Utah Education Savings Board of Trustees with terms expiring as follows:

- Dr. Stephen Nadauld, expiring August 31, 2024
- Lisa-Michele Church, expiring August 31, 2025
- Palmer DePaulis, expiring August 31, 2025
- Arthur Newell, expiring August 31, 2026
- Lori Chillingworth, expiring August 31, 2026
- John Lunt, expiring August 31, 2027
- Mark Cain, expiring August 31, 2027

# BOARD POLICY AMENDMENTS BASED ON RECENT LEGISLATIVE CHANGES



UTAH  
SYSTEM OF  
HIGHER  
EDUCATION

# ***R120, BOARD OF HIGHER EDUCATION BYLAWS***

Proposed amendments include:

- Updates to Board membership, quorum, consent calendar, staff, and advisory council provisions based on SB 146 (2023); and
- Non-substantive edits for clarity and consistency with other Board policies.

# ***R121, FUNCTIONS OF THE BOARD OF HIGHER EDUCATION***

The Commissioner recommends repeal of this Board policy as superfluous because the Board's functions and authority, including delegations to boards of trustees and presidents, are already covered by Utah Code Title 53B.

# ***R141, FUNCTIONS OF THE COMMISSIONER OF HIGHER EDUCATION***

Proposed amendments include:

- Updates to the Commissioner's staff provisions based on SB 146 (2023); and
- Non-substantive edits for clarity and consistency with other Board policies.

# R165, *CONCURRENT ENROLLMENT*

Proposed amendments:

- Include updates based on HB 335 (2023) that:
  - Exempt Concurrent Enrollment learning materials from local school board selection;
  - Outline circumstances under which a Local Education Agency (LEA) may contract with a USHE institution outside the service region for Concurrent Enrollment; and

# R165, *CONCURRENT ENROLLMENT*

- Add additional qualifying experience for non-Career and Technical Education (CTE) Concurrent Enrollment courses;
- Incorporate non-substantive edits for clarity and consistency with other Board policies; and
- Merge the Board policy with the required administrative rule so there are no longer two separate rules.

*Approved by Concurrent Enrollment Directors and Chief Academic Officers; reviewed by Presidents.*

# R472, CREDIT FOR PRIOR LEARNING

Proposed amendments:

- Include updates based on HB 234 (2023) and best practices recommended by the Prior Learning Assessment Committee that:
  - Move the determination of minimum scores for International Baccalaureate programs from the faculty to the Legislature;
  - Shift responsibility for training and coordinating prior learning assessment efforts on campuses from the Chief Academic Officer to an institutional Prior Learning Committee, since prior learning assessments run through a different office at some institutions; and



# **R472, CREDIT FOR PRIOR LEARNING**

- Add guidelines on departmental challenge exams and oral exams, as well as add Cambridge A-level Exams to the lists of standardized exams that Faculty Major Committees will review; and
- Make non-substantive edits for clarity and consistency with other Board Policies.

# **R472, CREDIT FOR PRIOR LEARNING**

The Commissioner's office recommends that institutions be directed to implement the changes in time for the 2023 fall semester as required by statute.

*Approved by the Prior Learning Assessment Committee and USHE institution Chief Academic Officers; reviewed by presidents.*

# ***R545, DISCLOSURE OF FOREIGN DONATIONS TO HIGHER EDUCATION INSTITUTIONS***

The amendments:

- Restrict institutions from seeking or accepting funding support from a restricted foreign entity based on changes to Utah Code section 53B-1-202(6);
- Simplify the policy by removing statutory language and referencing the statute; and
- Merge the Board policy with the required administrative rule so there are no longer two separate rules.

*Development Officers, the Business Administrator Committee, and Presidents were given an opportunity to provide feedback.*

# COMMISSIONER'S RECOMMENDATION

The Commissioner recommends:

- The Board to approve the five amended Board policies and repeal Board Policy R121.
- Institutions to be directed to implement the changes to Board Policy R472 in time for the 2023 fall semester.



QUESTIONS?

# Motion

I move to approve the amended Board policies, repeal Board Policy R121, and direct institutions to implement the changes to Board Policy R472 in time for the 2023 fall semester.

# Motion

I move to approve the Consent Calendar.

# OPEN AND PUBLIC MEETINGS ACT

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“THE SUNSHINE LAW”



# Summary of the Open and Public Meetings Act

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- Goals of Sunshine Laws
- Public Policy
- When is OPMA applicable?
- Meetings
- Notice of Meetings
- Agenda
- Minutes and Recordings
- Closed Meetings
- Consequences of violating OPMA.

# GOALS OF SUNSHINE LAWS

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- Gain trust in government
- Prevent corruption
- Provide forum to discuss public issues

# DECLARATION OF PUBLIC POLICY

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- State agencies exist to aid in the conduct of the people's business.
- State agencies must:
  - (1) take their actions openly; and
  - (2) conduct their deliberations openly.

# When is OPMA applicable?

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- GENERAL ANSWER: When public bodies convene meetings.
- Definitions:
  - “Public bodies”
  - “Convening”
  - “Meeting”

# “Public body” means

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1. any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:
  - A. is created by the Utah Constitution, statute, rule, ordinance, or resolution;
  - B. consists of two or more persons;
  - C. expends, disburses, or is supported in whole or in part by tax revenue; and
  - D. is vested with the authority to make decision regarding the public’s business;or
2. any administrative, advisory, executive, or policymaking body of an association, as that term is defined in Section 53G-7-1101, that . . .

# “Meeting” means:

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- the convening of a public body or a specified body, with a quorum present, including a workshop or an executive session, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body or specified body has jurisdiction or advisory power.

## “Convening” means:

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- the calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.
- “Convening” does not include the initiation of a routine conversation between members of a board of trustees of a large public transit if the members involved in the conversation do not, during the conversation, take a tentative or final vote on the matter that is the subject of the conversation.

# A meeting is not

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- a chance gathering;
- a social gathering; or
- other meetings that are specified in the statute.



# Attendance at Meetings

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- Meetings can be held by phone, computer or other electronic means.
- Notice requirements still apply.
- The public must have a means to attend or participate.
- A public body may not hold electronic meetings unless it has adopted a resolution, rule, ordinance governing the use of electronic meetings.

# Public Notice of Meetings

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- A public body must give not less than 24 hours public notice of each meeting.
- This notice must be published on the Utah Public Notice Website and other specified places.
- The notice shall include the meeting:
  - agenda
  - date;
  - time; and
  - place.

# What notice is required when there are emergencies?

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- The OPMA allows for meetings when, because of “unforeseen circumstances, it is necessary for a public body to hold an emergency meeting to consider matters of an “emergency or urgent matter” and the public body:
  - gives the best notice practicable;
  - attempts to notify all members of the public body; and
  - a majority of the members approve of the meeting.

# Agenda Requirements

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- An agenda must be included with the notice.
- The agenda, including all action items, must be stated with “reasonable specificity” to notify the public as to the topics to be considered.
- A topic raised by the public may be discussed even if not included in the agenda.
- Action cannot not be taken on a topic unless the topic is:
  - Listed under an agenda item; and
  - Included in the Notice.

# Minutes Requirements

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- Written minutes and a recording are required of all open meetings.
- Written minutes of an open meeting must include:
  - The date, time, and place of the meeting;
  - The names of the members present and absent;
  - The substance of the matters discussed or decided by the public body;
  - Record of each vote taken;
  - Name of each person who is not a member of the public body and provided testimony or comments to the public body;
  - Substance of testimony or comments provided by the public; and
  - Any other information that is a record of the proceedings that is requested by a member of the public body.

# Recording Requirements

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- Must be complete and unedited.
- Must be properly labeled and identified with the date, time, and place of meeting.

# Closed Meetings

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- OPMA permits closed meetings for:
  - Discussing an individual's character, professional competence, or physical or mental health;
  - Strategy sessions to discuss collective bargaining;
  - Strategy sessions to discuss pending or reasonably imminent litigation;
  - Strategy sessions to discuss the purchase, exchange, or lease of real property;
  - Strategy sessions to discuss the sale of real property;
  - Discussion regarding deployment of security personnel, devices, or systems;
  - Investigative proceedings regarding allegations of criminal misconduct;
  - As it relates to the Utah Higher Education Savings Board, discussing fiduciary or commercial information
- Although a closed meeting is permitted for these matters, a closed meeting is not required.
- In addition, OPMA requires certain meetings to be closed

# Closed Meeting Requirements

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- The public body must first hold a public meeting with proper notice before entering into the closed meeting.
- A quorum must be present.
- 2/3 of the members must vote to close meeting (majority if the meeting is required to be closed).
- A complete and unedited recording of the closed meeting is required, but written minutes are not required.
- The public body must publicly disclose
  - The vote by name of each member;
  - The reasons for holding the closed meeting; and
  - The location of the closed meeting.



# What is forbidden during a closed meeting?

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- A public body must not:
  - Approve any ordinance, resolution, rule, regulation, contract, or appointment.
  - Interview a person to fill an elected position.
  - Take final action, except in case of judicial or quasi-judicial decision.
  - Generally, final votes and decisions must be made during open meeting.

# Consequences of violating OPMA

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- A member of a public body who intentionally violates or intentionally abets or advises a violation of the closed meeting provisions is guilty of a Class B misdemeanor, punishable by a fine not exceeding \$2,500 and confinement of not more than 6 months in jail.
- A court may void any action taken in violation of OPMA. A violation can be “cured” by discussing the voided action and taking a public vote in a subsequent meeting.
- May have to pay court costs and attorney fees.

# Common Violations of OPMA

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- Holding a closed meeting without first voting in an open meeting to close the meeting.
- Failing to provide the required disclosures when going into a closed meeting.
- Conducting a closed meeting for reason other than those permitted by OPMA.
- Taking action in a closed meeting.
- Failing to provide proper notice.
- Failing to describe topics on agenda with reasonable specificity.

# Who can enforce OPMA?

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- County Attorney
- Attorney General
- Private Citizen

If there is a violation of OPMA, how long does a party have to bring an action?

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- 90 days after discovery of the violation.
- 30 days if it involves bonds, notes, or debt.

# Utah State Auditor OPMA Training

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- <https://resources.auditor.utah.gov/s/article/Training-All>