

Utah Board of Higher Education and System Governance

Utah Board of Higher Education Training
September 4, 2025



UTAH
SYSTEM OF
HIGHER
EDUCATION

Overview/Objectives

- Understand the history of higher education governance in Utah
- Understand current expectations for Utah Board of Higher Education governance
- Review the Board's statutory responsibilities and priorities
- Review delegations of authority to institutions
- Review the Utah System of Higher Education, including presidents', trustees', and Board members' responsibilities to the System
- Review recent legislative audits on systemness
- Discuss effective system governance

History of Utah Higher Education Governance

History of Utah Higher Education Governance



Higher Education Act of 1969

- Created the Utah System of Higher Education comprised of Utah's nine public degree-granting colleges and universities
- Implemented centralized higher education governance
- Created the State Board of Higher Education



Higher Education Amendments (1977)

- Renamed State Board of Higher Education to Utah State Board of Regents

History of Utah Higher Education Governance



SB 111, *Higher Education Amendments* (2020)

- Dissolved the Utah Technical College Board of Trustees
- Merged the Utah System of Technical Education into the Utah System of Higher Education (USHE)
- Renamed the State Board of Regents to the Utah Board of Higher Education



SB 146, *Higher Education Governance Amendments* (2023)

- Clarified the Board's governance role, powers, and responsibilities

Key Elements of Utah Higher Education Governance

Through developments in the law, the Utah Legislature has reinforced its intent and expectation that:

1. Utah's public technical colleges, community colleges, and universities operate as a system of higher education; and
2. The Utah Board of Higher Education act as a consolidating governing body with authority over that system.

**Utah Board of Higher Education as a
Consolidating Governing Board
With Authority Over the System**

“The Legislature has deemed the board the **centerpiece of governance for higher education** in the state.”

A Performance Audit of Utah's System of Higher Education Governance, Utah Office of the Legislative Auditor General, 1 (October 2022)

Utah Board of Higher Education as the Governing Board for Institutions

By statute, the Utah Board of Higher Education is the **governing board for institutions** of higher education, and “**controls, oversees, and regulates the Utah System of Higher Education**” consistent with the purpose of Title 53B and the specific powers and responsibilities granted to the Board.

Utah Code 53B-1-402(1)(a)

Consolidating Board Governance Model

By directing the Board to “control, oversee, and regulate” the System, the Legislature has distinguished the Board as a consolidating power.

Features of a consolidating board governance model include:

- A strong and active Board exercising strong statewide control
- Board oversight of most system functions
- Broad Board authority over institutions
- Board delegation of some responsibilities to institutions
- A centralized, unified system of higher education

Statutory Responsibilities and Priorities

Systemwide Vision, Goals, and Policies

- Establish a statewide vision and goals emphasizing *quality, affordability, access & equity, completion, workforce alignment and preparation for high quality jobs, and economic growth*
- Establish system practices and policies that advance the vision and goals

Data, Performance Metrics, and Monitoring

- Establish metrics to demonstrate and monitor performance related to the goals and operational efficiency
- Collect and analyze data including economic data, demographic data, and data related to the metrics
- Govern data quality and collection across institutions

Statutory Responsibilities and Priorities

Institutional Missions and Roles

- Establish, approve, and oversee each institution's mission and role
- Assess an institution's performance in accomplishing its mission and role

Presidential Oversight

- Hire

Executive Committee tasked to:

- Provide support and guidance
- Evaluate based on institution performance and progress toward systemwide priorities
- Establish statewide succession plan for presidents

Statutory Responsibilities and Priorities

Strategic Finance Planning

- Establish comprehensive budget and finance priorities
- Allocate statewide resources to institutions
- Administer state financial aid
- Administer performance funding
- Develop a strategic capital facility plan and prioritization
- Tuition & fee review and adjustment

Program Review and Approval

- Participate in approval and review of programs of instruction that are within the institution's mission and role
- Provide ongoing quality review of programs

Statutory Responsibilities and Priorities

Coordination on Educational Programs

- Coordinate with public education system regarding technical education and public education programs that provide postsecondary credits or certificates
- Coordinate with the Department of Corrections to establish educational programs for inmates

Other Responsibilities

- Consult with Trustees and the president before acting on matters pertaining to the institution
- Maximize efficiency through shared administrative services
- Develop strategies for higher education in rural areas
- Implement education reform initiatives including common applications and direct admissions

Statutory Responsibilities and Priorities

Seamless Articulated Education System

Create and annually report to the Higher Education Appropriations Committee on a seamless articulated education system for Utah students that responds to changing demographics and workforce including by:

- Providing for statewide prior learning assessment
- Establishing and maintaining clear pathways for articulation & transfer
- Establishing degree program requirements and credit limits

Statutory Responsibilities and Priorities

Seamless Articulated Education System Continued

- Aligning general education requirements across degree-granting institutions
- Coordinating and incentivizing partnerships between institutions for program delivery
- Coordinating work-based learning
- Emphasizing system priorities and metrics

Consolidating Board Governance Model

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Delegated Duties to Institutions

The statute requires or authorizes you to **delegate certain responsibilities** to institution presidents and trustees.

Delegated Duties to Institutions

Board Levers for Delegated Duties

Presidents

- Presidential supervision, evaluation, and compensation
- Policy making to set expectations related to delegated responsibilities
- Board's Strategic Plan
- Generally, control over which responsibilities it delegates

Trustees

- Policy making to set expectations related to delegated responsibilities
- Board's Strategic Plan
- Generally, control over which responsibilities it delegates



Delegated Duties to Institutions

Delegated To	Authority	Board Levers
President	Management of an institution § 53B-1-402(2)(n)	<ul style="list-style-type: none">• Presidential supervision, evaluation and compensation• Board's Strategic Plan
President	Grants of power and authority as the Board delegates § 53B-2-106(2)	<ul style="list-style-type: none">• Policy making to set expectations related to delegated responsibilities• Control over which responsibilities its delegates

Delegated Duties to Institutions

Delegated To	Authority	Board Levers
Trustees	Approval of new programs of instruction § 53B-16-102(4)	Policy making to set expectations related to this delegated responsibility
Trustees	Guidance and support for the president § 53B-1-402(2)(m)	Policy making to set expectations related to this delegated responsibility

Delegated Duties to Institutions

Delegated To	Authority	Board Levers
Trustees	Effective administration § 53B-1-402(2)(m)	Policy making to set expectations related to this delegated responsibility
Trustees	The institution's responsibility for contributing to progress on systemwide goals § 53B-1-402(2)(m)	<ul style="list-style-type: none">• Board's Strategic Plan• Policy making to set expectations related to this delegated responsibility

Delegated Duties to Institutions

Delegated To	Authority	Board Levers
Trustees	Other responsibilities as determined by the Board § 53B-1-402(2)(m)	<ul style="list-style-type: none">• Control over which responsibilities are delegated• Policies that set expectations related to delegated responsibilities

Consolidating Board Governance Model

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Higher Education Governance Currently

Through developments in the law, the Utah Legislature has reinforced its intent and expectation that:

1. Utah's public technical colleges, community colleges, and universities operate as a **system of higher education**; and
2. The Utah Board of Higher Education act as a **consolidating governing body with authority over that system**.

Institutions Operating as a System of Higher Education

Utah System of Higher Education

Comprised of the Board and Utah's 16 public technical colleges, community colleges, and universities.



Presidents' Responsibility to the System

Presidents:

- Owe a responsibility first to the System, and then to a particular institution, which is part of the System
(Board Policy R220)
- Manage the institution as part of the Utah System of Higher Education
(Utah Code 53B-2-106(8))
- Exercise power and authority in a manner consistent with the statewide strategic plan for higher education
(Utah Code 53B-2-106(2))

Trustees' Responsibility to the System

Trustees:

- Act on behalf of the institution to perform duties authorized by the Board of Higher Education or by statute.
- Approve a strategic plan that is aligned with:
 - State attainment goals;
 - Workforce needs;
 - Board goals and metrics; and
 - The institution's role, mission, and distinctiveness
- Monitor the institution's progress toward achieving the plan

Utah Code § 53B-2-103(1) and (3) and § 53B-2a-110(1)(f) and (g)

Legislative Audits and Consistent Lack of Systemness



2018 Utah Legislative Performance Audit of Higher Education

- Found trustees had allegiance to the institution, not to the State Board or to the System
- Few trustees saw themselves as acting on behalf of the State Board, although much of what trustees do is delegated from the State Board



2022 Utah Legislative Performance Audit of Higher Education

- Found competition among institutions and lack of collaboration and consolidation
- “Institutional autonomy being at odds with system governance is a thread that persists into the current day.”

Legislative Audits and Consistent Lack of Systemness



2024 Utah Legislative Performance Audit of Higher Education

- “While the Utah Board of Higher Education has improved in exercising system oversight, we found the system is not fully coordinated. For example, institutions are engaging in competitive behavior when some institutions are not positioned to succeed.”
- Found that Utah’s degree-granting institutions are not operating as a system and the Utah Board of Higher Education can provide greater direction, planning, and oversight.
- Found that institution presidents should act with the system in mind to reduce program duplication, improve program outcomes, and coordinate programs offered across the system.

2024 Audit Recommendations on System Governance

- The Utah Board of Higher Education (UBHE) and Office of the Commissioner of Higher Education (OCHE) should promote stronger system coordination by more clearly specifying institution roles and providing stronger oversight of those roles
- UBHE should create a long-term plan outlining the unique roles each degree-granting institution will fulfill over the next 20 years
- UBHE should utilize their audit resources to perform systemwide accountability reviews, ensuring institutions act within their long-term roles and identifying further system efficiencies, including areas where better data systems are needed

Hallmarks of Effective System Governance

- Changing the role of the system board and senior leadership from governing and managing institutions to **providing strategic leadership for the system as a whole to serve students** and link the system capacity to the future economy and quality of life of each of the state's regions.
- Establishing and gaining consensus on **clear measurable system goals and the contributions that individual institutions are expected to make** toward these goals.
- Increasing the autonomy of institutions and management responsibility of presidents while **holding them accountable for performance in terms of system goals and each institution's role and mission**.

Key Takeaways

- The Board is a consolidating governing board with authority over the Utah System of Higher Education.
- Presidents, Trustees, and the Board all owe a responsibility to the System.
- USHE institutions must operate as a unified system of higher education, and the Board is well-positioned through its governance authority to ensure they do.

Questions?

The Role of the Commissioner and Office of the Commissioner

Utah Board of Higher Education Training

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UTAH
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Overview/Objectives

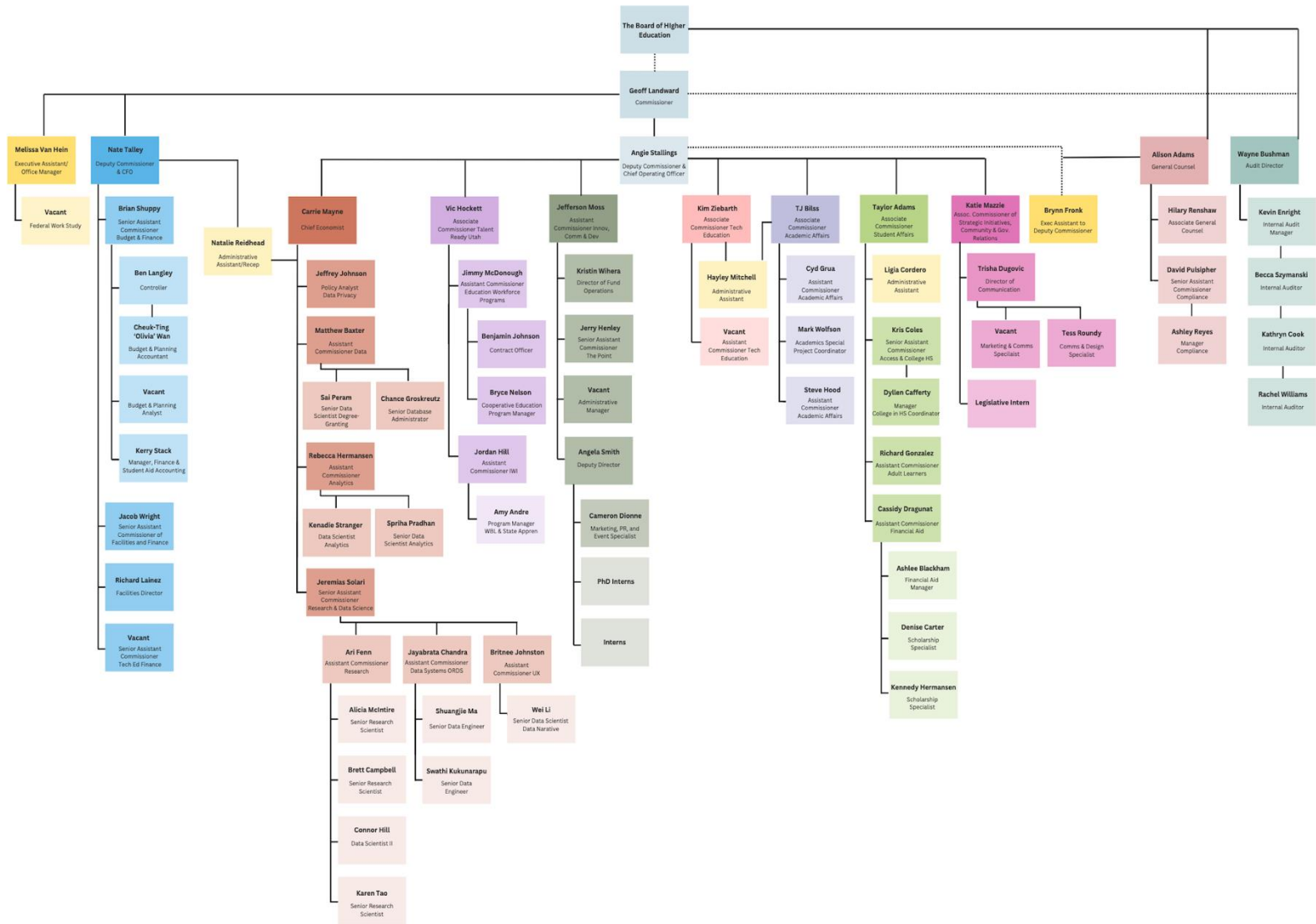
- Understand the Commissioner's role as CEO of the Utah System of Higher Education
- Explore how the Commissioner and the Office of the Commissioner support the Board of Higher Education's governance role

Commissioner as CEO

Commissioner as CEO

- Chief Executive Officer of the Utah System of Higher Education
- Oversees the Office of the Commissioner
- Reports to the Board and supports its governance role

Office of the Commissioner Organizational Chart



Commissioner as CEO

The Commissioner and his office support the Board's governance role through:

Executing on Board's Vision and Priorities

System Leadership

Strategic Collaboration

Executing on Board's Vision and Priorities

Executing on Board's Vision and Priorities

Driving progress
on Board's
Strategic Plan
pillars of Access,
Completion,
Financial Value,
and Economic
Opportunity

Aligning
institutional
strategies with
statewide
objectives

Measuring
impact and
outcomes

Executing on Board's Vision and Priorities

Recent examples of how the Commissioner is working to execute the Board's vision and priorities:

- Reorganizing Commissioner's office functions to support the updated strategic plan and legislative priorities
- Launched Admit Utah and is continuing to invest in direct admission framework
- Implemented current performance funding model and convened work group to gather feedback to the legislature for model revisions

Systemwide Leadership

Systemwide Leadership

Oversight and
evaluation of 16
institution
presidents

Coordination of
Trustee
leadership

Engagement with
institutional
stakeholders

Systemwide Leadership

Recent examples of effective systemwide leadership include:

- Advancing shared services initiatives in commercialization, Title IX, payroll, and employee health benefits
- Overseeing HB 261 Compliance including executing the first Campus Expression Climate Survey at all 16 institutions
- Adopted a systemwide consensus 2025 GS operating budget request
- Rigorously evaluating institutional tuition & fee proposals to inform Board decision-making

Strategic Collaboration

Strategic Collaboration

Engaging with
state leaders and
policy makers on
issues impacting
higher education

Listening and
being responsive
to industry

Developing
regional and
national
partnerships

Strategic Collaboration

Recent examples of strategic collaborations:

- Engaging with state leaders and policy makers on the First Credential Initiative
- Building relationships with executive and legislative leadership
- Through Talent Ready Utah and other initiatives, working to build a highly-skilled workforce responsive to industry needs while providing students with apprenticeships and career opportunities
- Commissioned analysis on Utah employer perspectives on the workforce readiness of USHE graduates
- Serving on the Western Interstate Commission for Higher Education (WICHE) and developing a strong presence with State Higher Education Officers Association (SHEEO)



Questions?