



SUMMARY: Responsibilities and Authority of USHE Governing and Administrative Officers

The Utah System of Higher Education comprises 16 institutions, all with unique missions, but who are also working towards common goals and a unified vision. To ensure the system is efficient, effective, and delivers world-class instruction and research, the Board of Higher Education and institutional boards of trustees must align responsibility and authority. The Utah Legislature and the Board of Higher Education have established the following responsibilities and authorities for the Board, the boards of trustees, presidents, and the commissioner.

UTAH BOARD OF HIGHER EDUCATION	
STATUTORY AUTHORITY	STATUTORY RESPONSIBILITY
53B-1-402(1)(a)	The Board of Higher Education is the governing board for the institutions of higher education, which controls, oversees, and regulates the Utah System of Higher Education in a manner consistent with the purpose of this title and the specific powers and responsibilities granted to the board
53B-1-402(2)(a)	Establish and promote a state-level vision and goals for higher education that emphasize data-driven retrospective and prospective system priorities, including: <ul style="list-style-type: none"> • Quality • Affordability • Access and equity • Completion • Workforce alignment and preparation for high-quality jobs • Economic growth
53B-1-402(2)(b)	Establish system policies and practices that advance the vision and goals
53B-1-402(2)(c)	Establish metrics to demonstrate and monitor: <ul style="list-style-type: none"> • Performance related to the goals and • Performance on measures of operational efficiency
53B-1-402(2)(d)	Collect and analyze data, including economic data, demographic data, and data related to the metrics
53B-1-402(2)(e)	Govern data quality and collection across institutions
53B-1-402(2)(f)	Establish, approve, and oversee each institution's mission and role in accordance with Section 53B-16-101
53B-16-101(3)	The board shall further clarify each institution of higher education's primary role by clarifying: <ul style="list-style-type: none"> • The level of program that the institution of higher education generally offers, in accordance with Subsection 53B-16-102(3) • Broad fields that are within the institution of higher education's mission; and • Any special characteristics of the institution of higher education, such as being a land grant university
53B-1-402(2)(g)	Assess an institution's performance in accomplishing the institution's mission and role
53B-1-402(2)(h)	Participate in the establishment and review of programs of instruction in accordance with Section 53B-16-102
53B-1-402(2)(i)	Perform duties related to an institution of higher education president, including: <ul style="list-style-type: none"> • Appointing an institution of higher education president in accordance with Sections 53B-2-102 and 53B-2a-107 • Through the commissioner and the board's executive committee <ul style="list-style-type: none"> ○ Providing support and guidance to an institution of higher education president

	<ul style="list-style-type: none"> ○ Evaluating an institution of higher education president based on institution performance and progress toward system-wide priorities ○ Setting terms of employment, including performance-based compensation, through an employment contract or another method of establishing employment; and establishing, through a public process, a statewide succession plan to develop potential institution presidents from within the system
53B-1-402(2)(j)	<p>Create and implement a strategic finance plan for higher education, including by:</p> <ul style="list-style-type: none"> ● Establishing comprehensive budget and finance priorities for academic education and technical education ● Allocating statewide resources to institutions ● Setting tuition for each institution ● Administering state financial aid programs ● Administering performance funding in accordance with Chapter 7, Part 7, Performance Funding ● Developing a strategic capital facility plan and prioritization process in accordance with Sections 53B-2a-117 and 53B-2a-118 (commonly referred to as SB 102)
53B-1-402(2)(k)	<p>Create a seamless articulated education system for Utah students that responds to changing demographics and workforce, including by:</p> <ul style="list-style-type: none"> ● Providing for statewide prior learning assessment, in accordance with Section 53B-16-110 ● Establishing and maintaining clear pathways for articulation and transfer, in accordance with Section 53B-16-105 ● Establishing degree program requirement guidelines, including credit hour limits ● Aligning general education requirements across degree-granting institutions ● Coordinating and incentivizing collaboration and partnerships between institutions in delivering programs ● Coordinating distance delivery of programs ● Coordinating work-based learning ● Emphasizing the system priorities and metrics
53B-1-402(2)(l)	<p>Coordinate with the public education system:</p> <ul style="list-style-type: none"> ● Regarding public education programs that provide postsecondary credit or certificates ● To ensure that an institution of higher education providing technical education serves secondary students in the public education system
53B-1-402(2)(m)	<p>Delegate to an institution's board of trustees certain duties related to institution governance, including:</p> <ul style="list-style-type: none"> ● Guidance and support for the institution president ● Effective administration ● The institution's responsibility for contributing to progress toward achieving system-wide goals ● Other responsibilities determined by the Board
53B-1-402(2)(n)	<p>Delegate to an institution of higher education president management of the institution of higher education</p>
53B-1-402(2)(o)	<p>Consult with an institution of higher education board of trustees or institution of higher education president before acting on matters pertaining to the institution of higher education</p>
53B-1-402(2)(p)	<p>Maximize efficiency throughout the Utah system of higher education by identifying and establishing shared administrative services, beginning with:</p> <ul style="list-style-type: none"> ● Commercialization ● Services for compliance with Title IX ● Information technology services ● Human resources, payroll, and benefits administration
53B-1-402(2)(q)	<p>Develop strategies for providing higher education, including career and technical education, in rural areas</p>
53B-1-402(2)(r)	<p>Manage and facilitate a process for initiating, prioritizing, and implementing education reform initiatives beginning with common applications and direct admissions</p>
53B-1-402(2)(s)	<p>Provide ongoing quality review of programs</p>
53B-1-402(6)(c)	<p>The board shall conduct:</p> <ul style="list-style-type: none"> ● At least once every seven years, at least one review of each program of instruction at each institution; and

	<ul style="list-style-type: none"> Annually, a qualitative and quantitative review of academic disciplines across the system, including enrollment, graduation rates, and workforce placement, ensuring that the board conducts a review of all disciplines within the system at least once every seven years.
53B-16-105(5)(a)	<p>Identify technical education programs with common names, descriptions, lengths, and objectives, and <i>within</i> technical education programs, common course names, descriptions, length, and objectives allowing for customization of electives to meet regional industry demand</p> <p>The commissioner shall appoint committees of faculty members from technical education committees to recommend aligned programs and courses that will satisfy graduation requirements.</p>
53B-1-402(2)(t)	Before each annual legislative general session, 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.

BOARDS OF TRUSTEES & THE BOARD OF HIGHER EDUCATION			
STATUTORY GUIDANCE	RESPONSIBILITIES	DELEGATED AUTHORITIES	
		Delegated to Institutional Board of Trustees	Board of Higher Education
Guidance and support for the institution president--	Appointment of a President	Trustees may conduct the first phase of a search and submit finalists to the Board of Higher Education if authorized.	<p>The Board appoints president from among the finalists who serves at the pleasure of the Board.</p> <p>Board sets and adjusts presidential salaries by policy.</p> <p>Board may remove a president.</p>
	Evaluation of Presidents	Trustees establish Key Performance Indicators for presidents and annually evaluate a president's performance based on those KPI except the year a president is subject to a comprehensive evaluation.	<p>Board sets evaluation criteria and procedures for comprehensive evaluations.</p> <p>Board takes appropriate action based on presidential performance and recommendations, using identified benchmarks.</p> <p>Board conducts comprehensive evaluation every four years or if otherwise needed.</p>
The institution's responsibility for contributing to progress toward achieving system-wide goals	Institutional Master Planning, Strategic Planning and Goals	<p>Trustees approve a strategic plan for the institution that is aligned with: state attainment goals, workforce needs, and the institution of higher education's role, mission, and distinctiveness.</p> <p>Trustees set performance metrics in consultation with the Board of Higher Education.</p> <p>Trustees monitor the institution's progress toward achieving the strategic</p>	<p>Board sets and assesses system-wide performance on statewide goals and system performance metrics.</p> <p>Board requires institutions to provide a five-year capital plan, which the Board must approve.</p> <p>Institutions provide ongoing financial reporting.</p>

		<p>plan and report to the Board of Higher Education institutional progress.</p> <p>Trustees approve institutional master plan and associated changes. The trustees submit master plans and changes to the Commissioner's office.</p>	
<p>Effective Administration—In general, the Board of Higher Education will establish general parameters and reporting requirements and delegate day-to-day oversight to trustees and presidents.</p>	<p>Institutional Missions & Roles</p>	<p>Trustees approve institutional missions that align with the institution's role as established in statute and by the Board</p>	<p>Except as institutional roles are specifically assigned by the Legislature, the Board shall establish and define the roles of the institutions of higher education.</p> <p>The Board shall maintain institutional role integrity.</p> <p>Board adopts the institutional mission into policy.</p>
	<p>Institutional Policies/System Policies</p>	<p>Trustees approve institutional policies needed for the effective administration of the institution, ensuring they maintain parameters set by the Board of Higher Education.</p>	<p>The Board establish system policies and practices that advance the vision and goals</p>
	<p>Tuition and Fees</p>	<p>Institutions present tuition and fee needs to trustees; trustees are responsible to verify data supporting requests for increases in tuition or fees.</p> <p>Trustees, based on their assessment of the institution's request and underlying data, recommend tuition and fees increases to the Board.</p>	<p>Board establishes criteria trustees will use in evaluating tuition and fee requests.</p> <p>Board sets criteria and process trustees follow to conduct due diligence for tuition and fee requests.</p> <p>The Commissioner's office assesses whether the trustees have properly assessed the institution's request.</p> <p>Board reviews and may approve trustees' recommendations.</p>
	<p>Budget and Finance Oversight</p>	<p>Trustees establish and oversee internal accounting and operating controls, monitor use of discretionary funds, establish institutional debt policy, and oversee all auxiliary enterprises.</p>	<p>Board sets system parameters in policy and requires necessary reporting on budget and finance. The Board may intervene if institutions exceed parameters or policy.</p>
	<p>Facilities</p>	<p>Trustees may approve construction projects for new facilities less than \$500,000 and remodels or improvements of existing faculties less than \$3,500,000.</p> <p>Trustees may approved non-state funded projects that do not exceed \$5,000,000</p> <p>Trustees may approve property acquisition that does not exceed \$1,500,000. Disposal may not exceed \$1,000,000</p>	<p>Board sets system parameters in policy and requires necessary reporting on facilities.</p> <p>Board must approve capital projects that exceed threshold amounts.</p>

		<p>Trustees may approve capital Leases of less than \$250,000 a year (\$500,000 a year for the U of U).</p> <p>U of U trustees may approve all U of U Hospital/Health Sciences capital projects.</p> <p>Trustees review and may approve requests to submit to the Board for all other capital facilities.</p>	
	Audit	Trustees form the institution's internal audit committee, sets internal audit priorities, review internal audits and report audit findings at least annually to the Board of Higher Education.	Board audit committee identifies areas of risk within the system and prioritizes system audits accordingly.
	Academic Programs	Trustees approve new programs that fit within the institution's mission and role and meet Board of Higher Education criteria, subject to board review for pathway articulation.	<p>The board shall establish criteria for whether an institution of higher education may approve a new program of instruction, including criteria related to whether:</p> <ul style="list-style-type: none"> • the program of instruction meets identified workforce needs; • the institution of higher education is maximizing collaboration with other institutions of higher education to provide for efficiency in offering the program of instruction; • the new program of instruction is within the institution of higher education's mission and role; and • the new program of instruction meets other criteria determined by the board.
	Technical Education Programs	Trustees over technical colleges or institutions with a technical college role approve technical education programs that meet Board of Higher Education criteria.	Board of Higher Education establishes institutional missions and roles and criteria for new programming such as workforce demand. Institutions report all new programs to the Board.
	Program Review		<p>The board shall conduct a periodic review of all new programs of instruction no later than two years after the first cohort to begin the program of instruction completes the program of instruction.</p> <p>The board may conduct a periodic review of any program of instruction at an institution of higher education.</p> <p>The board shall conduct at least once every seven years, at least one review of each program of</p>

			instruction at each institution; and annually, a qualitative and quantitative review of academic disciplines across the system, including enrollment, graduation rates, and workforce placement, ensuring that the board conducts a review of all disciplines within the system at least once every seven years.
	Academic Degree Approval	Trustees review, consider and approve new institutional degree requests (certificates, associate, bachelor's, master's and doctoral), minors and emphases added to approved programs that conform to the institution's role and mission.	The Board of education may consider and approve new degree requests (certificates, associate, bachelors, masters, and doctoral) minors, and emphases added to approved programs that fall outside of the institution's role and mission.
	Research and Training Grants	Trustees approve research and training grant funding on behalf of the Board of Higher Education.	Institutions report grants annually to the Board. Institutions report highlights most impactful research.
	Community Relations/Advancement	Trustees facilitate communication between the institution and the community; assist in planning, implementing, and executing fund raising and development projects; and perpetuate and strengthen alumni and community identification with the institution's tradition and goals.	
	Honorary Degrees	Trustees approve recipients for honorary degrees or recognitions.	

INSTITUTIONAL PRESIDENTS	
ROLE	AUTHORITY
Leadership	<p>An institution of higher education president develops and implements the institution's vision, mission and goals, and manages progress toward achieving institutional aims.</p> <p>The president of each institution of higher education may exercise grants of power and authority to ensure the effective and efficient administration and operation of the institution of higher education.</p> <p>The president also guides the contributions of their institution to the vision, mission and goals of the Utah system of higher education.</p> <p>The president is responsible to lead as part of a larger alliance of institutions whose presidents share a central mission to provide world-class, affordable higher education within the system of higher education. Presidents collaborate with and support each other, the commissioner and the Board for the benefit of all students and Utah.</p>

External Relations	<p>The president serves as the representative of their institution with key stakeholder communities, including but not limited to:</p> <ul style="list-style-type: none"> • Alumni • Private, Foundation and Corporate Donors • State and Federal Legislators and Other Governmental Leaders • Community Members and Non-Profit Partners • Employers, Industry • K-12 Education <p>The president is responsible for effective, high integrity stewardship of both relationships with and resources from external stakeholders.</p>
Faculty and Staff	<p>The president may:</p> <ul style="list-style-type: none"> • Appoint a secretary, a treasurer, administrative officers, deans, faculty members, and other professional personnel, prescribe their duties, and determine their salaries • Appoint support personnel, prescribe their duties, and determine their salaries from the institution of higher education's position classification plan • Where applicable, provide for the constitution, government, and organization of the faculty and administration, and enact implementing rules, including the establishment of a prescribed of tenure • Enact rules for administration and operation of the institution which are consistent with the prescribed role established by the board, rules enacted by the board, or the laws of the state <p>The president may exercise powers relating to the institution's employees, including but not limited to:</p> <ul style="list-style-type: none"> • Furloughs • Reductions in force • Benefit adjustments • Program reductions or discontinuance • Early retirement incentives that provide cost savings to the institution of higher education • Other measures that may provide cost savings to the institution of higher education
Strategic Planning/Master Planning	<p>Presidents develop and execute strategic plans that lead to their institutions achieving institutional and system-wide goals and performance metrics.</p> <p>Presidents develop and maintain an institutional master plans and five-year financial plans associated with the master plans. As part of the master planning process, presidents identify needed capital improvements or new facilities and submit requests and planning to the trustees for approval.</p>
Finance and Budget	<p>The president establishes priorities for fiscal resources in a manner that help the institution achieve institutional goals and objectives and system-wide goals and performance measures.</p> <p>The president oversees the institution's fiscal health, including setting budgetary priorities and requiring efficient and effective use of resources.</p>
Student Success	<p>The president establishes goals and initiatives that encourage student success and well-being, including areas of retention, graduation rates, affordability, safety and mental health, career and academic counseling, and workforce attachment.</p> <p>The president prioritizes, fosters and celebrates a vibrant, challenging and positive learning environment for the institution's students.</p>

COMMISSIONER OF HIGHER EDUCATION

ROLE	AUTHORITY
Leadership	<p>The Commissioner develops and implements the system’s vision, mission and goals, and manages progress toward achieving system aims.</p> <p>The Commissioner shall:</p> <ul style="list-style-type: none"> • Develop system strategic plan. • Ensure that the policies, programs align with the strategic plan and are properly executed. • Furnish information about the Utah system of higher education and make recommendations regarding that information to the Board. • Provide state-level leadership in any activity affecting an institution of higher education. • Develop and provide comprehensive training for Board members and trustees. • Perform other duties assigned by the board in carrying out the board’s duties and responsibilities.
Coordination and Support for Presidents	<p>The Commissioner serves as chair of the council of presidents, the duties of which include coordinating of meeting agendas and Council recommendations to the Board, and facilitating communication and collaboration among the presidents.</p> <p>In consultation with the board's executive committee, evaluate and provide support and guidance to an institution of higher education president</p> <p>The Commissioner facilitates comprehensive presidential performance evaluations on behalf of the Board.</p> <p>The Commissioner may provide leadership, advice and consultation as may be sought by institutional Presidents or directed by the Board.</p>
Audit	<p>The Commissioner is empowered to require information and reports from the institutions.</p> <p>The Commissioner has the authority, after giving due notice to the president, to assign his or her staff to audit records of institutions or otherwise verify data. Such audits shall be in response to Board instructions or to verify compliance with Board policy or applicable law. The Board audit committee shall prioritize the Commissioner’s audits.</p>
System Policy	<p>The Commissioner develops policy that addresses statewide issues impacting the system for the Board to consider and adopt.</p> <p>The Commissioner shall be responsible for interpreting Board policy. The president of any institution may appeal the Commissioner’s interpretation of policy to the Board.</p>
Communication	<p>The Commissioner:</p> <ul style="list-style-type: none"> • Supports the work of individual presidents and serves as a liaison between presidents and the Board. • Directs continuous communication between the colleges and universities, the Board, and the Office of the Commissioner, related to problems and issues of common interest to the Utah System of Higher Education. • Establishes and maintains positive, productive relationships with the Board, the institutional presidents, the boards of trustees, and the legislative and executive branches of state government. <p>The Commissioner, in consultation with the Board and in collaboration with the presidents, shall develop system legislative priorities and strategies related to federal and state legislation and funding impacting higher education.</p> <p>The Commissioner is authorized to advocate on behalf of the Board before the Governor and his or her staff, the Legislature, and other officials and governmental entities.</p>
System Budget and Finance	<p>The Commissioner, in collaboration with the presidents, develops a unified budget request for the system and presents budget priorities for the Board to consider and adopt.</p>

