

USHE Weekly Legislative Report

Sixth Week: March 3-7, 2014

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Commissioner of Higher Education

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This is the sixth weekly report for 2014 on the legislative session from the perspective of the Utah System of Higher Education, for distribution to Regents, Presidents, and Trustees.

2013-2014 Budget. The big news of the week was the continued anticipation of a budget allocating the new revenues announced last week (The base budget was adopted earlier in the session). There is continued speculation of when a budget will get negotiated between the Senate and the House. According to news reports, there appears to still be some significant discussions needed before a final budget takes shape. For additional information:

- [Deseret News](#)
- [KSL](#)
- [Salt Lake Tribune](#)
- [Herald Extra](#)

The Legislative Session will conclude by Midnight, Thursday, March 13. There is still a lot of work to be done on the budget as well as several bills that continue their march through the legislative process. A report on the final week of the session will be prepared by Monday with a final report at the Board of Regents' meeting on March 28.

Key Legislation of Interest to USHE

- **HB 72, Higher Education Grievance Procedure** by Rep. Mark Wheatley, requires the Board of Regents to enact regulations pertaining to an employee grievance. The proposed legislation requires sworn testimony for hearings related to employee demotions and terminations. There are concerns this bill may impact procedures related to faculty tenure. We are working with the sponsor to amend the bill to address these concerns. The bill currently awaits consideration by the full Senate.
- **HB 161, Prohibition on Electronic Data Assistance**** by Rep Marc Roberts, prohibits cooperation with a federal agency that involuntarily collects electronic data. The bill would have had negative implications on higher education's ability to administer programs including federally guaranteed student loans, PELL grants, and the Free Application for Financial Student Aid (FAFSA). The bill failed to advance in the House Revenue and Taxation Committee. A study on the topic is anticipated during the interim after the session.
- **HB 345, Vending Services Operated by Blind Persons**** by Rep. Richard Greenwood, grants the Division of Services for the Blind and Visually Impaired the first right of refusal authority to establish a vending stand or food services enterprise in any public building or on any public property for operation by a blind person, including 4-year higher education institutions. The bill has been returned to the House Rules Committee and has not been prioritized for further consideration.
- **1st Sub. HB 405, Postsecondary School State Authorization*** by Rep. James Dunnigan, modifies requirements for proprietary colleges and universities and allows the Dept. of Commerce to enter into interstate reciprocity agreements on behalf of USHE, alleviating the requirement for institutions to individually enter into such agreements. This provides a more efficient and coordinated process for institutions to offer services in other states (e.g. distance

education). The bill unanimously passed the Senate Business and Labor Committee and awaits consideration by the full Senate.

- **HB 426, Retirement Participation Amendments** by Rep. Don Ipson, requires an entity to continue participation or withdraw in the Utah Retirement System by January 1, 2015. If an entity withdraws, it would be required to pay the actuarial and administrative costs. The sponsor amended the bill exempting higher education institutions and the bill unanimously passed the House Retirement Entities Committee.
- **SB 16, Veterans Tuition Gap Coverage*** by Sen. Luz Robles, provides state funded grants to qualifying military veterans who have maximized federal financial aid benefits. The bill passed the House Economic Development and Workforce Services Committee and awaits final consideration by the full House.
- **2nd Sub. SB 22, Workforce Services Job Listing Amendments***, by Sen. Peter Knudson, requires government entities advertise job openings on the state website, *jobs.utah.gov*. The substitute bill excludes job postings for USHE faculty and student-related positions. The bill awaits consideration by the full House.
- **SB 34, Governance of the Utah Education and Workforce Alliance** by Sen. Howard Stephenson, establishes a multi-agency governing board for the Utah Futures and Utah Data Alliance initiatives, to be administered by the Utah Education Network. The bill passed the Senate Education Committee and awaits further consideration by the full Senate.
- **SB 38 (1st Sub.), Snow College Concurrent Education Program*** by Sen. Ralph Okerlund, Establishes a program that requires Snow College to provide concurrent enrollments courses via interactive video to rural school districts under direction of the Board of Regents. The substitute bill was passed the House Education Committee and awaits consideration by the full House.
- **SB 68, Veterans Centers*** by Sen. Peter Knudson, requires the State Board of Regents to study the feasibility of providing a veterans center or veterans services at each USHE institution as well as develop a plan for implementing those services. The bill passed the House Government Operations Committee and awaits consideration by the full House.
- **SB 80 (1st Sub.), Statewide Online Education Amendments** by Sen. Howard Stephenson, allows a USHE institutions to offer a secondary school level course or a concurrent enrollment course through the Statewide Online Education Program operated by the Utah State Office of Education. The bill passed the Senate Education Committee and is awaiting consideration by the full Senate.
- **SB 151, Religious Freedom Instruction Requirements** by Sen. Stuart Reid, requires, as part of an award of a bachelor's degree, students must demonstrate reasonable understanding of the Establishment Clause and the Free Exercise Clause of the First Amendment to the U.S. Constitution, including religious freedom. The bill has been returned to the Senate Rules Committee and has not been prioritized for further consideration.
- **SB 170 (1st Sub.), Education Loan Amendments** by Senator Peter Knudson, modifies the Utah Consumer Code in relation to student loans limiting garnishments related to student loans provided by private lenders. This bill replaces a previous version that would have negatively impacted USHE institutions as well as the Utah Higher Education Assistance Authority (UHEAA). The bill awaits consideration by the full Senate.

* USHE has taken an official position in support; ** USHE has taken an official position in opposition.

For more information on legislation, committee agendas, or to view or listen to floor debates, see: <http://le.utah.gov/>
Assistant Commissioner for Public Affairs Spencer Jenkins contributed to this report.