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A Primer on Utah's Post-Secondary Education Governance System

A PRIMER ON UTAH'S POST-SECONDARY EDUCATION GOVERNANCE SYSTEM

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Since 1945, leaders, legislators, and community members have relied upon the **illuminating, independent, and nonpartisan public-policy research** produced by the Utah Foundation to support informed decision-making on topics that matter most. As a 501(c)3 with broad community support and a 60-member board, the Utah Foundation exists to empower **civic engagement as the foundation for enhanced quality of life for Utahns.**

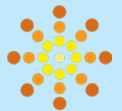
INTRODUCTION

Each state has a unique college governing structure. Utah's is perhaps one of the most unique. In 2023, the Utah Legislature introduced a new board structure to govern public post-secondary education. However, the subsequent replacement of the existing board and the Commissioner's resignation led to a swift change – and perhaps an opportunity.

In addition, post-secondary education may be at a crossroads. Enrollment is expected to stagnate and even decrease in the coming years while institutions simultaneously feel a downward pressure on funding.¹ Therefore, post-secondary governance must remain stable and effective. To achieve this goal, the Utah System of Higher Education must set a path for improved educational outcomes, which will help shape the future for Utahns and the state as a whole.

This report may be used as a guide to better understand post-secondary education governance. The objective of this report is to help facilitate deeper conversations to improve this system.

In addition, it is appropriate to explore how boards can be successful as the Utah System of Higher Education looks toward the future. This report concludes by examining several facets of good board governance and provides suggestions for achieving them.



REPORT HIGHLIGHTS

- Utahns are more likely to have post-secondary education than Americans at large, which benefits households and the Utah economy.
- Post-secondary education governance looks different in every state.
- Utah is the only state with a governing board that appoints a commissioner with the governor's approval.
- The Utah Board of Higher Education oversees 16 disparate institutions, which is more institutions and a greater variety than most of the Mountain States' boards.
- Being a unified system is important as times change and post-secondary education is forced to rise to meet new challenges.
- Within reasonable parameters, there does not necessarily seem to be an objectively right or wrong way to structure a post-secondary education governance system.
- The formula for good board governance is ensuring the right composition of members, focusing on the right issues, and engaging with one another in the right manner.
- The Commissioner's Office should be the key think tank for Utah Legislators and the Utah State of Higher Education Board.

¹ Kem Gardner Policy Institute, "Utah's School- and College- Age Populations," 2022, <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/SchColAgeFS-Dec2022.pdf>.

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POST-SECONDARY EDUCATION

Post-secondary education covers a broad range of credentials. It includes technical certificates and certifications, associate degrees, bachelor’s degrees, graduate and professional degrees, and everything in between. For the purposes of this report, all of these programs are “college.” College includes any additional formal education after high school and should be celebrated at all levels. Educational opportunities in college should build on each other. These credentials are integral to Utahns’ personal and professional development over time.²

College Governance Series

This is the first report of the Utah Foundation’s College Governance Series. This first report is a resource designed to deepen readers’ understanding of post-secondary education governance in Utah. This report also delves into strategies for effective policy formulation and implementation. The second report in the series envisions Utah’s educational future and discusses governance tools to achieve the state’s shared goals.

College Defined

This report defines college as any additional formal education after high school. College in Utah should be celebrated at all levels.

² Utah Foundation, “Bang for Your Buck: Which Utah Schools have the Best Return on Investment,” August 2023, https://www.utahfoundation.org/reports/bang_for_your_buck_return_on_investment/.

Benefits

Post-secondary education benefits households, supports local and national economies, and bolsters quality of life and overall societal outcomes.³ Utah's public post-secondary education system employed an estimated 130,000 people in 2023, making it one of Utah's largest employers.⁴ Public colleges additionally contribute over \$11 billion to Utah's economy.⁵ The students who graduate with certificates and degrees go on to support Utah's workforce, which then generates increased economic activity, earnings, and tax revenue.⁶ See Figure 1.

Household Economics

Education leads to students' personal development, professional development, and job prospects. Accordingly, it is well established that each level of educational attainment correlates with better employment outcomes on average. This means people with higher levels of education tend to have higher wages and lower levels of unemployment. This can be seen in the Utah Foundation's recent report on the return on investment for education beyond high school, showing that it is typically worth the time and effort.⁷ However, that return varies widely depending on the institutions attended, the credentials obtained, and the subjects studied.

Post-secondary institutions are a significant economic engine for the state.

Figure 1: Estimated Economic Contributions to Utah's Economy from Utah's Public Post-Secondary Institutions, 2023

Institution type	Direct value added (GDP)	Total value added (GDP)	% Total value added (GDP)
Research	\$4.3 billion	\$9.3 billion	82.6%
Regional	\$0.7 billion	\$1.4 billion	12.0%
Community colleges	\$0.2 billion	\$0.4 billion	3.5%
Technical colleges	\$0.1 billion	\$0.2 billion	1.9%
Total	\$5.3 billion	\$11.3 billion	100.0%

Source: Kem C Gardner Policy Institute.

3 Utah Foundation, "The 2022 Utah Personal Quality of Life Index Is the Well-Being of Utahns in Decline?" September 2022, www.utahfoundation.org/wp-content/uploads/rr805.pdf.

4 Kem C Gardner Policy Institute, "The Value of Higher Education," Feb 2024, <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/2024/02/HigherEd-PB-Feb2024.pdf>.

5 Ibid.

6 Ibid.

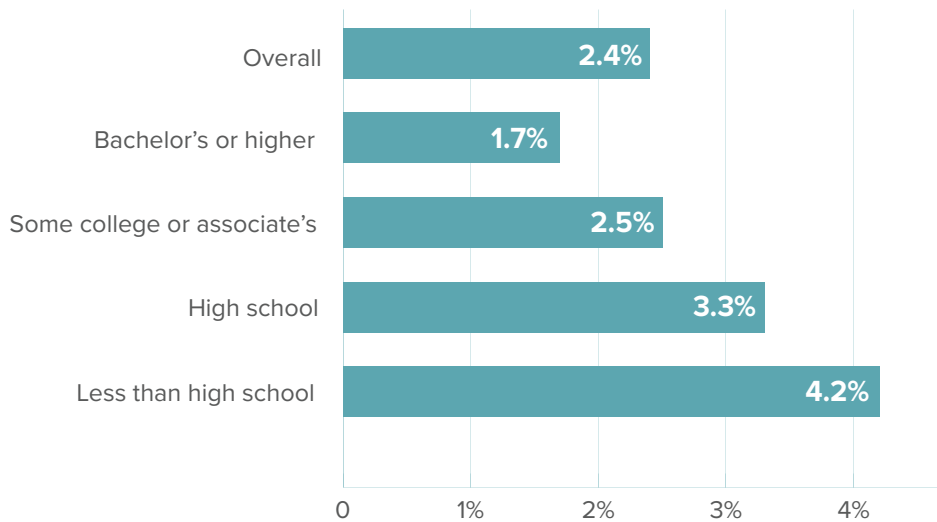
7 Utah Foundation, Bang for Your Buck: Which Utah Schools have the Best Return on Investment, August 2023, https://www.utahfoundation.org/reports/bang_for_your_buck_return_on_investment/.

Post-secondary degrees buffer workers against unemployment and economic downturns.⁸ During the Great Recession from 2007 to 2009, individuals with post-secondary degrees experienced steady employment more often than those without. Following the Great Recession, most net jobs created went to college-educated workers. This trend shows no sign of changing.⁹ The unemployment rate for those who did not attend college tends to be double that of workers with degrees.¹⁰ See Figure 2. The need for post-secondary education opportunities for all Utahns is rooted in “the global shift from an industrial economy to a knowledge economy.”¹¹

Beyond the degree itself, post-secondary education fosters skills, abilities, and knowledge that increase the employability of graduates. A Georgetown University Center on Education and the Workforce study revealed that employers across the labor market seek workers who demonstrate five competencies: communication, teamwork, sales and customer service, leadership, problem-solving, and complex thinking.¹² Post-secondary education workers often hold jobs that utilize these competencies.¹³ Credentials, such as degrees and certificates, have become the “currency for verifying what people know and that they can apply their knowledge and skills.”¹⁴

Post-secondary education credentials can be a buffer against unemployment.

Figure 2: Utah Adult Unemployment Rate by Educational Attainment, 2022



Source: Kem C Gardner Policy Institute.

In addition, individuals with bachelor's degrees report twice the lifetime median earnings of those with only high school diplomas.¹⁵ The difference was even wider for those at the top end of the earnings spectrum for each grouping. The median income for Utahns with a high school diploma is almost \$40,000 per year, compared to \$44,000 with some college or an associate degree, \$59,000 with a bachelor's degree, and \$87,000 with a graduate or professional degree.¹⁶

- 8 Hamilton Project, “Eight Economic Facts on Higher Education,” 2017, https://www.hamiltonproject.org/wp-content/uploads/2023/01/eight_economic_facts_higher_education.pdf.
- 9 Lumina Foundation, “A Stronger Nation: Learning Beyond High School Builds American Talent,” 2022, <https://www.luminafoundation.org/stronger-nation/report/#/progress>.
- 10 Audrey Breitwieser et al., “Eight Economic Facts on Higher Education.” Brookings (blog), April 20, 2017. And Kem C Gardner Policy Institute, Feb 2024, <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/2024/02/HigherEd-PB-Feb2024.pdf>. And Gene Falk et al., “Unemployment Rates During the COVID-19 Pandemic,” 2021, <https://crsreports.congress.gov/product/pdf/R/R46554>.
- 11 Lumina Foundation, op. cit.
- 12 Georgetown CEW, “Workplace Basics: The Competencies Employers Want,” 2020, <https://cew.georgetown.edu/cew-reports/competencies/>.
- 13 Ibid.
- 14 Lumina Foundation, “Today's Credentials,” n.d., <https://www.luminafoundation.org/topics/todays-credentials/>.
- 15 Schanzenbach, Bauer, & Breitwieser, “Eight Economic Facts on Higher Education,” April 20, 2017, <https://www.brookings.edu/research/eight-economic-facts-on-higher-education/>.
- 16 Kem C. Gardner, “The Value of Higher Education,” 2024, <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/2024/02/HigherEd-PB-Feb2024.pdf>.

Beyond Household Economics

Post-secondary education leads to better health outcomes and less likelihood of requiring disability payments in one's lifetime.¹⁷ The National Center for Children in Poverty found that higher levels of parental education decrease the likelihood of their children living in low-income families.¹⁸ Studies have shown that children in low-income households do less well than their peers in terms of cognitive and social-behavioral developmental outcomes, indicating that so much more is impacted by post-secondary education and higher wages beyond labor market outcomes.¹⁹ In fact, the ultimate end goal of the Utah System of Higher Education is to improve Utah's overall quality of life.²⁰

Finally, education focuses on developing a well-rounded individual. For instance, it correlates with community connectedness, volunteerism, and civic engagement.²¹ College opens up students to ways of thinking and experiences to which they may not have otherwise been exposed. Those who have completed degrees report being happier, healthier, and more confident in their future career success.²² See Figure 3.

Are Utahns Measuring Up?

Educational attainment of post-secondary credentials for Utahns ages 25 to 64 exceeds the national average – 62% compared to 54%.²³ In 2022, about 37% of Utahns had bachelor's degrees or higher, while another 10% of Utah students held associate degrees.²⁴ See Figure 4 on the following page.

The Lumina Foundation – a private foundation researching post-secondary education – shows that many people with some college credits but no degree have other high-quality, short-term credentials.²⁵ Lumina emphasizes that

Utahns with degrees report better quality of life than those who do not.

Figure 3: Quality of life metrics for Utah Adults by educational attainment, 2023



Source: Kem C Gardner Policy Institute and Cicero.

17 Oreopoulos & Petronijevic, "Making College Worth It: A Review of the Returns to Higher Education," 2013, <https://www.jstor.org/stable/23409488>.

18 Jiang, Ekono, & Skinner, "Basic Facts About Low-Income Children: Children under 18 Years," 2015, <http://www.nccp.org/publication/basic-facts-about-low-income-children-children-under-18-years-2013/>.

19 Cooper & Stewart, "Does Household Income Affect children's Outcomes? A Systematic Review of the Evidence," 2020, <https://link.springer.com/article/10.1007/s12187-020-09782-0#:~:text=A%20boost%20to%20income%20affects,engagement%20in%20school%2C%20and%20behavior.>

20 Utah System of Higher Education, "Utah Board of Higher Education Strategic Plan," 2021, <https://ushe.edu/board/strategic-plan/>.

21 Kem C. Gardner Policy Institute, "The Value of Higher Education," 2024, <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/2024/02/HigherEd-PB-Feb2024.pdf>.

22 Ibid.

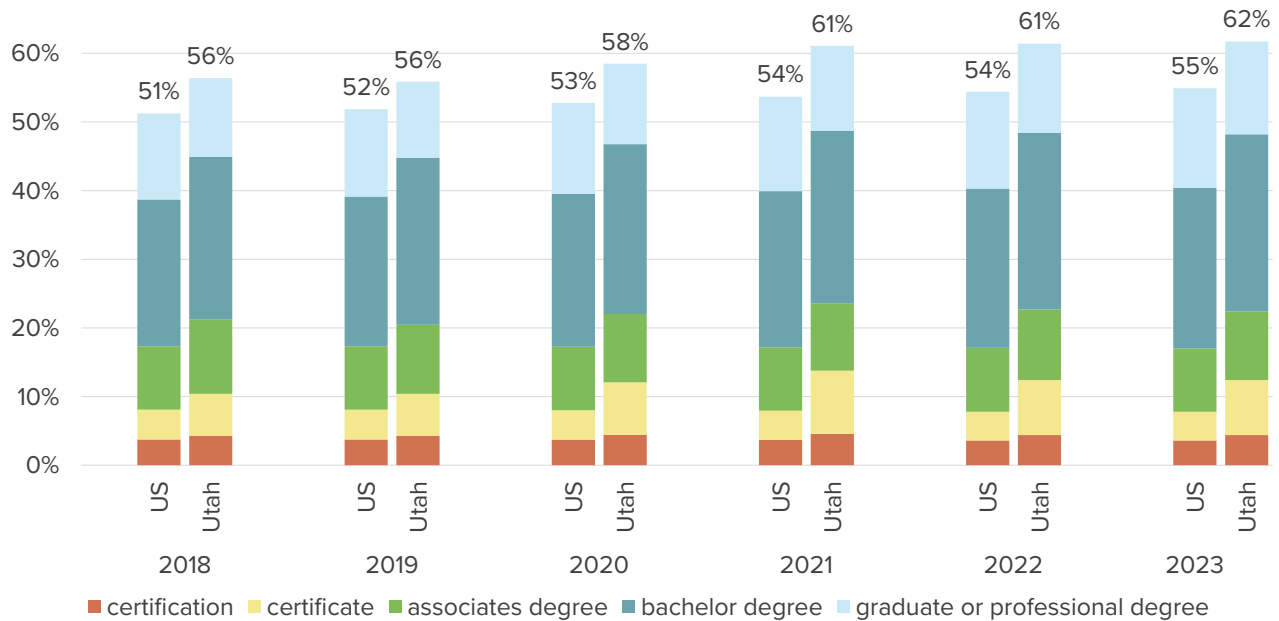
23 Lumina Foundation, "A Stronger Nation: Learning Beyond High School Builds American Talent," 2022, <https://www.luminafoundation.org/stronger-nation/report/#/progress>.

24 Ibid.

25 Ibid.

Utahns are more likely to have post-secondary education than Americans at large.

Figure 4: Post High School Educational Attainment, Ages 25-64, Utah and U.S., 2018-2022



Note: Certificates have been included since 2014 and certifications since 2018.

Source: Lumina Foundation, Utah Foundation analysis.

these credentials are only high-quality if they lead to meaningful employment, serve as a stepping-stone to career advancement, generate higher pay, provide future opportunities, or provide a pathway to continued educational training or lifelong learning.²⁶ An estimated 14% of Utahns hold high-quality, short-term credentials.²⁷

A 2022 survey found a strong belief across racial and partisan lines that post-secondary education can benefit working adults.²⁸ Most of those polled (71%) thought that college helps people be informed and engaged citizens, while 75% said that college would positively impact their ability to earn a good living. While recognizing the benefits of college, most of those surveyed (83%) also acknowledged that college can be cost-prohibitive to low-income students, and 66% thought that colleges did not meet the needs of today's students.

Being better than the national average is perhaps not good enough. The Lumina Foundation sets its goal of building a post-secondary education system on the expectation that "every adult will earn a credential."²⁹ The appropriate amount of college education required to support a local economy will vary from location and time period. However, although college is not for every student, 100% of Utahns should have access to quality education with minimal barriers in their way.

26 Lumina Foundation, "What are Short-term Credentials?," July 1, 2020, <https://www.luminafoundation.org/resource/what-are-short-term-credentials/>.

27 Lumina Foundation, "A Stronger Nation: Learning Beyond High School Builds American Talent," 2022, <https://www.luminafoundation.org/our-work/stronger-nation/>.

28 Public Agenda, "America's Hidden Common ground on Public Higher Education," 2022, <https://publicagenda.org/resource/americas-hidden-common-ground-on-public-higher-education-whats-wrong-and-how-to-fix-it/#:~:text=At%20the%20state%20level%2C%20Americans,be%20positive%20impacts%20on%20their>

29 Lumina Foundation, "A Stronger Nation," 2022, <https://www.luminafoundation.org/stronger-nation/report/#/progress>.

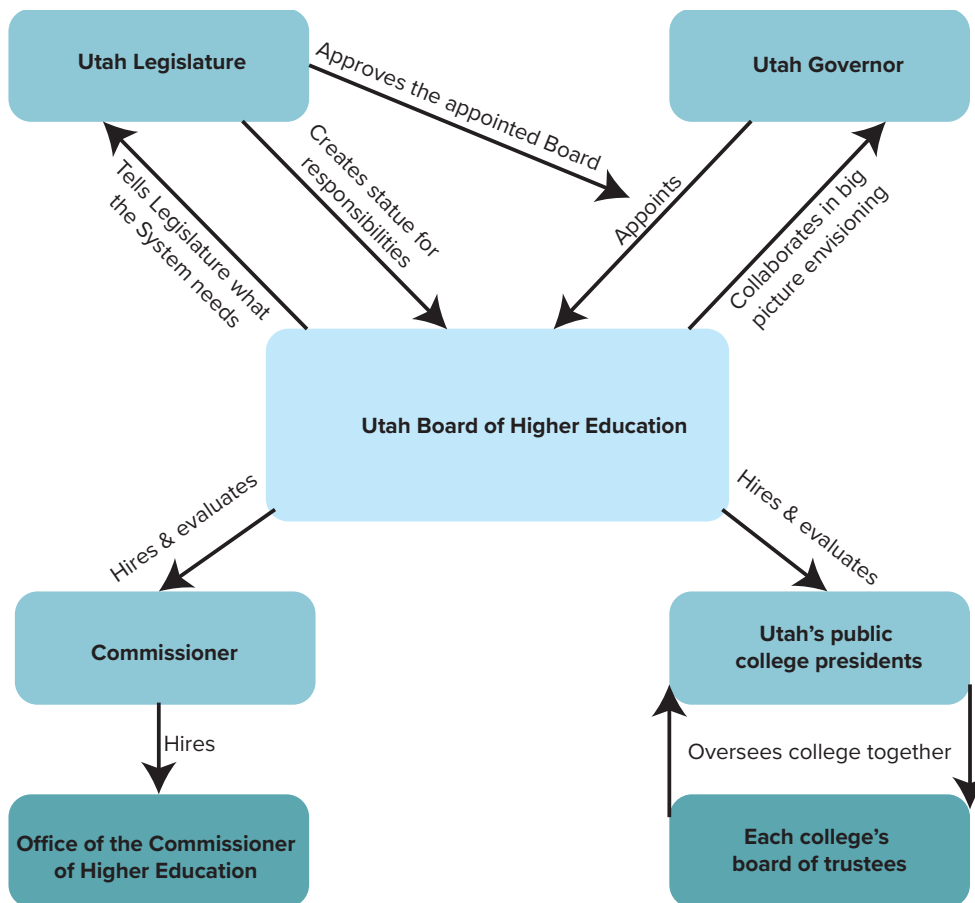
THE SYSTEM

The current Utah System of Higher Education is overseen, controlled, and supervised by a single governing board: the Utah Board of Higher Education.³⁰ “The Board” is composed of ten members. Nine are appointed by the governor for staggered six-year terms, and one is a student member appointed for one year.³¹ The current members were all appointed in June 2023, when the Governor ended all of the former members’ terms.

The Board oversees 16 public colleges: eight technical colleges and eight degree-granting colleges. The Utah State Legislature determines the Board’s roles and responsibilities. Accordingly, the Board must establish and promote state-level vision and goals, monitor and collect data about those goals, oversee each college’s mission, assess each college’s performance in line with their stated mission, assess whether colleges should add additional programs such as master’s degrees, and appoint college presidents.³²

The Board plays a central role in the Utah System of Higher Education.

Figure 5: The Hierarchy of the Utah System of Higher Education



Source: Utah Foundation.

30 Utah State Legislature, “53B-1-402”, 2023, https://le.utah.gov/xcode/Title53B/Chapter1/53B-1-S402.html?v=C53B-1-S402_2023050320230701.

31 Utah System of Higher Education, “About the Board,” 2020, <https://ushe.edu/board/about-the-board/>.

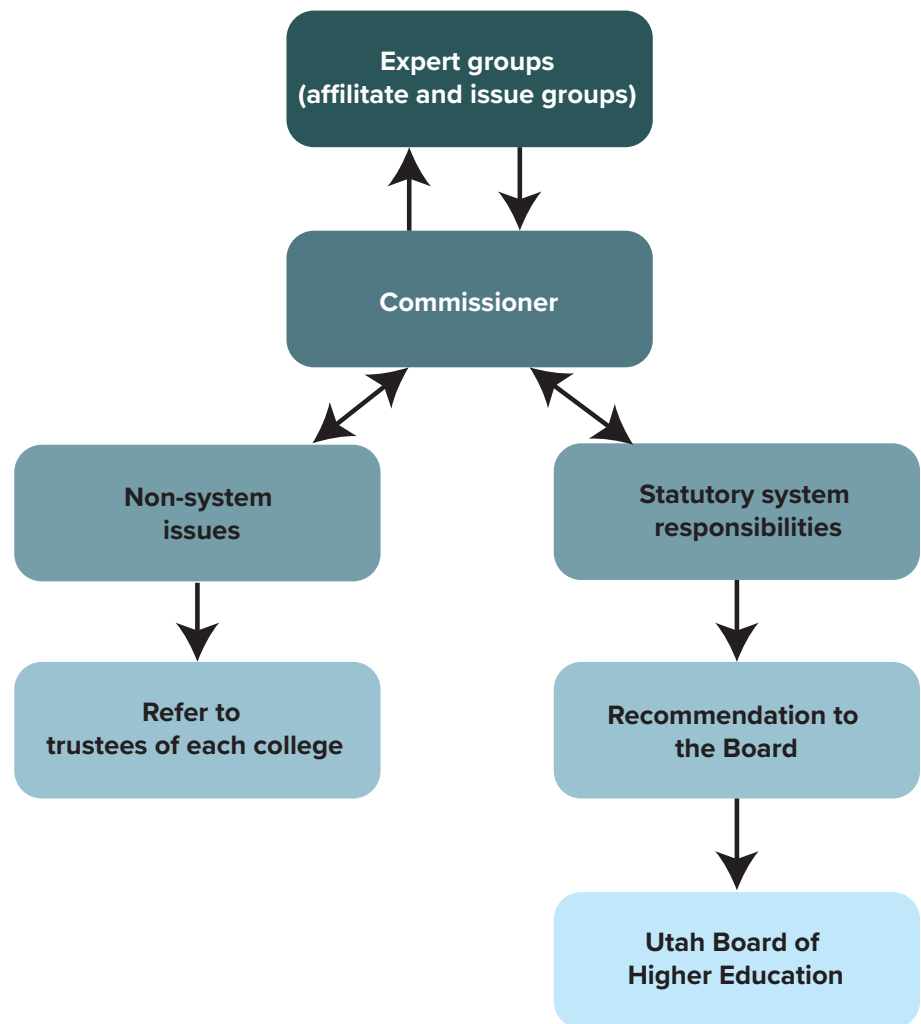
32 Utah State Legislature, op. cit..

The Board is supported by the Office of the Commissioner of Higher Education. Board members work closely with the Utah Legislature, the governor, all 16 public degree-granting and technical college presidents, and each of the 16 college's boards of trustees. See Figure 5 for a representation of how the Board plays a central role in working with all these players, helping them collectively act to achieve individual and systemic goals.

It is important to note that the Board does not have statutory authorization to involve itself in individual colleges' day-to-day operations. Their organizational scope and duties are confined to managing higher-level system-wide decisions and ensuring colleges align with their missions; this includes ensuring that each institution continues to act within its mission.

Most issues can be resolved before reaching the Utah Board of Higher Education.

Figure 6: Workflow Showing How Issues Make Their Way to the Governing Bodies



Source: The Utah System of Higher Education.

The individual college presidents and their institutional boards of trustees manage and coordinate the colleges' day-to-day matters. Boards of trustees manage strategic planning, such as developing a college's mission, strategic goals, and programs.³³ In addition to strategic planning, immediate-term problems inevitably arise that must be institutionally solved. Figure 6 shows the Utah System of Higher Education's workflow and how matters are directed toward the local-level boards of trustees and the broader state-level Board. However, this workflow is not always clear to the system's members.

Given this, the Board ideally works with the college presidents, college boards of trustees, and the Office of the Commissioner of Higher Education to clarify the process for addressing any issues.

To help ensure that institution-level policies, programs, and strategic plans are properly formulated and executed, the Office of the Commissioner of Higher Education assists the Board with expertise and data analysis.³⁴ The Office is staffed by individuals specifically hired for their expertise and institutional knowledge. Longevity and continuity in their positions ideally help to balance the term-limited Board. The Office of the Commissioner often resolves issues before they would be sent to the Board, thus conserving time and effort. This is effective, provided everyone has clarity on their responsibilities and goals. This clarity comes from effective, communicative leadership.

Notably, the commissioner is appointed by the Board with approval from the governor and with the advice and consent of the Utah State Senate.³⁵ Utah is one of only four states with state-level post-secondary boards appointing their commissioners this way. Most state boards (70%) appoint their commissioners without their governor's or legislature's approval.

It is also important to note that Utah's system is complex, overseeing more than 200,000 students in Utah's 16 public degree-granting and technical colleges.³⁶ See Figure 7 on page 10 for the list of 16 colleges by type. Serving on a board that oversees this scale and scope of activity is a complex and consequential task, as properly governing a state educational system is very important.

Note that many of these colleges have a dual mission. For example, Utah Technical College, Utah Valley University, and Weber State University all have a community college role in their communities. Both community colleges, Snow College and Salt Lake Community College, have technical college roles as well. Utah State University also acts as both a community college and a technical college at its satellite locations.

Being part of a system helps each individual part of the system focus on what matters most — from cost saving through not having duplicated programs to each institution being at the top of its role. These benefits can be best seen when all players within the system act as a system.

33 Board Effect, "The Roles and Responsibilities of a Board of Directors for a College or University," 2018, <https://www.boardeffect.com/blog/roles-responsibilities-board-directors-college-university/>.

34 Office of the Legislative Auditor General, "A Performance Audit of Utah's System of Higher Education Governance," 2022, <https://le.utah.gov/interim/2022/pdf/00003988.pdf>.

35 Brown & Heckert, "Membership Report," 2022, <https://sheeo.org/wp-content/uploads/2021/05/MembershipReportFY2022.pdf> and Utah State Legislature, "53B-1-408," 2023, <https://le.utah.gov/xcode/Title53B/Chapter1/53B-1-S408.html>.

36 Utah System of Higher Education, "Headcount," 2024, <https://ushe.edu/institutional-data-resources-headcount/>.

The 16 public colleges throughout Utah often serve multiple purposes and communities.

Figure 7: Utah System of Higher Education Institutions by Type of Institution and Location

College	Research	Regional	Community	Technical
University of Utah	statewide			
Utah State University	statewide		Eastern Utah	Eastern Utah
Southern Utah University		Washington, Kane		
Utah Technical University		Iron, Garfield, Beaver		
Utah Valley University		Utah, Wasatch, Summit	Utah, Wasatch, Summit	
Weber State University		Weber, Morgan, Davis	Weber, Morgan, Davis	
Salt Lake Community College		Salt Lake		Salt Lake
Snow College			Central Utah	Central Utah
Bridgerland Technical College				Box Elder, Cache, Rich
Davis Technical College				Davis, Morgan
Dixie Technical College				Washington
Mountainland Technical College				Utah, Wasatch, Summit
Ogden-Weber Technical College				Weber
Southwest Technical College				Iron, Garfield, Beaver, Kane
Tooele Technical College				Tooele
Uintah Basin Technical College				Daggett, Duchesne, Uintah

Source: Utah System of Higher Education.

Timeline of Utah’s Post-Secondary Education Governance

There have been many changes to the System since it was established in 1969. Understanding the history of post-secondary education – before and since its establishment – is essential for better understanding today.

~1940: The Utah Conference in Higher Education was established to encourage enlistment and support for WWII. Then, the Conference continued to meet once a year until 1974 to discuss prominent issues in higher education.³⁷

1959: The legislature mandated a coordinating council for higher education with an executive director to lead the board.³⁸

1965: The federal Higher Education Act of 1965 sought to provide colleges with greater financial assistance to help make college more affordable and attainable for students.³⁹

1969: In response to the Higher Education Act of 1965, the Utah System of Higher Education was created with a 15-member State Board of Higher Education to govern the nine public institutions. The board appointed a commissioner to serve as its chief executive officer.⁴⁰

1977: An amendment to the Higher Education Act of 1965 renamed the State Board of Higher Education to the Utah State Board of Regents and increased board membership to 16 with a student member.⁴¹

1981: An amendment to the Higher Education Act of 1965 increased the board size to add Utah’s Lieutenant Governor as the 17th member.⁴²

1987: Utah Code 53B-1-103 directed the board to control, manage, and supervise public higher education institutions.⁴³

2001: Utah College of Applied Technology was established by the legislature to govern technical colleges, which were then called applied technology colleges.⁴⁴

2017: Utah College of Applied Technology was renamed the Utah System of Technical Colleges by the Legislature.⁴⁵

2018: Utah’s Legislative Auditor General audited the Utah System of High Education and questioned the power balance between the Board and local boards of trustees at institutions.⁴⁶

2020: The Legislature combined the Utah State Board of Regents and the Utah System of Technical Colleges under a single governing body: the Utah Board of Higher Education. This resulted in an 18-person board.⁴⁷

2022: Utah’s Legislative Auditor General audited the System again and found insufficient governance.⁴⁸

2023: The legislature passed post-secondary education amendments, which changed the board size to 10 members, including a student member.

2023: The Governor dismissed the old board and installed new members with legislative approval.⁴⁹

2024: Utah’s Legislative Auditor General audited the Utah System of Higher Education again and said that governance has improved within the system. However, there is still a need for increased coordination.⁵⁰

37 Newell & Ueyama, “Higher Education in Utah,” n.d., https://www.uen.org/utah_history_encyclopedia/e/EDUCATION_HIGHER.shtml.

38 Ibid.

39 AACRAO, “Higher Education Act,” n.d., <https://www.aacrao.org/advocacy/issues/higher-education-act#:~:text=First%20passed%20in%201965%20to,oversight%20of%20teacher%20preparation%20programs>.

40 Newell & Ueyama, “Higher Education in Utah,” n.d., https://www.uen.org/utah_history_encyclopedia/e/EDUCATION_HIGHER.shtml and Utah State Legislature, “53B—1-408,” 2023, <https://le.utah.gov/xcode/Title53B/Chapter1/53B-1-S408.html>.

41 Weber State University, “Role of Utah State Bboard of Higher Education,” 1983, https://www.weber.edu/ppm/Policies/1-1_Regents.html#:~:text=A%201977%20amendment%20changed%20the,appointment%20of%20a%20student%20member.

42 Ibid.

43 Utah Code, “Title 53B. State of Higher Education,” 2022, https://le.utah.gov/xcode/Title53b/C53B_1800010118000101.pdf.

44 Utah State Legislature, “Utah System of Technical Colleges,” n.d., <https://cobi.utah.gov/2021/51/background>.

45 Ibid.

46 Office of the Legislative Auditor General, “Higher Education Governance by the Board of Regents and the Boards of Trustees Needs Reexamination,” 2018, https://le.utah.gov/audit/18_dilr.pdf.

47 Utah State Legislature, “Utah System of Technical Colleges,” n.d., <https://cobi.utah.gov/2021/51/background>.

48 Office of the Legislative Auditor General, “A Performance Audit of Utah’s System of Higher Education Governance,” 2022, <https://le.utah.gov/interim/2022/pdf/00003988.pdf>.

49 Utah Governor, “Gov. Cox Names New Members to Utah Board of Higher Education,” 2023, <https://governor.utah.gov/2023/05/25/gov-cox-names-new-members-to-utah-board-of-higher-education/>.

50 Office of the Legislative Auditor General, “A Performance Audit of the Utah System of Higher Education,” 2024, https://olag.utleg.gov/olag-doc/2024-22_RPT.pdf.

As the “Timeline of Utah’s Post-Secondary Education Governance” on the previous page illustrates, Utah’s post-secondary education system has drastically changed several times since its inception in 1969, especially since 2020. These changes come from Utah legislators regularly seeking improvement in a system that is Utah’s second-largest general fund budget category.⁵¹

Coordinating Boards and Governing Boards

Post-secondary education governance differs in every state. The most significant difference is perhaps related to whether it coordinates or governs.

The Education Commission of the States identified the primary responsibilities of many post-secondary boards. It categorizes them into coordinating boards or governing boards, the latter of which some experts refer to as consolidating boards.⁵² These two types of boards are defined by their primary responsibilities. Both types of boards typically participate in similar activities, such as approving the missions of the colleges, developing the strategic plan for the system of post-secondary education, and hiring institutional presidents. In addition, both often provide recommendations for policymakers and education leaders, establish performance measures, engage in systemwide policy planning, and approve institutions’ establishment, merging, or closure.

The primary difference between these two board types lies in their level of authority and function. Coordinating boards are often state agencies or departments with limited formal authority over colleges; their role is mainly to coordinate colleges and support state policy leaders with policy guidance and research. In contrast, governing boards generally hold more direct control over the post-secondary education system, managing most of its functions. Governing boards are responsible for tasks such as resource allocation, hiring and firing presidents, and ensuring accountability across the system.⁵³



University of Utah.

51 State Higher education Finance, “State Profile: Utah,” 2023, <https://shef.sheeo.org/state-profile/utah/>.

52 Fulton, “An Analysis of State Postsecondary Governance Structures,” 2019, <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>.

53 State Higher Education Executive Officers Association, Membership Report, 2022, <https://sheeo.org/wp-content/uploads/2021/05/MembershipReportFY2022.pdf>.

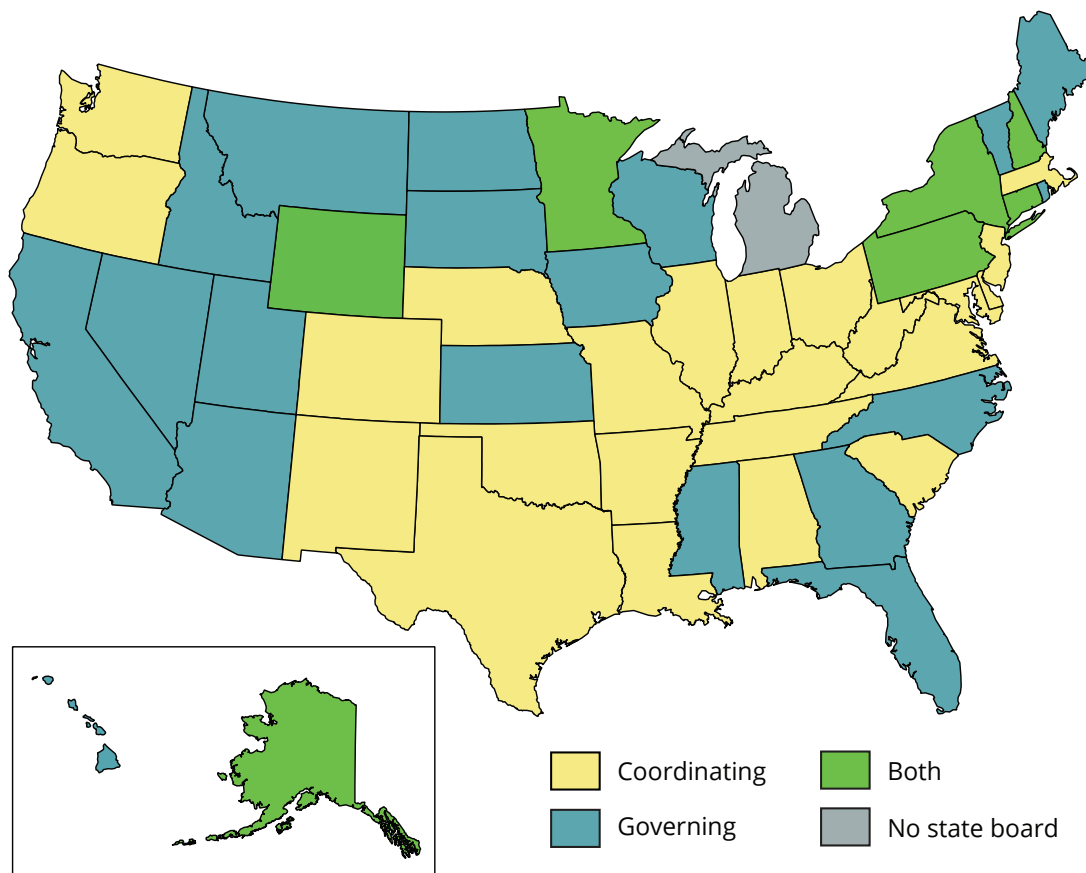
Nationally, 23 states and D.C. have coordinating boards, 19 have governing boards, and seven have both coordinating and governing boards. One state has neither.

As noted, Utah previously had one governing board for degree-granting institutions and one for technical institutions. The Utah Legislature merged them into one governing board in 2020. Like most governing boards, Utah's governing board is established through state statutes.⁵⁴

In addition to post-secondary education governance structures typically operating under a single coordinating board or one or more system governing boards, many colleges have their own boards.⁵⁵ Each Utah institution has its own board of trustees.

Governance looks different in every state and territory in the United States.

Figure 8: Coordinating Boards (24), Governing Boards (19), both (7), and none (1), 2022



Source: State Higher Education Executive Officers Association.

54 Fulton, "An Analysis of State Postsecondary Governance Structures," 2019, <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>.

55 Wyoming Legislative Service Office, "Higher Education Governance," 2020, https://wyoleg.gov/InterimCommittee/2020/04-202006049-01_20SR003_JECUWGovernanceShortReport.pdf.

Part of the challenge for Utah's boards is developing structures and policies fostering appropriate institutional autonomy while maintaining institutions that are responsive to public priorities.⁵⁶ The Board governs, college presidents manage, boards of trustees oversee select statutory issues, and the commissioner acts as the bridge between the two. Effective commissioner leadership should help the system to work together with all colleges aimed at the current and future needs of Utahns and the state.

Viewing the Mountain States can offer a regional perspective on post-secondary governance. Utah and five other Mountain States have governing boards. The average board in the Mountain States has between 10 and 11 members (10.6), and the average term length is 5.75 years. Given this, Utah looks average in the region with the new 10-person board and 6-year term length (though only one year for its student member). This is not to say that a 10-person board with six-year terms is the magic, perfect number.

Whatever the number, if this system is to act like a system, then it should be governed by this board, and the board perhaps should have enough power to move the system along in a coordinated way. See Figure 9 on page 15 for how the Utah System of Higher Education and Board compares to the other Mountain States.

There are various differences between Utah and other Mountain States when comparing systems and other governance details. For instance, Utah is one of only two Mountain States with more four-year institutions than two-year community colleges. Further, Utah is one of two Mountain States that designate technical colleges as separate from the community colleges.

Utah's technical college approach is unique in the Mountain States. Utah's public system offers certificates and certifications at its eight independent technical colleges and the Salt Lake Community College, while most states only include technical college offerings in community colleges. Three of the Mountain States have no system of governance over the technical colleges. Finally, the Board hires Utah's commissioner subject to the governor's approval. Utah is alone in having a governing board that appoints its commissioner, while three states with coordinating boards appoint their commissioners with the governor's approval. Not surprisingly, no post-secondary education system or board in the United States looks the same, and there are likely specific benefits being sought in the formulation of structures across various states.⁵⁷

This system gives the governor significant power since the governor appoints the Board members – with Utah State Senate approval. Then, the Board appoints the commissioner with the governor's approval.

56 McGuinness, "Guidelines for States Considering reorganization of Postsecondary Governance," 2015, <https://www.ecs.org/clearinghouse/01/18/58/11858.pdf>.

57 Fulton, "An Analysis of State Postsecondary Governance Structures," 2019, <https://www.ecs.org/wp-content/uploads/An-Analysis-of-State-Postsecondary-Governance-Structures.pdf>.

How does Utah's board compare to other Mountain States' boards?

Figure 9: Mountain States' Board Details, 2024

State	Board type	Number of members	Term length in years	Number of four-year colleges	Number of two-year colleges	Number of tech colleges
Arizona four-year colleges	Governing ⁵⁸	12	8	3	-	-
Arizona community colleges	(Council) ⁵⁹	-	-	-	10 ⁶⁰	*
Colorado four-year colleges	Coordinating	11 ⁶¹	4	13 ⁶²	-	-
Colorado community colleges	Coordinating	12 ⁶³	4	-	15 ⁶³	3
Idaho	Governing	8 ⁶⁴	5	4 ⁶⁵	4	*
Montana	Governing	7 ⁶⁶	7	12 ⁶⁷	4	*
Nevada	Governing	13 ⁶⁸	6	3 ⁶⁹	4	*
New Mexico	(Advisory) ⁷⁰	12 ⁷⁰	3-4	10 ⁷¹	10	*
Utah	Governing	10 ⁷²	6	6	2	8*
Wyoming four-year colleges	Governing	12 ⁷³	6	1 ⁷⁴	-	-
Wyoming community colleges	Coordinating	7 ⁷⁵	4	-	8 ⁷⁶	*
Median (middle) Mountain State	Governing	11.5	5.5	6	6	8

*These states have community colleges that also act as technical colleges, like Salt Lake Technical College which is under Salt Lake Community College.

58 Arizona Board of Regents, "Regents," n.d., <https://www.azregents.edu/about/leadership/board-members>.

59 AZ Community Colleges, "About the Arizona Community College Coordinating Council," n.d., <https://arizonacommunitycolleges.org/arizona-community-college-coordinating-council/>.

60 Ibid.

61 Colorado Commission on Higher Education, "By-Laws," 2017, https://cdhe.colorado.gov/sites/highered/files/2020-04/cche_bylaws.pdf.

62 World Wide Learn, "Colorado Colleges and Universities," n.d., <https://www.worldwidelearn.com/by-state/colorado/#:~:text=Colleges%20and%20Universities-,Education%20in%20Colorado,354%20private%20occupational%20schools>.

63 Colorado Department of Higher Education, "Search Colleges and Universities," n.d., <https://higher.ed.colorado.gov/Data/InstSelect.aspx?division=DHE>.

64 Idaho State Board of education, "Board Members," n.d., <https://boardofed.idaho.gov/board-facts/board-members/>.

65 Idaho State Board of Education, "Board Governance Structure," n.d., <https://boardofed.idaho.gov/board-facts/board-governance-structure/>.

66 Montana University System, "Board of Regents," n.d., <https://mus.edu/board/index.html>.

67 Montana University System, "Colleges & Universities," n.d., <https://www.mus.edu/system/>.

68 Nevada System of Higher Education, "Guiding the Course of Higher Education in Nevada," n.d., <https://nshe.nevada.edu/regents/>.

69 Nevada System of Higher Education, "Our Institutions," n.d., <https://nshe.nevada.edu/our-institutions/>.

70 New Mexico Higher Education Department, "Higher Education Advisory Board," 2022, <https://hed.nm.gov/about/higher-ed-advisory-board>.

71 New Mexico Higher Education Department, "Your Guide to New Mexico Colleges & Universities, 2019, <https://hed.nm.gov/nm-college-guide/>.

72 Utah System of Higher Education, "About the Board," n.d., <https://ushe.edu/board/about-the-board>.

73 Wyoming Legislative Service Office, "Higher Education Governance," 2020, https://wyoleg.gov/InterimCommittee/2020/04-202006049-01_20SR003_JECUWGovernanceShortReport.pdf.

74 Ibid.

75 Wyoming Community Colleges, "Community College Commissioners," n.d., <https://ushe.edu/board/about-the-board/>.

76 Ibid.

It is essential to understand that with legislative changes over the past several years, the Board has become more of an advisory group. A former Board member noted that the individual institutions are not forced to listen to the Board and have no real incentive to follow the Board beyond the “Utah way” of getting along and past goodwill. The power of the Board has eroded over time. The Board can put together a long-term goal but has no power to fund it. Instead, the Utah Legislature does that. Further, the Board can recommend that institutions align as a system, but for the most part, they can only suggest such alignment. Being a unified system is important to optimize necessary changes across the post-secondary education system.

IMPROVING UTAH’S POST-SECONDARY GOVERNANCE

Utah’s system of post-secondary education has already undergone upheaval, with the appointment of a completely new Board in 2023 and the departure of its Commissioner of four years. Given this, it is appropriate to explore how boards and commissioners can be successful as the Utah System of Higher Education looks toward the future and puts student success at the forefront of its focus.

Governance of a System

Post-secondary education is governed by a “system” in Utah. A system is “a regularly interacting or interdependent group of items forming a unified whole... serving a common purpose.”⁷⁷ In more simple words, a system is individual entities acting together. The System is posed to be one in which the internal pieces work together to create educated Utahns who are prepared for the demands of the workforce and to meet workforce needs. However, some speculate this is not what the current “system” does. Some would argue that Utah does not have a functional system at all.⁷⁸

State post-secondary education systems can be improved through continuous and conscientious discussions. They can be enhanced by focusing on the big picture with an eye on the system’s vision.

Within reasonable parameters, there does not necessarily seem to be an objectively right or wrong way to structure a system of post-secondary education governance. When considering reorganizing, a board and education system should focus on a desired result – not just reorganizing for its own sake.⁷⁹ The National Center for Higher Education Management Systems considers the structure of the governing board to be a means to an end rather than an end in itself.⁸⁰ The National Center guides boards on questions about structure and governance. It frames structure and governance in the broader context of strategic leadership, finance policy, and accountability. It finds that significant systemic changes should be the last alternative when addressing issues within the post-secondary education system.

⁷⁷ Merriam-Webster, “System,” n.d., <https://www.merriam-webster.com/dictionary/system>.

⁷⁸ Utah Foundation discussions with a previous USHE Board member, 2023.

⁷⁹ McGuinness, “Guidelines for States Considering Reorganization of Postsecondary Education,” 2015, <https://www.ecs.org/clearinghouse/01/18/58/11858.pdf>.

⁸⁰ National Center for Higher Education Management Systems, “Higher Education Governance,” n.d., <https://nchems.org/higher-education-governance/>.

The Utah Foundation’s discussion with a former state higher education official suggests that Utah should not “simply replicate a governance structure from another state...(as)...so many factors impacting successful governance are state specific...The structure currently in place is probably fine...(and)...to have it perform optimally in the Utah Constitutional environment will require strong leadership.”⁸¹ Each state has a specific history and set of needs. Therefore, there is no “one size fits all” approach to educational governance.

Furthermore, Utah’s system has already undergone disruption with the appointment of a completely new Board and the departure of its Commissioner of four years. Instead of reorganization, it appears that the way in which a system is employed for student benefit is what makes the difference. Given this, it is appropriate to explore how boards and commissioners can be successful as the Utah System of Higher Education looks toward the future.

Good Board Governance

Given that there appears to be no single model that is ideal for governance, it all comes down to ensuring that the critical elements are in place. According to the Association of Governing Boards of Universities and Colleges, the best formula for good board governance is ensuring that the best composition of people is serving on the board, that the board addresses essential issues, and that the board engages with one another in the most productive way.⁸² In short, the right composition plus the right focus plus the right relationships results in good governance.

Right Composition. The Board needs to be diverse, open-minded, able to hold themselves and each other to an ethical standard, be amenable to persuasion, and be tolerant of dissent.⁸³ Utah’s Board members must also understand what is expected of them and their role within the larger post-secondary education system.

Good board governance relies on these three main factors.

Figure 10: The Equation for Good Board Governance



Source: Association of Governing Boards.

81 Utah Foundation talks with Jimmy Clarke, 2023.

82 Association of Governing Boards of Universities and Colleges, 2018, “An Anatomy of Good Board Governance in Higher Education,” <https://www.flipsnack.com/agbflips/anatomy-of-good-board-governance/full-view.html>.

83 Ibid.

Right Focus. In terms of having the right focus, good Board members are committed to the post-secondary education system and not an individual group of electors, political party, or specific college; each Board member should work to support all students and Utah generally. This part of the good board governance equation requires the board to let the individual colleges focus on day-to-day operations while the Board focuses on the big picture.

In talking with a current state post-secondary education executive officer, it was noted that Board members need to lean into the strategic plan, set that plan, and figure out how to drive that plan.⁸⁴ New Board members need to become knowledgeable about the strategic plan to get on the same page as the rest of the Board. Most importantly, the Board needs to take ownership of the strategic plan.⁸⁵

A prominent CEO and former member of the Board told the Utah Foundation that being on a board can sometimes “turn into a herding-cats exercise.”⁸⁶ This is due to the Board being made up of volunteers who have varying amounts of free time to dedicate to their board duties, and conversely, some Board members have a lot of time and can get too into the weeds on topics that should have been handled at a lower level. However, boards, in general, are not managers but instead are coaches. They should oversee – not micromanage.

Right Relationships. Finally, boards, in general, are part of a larger system, and therefore, board members’ relationships are of utmost importance for good governance. If the members of the Board have hostile relationships with each other or do not communicate effectively with each college’s board of trustees or president, then their work will suffer. Relationships between Board members, trustees, and presidents must be founded on mutual respect and trust. This can lead the Board to have diverse points of view and foster constructive dissent. Then, after deliberation and decision-making, the Board should speak with one voice.⁸⁷

Cooperating with the college presidents is also vital here. In Utah Foundation talks with Utah’s college presidents, one stated that the key to success is in getting to know the college presidents personally and supporting their leadership, as they are the key to success as a board. Another president noted that institutional difference is a cause for celebration, warning that what is good for a large research institution might not be good for a regional college. Differences between colleges need to be embraced by the Board and across all parts of the System.

When considering each institution’s role in getting students to graduate and into the workforce, the Board should organize a way to allow private colleges a seat at the table for long-term planning. System resources go toward System schools. However, not discussing long-term planning with private colleges could mean program duplicity that does not benefit students. Private and public colleges can work together to meet each other’s needs during their long-term planning.

84 Utah Foundation talks with a State Higher Education Officer, 2023.

85 Ibid.

86 Utah Foundation talks with a former USHE Board member, 2023.

87 Association of Governing Boards of Universities and Colleges, 2018, “An Anatomy of Good Board Governance in Higher Education,” <https://www.flipsnack.com/agbflips/anatomy-of-good-board-governance/full-view.html>.

The Systems students do not just transfer in and out of public institutions. A student might start at Westminster University or another private college and then transfer to a state school to save money. Good relationships and coordination between public and private colleges could allow students a more successful college experience.

Good Board Governance. This equation is not a static goal. This is something that the Board members will continuously have to work on and cultivate. Then, as new Board members are instated, the Commissioner’s Office and the Board must train those new members to get them up to speed on the System’s needs and goals. Additionally, as new college presidents and Board of Trustees are instated, they also must be trained to be aligned with the rest of the system. Every member of the system should be trained on commitment to students, program excellence, state economic health, and how to focus on the strategic plan. Good governance is a standard of practice to which a Board and the rest of the System should continuously aspire.

Corporate and Other Organizational Boards

Post-secondary education is not the only sphere in which boards operate. Governing boards in the public and private sectors can provide the following lessons.



Utah State University.

Board Size. Research suggests that the optimal board has eight to ten members.⁸⁸ Utah’s Board has ten members. This number is enough to meet diversity and skill-set expectations, is large enough to spread the workload, and is small enough to promote individualism. A larger board could encourage “group think,” discouraging individual members from thinking for themselves.⁸⁹

However, the Board oversees 16 institutions – and disparate ones at that. This is more institutions and a greater variety than most of the Mountain States’ boards. See Figure 9 on page 15.

Board Interactions. The Harvard Business Review focuses on how the social system of a board is handled. It suggests that to have a high-functioning board, the board members must trust and challenge each other. Members need to establish an environment of respect, trust, and candor.⁹⁰ This creates a board that can share all – even difficult – information. When board members have complete information, they can have dissenting opinions and engage in spirited back-and-forth debates on important topics.

Being able to ask questions is of significant benefit. Members should ask as many questions as they have. Additionally, a culture of open dissent is essential. Some of the highest-performing boards have extremely contentious board meetings and treat no subject as undiscussable.⁹¹

A common issue boards face is having factions develop and members behaving strategically or politically with each other.⁹² A good board chair can avoid factions by building trust, sharing information on time, and dividing political allies when assigning tasks and committees. Polling and performance evaluations that get information on the board can help uncover whether groups are forming and if that is causing any issues. Each Utah Board member might be driving in a different lane, but each must be moving in the same direction.⁹³

Access to Data. Boards must also insist that they receive adequate information to make their decisions. This is where the Commissioner’s Office becomes essential. The office has over 70 staff members who help the Board gather data and information to inform their policy decisions.

Professional Development. Providing a professional development curriculum will help balance board members with various backgrounds. This helps align the Utah Board, each college’s board of trustees, and each college’s president, especially regarding the strategic mission.

Board members should be trained in the following: mission determination, student outcomes, interactions among institutions, selecting and evaluating presidents, and finding ways to use money effectively.⁹⁴

88 Schultz, M, “What is the Optimum Board Size?” 2016, <https://governancetoday.com/news/54111/what-is-the-optimum-board-size>.

89 Sonnenfeld, “What Makes Great Boards Great,” 2002, <https://hbr.org/2002/09/what-makes-great-boards-great>.

90 Ibid.

91 Ibid.

92 Ibid.

93 Utah Foundation discussions with an author who has written extensively on post-secondary education governance, 2023.

94 Utah Foundations talks with a former USHE Board member, 2023.

New board members might not know about these details or know how to assess the System at large. Meeting with the Commissioner's Office and evaluating student and system outcomes data helps with large-scale issues. Meeting with previous board members and learning from their institutional knowledge can be very impactful for new board members and could shorten the learning curve involved in such a complex position.

Professional development should include allowing Board members to spend time on campuses with students and faculty to hear what is going on at the ground level. This does not mean that the Board will attempt to fix minor problems, but they will be able to see how their decisions impact real students.⁹⁵ Past Board members have told the Utah Foundation that visiting campuses was a great way to interact with students and faculty and helped build relationships with the Board and the individual college presidents. These relations did not make them feel partial toward one college or another; instead, they helped build relationships across the whole system.

Conclusion

State post-secondary education systems can be improved through continuous and conscientious discussions and by focusing on a bigger educational and administrative vision. However, continuously modifying the structure of the Utah System of Higher Education might not be an effective solution. Within reasonable parameters, there does not necessarily seem to be an objectively right or wrong way to structure a system of post-secondary education governance. Instead, it seems that how a system is employed for student benefit is what makes the difference.

Not surprisingly, then, the National Center for Higher Education Management Systems considers the structure of the governing board to be a means to an end rather than an end in itself.⁹⁶ The Center guides boards on structure and governance and frames structure and governance in the broader context of strategic leadership, finance policy, and accountability. They find that large systemic changes should be the last alternative when addressing issues within the post-secondary education system. With so many recent changes to the Utah System of Higher Education, all participants must work together to build relationships and processes to help the system work for all students. In short, there is a need to be driving in the same direction.

Continuing with that same metaphor, what kind of vehicle should they be driving in? Many experts suggest that there is no best type of governance system. Just as there is not a correct system of governance, there is no exact right way to run a board. However, the findings in this report can be used by a board, especially a new board with a new commissioner, to get on the right track and help set themselves up for success.

The second report of this series helps readers understand what Utah's educational outcomes could look like in the coming years and how Utah can accomplish them with the help of governance tools. This includes approaches such as performance-based funding, program review, and budgeting – all part of the governance mix to best support Utah's students.

⁹⁵ Utah Foundations talks with a former USHE Board member, 2023.

⁹⁶ National Center for Higher Education Management Systems, "Higher Education Governance," n.d., <https://nchems.org/higher-education-governance/>.



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