



Modernizing Postsecondary Schools Acts

Senate Bill 180S01*

*Effective date January 2024

Senate Bill 180S01 should simplify the law, better protect consumers, and allow for continued innovation in postsecondary education in Utah.

Because postsecondary education is continuously evolving, the laws governing it must also develop. The changes proposed in SB 180-01 reflect a necessary update to current registration standards that level the playing field for institutions while giving students more security as they invest in their future.

The Utah Division of Consumer Protection (Division) enforces the Postsecondary Proprietary School Act (Utah Code § 13-34) and the Postsecondary School State Authorization Act (Utah Code § 13-34a). These statutes were created to address distinct issues in postsecondary education. Their evolution has

created overlapping and confusing standards while leaving gaps in the Division's ability to provide consumer protection to students. This proposal condenses the laws into one statute simplifying regulation, clarifying standards, and closing the gaps in enforcement, the gaps that have allowed some schools to inflict consumer harm.

SB 180-01 applies consumer protection standards to all non-public postsecondary schools. The proposed legislation revises registration and reporting requirements and modernizes the exemptions for each school category.

Updated Registration and Protection Provisions

- Aligns treatment of physical and online schools
- Balances access and innovation with student protections
- Provides more transparency for students through student outcomes disclosures
- Removes unnecessary regulation
- Clarifies Division enforcement authority
- Closes gaps in regulatory gray areas
- Clarifies exemptions from registration (exempt schools no longer file with the Division)¹
- Requires surety bond or proof of financial viability to protect students
- Extends the same consumer protection standards to all non-public postsecondary schools

Accredited Schools

Accreditation is no longer an independent exemption

For-profit & Nonprofits

- New statute doesn't apply to public schools except to obtain state authorization
- Requires two-year registration renewal

Unaccredited Schools

- Clarifies registration requirements
- Requires one-year registration renewal

Exemptions

- Utah public postsecondary schools are exempt
- Other updated exemptions
- Out-of-state NC-SARA member institutions are **exempt unless they have a physical campus in Utah**

¹Please note that some previously exempt schools are no longer exempt.