

January 15, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education

Issue

The policy revision to R207, *Institutional Residences for Colleges and Universities in the Utah System of Higher Education* amends the policy to allow the Regents to augment the previously delegated authority by which institutional Boards of Trustees can approve and oversee the remodeling of existing institutional residences when certain specific conditions are met. The amended policy also provides language clarifying budget reporting requirements related to institutional residences.

Background

The draft policy revisions to R207, *Institutional Residences for Colleges and Universities in the Utah System of Higher Education* include:

- Shortening and simplifying the "Purpose" statement.
- The Construction, Purchase, and Remodeling section (3.3) has been modified to replace "remodeling" with the more descriptive "capital enhancement" term.
- Section 3.3.1. has been updated to allow for an augmented delegation of Regents' authority to Boards of Trustees for capital enhancements (boosted to \$200,000), subject to other applicable state approval processes. It also eliminates the language limiting expansion of the square footage of the home so as "to not exceed 10% of the existing footprint."
- Finally, institutional reporting requirements are clarified in section 3.6; the reports go to the Regents as information items rather than as action items.

Policy Changes

The proposed amendments to R207 are in compliance with Utah state statutes: Utah Code §63A-5-206, Construction, alteration, and repair of state facilities.

Commissioner's Recommendation

The Commissioner recommends that the Regents approve R207, *Institutional Residences for Colleges and Universities in the Utah System of Higher Education*, effective immediately.

David L Buhler
Commissioner of Higher Education

DLB/GLS/WRH/CRW
Attachment

R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education¹

R207-1. Purpose: To provide for a designated institutional residence for each college and university, on or near the respective campuses, appropriate for the functions of the presidential office and the residential requirements of the presidents. The duties of a president require residence on or near the campus so as to permit personal hosting of activities and events and involvement in administrative problems requiring personal and immediate attention.

~~Moreover, the scope of activities is such as to preclude the personal performance of routine repair and maintenance of a residence which may necessarily be larger than the president's private needs require.~~ Provision and maintenance of institutional residences serves the best interests of the institutions, ~~is a convenience to~~ [protects the assets](#) of the Utah System of Higher Education, and reflects generally accepted practice throughout American higher education.

R207-2. References

- 2.1. Utah Code §53B-2-102, Board to Appoint President of Each Institution
- 2.2. Policy and Procedures R205, Presidential Appointment, Term of Office, and Compensation and Benefits

R207-3. Policy

3.1. Functions of an Official Institutional Residence: The Board of Regents shall designate an official institutional residence for each college and university, located on or near the campus, owned and maintained by the institution, and occupied by the President as a condition of employment. Such a residence is considered an institutional resource to be used for the convenience and benefit of the institution. The institutional residence is used by the President as an important extension of the campus in performing the functions of the presidential office. It will be the President's official residence and be used substantially for work-related purposes, both administrative and social. The institutional residence serves as a vital center of social activity important to institutional advancement, where receptions for faculty, staff, students, and guests are held, and where influential visitors, lecturers, performers, potential donors, and others may be hosted.

3.2. Criteria for Designation of Institutional Residences

3.2.1. The Board of Regents, in designating an official institutional residence, shall take into account the type of institution ([research university](#), baccalaureate/[masters degree granting institution college](#), or community college), living standards and cost of housing in the community, ability to meet the president's needs for campus related activities, accessibility to the campus, suitability for family needs, estimated cost or market value, and other appropriate factors.

3.2.2. A report summarizing the facts as to the adequacy and appropriateness of the residence on these points shall be prepared by the Commissioner in consultation with the President, the ~~Chairman~~ of the institutional Board of Trustees, and the ~~Chairman~~ of the Board of Regents. The report will be submitted to both the institutional Board of Trustees and the Board of Regents for

¹ Adopted April 22, 1975; amended June 28, 1979, April 20, 1982, May 15, 1984, and July 17, 1984, replaced February 26, 1988, amended March 25, 1988, August 19, 2005, July 17, 2009 and March 29, 2013.

approval. If approved, the report will be filed in the Office of the Commissioner as evidence of official designation.

3.3. Initial Construction, Purchase, and Remodeling Capital Enhancement: Except as authorized in section 3.3.1 below, ~~¶~~ the costs of initial construction, purchase, and capital enhancement major remodeling, landscaping, and improvements of existing and future institutional residences must have the prior recommendation of the institutional Boards of Trustees and approval of the Board of Regents. Such costs will be financed from sources other than state-appropriated funds unless otherwise specifically authorized by the Board of Regents.

3.3.1 The Regents delegate authority to the institutional Boards of Trustees to approve and oversee the remodeling capital enhancement of existing institutional residences ~~to accommodate the needs resulting from changes in presidents,~~ when the following specific conditions are met:

3.3.1.1. The total cost of ~~improvements and remodeling is governed by Utah Code §63A-5-206, Construction, alteration, and repair of state facilities~~ the capital enhancement project does not exceed \$200,000. The project remains subject to other applicable state approval processes.

3.3.1.2. No state-appropriated funds may be used in the ~~improvements and remodeling capital enhancements.~~

3.3.1.3. ~~Improvements and remodeling~~ Capital enhancement of institutional residences should primarily enhance the purpose of the residence as a campus resource ~~and benefit and also~~ as well as meet the familial needs of the president.

3.3.1.4. ~~Expansion of the square footage of the home may not exceed 10% of the existing footprint and must be consistent with existing architectural features of the home. Institutions engaging in capital enhancement of institutional residences using this delegated authority are required to report, at the next regularly scheduled meeting of the Board of Regents, the amount of the bid accepted and a summary of the work to be performed.~~

3.4. Selling of a Current Institutional Residence: Should the Regents determine that an institutional residence is no longer adequate or suitable to meet the needs of the institution, appropriate appraisals may be obtained, sufficient advertising and bid time allowed, and the residence sold. Revenue from the sale will be applied as designated and approved by the Board of Regents.

3.5. Costs of Maintaining Institutional Residences

3.5.1. Maintenance costs, including utilities, routine care of the residence and grounds, equipment replacement, repairs and improvements, will be borne by the institution. The utility costs covered by this policy include fuel, power, water, sewer, garbage, internet service, cable or satellite television, basic telephone service, and long distance telephone service for institutional purposes. ~~Each president shall be responsible for the costs of personal long distance telephone service, cable television, and any other personal telecommunications service.~~

3.5.2. Domestic assistance serving institutional purposes may be provided as appropriate, and as set forth and approved in the budget in 3.6.

3.5.3. With the approval of the institutional Board of Trustees, furnishings and equipment of a type serving primarily institutionally-related functions of the residence may be provided by the institution and shall remain on the property inventory of the institution.

3.5.4. Fire and liability insurance shall be carried on all institutional residences and property, with the costs being borne by the institutions. Insurance costs on personal belongings shall be paid for by the presidents.

3.6. **Budget Report Approval by to the Board of Regents:** On or before September 15 of each year, the President of each institution shall file submit to the Office of the Commissioner of Higher Education a report summarizing the current fiscal year budgeted expenditures approved by with the Chairman of the institutional Boards of Trustees and the Commissioner of Higher Education a budget for the institutional residences, detailing estimated budgeted expenditures for maintenance costs, custodial and domestic assistance, and insurance, as provided in 3.5. ~~The budget will include a detailed report comparing the This report to be submitted to the Commissioner and to be shared with the Board of Regents as an information item will also include~~ the previous year's actual expenditures along with the budget approved for that year. ~~The Commissioner shall submit the budget to the Board of Regents for approval.~~

~~3.7. Equitable Adjustments for Full Compliance with the Policy: The Board of Regents shall oversee the equitable adjustments necessary to bring about full compliance with this policy.~~

3.8-3.7 Exceptions to Policy: The provisions of this policy shall not apply to the Commissioner of Higher Education. The Board of Regents may provide an equitable housing allowance, or make other equitable and appropriate arrangements, to accommodate the residential housing requirements of the Commissioner or institutional Presidents.