

**STATE BOARD OF REGENTS MEETING
WEBER STATE UNIVERSITY, OGDEN, UTAH
SHEPHERD UNION BUILDING
FRIDAY, MAY 16, 2014**

AGENDA

7:30 – 8:50 AM **BREAKFAST MEETING – STATE BOARD OF REGENTS, WSU BOARD OF TRUSTEES, PRESIDENT WIGHT, COMMISSIONER BUHLER**
Location: Shepherd Union Skyroom (Room 404)

8:30 – 9:00 AM **CONTINENTAL BREAKFAST FOR OTHERS (Shepherd Union Room 321)**

9:00 – 10:30 AM **MEETINGS OF BOARD COMMITTEES**

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Regent France A. Davis, Chair

Location: Shepherd Union Ballroom C

ACTION:

- | | |
|---|-------|
| 1. Revision of Policy R165, Concurrent Enrollment | TAB A |
| 2. Revision of Policy R470, General Education, Common Course Numbering, Lower-Division Pre-Major Requirements, Transfer of Credits, and Credit by Examination | TAB B |
| 3. Salt Lake Community College – Associate of Applied Science Degree in Collision, Maintenance, and Light Repair | TAB C |
| 4. Salt Lake Community College – Associate of Applied Science in Health Information Technology | TAB D |
| 5. StepUP Ready Grants | TAB E |

CONSENT:

Please see the General Consent Calendar at Tab HH.

INFORMATION:

- | | |
|--|-------|
| 1. Report: The Multi-State Collaborative to Advance Learning Outcomes Assessment | TAB F |
| 2. College Access Challenge Grant Annual Report | TAB G |
| 3. StepUp College Open Houses | TAB H |
| 4. Utah Scholars Coaches Pilot | TAB I |

FINANCE/FACILITIES COMMITTEE

Regent Robert S. Marquardt, Chair

Location: Shepherd Union Ballroom A

ACTION:

- | | |
|---|-------|
| 1. USHE – Guidelines for Performance Funding, 2014-15 | TAB J |
| 2. Capital Development Prioritization (CDP) Cycle – Adoption of Priority Guidelines | TAB K |
| 3. Regent Policy R503, “Soft” to “Hard” Money and Report of Faculty on “Soft” Money | TAB L |
| 4. Revision of Policy R510, Tuition and Fees | TAB M |
| 5. Revision of Policy R511, Tuition Disclosure and Consultation | TAB N |
| 6. Revision of Policy R512, Determination of Resident Status | TAB O |
| 7. Revision of Policy R543, Commercial Banking Services | TAB P |
| 8. UHEAA – Authorizing Resolution, SBR Student Loan Revenue Bonds | TAB Q |
| 9. University of Utah Request for Exception to R555 – Competition with Private Sector | TAB R |

****See "Agenda 2" for Tabs S-HH**

- | | |
|--|-------|
| 10. University of Utah – Bonding Authorization for Construction of the Lassonde Living Learning Center, a Health Sciences Parking Structure, Replacement of Auxiliary Related Utilities Infrastructure, and for Refunding Outstanding Commercial Paper Notes and Revenue Bonds | TAB S |
| 11. University of Utah – Outdoor Tennis Court Project Approval | TAB T |
| 12. Utah State University – Acquisition of Property in Moab, Utah | TAB U |
| 13. Utah State University – Real Property Acquisition in Montezuma Creek, Utah | TAB V |
| 14. Utah State University – Design Approval for Romney Stadium Renovation | TAB W |
| 15. UESP – Line of Credit | TAB X |
| 16. USHE – Refining Degree Allocation Within the 2020 Goal | TAB Y |
| 17. USHE – Enrollment Forecasts | TAB Z |

CONSENT:

Please see the General Consent Calendar at TAB HH.

INFORMATION:

- | | |
|---|--------|
| 1. Online Costs for Undergraduates | TAB AA |
| 2. USHE – FY 2015 Capital Improvement Funding Update | TAB BB |
| 3. USHE – Institutions' Health Plan Changes 2014-15 | TAB CC |
| 4. USHE – Building Utah's Future Through Higher Education Report | TAB DD |
| 5. USHE – Budget Framework for FY16 | TAB EE |
| 6. University of Utah – Health Sciences Center (HSC) Master Plan | TAB FF |
| 7. Salt Lake Community College – Westpointe Center Property Acquisition | TAB GG |

10:30 AM – 11:30 PM COMMITTEE OF THE WHOLE
Location: Shepherd Union Ballroom B

- | | |
|--------------------------------|--------|
| 1. Governor Gary Herbert | |
| 2. General Consent Calendar | TAB HH |
| 3. Reports of Board Committees | |
| 4. Resolution | |
| 5. Board Elections | |

11:30 AM – 12:00 PM STATE OF THE UNIVERSITY – PRESIDENT WIGHT
Location: Shepherd Union Ballroom B

12:00 PM – 12:30 PM TRACY HALL SCIENCE CENTER CELEBRATION & GROUNDBREAKING
Location: Stewart Bell Tower Plaza

12:30 – 1:30 PM LUNCH
Location: Stewart Bell Tower Plaza

1:30 – 3:00 PM EXECUTIVE SESSION (Closed Meeting – State Board of Regents)
Location: Shepherd Union Student Senate Room (Room 320)

Projected times for the various meetings are estimates only. The Board Chair retains the right to take action at any time. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify ADA Coordinator, 60 South 400 West, Salt Lake City, UT 84180 (801-321-7124), at least three working days prior to the meeting. TDD # 801-321-7130.

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision of Policy R165, Concurrent Enrollment

Issue

Passage of legislation in the last three sessions necessitates revision of R165 *Concurrent Enrollment*, the Regent policy which governs the state concurrent enrollment program.

Background

The revision of R165 captures changes resulting from passage of SB284 *Concurrent Enrollment Amendments* (2012), SB162 *Concurrent Enrollment Amendments* (2013), and SB38 *Snow College Concurrent Education* (2014). In addition, the revision:

1. Makes changes in this policy consistent with recent changes in the related Regent policy R315 *Regional Service Areas*;
2. Changes policy language so that it mirrors existing statute language, thus making it more consistent in language to Board Rule R277 (the complementary State Board of Education policy on Concurrent Enrollment);
3. Makes terminology consistent throughout the policy (e.g., replacing “public school district or charter” with “local education agency” or LEA); and
4. Updates administrative practices important to include in policy, such as clarifying what is required for the annual contract between USHE institutions and LEAs.

Policy Issues

This revision received input from Concurrent Enrollment program directors. It was reviewed March 27, 2014, by the USHE Chief Academic Officers and has their support. There are no outstanding policy issues.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the revised Regents' policy R165, *Concurrent Enrollment*, effective Summer 2014.

David L. Buhler
Commissioner of Higher Education

DLB/CMG
Attachment

R165-1. Purpose: To establish the principles, guidelines, and processes which govern Utah public higher education institutions when providing concurrent enrollment opportunities to Utah public education students. This policy does not necessarily apply when a [Utah System of Higher Education \(USHE\)](#) institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah, but could be used as a general guide for establishing those types of agreements.

R165-2. References

- 2.1. Utah Code §53A-15-101, Higher Education Courses in the Public Schools—Cooperation between Public and Higher Education
- 2.2. Utah Code §53A-17A-120.5, Appropriation for [Accelerated Learning Programs Concurrent Enrollment](#)
- 2.3. Utah Code §53B-1-103, Establishment of State Board of Regents—Powers and Authority
- 2.4. Utah Code §53B-6-103, Cooperation with Nonmember Institutions Within the State
- 2.5. Utah State Board of Education Rule R277-713, Concurrent Enrollment of High School Students in College Courses
- 2.6. Utah State Board of Education Rule R277-407, School Fees
- ~~2.7. Utah System of Higher Education/Utah State System of Public Education Statement of Performance and Outcomes: Concurrent Enrollment~~
- ~~2.8.2.7. Utah Code §53B-1-109, Coordination of Higher Education and Public Education Information Technology Systems – Use of Unique Student Identifier – Coordination of Concurrent Enrollment Advising~~
- ~~2.9.2.8. Utah Code §53A-1-603.5, Unique student identifier -- Coordination of higher education and public education information technology systems~~
- ~~2.9. Policy and Procedures R315, Service Area Designation and Coordination of Off-Campus Courses and Programs~~
- ~~2.10. Utah Code §53A-3-410, Criminal Background Checks on School Personnel – Notice – Payment of costs – Request for Review~~
- ~~2.11. Utah Code §53B-16-205.5, Snow College Concurrent Education Program~~

R165-3. Definitions

- 3.1. **“Concurrent Enrollment”:** [for state funding and for the purposes of this policy means](#) enrollment by public school students in one or more USHE institution course(s) under a contractual agreement between

¹ Approved January 22, 1988; amended June 10, 2005 and July 28, 2006. Revisions approved May 29, 2009, and November 18, 2011.

the USHE institution and a ~~school district/public school~~ Local Education Agency (LEA). Students continue to be enrolled in public schools, to be counted in average daily membership, and to receive credit toward graduation. They also receive college credit for courses. Concurrent enrollment is distinct from early college admission.

3.2. “Contractual Basis”: a case where a Utah school district and USHE ~~credit-granting higher education~~ institution negotiate a concurrent enrollment annual ~~agreement~~ contract, specifying arrangements for courses and instruction. Contractual basis concurrent enrollment is eligible for state funding through the appropriation for concurrent enrollment authorized under 53A-17A-120.5.

3.3. “Early College Admission”: enrollment in college credit courses by high school students ~~in college courses for credit~~ who are academically prepared and meet college admissions requirements, have left high school prior to graduation and are no longer counted in average daily membership. Concurrent enrollment policies and funding mechanisms do not apply to early college admission enrollment. Early college admission enrollments are reported as regular enrollments by USHE ~~credit-granting~~ institutions.

3.4. “Early College High School”: a public high school, generally affiliated with a college or university, whose academic goal is to assist accelerated students in earning college credit up to an associate degree concurrent with a high school diploma. Students are counted in the average daily membership of the high school. College credit is earned through concurrent enrollment and early college courses. The early college high school negotiates for and pays any applicable tuition and fees for early college courses.

3.4.3.5. “Instructor”: a K-12 public educator who meets adjunct faculty qualifications in a USHE academic department and is approved by that department to instruct a concurrent enrollment course.

3.5.3.6. “Interactive Video Conferencing” IVC: two-way, real-time transmission of audio and video signals between computer equipment at two or more locations.

3.7. “Local Education Agency” LEA: a school board/public school district or public charter school

3.6.3.8. “Non Contractual Basis”: a case where the student continues to enroll full-time in high school but elects at his/her own initiative to pursue college coursework. An agreement is established between the student, parent(s)/guardian, high school administrator, and USHE institution. The student is responsible for all expenses associated with college enrollment. Non contractual enrollments are reported as regular enrollments by USHE ~~credit-granting~~ institutions. Non-contractual basis concurrent enrollment is not eligible for state funding.

3.9. “Snow College Concurrent Education Program” Snow CE: Snow College is to provide a consistent two-year schedule of concurrent enrollment courses delivered through IVC. Snow CE courses are intended to create a pathway for secondary school students, particularly in rural high schools, to earn college credits that apply toward earning an Associate of Science or Associate of Arts degree; or satisfy scholarship requirements or other objectives that best meet the needs of individual students. Snow CE includes advisory support to participating secondary school students and their high school counselors to ensure that students' concurrent enrollment courses align with the students' academic and career goals. The Snow CE program is consistent with policies established by the State Board of Regents for concurrent enrollment as defined in R165 Concurrent Enrollment. Snow CE is funded through the state appropriation designated under 53B-16-205.5.

3.7.3.10. “Student Education Opportunity Plan” (SEOP Plan for College and Career Ready): secondary school process for academic and career planning, facilitated by school counselors with students and their parents or guardians.

3.11. “Technology Delivered Instruction”: student and teacher are separated by physical space, not necessarily by time. Common technology delivered modes of instruction include: broadcast, interactive videoconferencing, or Internet.

3.12. “Technology Intensive Concurrent Enrollment” (TICE): hybrid concurrent enrollment courses having a blend of different learning activities, both in classrooms and on-line. TICE courses include common course assessments and, when possible, utilize open education resources. All USHE institutions may choose to offer TICE courses.

3.13. “Unique Student Identifier” (SSID): an alphanumeric code assigned to each public education student for identification purposes. The SSID is not assigned to any former or current student and does not incorporate personal information including a birth date or social security number.

~~3.8.3.14.~~ **“USHE”:** the Utah System of Higher Education, governed by the Utah State Board of Regents.

3.15. “USHE Institution” (Institution): a credit-granting community college, state college, or university within the Utah System of Higher Education.

~~3.9.3.16.~~ **“USOE”:** the Utah State Office of Education, public education, governed by the State Board of Education.

R165-4. Intent of Concurrent Enrollment: To provide an option for prepared high school students to take courses ~~that earn both high school and college credit. necessary to graduate from high school, and at the student's option, to become better prepared for the world of work or to complete college-level courses~~ Concurrent enrollment courses facilitate completion of a high school diploma while concurrently meeting course requirements corresponding to the first or second year of coursework at a USHE institution, thus leading students toward completion of a post-secondary certificate or ~~a~~ degree.

4.1. High Quality Opportunities: Concurrent enrollment should provide high quality college-level academic and career and technical education opportunities to qualified high school students. ~~This purpose must take precedence over such issues as economic expediency or acceleration of the high school or college experience.~~

4.2. Qualitative Safeguards: It is important that college instruction offered in the high school setting has qualitative safeguards to preserve the rigor and standards of college requirements. In harmony with Regents' policies, the responsibility for qualitative safeguards rests with the USHE institution granting the college credit for thea given course. ~~The USHE /USOE Statement on Performance and Outcomes: Concurrent Enrollment will be adhered to in establishing qualitative safeguards. To help ensure quality, the commonality of instruction and the success of participants, students should be officially enrolled as concurrent enrollment students as specified by the sponsoring institution.~~

4.3 Advanced Placement (AP): ~~It is not the intent of the concurrent enrollment program to compete with or displace the Advanced Placement program.~~

4.3. Participating Institutions: USHE institutions that grant higher education/college credit may participate in the contractual basis concurrent enrollment program, as defined in this policy, provided that such participation shall be consistent with the law and consistent with Utah State Board of Education rules specific to the use of public education funds and rules for public education programs.

4.4. Program Evaluation: The State Board of Education and State Board of Regents shall work in close cooperation in developing, implementing, and evaluating the concurrent enrollment program.

R165-5. Students

5.1. Student Status: Students must be enrolled in a Utah public high school and have high school student status before and throughout enrollment in concurrent enrollment courses. ~~Courses taken by~~ ~~s~~Students who have received a diploma, whose class has graduated from high school, or who have participated in graduation exercises are not eligible to participate in the concurrent enrollment program. Students shall complete ~~reimbursable~~contractual concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises.

5.2. Eligibility Requirements: USHE institutions and ~~local schools~~ LEAs shall jointly establish student eligibility requirements. To predict a successful experience, these requirements may include, among others:

5.2.1. junior or senior standing, sophomores by exception;

5.2.2. a grade point average, ACT score, or a placement score which predicts success (generally considered to be a "B" average or ACT score of 22 or higher);

5.2.3. supportive letters of recommendation;

5.2.4. approval of high school and college officials;

5.2.5. appropriate placement assessments for courses such as mathematics and English; and

5.2.6. completion of institutionally established prerequisites for a course.

5.3. Early College High School Eligibility: The Early College High School Program may enroll students in grades 9 and 10 in concurrent enrollment courses. Eligibility requirements such as those mentioned in section 5.2 apply to Early College students.

~~5.3.5.4.~~ **Identification of Eligible Students:** ~~Local schools~~LEAs have the primary responsibility for identifying students who are eligible to participate in the concurrent enrollment program.

~~5.4.5.5.~~ **Advising:** USHE institutions and ~~high schools~~LEAs shall jointly coordinate advising to prospective or current high school students who participates in the concurrent enrollment program established in Utah Code 53A-15-101. Advising shall include information on general education requirements at ~~higher education~~USHE institutions and how the students can efficiently choose concurrent enrollment courses to avoid duplication or excess credit hours.

~~5.5.5.6.~~ **Tracking Student Achievement:** USHE institutions and ~~districts~~LEAs shall jointly coordinate information technology systems to allow individual student's academic achievement to be tracked through both education systems in accordance with Utah Code 53B-1-109 and 53A-1-603.5.

5.6.1. USOE and USHE shall coordinate access to the SSID of a public education student who later attends an institution within the state system of higher education.

5.5.4.5.6.2. USHE information technology systems shall utilize the SSID of all students who have previously been assigned a unique students identifier.

5.7. Advising Report: Eight weeks after the end of each semester, USHE shall make available to a requesting USHE institution that participates in concurrent enrollment, a report listing each public high school student admitted to a USHE institution who was enrolled in 12 or more credit hours of concurrent enrollment courses per year and completed at least six of those credit hours from that institution. The report shall include:

5.7.1 student's name and SSID;

5.7.2 the student's LEA;

5.7.3 the name of each concurrent enrollment course taken by the student;

5.7.4 the institution where the student enrolled to take each concurrent enrollment course;

5.7.5 the number of credits the student earned in each concurrent enrollment course with a designation that indicates which credits listed in Subsection (5)(a)(v) the student earned at a grade "C" or higher.

R165-6. Courses

6.1. Choice of Courses: The courses chosen to be offered through concurrent enrollment should provide introductory-level coursework in general education, career and technical education, or pre-major college courses. Concurrent enrollment courses must assist students toward earning post-secondary certificates or degrees. Concurrent enrollment may not only include college courses that correspond to include high school courses that are typically offered in grades 9-11 or 10-12. Courses selected should reflect the strengths and resources of the respective schools and USHE-credit-granting institutions and be based on student need. Concurrent enrollment offerings shall be limited to courses in English, mathematics, fine arts, humanities, science, social science, world languages, health, and career and technical education. There may be a greater variety of career and technical education courses.

6.1.1. Early College High School Exception: Early college high schools may offer, for concurrent enrollment, courses typically taught in grades 9 or 10.

6.2. Master List: The Office of the Commissioner of Higher Education (OCHE) and the USOE will jointly approve courses that are added to an institution-specific Concurrent Enrollment Master List-master list. Only courses taken from the master list for a given academic year shall be reimbursed from state concurrent enrollment funds.

6.2.1 Changes to Concurrent Enrollment Master List: USHE institutions, after consultation with LEAs, shall provide the USOE with proposed new course offerings, including syllabi and curriculum materials by November 30 of the year proceeding the school year in which courses shall be offered.

6.3. Number of Courses: In general, concurrent enrollment courses should be limited to a manageable number which allow a focus of energy and resources on quality instruction. The number of courses will be kept small enough to assure coordinated statewide professional development and training activities for participating teachers and transferability of credit from institution to institution.

6.4. Institution Responsibility: Course content, procedures, examinations, teaching materials, program monitoring, and approval to be taught at a high school shall be the responsibility of the appropriate

USHE-~~credit-granting~~ institution, shall be consistent with Utah law, and shall ensure quality and comparability with courses offered on the ~~USHE-credit-granting~~-institution campus.

R165-7. Credit

7.1. Permanent College Transcript: ~~Participation in concurrent enrollment begins a student's college experience and a permanent college transcript. All concurrent enrollment courses registrations and grades are recorded on permanent college transcripts.~~ In contrast to the AP program, where college credit is granted upon successful completion of a national examination and no record is kept on the student's college transcript if the exam is not passed, registration for concurrent enrollment constitutes a commitment to enter the final course grade on the student's permanent college record, regardless of the results. Further, credit is earned by performance and participation throughout the class, rather than by an exit examination alone.

7.1.1. Credit Value: College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the USHE institution where the credits are earned.

7.2. Credit Hours Permitted: Individual students will be permitted to earn up to 30 semester hours of college credits per year through contractual concurrent enrollment. Credits earned in excess of 30 must be on a non contractual basis.

7.3. USHE Credit: Course registration and the awarding of USHE institution credit for concurrent enrollment courses are the ~~provinceresponsibility~~ of USHE ~~credit-granting~~ institutions. ~~Private institutions are not governed by geographic locations but are encouraged to consult with USHE institutions when sponsoring off campus concurrent enrollment programs.~~

7.4. Transferability: Credit earned through the concurrent enrollment program shall be transferable from one USHE-~~credit-granting~~ institution to another. ~~Therefore, transferability should be considered when selecting courses.~~ Students should be encouraged to seek advice from a college academic adviser to make course choices that will meet the student's educational goals.

R165-8. Tuition, Fees, and Other Charges: Regular tuition ~~or-campus~~and fees may not be charged to high school students for participation in this program.

8.1. Admissions Fee: Students may be assessed a one-time admissions application fee per ~~credit-granting~~ institution. Payment of the admissions fee to enroll in concurrent enrollment satisfies the general admissions application fee requirement for a full-time or part-time student at an institution so that no additional admissions application fee may be charged by the ~~credit-granting~~ institution for continuous enrollment at that institution following high school graduation.

8.2. Partial Concurrent Enrollment Tuition: Secondary students may be charged partial tuition up to \$30 per credit hour for each concurrent enrollment course for which the student receives college credit:

8.2.1. A USHE institution may charge a concurrent enrollment student who qualifies for free or reduced school lunch partial tuition of up to \$5 per credit hour;

8.2.2. If a concurrent enrollment course is taught by a public school educator in a public school facility, a USHE institution may charge up to \$10 per credit hour;

8.2.3. If a concurrent enrollment course is taught over interactive video conferencing (IVC), a USHE institution may charge up to \$15 per credit hour;

8.2.4. If a concurrent enrollment course is taught on a USHE campus, a USHE institution may charge up to \$30 per credit hour.

8.2.5. The State Board of Regents shall annually report to the Legislature's Higher Education Appropriations Subcommittee on any partial tuition charged pursuant to Subsection (9)(c).

~~8.2.8.3.~~ **Fee Waivers:** Concurrent enrollment program costs attributable only to USHE credit or enrollment are not fees and as such are not subject to fee waiver under public school rule R277-407. All students' costs related to concurrent enrollment classes, which may include consumables, lab fees, copying, and material costs, as well as textbooks required for the course, are subject to fee waiver consistent with R277-407. The ~~school district/school~~ LEA shall be responsible for these waivers. The agreement between the USHE ~~credit-granting~~ institution and the district may address the responsibility for fee waivers.

R165-9. Location and Delivery: Concurrent enrollment courses shall be offered at the most appropriate location using the most appropriate delivery method educational technology for the course content, the faculty, and the students involved. Instruction may be delivered through live classroom instruction or telecommunications. Instruction normally occurs during the school day with students released from regular high school coursework to participate in concurrent enrollment.

9.1. Students within Commuting Distance: Qualified students residing within commuting distance of a USHE credit-granting institution ~~are encouraged to~~ may pursue their concurrent enrollment study on the institution campus with approval from their LEA. ~~However, this does not preclude high school programs within that area.~~

~~9.2. — Students Not within Commuting Distance:~~ Qualified students not residing near a USHE credit-granting institution may be provided college instruction in their local high school or other appropriate sites using the most current available education technology, visiting regular college faculty, or approved adjunct college faculty.

~~9.3.9.2.~~ **First Right of Refusal Designated Service Region Delivery:** ~~The local USHE institution will be given the first opportunity to provide the concurrent enrollment course. Each USHE institution has the responsibility for offering concurrent enrollment courses within their designated service region per Regents' Policy R315. If the local institution chooses not to offer the approved a concurrent enrollment course, a LEA may ask another USHE institution may be invited to provide the course. The local USHE institution should respond to requests in a reasonable time frame.~~

~~9.4.9.3.~~ **Exceptions to Geographic Service Delivery Right of First Refusal:** ~~Courses delivered through technology are exceptions to the geographic service area concept. A LEA shall contact the USHE institution with responsibility for that LEA's service region. The USHE institution shall indicate in writing whether it will offer the requested course within 60 days of the LEA contact and request.~~

9.3.1. Exception for Technology Delivered Courses: Concurrent enrollment courses delivered through technology are not subject to designated service region requirements. However, to ensure efficient and effective use of state resources, institutions desiring to deliver technology delivered courses outside their designated service region must receive a written endorsement from the local institution for each course they desire to offer before contracting with LEAs outside their designated service area. An annual system review of technology delivered courses shall be completed prior to November 30 of the year proceeding the school year in which courses shall be offered.

R165-10. Faculty: ~~College courses are taught for concurrent enrollment credit by college or university faculty or by public school educators who meet adjunct instructor qualifications (instructor).~~

10.1. Selection of Adjunct Faculty: ~~Nomination-Identification of adjunct faculty instructors for concurrent enrollment courses~~ is the joint responsibility of the participating ~~local school district(s) LEAs~~ and the participating USHE ~~credit-granting~~ institution. Selection criteria for ~~adjunct faculty instructors teaching concurrent enrollment courses~~ should be the same as those criteria applied to other adjunct faculty appointments in specific departments ~~within the USHE institution~~. Final approval of the adjunct faculty will be determined by the appropriate department at the ~~institution college or university, at the USHE credit-granting institution~~. ~~Instructors shall be approved by the USHE institution prior to teaching concurrent enrollment class.~~

10.2. Criminal Background Checks: USHE ~~faculty or~~ adjunct faculty who are not ~~K-12 teachers public school educators~~ and who have significant unsupervised access to K-12 students ~~and instruct in the concurrent enrollment program defined under this policy~~ shall complete a criminal background check ~~consistent with Utah Code 53A-3-410~~.² The ~~faculty or~~ adjunct faculty employer shall have responsibility for determining the need for criminal background checks consistent with the law and for satisfying this requirement and shall maintain appropriate documentation.

10.3. Faculty Development: ~~High school teachers who hold adjunct faculty status with a USHE institution for the purpose of teaching concurrent enrollment courses~~ ~~Concurrent enrollment instructors~~ should be included as fully as possible in the academic life of the supervising academic department. USHE institutions jointly with ~~secondary schools LEAs~~ shall initiate faculty development and share expertise in providing ~~in-service training professional development~~, including appropriate workshop experiences prior to offering ~~of concurrent enrollment courses, on-site monitoring, and continuing education in the content area to adequately prepare instructors to teach concurrent enrollment students and content~~. ~~USHE faculty and~~ ~~a~~ Adjunct faculty should be prepared with knowledge of federal and state laws specific to ~~public school~~ student privacy and student records.

R165-11. ——— Concurrent Enrollment Coordinating Committee

11.1. ——— Committee Membership: ~~The Commissioner of Higher Education and the State Superintendent in collaboration with the state K-16 Alliance shall appoint a Concurrent Enrollment Coordinating Committee composed of an equal number of higher education and public education administrators to coordinate concurrent enrollment activities.~~

11.2. ——— Committee Responsibilities: The committee shall:

~~11.2.1. ——— develop a list of approved courses for concurrent enrollment in consultation with college/university academic departments;~~

~~11.2.2. ——— advise the two governing boards annually regarding students served ; and~~

~~11.2.3. ——— oversee the research and evaluation of concurrent enrollment practices in Utah. Research studies should be designed to assess student selection procedures, student success and rate of progress, quality of instruction and academic preparation of instructors, and relative costs and benefits of concurrent enrollment programs.~~

² See §53A-3-410 for detailed information on completing background checks.

R465-42;R165-11. Funding

11.1. Source of Funds: Each year, the Utah Legislature will appropriate funds for accelerated learning programs. A portion of those accelerated learning funds shall be allocated to the concurrent enrollment program.

42.1.1.11.1.1. Eligibility to Receive Concurrent Funds: To qualify for funds, a concurrent enrollment program shall comply with the requirements described in Utah Code 53A-15-101, including rules adopted in accordance with Subsection 53A-15-101(3).

~~42.2.11.2.~~ **Allocation of Funds:** ~~The Board of Regents shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basic concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.~~ Money appropriated to the State Board of Education for concurrent enrollment shall first be allocated between LEAs and the Board of Regents based upon completed student credit hours taught by public school educators and taught by college or university faculty. Completed means that a student ~~received a grade~~earned credit for the course. Concurrent enrollment funds may not reimburse institutions for concurrent enrollment courses repeated by students. In accordance with 52A-17A-120.5 of the Utah Code, ~~F~~unds shall be allocated as follows:

~~42.2.1.11.2.1.~~ for courses that are taught by public school educators (instructors) where the cost of instruction is born by the LEA —

~~42.2.1.1.11.2.1.1.~~ 60 percent shall be allocated to ~~local school boards and charter schools~~LEAs; and

~~42.2.1.2.11.2.1.2.~~ 40 percent shall be allocated to the Board of Regents; and

~~42.2.2.11.2.2.~~ for courses that are taught by college or university faculty or adjunct faculty where the cost of instruction is born by the USHE institution —

~~42.2.2.1.11.2.2.1.~~ 40 percent shall be allocated to ~~local school boards and charter schools~~LEAs; and

~~42.2.2.2.11.2.2.2.~~ 60 percent shall be allocated to the Board of Regents.

~~12.3.— Shared Costs:~~ Some portion of program costs will be borne by each of the participating parties: the school district, the USHE credit-granting institution, and the student.

11.3. Distribution of Funds Among USHE Institutions: The Board of Regents shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basis concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.

11.3.1. Snow CE Exception: Credit earned through the Snow College Concurrent Education Program, which receives a separate appropriation through 53B-16-205.5 for instructional, advising, and administrative costs, will not receive the pro-rated per credit funding as long as the separate appropriation funding is in place.

11.4. Annual Reports: Annual reports shall be provided to legislative committees:

11.4.1 Higher Education Appropriations: USHE shall annually report to the Higher Education Appropriations Subcommittee on concurrent enrollment participation and growth, including data on what higher education tuition would have been charged for the hours of concurrent enrollment credit granted as required by 52A-17A-120.5 Section 5(b) of Utah Code.

11.4.2 Public Education Appropriations: USHE and USOE shall annually report to the Public Education Appropriations Subcommittee an accounting of the money appropriated for concurrent enrollment; and a justification of the split described in sections 11.

~~R165-43, R165-12.~~ Annual Concurrent Enrollment Contract Agreement: Collaborating school districts and USHE ~~credit-granting~~ institutions will negotiate annual ~~agreements-contracts~~ for administrative and instructional support of concurrent enrollment courses. The ~~agreements-contracts should-shall~~ include:

~~13.1.~~ instructor eligibility requirements;

~~13.2.12.1.~~ Annual Contract Content: The annual contract shall include:

~~13.2.1.12.1.1.~~ student eligibility and participation requirements;

~~13.2.2.12.1.2.~~ curriculum and instructor eligibility requirements the administrative supervisory services, in-service education, and reporting mechanisms to be provided by each party to the agreement;

12.1.3. a provision regarding parental permission for students to participate in the concurrent enrollment classesprogram, which includes:

~~13.2.2.1.12.1.3.1.~~ 12.1.3.1. notice to parents that participation-registration in concurrent enrollment courses ~~count toward~~ are permanently recorded on a student's college ~~record~~ transcript consistent with the institution's policies and procedures;

12.1.3.2. notice to parents of student and family protections under FERPA; and

12.1.3.3. indicates which entity, LEA or institution, is responsible to notify parents and secure parental permission.

~~13.2.3.12.1.4.~~ 12.1.4. the individual and joint responsibilities of USHE institutions and LEAs public education with regard to administering the concurrent enrollment program;

~~13.3.~~ —a provision for discussion and training, as necessary, to all concurrent enrollment instructors about student information, student records laws, and student confidentiality.

12.6 Addendum: a list of specific courses taught will be submitted by the third week of each term as an addendum to the agreement.

~~13.4.12.2.~~ Annual Contract Deadline: Copies of all annual contracts entered into between institutions and LEAs for the upcoming school year must be submitted by institutions to the USHE system office no later than May 30 annually. USHE will convey copies of all contracts to USOE.

~~R165-14.~~R165-13. **Utah College of Applied Technology (UCAT) Agreements:** High school students may ~~be sent to participate at~~ a UCAT campus to take USHE concurrent enrollment courses under the following conditions:

44.1.13.1. **Concurrent Enrollment Agreement Contract:** A concurrent enrollment ~~agreement contract~~ (see ~~R165-13~~R165-12 above) must be in place between the ~~school district~~EA and the USHE ~~credit granting~~ institution covering the instruction to be given at the UCAT campus.

44.2.13.2. **UCAT Instruction and Costs:** The ~~credit granting~~ USHE institution enters into an agreement with the UCAT to provide the instruction. The agreement clearly establishes apportionment of cost and revenue that could be transferred to the UCAT, and the process for approval of ~~ATG~~UCAT instructors as adjunct faculty (see R165-10).

R165-1. Purpose: To establish the principles, guidelines, and processes which govern Utah public higher education institutions when providing concurrent enrollment opportunities to Utah public education students. This policy does not necessarily apply when a Utah System of Higher Education (USHE) institution is contracting concurrent opportunities with public education students of other states or with private high schools located within Utah, but could be used as a general guide for establishing those types of agreements.

R165-2. References

- 2.1. Utah Code §53A-15-101, Higher Education Courses in the Public Schools—Cooperation between Public and Higher Education
- 2.2. Utah Code §53A-17A-120.5, Appropriation for Concurrent Enrollment
- 2.3. Utah Code §53B-1-103, Establishment of State Board of Regents—Powers and Authority
- 2.4. Utah Code §53B-6-103, Cooperation with Nonmember Institutions Within the State
- 2.5. Utah State Board of Education Rule R277-713, Concurrent Enrollment of High School Students in College Courses
- 2.6. Utah State Board of Education Rule R277-407, School Fees
- 2.7. Utah Code §53B-1-109, Coordination of Higher Education and Public Education Information Technology Systems – Use of Unique Student Identifier – Coordination of Concurrent Enrollment Advising
- 2.8. Utah Code §53A-1-603.5, Unique student identifier -- Coordination of higher education and public education information technology systems
- 2.9. Policy and Procedures R315, Service Area Designation and Coordination of Off-Campus Courses and Programs
- 2.10. Utah Code §53A-3-410, Criminal Background Checks on School Personnel – Notice – Payment of costs – Request for Review
- 2.11. Utah Code §53B-16-205.5, Snow College Concurrent Education Program

R165-3. Definitions

3.1. **“Concurrent Enrollment”:** for state funding and for the purposes of this policy means enrollment by public school students in one or more USHE institution course(s) under a contractual agreement between the USHE institution and a Local Education Agency (LEA). Students continue to be enrolled in public schools, to be counted in average daily membership, and to receive credit toward graduation. They also receive college credit for courses. Concurrent enrollment is distinct from early college admission.

¹ Approved January 22, 1988; amended June 10, 2005 and July 28, 2006. Revisions approved May 29, 2009, and November 18, 2011.

- 3.2. "Contractual Basis":** a case where a Utah school district and USHE institution negotiate a concurrent enrollment annual contract, specifying arrangements for courses and instruction. Contractual basis concurrent enrollment is eligible for state funding through the appropriation for concurrent enrollment authorized under 53A-17A-120.5.
- 3.3. "Early College":** enrollment in college credit courses by high school students who are academically prepared and meet college admissions requirements, have left high school prior to graduation and are no longer counted in average daily membership. Concurrent enrollment policies and funding mechanisms do not apply to early college admission enrollment. Early college admission enrollments are reported as regular enrollments by USHE institutions.
- 3.4. "Early College High School":** a public high school, generally affiliated with a college or university, whose academic goal is to assist accelerated students in earning college credit up to an associate degree concurrent with a high school diploma. Students are counted in the average daily membership of the high school. College credit is earned through concurrent enrollment and early college courses. The early college high school negotiates for and pays any applicable tuition and fees for early college courses.
- 3.5. "Instructor":** a K-12 public educator who meets adjunct faculty qualifications in a USHE academic department and is approved by that department to instruct a concurrent enrollment course.
- 3.6. "Interactive Video Conferencing" IVC:** two-way, real-time transmission of audio and video signals between computer equipment at two or more locations.
- 3.7. "Local Education Agency" LEA:** a school board/public school district or public charter school
- 3.8. "Non Contractual Basis":** a case where the student continues to enroll full-time in high school but elects at his/her own initiative to pursue college coursework. An agreement is established between the student, parent(s)/guardian, high school administrator, and USHE institution. The student is responsible for all expenses associated with college enrollment. Non contractual enrollments are reported as regular enrollments by USHE institutions. Non-contractual basis concurrent enrollment is not eligible for state funding.
- 3.9. "Snow College Concurrent Education Program" Snow CE:** Snow College is to provide a consistent two-year schedule of concurrent enrollment courses delivered through IVC. Snow CE courses are intended to create a pathway for secondary school students, particularly in rural high schools, to earn college credits that apply toward earning an Associate of Science or Associate of Arts degree; or satisfy scholarship requirements or other objectives that best meet the needs of individual students. Snow CE includes advisory support to participating secondary school students and their high school counselors to ensure that students' concurrent enrollment courses align with the students' academic and career goals. The Snow CE program is consistent with policies established by the State Board of Regents for concurrent enrollment as defined in R165 Concurrent Enrollment. Snow CE is funded through the state appropriation designated under 53B-16-205.5.
- 3.10. "Student Education Opportunity Plan" (SEOP Plan for College and Career Ready):** secondary school process for academic and career planning, facilitated by school counselors with students and their parents or guardians.
- 3.11. "Technology Delivered Instruction":** student and teacher are separated by physical space, not necessarily by time. Common technology delivered modes of instruction include broadcast, interactive videoconferencing, or Internet.

3.12. "Technology Intensive Concurrent Enrollment" (TICE): hybrid concurrent enrollment courses having a blend of different learning activities, both in classrooms and on-line. TICE courses include common course assessments and, when possible, utilize open education resources. All USHE institutions may choose to offer TICE courses.

3.13. "Unique Student Identifier" (SSID): an alphanumeric code assigned to each public education student for identification purposes. The SSID is not assigned to any former or current student and does not incorporate personal information including a birth date or social security number.

3.14. "USHE": the Utah System of Higher Education, governed by the Utah State Board of Regents.

3.15. "USHE Institution" (Institution): a credit-granting community college, state college, or university within the Utah System of Higher Education.

3.16. "USOE": the Utah State Office of Education, public education, governed by the State Board of Education.

R165-4. Intent of Concurrent Enrollment: To provide an option for prepared high school students to take courses that earn both high school and college credit. Concurrent enrollment courses facilitate completion of a high school diploma while concurrently meeting course requirements corresponding to the first or second year of coursework at a USHE institution, thus leading students toward completion of a post-secondary certificate or degree.

4.1. High Quality Opportunities: Concurrent enrollment should provide high quality college-level academic and career and technical education opportunities to qualified high school students.

4.2. Qualitative Safeguards: It is important that college instruction offered in the high school setting has qualitative safeguards to preserve the rigor and standards of college requirements. In harmony with Regents' policies, the responsibility for qualitative safeguards rests with the USHE institution granting the college credit for a given course. To help ensure quality, the commonality of instruction and the success of participants, students should be officially enrolled as concurrent enrollment students as specified by the sponsoring institution.

4.3. Participating Institutions: USHE institutions that grant higher education/college credit may participate in the contractual basis concurrent enrollment program, as defined in this policy, provided that such participation shall be consistent with the law and consistent with Utah State Board of Education rules specific to the use of public education funds and rules for public education programs.

4.4. Program Evaluation: The State Board of Education and State Board of Regents shall work in close cooperation in developing, implementing, and evaluating the concurrent enrollment program.

R165-5. Students

5.1. Student Status: Students must be enrolled in a Utah public high school and have high school student status before and throughout enrollment in concurrent enrollment courses. Students who have received a diploma, whose class has graduated from high school, or who have participated in graduation exercises are not eligible to participate in the concurrent enrollment program. Students shall complete contractual concurrent enrollment courses prior to their high school graduation or participation in high school graduation exercises.

5.2. Eligibility Requirements: USHE institutions and LEAs shall jointly establish student eligibility requirements. To predict a successful experience, these requirements may include, among others:

- 5.2.1. junior or senior standing, sophomores by exception;
- 5.2.2. a grade point average, ACT score, or a placement score which predicts success (generally considered to be a "B" average or ACT score of 22 or higher);
- 5.2.3. supportive letters of recommendation;
- 5.2.4. approval of high school and college officials;
- 5.2.5. appropriate placement assessments for courses such as mathematics and English; and
- 5.2.6. completion of institutionally established prerequisites for a course.

5.3. Early College High School Eligibility: The Early College High School Program may enroll students in grades 9 and 10 in concurrent enrollment courses. Eligibility requirements such as those mentioned in section 5.2 apply to Early College students.

5.4. Identification of Eligible Students: LEAs have the primary responsibility for identifying students who are eligible to participate in the concurrent enrollment program.

5.5. Advising: USHE institutions and LEAs shall jointly coordinate advising to prospective or current high school students who participate in the concurrent enrollment program established in Utah Code 53A-15-101. Advising shall include information on general education requirements at USHE institutions and how the students can efficiently choose concurrent enrollment courses to avoid duplication or excess credit hours.

5.6. Tracking Student Achievement: USHE institutions and LEAs shall jointly coordinate information technology systems to allow individual student's academic achievement to be tracked through both education systems in accordance with Utah Code 53B-1-109 and 53A-1-603.5.

5.6.1. USOE and USHE shall coordinate access to the SSID of a public education student who later attends an institution within the state system of higher education.

5.6.2. USHE information technology systems shall utilize the SSID of all students who have previously been assigned a unique student identifier.

5.7. Advising Report: Eight weeks after the end of each semester, USHE shall make available to a requesting USHE institution that participates in concurrent enrollment, a report listing each public high school student admitted to a USHE institution who was enrolled in 12 or more credit hours of concurrent enrollment courses per year and completed at least six of those credit hours from that institution. The report shall include:

- 5.7.1 student's name and SSID;
- 5.7.2 the student's LEA;
- 5.7.3 the name of each concurrent enrollment course taken by the student;
- 5.7.4 the institution where the student enrolled to take each concurrent enrollment course;

5.7.5 the number of credits the student earned in each concurrent enrollment course with a designation that indicates which credits listed in Subsection (5)(a)(v) the student earned at a grade "C" or higher.

R165-6. Courses

6.1. Choice of Courses: The courses chosen to be offered through concurrent enrollment should be introductory-level general education, career and technical education, or pre-major college courses. Concurrent enrollment courses must assist students in earning post-secondary certificates or degrees. Concurrent enrollment may only include college courses that correspond to high school courses that are typically offered in grades 11 or 12. Courses selected should reflect the strengths and resources of the respective schools and USHE institutions. Concurrent enrollment offerings shall be limited to courses in English, mathematics, fine arts, humanities, science, social science, world languages, and career and technical education.

6.1.1. Early College High School Exception: Early college high schools may offer, for concurrent enrollment, courses typically taught in grades 9 or 10.

6.2. Master List: The Office of the Commissioner of Higher Education (OCHE) and the USOE will jointly approve courses that are added to an institution-specific Concurrent Enrollment Master List. Only courses taken from the master list for a given academic year shall be reimbursed from state concurrent enrollment funds.

6.2.1 Changes to Concurrent Enrollment Master List: USHE institutions, after consultation with LEAs, shall provide the USOE with proposed new course offerings, including syllabi and curriculum materials by November 30 of the year proceeding the school year in which courses shall be offered.

6.3. Number of Courses: In general, concurrent enrollment courses should be limited to a manageable number which allow a focus of energy and resources on quality instruction. The number of courses will be kept small enough to assure coordinated professional development activities for participating teachers and transferability of credit from institution to institution.

6.4. Institution Responsibility: Course content, procedures, examinations, teaching materials, program monitoring, and approval to be taught at a high school shall be the responsibility of the appropriate USHE institution, shall be consistent with Utah law, and shall ensure quality and comparability with courses offered on the institution campus.

R165-7. Credit

7.1. Permanent College Transcript: All concurrent enrollment courses registrations and grades are recorded on permanent college transcripts. In contrast to the AP program, where college credit is granted upon successful completion of a national examination and no record is kept on the student's college transcript if the exam is not passed, registration for concurrent enrollment constitutes a commitment to enter the final course grade on the student's permanent college record, regardless of the results. Further, credit is earned by performance and participation throughout the class, rather than by an exit examination alone.

7.1.1. Credit Value: College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the USHE institution where the credits are earned.

7.2. Credit Hours Permitted: Individual students will be permitted to earn up to 30 semester hours of college credits per year through contractual concurrent enrollment. Credits earned in excess of 30 must be on a non contractual basis.

7.3. USHE Credit: Course registration and the awarding of USHE institution credit for concurrent enrollment courses are the responsibility of USHE institutions.

7.4. Transferability: Credit earned through the concurrent enrollment program shall be transferable from one USHE institution to another. Students should be encouraged to seek advice from a college academic adviser to make course choices that will meet the student's educational goals.

R165-8. Tuition, Fees, and Other Charges: Regular tuition and fees may not be charged to high school students for participation in this program.

8.1. Admissions Fee: Students may be assessed a one-time admissions application fee per institution. Payment of the admissions fee to enroll in concurrent enrollment satisfies the general admissions application fee requirement for a full-time or part-time student at an institution so that no additional admissions application fee may be charged by the institution for continuous enrollment at that institution following high school graduation.

8.2. Partial Concurrent Enrollment Tuition: Secondary students may be charged partial tuition up to \$30 per credit hour for each concurrent enrollment course for which the student receives college credit:

8.2.1. A USHE institution may charge a concurrent enrollment student who qualifies for free or reduced school lunch partial tuition of up to \$5 per credit hour;

8.2.2. If a concurrent enrollment course is taught by a public school educator in a public school facility, a USHE institution may charge up to \$10 per credit hour;

8.2.3. If a concurrent enrollment course is taught over interactive video conferencing (IVC), a USHE institution may charge up to \$15 per credit hour;

8.2.4. If a concurrent enrollment course is taught on a USHE campus, a USHE institution may charge up to \$30 per credit hour.

8.2.5. The State Board of Regents shall annually report to the Legislature's Higher Education Appropriations Subcommittee on any partial tuition charged pursuant to Subsection (9)(c).

8.3. Fee Waivers: Concurrent enrollment program costs attributable only to USHE credit or enrollment are not fees and as such are not subject to fee waiver under public school rule R277-407. All students' costs related to concurrent enrollment classes, which may include consumables, lab fees, copying, and material costs, as well as textbooks required for the course, are subject to fee waiver consistent with R277-407. The LEA shall be responsible for these waivers. The agreement between the USHE institution and the district may address the responsibility for fee waivers.

R165-9. Location and Delivery: Concurrent enrollment courses shall be offered at the most appropriate location using the most appropriate educational technology for the course content, the faculty, and the students involved. Instruction may be delivered through live classroom instruction or telecommunications. Instruction normally occurs during the school day with students released from regular high school coursework to participate in concurrent enrollment.

9.1. Students within Commuting Distance: Qualified students residing within commuting distance of a USHE credit-granting institution may pursue their concurrent enrollment study on the institution campus with approval from their LEA.

9.2. Designated Service Region Delivery: Each USHE institution has the responsibility for offering concurrent enrollment courses within their designated service region per Regents' Policy R315. If the local institution chooses not to offer a concurrent enrollment course, a LEA may ask another USHE institution to provide the course.

9.3. Right of First Refusal: A LEA shall contact the USHE institution with responsibility for that LEA's service region. The USHE institution shall indicate in writing whether it will offer the requested course within 60 days of the LEA contact and request.

9.3.1. Exception for Technology Delivered Courses: Concurrent enrollment courses delivered through technology are not subject to designated service region requirements. However, to ensure efficient and effective use of state resources, institutions desiring to deliver technology delivered courses outside their designated service region must receive a written endorsement from the local institution for each course they desire to offer before contracting with LEAs outside their designated service area. An annual system review of technology delivered courses shall be completed prior to November 30 of the year preceding the school year in which courses shall be offered.

R165-10. Faculty: College courses are taught for concurrent enrollment credit by college or university faculty or by public school educators who meet adjunct instructor qualifications (instructor).

10.1. Selection of Adjunct Faculty: Identification of instructors for concurrent enrollment courses is the joint responsibility of the participating LEAs and the participating USHE institution. Selection criteria for instructors should be the same as those criteria applied to other adjunct faculty appointments in specific departments within the USHE institution. Final approval of the adjunct faculty will be determined by the appropriate department at the institution, college or university. Instructors shall be approved by the USHE institution prior to teaching concurrent enrollment class.

10.2. Criminal Background Checks: USHE faculty or adjunct faculty who are not public school educators and who have significant unsupervised access to K-12 students and instruct in the concurrent enrollment program defined under this policy shall complete a criminal background check consistent with Utah Code 53A-3-410.² The faculty or adjunct faculty employer shall have responsibility for determining the need for criminal background checks consistent with the law and for satisfying this requirement and shall maintain appropriate documentation.

10.3. Faculty Development: Concurrent enrollment instructors should be included as fully as possible in the academic life of the supervising academic department. USHE institutions jointly with LEAs shall initiate faculty development and share expertise in providing professional development, including appropriate workshop experiences prior to offering concurrent enrollment courses, to adequately prepare instructors to teach concurrent enrollment students and content. USHE faculty and adjunct faculty should be prepared with knowledge of federal and state laws specific to public school student privacy and student records.

² See §53A-3-410 for detailed information on completing background checks.

R165-11. Funding

11.1. Source of Funds: Each year, the Utah Legislature will appropriate funds for accelerated learning programs. A portion of those accelerated learning funds shall be allocated to the concurrent enrollment program.

11.1.1. Eligibility to Receive Concurrent Funds: To qualify for funds, a concurrent enrollment program shall comply with the requirements described in Utah Code 53A-15-101, including rules adopted in accordance with Subsection 53A-15-101(3).

11.2. Allocation of Funds: Money appropriated to the State Board of Education for concurrent enrollment shall first be allocated between LEAs and the Board of Regents based upon completed student credit hours taught by public school educators and taught by college or university faculty. Completed means that a student earned credit for the course. Concurrent enrollment funds may not reimburse institutions for concurrent enrollment courses repeated by students. In accordance with 52A-17A-120.5 of the Utah Code, funds shall be allocated as follows:

11.2.1. for courses that are taught by public school educators (instructors) where the cost of instruction is born by the LEA —

11.2.1.1. 60 percent shall be allocated to LEAs; and

11.2.1.2. 40 percent shall be allocated to the Board of Regents; and

11.2.2. for courses that are taught by college or university faculty or adjunct faculty where the cost of instruction is born by the USHE institution —

11.2.2.1. 40 percent shall be allocated to LEAs; and

11.2.2.2. 60 percent shall be allocated to the Board of Regents.

11.3. Distribution of Funds among USHE Institutions: The Board of Regents shall make rules regarding the allocation of funds pertaining to USHE institutions participating in contractual basis concurrent enrollment. Each institution shall receive a pro-rated amount according to the number of semester credit hours completed.

11.2.3. Snow CE Exception: Credit earned through the Snow College Concurrent Education Program, which receives a separate appropriation through 53B-16-205.5 for instructional, advising, and administrative costs, will not receive the pro-rated per credit funding as long as the separate appropriation funding is in place.

11.4. Annual Reports: Annual reports shall be provided to legislative committees:

11.4.1. Higher Education Appropriations: USHE shall annually report to the Higher Education Appropriations Subcommittee on concurrent enrollment participation and growth, including data on what higher education tuition would have been charged for the hours of concurrent enrollment credit granted as required by 52A-17A-120.5 Section 5(b) of Utah Code.

11.4.2 Public Education Appropriations: USHE and USOE shall annually report to the Public Education Appropriations Subcommittee an accounting of the money appropriated for concurrent enrollment; and a justification of the split described in sections 11.

R165-12. Annual Concurrent Enrollment Contract: Collaborating school districts and USHE institutions will negotiate annual contracts for administrative and instructional support of concurrent enrollment courses.

12.1. Annual Contract Content: The contracts shall include:

12.1.1. student eligibility and participation requirements;

12.1.2. curriculum and instructor eligibility requirements ;

12.1.3. a provision regarding parental permission for students to participate in the concurrent enrollment program, which includes:

12.1.3.1.notice to parents that registration in concurrent enrollment courses are permanently recorded on a student's college transcript consistent with the institution's policies and procedures;

12.1.3.2.notice to parents of student and family protections under FERPA; and

12.1.3.3.indicates which entity, LEA or institution, is responsible to notify parents and secure parental permission;

12.1.4. the individual and joint responsibilities of USHE institutions and LEAs with regard to administering the concurrent enrollment program.

12.2. Annual Contract Deadline: Copies of all annual contracts entered into between institutions and LEAs for the upcoming school year must be submitted by institutions to the USHE system office no later than May 30 annually. USHE will convey copies of all contracts to USOE.

R165-13. Utah College of Applied Technology (UCAT) Agreements: High school students may participate at a UCAT campus to take USHE concurrent enrollment courses under the following conditions:

13.1. Concurrent Enrollment Contract: A concurrent enrollment contract (see R165-12 above) must be in place between the LEA and the USHE institution covering the instruction to be given at the UCAT campus.

13.2. UCAT Instruction and Costs: The USHE institution enters into an agreement with the UCAT to provide the instruction. The agreement clearly establishes apportionment of cost and revenue that could be transferred to the UCAT, and the process for approval of UCAT instructors as adjunct faculty (see R165-10).

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of Policy R470, General Education, Common Course Numbering, Lower-Division Pre-Major Requirements, Transfer of Credit, and Credit by Examination

Issue

The R470, General Education, Common Course Numbering, Lower-Division Pre-Major Requirements, Transfer of Credit, and Credit by Examination, is considered one of the strongest transfer policies in the country. However, the policy needs to be updated periodically to reflect changes in General Education curricula and learning expectations. The R470 includes what higher education hopes to achieve with its students: a transfer system based upon courses that provide incremental, cumulative and integrative learning and that prepare students to move seamlessly and successfully toward their major courses of study.

Background

Several years ago, the Commissioner's staff combined four Regents' policies related to transfer into one complete policy, R470. Since that time, the R470 has been updated to reflect institutional changes in curricula included in the General Education core and the competencies and skills the USHE should expect students to learn and demonstrate.

Changes in the updated version include: reference to the continuum of learning – competencies, fluencies, and proficiencies (R470-1); deletion of Math 1010 replaced by an institutionally-determined introductory math course (3.2.); the addition of the Value Rubrics (Valid Assessment of Learning in Undergraduate Education) to General Education assessment (4.1.2.); and the Western Interstate Passport Initiative (8.4.2.). Other changes made were to clarify confusing language and delete repetition.

The Chief Academic Officers, the Regents' General Education Task Force, the Commissioner's staff, and the Statewide Transfer Articulation Committee have reviewed the draft policy and made suggestions that contributed to the revised R470.

Policy Issues

The Math 1010 deletion (3.2.), strongly suggested by the Regents' General Education Task Force, stimulated discussion among some mathematics faculty. Most were comfortable eliminating Math 1010 and allowing the institutional faculty to develop more effective beginning math courses. Currently, there is experimentation planned for introductory courses by Utah State University and Dixie State University to improve student understanding and performance in math. Another issue referred to the Western Interstate Commission for Higher Education Passport initiative (8.4.2.1.). This initiative, in which Utah and four other western states are participating, promotes and supports seamless transfer among the five participating states by clarifying learning outcomes and proficiency criteria in written and oral communication and quantitative literacy. Confusing language was clarified to allow for new courses to be added to the Passport should funding permit. There were no additional policy issues raised.

Commissioner's Recommendation

The Commissioner recommends that the Regents approve the revised Regents' Policy R470, General Education, Common Course Numbering, Lower-Division Pre-Major Requirements, Transfer of Credit, and Credit by Examination, effective upon approval.

David L. Buhler
Commissioner of Higher Education

DLB/PCS
Attachment



R470, General Education, Common Course Numbering, Lower-Division Pre--Major Requirements, Transfer of Credits, and Credit by Examination

R470-1. Purpose: To assure reciprocity and consistency in the structure and core requirements for General Education programs in the Utah System of Higher Education (USHE); to provide a lower- and upper-division course numbering code for the System; to establish common lower-division Pre-Major requirements that include the Essential Learning Outcomes and support timely progress toward student graduation; to provide policies and principles for the transfer of credit and continuum of learning competencies leading toward fluencies and proficiencies among System Institutions; and to establish the credit by examination policy.

R470-2. References

2.1. Utah Code ~~§53B-2-106(2)(c)~~ §53B-2-106(2)(c) (Direction of Instruction, Examination, Admission and Classification of Students)

2.2. Utah Code ~~§53B-16-102~~ §53B-16-102 (Changes in Curriculum)

2.3. Utah Code §53B-16-107 (Credit for military service and training -- Transferability – Reporting)

2.4. Definitions:

2.4.1. The Essential Learning Outcomes are skills and competencies identified by professionals in business and industry, and higher education professors as those needed to prepare graduates for academic, professional, and societal success.

2.4.2. Competencies are used to describe the accomplishments of basic objectives within a specific course or learning experience.

2.4.3. Fluency is to express oneself effortlessly in speaking, writing, mathematical computations, and critical analysis.

2.4.4. Proficiency is a set of demonstrations of knowledge, understanding, and skill that satisfy levels of mastery sufficient to justify the award of an academic degree.

R470-3. General Education Policy: The purpose of General Education is to help students prepare for the 21st century by gaining ~~knowledge and proficiency~~ communication fluency, quantitative fluency, and competence in: 1) Intellectual and Practical Skills; 2) Knowledge of Human Cultures and the Physical and Natural World; 3) Personal and Social Responsibility; and 4) Integrative Learning. This policy assures there is coherence and consistency in the structure and core requirements of General Education programs at all USHE institutions, and that institutions will grant total reciprocity for General Education programs completed at other USHE institutions.

3.1. General Education Credit and Core Requirements: To assure full value and reciprocity among all USHE institutions, the number of credits required in General Education for each institution shall range from at least 30 to 39 semester credits, including credits required in the three core areas of Composition, Mathematics, Quantitative Literacy and American Institutions. Institutions are encouraged to allow students who demonstrate competencies/fluencies by other means, such as Advanced Placement (AP) tests, International Baccalaureate (IB), College Level Examination Program (CLEP), Prior Learning Assessment, recognized assessment of military service proficiencies, and departmental challenge examinations, to satisfy General Education requirements. The competencies are both in content knowledge and skills leading to student success that are found in the Essential Learning Outcomes. The Essential Learning Outcomes are:

3.1.1. Acquire Intellectual and Practical Skills: Including inquiry and analysis, critical and creative thinking, written and oral communication, information literacy, teamwork and problem solving. Also included are visual, kinesthetic, design and aural forms of artistic communication.

3.1.2. Gain Knowledge of Human Cultures and the Physical and Natural Worlds: Courses requiring study in the sciences and mathematics, social sciences, humanities, histories, languages and the arts, focused by engagement with "big" questions – both contemporary and enduring.

– **3.1.3 Develop Personal and Social Responsibility:** Including community and civic knowledge and engagement – local and global, intercultural knowledge and competence, ethical reasoning and action, foundations and skills for lifelong learning. These categories of General Education development must be demonstrated through active involvement with diverse communities and real-world challenges.

3.1.4. Demonstrate Integrative Learning: Including synthesis and advanced accomplishment across coherent general and specialized studies, demonstrated through the application of knowledge, skills, and responsibilities to new settings and complex problems. Integrated learning is expected to be part of all courses and programs.

-- **3.2. General Education Core Requirements:** Students must satisfy all of the following General Education core requirements, which will be included at all institutions: Students shall be required to complete English 1010, Introduction to Writing (3 credits), which may have been completed through Concurrent Enrollment or Advanced Placement, and English 2010, Intermediate Writing (3 credits). Some institutions offer English 2100, Technical Writing. While English 2010 is preferred, if institutional policy allows, English 2100 may satisfy the English 2010 requirement. Students may satisfy the mathematics requirement by completing Mathematics 1030, Quantitative Literacy/Reasoning (3 credits), Mathematics 1040, Statistics (3 credits), or Mathematics 1050 (3 or 4 credits), College Algebra, or other institutionally-approved mathematics courses. If a student does not test at the level set by institutional policy and practices, the student will be required to take a mathematics course that meets faculty-determined quantitative literacy outcomes prior to enrolling in Math 1030, Math 1040, Math 1050, or other institutionally-approved mathematics courses. All of the courses in the mathematics/Quantitative Literacy/Reasoning General Education curriculum require high school intermediate algebra or Mathematics 1, 2-years-of-high-school-algebra, and 3 as prerequisites. ~~Students also may satisfy the requirement by completing at least one institutionally-approved mathematics course at the level of college algebra or which requires college algebra as a prerequisite.~~ USHE institutions may determine if an ACT, SAT or placement examination score is sufficiently high enough to waive English 1010 or Quantitative Literacy requirements. American Institutions: Students shall satisfy this requirement by completing one of the following courses: Economics 1740, (3 credits); United States Economic History ~~1740~~, (3 credits);

Political Science 1100, American Political Institutions (3 credits); or History 1700, American Civilization (3 credits). An interdisciplinary integrated course that satisfies comparable ~~competencies/criteria as those in Utah statute~~ may also satisfy the requirement. Some institutions may require a two course sequence in the areas of ~~economics, political science, or history which satisfies comparable criteria. economics, political science, or history which satisfies comparable competencies.~~

3.3. General Education Breadth Requirements beyond the Core: In addition to completing all core requirements described in 3.1, students will be required to complete 18 to 27 credits beyond the General Education core. These courses shall be in the areas of fine arts, humanities, social and behavioral sciences, life sciences, physical sciences, and other areas deemed appropriate at individual USHE institutions. Outside the core requirements, USHE institutions are encouraged to establish unique course requirements which reflect emphases of the institutions, strengths of faculties, and the varying interests of students. Institutional General Education requirements may be accessed through institutional websites accessed through the www.HigherEdUtah.org Website.

3.4. Pathways to Completion through Pre-Major Courses: Pre-Major courses are those that are taken in lower- division, incorporating General Education, and that begin preparing students for their intended major course of study. The number of credits in a Pre-Major set of courses is determined by both departmental faculty and the appropriate Major's committee (R470-6.). Pre-Major courses should resemble those offered in four-year institutions leading to an approved major.

3.4.1. Lower-Division Pre-Major Requirements: In establishing policies and procedures to support ease of transfer and timely progress toward graduation for USHE students, the Board of Regents recognizes that Pre-Majors and emphases may differ because of the institutions' unique missions. Committees and procedures are therefore established to provide common lower-division Pre-Major requirements so that when students transfer or apply for upper-division majors, they will receive full value for their academic work.

3.5. Substitution of Courses in Pre-Major Area for General Education Requirements: To encourage timely decisions by students to select Pre-Major areas while promoting educational breadth, institutions may allow students with declared ~~pre-majors~~ Pre-Majors in areas listed in section 3.3. to substitute study and achievement in their ~~pre-major~~ Pre-Major area for General Education requirements. Students may achieve the required number of total General Education credits by completing additional coursework in other General Education areas. USHE transfer students who retain the same ~~pre-major~~ Pre-Major area will be allowed to maintain the substitution at the receiving institution and will not be required to complete additional General Education coursework ~~in their major area.~~

3.56. Similar Names, Common Numbers, and Equal Credits for General Education Courses: To facilitate articulation, General Education courses at USHE institutions having essentially the same learning goals and similar content, rigor, and standards, should have similar names, common numbers, and equal credits. The Statewide Articulation Committee shall assure, through institutional action, that all courses satisfying General Education requirements at any USHE institution will be articulated to the fullest extent possible to satisfy comparable General Education requirements at all other USHE institutions.

3.67. General Education Common Competencies and Learning Goals: ~~To support efforts to~~ Assessment: All General Education courses will be expected to address and assess the results of General Education instruction; common competencies and learning goals ~~underlying General Education areas shall~~ be identified by ~~the General Education Task Force and faculty during designated groups within the USHE.~~

3.7.1. Collaboration among Faculty. Faculty are expected to work collaboratively with their Majors' meetings under the direction of the Chief Academic Officers. These system-wide peers to establish competencies and learning goals will for General Education, Pre-Majors, and all lower-division courses and learning experiences.

3.7.2. Learning Expectations at the Culmination of the Two-year Level: Prior to associate degree completion or the completion of 60 hours in a four-year program, students should be utilized at all USHE institutions. All General Education courses will be expected to address the identified competencies and learning goals provided with cumulative and integrative learning experiences in which they can demonstrate intellectual skills, specialized knowledge, broad and integrative knowledge, applied and collaborative learning, community, civic and global learning, and institution-specific learning expectations.

R470-4. Committees for General Education Procedures: To implement the General Education policy, the following committees shall be established:

4.1. Regents' General Education Task Force: The Regent's' General Education Task Force will be comprised of one representative who oversees General Education on his/her campus, from each USHE institution, nominated by the Chief Academic Officer and appointed by the President, and non-voting or ex officio members as needed for expertise on particular issues. A member of the Commissioner's academic staff with the Task Force chair will convene but not chair the Regents' General Education Task Force. expertise on particular issues. A member of the Commissioner's academic staff will sit with the General Education. This Task Force shall:

4.1.1. Establish overarching learning goals in the core and other General Education areas, based on recommendations made by the General Education faculty and Majors' Meeting groups/committees.

4.1.2. Propose methods to assess student learning outcomes in General Education and submit these recommendations to that include the VALUE rubrics or other assessment tools that provide demonstrated evidence of student learning that will inform and improve teaching. The tools and evidence should be shared with the Chief Academic Officers and the USHE institutions.

4.1.3. Facilitate coordination with groups working on related tasks by appointing members of the Task Force to assist other USHE committees, such as the Statewide Articulation Committee, as requested and appropriate.

4.2. General Education Area Work Groups: The Regents' General Education Task Force may convene work groups when necessary. The General Education Area Work Groups include Fine Arts, Humanities, Social fine arts, humanities, social and Behavioral Sciences, Life Sciences behavioral sciences, life sciences, and Physical Sciences, Computer Literacy, Composition, physical sciences, composition, quantitative literacy/reasoning, and Mathematics. American Institutions. These work groups may be comprised of two representatives from each USHE institution, nominated by the appropriate academic dean and appointed by the Academic Vice President, and non-voting or ex officio members as needed for expertise on particular issues. These work groups may be convened by the General Education Task Force as needed. These task forces shall:

4.2.1. Provide recommendations on competencies underlying each General Education area and

suggestions on methods used to assess student learning outcomes in relation to the competencies, Essential Learning Outcomes and institutional learning expectations. These recommendations are to be submitted to the Regents' General Education Task Force for review.

4.2.2. Meet annually during the "What is an Educated Person?" conference and, as needed, review the General Education competencies and learning goals in each area, and discuss and compare programs.
~~Education competencies and learning goals in each area, and discuss and compare programs.~~

4.2.3. Submit recommendations for review by the General Education Task Force.

R470-5. Course Numbering Code: Courses of similar level shall be given numbers in accordance with the following code.

5.1. Lower-Division Courses: ~~This includes~~The following course numbering schema applies to all USHE institutions. Lower division courses may not be cross listed with upper-division courses without approval by the institutional curriculum committee.

- 0001-0999 Remedial or preparatory courses—~~noncredit~~
- 1000-1999 Freshman courses
- 2000-2800 Sophomore courses
- 2800-2999 Lower-division independent study designation (directed reading, individual projects, seminars, special topics, workshops, private lessons, tutoring.)

5.2. Upper-Division Courses: ~~This includes~~ Upper division courses ~~at may not be cross listed with graduate courses unless permission is given by the University of Utah, Utah State University, Weber State University, Southern Utah University, Utah Valley University, and Dixie State College of Utah. These numbers are meant to act as a guide~~institution's curriculum committee.

- 3000-3999 Junior courses
- 4000-4800 Senior courses
- 4800-4999 Upper-division independent study designation (directed reading, individual projects, festivals, institutes, workshops, seminars, etc.)
- 4800 Individual research courses (1-5 credits)
- 4830 Directed reading courses (1-5 credits)
- 4860 Practicum courses (1-12 credits)
- 4890 Internship courses (1-12 credits)
- 4920 Workshops, festivals, institutes (1-5 credits)
- 4950 Field trips (1-5 credits)
- 4990 Seminars (1-5 credits)
- 5000-5799 Advanced upper-division and graduate courses (graduate credit allowed for department majors or by permission of student's department chair.)
- 5800-5999 Advanced upper-division and graduate independent study designations (seminars, directed reading, individual projects, etc. - by permission of department chair.) ~~individual projects, et cetera—by permission of department chair.~~

5.3. Honors Programs: ~~These~~Honors courses can be found at ~~the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State College, and Utah Valley University.~~all USHE institutions. Honors courses will be clearly designated in institutional catalogs and meet institutional

expectations for Honors designation.

5.4. Graduate Courses: ~~These~~Graduate courses can be found at the University of Utah, Utah State University, Weber State University, Southern Utah University, and Utah Valley University. ~~These~~The following designation of graduate course numbers are meant to act as a guide, but do not constrain, institutional course numbering policies.

- 6000-7999 Graduate courses (students without baccalaureate degrees must obtain special permission to enroll)
- 6800-6899 Graduate seminars (including methodology and research seminars)
- 6900-6999 Directed reading, individual projects, thesis, etc.
- 6970-6979 Master's thesis research
- 6980-6989 Master's thesis faculty research consultation
- 6990 Master's thesis continuing registration
- ~~7800~~7600-7899 Advanced graduate seminars
- 7900-7969 Doctoral independent study, special topics, etc.
- 7970-7979 Doctoral dissertation and/or project research
- 7980-7989 Doctoral dissertation faculty research consultation
- 7990 Doctoral dissertation continuing registration

~~R470-6. Lower-Division Pre-Major Requirements: In establishing policies and procedures to support ease of transfer and timely progress toward graduation for USHE students, the Board of Regents recognizes that pre-majors and emphases may differ because of the institutions' unique missions. Committees and procedures are therefore established to provide common lower-division pre-major requirements so that when students transfer or apply for upper-division majors, they will receive full value for their academic work.~~

~~6.1. USHE Major Committees: To achieve these objectives, the~~

470-6. USHE Major Committees: The Office of the Commissioner shall organize USHE Majors' Committees in each of the academic disciplines. Major departments at the universities are expected to work closely with the Majors' Committees in order to achieve the greatest possible congruence between ~~pre-major emphases~~Pre-Major requirements at community colleges and lower-division major requirements at four-year institutions.

~~6.1.1.~~ The Chief Academic Officers of each institution shall nominate ~~one or more~~faculty representatives from his or her institution in each discipline area. If appropriate, the ~~President~~Chief Academic Officer may also nominate additional faculty ~~representatives~~ in major areas within a discipline and staff to attend each disciplinary meeting.

6.1.21. Meetings of the Major Committees shall be organized by the Office of the Commissioner and be held at least annually.

6.1.2. The Regents General Education Task Force and assigned staff from the Commissioner's Office will collaborate to develop an agenda for the Majors' meetings. The agenda will be reviewed by the Chief Academic Officers, who may provide additional agenda items. Each Major Committee will review the agenda in advance of the meeting and add other issues of importance to the particular major.

6.2. Committee Responsibilities: It shall be the responsibility of each USHE Major Committee to:

6.2.1. Reach agreement on specific required lower-division ~~pre-major~~Pre-Major courses that are common at all USHE institutions. It is important to note that equivalencies are based on content and

mastery of subject matter, not only course level. Not all institutions offer all lower-division courses.

6.2.2. Continually review standards-of-skillscourse learning outcomes and expected competency levels and content matter that should be satisfied in required lower-division ~~pre-major-area~~Pre-Major courses to assure that students who complete the coursework will be fully prepared to successfully complete upper-division coursework.

6.2.3. Assure that in most major programs at USHE four-year institutions, courses numbered 3000 or higher are not required for lower-division students; ~~and~~ community colleges ~~do~~shall not offer courses at the lower division that the Major Committee agrees should be taught at the upper-division level. Exceptions will be dealt with by the individual Major Committees.

6.2.4. Review lower-division courses now commonly numbered to assure they fulfill General Education and ~~pre-major~~Pre-Major requirements. Additional lower-division courses may be considered for common numbering if they are similar in content, standard, and rigor as specified in the Utah Code.

6.3. Maximum Credits: Each ~~committee~~Major's Committee will establish a maximum number of credits, in keeping with institutional practices, for lower-division ~~pre-major~~Pre-Major coursework required in each discipline to assure successful transfer.

6.3.1. Generally, the number of credits required should be limited so that students may also complete required General Education coursework within the number of credits allowed for the AA or AS degree.~~General Education coursework within the number of credits allowed for the AA or AS degree.~~

6.3.2. Exceptions may be made when mandated by accreditation, licensing, extra-departmental professional, or other institutional requirements. When exceptions are made, students may not be able to complete required General Education coursework within the number of credits allowed for the AA or AS degree.

6.3.3. If Majors' Committees determine additional lower-division credits are needed to prepare students to successfully complete upper-division coursework, the ~~committee~~Committee may recommend the delay of some General Education requirements until after transfer and/or acceptance to an upper-division major program. Under no circumstances will individual Major Committees be allowed to make exceptions to General Education requirements—a degree may not ~~be awarded unless the General Education and program requirements for that degree are met.~~ be awarded unless the General Education and program requirements for that degree are met.

6.4. Admission to Upper-Division Major Program: Completion of required lower-division ~~pre-major~~Pre-Major coursework by transfer students from USHE community colleges and institutions also having a community college role shall not constitute an assurance that transfer students will be admitted into a specific major program at a USHE four-year institution. It must be understood that many programs have a limited number of openings and that admission may be highly competitive.

6.5. Disclosure of Partial Program: If an institution does not have the faculty or resources to offer, as part of its curriculum, all of the agreed-upon lower-division ~~pre-major~~Pre-Major courses in a given discipline and emphasis, it will inform prospective students interested in that ~~pre-major~~Pre-Major area that the institution does not offer all of the needed lower- division ~~pre-major~~Pre-Major courses; students may consider attending another

institution offering the required coursework or enroll in online courses offered elsewhere in the USHE.

R470-7. Transfer of Credit Policy: USHE colleges and universities shall facilitate transfer from institution to institution.

7.1. Transfer of General Education Credits

7.1.1. Transfer of Partially Completed General Education Credits: For transfer students from USHE institutions who have not fully satisfied the General Education requirements, all USHE receiving institutions shall accept at full value all General Education coursework approved by the sending institution, provided it meets the minimum letter grades accepted by the receiving institution. Receiving institutions shall only require transfer students to complete any additional coursework needed to satisfy the unmet requirements of the receiving institution.

7.1.2. Transfer of Completed General Education Credits through Program Completion: An AA or AS degree earned at any USHE institution will meet the General Education requirements of all other USHE institutions. If a student has completed all institutional General Education requirements, a Letter of Completion (issued by the sending institution confirming General Education completion) should or a Certificate of General Education completion shall be accepted by the receiving USHE institution.

7.1.2.1. Letter of Completion Using non-USHE Credits/Courses: Students who enter a USHE ~~school~~institution with most of their General Education credits from a non-USHE regionally-accredited institution, and who want a Letter of Completion from the USHE institution, must complete at least nine credit hours or meet the minimum residency and grade point average requirements of the institution from which the Letter of Completion is requested.

7.1.2.2. Length of Time for Acceptance and Applicability of Credit: USHE institutions must accept credit transferred from institutions within the System. Institutional colleges and departments may review courses taken over the prior 15 years, or over a time period in compliance with institutional policies, and make a determination of applicability to current requirements of a credential or degree based on the appropriateness of course content, rigor, and standards. Students wanting transfer credits that were earned either 15 years earlier or longer may be asked to demonstrate competencies in the learning outcomes expected in General Education courses they have completed by using port-folios, challenge examinations, or other forms of evidence that demonstrate their continued competence. Students may petition an institution's transcript office for an exception to the 15 year limit, and that office will consult with the appropriate academic departments before making a decision.

7.2. Transfer of Non-General Education Credits: Credit for courses numbered 1000 or above earned in the USHE, regardless of being General Education credits or not, is transferable within the USHE and will be carried on the student's transcript by the receiving institution.

7.2.1. Application of Credit: Acceptance of credit should not be confused with its application. Transfer applicants are entitled to a clear disclosure by the receiving institution of the difference between acceptance of credits and the application of credits toward a credential or degree. Transfer credit may or may not apply to the graduation requirements of an institution, regardless of the number of credits

transferred. The receiving institution will apply credit based on the appropriateness to a particular institution's specific degree program requirements and curricula.

7.2.2. Transfer with Upper-Division Status: Institutions shall enable community college students (if they fully complete an AA or AS degree and a prescribed ~~pre-major~~Pre-Major area that comports and articulates with the receiving institution's ~~pre-major~~Pre-Major requirements) to transfer with upper-division status to any USHE four-year institution without taking any lower-division ~~pre-major~~Pre-Major courses at the receiving institution.

7.2.3. Exceptions to Applying Pre-Major Coursework Credit: Exceptions may occur when mandated by institutional requirements or other accreditation, licensing, or extra-departmental professional requirements, and as provided in 6.3.3, 6.4, and 6.5 above. In such cases, the transfer student will be expected to complete lower-division coursework required at the four-year institution.

R470-8. Credit Transfer Principles within USHE

8.1. Institutional Integrity: In order to promote institutional integrity, each institution is responsible for developing its own transfer policies and procedures consistent with the policies established by the Board of Regents to facilitate the transfer of credits within the USHE.

8.2. Transfer Statements: Because USHE institutions are part of a statewide system, institutions should clearly communicate online and/or in print reasonable and definitive transfer statements to avoid confusion and possible injustice to individual applicants and promote articulation within the USHE.

8.3. Minimum Standards: Course quality, content, competency level, and amount of credit earned should be comparable to those courses at the receiving institution.

8.4. Individual Student Consideration

8.4.1. Anticipated Program: Information of program and course requirements, including institutional transfer and articulation agreements between two-year and four-year institutions that go beyond those established in this policy, should be published online and/or in print and available to prospective students. Students should be encouraged to establish educational goals early in their educational program. Each student should request assistance from an academic advisor to assure the student's educational goals fit with the program at the institution to which that student intends to transfer. Transfer policies and practices should facilitate transfer once the student is prepared to enter, and has been accepted to, the anticipated program.

8.4.2. Accredited Institutions: A receiving institution should have reasonable confidence that students from recognized regionally-accredited institutions are qualified to undertake its educational program. Students from recognized national or specialized accredited institutions may need to demonstrate competency only in instances where academic attainment is uncertain.

~~8.4.2.1. Students Entering with Associates' degrees from Regionally~~
~~8.4.2.1. Western Interstate Commission for Higher Education (WICHE) Passport~~
 ~~Holders: Students from accredited Western colleges and universities who have successfully~~
 ~~completed courses agreed to by the participating WICHE Passport states, which are the~~

equivalent of Writing 1010, Communication 1010 or 1020, and Quantitative Literacy Math 1030, 1040, 1050, or higher, shall have their courses accepted without having to repeat them. These courses will complete the requirements of the Passport and institutional transcripts will have a designation on sending institutions' transcripts and will be recognized and given full value by system registrars and academic advisors.
(<http://www.wiche.edu/passport/about>)

8.4.2.2. Students Entering with Associates' degrees from Regionally- Accredited non-USHE Institutions: Students, who enter USHE schools from regionally-accredited institutions and have completed the AA/AS degree, will have their transcripts reviewed to assure they have successfully completed relevant courses in the three core areas required of USHE students by Utah Code: mathematics, composition and American Institutions. ~~While the USHE will honor associate degrees, deficiencies found in one or more of the three core areas may need to be addressed.~~

8.4.2.23. Students Entering from Regionally- Accredited Institutions with Associates' degrees but without Pre- Major-specific Courses: Students who enter USHE institutions with the AA/AS degree, but are deficient in pre- requisite courses required for their major course of study, may be required to successfully complete such courses at the lower-division level in order to prepare ~~these students~~ for success in their chosen major once they are accepted.

8.4.2.34. Students Entering from Regionally- Accredited Institutions without Associates' degrees: Students who enter the USHE from regionally- accredited institutions without having completed an associate's degree must have their transcripts evaluated by the receiving institution to determine if additional ~~pre-major~~Pre-Major and/or General Education coursework will be required to meet USHE institutional requirements.

8.5. Institutions without Regional, National nor Specialized Accreditation: Receiving institutions should evaluate on a case by case basis any credits earned at institutions that do not have regional, national, or specialized accreditation. Evaluation may be assisted by information provided by or about the unaccredited institution such as a catalog covering the years students attended, a description of courses the students completed, course syllabi, faculty credentials, and library facilities. Institutions may require verification of competency attainment through assessments or examinations.

8.5.1. Foreign Institutions and Proprietary Schools: In evaluating credits from foreign institutions and proprietary schools, the receiving institution should make equivalency and placement decisions in terms of its own policies and curricula.

8.6. Credits from Extra Institutional Settings: In order to expand the range of educational opportunities and to incorporate them into the credit exchange system, and in order to remove unnecessary restrictions to access, institutional policies should contain statements on credits earned in extra institutional settings (structured and non- structured) including the military, religious, career, and technical institutions.

8.6.1. Credit for Current and Former Military Personnel: Pursuant to Utah Code 53B-16-107, all USHE institutions shall provide written notification to each student applying for admission that the student is required to meet with a college advisor in order to receive credit for military service and training. Upon student request, USHE institutions will provide credit based on a review of recommendations from a Regent-approved post- secondary association to include the American

Council on Education and other sources as may be deemed appropriate by the institution. To receive credit under this provision current and former military personnel must meet with an academic advisor to discuss applicability of credit to program requirements, possible financial aid implications, and other factors that may impact attainment of the student's educational goals, such as competencies that are transferable to a course of study. Upon transfer within the USHE, a student may present a transcript from a USHE institution to a receiving USHE institution to determine the applicability of credit to the student's chosen major. The receiving institution shall evaluate the credit to be transferred pursuant to this policy.

8.6.1.2. Processes for Evaluation of Credit for Current and Former Military Personnel: Representatives from USHE institutions who have responsibility for veterans' services shall meet at least annually to review institutional policies and practices relative to awarding credit for current and former military personnel with the goal of maintaining consistent system-wide practices for evaluating and awarding credit pursuant to Section 8.6.1.

8.6.1.3. Reporting Credits Awarded to Current and Former Military Personnel: USHE Institutions shall report annually to the Board of Regents the number of credits awarded under Section 8.6.1. above.

8.7. Basic Responsibilities of All Institutions: The basic responsibilities of both sending and receiving institutions include:

- 8.7.1. Furnishing transcripts and course descriptions vital in judging the quality and quantity of transfer students' work,
- 8.7.2. Advising students as to the acceptability of credits shown on individual transcripts,
- 8.7.3. Making clear and prompt decisions on credit acceptance and application,
- 8.7.4. Informing potential students of services in the institution.

R470-9. Credit by Examination Policy: The Board of Regents accepts as valid the concept of credit by examination without equivalent previous college coursework. Because of the variety of testing programs, the domain of individual departments and General Education, the following specific policies shall apply:

9.1. Examinations that Replace Specific Coursework: Individual departments may use examinations/assessments consistent with ~~the departmental~~ standards and those set in Major Committees to award credit that replaces specific General Education coursework.

9.1.1. Departmentally -Devised Examinations: Each department may determine which of its offerings may be challenged by examination and should construct, administer, and evaluate appropriate and departmentally approved examinations upon the request of students.

9.1.2. External Standardized Examinations: External standardized examinations should be evaluated by individual departments as they become available, to determine their appropriateness, validity, and acceptable scores. When a transfer student has completed the General Education requirements of a USHE institution, the receiving institution will honor the sending institution's determination of General

Education credit awarded, including credit granted for external standardized exams.

9.1.2.1. Advanced Placement Examinations: The following policies for the awarding of credit for Advanced Placement have been determined by a statewide committee with representatives from all USHE institutions:

9.1.2.1.1. Scores of 3, 4, or 5 may receive a maximum of 10 semester hours of credit for a foreign language exam, up to 8 semester hours of credit for a full year course, or up to 4 semester hours of credit for a half year course. Institutions may determine appropriate AP scores in academic departments for which there are AP examinations.

9.1.2.1.2. A score of 2 should be evaluated by the department to determine what, if any, credit should be awarded.

9.1.2.1.3. A score of 1 should receive no credit.

9.1.2.2. CLEP (College Level Examination Program): CLEP General Examination credit should be recognized and a standard should be set based on the recommendations of the Statewide Articulation Committee and CLEP Examination Guidelines. A minimum score of 50 is required to award credit with 10 semester hours per test being the maximum number of credits allowed. Each institution shall award credit as it sees fit; however, the following guidelines are for awarding General Education credit through the CLEP process.

9.1.2.2.1. Composition: The College Composition or College Composition Modular examination will satisfy the introduction to writing requirement.

9.1.2.2.2. Quantitative Literacy: College Algebra Subject examination or the Pre-Calculus Subject examination will satisfy the Quantitative Literacy requirement.

9.1.2.2.3. American Institutions: The American Government Subject examination or the American History Subject examination will satisfy the American Institutions requirement.

9.1.2.2.4. Life Science: The Biology Subject examination will satisfy the Life Science requirement.

9.1.2.2.5. Physical Science: The Chemistry Subject examination will satisfy the Physical Science requirement.

9.1.2.2.6. Humanities: The Analyzing and Interpreting Literature with Essay examination will satisfy the Humanities requirement.

9.1.2.2.7. Social and Behavioral Sciences: The Introductory Psychology or Introductory Sociology examinations will satisfy the Social and Behavioral Sciences requirement.

9.1.2.2.8. Other General Education: CLEP-verified General Education credit

other than that for which specific guidelines are provided in this policy may be awarded as determined by each institution.

9.1.3. International Baccalaureate: Credit should be granted for International Baccalaureate examinations and/or diplomas as determined by each institution.

9.2. Prior Learning Assessments: Students may demonstrate that they have specific subject matter credit through the Prior Learning Assessment developed by the Council of Adult and Experiential Learning, [or the American Council on Education](#). Institutional departments should evaluate and accept such credit if it meets institutional and departmental standards.

9.3. Allowable Credit: Institutional limits may be imposed on the amount of General Education credit that may be earned by means other than taking courses directly from the institution. Institutional limits may also be imposed on the amount of credit that may be earned through departmentally -devised or standardized subject area examinations.



R470, General Education, Common Course Numbering, Lower-Division Pre-Major Requirements, Transfer of Credits, and Credit by Examination

R470-1. Purpose: To assure reciprocity and consistency in the structure and core requirements for General Education programs in the Utah System of Higher Education (USHE); to provide a lower- and upper-division course numbering code for the System; to establish common lower-division Pre-Major requirements that include the Essential Learning Outcomes and support timely progress toward student graduation; to provide policies and principles for the transfer of credit and competencies leading toward fluencies and proficiencies among System Institutions; and to establish the credit by examination policy.

R470-2. References

2.1. Utah Code §53B-2-106(2)(c) (Direction of Instruction, Examination, Admission and Classification of Students)

2.2. Utah Code §53B-16-102 (Changes in Curriculum)

2.3. Utah Code §53B-16-107 (Credit for military service and training -- Transferability – Reporting)

2.4. Definitions:

2.4.1. The Essential Learning Outcomes are skills and competencies identified by professionals in business and industry, and higher education professors as those needed to prepare graduates for academic, professional, and societal success.

2.4.2. Competencies are used to describe the accomplishments of basic objectives within a specific course or learning experience.

2.4.3. Fluency is to express oneself effortlessly in speaking, writing, mathematical computations, and critical analysis.

2.4.4. Proficiency is a set of demonstrations of knowledge, understanding, and skill that satisfy levels of mastery sufficient to justify the award of an academic degree.

R470-3. General Education Policy: The purpose of General Education is to help students prepare for the 21st century by gaining communication fluency, quantitative fluency, and competence in: 1) Intellectual and Practical Skills; 2) Knowledge of Human Cultures and the Physical and Natural World; 3) Personal and Social Responsibility; and 4) Integrative Learning. This policy assures there is coherence and consistency in the structure and core requirements of General Education programs at all USHE institutions, and that institutions will grant total reciprocity for General Education programs completed at other USHE institutions.

3.1. General Education Credit and Core Requirements: To assure full value and reciprocity among all

USHE institutions, the number of credits required in General Education for each institution shall range from at least 30 to 39 semester credits, including credits required in the three core areas of Composition, Quantitative Literacy and American Institutions. Institutions are encouraged to allow students who demonstrate fluencies by other means, such as Advanced Placement (AP) tests, International Baccalaureate (IB), College Level Examination Program (CLEP), Prior Learning Assessment, recognized assessment of military service proficiencies, and departmental challenge examinations, to satisfy General Education requirements. The competencies are both in content knowledge and skills that are found in the Essential Learning Outcomes. The Essential Learning Outcomes are:

3.1.1. Acquire Intellectual and Practical Skills: Including inquiry and analysis, critical and creative thinking, written and oral communication, information literacy, teamwork and problem solving. Also included are visual, kinesthetic, design and aural forms of artistic communication.

3.1.2. Gain Knowledge of Human Cultures and the Physical and Natural Worlds: Courses requiring study in the sciences and mathematics, social sciences, humanities, histories, languages and the arts, focused by engagement with "big" questions – both contemporary and enduring.

3.1.3 Develop Personal and Social Responsibility: Including community and civic knowledge and engagement – local and global, intercultural knowledge and competence, ethical reasoning and action, foundations and skills for lifelong learning. These categories of General Education development must be demonstrated through involvement with diverse communities and real-world challenges.

3.1.4. Demonstrate Integrative Learning: Including synthesis and advanced accomplishment across coherent general and specialized studies, demonstrated through the application of knowledge, skills, and responsibilities to new settings and complex problems. Integrated learning is expected to be part of all courses and programs.

3.2. General Education Core Requirements: Students must satisfy all of the following General Education core requirements, which will be included at all institutions: Students shall be required to complete English 1010, Introduction to Writing (3 credits), which may have been completed through Concurrent Enrollment of Advanced Placement, and English 2010, Intermediate Writing (3 credits). Some institutions offer English 2100, Technical Writing. While English 2010 is preferred, if institutional policy allows, English 2100 may satisfy the English 2010 requirement. Students may satisfy the mathematics requirement by completing Mathematics 1030, Quantitative Literacy /Reasoning (3 credits), Mathematics 1040, Statistics (3 credits), Mathematics 1050 (3 or 4 credits), College Algebra, or other institutionally-approved mathematics courses. If a student does not test at the level set by institutional policy and practices, the student will be required to take a math course that meets faculty-determined quantitative literacy outcomes prior to enrolling in Math 1030, Math 1040, Math 1050, or other institutionally-approved mathematics courses. All of the courses in the Quantitative Literacy/Reasoning General Education curriculum require high school Mathematics 1, 2, and 3 as prerequisites. USHE institutions may determine if an ACT, SAT or placement examination score is sufficiently high to waive English 1010 or Quantitative Literacy requirements. American Institutions: Students shall satisfy this requirement by completing one of the following courses: Economics 1740, (3 credits); United States Economic History, (3 credits); Political Science 1100, American Political Institutions (3 credits); or History 1700, American Civilization (3 credits). An interdisciplinary integrated course that satisfies comparable criteria as those in Utah statute may also satisfy the requirement. Some institutions may require a two course sequence in the areas of economics, political science, or history which satisfies comparable criteria.

3.3. General Education Breadth Requirements beyond the Core: In addition to completing all core requirements described in 3.1, students will be required to complete 18 to 27 credits beyond the General

Education core. These courses shall be in the areas of fine arts, humanities, social and behavioral sciences, life sciences, physical sciences, and other areas deemed appropriate at individual USHE institutions. Outside the core requirements, USHE institutions are encouraged to establish unique course requirements which reflect emphases of the institutions, strengths of faculties, and the varying interests of students. Institutional General Education requirements may be accessed through institutional websites.

3.4. Pathways to Completion through Pre-Major Courses: Pre-major courses are those that are taken in lower- division, incorporating General Education, and that begin preparing students for their intended major course of study. The number of credits in a Pre-major set of courses is determined by both departmental faculty and the appropriate Major's committee (R470-6.). Pre-major courses should resemble those offered in four-year institutions leading to an approved major.

3.4.1. Lower-Division Pre-Major Requirements: In establishing policies and procedures to support ease of transfer and timely progress toward graduation for USHE students, the Board of Regents recognizes that Pre-Majors and emphases may differ because of the institutions' unique missions. Committees and procedures are therefore established to provide common lower-division Pre-Major requirements so that when students transfer or apply for upper-division majors, they will receive full value for their academic work.

3.5. Substitution of Courses in Pre-Major Area for General Education Requirements: To encourage timely decisions by students to select Pre-Major areas while promoting educational breadth, institutions may allow students with declared Pre-Majors in areas listed in section 3.3. to substitute study and achievement in their Pre-Major area for General Education requirements. Students may achieve the required number of total General Education credits by completing additional coursework in other General Education areas. USHE transfer students who retain the same Pre-Major area will be allowed to maintain the substitution at the receiving institution and will not be required to complete additional General Education coursework.

3.6. Similar Names, Common Numbers, and Equal Credits for General Education Courses: To facilitate articulation, General Education courses at USHE institutions having essentially the same learning goals and similar content, rigor, and standards, should have similar names, common numbers, and equal credits. The Statewide Articulation Committee shall assure, through institutional action, that all courses satisfying General Education requirements at any USHE institution will be articulated to the fullest extent possible to satisfy comparable General Education requirements at all other USHE institutions.

3.7. General Education Common Competencies and Learning Goals Assessment: All General Education courses will be expected to address and assess competencies and learning goals identified by designated groups within the USHE.

3.7.1. Collaboration among Faculty. Faculty are expected to work collaboratively with their system-wide peers in order to establish competencies and learning goals for General Education, Pre-Majors, and all lower-division courses and learning experiences.

3.7.2. Learning Expectations at the Culmination of the Two-year Level: Prior to associate degree completion or the completion of 60 hours in a four-year program, students should be provided with cumulative and integrative learning experiences in which they can demonstrate intellectual skills, specialized knowledge, broad and integrative knowledge, applied and collaborative learning, community, civic and global learning, and institution-specific learning expectations.

R470-4. Committees for General Education Procedures: To implement the General Education policy, the following committees shall be established:

4.1. Regents' General Education Task Force: The Regents' General Education Task Force will be comprised of one representative who oversees General Education on his/her campus, from each USHE institution, nominated by the Chief Academic Officer and appointed by the President, and non-voting or ex officio members as needed for expertise on particular issues. A member of the Commissioner's academic staff with the Task Force chair will convene but not chair the Regents' General Education Task Force. This Task Force shall:

4.1.1. Establish overarching learning goals in the core and other General Education areas, based on recommendations made by the General Education faculty and Majors' Meeting committees.

4.1.2. Propose methods to assess student learning outcomes in General Education that include the VALUE rubrics or other assessment tools that provide demonstrated evidence of student learning that will inform and improve teaching. The tools and evidence should be shared with the Chief Academic Officers and the USHE institutions.

4.1.3. Facilitate coordination with groups working on related tasks by appointing members of the Task Force to assist other USHE committees, such as the Statewide Articulation Committee, as requested and appropriate.

4.2. General Education Area Work Groups: The Regents' General Education Task Force may convene work groups when necessary. The General Education Area Work Groups include fine arts, humanities, social and behavioral sciences, life sciences, and physical sciences, composition, quantitative literacy/reasoning, and American Institutions. These work groups may be comprised of two representatives from each USHE institution. These work groups shall:

4.2.1. Provide recommendations on competencies underlying each General Education area and suggestions on methods used to assess student learning outcomes in relation to the Essential Learning Outcomes and institutional learning expectations. These recommendations are to be submitted to the Regents' General Education Task Force for review.

4.2.2. Meet annually during the "What is an Educated Person?" conference and, as needed, review the General Education competencies and learning goals in each area, and discuss and compare programs.

4.2.3. Submit recommendations for review by the Regents' General Education Task Force.

R470-5. Course Numbering Code: Courses of similar level shall be given numbers in accordance with the following code.

5.1. Lower-Division Courses: The following course numbering schema applies to all USHE institutions. Lower division courses may not be cross listed with upper-division courses without approval by the institutional curriculum committee.

- 0001-0999 Remedial or preparatory courses
- 1000-1999 Freshman courses
- 2000-2800 Sophomore courses
- 2800-2999 Lower-division independent study designation (directed reading, individual projects, seminars,

special topics, workshops, private lessons, tutoring.)

5.2. Upper-Division Courses: Upper division courses may not be cross listed with graduate courses unless permission is given by the institution's curriculum committee.

- 3000-3999 Junior courses
- 4000-4800 Senior courses
- 4800-4999 Upper-division independent study designation (directed reading, individual projects, festivals, institutes, workshops, seminars, etc.)
- 4800 Individual research courses (1-5 credits)
- 4830 Directed reading courses (1-5 credits)
- 4860 Practicum courses (1-12 credits)
- 4890 Internship courses (1-12 credits)
- 4920 Workshops, festivals, institutes (1-5 credits)
- 4950 Field trips (1-5 credits)
- 4990 Seminars (1-5 credits)
- 5000-5799 Advanced upper-division and graduate courses (graduate credit allowed for department majors or by permission of student's department chair.)
- 5800-5999 Advanced upper-division and graduate independent study designations (seminars, directed reading, individual projects, etc. - by permission of department chair.)

5.3. Honors Programs: Honors courses can be found at all USHE institutions. Honors courses will be clearly designated in institutional catalogs and meet the institutional expectations for Honors designation.

5.4. Graduate Courses: Graduate courses can be found at the University of Utah, Utah State University, Weber State University, Southern Utah University, and Utah Valley University. The following designation of graduate course numbers guide, but do not constrain, institutional course numbering policies.

- 6000-7999 Graduate courses (students without baccalaureate degrees must obtain special permission to enroll)
- 6800-6899 Graduate seminars (including methodology and research seminars)
- 6900-6999 Directed reading, individual projects, thesis, etc.
- 6970-6979 Master's thesis research
- 6980-6989 Master's thesis faculty research consultation
- 6990 Master's thesis continuing registration
- 7600-7899 Advanced graduate seminars
- 7900-7969 Doctoral independent study, special topics, etc.
- 7970-7979 Doctoral dissertation and/or project research
- 7980-7989 Doctoral dissertation faculty research consultation
- 7990 Doctoral dissertation continuing registration

R470-6. USHE Major Committees: The Office of the Commissioner shall organize USHE Majors' Committees in each of the academic disciplines. Major departments at the universities are expected to work closely with the Majors' Committees in order to achieve the greatest possible congruence between Pre-Major requirements at community colleges and lower-division major requirements at four-year institutions.

6.1. The Chief Academic Officers of each institution shall nominate one faculty representative from his or her institution in each discipline area. If appropriate, the Chief Academic Officer may also nominate additional

faculty in major areas within a discipline and staff to attend each disciplinary meeting.

6.1.1. Meetings of the Major Committees shall be organized by the Office of the Commissioner and be held at least annually.

6.1.2. The Regents General Education Task Force and assigned staff from the Commissioner's Office will collaborate to develop an agenda for the Majors' meetings. The agenda will be reviewed by the Chief Academic Officers, who may provide additional agenda items. Each Major Committee will review the agenda in advance of the meeting and add other issues of importance to the particular major.

6.2. Committee Responsibilities: It shall be the responsibility of each USHE Major Committee to:

6.2.1. Reach agreement on specific required lower-division Pre-Major courses that are common at all USHE institutions. It is important to note that equivalencies are based on content and mastery of subject matter, not only course level. Not all institutions offer all lower-division courses.

6.2.2. Continually review course learning outcomes and expected competency levels and content matter that should be satisfied in required lower-division Pre-Major area courses to assure that students who complete the coursework will be fully prepared to successfully complete upper-division coursework.

6.2.3. Assure that in most major programs at USHE four-year institutions, courses numbered 3000 or higher are not required for lower-division students; community colleges shall not offer courses at the lower division that the Major Committee agrees should be taught at the upper-division level. Exceptions will be dealt with by the individual Major Committees.

6.2.4. Review lower-division courses now commonly numbered to assure they fulfill General Education and Pre-Major requirements. Additional lower-division courses may be considered for common numbering if they are similar in content, standard, and rigor as specified in the Utah Code.

6.3. Maximum Credits: Each Major's committee will establish a maximum number of credits, in keeping with institutional practices, for lower-division Pre-Major coursework required in each discipline to assure successful transfer.

6.3.1. Generally, the number of credits required should be limited so that students may also complete required General Education coursework within the number of credits allowed for the AA or AS degree.

6.3.2. Exceptions may be made when mandated by accreditation, licensing, extra-departmental professional, or other institutional requirements. When exceptions are made, students may not be able to complete required General Education coursework within the number of credits allowed for the AA or AS degree.

6.3.3. If Majors' Committees determine additional lower-division credits are needed to prepare students to successfully complete upper-division coursework, the Committee may recommend the delay of some General Education requirements until after transfer and/or acceptance to an upper-division major program. Under no circumstances will individual Major's Committees be allowed to make exceptions to General Education requirements—a degree may not be awarded unless the

General Education and program requirements for that degree are met.

6.4. Admission to Upper-Division Major Program: Completion of required lower-division Pre-Major coursework by transfer students from USHE community colleges and institutions also having a community college role shall not constitute an assurance that transfer students will be admitted into a specific major program at a USHE four-year institution. It must be understood that many programs have a limited number of openings and that admission may be highly competitive.

6.5. Disclosure of Partial Program: If an institution does not have the faculty or resources to offer, as part of its curriculum, all of the agreed-upon lower-division Pre-Major courses in a given discipline and emphasis, it will inform prospective students interested in that Pre-Major area that the institution does not offer all of the needed lower-division Pre-Major courses; students may consider attending another institution offering the required coursework or enroll in online courses offered elsewhere in the USHE.

R470-7. Transfer of Credit Policy: USHE colleges and universities shall facilitate transfer from institution to institution.

7.1. Transfer of General Education Credits

7.1.1. Transfer of Partially Completed General Education Credits: For transfer students from USHE institutions who have not fully satisfied the General Education requirements, all USHE receiving institutions shall accept at full value all General Education coursework approved by the sending institution, provided it meets the minimum letter grades accepted by the receiving institution. Receiving institutions shall only require transfer students to complete any additional coursework needed to satisfy the unmet requirements of the receiving institution.

7.1.2. Transfer of Completed General Education Credits through Program Completion: An AA or AS degree earned at any USHE institution will meet the General Education requirements of all other USHE institutions. If a student has completed all institutional General Education requirements, a Letter of Completion (issued by the sending institution confirming General Education completion) or a Certificate of General Education completion shall be accepted by the receiving USHE institution.

7.1.2.1. Letter of Completion Using non-USHE Credits/Courses: Students who enter a USHE institution with most of their General Education credits from a non-USHE regionally-accredited institution, and who want a Letter of Completion from the USHE institution, must complete at least nine credit hours or meet the minimum residency and grade point average requirements of the institution from which the Letter of Completion is requested.

7.1.2.2. Length of Time for Acceptance and Applicability of Credit: USHE institutions must accept credit transferred from institutions within the System. Institutional colleges and departments may review courses taken over the prior 15 years, or over a time period in compliance with institutional policies, and make a determination of applicability to current requirements of a credential or degree based on the appropriateness of course content, rigor, and standards. Students wanting transfer credits that were earned either 15 years earlier or longer may be asked to demonstrate competencies in the learning outcomes expected in General Education courses they have completed by using port-folios, challenge examinations or other forms of evidence that demonstrate their continued competence. Students may petition an institution's transcript office for an exception to the 15 year limit,

and that office will consult with the appropriate academic departments before making a decision.

7.2. Transfer of Non-General Education Credits: Credit for courses numbered 1000 or above earned in the USHE, regardless of being General Education credits or not, is transferable within the USHE and will be carried on the student's transcript by the receiving institution.

7.2.1. Application of Credit: Acceptance of credit should not be confused with its application. Transfer applicants are entitled to a clear disclosure by the receiving institution of the difference between acceptance of credits and the application of credits toward a credential or degree. Transfer credit may or may not apply to the graduation requirements of an institution, regardless of the number of credits transferred. The receiving institution will apply credit based on the appropriateness to a particular institution's specific degree program requirements and curricula.

7.2.2. Transfer with Upper-Division Status: Institutions shall enable community college students (if they fully complete an AA or AS degree and a prescribed Pre-Major area that comports and articulates with the receiving institution's Pre-Major requirements) to transfer with upper-division status to any USHE four-year institution without taking any lower-division Pre-Major courses at the receiving institution.

7.2.3. Exceptions to Applying Pre-Major Coursework Credit: Exceptions may occur when mandated by institutional requirements or other accreditation, licensing, or extra-departmental professional requirements, and as provided in 6.3.3, 6.4, and 6.5 above. In such cases, the transfer student will be expected to complete lower-division coursework required at the four-year institution.

R470-8. Credit Transfer Principles within USHE

8.1. Institutional Integrity: In order to promote institutional integrity, each institution is responsible for developing its own transfer policies and procedures consistent with the policies established by the Board of Regents to facilitate the transfer of credits within the USHE.

8.2. Transfer Statements: Because USHE institutions are part of a statewide system, institutions should clearly communicate online and/or in print reasonable and definitive transfer statements to avoid confusion and possible injustice to individual applicants and promote articulation within the USHE.

8.3. Minimum Standards: Course quality, content, competency level, and amount of credit earned should be comparable to those courses at the receiving institution.

8.4. Individual Student Consideration

8.4.1. Anticipated Program: Information of program and course requirements, including institutional transfer and articulation agreements between two-year and four-year institutions that go beyond those established in this policy, should be published online and/or in print and available to prospective students. Students should be encouraged to establish educational goals early in their educational program. Each student should request assistance from an academic advisor to assure the student's educational goals fit with the program at the institution to which that student intends to transfer. Transfer policies and practices should facilitate transfer once the student is prepared to enter, and has been accepted to, the anticipated program.

8.4.2. Accredited Institutions: A receiving institution should have reasonable confidence that

students from recognized regionally-accredited institutions are qualified to undertake its educational program. Students from recognized national or specialized accredited institutions may need to demonstrate competency only in instances where academic attainment is uncertain.

8.4.2.1. Western Interstate Commission for Higher Education (WICHE) Passport

Holders: Students from accredited Western colleges and universities who have successfully completed courses agreed to by the participating WICHE Passport states, shall have their courses accepted without having to repeat them. Transfer students entering with the Passport and who have successfully completed a higher level math course, will be given full credit for that course. These courses which are listed by the Western Interstate Commission for Higher Education on its website will complete the requirements of the Passport and institutional transcripts will have a designation on sending institutions' transcripts and will be recognized and given full value by system registrars and academic advisors.
(<http://www.wiche.edu/passport/about>)

8.4.2.2. Students Entering with Associates' degrees from Regionally Accredited non-USHE Institutions: Students, who enter USHE schools from regionally-accredited institutions and have completed the AA/AS degree, will have their transcripts reviewed to assure they have successfully completed relevant courses in the three core areas required of USHE students by Utah Code: mathematics, composition and American Institutions.

8.4.2.3. Students Entering from Regionally Accredited Institutions with Associates' degrees but without Pre- Major-specific Courses: Students who enter USHE institutions with the AA/AS degree, but are deficient in pre- requisite courses required for their major course of study, may be required to successfully complete such courses at the lower-division level in order to prepare for success in their chosen major once they are accepted.

8.4.2.4. Students Entering from Regionally Accredited Institutions without Associates' degrees: Students who enter the USHE from regionally accredited institutions without having completed an associate's degree must have their transcripts evaluated by the receiving institution to determine if additional Pre-Major and/or General Education coursework will be required to meet USHE institutional requirements.

8.5. Institutions without Regional, National nor Specialized Accreditation: Receiving institutions should evaluate on a case by case basis any credits earned at institutions that do not have regional, national, or specialized accreditation. Evaluation may be assisted by information provided by or about the unaccredited institution such as a catalog covering the years students attended, a description of courses the students completed, course syllabi, faculty credentials, and library facilities. Institutions may require verification of competency attainment through assessments or examinations.

8.5.1. Foreign Institutions and Proprietary Schools: In evaluating credits from foreign institutions and proprietary schools, the receiving institution should make equivalency and placement decisions in terms of its own policies and curricula.

8.6. Credits from Extra Institutional Settings: In order to expand the range of educational opportunities and to incorporate them into the credit exchange system, and in order to remove unnecessary restrictions to access, institutional policies should contain statements on credits earned in extra institutional settings (structured and non- structured) including the military, religious, career, and technical institutions.

8.6.1. Credit for Current and Former Military Personnel: Pursuant to Utah Code 53B-16-107, all USHE institutions shall provide written notification to each student applying for admission that the student is required to meet with a college advisor in order to receive credit for military service and training. Upon student request, USHE institutions will provide credit based on a review of recommendations from a Regent-approved post-secondary association to include the American Council on Education and other sources as may be deemed appropriate by the institution. To receive credit under this provision current and former military personnel must meet with an academic advisor to discuss applicability of credit to program requirements, possible financial aid implications, and other factors that may impact attainment of the student's educational goals, such as competencies that are transferable to a course of study. Upon transfer within the USHE, a student may present a transcript from a USHE institution to a receiving USHE institution to determine the applicability of credit to the student's chosen major. The receiving institution shall evaluate the credit to be transferred pursuant to this policy.

8.6.1.2. Processes for Evaluation of Credit for Current and Former Military Personnel: Representatives from USHE institutions who have responsibility for veterans' services shall meet at least annually to review institutional policies and practices relative to awarding credit for current and former military personnel with the goal of maintaining consistent system-wide practices for evaluating and awarding credit pursuant to Section 8.6.1.

8.6.1.3. Reporting Credits Awarded to Current and Former Military Personnel: USHE Institutions shall report annually to the Board of Regents the number of credits awarded under Section 8.6.1 above.

8.7. Basic Responsibilities of All Institutions: The basic responsibilities of both sending and receiving institutions include:

- 8.7.1. Furnishing transcripts and course descriptions vital in judging the quality and quantity of transfer students' work,
- 8.7.2. Advising students as to the acceptability of credits shown on individual transcripts,
- 8.7.3. Making clear and prompt decisions on credit acceptance and application,
- 8.7.4. Informing potential students of services in the institution.

R470-9. Credit by Examination Policy: The Board of Regents accepts as valid the concept of credit by examination without equivalent previous college coursework. Because of the variety of testing programs, the domain of individual departments and General Education, the following specific policies shall apply:

9.1. Examinations that Replace Specific Coursework: Individual departments may use examinations/assessments consistent with departmental standards and those set in Major Committees to award credit that replaces specific General Education coursework.

9.1.1. Departmentally-Devised Examinations: Each department may determine which of its offerings may be challenged by examination and should construct, administer, and evaluate appropriate and departmentally approved examinations upon the request of students.

9.1.2. External Standardized Examinations: External standardized examinations should be evaluated by individual departments as they become available to determine their appropriateness, validity, and acceptable scores. When a transfer student has completed the General Education requirements of a USHE institution, the receiving institution will honor the sending institution's determination of General Education credit awarded, including credit granted for external standardized exams.

9.1.2.1. Advanced Placement Examinations: The following policies for the awarding of credit for Advanced Placement have been reviewed and recognized by the Statewide Transfer Articulation Committee with representatives from all USHE institutions:

9.1.2.1.1. Scores of 3, 4, or 5 may receive a maximum of 10 semester hours of credit for a foreign language exam, up to 8 semester hours of credit for a full year course, or up to 4 semester hours of credit for a half year course. Institutions may determine appropriate AP scores in academic departments for which there are AP examinations.

9.1.2.1.2. A score of 2 should be evaluated by the department to determine what, if any, credit should be awarded.

9.1.2.1.3. A score of 1 should receive no credit.

9.1.2.2. CLEP (College Level Examination Program): CLEP General Examination credit should be recognized and a standard should be set based on the recommendations of the Statewide Articulation Committee and CLEP Examination Guidelines. A minimum score of 50 is required to award credit with 10 semester hours per test being the maximum number of credits allowed. Each institution shall award credit as it sees fit; however, the following guidelines are for awarding General Education credit through the CLEP process.

9.1.2.2.1. Composition: The College Composition or College Composition Modular examination will satisfy the introduction to writing requirement.

9.1.2.2.2. Quantitative Literacy: College Algebra Subject examination or the Pre-Calculus Subject examination will satisfy the Quantitative Literacy requirement.

9.1.2.2.3. American Institutions: The American Government Subject examination or the American History Subject examination will satisfy the American Institutions requirement.

9.1.2.2.4. Life Science: The Biology Subject examination will satisfy the Life Science requirement.

9.1.2.2.5. Physical Science: The Chemistry Subject examination will satisfy the Physical Science requirement.

9.1.2.2.6. Humanities: The Analyzing and Interpreting Literature with Essay examination will satisfy the Humanities requirement.

9.1.2.2.7. Social and Behavioral Sciences: The Introductory Psychology or Introductory Sociology examinations will satisfy the Social and Behavioral Sciences requirement.

9.1.2.2.8. Other General Education: CLEP-verified General Education credit other than that for which specific guidelines are provided in this policy may be awarded as determined by each institution.

9.1.3. International Baccalaureate: Credit should be granted for International Baccalaureate examinations and/or diplomas as determined by each institution.

9.2. Prior Learning Assessments: Students may demonstrate that they have specific subject matter credit through the Prior Learning Assessment developed by the Council of Adult and Experiential Learning or the American Council on Education. Institutional departments should evaluate and accept such credit if it meets institutional and departmental standards.

9.3. Allowable Credit: Institutional limits may be imposed on the amount of General Education credit that may be earned by means other than taking courses directly from the institution. Institutional limits may also be imposed on the amount of credit that may be earned through departmentally-devised or standardized subject area examinations.

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Salt Lake Community College - Associate of Applied Science Degree in Collision, Maintenance and Light Repair

Issue

Salt Lake Community College (SLCC) requests approval to offer an Associate of Applied Science degree in Collision, Maintenance and Light Repair effective Summer Term, 2014. This new degree program is designed in a stackable credential format that requires students to meet general education requirements and earn the Certificate of Completion in Automotive Collision Repair and one of the following two credentials: 1) Certificate of Completion in Diesel Systems Technology; or 2) Certificate of Completion in Automotive Maintenance and Light Repair. These three certificates of completion are existing credentials at SLCC.

Background

Collision repair bridges the automotive and diesel industries. Salt Lake Community College reported that employers are progressively favoring applicants who have completed postsecondary training programs in collision repair and either diesel or automotive maintenance technology and that there is demand among diesel shops and auto repair shops to hire and retain well-qualified technicians who are cross-trained in these areas. The institution has consulted with three program advisory committees in the areas of Automotive Collision Repair/Paint, Automotive Technologies, and Diesel Systems Technology and has received endorsement for this program from these three industry groups.

The three occupational areas of Automotive Body and Related Repairers (SOC Code 49-3021), Automotive Service Technicians and Mechanics (SOC Code 49-3023), and Bus and Truck Mechanics and Diesel Engine Specialists (SOC Code 49-3031) are listed as having a four-star rating (on a five point scale) by the Utah Department of Workforce Services Utah Occupational Reports. These reports showed median hourly wages of \$17.08, \$18.04, and \$20.36 and estimated annual job openings of 60, 270, and 130, respectively.

The stackable credential format as proposed for this program provides students with multiple options. Salt Lake Community College reported that often students interrupt their schooling to pursue employment prior to completing a college credential. This program will provide points of exit and re-entry for working adults who wish to earn a college credential on the path to an associate's degree. Further, while the program is

not necessarily designed for transfer, students who earn the associate of applied science degree have the option to transfer into the Technology Management Bachelor's Degree program at Utah Valley University. Up to 45 technical credits may be applied towards this bachelor's degree.

Policy Issues

The proposed program has been developed through established institutional procedures and Regent policy. Chief academic officers as well as faculty in related departments from the Utah System of Higher Education institutions have reviewed the proposal and have provided input. There are no additional policy issues relative to approval of the program.

Commissioner's Recommendation

The Commissioner recommends the Board of Regents approve the Associate of Applied Science Degree in Collision, Maintenance and Light Repair effective Summer Term, 2014.

David L. Buhler
Commissioner of Higher Education

DLB/BKC
Attachment

Program Description
Salt Lake Community College
AAS in Collision, Maintenance, and Light Repair

Section I: The Request

Salt Lake Community College requests approval to offer an Associate of Applied Science degree in Collision, Maintenance and Light Repair effective Summer Term, 2014. This program was approved by the institutional Board of Trustees on 12 February 2014.

Section II: Program Description

Complete Program Description

The proposed Associate of Applied Science (AAS) degree in Collision, Maintenance and Light Repair program is designed to provide students with a practical hands-on technical experience through the Certificate of Completion in Automotive Collision Repair, along with the Certificate of Completion in Diesel Systems Technology or the Certificate of Completion in Automotive Maintenance and Light Repair. Students will learn the skills to prepare them for entry level positions in the automotive collision repair field and the diesel or automotive repair field. Graduating students will achieve two certificates of completion in their areas of study along with an AAS Degree in Collision, Maintenance and Light Repair.

All three certificates of completion currently exist at Salt Lake Community College. This new degree proposal combines currently approved programs into a stackable credentials model to create multiple points of exit and re-entry for working students who wish to apply a set of skills in a short time frame and then resume their education at a later date.

Purpose of Degree

The collision repair industry services both the automotive and diesel industries. Both industries require trained collision repair technicians. Collision repair technicians who have maintenance and repair training provide industry a more versatile technician and flexibility in job assignments.

Institutional Readiness

This is a pathway program that allows students from existing programs to adjust their pathway after one year. Because this program utilizes existing programs at SLCC, the existing program and administrative structures currently in place will be used.

Departmental Faculty

Department Faculty Category	Department Faculty Headcount – Prior to Program Implementation	Faculty Additions to Support Program	Department Faculty Headcount at Full Program Implementation
With Doctoral Degrees (Including MFA and other terminal degrees, as specified by the institution)			

Full-time Tenured			
Full-time Non-Tenured			
Part-time Tenured			
Part-time Non-Tenured			
With Master's Degrees			
Full-time Tenured	1		1
Full-time Non-Tenured			
Part-time Tenured			
Part-time Non-Tenured			
With Bachelor's Degrees			
Full-time Tenured			
Full-time Non-Tenured	1		1
Part-time Tenured			
Part-time Non-Tenured			
Other			
Full-time Tenured	4		4
Full-time Non-Tenured	1		1
Part-time Tenured			
Part-time Non-Tenured	5		5
Total Headcount Faculty in the Department			
Full-time Tenured	5		5
Full-time Non-Tenured	2		2
Part-time Tenured			
Part-time Non-Tenured	5		5
Total Department Faculty FTE <i>(As reported in the most recent A-1/S-11 Institutional Cost Study for "prior to program implementation" and using the A-1/S-11 Cost Study Definition for the projected "at full program implementation.")</i>	9.5	X	9.5

Faculty development is currently being handled within the existing program areas of Automotive Collision Repair/Paint, Automotive and Related Technologies and Diesel Systems Technology. No additional special training is required.

The Automotive Collision Repair/Paint faculty at Salt Lake Community College have a total of 67 years of teaching talent, 21 years of industry proficiency and 35 years of Inter-Industry Conference on Auto Collision Repair experience.

The Automotive and Related Technologies faculty at Salt Lake Community College shares a collective total of 91 years of teaching expertise and a total of 166 years of industry experience.

The Diesel Systems Technology faculty at Salt Lake Community College have a total of 24 years of teaching expertise and 65 years of industry experience.

Staff

This degree requires no change in support staff. Existing support staff includes program coordinators, associate dean and administrative support.

Library and Information Resources

This degree requires no change in library and information resources. The resources currently provided through the Salt Lake Community College library system supports the existing AAS Automotive Technician Program. The SLCC Libraries provide a broad range of resources including print books and periodical subscription, access to electronic databases and reference titles (which include full text articles and indexing/abstracting services), e-books, e-journals, online video resources, and more.

Admission Requirements

There are no additional admission requirements to this program beyond those required for admission to Salt Lake Community College.

Student Advisement

The School of Technical Specialties has one dedicated academic advisor for all programs within the school. Department coordinators, faculty and staff provide advising to students as well.

Justification for Graduation Standards and Number of Credits

Credit and course requirements for this program meet the USHE and SLCC standards.

External Review and Accreditation

The School of Technical Specialties sponsors three Program Advisory Committees (PAC) in the areas of Automotive Collision Repair/Paint, Automotive Technologies, and Diesel Systems Technology. Salt Lake Community College has discussed the Collision, Maintenance and Light Repair program with these three industry committees. The diesel and automotive PACs agreed this program would benefit industry while the collision PAC endorsed how such a program is vital to industry.

Projected Program Enrollment and Graduates; Projected Departmental Faculty/Students

Data Category	Current – Prior to New Program Implementation	PROJ YR 1	PROJ YR 2	PROJ YR 3	PROJ YR 4	PROJ YR 5
Data for Proposed Program						
Number of Graduates in Proposed Program	X	0	1	3	5	7
Total # of Declared Majors in Proposed Program*	X	0	1	2	3	4
Departmental Data – For All Programs Within the Department						
Total Department Faculty FTE (as reported in Faculty table above)	9.5	9.5	9.5	9.5	9.5	9.5
Total Department Student FTE (Based on Fall Third Week)	169	169	170	172	174	175
Student FTE per Faculty FTE (ratio)	17.8	17.8	17.9	18.1	18.3	18.4

<i>of Total Department Faculty FTE and Total Department Student FTE above)</i>						
Program accreditation-required ratio of Student FTE/Faculty FTE, if applicable: (Provide ratio here:)	N/A	N/A	N/A	N/A	N/A	N/A

*Note: Because this program links three existing certificates of completion in a stackable configuration, most anticipated graduates of this program will have previously chosen one or more of the certificates as their declared major rather than the AAS degree. Those who intend to pursue this AAS degree from the outset will be outnumbered by those who roll their existing certificates of completion into the AAS degree.

Expansion of Existing Program

This would not increase course or work load to the department.

Section III: Need

Program Need

The collision repair industry services both the automotive and diesel industries. Both industries require trained collision repair technicians. Collision repair technicians who have maintenance and repair training provide industry a more versatile technician and flexibility in job assignments.

Students who earn an AAS degree in Collision, Maintenance and Light Repair have the option to transfer into the Technology Management Bachelor Degree at Utah Valley University. UVU can accept up to 45 technical credits towards this degree.

Labor Market Demand

All three areas of Automotive Collision Repair/Paint, Automotive and Related Technologies and Diesel Systems Technology are considered four-star rated (good employment outlook and relatively high wages) careers for employment. Median hourly wages are \$17.08 for Automotive Body and Related Repairers, \$18.04 for Automotive Service Technicians and Mechanics, and \$20.36 for Bus and Truck Mechanics and Diesel Engine Specialists with 60, 270, and 130 annual openings respectively (source: Utah Occupational Reports, Utah Department of Workforce Services). Salt Lake Community College's program advisory committees reported that employers are progressively favoring applicants who have completed postsecondary training programs in collision repair and either diesel or automotive repair and that there is demand among diesel shops and automotive repair shops to hire and retain well-qualified technicians trained in both collision and mechanical repair. It is expected that the structure of this proposed program will meet this need and will lead to many career opportunities for students.

Wages:

SLCC Program	SOC Code Title	SOC Code	Hourly Inexperienced	Hourly Median	Annual Inexperienced	Annual Median
UTAH						
Diesel Systems Technology*	Bus and Truck Mechanics and Diesel Engine	49-3031	\$14.46	\$20.36	\$30,080	\$42,340

	Specialists					
Automotive Maintenance and Light Repair	Automotive Service Technicians and Mechanics	49-3023	\$11.99	\$18.04	\$24,950	\$37,530
Automotive Collision Repair	Automotive Body and Related Repairers	49-3021	\$11.92	\$17.08	\$24,790	\$35,530
UNITED STATES						
Diesel Systems Technology	Bus and Truck Mechanics and Diesel Engine Specialists	49-3031	—*	\$20.35	—	\$42,320
Automotive Maintenance and Light Repair	Automotive Service Technicians and Mechanics	49-3023	—*	\$17.60	—	\$36,610
Automotive Collision Repair	Automotive Body and Related Repairers	49-3021	—*	\$18.45	—	\$38,380

Employment Projections:

SLCC Program	SOC Code Title	SOC Code	Current Employment	Projected Employment	Total Annual Openings	Annual % Change
UTAH						
Diesel Systems Technology*	Bus and Truck Mechanics and Diesel Engine Specialists	49-3031	2,940	3,590	130	2.2%
Automotive and Related Technologies	Automotive Service Technicians and Mechanics	49-3023	5,650	6,900	270	2.2%
Automotive Collision Repair/Paint	Automotive Body and Related Repairers	49-3021	1,290	1,570	60	2.1%
UNITED STATES						
Diesel Systems Technology	Bus and Truck Mechanics and Diesel Engine Specialists	49-3031	242,200	277,400	8,780	1.5%
Automotive and	Automotive	49-	723,400	848,200	31,170	1.7%

Related Technologies	Service Technicians and Mechanics	3023				
Automotive Collision Repair/Paint	Automotive Body and Related Repairers	49-3021	152,900	181,100	6,520	1.8%

Source: Utah Occupational Reports, Utah Department of Workforce Services, Available on-line at <http://jobs.utah.gov/jsp/wi/utalmis/oidoreport.do>.

*Note: Data do not exist for this combination of experience/ skill set in the diesel/collision repair occupation.

Student Demand

The institution reported that often students interrupt their schooling for employment and not completing an educational credential. This degree program would provide a pathway for students to combine existing one year certificates of completion with general education that enables them to receive college credentials along the path to an associate's degree. Students may complete a one-year certificate, obtain employment, and then continue toward completion of the AAS degree as their circumstances permit.

Similar Programs

There is no other program like the Collision, Maintenance and Light Repair Associate of Applied Science degree available to students in Utah. Similar programs addressing one area or another include:

- Utah State University
 - Automotive Technology AAS, CC
 - Diesel and Heavy Equipment Mechanics AAS
- Weber State University
 - Automotive Service Technology BS, AAS
 - Automotive Technology BS, AAS
 - Southern Utah University - None
- Snow College
 - Automotive Technology AAS
 - Diesel and Heavy Duty Mechanics Technology AAS
- Dixie State University
 - Automotive Mechanics AAS
- Utah Valley University
 - Automotive Technology AS/AA, AAS, Diploma, CC
 - Collision Repair Technology (Emphasis available for degree AAS, Diploma), CC
 - Diesel Mechanics Technology, AAS, Diploma, CC
- Salt Lake Community College
 - Automotive Technician AAS
 - Automotive Collision Repair and Refinishing AAS
 - Automotive Collision Repair CC
 - Automotive Refinishing CC
 - Diesel Systems Technology AAS
 - Diesel Systems Technology CC
 - Diesel Systems Technology CC

Collaboration with and Impact on Other USHE Institutions

For students who complete SLCC's technical AAS programs and want to move into a management position, Utah Valley University offers a combination of courses online and at SLCC's Taylorsville Redwood Campus leading to a bachelor's degree in Technology Management. Upper division courses in business management supplement technical training to prepare students to manage and lead technical businesses.

Benefits

The institution anticipates this program will increase completions within the Automotive, Diesel and Collision programs by providing alternative pathways of needed industry skills. In addition, it will create clear re-entry points for students wishing to continue their studies after working in industry for a period of time.

Consistency with Institutional Mission

This degree is consistent with the goals and missions of SLCC by serving the needs of community and government agencies, business, industry and other employers. The College fulfills its mission by offering associate degrees, certificate programs, career and technical education, developmental education, transfer education, and workforce training to prepare individuals for career opportunities and an enriched lifetime of learning and growing and by offering programs and student support services that provide students opportunities to acquire knowledge and critical thinking skills, develop self-confidence, experience personal growth, and value cultural enrichment.

Section IV: Program and Student Assessment

Program Assessment

The National Automotive Technicians Education Foundation (NATEF), National Institute for Automotive Service Excellence (ASE), and the Inter-Industry Conference on Auto Collision Repair (I-CAR) produce and distribute both competency standards and assessment instruments for students in these fields. Faculty administer a combination of written examinations and practical skill tests to assess student competency in the areas described below. Successful completion of these assessments results in ASE and/or I-CAR certification.

Automotive Maintenance and Light Repair

1. Completers will obtain automotive engine repair entry level employment skills in accordance with NATEF standards.
2. Completers will obtain automotive suspension and steering entry level employment skills in accordance with NATEF standards.
3. Completers will obtain automotive brakes entry level employment skills in accordance with NATEF standards.
4. Completers will obtain automotive electrical/electronic systems entry level employment skills in accordance with NATEF standards.

(OR)

Diesel Systems Technology

1. Students will obtain entry level employment skills in diesel engine service and repair.
2. Students will obtain entry level employment skills for hydraulic systems and servicing procedures.
3. Students will obtain entry level employment skills for brake systems, testing and maintenance.

4. Students will obtain entry level employment skills for electrical and electronic areas of diesel systems.
5. Students will obtain entry level employment skills for transmissions.
6. Students will obtain entry level employment skills for heavy-duty drive trains.
7. Students will obtain entry level employment skills for truck suspension systems.
8. Students will obtain entry level employment skills for advanced engine performance.

(AND)

Automotive Collision Repair-

Students will gain entry level employment skills in non-structural collision damage repair.

1. I-CAR WKR 01 Worker Protection.
2. General shop safety and working with potentially hazardous materials found in the industry.
3. I-CAR FCR 01 Fundamentals of Collision Repair
4. I-CAR WCS 01 Welding and Cutting Steel
5. I-CAR DAM 01 Damage Analysis Program One, Vehicle ID, Estimating Systems, and Terminology.
6. I-CAR DAM 02 Damage Analysis Program Two, Frontal Impact Analysis.
7. I-CAR DAM 03 Damage Analysis Program Three, Mechanical Systems Analysis.
8. I-CAR DAM 04 Damage Analysis Program Four, Restraints, Interior Glass, Side and Rear Impact Analysis.
9. I-CAR WCS 05 Oxy-acetylene/Plasma Arc Cutting
10. I-CAR GLA 01 Movable Glass and Hardware

Students will gain entry level employment skills in structural collision damage repair.

1. I-CAR Corrosion Protection Steel.
2. I-CAR Stationary Glass 01 Stationary Glass Service
3. I-CAR MEA 01 Measuring
4. I-CAR SSS 01 Structural Straightening Steel
5. I-CAR SPS 01 Steel Unibody Front and Rear Rails, Floors and Front Structures
6. I-CAR SPS 02 Steel Unibody A-, B-, C-, D-Pillars, and Rocker Panels
7. I-CAR SPS 03 Steel Full Frame Sectioning
8. I-CAR WCS 03 Automotive Steel GMAW (MIG) Welding Qualification Test

Expected Standards of Performance

Competencies will be recorded with pre- and post-tests. Hands-on skills will be tested with practical exams. It is anticipated that students will be able to perform at an 80% or higher on both knowledge and skills exams as listed above.

Section V: Finance

Department Budget

The Collision, Maintenance and Light Repair degree pathway utilizes existing programs, courses, facilities and faculty. No changes are needed in the existing budget.

Three-Year Budget Projection							
Departmental Data	Current Departmental Budget – Prior	Departmental Budget					
		Year 1		Year 2		Year 3	
		Addition	Total	Addition	Total	Addition	Total

	to New Program Implementation	to Budget	Budget	to Budget	Budget	to Budget	Budget
Personnel Expense							
Salaries and Wages	\$362,434	2%	\$369,683	2%	\$377,076	2%	\$384,618
Benefits	\$178,063	10%	\$195,869	10%	\$215,456	10%	\$237,002
Total Personnel Expense	\$540,497	\$25,055	\$565,552	\$26,981	\$592,533	\$29,087	\$621,620
Non-Personnel Expense							
Travel	\$5,000		\$5,000		\$5,000		\$5,000
Capital							
Library							
Current Expense	\$70,593	0	\$70,593	0	\$70,593	0	\$70,593
Total Non- Personnel Expense							
Total Expense (Personnel + Current)	\$616,090	\$25,055	\$641,145	\$26,981	\$668,126	\$29,087	\$697,213
Departmental Funding							
Appropriated Fund	\$616,090	\$25,055	\$641,145	\$26,981	\$668,126	\$29,087	\$697,213
Other:							
Special Legislative Appropriation							
Grants and Contracts							
Special Fees / Differential Tuition							
Total Revenue	\$616,090	\$25,055	\$641,145	\$26,981	\$668,126	\$29,087	\$697,213
Difference							
Revenue- Expense	\$0		\$0		\$0		\$0

Departmental Instructional Cost / Student Credit Hour* (as reported in institutional Cost Study for "current" and using the same Cost Study Definition for "projected")	\$243		\$253		\$262		\$270
---	-------	--	-------	--	-------	--	-------

Funding Sources

This will not change the current budget for the department. Existing courses will continue to be taught each semester.

Reallocation

None

Impact on Existing Budgets

None

Section VI: Program Curriculum

Associate of Applied Science – Collision, Maintenance and Light Repair

Course Prefix and Number	Title	Credit Hours
Certificates of Completion		
Choose one Certificate of Completion	CC – Automotive Maintenance & Light Repair -or- CC – Diesel Systems Technology	38-40 33-35
-and- Certificate of Completion	CC – Automotive Collision Repair	32-33
Sub-Total		57-64*
General Education		
ENGL 1010	Intro to Writing (EN)	3
IND 1120 -or- MATH 1010	Math for Industry (QS) -or- Intermediate Algebra (QS)	(in CC)
COMM 1020 -or- Communications	Principles of Public Speaking (CM,IN) -or- Any approved (CM) course	(in CC)
LE 1220 -or- Human Relations	Human Relations: Career Development (HR) -or- Any approved (HR) course	(in CC)
Distribution Areas (choose 3 credits)	Any (BS), (FA), (HU), (ID), (PS), (SS) course	3
Sub-Total		6

Course Prefix and Number	Title	Credit Hours
Elective Courses		
Select additional elective courses as needed in order to meet the 63 credit minimum for an AAS degree based on your chosen pathway, transfer needs and academic advising recommendations.		0-3
Sub-Total		0-3
Total Number of Credits		63-69

**NOTE: General Education courses taken to fulfill the requirements of one Certificate of Completion need not be retaken for the second Certificate of Completion, thus reducing the total by 8-10 credits.*

Certificate of Completion – Automotive Maintenance and Light Repair

Course Prefix and Number	Title	Credit Hours
General Education		
IND 1120 -or- MATH 1010	Math for Industry (QS) -or- Intermediate Algebra (QS)	3 4
COMM 1020 -or- Communications	Public Speaking (CM,IN) -or- Any approved (CM) course	3 3
LE 1220 -or- Human Relations	Human Relations: Career Development (HR) -or- Any approved (HR) course	3 2-3
Sub-Total		8-10
Required Courses		
AUTO 1010	Maintenance and Light Repair Fundamentals	6
AUTO 1150	Auto Electrical and Electronics	6
AUTO 1250	Auto Engine Repair	6
AUTO 1350	Auto Braking Systems	6
AUTO 1450	Auto Suspension and Steering	6
Sub-Total		30
Total Number of Credits		38-40

Certificate of Completion - Diesel Systems Technology

Course Prefix and Number	Title	Credit Hours
General Education		
IND 1120 -or- MATH 1010	Math for Industry (QS) -or- Intermediate Algebra (QS)	3 4
COMM 1020 -or- Communications	Public Speaking (CM,IN) -or- Any approved (CM) course	3 3
LE 1220 -or- Human Relations	Human Relations: Career Development (HR) -or- Any approved (HR) course	3 2-3
Sub-Total		8-10
Required Courses		

Course Prefix and Number	Title	Credit Hours
DST 1010	Introduction and Orientation	1
DST 1045	Basic Diesel	4
DST 1065	Basic Engine Performance	4
DST 1145	PM Brakes	4
DST 1165	PM Electrical	4
DST 1245	Drivetrains Fluid Drives	4
DST 1265	Drivetrains Gear Drives	4
Sub-Total		25
Total Number of Credits		33-35

Certificate of Completion – Automotive Collision Repair

Course Prefix and Number	Title	Credit Hours
General Education		
IND 1120	Math for Industry (QS)	3
Communications	Any approved (CM) course	3
Human Relations	Any approved (HR) course	2-3
Sub-Total		8-9
Required Courses		
ACR 1100	Metallurgy/Nonstructural Parts	5
ACR 1111	Nonstructural Skill/App'l Dev	7
ACR 1200	Structural Analysis/Damage Repair	5
ACR 1211	Structural Damage Repair	7
Sub-Total		24
Total Number of Credits		32-33

Program Schedule

SAMPLE SCHEDULE	
FALL SEMESTER	SPRING SEMESTER
First Year = Automotive Maintenance and Light Repair or Diesel Systems Technology Certificate of Completion	
Total	
32-40	
FALL SEMESTER	SPRING SEMESTER
Second Year = Automotive Collision Repair Certificate of Completion (Fulfill remaining General Education required for AAS degree; see Academic Advisor)	
Total	
30-31	

Note: Full sample program schedules for the existing certificates of completion that comprise this new proposed degree have been completed and are included in the institution's general catalog.

Section VII: Faculty

Professor - Neal Grover (Tenured)

- SLCC Graduating Class of 1960
- Teaching exp. SLCC 49 years

- I-CAR instructor 35 years
- Utah State University Masters in Industrial and Technical Education (M.I.E.) Degree
- Utah State University B.S. in Technical and Industry Education
- Salt Lake City Community, Associate of Applied Science in Auto Repair and Paint
- Salt Lake Trade Technical Institute, CC of Auto Body Repair and Paint
- Automotive Service Excellence (ASE) Certified
- Certificate of Masters I-CAR

Instructor - John "Hondo" Espil

- Teaching exp. SLCC 4 years
- Industry exp. 40 years
- University of Nevada, Certificate in Auto Refinishing and Repair

Automotive Assistant Professor - Brett Baird (Tenured)

- Teaching exp. SLCC 25 years
- Industry – Technical Training Director 5 years
- Technician 9 years
- Salt Lake Community College, Associate of Applied Science in Automotive Repair
- Automotive Service Excellence (ASE) Certified

Automotive Instructor – Ed White

- Teaching exp. SLCC 16 years
- Industry exp. 40 years
- Weber State University, Bachelors in Automotive Technology
- Weber State University, Associate of Applied Science
- Automotive Service Excellence (ASE) Master Technician (A1 – A8) Certified
- Light Diesel Truck (A9) Certified
- Advanced Engine Performance (L1) Certified

Automotive Instructor – Jon Longo (2nd year Tenure)

- Teaching exp. SLCC 4 years
- Industry exp. 40 years
- State University of New York at Oswego
- Clinton Community College, Associate of Applied Science in Automotive Technology
- West Valley Occupational Center, Certificate in Automotive Technology
- Automotive Service Excellence (ASE) Master Technician Certified
- Honda Training Certified

Automotive Instructor – Norman Brown (2nd year Tenure)

- Teaching exp. SLCC 10 years
- Industry exp. 35 years
- Southern Alberta Institute of Technology, Associate Applied Science in Automotive Technology
- Automotive Service Excellence (ASE) Master Technician (A1 – A8) Certified
- Honda Training Certified

Automotive Instructor – Dennis O'Reilly (2nd year Tenure)

- Teaching exp. SLCC 3 years
- Technical Help Line 5 years
- Industry exp. 30 years
- Salt Lake Community College, Associate of Applied Science Automotive Repair
- Automatic Transmission Rebuilder Association (ATRA) Certified
- Automotive Service Excellence (ASE) Certified

Key provisions of SB61 include:

1. Established a goal to triple the number of graduates from USHE institutions in engineering, computer science, and related technology.
2. Directed the Regents to establish rules providing the criteria for those fields of study that qualify as "related technology."
3. Provided supplemental funds for equipment purchases to improve the quality of instructional programs in engineering, computer science, and related technologies.
4. Established a student scholarship to encourage enrollment in programs included in the initiative.
5. Assisted USHE institutions to hire and retain qualified faculty to teach in initiative programs.
6. Increased program capacity by funding new and renovated capital facilities, and funding for new engineering and computer science programs.
7. Created a Technology Initiative Advisory Board to make recommendations to the Regents in its administration of the initiative. The advisory board is to include individuals appointed by the Governor from business and industry who have expertise in the areas of engineering, computer science, and related technologies.

Technology Initiative Advisory Committee Members

- | | |
|----------------------------|------------------------------|
| • John Sutherland (Chair) | Brigham Young University |
| • Susan Johnson (Co-Chair) | Futura Industries |
| • Richard Anderson | Hewlett Packard, Retired |
| • Reed Brown | Local Digital Insider |
| • Roland Christensen | Applied Composite Technology |
| • Ed Ekstrom | Quail Creek Capital |
| • Chuck Taylor | Metalcraft Technologies |
| • J. Howard VanBoerum | VanBoerum & Frank |

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Salt Lake Community College - Associate of Applied Science in Health Information Technology

Issue

Salt Lake Community College requests approval to offer an Associate of Applied Science in Health Information Technology, effective Spring Semester 2014. The Institutional Board of Trustees approved this program on February 12, 2014.

Background

Salt Lake Community College (SLCC) has proposed a program that is designed to meet anticipated entry-level industry needs for a qualified workforce over the coming decade and to meet the Governor's directive to build a highly qualified workforce to meet the anticipated need in Health Information Technology (HIT). The program will focus on the nexus between healthcare data, computer science and information science. The program is designed to allow flexibility for working professionals, incumbent workers, displaced workers, and distant students through online coursework. The degree will enable students to seek immediate employment or to follow a pathway to a bachelor's degree if desired.

The U.S. Bureau of Labor Statistics anticipates a 21% growth in health informatics jobs through the year 2020. The average median pay is \$15.51 per hour (\$32,350 per year) for entry-level certificate holders. Health informaticians with an associate's degree may expect an average mean hourly wage of \$17.68 per hour (\$36,770 per year).

This program will serve students in the Salt Lake Valley and statewide (online/hybrid courses). The program will meet industry workforce demand arising from healthcare organizations complying with federal statutes for medical records and health information data interoperability and security.

Initial development of this program is being supported by a Department of Labor (DOL) Trade Adjustment Assistance (TAA) grant as an extension of the existing HIT certificate program. Through grant funding, the HIT program is equipped with the latest technology to support both programs. The grant allowed the HIT program to fully equip an existing computer lab and purchase the latest medical software produced by 3M, the leader of medical software in the nation, and training for current faculty. Once the grant has concluded, SLCC is prepared to continue to fund the program.

Policy Issues

The other Utah System of Higher Education institutions have reviewed this program and they are in support of this program being approved.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the request by Salt Lake Community College to offer an Associate of Applied Science in Health Information Technology, effective Spring Semester 2014.

David L. Buhler
Commissioner of Higher Education

DLB/GSW
Attachment

Program Description
Salt Lake Community College
Associate of Applied Science in Health Information Technology
02/12/2014

Section I: The Request

Salt Lake Community College (SLCC) requests approval to offer an Associate of Applied Science in Health Information Technology effective Spring Semester 2014. This program was approved by the institutional Board of Trustees on 12 February 2014.

Section II: Program Description

Complete Program Description

Health Informaticians work at the intersection of health care systems, computer science, biostatistics and information technology. Health informatics positions include working for research institutions, healthcare organizations, and medical software companies. This program will concentrate on the introduction and application of electronic medical records, databases, medical research systems, clinical decision support services, healthcare delivery systems and health information systems management including assembling and utilizing the data found from patients' health information, medical histories, symptoms, examination results, diagnostic tests, treatment methods, and all other healthcare provider services and its application in healthcare and research to improve healthcare information, data maintenance relating to patient safety, patterns of disease, and disease treatment and outcomes. The program will train students in computer software data security, electronic health records (EHR) security, and healthcare data standards. The program will also provide an introduction to medical business practices, healthcare quality measures and assessments, and medical laws and ethics.

The program will prepare students to be eligible for completing the America Health Information Management Association's (AHIMA) Registered Health Information Technician certification (RHIT) exam. With experience, the RHIT credential holds solid potential for advancement to management positions, especially when combined with a bachelor's degree (RHIA). The proposed program's additional curriculum is being developed through a Department of Labor (DOL) Trade Adjustment Assistance (TAA) grant that funded the development of the Health Information Technology (HIT) certificate.

Purpose of Degree

SLCC's program is designed to meet anticipated entry-level industry needs for a qualified workforce over the coming decade and to meet the Governor's directive to build a highly qualified workforce to meet the anticipated need in HIT and informatics (Governor's Health Summit, 2013). The program will focus on the nexus between healthcare data, computer science and information science. The program is designed to allow flexibility for working professionals, incumbent workers, displaced workers, and distant students through online coursework. The degree will enable students to seek immediate employment and/or continue on to a bachelor's degree.

SLCC's program articulates with the Bachelor of Science (BS) in Health Informatics at Western Governor's University (WGU), which will allow students to make a smooth transition from SLCC's program to WGU while minimizing duplication of coursework. SLCC is in negotiations with Weber State University for an articulation with their Health Information Management Bachelor's Degree.

Institutional Readiness

Initial development of this program is being supported by a Department of Labor TAA grant as an extension of the existing HIT certificate program. Through grant funding, the HIT program is equipped with the latest technology to support both programs. The grant allowed the HIT program to fully equip an existing computer lab and purchase the latest medical software produced by 3M, the leader of medical software in the nation, and training for current faculty. Current SLCC staff and health sciences administrators are providing program support, advising and other related program support. The grant will provide the funds to market and promote both programs through October 2014, and SLCC has committed to support the programs from that point forward. Existing classrooms and technology located at the Jordan Health Science's building are sufficient for meeting the demand of this additional program. Existing staff and academic advising/admission support is sufficient to meet initial demand. The program's students will also participate in the Physical Therapy/Occupational Therapy Clinic located in the Health Science's building partnering with the Physical Therapist Assistant program, Occupational Therapy Assistant program, and Medical Assistant program introducing students to clinical care in an on-site healthcare facility and the requirements of health information technology and computers.

Departmental Faculty

The DOL grant funds the development of the program's courses and curriculum and provides for a program administrator for the term of the grant (October 2014). One full-time tenure-track faculty will be hired by June 2014 to initiate the accreditation process and teach the first semester classes. Two adjunct instructors will also be employed to teach courses.

Department Faculty Category	Dpt Faculty Headcount – Prior to Program Implementation	Faculty Additions to Support Program	Dpt Faculty Headcount at Full Program Implementation
With Doctoral Degrees (Including MFA and other terminal degrees, as specified by the institution)			
Full-time Tenured			
Full-time Non-Tenured			
Part-time Tenured			
Part-time Non-Tenured			
With Master's Degrees			
Full-time Tenured			
Full-time Non-Tenured			
Part-time Tenured			
Part-time Non-Tenured			
With Bachelor's Degrees			
Full-time Tenured		1	1
Full-time Non-Tenured			
Part-time Tenured			
Part-time Non-Tenured		2	2
Other			
Full-time Tenured			
Full-time Non-Tenured			

Part-time Tenured			
Part-time Non-Tenured			
Total Headcount Faculty in the Department			
Full-time Tenured		1	1
Full-time Non-Tenured			
Part-time Tenured			
Part-time Non-Tenured		2	2
Total Department Faculty FTE <i>(As reported in the most recent A-1/S-11 Institutional Cost Study for "prior to program implementation" and using the A-1/S-11 Cost Study Definition for the projected "at full program implementation.")</i>	0	2.0	2.0

Staff

A grant-funded program administrator is overseeing the development of this program. Accreditation mandates that a director cannot be changed during the candidacy process and must be hired prior to application for candidacy. A second part-time staff member will be hired in preparation for the fourth semester's clinical placements and clinical educator training in order to meet accreditation standards. Existing administrative, secretarial, clerical and advising staffs within the Division of Allied Health and the School of Health Sciences are adequate to manage the program following initial development. No additional administrative or secretarial/clerical help is expected.

Library and Information Resources

No additional library resources are needed for this program as current databases are adequate. The discipline-specific software needed for student use has been purchased through grant funds. The Division of Allied Health has existing computer resources for on-site instruction.

Admission Requirements

Students must register as matriculated SLCC students and apply to the HIT program in a selective admissions process. The HIT program application and cohort model serve to establish commitment and ensure retention. It is the student's responsibility to examine each course description for details of program prerequisite classes. Those prerequisites must be satisfied before the designated program classes may be taken. Students who are not prepared to take college level classes may be required to take additional preparatory courses. Students must complete a background check and drug test and must provide immunization records prior to the program's practicum course.

Student Advisement

Students will have the opportunity to consult with the Allied Health Academic Advisor during program orientation and as needed throughout their studies. In addition, students will be encouraged to meet with the Program Coordinator for further advising needs throughout their program.

Justification for Graduation Standards and Number of Credits

This program requires 64-65 credits consisting of Health Information Technology courses and general education courses in order to qualify for the Registered Health Information Technician (RHIA) exam and prepare for a baccalaureate program. The program's graduation standards align with the Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)'s curriculum requirements. In order to sit for the RHIA exam, candidates must have completed a CAHIIM accredited associate's degree program.

External Review and Accreditation

This program will seek accreditation through the Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM).

Projected Program Enrollment and Graduates; Projected Departmental Faculty/Students

Data Category	Current – Prior to New Program Implementation	PROJ YR 1	PROJ YR 2	PROJ YR 3	PROJ YR 4	PROJ YR 5
Data for Proposed Program						
Number of Graduates in Proposed Program	0	0	5	15	25	25
Total # of Declared Majors in Proposed Program	0	20	40	50	50	50
Departmental Data – For All Programs Within the Department						
Total Department Faculty FTE (as reported in Faculty table above)	0	1	2	2	2	2
Total Department Student FTE (Based on Fall Third Week)	0	10	20	30	30	30
Student FTE per Faculty FTE (ratio of Total Department Faculty FTE and Total Department Student FTE above)	N/A	10:1	10:1	15:1	15:1	15:1
Program accreditation-required ratio of Student FTE/Faculty FTE, if applicable: (Provide ratio here:)	N/A	N/A	N/A	N/A	N/A	N/A

Expansion of Existing Program

SLCC launched a HIT certificate program in spring of 2013. Fall enrollments increased, and a new cohort of 20 will be admitted spring 2014. Incumbent students may matriculate into the AAS program with no duplication or loss of academic credit. The dual programs will meet the needs of industry for both coders (HIT certificate program) and for more advanced skills in health informatics and data management (proposed AAS program). Pathways from high school to the baccalaureate level are being created for both programs in collaboration with Utah State Board of Education (specifically, Granite High School/ Jordan School of Applied Technology concurrent enrollment classes) and Western Governors University and Weber State University.

Section III: Need

Program Need

By 2019, the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act) requires healthcare facilities including hospitals, doctors' offices and clinics to have transitioned to the use of electronic medical records to better serve patients and decrease healthcare costs. The Health Care Affordability Act (HCAA) mandates compliance with electronic medical (EMR) or health records (EHR) in stage one (EMR or EHR) by 2013. Stage two/three requiring interoperability will be occurring over the next four years. "Under current law, Congressional Budget Office estimates that about 45 percent of hospitals and 65 percent of physicians will have adopted qualifying health IT in 2019. To meet these new

requirements, health information technicians will be needed. The U.S. government anticipates a shortage of about 50,000 qualified HIT workers between 2010 and 2015, and there is evidence to suggest the reality may be even greater. More than 50,000 healthcare IT-related jobs have been created since the Health Information Technology for Economic and Clinical Health Act (HITECH Act)¹ went into effect. Bureau of Labor Statistics reports indicate the number of health IT jobs is expected to rise by 20 percent between 2008 and 2018, an increase which will exceed the average for all occupations through 2018.

Labor Market Demand

The Utah Occupational Report for Medical Records and Health Information Technicians states that this occupation is expected to experience much faster than average employment growth with 100 annual openings in Utah statewide (*jobs.utah.gov*). Business expansion will provide the majority of job openings in the upcoming decade. Median hourly wages in the Salt Lake region are \$13.84 with higher wages in northern Utah.

Employment of medical records and health information technicians is expected to increase by 21 percent from 2010 to 2020, faster than the average for all occupations. The demand for health services is expected to increase as the population ages.

“The state of Utah has identified healthcare as one of the strongest employment growth areas, now and in the foreseeable future.” According to Department of Workforce Services (DWS), healthcare practitioner/technical and healthcare support job categories are the top two occupational groups for projected annual average growth between 2008-2018, at 4% and 5% respectively. In the ongoing quest for affordable, accessible, accountable² healthcare, information technologies are rapidly expanding. Health IT,³ or HIT, is the critical connector for improving outcomes and constraining cost in the industry. Companies are struggling to fill the IT talent void that could impede progress toward meeting government and consumer⁴ expectations, delivering on strategic priorities, and capitalizing on new growth prospects. (Health Research Institute, March 2013). Consequently, the increased demand for trained professionals is projected to increase in 2012 and continue until 2019. The SLCC HIT program desires to be at the forefront of these imperative industry needs and be the clear and logic option to the community it serves.

Student Demand

Weber State University's Associate of Applied Science in Health Information Technology has experienced student demand in its program serving some of the Salt Lake Valley's population in its online program. Western Governors University's Bachelor degree in Health Informatics has also seen an increase in student demand, and SLCC articulation agreements will allow a clear pathway to a bachelor degree in Health Informatics or Health Information Management without loss of credit and a completion time within four and one-half years (total). The proposed articulation with Weber State University will provide a clear pathway to this institution and will meet the needs of students desiring a bachelor's degree in Health Information Management. Both institutions will benefit in increased enrollments due to the SLCC pathway. This program will serve student demand along the Wasatch Front and southern regions and will meet

¹ <http://www.healthcareitnews.com/directory/health-information-technology-economic-and-clinical-health-hitech-act>

² <http://innovation.cms.gov/initiatives/aco/index.html>

³ <http://www.healthit.gov/>

⁴ <http://www.pwc.com/us/en/health-industries/publications/health-care-customer-experience.jhtml>

increasing industry workforce needs arising from revised federal statutes and the Governor's directive for Utah.⁵

Similar Programs

Weber State University: Associate of Applied Science – Health information Technology. Weber's program emphasizes medical coding while the HI AAS degree proposed by SLCC emphasizes information technology and its application in healthcare.

Due to anticipated increase in industry demand over the next decade, adding a program in the Salt Lake area will be critical to meeting workforce needs along the Wasatch Front and rural Utah. Accountable Care Organizations (ACO) focus on quality and cost effectiveness in healthcare necessitating the need for trained HIT employees.⁶

Collaboration with and Impact on Other USHE Institutions

Weber State University and Salt Lake Community College are in a consortium in the Department of Labor grant and a goal of the consortium is to “work to establish [a] network of expertise among its faculty and business partners to offer creative solutions to the educational needs of the workforce throughout the period of performance and beyond.”⁷ The proposed articulation agreement will facilitate students enrolling in the Weber Health Information Management baccalaureate program.

The program will articulate with Western Governors University's (WGU) Health Informatics program, thus allowing students to pursue further education in the same area of study. SLCC and WGU have collaborated to provide a pathway for students to obtain additional degrees without repetition. WGU also offers pathways to Masters and PhD degree programs within the state. An additional articulation pathway is with Weber State University and the Health Information Management baccalaureate program. Students who complete SLCC's Health Informatics degree and the remaining courses necessary for a General Education Certificate of Completion will be prepared to transfer to Weber State and complete their bachelor's degree within 120 credits.

Both institutions offer online options for students, including working students and out-of-area students, to continue on to obtain an advanced degree in Health Information.

Benefits

The goal is to develop innovative training programs in healthcare and provide qualified entry-level employees for Salt Lake region healthcare organizations as the proposed program aligns with one of the targeted industries for high-growth jobs. The program will also address a key goal of the Utah System of Higher Education desiring 66% of the workforce to have a postsecondary degree or certificate by the year 2020. The program will provide Utah residence with an affordable education which has potential pathways to advanced degrees or will provide a well-paid job upon graduation.

Consistency with Institutional Mission

Salt Lake Community College is a multi-campus, comprehensive institution serving a diverse population through lifelong education. SLCC prepares students for direct entry into the workforce with industry-

⁵ Governor's Health Summit 2013

⁶ Leavitt Partners L.L.C., 2013

⁷ Salt Lake Community College TAA Grant Proposal, 2011

recognized credentials and preparation programs. The proposed program will prepare students for employment in the healthcare industry both regionally and statewide to meet the increasing demand for trained personnel in healthcare technology and management.

Section IV: Program and Student Assessment

Program Assessment

The program will offer courses recognized by government, industry, and educational sectors as a means to complete employment skill competence in a short time while allowing added means for career growth. The program increases flexibility of scheduling and enables increased access through online learning, learning commons and hybrid courses.

Goals:

- To provide a pool of qualified students with entry-level knowledge and skills defined by AHIMA for Registered Health Information Technician to meet local and state wide healthcare industry needs.
- To meet state directives for a highly qualified workforce in Health Information Management and Technology.

Program Measures:

- A. 80% of all HIT graduates will take and pass the RHIT certification examination.
- B. 80% or more of the responses on the HIT graduate/exit surveys will show good to excellent preparation for their current position.
- C. 80% or more of the subject areas of the graduate/exit surveys will show that instruction was satisfactory.
- D. Employers will express adequate to excellent competence regarding HIT skills expected of entry-level health information technicians.
- E. 90% of professional practice experience practicums selected will demonstrate good to excellent in instruction and adherence with instructional objectives.
- F. 90% of HIT course evaluation forms will indicate HIT faculty performance is good to excellent.
- G. Coordinator/faculty teaching HIT courses will attend relevant professional development activities to keep knowledge and skill current.

Expected Standards of Performance

Students' competencies and academic standards align with the AHIMA criteria for entry level competence and will enable students to pass the RHI certificate exam. The criteria are as follows:

DOMAIN I. Health Records and Data Content

1. Collect and maintain health data.
2. Analyze health records to ensure that documentation supports the patient's diagnosis and procedures, and reflects progress, clinical findings, and discharge status.
3. Request patient-specific documentation from other sources.
4. Apply clinical vocabularies and terminologies used in the organization's health information systems.

DOMAIN II. Health Information Requirements and Standards

1. Evaluate the accuracy and completeness of the patient record as defined by organizational policy and external regulations and standards.
2. Monitor compliance with organization-wide health record documentation guidelines.
3. Report compliance finding according to organization policy.
4. Assist in preparing the organization for accreditation, licensing and/or certification surveys.

DOMAIN III. Clinical Classification Systems

1. Use electronic applications to support clinical classification and coding (for example, encoders).
2. Assign diagnosis procedures codes using ICD-9-CM official coding guidelines.
 - a. Assign principal diagnosis (Inpatient) or first listed diagnosis (Outpatient).
 - b. Assign secondary diagnosis(es), including complications and comorbidities (CC).
 - c. Assign principal and secondary procedure(s).
3. Assign procedure codes using CPT coding guidelines.
4. Assign appropriate HCPCS codes.
5. Identify discrepancies between coded data and supporting documentation.
6. Consult reference materials to facilitate code assignment.

DOMAIN IV. Reimbursement Methodologies

1. Validate the data collected for appropriate reimbursement.
 - a. Validate Diagnosis Related Groups (DRGs).
 - b. Validate Ambulatory Payment Classifications (APCs).
2. Comply with the National Correct Coding Initiative.
3. Verify the National and Local Coverage Determinations (NDC/LDC) for medical necessity.

DOMAIN V. Information and Communication Technologies

1. Use computer to ensure data collection, storage, analysis and reporting of information.
2. Use common software applications (for example, word processing; spreadsheets; e- mail) in the execution of work processes.
3. Use specialized software in the completion of HI processes.

DOMAIN VI. Privacy, Confidentiality, Legal, and Ethical Issues

1. Apply policies and procedures for access and disclosure of personal health information.
2. Release patient-specific data to authorized individuals.
3. Apply ethical standards of practice.
4. Recognize and report privacy issues/problems.
5. Protect data integrity and validity using software or hardware technology.

Section V: Finance

Department Budget

Three-Year Budget Projection							
Departmental Data	Current Departmental Budget – Prior to New Program Implementation	Departmental Budget					
		Year 1		Year 2		Year 3	
		Addition to Budget	Total Budget	Addition to Budget	Total Budget	Addition to Budget	Total Budget
Personnel Expense							
Salaries and Wages	\$53,045	\$51,477	\$104,522	\$2,090	\$106,612	\$2,132	\$108,745
Benefits	\$16,583	\$43,978	\$60,561	\$5,991	\$66,552	\$6,588	\$73,140
Total Personnel Expense	\$69,628	\$95,455	\$165,083	\$8,081	\$173,165	\$8,721	\$181,885
Non-Personnel Expense							
Travel	0	\$2,000	\$2,000	0	\$2,000	0	\$2,000

Capital							
Library							
Current Expense	\$11,000	\$6,500	\$17,500	\$-10,000	\$7,500	\$5,000	\$12,500
Total Non-Personnel Expense	\$11,000	\$8,500	\$19,500	\$-10,000	\$9,500	\$5,000	\$14,500
Total Expense (Personnel +Current)	\$80,628		\$184,583		\$182,665		\$196,385
Departmental Funding							
Appropriated Fund	\$0		\$164,426		\$182,665		\$196,385
Other:							
Special Legislative Appropriation							
Grants and Contracts	\$80,628		\$20,157		0		0
Special Fees / Differential Tuition							
Total Revenue	\$80,628		\$184,583		\$182,665		\$196,385
Difference							
Revenue-Expense	\$ 0		\$ 0		\$ 0		\$ 0
Departmental Instructional Cost / Student Credit Hour* (as reported in institutional Cost Study for "current" and using the same Cost Study Definition for "projected")	\$0		\$615		\$304		\$218

Annual Faculty Salary (2)	\$104,612.00
Benefits	\$ 60,561.00
Program Coordinator	\$ 10,200.00 (Direct compensation or release time)
PC Benefits	\$ 1,020.00
Travel	\$ 2,000.00
Current Expense	\$ 7,500.00
Total	\$185,893.00

Associated Incidental Costs

Candidacy	\$10,000.00 and \$1550.00 annual (once accredited)
Computers and Software	\$ 7500.00 (per year/student fees)
Clinical Coordination	\$ 7500.00 (per year/student fees)

Revenues:

Annual FTE

\$124,000.00

Funding Sources

The proposed program will be funded through Department of Labor TAA grant for curriculum development until October 2014. Program launch and continued development will be funded through general education funds, grants, student fees and tuition.

Impact on Existing Budgets

The proposed program will impact current base budgets with the need for two full-time faculty.

Section VI: Program Curriculum

All Program Courses

Course Prefix and Number	Title	Credit Hours
General Education		
ENGL 1010	Introduction to Writing (EN)	3
MATH 1030	Quantitative Reasoning (QL)	3
-or-		
MATH 1040	Introduction to Statistics (QL)	3
-or-		
MATH 1050	College Algebra (QL)	4
COMM 1010	Elements of Effective Communication (CM,IN)	3
Human Relations	Imbedded in program course requirements*	---
Distribution Area	Choose one Physical Science (PS) course – Chemistry recommended to prepare for BIOL 2420/2425	3
Sub-Total		12-13
Required Courses		
CSIS 2010	Business Computer Proficiency – Spreadsheets & Databases	3
CSIS 2050	Advanced Database Application	3
CSIS 2060	Decision Support Systems	3
BIOL 1610/1615	College Biology I (BS) and Lab	4
BIOL 2320/2325	Human Anatomy and Lab	4
BIOL 2340/2345	Human Physiology and Lab	4
HIT 1040	Pathophysiology for Health Information Technicians	3
HIT 1050	Medical Business Practices	3
HIT 1080	Clinical Classification Systems	2
HIT 1100	Medical Terminology for Health Information Technicians	3
HIT 1120	Healthcare Quality Improvement	2
HIT 2110/2115	Health Informatics and Lab	3
HIT 2120	Pharmacotherapy	3
HIT 2240	Healthcare Data Content and Structure	3
HIT 2260	Healthcare Reimbursement	3
HIT 2270	Professional Practice Experience	1

Course Prefix and Number	Title	Credit Hours
HIT 2280	Advanced Clinical Classification Systems	2
HS 2050	Culture and Ethics in Medicine (ID,DV)	3
Sub-Total		52
Total Number of Credits		64-65

*Note: SLCC's General Education Committee thoroughly reviewed and approved the embedded HR components in keeping with standard institutional practices.

Program Schedule

SAMPLE SCHEDULE			
PROGRAM PREREQUISITE I		PROGRAM PREREQUISITE II	
HIT 1040	3	HIT 1080	2
HIT 1050	3	HIT 1120	2
HIT 1100	3	CSIS 2050	3
CSIS 2010	3	ENGL 1010 (EN)	3
BIOL 1610/1615 (BS)	4	BIOL 2320/2325	4
		Any (PS) course	3
Total		Total	
	16		17
FALL SEMESTER		SPRING SEMESTER	
HIT 2110/2115	3	HIT 2240	3
HIT 2120	3	HIT 2260	3
CSIS 2060	3	HIT 2270	1
BIOL 2420/2425	4	HIT 2280	2
MATH 1030 or 1040 or 1050 (QS)	3-4	HS 2050 (ID/DV)	3
		COMM 1010	3
Total		Total	
	16-17		15

Additional General Education courses required to complete AS degree and transfer seamlessly:

Course Prefix and Number	Title	Credit Hours
General Education		
ENGL 2010 -or- ENGL 2100	Intermediate Writing (EN) Technical Writing (EN)	3 3
American Institutions	Any approved (AI) course	3
Lifelong Wellness	Any approved (LW) course	1
Social Science	Any approved (SS) course	3
Fine Arts	Any approved (FA) course	3
Humanities	Any approved (HU) course	3
Total Number of Credits		16

Section VII: Faculty

To gain approval through AHIMA's Coding Education Program Approval process, the following guidelines must be met:

The sponsoring educational institution must provide a program director, sufficient faculty, and staff with the necessary qualifications to achieve the program's goals and outcomes. The HIT program director must be certified as a Registered Health Information Administrator or Registered Health Information Technician and must have a minimum of a baccalaureate degree. Faculty and professional practice coordinators must demonstrate current knowledge in course content and effectiveness in teaching assigned subjects.

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: StepUP Ready Grants

Background

The Board of Regents was designated in 2010 by Governor Herbert, as the state agency to apply for and receive the College Access Challenge Grant Program (CACG) from the U.S. Department of Education. The CACG is a formula grant with the purpose of helping low-income students and families learn about, prepare for, and finance postsecondary education. One of Utah's three core objectives of the CACG has been to expand and enhance the statewide infrastructure in Utah, which will foster partnerships among federal, state, and local agencies, community-based organizations, businesses and public and higher education to significantly increase the number of low-income and underrepresented students who are prepared to enter and be successful in postsecondary education.

To this end, in 2011 the Office of the Commissioner, Outreach and Access department created the ImPACT: *Improving Preparation, Access, & Communities Together* Subgrant opportunity to encourage not-for-profit colleges and universities to partner, establish, strengthen, or expand access and outreach programs geared towards supporting the 66 percent goal. Since 2010, USHE has awarded almost \$2.3 million in CACG subgrants to advance this work at the institutional level.

The CACG federal money is set to sunset in FY15. With this in mind, the legislature appropriated one million in ongoing funds during the 2014 session to the Office of the Commissioner to sustain a number of college readiness initiatives created under the CACG. Additionally, the Outreach and Access Department plan to build upon administrative infrastructure of the ImPACT subgrants and initiate a new grant program, called the StepUP Ready to deepen K-16 collaboration.

Issue

Starting in June 2014, USHE will make \$600,000 available to school districts/LEAs that partner with Utah not-for-profit higher education institutions to increase the number of Utah's public high school students who graduate from high school college-ready and enroll in a post-secondary institution.

Using objectives that have been shown to increase college readiness and success, school districts/LEAs and higher education institutions can submit 1-year grant proposals with outcomes related to college readiness. All grants require a robust partnership between the LEAs and the not-for-profit higher education providers to ensure more robust and intentional efforts surrounding college preparation, enrollment and first year transition.

These grants will be on an 18-month timeline, with the Request for Proposals available in June 2014, and implementation beginning in January 2015. Additionally, in order to measure success and to identify "Projects of Promise," all grantees are required to provide baseline data and enter into a data sharing agreement with USHE so that outcomes might be determined through aggregate data available through the Utah Data Alliance. Attached is a draft one page summary with objectives and sample interventions. The remainder of the money (\$400,000) will be used to sustain the college ready activities currently in place in the Department of Outreach and Access. Specifically, the state appropriation will support:

- Utah Scholars Initiative
 - Currently active in 14 school districts
 - Slated to reach more than 29,000 students in 2013-2014
 - Students, parents, and counselors receive monthly newsletters
 - New targeted intervention with 10th grade students

- College Application Week
 - Pilot with eight schools in 2013
 - More than 2300 seniors submitted more than 1500 college applications
 - Ramping up implementation by invitation in 2014, to include more than 30 schools state-wide
 - Participating students will also register for their FAFSA PIN, which will expedite the financial aid process

- Annual USHE Counselor Conference
 - Provides updated information on college admissions and college readiness to counselors from all around the state
 - More than 500 counselors attend each year
 - Held at Thanksgiving Point
 - 2014 will add an intentional track for junior high counselors to help them implement college readiness in grades 6-8

We are very grateful for the new state appropriation to sustain and expand the work that began under the CACG. We know that K-16 solutions and strong partnerships between public and higher education supported by our new StepUp Ready grants are critical to supporting Utah's 66% by 2020 goal.

Commissioner's Recommendation

The Commissioner recommends that the Board approve the use of \$600,000 for StepUp Ready Grants as described in this memorandum and the attachment.

David L. Buhler
Commissioner of Higher Education

DLB/MMK
Attachment

2014-2015 StepUP READY Grant Overview

The most effective college readiness efforts come as a result of strong partnerships between higher education and public education. Collaboration between K-12 and higher education institutions continually demonstrate positive outcomes. In supporting Utah's 66% by 2020 goal, the Utah System of Higher Education will make monies available to school districts/LEAs that partner with a Utah not-for-profit higher education institution, to increase the number of Utah's public high school students who graduate college-ready and enroll in a post-secondary institution. Using objectives that have been shown to increase college readiness and success, school districts/LEAs and higher education institutions can submit 1-year grant proposals.

- \$600,000 total monies available*
- Grants may be up to \$50,000
- All grantees agree to enter into a data-sharing agreement with USHE
- Grants require a 50% match (cash or in-kind)
- Proposal review to be completed by a committee appointed by the Commissioner of Higher Education
- K-16 Alliances are eligible to apply
- Renewal invitations may be extended based on performance outcomes

*For the inaugural year, 2014, additional grant monies up to \$25,000 will be available through the College Access Challenge Grant (CACG). These additional funds will be available to LEAs and USHE institutions whose programs focus on underserved students. This may include first-generation, low-income, and minority students, as well as women/minorities in STEM.

Grant Timeline

RFP Available: June 2014 Application Due: September 2014 Grant Monies Released: January 2015
Implementation: January-December 2015 Data Analysis and Final Report: April 2016

Data Sharing

Grantees agree to enter into a data sharing agreement with USHE, with the understanding that results and outcomes will be compared to similar groups and control groups, using Utah Data Alliance (UDA) data. Only aggregate data will be released: no identifiable student data will be released. Districts agree to participate in USHE High School Feedback reports, which will show Districts and individual schools how many of their graduating seniors enroll within USHE, where they attend, their first-year performance, need for remediation, and other outcome data.

Grantees data may be used for additional UDA/USHE research projects, identification of "Projects of Promise," and dissemination of best practices.

Sample Objectives and Goals

College readiness is not a single event, and must occur at various points along the age/grade continuum. As such we have grouped strategies into four categories** of college readiness preparation, enrollment, transition, and professional development. Applicants will choose from the list of numbered objectives below, but the specific interventions and outcomes listed here are examples only.

1. Increase number of students who achieve ACT college-readiness benchmarks through targeted interventions and support.

**Preparation

Higher Education Institution Role	LEA/District Role	Outcome
Provide tutoring, mentoring, and other support for students needing remediation in math and English through use of staff and service learning students. Provide opportunity for students to take residual ACT to demonstrate intervention improvement.	All students who do not meet Math benchmark of 22 will be enrolled in a supplemental math course or a math tutoring lab.	By end of senior year, 90% of seniors will have met ACT math benchmark.

2. Increase number of students completing concurrent English 1010 with a grade of "B" or higher **Preparation

Higher Education Institution Role	LEA/District Role	Outcome
Expanding CE offerings, ensuring/improving quality of CE courses, could include release time for CE director, travel funding for increased site visits, or for revisions of CE curriculum. Provide professional development for CE school-based instructors; provide tutoring for students enrolled in CE courses.	Identify middle-performing students to expand access to CE ENGL 1010, using teacher recommendations as a consideration for placement.	50% more middle-performing students successfully enroll in and complete CE ENGL 1010 with a college grade of "B" or higher.

3. Partner and expand the number of support services for low-income and under-represented students **Preparation

Higher Education Institution Role	LEA/District Role	Outcome
Provide students and/or staff tutors to teach ACT prep courses for low-income and under-represented 2 nd semester 10 th graders and 1 st semester 11 th graders.	Host ACT prep courses, recruit students, ensure student attendance at ACT prep course; plan and/or host recognition event at conclusion of course.	Increase average baseline ACT scores of low-income and under-represented student population by 7 points.

4. Increase number of students taking STEM-related courses in senior year **Preparation

Higher Education Institution Role	LEA/District Role	Outcome
Provide information regarding the importance of STEM courses in the senior year, especially math. Provide tutoring/support for students taking challenging STEM courses.	Add additional sections in math and science. Increase student knowledge of and interest in STEM through engaged learning opportunities (e.g., why a future art major might want to learn physics).	75% of senior class successfully completes STEM course.

5. Deepen elementary students' understanding of college opportunities ** Preparation

Higher Education Institution Role	LEA/District Role	Outcome
Create family campus visitation events with engaged learning opportunities across disciplines related to elementary school's learning objectives.	Work in concert with institution to create visitation event; create and distribute invitation to event; provide and/or organize transportation as needed; plan follow-up lesson plan for students and/or parents.	100% of all 5th graders complete at least one campus visitation program.

6. Increase parental engagement related to college attainment and preparation ** Preparation and Enrollment

Higher Education Institution Role	LEA/District Role	Outcome
Help create agenda and content for college preparation. Attend focus groups. Plan event for parent focus groups to visit campus in a dedicated program.	Host focus groups to devise a plan to engage parents in college preparation at every school level (elementary, junior high, high school).	Communication and outreach reaches 90% of families the subsequent year.

7. Increase number of first-generation high school seniors who apply to more than one college/university **Enrollment

Higher Education Institution Role	LEA/District Role	Outcome
Provide support staff and volunteers to assist students applying to college throughout Utah College Application Week.	Schools work in partnership with USHE and participate in Utah College Application Week.	75% of first-generation college students submit more than 1 college application duringUCAW.

8. Increase the percentage of high school seniors who complete the FAFSA **Enrollment and Professional Development

Higher Education Institution Role	LEA/District Role	Outcome
Publicize, and provide volunteer support from financial aid and admissions advisors for HS FAFSA completion events. Distribute materials on the importance of FAFSA completion to the prospective students.	Enter into data-sharing agreement with UHEAA and host FAFSA Boot Campus Trainings for staff and three FAFSA completion events.	An additional 25% of senior class completes FAFSA by March 1 priority deadline.

9. Decrease summer "melt" (number of students who fail to enroll in college after being admitted) **Transition

Higher Education Institution Role	LEA/District Role	Outcome
Create the timeline and messages regarding necessary steps to complete enrollment process throughout the summer. Provide advisors or student peer leaders to take the student "hand off" in August.	Determine list of students; use grant monies to pay teachers or counselors to act as advisors in June and July; hand off to institution-based advisors in August.	90% of students who are admitted to college/university enroll in the fall semester.

10. Professional development on college readiness **Professional Development

Higher Education Institution Role	LEA/District Role	Outcome
UU or USU to provide SREB/USHE's counselor training course as professional development for existing counselors and teachers. Ensure that enough facilitators are available to meet personnel needs.	Provide an opportunity and pay associated costs for existing school counselors/teachers, to take a 3-credit college readiness course (CCTI) through working with UU or USU. .	All counselors and 25% of secondary teachers and administrators have received CCTI training.

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Report: The Multi-State Collaborative to Advance Learning Outcomes Assessment

Issue

The Utah System of Higher Education has entered into an agreement with nine other state systems to pilot test an assessment of student learning outcomes. This initiative, called the Multi-State Collaborative to Advance Learning Outcomes Assessment, will demonstrate student learning, thus meeting accountability expectations of policy makers.

Report

The Multi-State Collaborative to Advance Learning Outcomes Assessment (MSC) is an experimental approach to student learning outcomes assessment. Its goals are to test the assessment process developed in initial work conducted in Massachusetts - the Vision Project - and to produce a framework for how we present student learning to policy makers so that higher education is less arcane and more transparent.

The problems addressed by the MSC are accountability – how we demonstrate to policy makers that students are learning, and the validity and reliability of the VALUE rubrics (Valid Assessment of Learning in Undergraduate Education) which will be used to assess student learning.

Nine states are involved in the pilot study: Connecticut, Indiana, Kentucky, Massachusetts, Minnesota, Missouri, Oregon, Rhode Island, and Utah. Faculty from participating state systems will collect authentic student work in written communication and quantitative literacy from both community colleges and research universities. Students' work (artifacts) from community colleges will be collected once students have completed 75% of their course work before earning an associate's degree; students' work (artifacts) from the universities will be collected once students have completed 75% of their coursework prior to earning a bachelor's degree. These artifacts will be scored by trained faculty using the VALUE rubrics (Valid Assessment of Learning in Undergraduate Education) which will identify the level of mastery in written communication and quantitative literacy. In addition, several of the institutions, including Salt Lake Community College, are collecting student artifacts on critical thinking. Scored student work will be returned to the faculty and institutions but will not be publicized nor compared to other states and institutions. Presentation of results will be segmented by type of institution - community colleges, universities. Those

involved with the MSC believe that no two colleges or universities are the same, thus making meaningful comparisons difficult. In addition, narrative will be used to explain levels of student mastery. More important, the participating institutions will receive their students' scored work in order to improve both teaching and learning. Participating Utah institutions are the University of Utah, Utah State University, Snow College, and Salt Lake Community College.

The MSC steering committee believes that by presenting levels of learning by segmentation and narrative, policy makers will be informed about what students are learning. This information addresses accountability expectation by policy makers. Participating faculty and institutions will see their own students' scored work and will know where they need to adjust teaching strategies so that students are learning and demonstrating learning in greater depth.

The pilot study is being funded by the Bill and Melinda Gates Foundation and is overseen by the State Higher Education Executive Officers (SHEEO) and the Association of American Colleges & Universities (AAC&U).

Representing Utah on the MSC are Teddi Safman, who serves as state facilitator and is a member of the Steering Committee and the Communication Committee, and Greg Benson who serves on the Pilot Study Committee.

Commissioner's Recommendation

The Commissioner recommends that the Regents accept the report on the Multi-State Collaborative to Advance Learning Outcomes Assessment and raise questions. No other action is required.

David L. Buhler
Commissioner of Higher Education

DLB/PCS

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: College Access Challenge Grant Annual Report

Background

The Board of Regents was originally designated in 2008 by Governor Huntsman and then again in 2010 by Governor Herbert, as the state agency to apply and receive the College Access Challenge Grant Program (CACG) from the U.S. Department of Education. The CACG is a formula grant and was created and funded as part of the College Cost Reduction and Access Act of 2007, and was extended in 2009 through the Healthcare and Education Affordability Reconciliation Act with the purpose of helping low-income students and families learn about, prepare for, and finance postsecondary education. The program at the federal level received an appropriation of \$150 million for fiscal years (FY) 2010-2014. The Office of the Commissioner reports and applies annually and their proposal was approved in August 2013 for fiscal year 2014, and thus Utah received \$1.4 million dollars of these federal funds. The grant is under the direction of Melissa Miller Kincart, Assistant Commissioner for Outreach and Access, with management support from Maria Martinez, CACG Grant Manager and Stephen Rogers, Outreach Manager for UHEAA.

As outlined in the grant proposal the Office of the Commissioner of Higher Education, UHEAA, and our college, university, and K-12 partners are pursuing the following three objectives:

1. To provide information to students and families on postsecondary education: benefits, opportunities, planning, financing options (including activities associated with financial literacy), FAFSA completion, and outreach activities for students who may be at risk of not enrolling in or completing college.
2. To develop and deliver professional development events and resources for school counselors at secondary schools, as well as financial aid administrators, college admissions, recruitment staff, access and outreach personnel at institutions of higher education to improve knowledge and capacity to better assist them in their roles in working and increasing students and parents understanding of:
 - 1) Admission requirements and application deadlines and processes; 2) Financial aid and scholarship opportunities and procedures; 3) Academic and financial preparation to improve postsecondary success; 4) Activities such as tutoring/mentoring, and support instruments and models to assist students in preparing for and succeeding in college.

3. To expand and enhance the statewide infrastructure in Utah which will foster partnerships among federal, state, local agencies, community based organizations, businesses and public and higher education to significantly increase the number of low-income and underrepresented students who are prepared to enter and be successful in postsecondary education.

Issue

The College Access Challenge Grant (CACG) has assisted the Utah State Board of Regents, the Office of the Commissioner of Higher Education, and the Utah System of Higher Education (USHE) in moving forward on 19 coordinated initiatives aimed at increasing the number of low-income and underrepresented students who are prepared to enter and succeed in postsecondary education. We have made substantial progress in implementing the goals and activities outlined in our grant proposal. This federal grant has been instrumental in helping us maintain capacity and momentum toward increasing academic and financial preparation so more Utah citizens might more fully participate in postsecondary education. As a result of our centralized programming services and those provided by our subgrantees, we reached **115,118 Utah students and families, 1,895 school counselors, 61 financial aid administrators, and 229 college admissions and access staff** throughout the 2013-2014 reporting period.

CACG 2012-2013 Program Highlights

Awareness

- **Utah Scholars Initiative (USI)**

The Utah Scholars Initiative, started in 2006 in just four districts, has expanded to 14 districts and 141 schools. Nearly 28,000 8th grade students received the USI presentation this year and nearly 7,000 new students signed up to be a Utah Scholar. All students receive an age appropriate, monthly newsletter which currently reaches over 10,000 students. USI's newly designed and updated website now allows parents to also elect to receive the newsletter. This year a total of 1,982 students will receive the USI medallion for completing the USI Curriculum. This demonstrates growth of nearly 15 percent from the previous year.

A new 10th grade follow-up presentation was created to ensure students are on track with the USI curriculum and thus eligible for the Regents Scholarship. The follow-up presentation was emailed to all counselors who incorporate it into their college meetings and advisories. Utah Scholars also launched the Coaches program this year in four schools. Current college students, who are representative of the diverse populations of Utah Scholars, serve as coaches and meet with students weekly.

- **Social Marketing Campaign**

For the Utah System of Higher Education to reach the "big goal" of having 66 percent of Utah's workforce with postsecondary degrees by 2020, it is essential to increase college participation from student populations who may have never considered higher education as a viable option. The StepUp to Higher Education campaign is a social awareness campaign that encourages all Utah youth to dream big about their futures, and then act on those dreams by preparing for and completing college. Whether aiming for a one-year certificate or a four-year degree, StepUp provides tips, tools, resources and conversation starters on preparing and paying for college so that obtaining higher education can be a reality for all Utahns.

Target Audiences: 12 years of age and under: *Encourage the Dream*; Youth 12 and over: *Inspire to Act*; and parents, families, mentors and educators: *Support the Journey*.

Strategies and Grassroots Efforts – Youth 12 and over, Inspire to Act:

To engage our 12 and over target audience we, in partnership with Love Communications, developed a way to deliver the message in real life scenarios so teenagers could see and feel for themselves that college is what will make their dreams a reality. Teens were placed in real-life work situations – classroom, mechanics shop, and a software development company. They were blindfolded and dropped into the heat of things, where the blindfold was removed. The unfamiliar environment along with immediate tasks to complete, delivered a stunned and flabbergasted student. On screen graphics then encourage viewers to “Take on anything. Take on College.”

Outcomes:

- Traffic to StepUpUtah.com is up 115.97% with 43,996 visits over last year.
- Visitors are viewing 2.43 pages and spending 1:22 minutes on the site – well above industry average.
- There is increased engagement throughout the state particularly in rural areas.
- The Facebook page attained 321 additional likes this year, a 115% increase.
- The Teen Take Over Facebook contest increased page “likes” by 125, with 8,536 students ages 12-17 engaging with our page during a month-long promotion to solicit teens for our ads. Engagement means “the friend” saw activity on our page and can include posts, posts by other people, page “like” adds, mentions, and check-ins.
- The KJZZ high school sports partnership showcased the StepUP message to over 18,000 fans at 10 high school football games throughout the state with in-game promotions, PA announcements and sideline banners. As added value we received Larry H. Miller Movie Theater advertising and on-air TV spots.
- An estimated 9,300 high school-aged students were directly exposed to our message through radio station community events, van hits, and station remotes at community events (Fun runs, Haunted Houses, RSL game, Hogle Zoo and concerts).
- 75,000 College guides distributed.

Strategies and Grassroots Efforts – 12 and under Campaign, Encourage the Dream:

For the 12 and under campaign, we continued to create tools for parents, educators, and community members to use to start early conversations with children about going to college.

StepUp took part in the KSL-TV Chalk Art Festival, a unique family-centered community event that draws over 15,000 people. Direct interaction with hundreds of children took place on the day of the event. Kids dreamed about what they could “be” when they grew up as they took pictures in the standee cut-outs of scientists, pilots and graduates.

A new children’s book was written and illustrated titled “Monte and the World of Possibilities” which discusses all the things you could do and be, and how an education is required to make this happen. The book will be disseminated to all 1st and 2nd grade classes in the fall. A launch public relations event will be held this fall with support from the Governor and community partners.

● **Financial Aid Nights, and FAFSA Completion Events**

As a result of our partnership with UHEAA, specifically their outreach teams, events across the state have continued to increase awareness to students and families about how to plan, pay, and

utilize resources to attend postsecondary education. This year there was a focus on expanding the geographical reach to better serve students who may be at risk of not enrolling in or completing college. This year UHEAA was able to reach 43 schools in 24 school districts.

- 47 Financial Aid Nights were hosted with 5,153 attendees.
 - 63 FAFSA Completion Events took place with over 2,195 total attendees (this represents a per-event attendance increase of 50% over the 2013 FAFSA Season).
 - A total of 668 students completed a FAFSA application at one of these events.
 - A total of 21 booths events were attended. Financial aid information reached 5,334 individuals.
- **Utah College Application Week (UCAW)**
This year USHE partnered with the American Council on Education and their American College Application Campaign (ACAC) to pilot Utah's first ever College Application Week (UCAW). UCAW's purpose is to help high school seniors navigate the college admissions process and ensure each participating student submits at least one college admissions application during the school day during the designated week. Utah's College Application Week took place November 11-15, 2013 with a special focus on low-income, first generation students who may not have otherwise considered applying.

UCAW was piloted in three districts and eight high schools across the state. A total of 2,311 students participated, 55% of which were first generation college students. 1,572 college applications were submitted that week. Surveys were administered to all participants and as a result of UCAW's efforts we learned:

- UCAW increased student's interest in attending college by 87%.
- 25% reported they did not previously plan to apply to college before participating in UCAW.
- 66% reported they did not have knowledge of the FAFSA.

Additionally, parents, higher education access and admissions professionals, college students, and community members donated 451 hours of volunteer service to assist the schools in their efforts.

Professional Development for Counselors

- **USHE Secondary School Administrator and Counselor Conference**
For the fifth year in a row we hosted the conference for secondary school administrators and counselors. With the lessons learned from the previous four years we hosted our strongest conference yet. The focus this year was financing college with a theme of "Paying for College is Possible". As Utah continues to have one of the lowest FAFSA completion rates in the nation we felt it was imperative to host a conference centered on funding a college education, specifically the first steps all students should take, completing the FAFSA. In partnership with UHEAA, we were able to create a data wheel showing Utah's FAFSA completion rates from the previous year by school district. On this wheel attendees could view the number of FAFSA's started versus how many were completed, percent of FAFSA filers who were Pell eligible, the average Expected Family Contribution, percent of district students receiving free or reduced lunch, and the median household income and average income of families who submitted a FAFSA. We felt this was a valuable tool in showing districts where they stood in regard to FAFSA completion and how they

compare to other districts. We were fortunate to have Greg Darnieder from the U. S. Department of Education give the keynote address and discuss the national landscape surrounding FAFSA completion, affordability, and economic argument for a college credential.

- A total of 527 administrators, counselors, college access, admissions and recruitment staff had the opportunity to attend and deepen their knowledge on paying for college.
- Participants were able to choose from 28 workshops covering such topics as FAFSA completion, engaging students in social media, empowering Latino students, parent involvement, undocumented student support, as well as sessions on the statewide initiatives such as the 15 to Finish campaign, concurrent enrollment, Utah Scholars, Utah Education Savings Plan, scholarships, and panel sessions highlighting college, university, and business leaders.
- Representatives from all USHE schools, as well as UCAT, BYU, LDSBC and Westminster College, StepUp, Utah Scholars, UESP and UHEAA had information booths and were able to answer questions and distribute materials for the upcoming academic year.
- 80% of attendees agreed they developed a greater understanding of college preparation, admissions and financial aid processes.
- 91% agreed that this conference prepared them to help students and families plan for college.

- **UHEAA National Training for Counselors and Mentors (NT4CM), FAFSA Boot Camps, Financial Aid Workshops and presentations**

As a result of our partnership with UHEAA and their outreach team we have been able to expand professional development opportunities for counselors, mentors, access advisors, and other community partners to increase their awareness of how students and parents can plan and pay for postsecondary education.

- The UHEAA outreach team planned and provided 12 FAFSA Boot Camps to partners from GEAR UP, TRIO and the Utah College Advising Corps. FAFSA Boot Camps are half-day, intensive, hands-on training for school personnel to learn how to host FAFSA Completion Nights at their respective schools. New this year was the ability for UHEAA to implement interactive, real-time, Virtual FAFSA Boot Camp Webinars. A total of 194 individuals were trained.
 - The UHEAA outreach team organized, traveled to, and hosted 12 district and regional NT4CM workshops with information on scholarships, financial aid planning, and a training on UHEAA's blog, its social media and other online web resources on paying for college. 266 counselors and mentors were trained.
 - Additionally, the UHEAA outreach team traveled to and participated in conferences where invited, and delivered trainings if requested. This year UHEAA presented at 15 conferences to a total of 848 people.
- **Collaborative Counselor Training Initiative (CCTI)**
CCTI, a series of online modules designed to be used by school counselors to improve effectiveness in preparing all students for college, continued to expand through Utah State University's Counselor Education Program and University of Utah's School Counselors program. Delivery of the full CCTI curriculum is now a routine part of the UU's graduate program for School Counselors. Students complete module 1 during their first course, module 2 during practicum (spring year 1) and modules 3 and 4 during their internship (year two fall and spring). The second cohort of students will receive a salacity designation on their official transcripts of School

Counselor, College and Career Readiness when they graduate. This year the University of Utah extended its offering of the CCTI curriculum to in-service counselors. During this first year a partnership between Granite School District, USHE, and the University was established for cost sharing of the expenses of this offering. Eleven Granite District Counselors completed the training. The number of course facilitators available to moderate the CCTI course doubled with the addition of two Granite, and one Canyon's School District facilitator.

During fall 2013 and spring 2014, six in-service school counselors, one GEAR UP/Special Educator and one K-12 teacher completed Utah State University's College and Career Readiness for Professional Educators, an online, 3-credit, graduate level course. Partnerships have been formed with four school districts (Alpine, Jordan, SLC and Cache) and departments in two institutions of higher education. Partnership districts and institutions are eligible for the reduced, recording-fee-only tuition rate. The course will be offered every semester for the foreseeable future, and additional district partnerships will continue to be established.

Statewide Infrastructure

- **College Access Network of Utah (CANU)**

College Access Network of Utah (CANU), the statewide access network made up of K12 partners, higher education access colleagues, and business partners continues to grow and strengthen as the group continues to meet regularly. CANU's mission remains to: support and strengthen programs and services that encourage the access and attainment of higher education for Utah's underserved, low-income, first generation, and historically underrepresented student populations, and supporting the goal of 66 percent of all Utahns to have a credential beyond high school by 2020. CANU has generally had six working groups: College Readiness and Success, Public Policy and Advocacy, Family and Community Engagement, Program Collaboration and Mapping, Early Awareness Outreach, and Data Sharing and Assessment. This year we are happy to report that two new working groups have been established to meet the needs of Utah's growing diverse population, Undocumented Student Access and Success and Adult College Completion. Both committees are chaired by USHE staff members and have a diverse representation from nearly all of Utah's public and private not-for-profit institutions. Additionally, a new co-chair was recently voted in as the prior term ended. The new co-chair Ruth Patiño Stubbs is from Weber State University and directs their Education Access and Outreach office.

- **ImPACT Subgrant: *Improving Preparation, Access, & Communities Together***

In its fourth year, this subgrant opportunity encourages college and university access and outreach programs to develop, strengthen, and/or enhance collaborations between K-12 schools and communities. The Office of the Commissioner received 20 RFP submissions from eight different institutions. Eight subgrants were selected, three programs were expansion grants of previously funded programs, three were new startup initiatives, and another two were planning grants. We disbursed just over **\$388,434** of our \$1.4 million 2013-2014 CACG funds in support of these institutions and programs.

This federal grant is consistent with the Regents' strategic priority of increasing participation in higher education. It has been instrumental in helping the Utah System of Higher Education maintain capacity and

momentum toward increasing academic and financial preparation so more Utah citizens might more fully participate in postsecondary education.

Commissioner's Recommendation

This is an information item only; no formal action by the Board is required. However, the Board is encouraged to read and take note of the information memorandum, and note that further follow-up will be handled by the Commissioner's Office as part of the Board's Participation strategic objective.

David L. Buhler
Commissioner of Higher Education

DLB/MMK

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: StepUP College Open Houses

Background

One of Utah's three core objectives of its College Access Challenge Grant Program (CACG) is:

1. To provide information to students and families on postsecondary education: benefits, opportunities, planning, financing options (including activities associated with financial literacy), FAFSA completion, and outreach activities for students who may be at risk of not enrolling in or completing college.

To this end, the Outreach and Access Department in the Office of the Commissioner, in partnership with the Utah Council (members of the Admissions and Recruitment staffs of the not-for-profit Utah colleges and universities) implemented and coordinated the StepUp to Higher Education Regional College Open Houses geared towards supporting the 66 percent goal and Utah's CACG objectives *to significantly increase the number of low-income and underrepresented students who are prepared to enter and succeed in postsecondary education.*

Issue

This is the fourth year of this type of programming, and the second year for the Office of the Commissioner to provide sole leadership. The purpose of these events was to target 9-11th graders and provide timely information on preparing for and paying for college, while offering participants an opportunity to visit a college campus. These events were held March 19-27 at four of our USHE institutions, and all eight USHE institutions and the three private not-for-profit institutions were represented with a booth. The evening began with a StepUp to Higher Education presentation which discussed the benefits of obtaining a college degree followed by a Paying for College presentation. Each presentation was given twice throughout the evening to allow attendees an opportunity to engage with institutional representatives and hear the messaging from USHE and UHEAA. Additionally, each host institution's financial aid office had a booth, and the Utah Education Savings Plan and UHEAA were also represented.

In comparison to last year's attendance the numbers shrunk considerably, by over 60 percent. We only had 371 total participants this year, in comparison to 930 in 2013. In 2013 we mailed out over 100,000

printed postcards directly to families in targeted districts as result of Utah Futures account list, which was effective but costly. Given direct mail costs and changes in Utah Futures governance structure which meant we did not have access to student addresses, we marketed the events in the following ways.

Printed 40,000 Postcards

- Per our request Ogden and Granite District mailed these via USPS to their student's homes.
- We reached out to 13 other districts and high schools in the host institutions region and they agreed to pass the post cards out to the students at school.
- Posters were sent to targeted schools to hang in halls, front office, and counseling center.
- Postcards distributed to TRiO and GEAR UP programs around the state to distribute to their program participants.
- 3,000 postcards were distributed via conference bags at three regional Latino's in Action conferences.
- Postcards distributed via UHEAA's FAFSA Completion Nights to attendees.
- Distributed through Regents' Scholarship team members high school transcript meetings.
- Sent to host institutions for distribution within their networks.

Email Invitation

- Sent to all 2013 participants from 2013 events who were in grades 10-11 (500+).
- Sent to 450+ counselor participants of the 2013 USHE Counselor Conference.
- Sent to USOE counselor listserv.
- Sent to CACG Subgrantees to share with student participants.
- Sent to all Utah Council members, UHEAA, UESP, and USHE employees (350+ people).
- Mentioned in Utah Scholars Initiative newsletter with attachment and registration link (10,000+ high school students) as well as a targeted email reminder the day prior to each event to students in nearby districts.

Media

- USHE press release was sent to all local media channels. And KSL did a feature story on the SLCC event.
- Event information sent directly to communications directors at key districts and USOE to distribute via Twitter/Facebook/etc.
- Information distributed through USHE, UHEAA, Utah Scholars and StepUp social media networks.

Each student participant received a follow-up email directing them to grade checklists on the StepUp website. Additionally, each participating institution received the names and contact information of each participant so that they could be added to their inquiry database and followed up on appropriately based on grade level and interests.

We received only 68 evaluations or an 18.3% response rate of our 371 total attendees. The evaluation was given to each attendee in hard copy at the events and those who completed the survey were entered into a prize drawing for college and university giveaways provided by each of the institutions. Of the respondents:

- 82% of the student participants are in grades 9 or below.
- 23% noted by coming to this event, it was their first time on a college campus.
- 97% believed participation in the event improved their understanding on how to prepare for college.

Considerations

Despite low participant numbers it is important to note a number of key objectives were met; we reached younger students and their parents, provided them an opportunity to visit a college campus for the first time, and improved their understanding of how to prepare for college. Each student we met with were so appreciative for this opportunity to meet with all the colleges and universities under one roof and could not believe more of their friends, neighbors and classmates had not taken advantage of this opportunity.

At this point we are undecided about the future of this college awareness activity. These events are grant funded, K-12 directory address data is not easily obtained, and over the years coordination with the colleges and universities is increasingly becoming more difficult, as it is ever apparent they wish to focus on recruitment activities. Therefore, we think we may have most impact with limited resources through our large scale StepUp awareness activities, and through the expansion of Utah Scholars, College Application Week and FAFSA completion events.

Commissioner's Recommendation

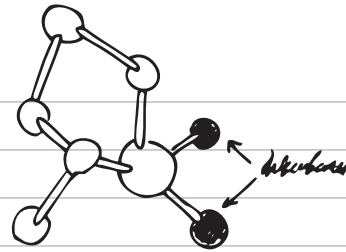
This is an information item only, no formal action by the Board is required. However, the Board is encouraged to read and take note of the information in this memorandum. Note that further follow-up will be handled by the Commissioner's Office as part of the Board's Participation strategic objective.

David L. Buhler
Commissioner of Higher Education

DLB/MMK
Attachment



NOTES:

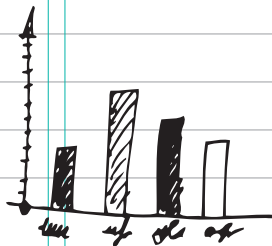


STEPPING UP TO COLLEGE

Thank you for attending our event; learn how you and your family can Step UP to Higher Education. Representatives are here to answer all your question about applying to and paying for college, as well as give information about Utah's higher education choices. On the next page you will find some helpful questions to use as conversation starters when visiting with college representatives.

TONIGHT'S PROGRAM

- 5:45 pm Registration and Check-In begins
6:00 - 8:00 pm College representatives available
6:00 - 6:15 pm Welcome, StepUp Presentation
6:30 - 6:50 pm Paying for College Presentation
7:10 - 7:25 pm StepUp Presentation
7:40 - 7:55 pm Paying for College Presentation



For tips on preparing for, paying for, and applying to college, visit our website! STEPUPUtah.com

SCHOOL CONTACT INFORMATION

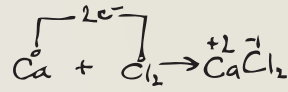


Brigham Young University
801-422-5000
www.b4byu.edu
Dixie State University
435-652-7590
www.dixie.edu
LDS Business College
801-524-8145
www.ldsbc.edu
Salt Lake Community College
801-957-4111
www.slcc.edu

Snow College
800-848-3399
www.snow.edu
Southern Utah University
435-586-7700
www.suu.edu
University of Utah
801-581-7200
www.utah.edu
Utah College of Applied Technology
801-955-2170
www.ucat.edu

Utah State University
800-488-8108
www.usu.edu
Utah State University Eastern
800-366-2381
www.eastern.usu.edu
Utah Valley University
801-863-8811
www.uvu.edu
Weber State University
801-626-6050
www.getintoweber.edu
Westminster College
800-748-4753
www.westminstercollege.edu

PREPARING FOR COLLEGE



- What courses do I need to take in high school to be ready to attend your school?
- Which elective courses do you recommend?
- What activities can I do at home and over the summer to get ready for college?
- What are your admission requirements? Do you have a minimum GPA or ACT score requirement?
- What is your application process? What is the deadline?
- How much is the application fee? Do you offer fee waivers?
- Do you have any college openhouses or overnight campus visit programs scheduled?
- What options do you have to visit campus? How can I sign up for a tour?

PAYING FOR COLLEGE

- How much is full-time tuition per year or semester? What is the average total cost of attendance for one year including tuition, fees, books and supplies, room and board, and other personal expenses?
- What financial aid options are available? What need-based and merit-based aid do you offer?
- How do I apply for institution financial aid? What are the deadlines?
- Do you require a completed FAFSA to qualify for institution-based financial aid or scholarships?
- What scholarship opportunities are available? Do you have a scholarship resource center?
- How do I apply for scholarships? When are the deadlines?
- What types of part-time campus jobs are available? How and when do I apply?

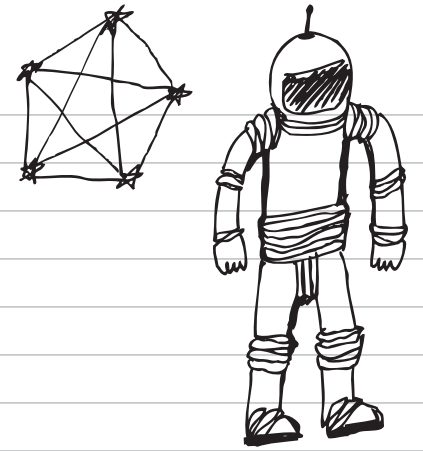
ABOUT THE COLLEGE or UNIVERSITY

- What type of college or university is your school? 2-year or 4-year?
- What degrees do you offer? (Certificates, associate, bachelor's, master's, JD, PhD)
- Do you have any information to help me start exploring careers?
- Which majors are available? (Ask about any majors you're considering.)
- Are there specific requirements for being admitted into particular majors?
- How many students attend your campus? Do you have multiple campuses?
- Do you have on-campus housing? What is the cost? Availability?
- What is the makeup of your student body? (Male-to-female ratio, diversity, etc.)
- What is your professor to student ratio? What is the average class size?

Paid for by a grant from the U.S. Department of Education. However, the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.



NOTES:



May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Utah Scholars Coaches Pilot

Background

Utah Scholars Initiative (USI), launched as a pilot in 2006, is a program of the Outreach and Access department within the Utah System of Higher Education. USI partners school districts with local community and business leaders in an effort to increase the number of Utah students accessing and completing post-secondary education. USI particularly targets low-income, first-generation, and minority students, and is one of USHE's many strategies to encourage and prepare students for college. USI volunteers encourage students in our partner schools to prepare for their futures by taking the Utah Scholars Core Course of Study—a defined college preparatory curriculum—throughout all four years of high school. Students who complete the Utah Scholars Core Course of study receive a certificate and medallion at high school graduation. In 2008, the Utah Scholars Core Course of Study was adopted as the course criteria for the Regents' Scholarship.

Issue

In 2014, Utah Scholars piloted a new program, Utah Scholars Coaches, which places college students in 10th grade classrooms for weekly lessons written by the Utah Scholars staff. The goal of the program is to increase college readiness and awareness for under-represented (first-generation, low-income, and minority) students who could achieve the Regents' Scholarship Base Award but who are not likely to apply for the scholarship and may need additional help applying to college and for financial aid. Students who already participate in other access and support programs such as TRIO, GEAR UP, AVID, etc. are not eligible to participate in the program.

The Utah Scholars program spent the fall 2013 semester writing the curriculum and recruiting college students to serve as Coaches, with the assistance of an AmeriCorps VISTA member, Shannon Farber. Nine volunteer Coaches were selected, trained, and placed in the schools. Whenever possible, Coaches are placed in pairs at the school sites.

Building on existing relationships with school districts, the pilot began in five schools in Granite and Ogden School Districts. The Granite schools are Granger High School, Hunter High School, and Kearns High School, and were chosen by the District. All are schools with historically low college attendance and

Regents' Scholarship achievement (between them, there were 13 Regents' Scholarship applications in 2013).

Ogden School District has only two high schools, Ogden High School, and Ben Lomond High School, both of which have low college attendance and Regents' Scholarship achievement (a total of six Regents' Scholarship applications from the District in 2013). The pilot was suspended at Ogden High School due to low school participation.

10th grade students participating in the program had to meet the following requirements:

- A cumulative GPA of at least 2.8.
- No core course grade lower than a C (*this was not followed*).
- Not participating in other college ready programs.
- Want to go to college.

The target population is under-represented (first-generation, low income, and minority) students.

Utah Scholars launched the pilot program in February, and more than 50 eligible students enrolled (which required a parental signature). Participants committed to:

- Take the Utah Scholars Curriculum in grades 9-12.
- Engage in college and career support activities.
- Attend weekly classes with their Coaches.

The number of first-generation college students varied across the schools:

- Granger High School: 63%
- Hunter High School: 82%
- Kearns High School: 71%
- Ben Lomond High School: 57%

Their average GPA varied from 3.4 to 3.7, but few if any of the students had heard of the Regents' Scholarship.

The Coaches pilot program will continue through May, at which time students will be given a post-test and counselors will be invited to provide feedback on the program. We are currently recruiting and selecting Coaches for the next academic year. The program will culminate in a recognition event at each school, with students receiving a certificate of completion.

Next Steps

The Coaches program needs improved school/counselor buy-in, which will be facilitated by better communication and timing. We do not anticipate adding any schools next year, but hope to run a full-year pilot in all five schools. Ideally, Coaches will teach two sessions in each school: one starting in September and the second starting in late January. This will enable the Coaches to reach significantly more students, and recruitment will benefit from word of mouth.

We are already working with Ogden High School to find a better time to schedule the Coaches' lessons and looking at better options to identify potential students. At all of the schools, we will need to more

intentionally identify students and invite them to participate. We have, however, had significant difficulty in recruiting students from Weber State University to serve as Coaches. We will be extending our recruitment period into the summer, targeting classes with Community Engaged Learning emphases.

We are also in talks with Iron County School District about permitting them to use the Coaches curriculum in their schools, where teachers would deliver it.

Next year, Coaches will receive a \$1,000 educational award to recognize the significant time and effort they put into teaching the curriculum. We will expand their training and spread it out throughout the school year, which will give them additional support and provide a more robust community of Coaches.

Once we have worked with the students in their 10th grade year, we will need an additional follow up with them to ensure that they are on track in 11th grade and engaging in college-readiness activities. As we have their contact information, we can use this to send them materials and invite them to StepUP and other college events. At the beginning of their senior year, we will also send them follow up information about the Regents' Scholarship.

Commissioner's Recommendation

This is an information item only, no formal action by the Board is required. However, the Board is encouraged to read and take note of the information memorandum, and note that further follow-up will be handled by the Commissioner's Office as part of the Board's Participation strategic objective.

David L. Buhler
Commissioner of Higher Education

DLB/CF

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: USHE - Guidelines for Performance Funding, 2014-15

Issue

During the 2014 legislative session, \$1.5M in one time funding was allocated for performance funding. This is the second year of performance funding, spearheaded by Senator Stephen Urquhart. Board of Regents measures, timeline and procedures for allocation of the performance funding are needed to meet the intent of the legislation and provide guidelines to institutional Presidents.

Background

The 2014 Legislature approved \$1.5M in one-time funds for performance funding to be focused on efforts to increase completion. Funds were allocated to the Utah System of Higher Education to distribute based on performance.

The proposed five core performance measures were updated (nearly identical to those used in 2013) are as follows:

- a. 1st year to 2nd year retention
- b. Increased completion rates (transfer counts toward completion)
- c. Acceleration in fulfilling the general education math requirement (such as requiring at least one math class during the first two semesters)
- d. Rapid transition of students from developmental math to successful completion of college math course
- e. Increase in graduate education (as applicable by institutional mission)

Legislative intent language in the appropriations act (2013 SB 2) identified these as the core measures to be used, but did not limit institutions to using only these measures. In checking with the Legislative Fiscal Analyst, it is understood that the same intent exists for 2014-15. Assuming approval of the proposed guidelines and timelines in the attached document, institutional Presidents will submit proposed measures and benchmarks by June 15, 2014 to the Commissioner's Office. Their measures and benchmarks will be submitted to the Board for consideration at its July 2014 meeting. Presidents will provide a report detailing their success in meeting approved benchmarks on June 1 of 2015. Distribution of performance funding will occur consistent with the allocation guidelines and institutional performance by July 1, 2015.

Policy Issues

There are no outstanding policy issues. The proposed guidelines meet the intent of legislature and have the agreement of the USHE institutional Presidents.

Commissioner's Recommendation

The Commissioner recommends the Regents approve the Guidelines for Performance Funding, 2014-15, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/EJH/BLS
Attachment

Utah System of Higher Education Guidelines for Performance Funding, 2014-2015

The Utah Legislature has provided a second year of performance funding (\$1.5 million in one-time for 2014-15) to address the most urgent needs in reaching the 66% goal. It is proposed that the core performance measures of 2013-14 be used for 2014-15 as follows:

- a. 1st year to 2nd year retention
- b. Increased completion rates (transfer counts towards completion)
- c. Acceleration in fulfilling the general education math requirement (such as requiring at least one math class during the first two semesters)
- d. Rapid transition of students from developmental math to successful completion of college math course
- e. Increase in graduate education (as applicable by institutional mission)

Intent language with the legislative funding in the first year included (but did not limit selection to) the performance measures listed above. It is expected similar measures will be used for the second year. These are the core performance measures from which each institution may select as appropriate for mission and student mix and as determined by the institution as having the greatest effect on moving the needle on performance measures. By June 15, 2014, each institutional President will submit the final list of 2014-15 core performance measures, specific measures, current data, and benchmarks to the Commissioner's Office to be approved by the Board of Regents and finalized at the July 18, 2014 Board meeting.

Proposed Funding Allocation: Institutions will provide the data on performance to the Commissioner no later than June 1, 2015. The Board of Regents will allocate performance funding to each institution, to be released by July 1, 2015, based on completion or significant progress toward achieving one or more of the specified measures. Money will be allocated based on the degree to which the measure(s) are met, e.g., if 100% achieved (or surpassed) 100% will be allocated; if 50% achieved, 50% will be allocated, etc. For institutions with more than one measure, the funding allocation will be divided accordingly.

The Commissioner recommends to the Board of Regents the following distribution (with the amounts representing 100% allocations):

Group I	Group II	Group III
UU \$300,000	WSU \$180,000	SUU \$120,000
USU \$300,000	UVU \$180,000	DSU \$120,000
	SLCC \$180,000	Snow \$120,000

Time-Line: May 16, 2014: Regents approve 2014-15 guidelines.

June 15, 2014: Specific measures, current data, and benchmarks submitted by the institutions to the Commissioner's Office.
July 18, 2014: Board of Regents approves proposed measures and benchmarks.

June 1, 2015: Institutions provide Commissioner's Office with report on meeting approved benchmarks.

July 1, 2015: Commissioner's Office allocates performance funding. Unallocated funds will be carried forward to next year for future allocation.

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Capital Development Prioritization (CDP) Cycle – Adoption of Priority Guidelines

Issue

Regents policy, R741, Capital Development Prioritization – CDP, requires the Regents to establish priority guidelines to be used in each Capital Facilities Evaluation Cycle. The materials that follow are prepared for that purpose.

Background

The purpose of this agenda item is to establish the priority guidelines stipulated in the policy that are designed to help institutions focus on the most pressing and critical needs of the system and to guide the subsequent use of the Regents' Priority Points in the final prioritization of the requested projects.

The attached guidelines are based on the provision of the policy that a portion of the points should be structured to apply to predetermined goals and objectives (Guideline Based Points) and that a portion be reserved for Regents' application after careful and deliberate evaluation of the most urgent needs and most significant opportunities for moving the higher education system forward as a whole (Discretionary Points). The relevant section of the policy is as follows:

3.4.1. Regents' Priority Points – *In addition to the "Scoring Points" of the projects, the Regents may award up to 25 additional points per institution. These points are designed to position institutions to further develop and enhance their assigned missions and roles, including projects to: improve existing facilities and restore building life, update existing space to meet current and emerging program requirements, changes in role and mission, emerging needs in branch and satellite campuses, projects for which a prior year commitment has been made, projects to resolve major infrastructure problems, etc.*

These points, ranging from 0-25, are to be assigned discretionarily by the Regents in the context of the approved capital facilities priority guidelines, and after careful consideration of the relative importance and/or seriousness of the need for the affected projects as determined by the Regents. These points should be used in a consistent manner that enables USHE institutions to pursue strategic and long-term capital development planning while also providing the means to respond to external time-sensitive factors such as: the existing

funding climate; environmental, political, demographic, and economic development considerations; technological needs; et al.

The attached [proposed] guidelines are unchanged from those used last year and that contributed to successful consideration by the Legislature. They provide for assignment of up to 10 "guideline points" based on the manner in which the proposed projects meet predetermined critical programmatic and infrastructure needs and how they address other high priority issues. The remaining 15 points are then awarded on a discretionary basis after careful evaluation of each project and conscientious consideration of those representing the most pressing and critical USHE needs. The stated goal of the use of these "discretionary points" is "to position institutions to further develop and enhance their assigned missions and roles" and "to give appropriate consideration to projects that respond straightforwardly in helping to achieve the goals and recommendations of the *HigherEdUtah 2020 Plan*."

The use of these points is purposefully intended to provide flexibility in responding to:

- Enrollment pressures
- Serious major non-building infrastructure deficiencies
- Condition of facilities (including life safety as well as physical and functional obsolescence)
- Innovative and cost effective approaches to the delivery of instruction
- Enhancement and changes in role and mission of institutions
- Other evolving needs and opportunities

The practice of the Regents' Capital Facilities Committee's visits to each institution continues to be an important element in the process of evaluating the circumstances of each project requested to enable the Regents to become more familiar with the pressing needs and become focused on those that are the most critical. After this careful evaluation, the Committee will make a recommendation to the full board for application of the Regents' Priority Points.

Commissioner's Recommendation

The Commissioner recommends that the proposed guidelines and procedures be carefully considered by the Board, amended if deemed to be appropriate, and adopted for use in the upcoming CDP cycle.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/WRH
Attachment

USHE CDP PROJECT EVALUATION GUIDELINES FOR FY 2016 FUNDING CONSIDERATION
Application of Regents Priority Points

Step 3 - Analysis and Scoring of Needs - The “Analysis and Scoring of Needs” component of the CDP process using space standards and driven primarily by growth in enrollment and staffing remains in force as do consideration for serious facility condition and functional obsolescence needs, donated and/or other non-state provided funds, and/or critical infrastructure defects.

Step 4 – Prioritization of Projects for Funding Consideration - After these issues have been dealt with in the scoring process, the Regents have a category of **Regents Priority Points** that they may use on a discretionary basis to address what are determined to be the most pressing and critical USHE needs. The proposed guidelines for prioritization of projects for FY 2016 funding consideration are as follows:

Guideline Based Points

0-10 Points

Critical Programmatic and Infrastructure Needs	10 Points
<ul style="list-style-type: none"> • Imminent threats to daily operations and program delivery • Extraordinary economic development/competitive opportunities • Enhancement of critical programs (science, engineering, technology, etc.) • Facilities needs to achieve 2020 Plan goals 	
High Priority Issues	
<ul style="list-style-type: none"> • Strategic Planning & Time-sensitive Issues Branch and satellite campus development Significant changes in role and mission Mergers and Partnerships Emerging time-sensitive opportunities • Operational and Programmatic Efficiency Sustainability (energy conservation and efficiency) Operational Efficiency (optimization of O&M costs) Innovative and cost effective delivery of academic programs Improved space utilization Eliminate functional obsolescence of equipment and space 	5-8 Points
Fulfills a Non-Critical Need	3 Points
<ul style="list-style-type: none"> Core programmatic enhancement Strengthen program deficiencies 	
Project Does Not Qualify for Regents’ Priority Points	0 Points

Discretionary Points

0-15 Points

These points are designed to position institutions to further develop and enhance their assigned missions and roles (see R741.3.4.1). It also is the intent of the Regents to give appropriate consideration to projects that respond straightforwardly in helping to achieve the goals and recommendations of the *HigherEdUtah 2020 Plan*. Appropriate consideration will also be given to projects with prior approved Legislative planning funding.

Total Regents Discretionary Points

25 Points

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Regent Policy R503, "Soft" to "Hard" Money and Report of Faculty on "Soft" Money

Issue

Regent Policy R503, *"Soft" to "Hard" Money and Report of Faculty on "Soft" Money*, has recently been reviewed by the Office of the Commissioner and USHE institutional representatives; this review is a part of the continuing review of all Regental policies. A result of this review is the recommendation to update R503 terminology and consolidate it with another Regents' policy.

Background

Regent Policy R503 has not been amended in almost 37 years, in which time there have been significant changes in the way institutions receive, budget, request, and account for funds. This policy uses outdated terminology and defines "soft money" as federal grants, which is only one type of soft money, or one-time money. Institutional budget representatives were consulted about the possible repeal of this policy, and while there was agreement that it could be repealed without impact to the institutions, there was preference expressed that the policy language be updated and consolidated with Regent Policy R501, *Budgeting Definitions and Guidelines*.

Policy language has been amended to remove the term "soft money" and instead use more accurate language to describe the intended policy, which is to provide guidance and caution to the institutions when accepting one-time federal funding and not to have an expectation that state appropriations will automatically be requested to continue programs that were originally funded by one-time federal funding.

Instead of having a stand-alone policy to address this one issue, the following relevant language would be preserved and incorporated into R501, *Budgeting Definitions and Guidelines*:

Definitions

One-Time Federal Funds: As used in this policy, "one-time federal funds" means a set amount of money from any federal government source that a USHE Institution does not have reason to believe will be available in the future on an on-going basis.

Policy

Review Each Item on Merits: The Board encourages institutions to consider, when accepting one-time federal funds, that a future budget request for replacement of expiring one-time federal funding with state appropriations will be based on its own merits as if it were a new program.

Commissioner's Recommendation

The Commissioner recommends that the Regents repeal R503, "*Soft*" to "*Hard*" Money and Report of Faculty on "*Soft*" Money, and direct staff to incorporate relevant updated language from the policy into R501, *Budgeting Definitions and Guidelines*, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/BLS/AMN
Attachment

R501-1. Purpose: To provide definitions of terms for budgeting purposes in the Utah System of Higher Education; prohibit the use of carry over surpluses for salaries; provide budgeting and tuition waiver guidelines for higher education's participation in the State Board of Education vocational rehabilitation program; and address the operation and maintenance costs of capital facilities as a budget priority.

R501-2. References

- 2.1. Utah Code §53B-7-101 (Combined Requests for Appropriations)

R501-3. Definitions

- 3.1. **Full-Time Equivalent Regular Faculty:** A full-time equivalent shall be determined on the following basis:

- 3.1.1. An individual hired for the academic year, by appointment, whose primary assignment is teaching. Their contact hours as to a full load will be determined by the institution in relation to any essential departmental policy or discipline, approved by the administration. For example, a retired professor teaching three hours each semester in the Department of Physics, at a very modest stipend, would be counted as one-third FTE faculty if the teaching load established for the Department of Physics by the University of Utah is 9 hours. If the teaching load has been established at 12 hours such an individual would be counted as .25 FTE faculty, and so on.

- 3.1.2. Any administrative staff or part-time lecturer teaching a class in addition to his or her other duties may be prorated and equated to an FTE basis by use of hours of credit the class carries in relation to a full-time load as determined by college department or discipline policy approved by the administration (indicated in Item 1 above). For example, if the Vice President for Administrative Services teaches one course in management, for 2 hours credit, in one semester, once a year, and if the teaching load in the Department of Management is 12 hours, the Administrative Vice President would be listed as one-sixth FTE faculty member for that particular semester, or on the basis of the entire year, one-twelfth or the appropriate decimal fraction thereof for the entire year.

- 3.1.3. Regular faculty members who have reduced teaching assignments with part of their time related to research or other assignments shall be prorated to an FTE by use of hours of credit the class carries in relation to the full-time load as determined by college department or discipline policy as approved by the administration. For example, a professor of chemistry, who is authorized by the institution to conduct and administer a research grant involving shale oil extraction, and is on part salary from the Department of Chemistry budget, devoting part time to the research project, and who teaches a 6-hour load each semester, would be counted as one-half FTE faculty member if the full load in that particular university department is 12 hours per semester, and so on.

- 3.2. **Graduate Teaching Assistants and Wage-Rated Instructors:** Graduate teaching assistants and wage-rated instructors having class teaching responsibility shall be prorated on a FTE basis, by using hours of credit the class carries in relation to a full-time load of faculty within the same department. Teaching assistants and wage-rated instructors will be reported separately to 1 and 2 above on an FTE basis.

¹ Adopted June 24, 1975; amended July 21, 1975, June 22, 1976, May 9, 1986, March 25, 1994 and May 17, 2013.

3.3. Classified Personnel: Includes employees who are non-exempt under the provisions of the Fair Labor Standards Act (FLSA).

3.4. Administrative Staff: Includes employees who are exempt under the provisions of the FLSA.

3.5. One-Time Federal Funds: As used in this policy, "one-time federal funds" means a set amount of money from any federal government source that a USHE Institution does not have reason to believe will be available in the future on an on-going basis.

R501-4. Guidelines

4.1. Prohibition of Use of Carry Over Surplus for Salaries: Carry forward funds from one fiscal year cannot be used to adjust salaries for the subsequent fiscal year.

4.2. Appropriations for Vocational Rehabilitation Program Tuition: The State Board of Regents shall request that the legislature appropriate funds directly to the State Board of Education for payment of full tuition to each of the institutions of higher education under the State Board of Education vocational rehabilitation program.

4.3. Tuition Waivers: No waivers of tuition or fees shall be made by any of the institutions to vocational rehabilitation students.

4.4. Operation and Maintenance Costs of Capital Facilities: Operation and maintenance (O & M) costs of capital facilities projects will be included as a high budget priority if the Regents have approved both (1) the construction or acquisition of the facility or space, irrespective of funding source, and (2) the payment of O & M from state tax funds.

4.4.1. The amount of O & M costs included as a high budget priority will be the amount initially approved by the Regents, adjusted for appropriate inflationary cost increases, unless a different amount is justified.

4.4.2. O & M costs resulting from renovation (capital developments and improvements) will be included as a high budget priority if the renovation has been approved by the Regents. Except in unusual circumstances, Regent approval shall be obtained prior to the budget process and prior to any renovation requiring increased O & M funding.

4.4.3. O & M costs in excess of the amounts approved under 4.5.1. and

4.4.4. above will be included as a lower budget priority or funded with institutional funds unless the Board directs the costs be moved to a high budget priority.

4.4.5. O & M costs associated with leased facilities shall be treated as lease costs under the Regent's lease policies rather than as O & M costs of capital facilities.

4.5. Review Each Item on Own Merits: The Board encourages institutions to consider, when accepting one-time federal funds, that a future budget request for replacement of expiring one-time federal funding with state appropriations will be based on its own merits as if it were a new program.

~~R503, "Soft" to "Hard" Money and Report of Faculty on "Soft" Money¹~~

~~**R503-1. Purpose:** To provide for the extent new State appropriated dollars ('hard' money) may be added to institutional budgets to replace Federal grants ('soft' money) which has expired; and for an annual report of faculty on "soft money" in order to have a complete record of faculties for budget purposes.~~

~~**R503-2. References**~~

~~2.1. — Utah Code §53B-7-101 (Combined Requests for Appropriations — Board Review of Operating Budgets)~~

~~**R503-3. Policy**~~

~~3.1. — **Review Each Item on Merits:** The Board should not set a precedent of picking up programs canceled by the Federal Government. The Board will not replace soft money with hard money, but will review each item with each institution on the basis of merit as if it were a new program.~~

~~3.2. — **Report of Faculty on "Soft" Money:** The institutions are to provide the Commissioner's Office a report of faculty included on "soft money," so there will be a complete picture of the faculties of the several institutions for budget consideration.~~

~~3.3. — **Included in Student/Faculty Ratios:** The intent of paragraph 3.2 is to require that computations of student/faculty ratios in the future include faculty on "soft" money.~~

¹ Approved September 16, 1975; amended April 26, 1977.

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision of Policy R510, Tuition and Fees

Issue

Regent Policy R510, *Tuition and Fees* has recently been reviewed by the Office of the Commissioner and USHE institutional representatives; this review is part of the continuing review of all Regent Policies. Revisions to this policy are largely technical, provide updated language, or clarify intent.

Background

In an effort to clarify and strengthen the policy and provide guidance and consistency for institutional reporting, several sections of R510 have been revised. Some of the significant changes include the following:

- **Effective Dates, Section 3.4:** Clarifies effective date of tuition increases.
- **Financial Aid Requests, Section 3.8:** Language related to the budgeting process and requesting money for Success Stipend Program moved to Policy R501, *Budgeting Definitions and Guidelines*.
- **University Centers, Sections 4.13 and 5.5:** Removes provisions and references related to University Centers.
- **Fee Rate Increase Letter, Section 5.4:** Enacts language to formalize established practice whereby if an institution is proposing to increase general student fees at a percentage rate greater than the rate the system is proposing to increase 1st tier tuition, the institution must submit to the Board a letter from student leadership at the institution and in support of the proposed fee increases.
- **Waivers, Section 6:** Removes duplicative language on waivers covered in R513.
- **Residency, Section 8:** Removes duplicative language on residency covered in R512.

Commissioner's Recommendation

The Commissioner recommends that the Regents approve revisions to policy R510, *Tuition and Fees*, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/BLS/AMN
Attachment

R510-1. Purpose: To establish ~~the conditions and methods for approval by the Board of the tuition and fees to be charged to the students at the institutions~~ [a tuition and general fee policy](#).

R510-2. References

- ~~2.1. Utah Code §53B-7-101 (Combined Requests for Appropriations –Board Fixes Tuition, Fees, and Charges)~~
- ~~2.2. —Utah Code Title 53B, Chapter 9 (Higher Education for Senior Citizens)~~
- ~~2.3. —Utah Code §53A-6-104 (Board Licensure for Educators)~~
- ~~2.3~~ [2.2.](#) Federal Higher Education Act, 20 USC 1091b (Institutional Refunds)
- ~~2.4. —Policy and Procedures R511, Tuition Disclosure and Consultation~~
- ~~2.5. —Policy and Procedures R512, Definition of Resident Student~~

R510-3. General Policy

3.1. Uniform First Tier Tuition Rate Increases: A first tier ~~of~~ tuition rate increases shall be uniform for all institutions, shall be implemented at the same time, and shall be based on evaluations of current data on inflation and national and regional tuition increases and justified by specific increasing needs in the Utah System of Higher Education.

3.2. Optional Second Tier Tuition Rate Increases: Each institutional President, with the approval of the institutional Board of Trustees, may recommend a second tier ~~of~~ tuition rate increases to meet specific institutional needs. Second tier tuition rate increases may apply to all programs equally or ~~they~~ may be different for specific programs.

3.3. Application of Increases in Tuition Revenues in Appropriated Operating Budget Requests: In developing its appropriated operating budget recommendations, it is the policy of the Board to include tuition revenues from projected additional annualized FTE enrollments as a portion of the projected financing for proposed expenditure increases to accommodate the additional students. Revenues from [a](#) proposed uniform first tier tuition rate increases pursuant to [paragraph Section](#) 3.1 will be included as partial financing for other proposed expenditure increases. Revenues from recommended second tier tuition rate increases pursuant to [paragraph Section](#) 3.2 will not be included as partial financing for other proposed expenditure increases.

~~**3.4. —Effective Date of Tuition and Fee Policy:** These policies are effective upon adoption by the Board, and supersede all previous Board policy regarding tuition and fees.~~

¹ Approved October 24, 1986; amended June 19, 1987, August 7, 1987, July 27, 1990, March 21, 1992, September 18, 1992, November 6, 1992, September 24, 1993, September 23, 1994, November 4, 1994, June 23, 1995, November 3, 1995, August 1, 1996, September 11, 1997, November 13, 1998, January 21, 2000, March 17, 2000, March 16, 2001, March 14, 2002, July 2, 2002 and December 14, 2007, January 11, 2012 and November 16, 2012

3.4. Effective Date for New Tuition Schedules: Tuition changes approved by the Board take effect for the subsequent semester.

3.5. Resident/Nonresident Tuition Relationships: Undergraduate nonresident tuition shall be set at no less than 3.0 times the institutional undergraduate resident tuition rate. ~~Regents~~ The Board may grant exceptions on a case-by-case basis.

3.6. Graduate/Undergraduate Tuition Relationships: Tuition for resident and non-resident graduate students will be set at not less than one hundred ten percent (110%) of tuition for undergraduate students. For this purpose, a graduate student is a student who has been formally admitted to a graduate program at the institution.

3.7. Annual Review for Fairness and Price Competitiveness: Annually, the tuition relationship targets, comparisons with national and regional tuition and fee data, institutional cost data, general and course fee data, and other factors shall be reviewed to determine if modifications are necessary to maintain fairness and price competitiveness.

~~**3.8. Student Financial Aid Appropriation Requests Related to Tuition Increases:** When the Board's higher education appropriation recommendations contemplate tuition rate increases, the Board will consider including a request for a related appropriation increase for the Success Stipend Program (need based financial aid). The amount considered for such a request will be calculated to offset, in conjunction with any anticipated increases in federal need-based grant and work study programs, the costs of tuition and fee increases for resident students receiving need-based financial aid from both federal and state sources, in eligible institutions in the preceding fiscal year.~~

~~[NOTE: Moved to R501, Budgeting Definitions and Guidelines]~~

R510-4. Tuition Charges

4.1. Alternative Tuition Models: Institutions may use either: (1) a linear tuition model, in which the incremental tuition charge per student credit hour is the same without regard to the number of hours for which a student is enrolled, or (2) a plateau model, in which students carrying a defined full-time load are charged a uniform rate within a defined range of credit hours. ~~Alternative tuition schedules for on-line courses may be authorized by the Regents on a case-by-case basis.~~

4.4 4.1.1. Maximum Range for the Plateau Model: The plateau, or number of credit hours for which a full-time tuition rate may be charged, may be any range between 10 and 20 credit hours. Where the plateau model is used, tuition per credit hour between one credit hour and the beginning of the ~~full-time plateau~~ range shall increase in ~~approximately uniform linear~~ increments. Students enrolled for credit hours beyond the ~~defined plateau range~~ shall be charged ~~for the extra credit hours~~ at the same rate per credit hour as those ~~taking fewer than the minimum in the full-time range before the plateau range~~.

4.1.2. Online Tuition: Alternative tuition schedules for online courses may be authorized by the Board on a case by case basis

4.2. Differential Tuition: Differential tuition schedules for undergraduate and graduate programs may be authorized by the ~~b~~Board on a case by case basis². ~~Differential tuition schedules for undergraduate programs may also be approved by the board when circumstances warrant.~~ In addition to initially approving differential tuition rates for academic programs, differential tuition increases beyond the regular institutional tuition increase proposal should be approved by the ~~b~~Board. The increased revenues from the differential tuition rate charges shall be used by the institution to benefit the impacted program and to help support

related campus services. Institutions requesting differential tuition schedules should consult with students in the program and consider the following:

- 4.2.1. the student and market demand for the program;
- 4.2.2. the impact of differential tuition rates on student access and retention;
- 4.2.3. the tuition rates of comparable programs at other institutions;
- 4.2.4. the potential earnings capacity of program graduates; and
- 4.2.5. the societal importance of the program.

4.3. Inclusion of Registration Costs: Registration costs shall be included in tuition, not assessed as a separate fee category.

4.5 4.4. Apprenticeship Programs: Tuition for courses offered specifically for apprenticeship programs shall be at least one-half of, and no greater than, tuition for other credit courses at the institution.

4.6 4.5. Non-Credit Programs: Short-term intensive training (STIT) funds are appropriated by the Legislature to each participating USHE institution. Tuition for non-credit ACTE programs funded with STIT dollars will be established by each institution at a level sufficient to cover program costs and in accordance with USHE guidelines and legislative intent.

4.7 4.6. Other Non-Credit Instruction: Tuition for other non-credit programs and courses shall be established by each USHE institution. The total of all available funds, including tuition, shall be sufficient to pay the total direct cost of providing such programs and courses, in the aggregate, for the institution.

4.8 4.7. Summer School: Resident summer school students shall be assessed the same tuition per credit hour or full-time load as that assessed resident students during the regular academic year.

4.9 4.8. Contract Credit Courses: Charges for credit courses provided under contract to outside agencies shall be at least sufficient to pay the total direct costs of providing such courses, in the aggregate for the institution.

4.10 4.9. Continuing Education Credit Enrollments: Students enrolled in Continuing Education credit courses other than contract courses shall be assessed tuition at not less than the regular charge per credit hour.

~~4.11~~ **4.10. Medicine and Law:** Tuition ~~in~~ for Medicine and Law programs will be considered separately.

~~4.12~~ **4.11. Course Audit Registrations:** Students must register to audit any class. Such audit hours will be part of their total load and they shall pay tuition at the same rate as paid by students registering for credit in the course.

~~4.13. —University Center Tuition: The delivering university collects regular university tuition from University Center students.~~

~~4.14~~ **4.12. Correction Facility Program Tuition:** Reduced tuition for programs provided to inmates at state correctional facilities will be considered separately. The State Board of Education advisory council

overseeing corrections education and recidivism reduction issues will determine inmate eligibility for participation in Board of Regents authorized tuition reductions.

4.15 4.13. Excess Credit Hours: Institutional policies and practices shall encourage students not to accumulate credit hours beyond those needed to successfully complete a program of study.

4.15.1 4.13.1. Definitions: For the purpose of Section ~~4.15. 4.13~~ only, the following terms are defined for the application of and administration of the excess credit hour surcharge.

4.15.1.1 4.13.1.1. Program of study- A group of academic courses required for a baccalaureate degree.

4.15.1.2 4.13.1.2. Excess Credit Hour Surcharge- ~~For resident students,~~ the surcharge amount to be charged is double the current year's resident tuition rates, pertaining to that institution, for the number of excess credit hours taken ~~for resident students.~~ Non-resident students ~~will continue to pay non-resident tuition-~~ paying non-resident tuition rates are not subject to excess credit hour surcharges.

4.15.3 4.13.2. Excess Credit Hour Surcharge: An institution may charge a student the excess credit surcharge subject to conditions set forth in Section 4.13.4 4.15.4 for new enrollees, ~~beginning not later than September 1, 2013,~~ for credit hours in excess of 125% of a student's program of study.

4.15.2 Alert 4.13.3. Notification: Each USHE institution must establish a process by which students are notified of this policy when enrolling at the institution. Strategies to assist student completion shall be employed and may include such things as encouraging a student to meet with an adviser before or upon hitting the 125% of degree completion, and/or encouraging the student to establish a plan for program completion by meeting with a counselor or advisor.

4.15.4 4.13.4. Determination of Number of Credit Hours Necessary for the Program of Study

4.15.4.1 4.13.4.1. Allowances for Program of Study- The number of credit hours for completion of the program of study may include the hours needed for a double major, dual degree, additional minor, certification(s), and/or emphasis(es) related to the student's major area of study. Second bachelor degrees will also be allowed and will be considered new programs of study for purposes of the excess credit hour calculation.

4.15.4.2 4.13.4.2. Credit Hours Excluded- Excluded from the calculation of the credits required for completion of a student's program of study are credit hours: (1) earned through concurrent enrollment, advanced placement, and credit by examination, (2) resulting from re-entry into the educational system by a student who may have accumulated a large number of credits, or even completed degrees, but where employment requirements obligate his or her return to college, (3) resulting from a defensible change in major, and (4) developmental education credit.

4.16 4.14. Tuition Surcharge for Course Repetition: Tuition for repeating a course more than once shall be charged at the full cost of the instruction unless the institution determines that the repetition is a result of illness, accident or other cause beyond the student's control or unless the course is prescribed by the student's program of study.

R510-5. General Fees Other Than Tuition

5.1. Approval by the Board: All general student fees are subject to Board of Regents approval, normally in conjunction with annual determination of tuition rates. Course fees do not require Board approval but the Board will monitor such fees. Course fees will also be included in determining financial aid cost of attendance and the level of student contribution toward their total education costs.

5.2. Variation Among Institutions: General fees other than tuition may vary according to specific institutional needs.

5.3 General Student Fee Policy: Each USHE institution shall develop a student fee policy to address the following:

5.3.1. Advisory Board: Each institution shall establish a student fee advisory board to oversee the creation, review and maintenance of required student fees.

5.3.1.1. The advisory board membership shall include currently enrolled students.

5.3.2 Institutional Policy: The institutional policy shall contain processes for the student fee advisory board to follow in the creation, review and maintenance of student fees. The institutional policy shall include the following:

5.3.2.1. Fee Creation: The creation of new student fees shall be supported by a demonstrated need, clear statement describing the fee, and a sound budgetary plan.

5.3.2.2. Fee Review: The student fee advisory board shall periodically monitor and annually review student fees. Processes and discussions should focus primarily on— but not be limited to— the adequacy of the fee in accomplishing the stated objective. Fee account fund balances should be minimal or, in cases where fund balances are accumulating, be supported by a plan for use of the funding.

5.3.2.3. Fee Maintenance: Fee amounts may be increased or decreased as necessary to adequately accomplish the stated objective. Changes resulting from a fee increase shall be supported with adequate documentation describing the rationale for the increase and the planned uses of the additional fee revenue.

5.3.2.4 5.3.3. Fee Reporting: The student fee advisory board may require an annual report from each student fee program manager.

5.4 Fee Percentage Rate Increase above 1st Tier Tuition Percentage Rate Increase: If an institution is proposing to increase general student fees at a percentage rate greater than the percentage rate the system is proposing to increase 1st tier tuition, the institution shall submit a letter to the Board regarding fee increases from student leadership at the institution.

5.4 5.5. Off-Campus Students Option to Waive General Student Fees: General fees other than tuition may, at the institution's option, be waived in whole or in part for **off-campus** students.

5.5. ~~University Center Fees:~~ ~~The delivering university collects fees equivalent to regular university student fees from University Center students. The university rebates to the community college an amount equal to the regular community college student fees and retains excess fees. If costs of a particular program mandate higher fees, those fees must be approved by the Board of Regents.~~

R510-6. Waivers and Rate Reductions

~~6.1. — **Faculty and Staff Rate Reductions:** Nothing in this policy shall be construed to preclude any institution from including tuition and fee waivers or reductions for faculty and staff members and their dependents as part of its fringe benefits program.~~

~~6.2. — **Senior Citizens Audit Waivers (Implementing Utah Code Title 53B, Chapter 9):** Utah residents age 62 and over shall be permitted to enroll on a space available audit basis in classes for which they are qualified, in any USHE institution, without regular tuition charges, but subject to payment of the following:~~

~~6.2.1. — A minimum administrative fee shall be charged, for the institution's cost of registration, record keeping, and report preparation. Beginning with the 1986 Fall quarter, the fee shall be increased to at least \$10 per quarter of registration.~~

~~6.2.2. — Where applicable, specific course fees also shall be charged.~~

~~6.3. — **Senior Citizens Must Pay Full Tuition to Obtain Credit:** No credit shall be awarded to a senior citizen for a course taken pursuant to the senior citizens waiver in paragraph 6.2. To receive credit a senior citizen must pay regular tuition.~~

~~6.4. — **Nonresident Summer School Students:** The president, or his/her designee, may waive all or part of the difference between resident and nonresident tuition in the case of nonresident summer school students.~~

~~6.5. — **Graduate Students:** The president of a System university, or his/her designee, may waive all or part of the difference between resident and nonresident tuition in the case of meritorious graduate students.~~

R510-6 7. Refunds of tuition, fees, and other student charges

~~7.1~~ **6.1. Refund Policy:** Each institution shall provide refunds of tuition, fees, housing and meal, and other student charges to all students who either fail to enroll or who withdraw after enrolling. The refunds shall be at least as large as prescribed in this policy. This policy is designed to provide a fair and equitable refund policy for all students who withdraw, whether or not receiving Federal student financial aid, and also for specific compliance with the provisions of Section 484B of the Federal Higher Education Act, as amended (20 USC 1091b.), as applicable to students who receive Federal student financial aid (Federal campus-based student financial aid, Federal Pell Grants, Leveraging Educational Assistance Partnership Program aid, Federal Family Education Loan Program loans or Federal Direct Student Loan Program loans), and who fail to register or who withdraw after enrolling.

~~7.2~~ **6.2. General Refund Policy for Students Who Withdraw from the Institution and Who Are Not First Time Enrollees in the Institution and Also Receiving Federal Student Financial Aid:** Students who are not first time enrollees in the institution and also receiving Federal student financial aid, both as defined in Federal regulations, 34 CFR Section 668.22 and who withdraw from the institution or drop courses shall be entitled to refunds of tuition, fees, and other student charges (including housing and meal contract charges) paid to the institution which meet or exceed the following requirements:

Refund Period	Portion Refundable
Prior to 15th calendar day of the quarter, semester, or other period of enrollment	at least 70%
From the 15th calendar day to close of business on the 21st calendar day of the period of enrollment	at least 50%
After the 21st calendar day	none

7.2.2 6.2.1. Non Refundability of Application, Admission, and Late Registration Fees: Late registration, application and admission fees are not required to be refunded for students who are not enrolled at the institution for the first time in the current enrollment period and also receiving Federal student financial aid.

7.2.3 6.2.2. Refunds in the Case of Meal Tickets or Contracts with Dollar Value Rather than Time Periods: Where students purchase meal tickets or contracts with dollar value rather than covering specific time periods, a student who withdraws is entitled only to a refund of the unused portion of the dollar value of the ticket or contract.

7.3 6.3. Special Pro Rata Refund Policy for Students Who Fail to Enroll or Who Withdraw from the Institution and Who are First Time Enrollees in the Institution and are Also Receiving Federal Student Financial Aid: Any student who is a first time enrollee in the institution and is also receiving Federal student financial aid, both as defined in Federal regulations, 34 CFR Section 668.22 and who fails to register or who withdraws from the institution or otherwise fails to complete the period of enrollment for which registered, on or before the 60 percent point (in time) in the period of enrollment for which the student has paid tuition, fees, room and board, or other charges, shall be entitled to a pro rata refund of such tuition, fees, room and board, and other charges. The institution's pro rata refund policy for such students, and all calculations and determinations there under, are required to conform to the requirements of 34 CFR Section 668.22.

7.4 6.4. Refunds for Students Who Withdraw from the Institution After the 60 Percent Point: The institution may, but is not required to, provide for refunds for students described in [7.3 Section 6.3](#) who withdraw from the institution after the 60 percent point (in time) in the period of enrollment for which the student has paid tuition, fees, room and board, or other charges.

7.5 6.5. Exceptions for Hardship: Refunds greater than provided for in this refund policy may be granted by the President or the President's designee for unusual hardship cases.

R510-8. Classification of Residency Status

~~8.1. — Classification in Accordance with Statute: Resident and nonresident students shall be classified in accordance with state statutes and the interpretations issued by the Regents according to law. (Policy and Procedures R512, Definition of Resident Student)~~

~~8.2. — Adherence to Uniform Policy: Institutions shall adhere to a uniform policy concerning the establishing of residency of students.~~

R510-1. Purpose: To establish a tuition and general fee policy.

R510-2. References

- 2.1. Utah Code §53B-7-101 (Combined Requests for Appropriations)
- 2.2. Federal Higher Education Act, 20 USC 1091b (Institutional Refunds)

R510-3. General Policy

3.1. Uniform First Tier Tuition Rate Increases: A first tier tuition rate increase shall be uniform for all institutions, shall be implemented at the same time, and shall be based on evaluations of current data on inflation and national and regional tuition increases and justified by specific increasing needs in the Utah System of Higher Education.

3.2. Optional Second Tier Tuition Rate Increases: Each institutional President, with the approval of the institutional Board of Trustees, may recommend a second tier tuition rate increase to meet specific institutional needs. Second tier tuition rate increases may apply to all programs equally or may be different for specific programs.

3.3. Application of Increases in Tuition Revenues in Appropriated Operating Budget Requests: In developing its appropriated operating budget recommendations, it is the policy of the Board to include tuition revenues from projected additional annualized FTE enrollments as a portion of the projected financing for proposed expenditure increases to accommodate the additional students. Revenues from a proposed uniform first tier tuition rate increase pursuant to Section 3.1 will be included as partial financing for other proposed expenditure increases. Revenues from recommended second tier tuition rate increases pursuant to Section 3.2 will not be included as partial financing for other proposed expenditure increases.

3.4. Effective Date for New Tuition Schedules: Tuition changes approved by the Board take effect for the subsequent semester.

3.5. Resident/Nonresident Tuition Relationships: Undergraduate nonresident tuition shall be set at no less than 3.0 times the institutional undergraduate resident tuition rate. The Board may grant exceptions on a case-by-case basis.

3.6. Graduate/Undergraduate Tuition Relationships: Tuition for resident and non-resident graduate students will be set at no less than one hundred ten percent (110%) of tuition for undergraduate students. For this purpose, a graduate student is a student who has been formally admitted to a graduate program at the institution.

3.7. Annual Review for Fairness and Price Competitiveness: Annually, the tuition relationship targets, comparisons with national and regional tuition and fee data, institutional cost data, general and

¹ Approved October 24, 1986; amended June 19, 1987, August 7, 1987, July 27, 1990, March 21, 1992, September 18, 1992, November 6, 1992, September 24, 1993, September 23, 1994, November 4, 1994, June 23, 1995, November 3, 1995, August 1, 1996, September 11, 1997, November 13, 1998, January 21, 2000, March 17, 2000, March 16, 2001, March 14, 2002, July 2, 2002 and December 14, 2007, January 11, 2012 and November 16, 2012

course fee data, and other factors shall be reviewed to determine if modifications are necessary to maintain fairness and price competitiveness.

R510-4. Tuition Charges

4.1. Alternative Tuition Models: Institutions may use either: (1) a linear tuition model, in which the incremental tuition charge per student credit hour is the same without regard to the number of hours for which a student is enrolled, or (2) a plateau model, in which students carrying a defined full-time load are charged a uniform rate within a defined range of credit hours.

4.1.1. Maximum Range for the Plateau Model: The plateau, or number of credit hours for which a full-time tuition rate may be charged, may be any range between 10 and 20 credit hours. Where the plateau model is used, tuition per credit hour between one credit hour and the beginning of the plateau range shall increase in linear increments. Students enrolled for credit hours beyond the plateau range shall be charged at the same rate per credit hour as those before the plateau range.

4.1.2. Online Tuition: Alternative tuition schedules for online courses may be authorized by the Board on a case by case basis

4.2. Differential Tuition: Differential tuition schedules for undergraduate and graduate programs may be authorized by the Board on a case by case basis. In addition to initially approving differential tuition rates for academic programs, differential tuition increases beyond the regular institutional tuition increase proposal should be approved by the Board. The increased revenues from the differential tuition rate charges shall be used by the institution to benefit the impacted program and to help support related campus services. Institutions requesting differential tuition schedules should consult with students in the program and consider the following:

- 4.2.1. the student and market demand for the program;
- 4.2.2. the impact of differential tuition rates on student access and retention;
- 4.2.3. the tuition rates of comparable programs at other institutions;
- 4.2.4. the potential earnings capacity of program graduates; and
- 4.2.5. the societal importance of the program.

4.3. Inclusion of Registration Costs: Registration costs shall be included in tuition, not assessed as a separate fee category.

4.4. Apprenticeship Programs: Tuition for courses offered specifically for apprenticeship programs shall be at least one-half of, and no greater than, tuition for other credit courses at the institution.

4.5. Non-Credit Programs: Short-term intensive training (STIT) funds are appropriated by the Legislature to each participating USHE institution. Tuition for non-credit CTE programs funded with STIT dollars will be established by each institution at a level sufficient to cover program costs and in accordance with USHE guidelines and legislative intent.

- 4.6. Other Non-Credit Instruction:** Tuition for other non-credit programs and courses shall be established by each USHE institution. The total of all available funds, including tuition, shall be sufficient to pay the total direct cost of providing such programs and courses, in the aggregate, for the institution.
- 4.7. Summer School:** Resident summer school students shall be assessed the same tuition per credit hour or full-time load as that assessed resident students during the regular academic year.
- 4.8. Contract Credit Courses:** Charges for credit courses provided under contract to outside agencies shall be at least sufficient to pay the total direct costs of providing such courses, in the aggregate for the institution.
- 4.9. Continuing Education Credit Enrollments:** Students enrolled in Continuing Education credit courses other than contract courses shall be assessed tuition at no less than the regular charge per credit hour.
- 4.10. Medicine and Law:** Tuition for Medicine and Law programs will be considered separately.
- 4.11. Course Audit Registrations:** Students must register to audit any class. Such audit hours will be part of their total load and they shall pay tuition at the same rate as paid by students registering for credit in the course.
- 4.12. Correction Facility Program Tuition:** Reduced tuition for programs provided to inmates at state correctional facilities will be considered separately. The State Board of Education advisory council overseeing corrections education and recidivism reduction issues will determine inmate eligibility for participation in Board of Regents authorized tuition reductions.
- 4.13. Excess Credit Hours:** Institutional policies and practices shall encourage students not to accumulate credit hours beyond those needed to successfully complete a program of study.
- 4.13.1. Definitions:** For the purpose of Section 4.13 only, the following terms are defined for the application of and administration of the excess credit hour surcharge.
- 4.13.1.1. Program of study-** A group of academic courses required for a baccalaureate degree.
- 4.13.1.2. Excess Credit Hour Surcharge-** For resident students, the surcharge amount to be charged is double the current year's resident tuition rates, pertaining to that institution, for the number of excess credit hours taken. Non-resident students paying non-resident tuition rates are not subject to excess credit hour surcharges.
- 4.13.2. Excess Credit Hour Surcharge:** An institution may charge a student the excess credit surcharge subject to conditions set forth in Section 4.13.4 for credit hours in excess of 125% of a student's program of study.
- 4.13.3. Notification:** Each USHE institution must establish a process by which students are notified of this policy when enrolling at the institution. Strategies to assist student completion shall be employed and may include such things as encouraging a student to meet with an adviser before or upon hitting the 125% of degree completion, and/or encouraging the student to establish a plan for program completion by meeting with a counselor or advisor.

4.13.4. Determination of Number of Credit Hours Necessary for the Program of Study

4.13.4.1. Allowances for Program of Study- The number of credit hours for completion of the program of study may include the hours needed for a double major, dual degree, additional minor, certification(s), and/or emphasis(es) related to the student's major area of study. Second bachelor degrees will also be allowed and will be considered new programs of study for purposes of the excess credit hour calculation.

4.13.4.2. Credit Hours Excluded- Excluded from the calculation of the credits required for completion of a student's program of study are credit hours: (1) earned through concurrent enrollment, advanced placement, and credit by examination, (2) resulting from re-entry into the educational system by a student who may have accumulated a large number of credits, or even completed degrees, but where employment requirements obligate his or her return to college, (3) resulting from a defensible change in major, and (4) developmental education credit.

4.14. Tuition Surcharge for Course Repetition: Tuition for repeating a course more than once shall be charged at the full cost of the instruction unless the institution determines that the repetition is a result of illness, accident or other cause beyond the student's control or unless the course is prescribed by the student's program of study.

R510-5. General Fees Other Than Tuition

5.1. Approval by the Board: All general student fees are subject to Board of Regents approval, normally in conjunction with annual determination of tuition rates. Course fees do not require Board approval but the Board will monitor such fees. Course fees will also be included in determining financial aid cost of attendance and the level of student contribution toward their total education costs.

5.2. Variation Among Institutions: General fees other than tuition may vary according to specific institutional needs.

5.3 General Student Fee Policy: Each USHE institution shall develop a student fee policy to address the following:

5.3.1. Advisory Board: Each institution shall establish a student fee advisory board to oversee the creation, review and maintenance of required student fees.

5.3.1.1. The advisory board membership shall include currently enrolled students.

5.3.2 Institutional Policy: The institutional policy shall contain processes for the student fee advisory board to follow in the creation, review and maintenance of student fees. The institutional policy shall include the following:

5.3.2.1. Fee Creation: The creation of new student fees shall be supported by a demonstrated need, clear statement describing the fee, and a sound budgetary plan.

5.3.2.2. Fee Review: The student fee advisory board shall periodically monitor and annually review student fees. Processes and discussions should focus primarily on— but not be limited to— the adequacy of the fee in accomplishing the stated objective. Fee

account fund balances should be minimal or, in cases where fund balances are accumulating, be supported by a plan for use of the funding.

5.3.2.3. Fee Maintenance: Fee amounts may be increased or decreased as necessary to adequately accomplish the stated objective. Changes resulting from a fee increase shall be supported with adequate documentation describing the rationale for the increase and the planned uses of the additional fee revenue.

5.3.3. Fee Reporting: The student fee advisory board may require an annual report from each student fee program manager.

5.4 Fee Percentage Rate Increase above 1st Tier Tuition Percentage Rate Increase: If an institution is proposing to increase general student fees at a percentage rate greater than the percentage rate the system is proposing to increase 1st tier tuition, the institution shall submit a letter to the Board regarding fee increases from student leadership at the institution.

5.5. Option to Waive General Student Fees: General fees other than tuition may, at the institution's option, be waived in whole or in part for students.

R510-6 . Refunds of tuition, fees, and other student charges

6.1. Refund Policy: Each institution shall provide refunds of tuition, fees, housing and meal, and other student charges to all students who either fail to enroll or who withdraw after enrolling. The refunds shall be at least as large as prescribed in this policy. This policy is designed to provide a fair and equitable refund policy for all students who withdraw, whether or not receiving Federal student financial aid, and also for specific compliance with the provisions of Section 484B of the Federal Higher Education Act, as amended (20 USC 1091b.), as applicable to students who receive Federal student financial aid (Federal campus-based student financial aid, Federal Pell Grants, Leveraging Educational Assistance Partnership Program aid, Federal Family Education Loan Program loans or Federal Direct Student Loan Program loans), and who fail to register or who withdraw after enrolling.

6.2. General Refund Policy for Students Who Withdraw from the Institution and Who Are Not First Time Enrollees in the Institution and Also Receiving Federal Student Financial Aid: Students who are not first time enrollees in the institution and also receiving Federal student financial aid, both as defined in Federal regulations, 34 CFR Section 668.22 and who withdraw from the institution or drop courses shall be entitled to refunds of tuition, fees, and other student charges (including housing and meal contract charges) paid to the institution which meet or exceed the following requirements:

Refund Period	Portion Refundable
Prior to 15th calendar day of the quarter, semester, or other period of enrollment	at least 70%
From the 15th calendar day to close of business on the 21st calendar day of the period of enrollment	at least 50%
After the 21st calendar day	none

6.2.1. Non Refundability of Application, Admission, and Late Registration Fees: Late registration, application and admission fees are not required to be refunded for students who are not enrolled at the institution for the first time in the current enrollment period and also receiving Federal student financial aid.

6.2.2. Refunds in the Case of Meal Tickets or Contracts with Dollar Value Rather than Time Periods: Where students purchase meal tickets or contracts with dollar value rather than covering specific time periods, a student who withdraws is entitled only to a refund of the unused portion of the dollar value of the ticket or contract.

6.3. Special Pro Rata Refund Policy for Students Who Fail to Enroll or Who Withdraw from the Institution and Who are First Time Enrollees in the Institution and are Also Receiving Federal Student Financial Aid: Any student who is a first time enrollee in the institution and is also receiving Federal student financial aid, both as defined in Federal regulations, 34 CFR Section 668.22 and who fails to register or who withdraws from the institution or otherwise fails to complete the period of enrollment for which registered, on or before the 60 percent point (in time) in the period of enrollment for which the student has paid tuition, fees, room and board, or other charges, shall be entitled to a pro rata refund of such tuition, fees, room and board, and other charges. The institution's pro rata refund policy for such students, and all calculations and determinations there under, are required to conform to the requirements of 34 CFR Section 668.22.

6.4. Refunds for Students Who Withdraw from the Institution After the 60 Percent Point: The institution may, but is not required to, provide for refunds for students described in Section 6.3 who withdraw from the institution after the 60 percent point (in time) in the period of enrollment for which the student has paid tuition, fees, room and board, or other charges.

6.5. Exceptions for Hardship: Refunds greater than provided for in this refund policy may be granted by the President or the President's designee for unusual hardship cases.

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of Policy R511, Tuition Disclosures and Consultation

Issue

Policy R511, *Tuition Disclosures and Consultation* has been reviewed by the Office of the Commissioner as part of our on-going review of all Regental policies. During the review, OCHE staff, along with institutional representatives, determined that some clarification language would be helpful and obsolete language and references should be removed.

Background

Along with the deletions of references to UCAT and the timing of tuition decisions, are several reference clean-ups and the addition of a "Tuition Percentage" paragraph (section 4.1.1.). The language has been added to clarify the intent of the Utah Code that institutions shall disclose the aggregate percentage increase of first and second tier tuition and the dollar increase per semester. This addition also helps provide uniform and clarifying direction to institutions as regards to tuition disclosure reporting.

Commissioner's Recommendation

The Commissioner recommends that the Regents approve the revisions to policy R511, *Tuition Disclosures and Consultation*, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/DAM
Attachment

R511-1. Purpose: To establish procedures (1) for institutions to consult with students prior to recommending tuition increases to the Board, (2) for the Board to consult with students prior to adopting projected tuition increases as part of the budget process, (3) for the Board to consult with students prior to approving increases of the tuition to be charged to the students at the institutions, and (4) for institutions to disclose to students the full cost of instruction and the amount of that cost that is covered by tuition.

R511-2. References

- 2.1. Utah Code §53B-7-101 (Combined Requests for Appropriations—Board review of operating budgets—Submission of budgets—Recommendations—Hearing request—Appropriation formulas—Allocations—Dedicated credits—Financial affairs.)
- 2.2. Utah Code §53B-7-101.5 (Proposed tuition increases—Notice—Hearings.)
- 2.3. Utah Code §53B-7-105 (Higher education cost disclosure.)
- 2.4. Policy and Procedures R510, Tuition and Fees
- ~~2.5. Policy and Procedures R513, Tuition Waivers and Reductions~~
- ~~2.6. Policy and Procedures R824, Tuition Remission Benefits~~

R511-3. Definitions

- 3.1. **Full Cost of Instruction** – As derived from a calculation that allocates functional overhead expenditure categories to instruction, excluding the amount spent directly on research and public service or the overhead allocated to research and public service. Overhead categories defined by the National Association of College and University Business ~~Officials~~ Officers include student services, institutional support, physical plant operation and maintenance, and academic support. Full cost of instruction is reported in the USHE Data Book for the most recently completed year.
- 3.2. **Tuition** – Board-approved amounts for a full-time undergraduate student (R510).
- 3.3. **General Student Fees** – Board approved amounts which are assessed to students directly, required to be paid with tuition, and are generally dedicated to specific purposes, such as building revenue bonds, extracurricular student activities, additional student services such as health clinics or computer labs, or athletics (R510). Fees for specific courses are not included.

R511-4. Disclosures for Tuition Increases – “Truth in Tuition”

- 4.1. **Institutional Consultation with Students:** Prior to recommending a tuition increase to the Board of Regents, the President or his or her designee shall hold a public meeting to provide an explanation that is consistent with the format prescribed by Utah Code §53B-7-101.5.(4) of the reasons for the proposed increase, ~~an explanation of~~ how the revenue generated by the increase will be used, consistent with the

¹ Approved February 16, 2001, amended June 4, 2004.

~~format prescribed by Utah Code §53B-7-101.5(4)~~, and an opportunity for public comment from students. After consultation with student leaders, public notice of the time, place, and purpose of the public meeting shall be provided through an advertisement in the student newspaper or by other forms of written notification at least two times within the ten day period prior to the meeting date, consistent with the standards prescribed in Utah Code §53B-7-101.5(2) and (3).

4.1.1. Tuition Percentage – Institutions shall disclose the aggregate percentage increase of first and second tier tuition (R510.3.1 and 3.2) and the dollar increase per semester.

4.2. State Board of Regents Consultation with Students: The State Board of Regents, prior to adopting projected tuition increases as part of the budget process or prior to approving any increase in tuition, shall hold a public hearing as part of a regularly scheduled meeting of the Board. In the hearing the Board shall provide an explanation of the reasons for the proposed increase, an explanation of how the revenue generated by the increase will be used, and an opportunity for public comment from students. The Board shall provide written notice of the hearing to the members of the Utah Council of Student-body Presidents at least one week prior to the date of the hearing.

~~4.3.— Frequency of Consultations: The Board considers any projected tuition increase each Fall as part of the Board's request to the Governor and the Legislature for appropriations for the next fiscal year. This process is subject to consultations with students as provided herein. After the appropriations process is completed by the Legislature, the Board levies the tuition increases for the next fiscal year as they were projected in the Fall, or levies adjusted tuition increases, if necessary. Before the institution requests, or the Board levies a tuition increase different from what was projected in the Fall, the institution and/or Board must consult with students as provided herein.~~

R511-5. Disclosure of Tuition and Higher Education Costs

5.1. Disclosure of Tuition Relative to Full Cost of Instruction – Consistent with Utah Code §53B-7-105, each institution shall disclose to its undergraduate resident students at the time of registration, in dollar figures for a full-time equivalent student (a) the full cost of instruction, (b) the amount collected from student tuition and fees, and (c) the difference between the amounts for the full cost of instruction and the student tuition and fees, noting that the difference between the cost and tuition was paid by state tax funds and other monies.

5.2. Amounts Based on One Semester for the Current Year – ~~Except for the Utah College of Applied Technology (see 5.2.1),~~ The amounts for full-time equivalent student tuition and general student fees and estimated full costs of instruction should be based on 15 credit hours for one semester for the current academic year. Tuition and fee amounts which support the full cost of instruction, prior to any reductions for statutory tuition waivers (R513) or employee tuition remissions (R824), shall be used.

~~5.2.1.— Utah College of Applied Technology Disclosure Based on Weekly Amounts— For the Utah College of Applied Technology, tuition and fees and estimated full costs of instruction should be based on a weekly full-time student who enrolls for 30 membership hours per week.~~

5.3. Content of Cost Disclosure – Amounts for the full cost of instruction shall be estimated by the Office of the Commissioner of Higher Education in consultation with the institutions, relying on existing USHE cost study reporting practices. The content of the disclosure shall be in a statement with essentially the same content as the following:

Full-time undergraduate resident students at **[Institution Name]** paying a **[semester/weekly]** tuition and fee amount of **[tuition dollar amount]** (before any financial aid, scholarships, or waivers) contribute an estimated **[percentage]** percent to the full cost of instruction per full-time student of **[full cost dollar amount]**. The remaining support for the full cost of instruction is provided by **[tax funds dollar amount]** of state tax funds and **[other funds dollar amount]** of other institutional revenue sources.

5.4. Method of Cost Disclosure – Institutions may choose to disclose this information through a variety of methods, so long as the information is disclosed plainly and is readily available for students and other constituencies. These methods may include disclosure through (1) the course catalog, (2) the course schedule, (3) tuition invoices, (4) tuition receipts, (5) the cashier's office window, or (6) other Internet and printed materials that list tuition schedules, tuition payment procedures and timelines, or other registration and tuition -related information.

R511-1. Purpose: To establish procedures (1) for institutions to consult with students prior to recommending tuition increases to the Board, (2) for the Board to consult with students prior to adopting projected tuition increases as part of the budget process, (3) for the Board to consult with students prior to approving increases of the tuition to be charged to the students at the institutions, and (4) for institutions to disclose to students the full cost of instruction and the amount of that cost that is covered by tuition.

R511-2. References

- 2.1. Utah Code §53B-7-101 (Combined Requests for Appropriations—Board review of operating budgets—Submission of budgets—Recommendations—Hearing request—Appropriation formulas—Allocations—Dedicated credits—Financial affairs.)
- 2.2. Utah Code §53B-7-101.5 (Proposed tuition increases—Notice—Hearings.)
- 2.3. Utah Code §53B-7-105 (Higher education cost disclosure.)
- 2.4. Policy and Procedures R510, Tuition and Fees

R511-3. Definitions

- 3.1. **Full Cost of Instruction** – As derived from a calculation that allocates functional overhead expenditure categories to instruction, excluding the amount spent directly on research and public service or the overhead allocated to research and public service. Overhead categories defined by the National Association of College and University Business Officers include student services, institutional support, physical plant operation and maintenance, and academic support. Full cost of instruction is reported in the USHE Data Book for the most recently completed year.
- 3.2. **Tuition** – Board-approved amounts for a full-time undergraduate student (R510).
- 3.3. **General Student Fees** – Board approved amounts which are assessed to students directly, required to be paid with tuition, and are generally dedicated to specific purposes, such as building revenue bonds, extracurricular student activities, additional student services such as health clinics or computer labs, or athletics (R510). Fees for specific courses are not included.

R511-4. Disclosures for Tuition Increases – “Truth in Tuition”

- 4.1. **Institutional Consultation with Students:** Prior to recommending a tuition increase to the Board of Regents, the President or his or her designee shall hold a public meeting to provide an explanation that is consistent with the format prescribed by Utah Code §53B-7-101.5.(4) of the reasons for the proposed increase, how the revenue generated by the increase will be used, and an opportunity for public comment from students. After consultation with student leaders, public notice of the time, place, and purpose of the public meeting shall be provided through an advertisement in the student newspaper or by other forms of

¹ Approved February 16, 2001, amended June 4, 2004.

written notification at least two times within the ten day period prior to the meeting date, consistent with the standards prescribed in Utah Code §53B-7-101.5.(2) and (3).

4.1.1. Tuition Percentage – Institutions shall disclose the aggregate percentage increase of first and second tier tuition (R510.3.1 and 3.2) and the dollar increase per semester.

4.2. State Board of Regents Consultation with Students: The State Board of Regents, prior to adopting projected tuition increases as part of the budget process or prior to approving any increase in tuition, shall hold a public hearing as part of a regularly scheduled meeting of the Board. In the hearing the Board shall provide an explanation of the reasons for the proposed increase, an explanation of how the revenue generated by the increase will be used, and an opportunity for public comment from students. The Board shall provide written notice of the hearing to the members of the Utah Council of Student-body Presidents at least one week prior to the date of the hearing.

R511-5. Disclosure of Tuition and Higher Education Costs

5.1. Disclosure of Tuition Relative to Full Cost of Instruction – Consistent with Utah Code §53B-7-105, each institution shall disclose to its undergraduate resident students at the time of registration, in dollar figures for a full-time equivalent student (a) the full cost of instruction, (b) the amount collected from student tuition and fees, and (c) the difference between the amounts for the full cost of instruction and the student tuition and fees, noting that the difference between the cost and tuition was paid by state tax funds and other monies.

5.2. Amounts Based on One Semester for the Current Year –The amounts for full-time equivalent student tuition and general student fees and estimated full costs of instruction should be based on 15 credit hours for one semester for the current academic year. Tuition and fee amounts which support the full cost of instruction, prior to any reductions for statutory tuition waivers (R513) or employee tuition remissions (R824), shall be used.

5.3. Content of Cost Disclosure – Amounts for the full cost of instruction shall be estimated by the Office of the Commissioner of Higher Education in consultation with the institutions, relying on existing USHE cost study reporting practices. The content of the disclosure shall be in a statement with essentially the same content as the following:

Full-time undergraduate resident students at **[Institution Name]** paying a **[semester/weekly]** tuition and fee amount of **[tuition dollar amount]** (before any financial aid, scholarships, or waivers) contribute an estimated **[percentage]** percent to the full cost of instruction per full-time student of **[full cost dollar amount]**. The remaining support for the full cost of instruction is provided by **[tax funds dollar amount]** of state tax funds and **[other funds dollar amount]** of other institutional revenue sources.

5.4. Method of Cost Disclosure – Institutions may choose to disclose this information through a variety of methods, so long as the information is disclosed plainly and is readily available for students and other constituencies. These methods may include disclosure through (1) the course catalog, (2) the course schedule, (3) tuition invoices, (4) tuition receipts, (5) the cashier's office window, or (6) other Internet and printed materials that list tuition schedules, tuition payment procedures and timelines, or other registration and tuition -related information.

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: Dave L. Buhler
SUBJECT: Revision of Policy R512, Determination of Residency Status

Issue

Regent Policy R512, *Determination of Residency Status* requires revisions to several sections to be in compliance with *Utah State Code §53B-8-102, Definition of Resident Student*, and HB 45 (*In-state Tuition for Military Servicemembers and Veterans*) passed during the 2014 legislative session and has been subsequently signed by the Governor, including policy sections pertaining to:

- The residency status of a military servicemember or veteran of the United States Armed Forces and the servicemember or veteran's immediate family members; and
- A non-resident student whose 12 month residency waiting period is interrupted by absence from the state for any number of reasons.

In the process of preparing policy revisions to these sections, the Utah Attorney General's office working with the Commissioner's staff and institutional admissions representatives, carefully reviewed the remainder of R512 and is recommending some additional improvements as outlined in the accompanying blue-lined policy revision document.

Background

The key provisions addressed in R512's rewrite include:

- 1) Clarifying the definition of "domicile" in section 3.2. to be consistent with the general law on domicile. This includes not only a student's "bodily presence", but also the "concurrent intent to reside permanently in that location." Additionally, once domicile is established it continues until a new domicile is established by the student.
- 2) Emphasizing the responsibility of the USHE institutions in section 4.2. of determining resident student status of their students in credit-bearing programs and the option to not require residency classification for students in non-credit programs because most require less than a year to complete.
- 3) Identifying the burden of proof for a student to prove that he or she is eligible for resident student status is by a "preponderance of the evidence" as outlined in section 4.7.

- 4) Preserving language that a "student will not jeopardize his or her [residency] status solely by absence from the state for a period of less than 30 total days during the 12-month period the student seeks to count as the requisite waiting period."
- 5) Establishing a rebuttal presumption of non-resident student status for students who enroll in a USHE institution prior to residing in the state for 12 continuous months. The burden of proof required for rebutting this presumption is by substantial evidence or clear and convincing evidence.
- 6) Updating and making compliant section 6 with HB 45 (*In-state Tuition for Military Servicemembers and Veterans*) passed during the 2014 legislative session regarding the residency status of a military servicemember assigned to Utah and any immediate family members residing with him or her in this state. Residency provisions regarding veterans and immediate family members have also been updated.
- 7) Reordering a number of other sections which have not been substantially modified.

Commissioner's Recommendation

The Commissioner recommends that the Regents review the proposed revisions and if in agreement with the changes, approve the revisions to policy R512, *Determination of Residency Status*, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/KVO/CRW
Attachment

R512, Determination of Resident Status¹

R512-1. Purpose: To define "resident" student for purposes of tuition in the Utah System of Higher Education (USHE).

R512-2. References

- 2.1. Utah Code Ann. §53B-8-102, Definition of Resident Student
- 2.2. Utah Code Ann. §23-13-2, Definition of Domicile
- 2.3. Utah Code Ann. §31A-29-103, Definition of Domicile
- 2.4. Utah Code Ann. §41-1a-202, Definition of Domicile
- 2.5. Utah Code Ann. §53B-8-101 et seq., Tuition Waivers & Scholarships
- 2.6. [Policy and Procedure R510, Tuition and Fee Policy](#)
- ~~2.6.2.7.~~ [Policy and Procedure R513, Tuition Waivers & Reductions](#)

R512-3. Definitions

~~—3.1. "Continuous Utah residency status for one full year" means the student has resided in Utah for 12 continuous months prior to the term for which resident student status is being sought.~~

~~R512-3.~~

~~3.2. "Discharge from United States Armed Forces" means the veteran's termination of military commitment.~~

~~3.23. "Domicile": For purposes of this policy, the term "domicile" shall be defined consistent with general Utah law defining domicile, and shall mean the place, for purposes of determining resident student status, shall be determined by the student's:~~

~~3.1.~~

~~3.1.1. 3.1.1. where an individual has a fixed permanent home and principal establishment bodily presence; and~~

~~(1)~~

~~3.1.2. to which the individual if absent, intends to return; and~~

~~(2) 3.3.1. in which the individual, and the individual's family, voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home concurrent intent to reside permanently in that location.~~

¹ Adopted July 22, 1975; amended April 11, 1987, April 17, 1992, May 5, 1995, January 12, 2001, October 19, 2001, July 12, 2002, April 16, 2004, December 9, 2004, April 22, 2005, April 21, 2006, June 8, 2007, May 30, 2008, May 29, 2009, May 20, 2011, and May 18, 2012.

Under the Common Law, all persons have a domicile somewhere. A person can have only one domicile. A domicile of choice is a domicile chosen by a person to replace his or her former domicile. To acquire a domicile of choice in a place, a person must intend to make that place his or her home for the time at least. A domicile, once established, continues until it is superseded by a new domicile. Also, once established, a domicile is not lost by an absence from it for months or even years, for the purpose of business or the like, if during such absence there exists an intent to resume residence in the place of domicile following the completion of the purpose of the absence.

3.34. "Immediate family member" means the spouse or unmarried dependent child of the individual student requesting resident student status.

3.4. "Military Servicemember" means an individual who is serving on active duty in the United States Armed Forces within the state of Utah; or an individual who is a member of a reserve component of the United State Armed Forces assigned in Utah; or an individual who is a member of the Utah National Guard

3.5. "Military veteran" means an individual who:

3.5.1. has served on active duty:

3.5.1.1. in the United State Armed Forces for at least 180 consecutive days or was a member of a reserve component and has been separated or retired with an honorable or general discharge; or

3.5.1.2. in the National Guard and has been separated or retired with an honorable or general discharge; or

3.5.1.3. incurred an actual service related injury or disability in the line of duty regardless of whether that person completed 180 days of active duty.

3.2. 3.56. "Parent": As used in this policy, the term "parent" means the biological or adoptive parent of the student, regardless of whether the parent has legal custody of the student or whether the parent claims the student as a dependent.

3.67. "Preponderance of the evidence" means the existence of a fact is more probable than its nonexistence.

"Resident Student": An individual who

3.3. 3.78. "Resident student status" means the condition of being a resident student for tuition purposes.

3.3.1. can prove by substantial evidence, based on the totality of the circumstances, that, prior to the first day of classes for the term the student seeks to attend as a resident student, he or she has established domicile in Utah and satisfied relevant waiting periods and other criteria, where applicable; or

3.89. "Substantial evidence" means evidence that is more than a mere preponderance and is definite, clear, and convincing.

3.910. "Utah residency" means residing in Utah.

3.11. "USHE institution" means an institution within Utah's system of higher education.

R512-4. Resident Student Status

4.1. Establishing Resident Student Status. A student will be granted resident student status after he or she

4.1.1. has acquired domicile in Utah; or

4.1.2. has satisfied one or more of the exceptions set forth in this policy.

4.2 Policies for Determining Resident Student Status.

4.2.1. Policies for Students Enrolled in Credit-Bearing Degree Programs. Each institution shall have the responsibility of determining resident student status according to the requirements of Utah Code Ann. §53B-8-102 and this policy. Each institution may, at its discretion, and at the recommendation of the president, implement its own policy regarding the criteria for resident student status for either undergraduate students or graduate students, or both, in credit-bearing degree programs, that deviates from the criteria set forth in this policy, provided the criteria implemented by the institution is more strict.

4.2.2. Policies for Students Enrolled in Non-Credit Programs. Because most non-credit applied technology programs are short-term (require less than a year to complete), USHE institutions offering non-credit courses or programs may, at their discretion, implement a policy that does not require residency classification for students enrolled in non-credit courses or programs.

4.2.3. Exception to Establishing Resident Student Status: Each institution may, at its discretion, and at the recommendation of the president, implement its own policy regarding the criteria for resident student status for either undergraduate students or graduate students, or both, in credit-bearing degree programs, that deviates from the criteria set forth in this policy. Such a policy shall not be more lenient than requiring a one-year waiting period as set forth here in 5.1.

4.3 Rebuttable Presumption. A student who has not previously acquired domicile in Utah and who enrolls at a USHE institution prior to residing in Utah for 12 continuous months will be presumed to not be domiciled in Utah and, therefore, will be classified as a nonresident student for tuition purposes. This presumption may be rebutted by substantial evidence.

4.4 International Students:

4.4.1. Classification of International Students Who are in United States on Nonimmigrant Visas: Students who are aliens and who are present in the United States on visitor, student, or other visas which authorize only temporary presence in this country, do not have the capacity to intend to reside in Utah for an indefinite period and therefore must be classified as nonresident.

4.4.2. Classification of International Students Who are in United States on Immigrant Visas: Students who are aliens and who have been granted immigrant or permanent resident status in the U.S. shall be classified for purposes of resident status according to the same criteria applicable to citizens.

4.4.3. Foreign National Students Who Are Legally Admitted in the United States: A student shall be exempt from paying the nonresident portion of total tuition if the student:

4.5.1.4.3.1. is a foreign national legally admitted to the United States;

4.5.1.4.3.2. attended high school in this state for three or more years; and

4.5.1.4.3.3. graduated from a high school in this state or received the equivalent of a high school diploma in this state.

Example: A student who is an American Indian born in Canada (with at least 50% American Indian blood) cannot be denied admission to the United States and may enter the United States legally without obtaining a visa. If the student attends high school in Utah for three or more years and graduates from a Utah high school or received the equivalent of a high school diploma in this state, the student is eligible for resident student tuition. (However, if the student desires to reside permanently in the United States, he or she may apply for a green card after having created a record of admission for permanent residence. Once the green card is received, the student is eligible for resident student status if the criteria for resident student status are met.)

Example: An foreign national student who is placed involuntarily in Utah as part of a United States or Utah government relocation program for foreign refugees fleeing civil war, religious or racial persecution, political oppression, or other legitimate reason is eligible for resident student tuition if the student attends high school in Utah for three or more years and graduates from a Utah high school or received the equivalent of a high school diploma in this state.

4.5. Other Students Who Are Exempt From Paying Nonresident Portion of Total Tuition:

If allowed by federal law, a student, other than a nonimmigrant student within the meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United State Code (see Section 4.4.1. of this policy), shall be exempt from paying the nonresident portion of total tuition if the student:

4.5.1. attended high school in this state for three or more years;

4.5.2. graduated from a high school in this state or received the equivalent of a high school diploma in this state; ~~and~~

4.5.3. registers as an entering student at an institution of higher education not earlier than the fall of the 2002-03 academic year; and

4.5.34. if the student is without lawful immigration status, files an affidavit with the USHE institution stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so; and-

Immigrant Placed in Utah as Political Refugee: An immigrant, not otherwise qualified as a resident, is immediately eligible, upon establishment of Utah domicile, to apply for resident student status, if he or she is placed involuntarily in Utah as part of a United States or Utah government relocation program for foreign refugees fleeing civil war, religious or racial persecution, political oppression, or other legitimate reason. This section does not apply to refugees who are originally placed in another state and subsequently move to Utah voluntarily

4.5.4 the student has not registered for college classes prior to the Fall of the 2002-03 academic school year.

4.6. Marriage to Utah Resident: A person who marries a Utah resident is eligible to be granted resident student status after he or she has acquired domicile in Utah.

4.7. Burden of Proof: The burden is on the student to prove that he or she is eligible for resident student status prior to the first day of classes for the term the student seeks to attend as a resident student. Except as set forth in section 4.3 of this policy, the standard for establishing resident student status is by a preponderance of the evidence. The institution, through its registrar, or designated person, is authorized to require written documents, affidavits, verifications, or other evidence deemed necessary to determine why a student is in Utah. The institution shall review all relevant evidence that is submitted by the student and shall make the residency determination based on the totality of the circumstances. The evidence submitted by the student shall include the evidence that is specifically required by the applicable section of this policy. In addition, a student may be required to file any or all of the following evidence within applicable timelines established by the institution.

4.7.1. A statement from the student describing employment and expected sources of support;

4.7.2. A statement from the student's employer;

4.7.3. Supporting statements from persons who might be familiar with the family situation;

4.7.4. Birth certificate;

4.7.5. Marriage certificate;

4.7.6. Documentation of eligibility for state social or rehabilitation services;

4.7.7. Documentation of immigration status and placement as political refugee;

4.7.8. Indicia of Utah domicile, including Utah voter registration, Utah vehicle registration, Utah driver's license or identification card, Utah state income tax return, rental contract or mortgage documents, bank records, and utility bills.

4.8. Receipt of State Social Services Benefits: A person who has been determined by a Utah governmental social or rehabilitation services agency to be a Utah resident for purposes of receiving state aid to attend a USHE institution is immediately eligible to apply for resident student status. The state aid must, at a minimum, cover the full cost of resident tuition. Upon the termination of such government agency support, the person is governed by the standards applicable to other persons. Any time spent domiciled-residing in Utah during the time the individual received government aid shall count towards ~~the one-year time~~ any applicable waiting period for Utah residency for tuition purposes upon termination of the government aid.

4.9. **Reciprocity:** The determination to grant residency to a student at a USHE institution shall be honored at other USHE institutions, unless:

4.10.1. the student obtained resident student status under false pretenses, or

4.10.2. the facts existing at the time of the granting of resident student status have significantly changed.

4.10. **Reclassification by the Institution:** If a student is classified as a resident, or granted residency by a USHE institution, the USHE institution may initiate a reclassification inquiry and in fact reclassify the student, based on any facts, error, or changes in facts or status which would justify such an inquiry, even if the error was on the part of the USHE institution.

4.11. **Procedures for Determining Resident Student Status:** If a student desires to be granted resident student status, he or she must comply with the following procedures:

4.11.1. **Application Deadline:** Students must meet institutional application deadlines for each term. Institutions may establish a policy regarding acceptance of late residency applications for current term consideration. Unless institutional policy allows otherwise, institutions may not accept applications for resident student status or supporting documentation after the third week of the semester or term for which the student seeks resident student status. Ordinarily applications or supporting documentation received after the third week should be considered for the following semester.

4.11.2. **Initial Classification:** Each institution shall initially classify all applicants as either resident or nonresident. If there is doubt concerning resident status, the applicant shall be classified as a nonresident.

4.11.3. **Application for Reclassification:** Every student classified as a nonresident shall retain that status until he or she is officially reclassified to resident status.

4.11.4. **Refund:** A decision favorable to the applicant shall be retroactive to the beginning of the academic period for which application for resident status was made, and shall require a refund of the nonresident portion of any tuition charges paid for that and subsequent academic periods.

4.11.5. **Hearings:** Each institution shall be responsible for providing a process for students who have been denied resident student status to be heard. Each institution shall adopt procedures that fit the local campus situation, but the following guidelines shall be followed:

4.11.5.1. Procedures for a hearing shall be set out in writing by the institution, subject to approval by the Office of the Commissioner.

4.11.5.2. The institution shall provide a hearing officer or hearing committee with appropriate clerical and other services as necessary to the effective function of the hearing process.

4.11.5.3. The student appealing the decision shall have the responsibility of providing evidence that proves that he or she has met the residency requirements. Students shall be given copies of the Regents' policies pertaining to determination of residency. The student shall also be given an explanation of the rationale of the decision-maker who previously ruled that the student was classified as a nonresident.

4.11.5.4. Both the student and the administration's representative are entitled to representation by counsel.

4.11.5.5. Oral and written evidence may be presented. It is not required that a formal, written, verbatim record of the proceedings be kept, but a written summary of the significant assertions and findings of the hearing shall be prepared.

4.11.5.6. It is not required that formal rules of evidence be followed; administrative hearing rules may be used.

4.11.5.7. Decisions of the hearing officer or hearing committee must be in writing and must give reasons for the decision.

4.12. **Declaration of Financial Independence:** In addition to submitting objective evidence of domicile, a person seeking resident student status must also submit a declaration of financial independence, which must include, at a minimum, evidence that the person is not claimed as a dependent on the most recently filed federal tax returns of any person who is not a resident of Utah. Institutional residency officers shall require such documentation at the time of initial application for resident student status.

3.3.2. — 4.13. **Penalties for Giving Incorrect or Misleading Information:** A student who gives incorrect or misleading information to evade payment of nonresident fees shall be subject to serious disciplinary action and must also pay the applicable nonresident fees for each term previously attended.

4.14 **Waivers of Nonresident Tuition—Nonresident Students Exempt from Nonresident Portion of Tuition:** The following students who attend a USHE institution may receive a waiver of nonresident tuition under Regents' Policy R513; however, these students may not use time spent in Utah as a student on any of these programs toward the waiting period required for resident tuition status. For more information on all tuition waivers, please see Regents' Policy R513.

4.14.1. **Western Undergraduate Exchange (WUE) Students:** A student attending a USHE institution under the Western Undergraduate Exchange program is considered to be domiciled in his/her home state. (See Regents' Policy R513-8 for further details regarding WUE.)

4.14.2. **Western Regional graduate Program (WRGP):** A student attending a USHE institution under the Western Regional Graduate Program is considered to be domiciled in his/her home state.

4.14.3. **Professional Student Exchange/WICHE Students:** A student attending a USHE institution under the Professional Student Exchange/WICHE Program is considered to be domiciled in his/her home state. (See Regents' Policy R513-8 for further details regarding WICHE.)

4.14.4. Exemption for Alumni Legacy Scholarships: The students attending a USHE institution under this scholarship are considered to be domiciled in his/her home state. (See Regents' Policy R513-17 for further details regarding Alumni Legacy Scholarships.)

4.14.5. Dixie State University's Good Neighbor Students: The students attending DSU under this scholarship are considered to be domiciled in his/her home state. (See Regents' Policy R513-4.2. for further details regarding Good Neighbor Students.)

R512-4. R512.5. "Student Who Has Come to Utah For the Purpose of Attending an Institution of Higher Education" Exception to Establishing Resident Student Status.—Waiting Period Required If Residence in Utah Was Established for Educational Reasons

R512.5. "Student Who Has Come to Utah For the Purpose of Attending an Institution of Higher Education" Exception to Establishing Resident Student Status.

4.1. Institutional Discretion to Set Policy for Resident Student Status

~~4.1.1. Policies for Students Enrolled in Credit-Bearing Degree Programs: Each institution may, at its discretion, and at the recommendation of the president, implement its own policy regarding the criteria for resident student status for either undergraduate students or graduate students, or both, in credit bearing degree programs, that deviates from the criteria set forth in this policy. Such a policy shall not be more lenient than requiring a one-year waiting period as set forth here in 4.3.~~

~~4.1.2. Policies for Non-Credit Programs: Because most non-credit applied technology programs are short term (require less than a year to complete), USHE institutions offering non-credit courses or programs may, at their discretion, implement a policy that does not require residency classification for students enrolled in non-credit courses or programs.~~

~~4.2.~~ **5.1. General Rule**General Rule: Unless otherwise stipulated by institutional policy, ~~any person~~ A student who has come to Utah for the purpose of attending an institution of higher education may ~~establish be granted~~ resident student status if, prior to the first day of classes of the term the student seeks to attend as a resident student, ~~by~~the student has:

~~4.2.1. _____ demonstrating by objective evidence (see R512-4.3.) that he or she has established resident student status in Utah; and~~

~~4.2.2. 5.1.1. _____ maintaineding continuous Utah residency status for one full year (12 continuous months prior to the term for which residency is being sought) beginning July 1, 2007 or any date thereafter; an individual will not jeopardize his/her status as a "continuous" resident solely by absence from the state for less than 30 total days during the 12-month period the individual seeks to count as the requisite waiting period; and,~~

~~4.2.3. _____ submitting 5.1.2. _____ submitted~~ a written declaration that the student has relinquished residency in any other state; ~~and~~

5.1.3. submitted objective evidence that the student has taken overt steps to establish permanent residency in Utah and that the student does not maintain a residence elsewhere; and

5.1.4. submitting-submitted a declaration of financial independence to include documentation that the student is not claimed as a dependent on the tax returns of any person who is not a resident of Utah (see R512section 4.12 above-4.5).

4.3. 5.2 Establishing Resident Student StatusEvidence Required: In determining whether an individual has established resident student status, USHE institutions will review all relevant documentation submitted by the student, and make the residency determination based on the totality of the circumstances. Students applying for resident student status under this section are expected to submit as much of the following documentationobjective evidence as possible, including, but not limited to, providing evidence of, or explanation of the lack of evidence of, each of the following. Evidence to satisfy the requirements of Utah resident student status may include:

4.3.1. 5.2.1. A Utah high school transcript issued in the ~~previous-past~~ year (~~12 months~~) confirming attendance at a Utah high school in the previous 12 months;

4.3.2. 5.2.2. A Utah voter registration dated a reasonable period (generally meaning ~~three (3) months (within the past~~ 90 days)) prior to the first day of class of the term for which the student is seeking resident status;

4.3.3. 5.2.3. A Utah driver license or identification card with an original date of issue or renewal date several months prior to the first day of class of the term for which the student is seeking resident status;

4.3.4. 5.2.4. A Utah vehicle registration dated a reasonable period (generally meaning ~~(3) months (within the past~~ 90 days)) prior to the first day of class of the term for which the student is seeking resident status;

4.3.5. 5.2.5. Evidence of employment in Utah for a reasonable period (generally meaning ~~(3) months (within the past~~ 90 days)) prior to the first day of class of the term for which the student is seeking resident status;

4.3.6. 5.2.6. Proof of payment of Utah ~~state-resident~~ income tax for the previous year;

4.3.7. 5.2.7. A rental agreement or mortgage document showing the student's name and Utah address for at least 12 months prior to the first day of class of the term for which the student is seeking resident status application for resident student status; and

4.3.8. 5.2.8. Utility bills showing the student's name and Utah address for at least 12 months prior to the first day of class of the term for which the student is seeking resident status application for resident student status.;

~~4.4. — 5.3. **Continuous Residency**~~
~~Absence from state: A student will not jeopardize his or her status under this section solely by absence from the state for a period of less than 30 total days during the 12-month period. the student seeks to count as the requisite waiting period. See *Frame v. Residency Appeals Committee*, 675 P2d. 1157 (Utah 1983). Having-If a student leaves the state for the purpose of satisfying the requirements for institutional internships, institutional courses, study abroad programs, or athletic training, required by the institution the student will not be deemed to be absent from the state for purposes of this section for the period of time that he or she can establish that these purposes were being met. Once a student has been granted~~
~~established resident student status in Utah as outlined in 4.3., an individual~~
~~any future absence from the state will not negatively affect his or her resident student status. will not jeopardize his/her status as a "continuous" Utah resident solely by absence from the state. For example:~~

Example:

Example: A student who comes to a Utah school on an athletic scholarship and who, during his or her first 12 months in Utah, is required to attend a training camp out of state, will be able to count the time out of state at the training camp as part of the 12-month waiting period that is requisite to being granted resident tuition status.

4.4.1. — Example: After establishing being granted resident student status, a student may be absent from the state for purposes such as temporary employment, education, ~~or~~ religious, charitable, or military service and continue to be considered a resident for tuition purposes provided he or she has not taken action to establish domicile elsewhere during his or /her absence from Utah.

4.4.2. — A student with long-term ties to Utah, who is 18 years of age or older, who has graduated from a Utah high school, and who has been absent from the state for a period of less than 12 months, may be considered a resident for tuition purposes if evidence can be presented showing that the student has maintained or reestablished a Utah domicile.

4.5. — Declaration of Financial Independence: In addition to submitting objective evidence of domicile, a person seeking resident student status following 12 months of continuous residence in Utah must also submit a declaration of financial independence, which must include, at a minimum, evidence that the person is not claimed as a dependent on the most recently filed federal tax returns of any person who is not a resident of Utah. Institutional residency officers shall require such documentation at the time of initial application for resident student status.

R512.6. "Personnel of the United States Armed Forces" "Military Service" Exception to Establishing Resident Student Status.

4.6. — International Students without U.S. Residency Status: Aliens who are present in the U.S. on visitor, student, or other visas which authorize only temporary presence in this country, do not have the capacity to intend to reside in Utah for an indefinite period and therefore must be classified as nonresident. Aliens who have been granted immigrant or permanent resident status in the U.S. shall be classified for purposes of resident status according to the same criteria applicable to citizens.

6.1. A USHE institution shall grant resident student status for tuition purposes to:

6.1.1. a military servicemember, if the military servicemember provides:

6.1.1.1. the military servicemember's current United States military identification card; and

6.1.1.2. a statement from the military servicemember's current commander, or equivalent, stating that the military servicemember is assigned to Utah.

6.1.2. a military servicemember's immediate family member, if the military servicemember's immediate family member provides one of the following:

6.1.2.1. the military servicemember's current United States military identification card; or

6.1.2.2. the immediate family member's current United States military identification card and a statement from the military servicemember's current commander, or equivalent, stating that the military servicemember is assigned in Utah.

6.1.3. a military veteran, regardless of whether the military veteran served in Utah, if the military veteran provides:

6.1.3.1. evidence of an honorable or general discharge;

6.1.3.2. a signed written declaration that the military veteran has relinquished residency in any other state and does not maintain a residence elsewhere;

6.1.3.3. objective evidence that the military veteran has taken overt steps to relinquish in any other state and establish residency in Utah, which may include any one of the following:

6.1.3.3.1. a Utah voter registration card;

6.1.3.3.2. a Utah driver license or identification card;

6.1.3.3.3. a Utah vehicle registration;

6.1.3.3.4. evidence of employment in Utah;

6.1.3.3.5. a rental agreement showing the military veteran's name and Utah address; or

6.1.3.3.6. utility bills showing the military veteran's name and Utah address.

6.1.4. a military veteran's immediate family member, regardless of whether the military veteran served in Utah, if the military veteran's immediate family member provides:

6.1.4.1. evidence of the military veteran's honorable or general discharge within the last five years;

6.1.4.2. a signed written declaration that the military veteran's immediate family member has relinquished residency in any other state and does not maintain a residence elsewhere; and

6.1.4.3. objective evidence that the military veteran's immediate family member has taken overt steps to relinquish residency in any other state and establish residency in Utah which may include any one of the items described in section 6.1.3.3. above.

~~R512-5. Resident Student Status Based on Evidence of Residence in Utah for Non-educational Reasons—No Waiting Period Required If Presumption of Nonresident Status Is Rebutted~~

~~5.1. — **Rebuttable Presumption of Nonresident Status:** A person who enrolls as a postsecondary student at a USHE institution prior to living in Utah for more than 12 continuous months, and who has therefore not met the waiting period criteria set forth in R512-4, will ordinarily be deemed a nonresident student for tuition purposes unless he or she presents evidence demonstrating that he or she moved to Utah and established domicile for non-educational reasons. A student may rebut the presumption of nonresident status and seek resident student status immediately, without satisfying the one-year continuous residency requirement, but still satisfying the financial independence and domiciliary evidence set forth in R512-4, by submitting evidence of Utah residence arising from one or more of the following circumstances~~

~~— **6.1. — Residency for active duty and reserve members of the United States Armed Forces assigned to Utah:** Personnel of the United States Armed Forces assigned to active duty in Utah or members of a reserve component of the United States Armed Forces assigned to Utah, and any immediate family member residing with them in this state are entitled to resident student status for tuition purposes.~~

~~5.1.1.1. — **6.2 — United States Armed Forces Personnel Who are Utah Residents Prior to Active Duty Assignment or Deployment Outside Utah:** Personnel of the U.S. Armed Forces who had Utah residency immediately prior to their deployment to active duty or reserve assignment outside of Utah, and who reestablish residency in Utah no later than 90 days after the termination of active duty status or reserve assignment, are immediately eligible, together with the any immediate family members of their families residing with them in Utah, to apply for resident student status for tuition purposes.~~

~~5.1.1.2. — **Prior Utah Residency:** For purposes of this section, an individual will be deemed to have prior Utah residency if he or she can show, in the year immediately prior to active duty deployment, indicia of Utah domicile, such as the filing of a Utah tax return in the year prior to deployment; Utah voter registration; possession of a Utah driver's license; and establishment of Utah banking connections.~~

~~5.1.1.3. — **Immediate Family Member:** For purposes of this section, the term "immediate family member" means the spouse or unmarried dependent child of the individual in the Armed Forces.~~

~~5.1.1.4. — **Residing With:** For purposes of this section, an immediate family member will be considered to be "residing with" an individual in the Armed Forces so long as the family~~

member's domicile, or permanent address, is the same as that of the individual in the Armed Forces. If an "immediate family member" meets the domiciliary requirement, he or she may attend, with resident tuition rates at, any public college or university in Utah.

~~5.1.2. Residency for Veterans of the United States Armed Forces: An institution within the state system of higher education shall grant resident student status for tuition purposes to a military veteran and the military veteran's immediate family members who reside in the state if the military veteran provides:~~

~~5.1.2.1. evidence of a discharge from the United States Armed Forces, other than a dishonorable discharge, that occurred within the previous 12 months~~

~~5.1.2.2. a signed written declaration that the military veteran has relinquished residency in any other state and does not maintain a residence elsewhere; and~~

~~5.1.2.3. 6.3. Resident student status for children of active duty military personnel: Before resident student status can be granted to a child of military personnel under this section, the child must produce:~~

~~6.3.1. any one of the following:~~

~~6.3.1.1.~~

~~5.1.2.4. 6.3.1.2. 6.3.1.3.~~

~~5.1.2.5. 6.3.2. 6.4. Resident student status for military veteran and military veteran's immediate family members. s6.4.1.~~

~~6.4.2.~~

~~5.1.2.6. 6.4.3. objective evidence that the military veteran has taken overt steps to relinquish residency in any other state and establish residency in Utah, which may include evidence of the following:~~

~~5.1.2.6.1.~~

~~5.1.2.6.2. 6.4.3.1. a Utah voter registration card;~~
~~5.1.2.6.3.~~

~~5.1.2.6.4. 6.4.3.2. a Utah driver license or identification card;~~

~~5.1.2.6.5. 6.4.3.3. a Utah vehicle registration;~~

~~5.1.2.6.6. 6.4.3.4. evidence of employment in Utah;~~

~~5.1.2.6.7. 6.4.3.5. a rental agreement showing name and Utah address;~~
and

~~6.4.3.6. utility bills showing name and Utah address;~~
~~5.1.2.6.8.~~

R512.7 "Membership of an American Indian Tribe" Exception to Establishing Resident Student Status.

7.1. Any American Indian who is enrolled on the tribal rolls of a tribe whose reservation or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with the border of Utah is entitled to be granted resident student status.

7.2. Any American Indian who is a member of a federally recognized or known Utah tribe and has graduated from a Utah high school is entitled to be granted resident student status.

7.3. A list of recognized tribes will be maintained by the Office of the Commissioner of Higher Education and distributed to all campus residency officers.

R512.8 "Job Corps Student" Exception to Establishing Resident Student Status.

8.1. ~~Job Corps Students:~~ A Job Corps student is entitled to resident student status if the student:

8.1.1. ~~(A)~~ is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate; and

8.1.2. ~~(B)~~ submits verification that the student is a current Job Corps student.

8.2. Upon ~~the~~ termination of ~~the student's~~ Job Corps enrollment/participation, ~~the individual he~~ student shall be subject to the same residency standards applicable to other persons under this policy. ~~is governed by the standards applicable to non-Job Corps persons.~~ The time spent residing in Utah during ~~the~~ Job Corps enrollments ~~will counts towards~~ the time period set forth in section 4.3 of this policy. ~~one-year time period required for Utah residency for tuition purposes upon termination of Job Corp status.~~

R512.9^(CW1) "Member of the Utah National Guard" Exception to Establishing Resident Student Status.

9.1. A person is entitled to resident student status if the person:

9.2.1. is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate; and

9.2.2. submits verification, in the form of either an enlistment contract or "orders of unit assignment," that he or she is an active member of the Utah National Guard.

9.2. Upon the termination of the student's Utah National Guard enlistment or duty, the student shall be subject to the same residency standards applicable to other persons under this policy. Any time spent as an active member of the Utah National Guard, whether in or outside of Utah, will count towards the time period set forth in section 4.3 of this policy.

5.1.3. Marriage to Utah Resident: A person who marries a Utah resident is eligible to be a resident student under this policy and establishes his/her domicile in Utah as demonstrated by objective evidence as provided in 4.4 is immediately eligible to apply for resident student status.

5.1.4. Full-time, Permanent Employment in Utah: A person who has established domicile in Utah for full-time permanent employment may rebut the presumption of a nonresident classification by providing substantial evidence that the reason for the individual's move to Utah was, in good faith, based on an employer requested transfer to Utah, recruitment by a Utah employer, or a comparable work-related move for full-time permanent employment in Utah.

5.1.4.1. — As with all such applications, the burden of proof is on the applicant to rebut the presumption of nonresident status. All relevant evidence concerning the motivation for the move should be considered, including, but not limited to, such factors as:

5.1.4.1.1. — the person's employment and educational history;

5.1.4.1.2. — the dates when Utah employment was first considered, offered, and accepted;

5.1.4.1.3. — when the person moved to Utah;

5.1.4.1.4. — the dates when the person applied for admission, was admitted, and was enrolled as a postsecondary student;

5.1.4.1.5. — whether the person applied for admission to a USHE institution sooner than four months from the date of moving to Utah;

5.1.4.1.6. — evidence that the person is an independent person (at least 24 years of age, or not listed as a dependent on someone else's tax forms); and

5.1.4.1.7. — any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an institution of higher education..

Furthermore, absent extraordinary evidence to the contrary, if an applicant applies for admission to a USHE institution prior to the application for employment, prior to the offer of employment, prior to the commencement of employment, or within four months of moving to Utah, a spouse or dependent child of an individual who moves to Utah for full-time permanent employment, and establishes Utah domicile on that basis, is eligible to apply for resident student status. In determining the residency status of the enrolling spouse or dependent child, the institution shall consider all relevant evidence related to the individual's intent and domicile, including but not limited to, documentation set forth in section 5.1.4. of this policy.

R512.409 "Participation in Olympic Training Program" Exception to Establishing Resident Student Status.

409.1. A Student who is residing in Utah to participate in a United States Olympic athlete training program, at a facility in Utah, approved by the governing body for the athlete's Olympic sport, shall be immediately eligible for resident student status for tuition purposes. The student shall certify his or her participation in the Olympic training program through a supporting letter from the United States Olympic Committee verifying eligibility.

~~**5.1.4.2.** **109.2.** Upon the termination of the Student's participation in such training program, the student shall be subject to the same residency standards applicable to other persons under this policy. The time spent residing in Utah during the Olympic athlete training program in Utah counts toward the time period set forth in section 4.3 of this policy. it shall be strongly presumed that the person came to Utah for the purpose of attending an institution of higher education, and shall be subject to the requirements of section 4 of this policy.~~

~~**5.1.5. Spouse's or Parent's Full-time Work:** A spouse or dependent child of an individual who moves to Utah for full-time permanent employment, and establishes Utah domicile on that basis, is eligible to apply for resident student status. In determining the residency status of the enrolling spouse or dependent child, the institution shall consider all relevant evidence related to the individual's intent and domicile, including but not limited to, documentation set forth in section 5.1.4. of this policy.~~

R512.104 “Parent Domiciled in Utah for at Least 12 Months” Exception to Establishing Resident Student Status.

5.1.5.1. 104.1. Parent Domiciled in Utah for at Least 12 Months: A dependent student who has at least one parent who has been domiciled in Utah for at least 12 months prior to the first day of class of the term for which the student is seeking resident status is eligible for resident student status. The student is responsible to submit the documentation identified in section 4.73 of this policy demonstrating that the parent has established domicile in Utah.

R512.112 “Full-time, Permanent Employment in Utah” as Basis for Rebutting Presumption of Nonresident Student.

112.1 A student who has come to Utah for full-time permanent employment, or who is an immediate family member of an individual who has come to Utah for full-time permanent employment, may rebut the presumption of a nonresident classification by providing substantial evidence that the reason for the move to Utah was, in good faith, based on an employer-requested transfer to Utah, recruitment by a Utah employer, or a comparable work-related move for full-time permanent employment in Utah.

112.2. All relevant evidence concerning the motivation for the move should be considered, including, but not limited to, such factors as:

112.2.1. the employee's employment and educational history;

112.2.2. the dates when Utah employment was first considered, offered, and accepted;

112.2.3. when the person moved to Utah;

112.2.4. the dates when the person applied for admission, was admitted, and was enrolled as a postsecondary student;

112.2.5. whether the person applied for admission to a USHE institution sooner than four months from the date of moving to Utah;

112.2.6. evidence that the person is an independent person (at least 24 years of age, or not listed as a dependent on someone else's tax forms); and

112.2.7. any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an institution of higher education.

R512.123 “Divorce, Death of Spouse and Long-Term Health Care Responsibilities of Family Members” as Basis for Rebutting Presumption of Nonresident Student.

123.1. A student who resides in Utah for reasons related to divorce, the death of a spouse, or long-term health care responsibilities for the student's spouse, parent, sibling, or child, may rebut the presumption of nonresident status by providing substantial evidence that the reason for the student's move to Utah was, in good faith, based on the long-term health care responsibilities.

123.2. All relevant evidence concerning the motivation for the move shall be considered, including:

123.2.1. the student's employment and educational history;

123.2.2. the dates when the long-term health care or child care responsibilities in Utah were first considered, offered, and accepted;

123.2.3. when the student moved to Utah;

123.2.4. the dates when the student applied for admission, was admitted, and was enrolled as a postsecondary student;

123.2.5. whether the student applied for admission to a USHE institution sooner than four (4) months from the date of moving to Utah;

132.2.6. evidence that the student is an independent person who is

13.2.6.1. at least 24 years of age; or

13.2.2 not claimed as a dependent on someone else's tax returns; and

123.2.7. any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an USHE institution.

~~5.1.6. ——— Extenuating Circumstances: A person who has established domicile in Utah for child care obligations or extenuating financial or health reasons related to his/her divorce, the death of a spouse, or long-term health care needs or responsibilities related to the person's own health, or the health of an immediate family member, including the person's spouse, parent, sibling, or child, may apply for immediate resident student status. The student is responsible to submit evidence that the move to Utah was, in good faith, based on such extenuating circumstances. All relevant evidence concerning the motivation for the move shall be considered, including:~~

~~5.1.6.1.~~ the person's employment and educational history;

~~5.1.6.2.~~ the dates when the long-term health care or child care responsibilities in Utah were first considered, offered, and accepted;

~~5.1.6.3.~~ when the person moved to Utah;

~~5.1.6.4.~~ the dates when the person applied for admission, was admitted, and was enrolled as a postsecondary student;

~~5.1.6.5.~~ whether the person applied for admission to a USHE institution sooner than four (4) months from the date of moving to Utah;

~~5.1.6.6.~~ evidence that the person is an independent person who is

5.1.6.6.1. _____ at least 24 years of age; or

5.1.6.6.2. _____ not claimed as a dependent on someone else's tax returns;

5.1.6.7. any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an USHE institution.

Penalties for Giving Incorrect or Misleading Information: A student who gives incorrect or misleading information to evade payment of nonresident fees shall be subject to serious disciplinary action and must also pay the applicable nonresident fees for each term previously attended. __

~~5.1.7. _____ **Immigrant Placed in Utah as Political Refugee:** An immigrant, not otherwise qualified as a resident, is immediately eligible, upon establishment of Utah domicile, to apply for resident student status, if he or she is placed involuntarily in Utah as part of a United States or Utah government relocation program for foreign refugees fleeing civil war, religious or racial persecution, political oppression, or other legitimate reason. This section does not apply to refugees who are originally placed in another state and subsequently move to Utah voluntarily.~~

5.2.— Documentation Required to Rebut Presumption of Nonresident Status: The institution, through its registrar, or designated person, is authorized to require written documents, affidavits, verifications, or other evidence deemed necessary to determine why a student is in Utah. The burden of rebutting the presumption that the student is in Utah for educational reasons, and of establishing that he or she is in Utah for other than educational purposes, is upon the student. A student may be required to file any or all of the following within applicable timelines established by the institution.

5.2.1. _____ A statement from the student describing employment and expected sources of support;

5.2.2. _____ A statement from the student's employer;

5.2.3. _____ Supporting statements from persons who might be familiar with the family situation;

5.2.4. _____ Birth certificate;

5.2.5. _____ Marriage certificate;

5.2.6. _____ Documentation of eligibility for state social or rehabilitation services;

5.2.7. _____ Documentation of immigration status and placement as political refugee;

5.2.8. _____ Indicia of Utah domicile, including Utah voter registration, Utah vehicle registration, Utah driver's license or identification card, Utah state income tax return, rental contract or mortgage documents, bank records, and utility bills.

~~5.3. **Penalties for Giving Incorrect or Misleading Information:** A student who gives incorrect or misleading information to evade payment of nonresident fees shall~~

~~be subject to serious disciplinary action and must also pay the applicable nonresident fees for each term previously attended.~~

R512-6. — Exceptions to Requirements of Domicile—Resident Student Status Based on Special Circumstances

~~**6.1. Job Corps Students:** A Job Corps student is entitled to resident student status if the student: (A) is admitted as a full time, part time, or summer school student in a program of study leading to a degree or certificate; and (B) submits verification that the student is a current Job Corps student. Upon the termination of Job Corps enrollment/participation, the individual is governed by the standards applicable to non-Job Corps persons. The time spent residing in Utah during Job Corps enrollments counts toward the one-year time period required for Utah residency for tuition purposes upon termination of Job Corp status.~~

6.2. Participation in Olympic Training Program: An athlete who resides in Utah to participate in a United States Olympic athlete training program, at a facility in Utah, approved by the governing body for the athlete's Olympic sport, shall be immediately eligible for resident status for tuition purposes. The student shall certify his or her participation in the Olympic training program through a supporting letter from the United States Olympic Committee verifying eligibility.² Upon the termination of the athlete's participation in such training program, the athlete shall be subject to the same residency standards applicable to other persons under this policy. The time spent residing in Utah during the Olympic athlete training program in Utah counts toward the one-year time period required for Utah residency for tuition purposes upon termination of the athlete's participation in a Utah Olympic athlete training program.

6.3. Membership of an American Indian Tribe

6.3.1. — An American Indian, not otherwise qualified as a resident, shall be entitled to resident student status if he/she is

6.3.1.1. — enrolled on the tribal rolls of a tribe whose reservation or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with the border of Utah; or

6.3.1.2. — a member of a federally recognized or known Utah tribe and has graduated from a Utah high school.

6.3.2. — A list of recognized tribes will be maintained by the Office of the Commissioner of Higher Education and distributed to all campus residency officers.

6.4. Member of Utah National Guard: A person is entitled to resident student status if the person: (a) is admitted as a full time, part time, or summer school student in a program of study leading to a degree or certificate; and (b) submits verification, in the form of either an enlistment contract or "orders of unit assignment," that he or she is an

²The address for the United States Olympic Committee is as follows: Sports Performance Dept., USOC, 1 Olympic Plaza, Colorado Springs, Colorado 80909-5760.

active member of the Utah National Guard. Upon the termination of Utah National Guard enlistment or duty, the individual is governed by the standards applicable to non-Utah National Guard persons. Any time spent residing in Utah counts toward the one-year time period required for Utah residency for tuition purposes upon termination of Utah National Guard status.

6.4.1. ——— A member of the Utah National Guard shall be considered to maintain continuous Utah residency under this section for the length of time that he or she maintains membership in the Utah National Guard.

6.4.2. ——— A member of the Utah National Guard who performs active duty service outside the state of Utah shall be considered to maintain continuous Utah residency under this section.

6.5. Active Duty United States Armed Forces Personnel Who are Residents of Other States but Stationed in Utah: Personnel of the U.S. Armed Forces, who are residents of another state, but who are assigned to active duty in Utah or members of a reserve component of the United States Armed Forces assigned to Utah, together with the immediate members of their families residing with them in Utah, are entitled to resident student status for tuition purposes during the time they are stationed in Utah on active duty. The student shall complete the institutional certification form and provide a copy of the military orders assigning the military personnel to active duty in Utah.

6.6. Children of Active Duty, United States Armed Forces Personnel: A child of a United States military person assigned to active duty shall be granted resident student status for tuition purposes if the child produces one of the following: the military parent's United States active-duty military identification card; the child's United States active-duty military identification and privilege card; or a statement from the military parent's current company commander stating that the military parent is on active duty. Also, the child must produce the military parent's state of legal residence certificate with Utah listed as the military parent's home of record.

6.7. Receipt of State Social Services Benefits: A person who has been determined by a Utah governmental social or rehabilitation services agency to be a Utah resident for purposes of receiving state aid to attend a USHE institution is immediately eligible to apply for resident student status. The state aid must, at a minimum, cover the full cost of resident tuition. Upon the termination of such government agency support, the person is governed by the standards applicable to other persons. Any time spent domiciled in Utah during the time the individual received government aid shall count towards the one-year time period for Utah residency for tuition purposes upon termination of the government aid

R512-7. Waivers of Nonresident Tuition—Nonresident Students Exempt from Nonresident Portion of Tuition. The following students who attend a USHE institution may receive a waiver of nonresident tuition under Regents' Policy R513; however, these students may not use time spent in Utah as a student on any of these programs toward the waiting period required for resident tuition status. For more information on all tuition waivers, please see Regents' Policy R513.

7.1.—Western Undergraduate Exchange (WUE) Students: A student attending a USHE institution under the Western Undergraduate Exchange program is considered to be domiciled in his/her home state.³

7.2.—Western Regional graduate Program (WRGP): A student attending a USHE institution under the Western Regional Graduate Program is considered to be domiciled in his/her home state.

7.3.—Professional Student Exchange/WICHE Students: A student attending a USHE institution under the Professional Student Exchange/WICHE Program is considered to be domiciled in his/her home state.⁴

7.4.—Exemption for Alumni Legacy Scholarships: The students attending a USHE institution under this scholarship are considered to be domiciled in his/her home state.⁵

7.5.—Dixie State College of Utah's Good Neighbor Students: The students attending DSC under this scholarship are considered to be domiciled in his/her home state.⁶

R512-8.—General Provisions

8.1.—Reclassification by the Institution: If a student is classified as a resident, or granted residency by a USHE institution, the USHE institution may initiate a reclassification inquiry and in fact reclassify the student, based on any facts, error, or changes in facts or status which would justify such an inquiry, even if the error was on the part of the USHE institution.

8.2.—Reciprocity:

8.2.1.— A determination to grant residency to a student at a USHE institution shall be honored at other USHE institutions, unless:

8.2.1.1.— the student obtained resident student status under false pretenses, or

8.2.1.2.— the facts existing at the time of the granting of resident student status have significantly changed.

8.2.2.— The USHE institution to which a resident student transfers may initiate a reclassification inquiry (see R512-8.1) and in fact reclassify the student based on any facts, error, or changes in facts or status which would justify such an inquiry, even if the error was on the part of a USHE institution.

R512-9.—Procedures for Determining Resident Status

³ See Regents' Policy R513-8 for further details regarding WUE.

⁴ See Regents' Policy R513-8 for further details regarding WICHE.

⁵ See Regents' Policy R513-17 for further details regarding Alumni Legacy Scholarships.

⁶ See Regents' Policy R513-4.2 for further details regarding Good Neighbor Students.

9.1.— Application Deadline: Students must meet institutional application deadlines for each term. Institutions may establish policy regarding acceptance of late residency applications for current term consideration. Unless institutional policy allows otherwise, institutions may not accept applications for resident student status or supporting documentation after the third week of the semester or term for which the student seeks resident student status. Ordinarily applications or supporting documentation received after the third week should be considered for the following semester.

9.2.— Initial Classification: Each institution shall classify all applicants as either resident or nonresident. If there is doubt concerning resident status, the applicant shall be classified as a nonresident.

9.3.— Application for Reclassification: Every student classified as a nonresident shall retain that status until he/she is officially reclassified to resident status.

9.4.— Informal Discussion with Responsible Officer: If a written application for a change from nonresident to resident classification is denied, the applicant shall have the right to meet with the responsible officer for the purpose of submitting additional information and discussing the merits of his/her application.

9.5.— Appeals: An applicant for resident status may appeal an adverse ruling in accordance with procedures approved by the institutional Board of Trustees. The appeal tribunal shall make an independent determination of the issues presented upon the basis of such oral and written proofs as may be presented, and shall finally determine the status of the applicant consistent with the law and these policies.

9.6.— Due Process: In order to provide due process to students who may want to appeal decisions made concerning nonresident status, each institution shall be responsible for providing a means for appeals to be made. Each institution shall adopt procedures that fit the local campus situation, but the following guidelines shall be followed.

9.6.1. ——— Procedures for appeal shall be set out in writing by the institution, subject to approval by the Office of the Commissioner.

9.6.2. ——— The institution shall provide a hearing officer or hearing committee with appropriate clerical and other services as necessary to the effective function of the hearing process.

9.6.3. ——— The student appealing the decision shall have the responsibility of providing evidence that proves that he/she has met the residency requirements. Students shall be given copies of the Regents' policies pertaining to determination of residency. The student shall also be given an explanation of the rationale of the decision maker who previously ruled that the student was classified as a nonresident.

9.6.4. ——— Both the student and the administration's representative are entitled to representation by counsel.

9.6.5. ——— Oral and written evidence may be presented. It is not required that a formal, written, verbatim record of the proceedings be kept, but a written summary of the significant assertions and findings of the hearing shall be prepared.

~~9.6.6. ——— It is not required that formal rules of evidence be followed; administrative hearing rules may be used.~~

~~9.6.7. ——— Decisions of the appeals tribunal must be in writing and must give reasons for the decision.~~

~~9.6.8. **Refund:** A ruling favorable to the applicant shall be retroactive to the beginning of the academic period for which application for resident status was made, and shall require a refund of the nonresident portion of any tuition charges paid for that and subsequent academic periods.~~

R512, Determination of Resident Status¹

R512-1. Purpose: To define “resident” student for purposes of tuition in the Utah System of Higher Education (USHE).

R512-2. References

- 2.1. Utah Code Ann. §53B-8-102, Definition of Resident Student
- 2.2. Utah Code Ann. §23-13-2, Definition of Domicile
- 2.3. Utah Code Ann. §31A-29-103, Definition of Domicile
- 2.4. Utah Code Ann. §41-1a-202, Definition of Domicile
- 2.5. Utah Code Ann. §53B-8-101 et seq., Tuition Waivers & Scholarships
- 2.6. Policy and Procedure R510, Tuition and Fee Policy
- 2.7. Policy and Procedure R513, Tuition Waivers & Reductions

R512-3. Definitions

3.1. **“Continuous Utah residency status for one full year”** means the student has resided in Utah for 12 continuous months prior to the term for which resident student status is being sought.

3.2. **“Domicile”** shall be defined consistent with general Utah law defining domicile, and, for purposes of determining resident student status, shall be determined by the student's:

- (1) bodily presence, and
- (2) concurrent intent to reside permanently in that location.

All persons have a domicile somewhere. A person can have only one domicile. A domicile of choice is a domicile chosen by a person to replace his or her former domicile. To acquire a domicile of choice in a place, a person must intend to make that place his or her home for the time at least. A domicile, once established, continues until it is superseded by a new domicile. Also, once established, a domicile is not lost by an absence from it for months or even years, for the purpose of business or the like, if during such absence there exists an intent to resume residence in the place of domicile following the completion of the purpose of the absence.

3.3. **“Immediate family member”** means the spouse or unmarried dependent child of the individual requesting resident student status.

3.4. **“Military Servicemember”** means an individual who is serving on active duty in the United States Armed Forces within the state of Utah; or an individual who is a member of a reserve component of the United State Armed Forces assigned in Utah; or an individual who is a member of the Utah National Guard

¹ Adopted July 22, 1975; amended April 11, 1987, April 17, 1992, May 5, 1995, January 12, 2001, October 19, 2001, July 12, 2002, April 16, 2004, December 9, 2004, April 22, 2005, April 21, 2006, June 8, 2007, May 30, 2008, May 29, 2009, May 20, 2011, and May 18, 2012.

- 3.5. **“Military veteran”** means an individual who:
 - 3.5.1. has served on active duty:
 - 3.5.1.1. in the United State Armed Forces for at least 180 consecutive days or was a member of a reserve component and has been separated or retired with an honorable or general discharge; or
 - 3.5.1.2. in the National Guard and has been separated or retired with an honorable or general discharge; or
 - 3.5.1.3. incurred an actual service related injury or disability in the line of duty regardless of whether that person completed 180 days of active duty.
- 3.6. **“Parent”** means the biological or adoptive parent of the student, regardless of whether the parent has legal custody of the student or whether the parent claims the student as a dependent.
- 3.7. **“Preponderance of the evidence”** means the existence of a fact is more probable than its nonexistence.
- 3.8. **“Resident student status”** means the condition of being a resident student for tuition purposes.
- 3.9. **“Substantial evidence”** means evidence that is more than a mere preponderance and is definite, clear, and convincing.
- 3.10. **“Utah residency”** means residing in Utah.
- 3.11. **“USHE institution”** means an institution within Utah's system of higher education.

R512-4. Resident Student Status

- 4.1. **Establishing Resident Student Status.** A student will be granted resident student status after he or she
 - 4.1.1. has acquired domicile in Utah; or
 - 4.1.2. has satisfied one or more of the exceptions set forth in this policy.
- 4.2. **Policies for Determining Resident Student Status.**
 - 4.2.1. **Policies for Students Enrolled in Credit-Bearing Degree Programs.** Each institution shall have the responsibility of determining resident student status according to the requirements of Utah Code Ann. §53B-8-102 and this policy. Each institution may, at its discretion, and at the recommendation of the president, implement its own policy regarding the criteria for resident student status for either undergraduate students or graduate students, or both, in credit-bearing degree programs, that deviates from the criteria set forth in this policy, provided the criteria implemented by the institution is more strict.

4.2.2. Policies for Students Enrolled in Non-Credit Programs. Because most non-credit applied technology programs are short-term (require less than a year to complete), USHE institutions offering non-credit courses or programs may, at their discretion, implement a policy that does not require residency classification for students enrolled in non-credit courses or programs.

4.2.3. Exception to Establishing Resident Student Status: Each institution may, at its discretion, and at the recommendation of the president, implement its own policy regarding the criteria for resident student status for either undergraduate students or graduate students, or both, in credit-bearing degree programs, that deviates from the criteria set forth in this policy. Such a policy shall not be more lenient than requiring a one-year waiting period as set forth here in 5.1.

4.3 Rebuttable Presumption. A student who has not previously acquired domicile in Utah and who enrolls at a USHE institution prior to residing in Utah for 12 continuous months will be presumed to not be domiciled in Utah and, therefore, will be classified as a nonresident student for tuition purposes. This presumption may be rebutted by substantial evidence.

4.4 International Students:

4.4.1. Classification of International Students Who are in United States on Nonimmigrant Visas: Students who are aliens and who are present in the United States on visitor, student, or other visas which authorize only temporary presence in this country, do not have the capacity to intend to reside in Utah for an indefinite period and therefore must be classified as nonresident.

4.4.2. Classification of International Students Who are in United States on Immigrant Visas: Students who are aliens and who have been granted immigrant or permanent resident status in the U.S. shall be classified for purposes of resident status according to the same criteria applicable to citizens.

4.4.3. Foreign National Students Who Are Legally Admitted in the United States: A student shall be exempt from paying the nonresident portion of total tuition if the student:

4.4.3.1. is a foreign national legally admitted to the United States;

4.4.3.2. attended high school in this state for three or more years; and

4.4.3.3. graduated from a high school in this state or received the equivalent of a high school diploma in this state.

Example: A student who is an American Indian born in Canada (with at least 50% American Indian blood) cannot be denied admission to the United States and may enter the United States legally without obtaining a visa. If the student attends high school in Utah for three or more years and graduates from a Utah high school or received the equivalent of a high school diploma in this state, the student is eligible for resident student tuition. (However, if the student desires to reside permanently in the United States, he or she may apply for a green card after having created a record of admission for permanent residence. Once the green card is received, the student is eligible for resident student status if the criteria for resident student status are met.)

Example: A foreign national student who is placed involuntarily in Utah as part of a United States or Utah government relocation program for foreign refugees fleeing civil war, religious or racial persecution, political oppression, or other legitimate reason is eligible for resident student tuition if the student attends high school in Utah for three or more years and graduates from a Utah high school or received the equivalent of a high school diploma in this state.

4.5. Other Students Who Are Exempt From Paying Nonresident Portion of Total Tuition:

If allowed by federal law, a student, other than a nonimmigrant student within the meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United State Code (see Section 4.4.1. of this policy), shall be exempt from paying the nonresident portion of total tuition if the student:

- 4.5.1. attended high school in this state for three or more years;
- 4.5.2. graduated from a high school in this state or received the equivalent of a high school diploma in this state;
- 4.5.3. registers as an entering student at an institution of higher education not earlier than the fall of the 2002-03 academic year; and
- 4.5.4. if the student is without lawful immigration status, files an affidavit with the USHE institution stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so; and
- 4.5.4. the student has not registered for college classes prior to the Fall of the 2002-03 academic school year.

4.6. Marriage to Utah Resident: A person who marries a Utah resident is eligible to be granted resident student status after he or she has acquired domicile in Utah.

4.7. Burden of Proof: The burden is on the student to prove that he or she is eligible for resident student status prior to the first day of classes for the term the student seeks to attend as a resident student. Except as set forth in section 4.3 of this policy, the standard for establishing resident student status is by a preponderance of the evidence. The institution, through its registrar, or designated person, is authorized to require written documents, affidavits, verifications, or other evidence deemed necessary to determine why a student is in Utah. The institution shall review all relevant evidence that is submitted by the student and shall make the residency determination based on the totality of the circumstances. The evidence submitted by the student shall include the evidence that is specifically required by the applicable section of this policy. In addition, a student may be required to file any or all of the following evidence within applicable timelines established by the institution.

- 4.7.1. A statement from the student describing employment and expected sources of support;
- 4.7.2. A statement from the student's employer;
- 4.7.3. Supporting statements from persons who might be familiar with the family situation;
- 4.7.4. Birth certificate;

- 4.7.5. Marriage certificate;
- 4.7.6. Documentation of eligibility for state social or rehabilitation services;
- 4.7.7. Documentation of immigration status and placement as political refugee;
- 4.7.8. Indicia of Utah domicile, including Utah voter registration, Utah vehicle registration, Utah driver's license or identification card, Utah state income tax return, rental contract or mortgage documents, bank records, and utility bills.

4.8. Receipt of State Social Services Benefits: A person who has been determined by a Utah governmental social or rehabilitation services agency to be a Utah resident for purposes of receiving state aid to attend a USHE institution is immediately eligible to apply for resident student status. The state aid must, at a minimum, cover the full cost of resident tuition. Upon the termination of such government agency support, the person is governed by the standards applicable to other persons. Any time spent residing in Utah during the time the individual received government aid shall count towards any applicable waiting period for Utah residency for tuition purposes upon termination of the government aid.

4.9. Reciprocity: The determination to grant residency to a student at a USHE institution shall be honored at other USHE institutions, unless:

- 4.10.1. the student obtained resident student status under false pretenses, or
- 4.10.2. the facts existing at the time of the granting of resident student status have significantly changed.

4.10. Reclassification by the Institution: If a student is classified as a resident, or granted residency by a USHE institution, the USHE institution may initiate a reclassification inquiry and in fact reclassify the student, based on any facts, error, or changes in facts or status which would justify such an inquiry, even if the error was on the part of the USHE institution.

4.11. Procedures for Determining Resident Student Status: If a student desires to be granted resident student status, he or she must comply with the following procedures:

- 4.11.1. **Application Deadline:** Students must meet institutional application deadlines for each term. Institutions may establish a policy regarding acceptance of late residency applications for current term consideration. Unless institutional policy allows otherwise, institutions may not accept applications for resident student status or supporting documentation after the third week of the semester or term for which the student seeks resident student status. Ordinarily applications or supporting documentation received after the third week should be considered for the following semester.
- 4.11.2. **Initial Classification:** Each institution shall initially classify all applicants as either resident or nonresident. If there is doubt concerning resident status, the applicant shall be classified as a nonresident.
- 4.11.3. **Application for Reclassification:** Every student classified as a nonresident shall retain that status until he or she is officially reclassified to resident status.

4.11.4. Refund: A decision favorable to the applicant shall be retroactive to the beginning of the academic period for which application for resident status was made, and shall require a refund of the nonresident portion of any tuition charges paid for that and subsequent academic periods.

4.11.5. Hearings: Each institution shall be responsible for providing a process for students who have been denied resident student status to be heard. Each institution shall adopt procedures that fit the local campus situation, but the following guidelines shall be followed:

4.11.5.1. Procedures for a hearing shall be set out in writing by the institution, subject to approval by the Office of the Commissioner.

4.11.5.2. The institution shall provide a hearing officer or hearing committee with appropriate clerical and other services as necessary to the effective function of the hearing process.

4.11.5.3. The student appealing the decision shall have the responsibility of providing evidence that proves that he or she has met the residency requirements. Students shall be given copies of the Regents' policies pertaining to determination of residency. The student shall also be given an explanation of the rationale of the decision-maker who previously ruled that the student was classified as a nonresident.

4.11.5.4. Both the student and the administration's representative are entitled to representation by counsel.

4.11.5.5. Oral and written evidence may be presented. It is not required that a formal, written, verbatim record of the proceedings be kept, but a written summary of the significant assertions and findings of the hearing shall be prepared.

4.11.5.6. It is not required that formal rules of evidence be followed; administrative hearing rules may be used.

4.11.5.7. Decisions of the hearing officer or hearing committee must be in writing and must give reasons for the decision.

4.12. Declaration of Financial Independence: In addition to submitting objective evidence of domicile, a person seeking resident student status must also submit a declaration of financial independence, which must include, at a minimum, evidence that the person is not claimed as a dependent on the most recently filed federal tax returns of any person who is not a resident of Utah. Institutional residency officers shall require such documentation at the time of initial application for resident student status.

4.13. Penalties for Giving Incorrect or Misleading Information: A student who gives incorrect or misleading information to evade payment of nonresident fees shall be subject to serious disciplinary action and must also pay the applicable nonresident fees for each term previously attended.

4.14. Waivers of Nonresident Tuition—Nonresident Students Exempt from Nonresident Portion of Tuition: The following students who attend a USHE institution may receive a waiver of nonresident tuition under Regents' Policy R513; however, these students may not use time spent in Utah as a student on any of

these programs toward the waiting period required for resident tuition status. For more information on all tuition waivers, please see Regents' Policy R513.

- 4.14.1. Western Undergraduate Exchange (WUE) Students: A student attending a USHE institution under the Western Undergraduate Exchange program is considered to be domiciled in his/her home state. (See Regents' Policy R513-8 for further details regarding WUE.)
- 4.14.2. Western Regional graduate Program (WRGP): A student attending a USHE institution under the Western Regional Graduate Program is considered to be domiciled in his/her home state.
- 4.14.3. Professional Student Exchange/WICHE Students: A student attending a USHE institution under the Professional Student Exchange/WICHE Program is considered to be domiciled in his/her home state. (See Regents' Policy R513-8 for further details regarding WICHE.)
- 4.14.4. Exemption for Alumni Legacy Scholarships: The students attending a USHE institution under this scholarship are considered to be domiciled in his/her home state. (See Regents' Policy R513-17 for further details regarding Alumni Legacy Scholarships.)
- 4.14.5. Dixie State University's Good Neighbor Students: The students attending DSU under this scholarship are considered to be domiciled in his/her home state. (See Regents' Policy R513-4.2. for further details regarding Good Neighbor Students.)

R512.5. "Student Who Has Come to Utah For the Purpose of Attending an Institution of Higher Education" Exception to Establishing Resident Student Status.

5.1. General Rule: A student who has come to Utah for the purpose of attending an institution of higher education may be granted resident student status if, prior to the first day of classes of the term the student seeks to attend as a resident student, the student has:

- 5.1.1. maintained continuous Utah residency status for one full year;
- 5.1.2. submitted a written declaration that the student has relinquished residency in any other state;
- 5.1.3. submitted objective evidence that the student has taken overt steps to establish permanent residency in Utah and that the student does not maintain a residence elsewhere; and
- 5.1.4. submitted a declaration of financial independence to include documentation that the student is not claimed as a dependent on the tax returns of any person who is not a resident of Utah (see section 4.12 above).

5.2 Evidence Required: Students applying for resident student status under this section are expected to submit as much objective evidence as possible, including, but not limited to, providing evidence of, or explanation of the lack of evidence of, each of the following:

- 5.2.1. A Utah high school transcript issued in the past year confirming attendance at a Utah high school in the previous 12 months;
- 5.2.2. A Utah voter registration dated a reasonable period (generally meaning within the past 90 days) prior to the first day of class of the term for which the student is seeking resident status;
- 5.2.3. A Utah driver license or identification card with an original date of issue or renewal date several months prior to the first day of class of the term for which the student is seeking resident status;
- 5.2.4. A Utah vehicle registration dated a reasonable period (generally meaning within the past 90 days) prior to the first day of class of the term for which the student is seeking resident status;
- 5.2.5. Evidence of employment in Utah for a reasonable period (generally meaning within the past 90 days) prior to the first day of class of the term for which the student is seeking resident status;
- 5.2.6. Proof of payment of Utah resident income tax for the previous year;
- 5.2.7. A rental agreement or mortgage document showing the student's name and Utah address for at least 12 months prior to the first day of class of the term for which the student is seeking resident status ; and
- 5.2.8. Utility bills showing the student's name and Utah address for at least 12 months prior to the first day of class of the term for which the student is seeking resident status resident student status.

5.3. Absence from state: A student will not jeopardize his or her status under this section solely by absence from the state for a period of less than 30 total days during the 12-month period. See *Frame v. Residency Appeals Committee*, 675 P2d. 1157 (Utah 1983). If a student leaves the state for the purpose of satisfying the requirements for institutional internships, institutional courses, study abroad programs, or athletic training, required by the institution the student will not be deemed to be absent from the state for purposes of this section for the period of time that he or she can establish that these purposes were being met. Once a student has been granted resident student status, any future absence from the state will not negatively affect his or her resident student status.

Example: A student who comes to a Utah school on an athletic scholarship and who, during his or her first 12 months in Utah, is required to attend a training camp out of state, will be able to count the time out of state at the training camp as part of the 12-month waiting period that is requisite to being granted resident tuition status.

Example: After being granted resident student status, a student may be absent from the state for purposes such as temporary employment, education, religious, charitable, or military service and continue to be considered a resident for tuition purposes provided he or she has not taken action to establish domicile elsewhere during his or her absence from Utah.

R512.6. "Military Service" Exception to Establishing Resident Student Status.

- 6.1. A USHE institution shall grant resident student status for tuition purposes to:

- 6.1.1. a military servicemember, if the military servicemember provides:
 - 6.1.1.1. the military servicemember's current United States military identification card; and
 - 6.1.1.2. a statement from the military servicemember's current commander, or equivalent, stating that the military servicemember is assigned to Utah.
- 6.1.2. a military servicemember's immediate family member, if the military servicemember's immediate family member provides one of the following:
 - 6.1.2.1. the military servicemember's current United States military identification card; or
 - 6.1.2.2. the immediate family member's current United States military identification card and a statement from the military servicemember's current commander, or equivalent, stating that the military servicemember is assigned in Utah.
- 6.1.3. a military veteran, regardless of whether the military veteran served in Utah, if the military veteran provides:
 - 6.1.3.1. evidence of an honorable or general discharge;
 - 6.1.3.2. a signed written declaration that the military veteran has relinquished residency in any other state and does not maintain a residence elsewhere;
 - 6.1.3.3. objective evidence that the military veteran has taken overt steps to relinquish in any other state and establish residency in Utah, which may include any one of the following:
 - 6.1.3.3.1. a Utah voter registration card;
 - 6.1.3.3.2. a Utah driver license or identification card;
 - 6.1.3.3.3. a Utah vehicle registration;
 - 6.1.3.3.4. evidence of employment in Utah;
 - 6.1.3.3.5. a rental agreement showing the military veteran's name and Utah address; or
 - 6.1.3.3.6. utility bills showing the military veteran's name and Utah address.
- 6.1.4. a military veteran's immediate family member, regardless of whether the military veteran served in Utah, if the military veteran's immediate family member provides:
 - 6.1.4.1. evidence of the military veteran's honorable or general discharge within the last five years;

6.1.4.2. a signed written declaration that the military veteran's immediate family member has relinquished residency in any other state and does not maintain a residence elsewhere; and

6.1.4.3. objective evidence that the military veteran's immediate family member has taken overt steps to relinquish residency in any other state and establish residency in Utah which may include any one of the items described in section 6.1.3.3. above.

R512.7 "Membership of an American Indian Tribe" Exception to Establishing Resident Student Status.

7.1. Any American Indian who is enrolled on the tribal rolls of a tribe whose reservation or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with the border of Utah is entitled to be granted resident student status.

7.2. Any American Indian who is a member of a federally recognized or known Utah tribe and has graduated from a Utah high school is entitled to be granted resident student status.

7.3. A list of recognized tribes will be maintained by the Office of the Commissioner of Higher Education and distributed to all campus residency officers.

R512.8 "Job Corps Student" Exception to Establishing Resident Student Status.

8.1. A Job Corps student is entitled to resident student status if the student:

8.1.1. is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate; and

8.1.2. submits verification that the student is a current Job Corps student.

8.2. Upon termination of the student's Job Corps enrollment/participation, the student shall be subject to the same residency standards applicable to other persons under this policy. The time spent residing in Utah during the Job Corps enrollments will count towards the time period set forth in section 4.3 of this policy.

[CW1]

R512.9 "Participation in Olympic Training Program" Exception to Establishing Resident Student Status.

9.1. A Student who is residing in Utah to participate in a United States Olympic athlete training program, at a facility in Utah, approved by the governing body for the athlete's Olympic sport, shall be immediately eligible for resident student status for tuition purposes. The student shall certify his or her participation in the Olympic training program through a supporting letter from the United States Olympic Committee verifying eligibility.

9.2. Upon the termination of the Student's participation in such training program, the student shall be subject to the same residency standards applicable to other persons under this policy. The time spent residing in Utah during the Olympic athlete training program in Utah counts toward the time period set forth in section 4.3 of this policy.

R512.10 "Parent Domiciled in Utah for at Least 12 Months" Exception to Establishing Resident Student Status.

10.1. A dependent student who has at least one parent who has been domiciled in Utah for least 12 months prior to the first day of class of the term for which the student is seeking resident status is eligible for resident student status. The student is responsible to submit the documentation identified in section 4.7 of this policy demonstrating that the parent has established domicile in Utah.

R512.11 “Full-time, Permanent Employment in Utah” as Basis for Rebutting Presumption of Nonresident Student.

11.1 A student who has come to Utah for full-time permanent employment, or who is an immediate family member of an individual who has come to Utah for full-time permanent employment, may rebut the presumption of a nonresident classification by providing substantial evidence that the reason for the move to Utah was, in good faith, based on an employer-requested transfer to Utah, recruitment by a Utah employer, or a comparable work-related move for full-time permanent employment in Utah.

11.2. All relevant evidence concerning the motivation for the move should be considered, including, but not limited to, such factors as:

- 11.2.1. the employee's employment and educational history;
- 11.2.2. the dates when Utah employment was first considered, offered, and accepted;
- 11.2.3. when the person moved to Utah;
- 11.2.4. the dates when the person applied for admission, was admitted, and was enrolled as a postsecondary student;
- 11.2.5. whether the person applied for admission to a USHE institution sooner than four months from the date of moving to Utah;
- 11.2.6. evidence that the person is an independent person (at least 24 years of age, or not listed as a dependent on someone else's tax forms); and
- 11.2.7. any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an institution of higher education.

R512.12 “Divorce, Death of Spouse and Long-Term Health Care Responsibilities of Family Members” as Basis for Rebutting Presumption of Nonresident Student.

12.1. A student who resides in Utah for reasons related to divorce, the death of a spouse, or long-term health care responsibilities for the student's spouse, parent, sibling, or child, may rebut the presumption of nonresident status by providing substantial evidence that the reason for the student's move to Utah was, in good faith, based on the long-term health care responsibilities.

12.2. All relevant evidence concerning the motivation for the move shall be considered, including:

- 12.2.1. the student's employment and educational history;

- 12.2.2. the dates when the long-term health care or child care responsibilities in Utah were first considered, offered, and accepted;
- 12.2.3. when the student moved to Utah;
- 12.2.4. the dates when the student applied for admission, was admitted, and was enrolled as a postsecondary student;
- 12.2.5. whether the student applied for admission to a USHE institution sooner than four (4) months from the date of moving to Utah;
- 12.2.6. evidence that the student is an independent person who is
 - 13.2.6.1. at least 24 years of age; or
 - 13.2.6.2. not claimed as a dependent on someone else's tax returns; and
- 12.2.7. any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an USHE institution.

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: Revision to Policy R543, Commercial Banking Services

Issue

Policy R543, *Commercial Banking Services* has recently been reviewed by the Office of the Commissioner and USHE institutional representatives; this review is a part of the continuing review of all Regental policies. A result of this review is the recommendation to more effectively describe the policies and criteria for the selection and retention of commercial banking services for USHE institutions.

Background

The policy language dates back more than a decade. Updated language includes:

- The use of the word "bank" was replaced by "depository." The use of the term "banking services" was retained.
- References to State of Utah and Laws of the State of Utah were changed to "State Money Management Act and Rules of the State Money Management Council".
- The "Institutional Policy" section was moved from 3.3 to 3.2 where it seemed to be more appropriate.
- Section 3.2 has been updated to tie to the relevant Utah Code section governing multi-year contracts and the requirement to review them every five years as well as consider the need to seek requests for proposal (RFP's) from other banking services providers.
- Section 5.1, Fee for Service was moved to 3.4 where it seemed to be more appropriate.
- Section 5.3, Investment Bidding was changed to say Investment Services and moved to 3.5 where it seemed to be more appropriate.
- In R543.4 "Qualifications" was changed to "Criteria."
- Section 5.3, Primary Criteria was moved to 4.1.
- Sections 4.2.3 and 4.2.4 were added to clarify where funds could be deposited in conformance with the Money Management Act and Rules.
- Section 4.2, Service Capabilities was changed to be a straight forward direction for Boards of Trustees to establish services capabilities based on the varying needs of institutions, eliminating the list of capabilities that could be required in approved policies. The list is somewhat outdated in a changing market place.

- Items in section 5, Criteria for Selection and Retention of a Banking Service were moved to other sections of the policy as noted above.

Policy Changes

The proposed amendment to R543 is in compliance with Utah state statutes: Utah Code §53B-7-101 (9), Each Institution Handles Financial Affairs Under General Supervision of the Board and the Utah Code §63G-6a-1204 (Multiyear contracts).

Commissioner's Recommendation

The Commissioner recommends that the Regents approve the revisions to policy R543, *Commercial Banking Services*, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/WRH/CRW
Attachment

R543, Commercial Banking Services¹

R543-1. Purpose: To establish policies and procedures criteria for the selection and retention of commercial banking services at for all USHE institutions within the System.

R543-2. References

2.1. Utah Code §53B-7-101(9) (Each Institution Handles Financial Affairs Under General Supervision of the Board)

2.2. Utah Code §63G-6a-(1204) (Multiyear contracts)

R543-3. General Policies

3.1. Deposits: ~~Only qualified depositories of the State of Utah may be used for primary banking services of member institutions. The institutions are encouraged to deposit all public funds, excluding duly authorized imprest bank accounts, into a single checking account if investment sweep services are not available. This will facilitate the investment on a daily basis of funds available in excess of immediate needs. A separate payroll account at the same bank as the general checking account is acceptable.~~ USHE institutions shall deposit funds into depositories as outlined by the requirements of the State Money Management Act (Utah Code 51-7) and the Rules of the State Money Management Council (Utah Administrative Code R628). Institutions may use separate accounts as appropriate to facilitate their daily operations per their banking policies as approved by their Boards of Trustees.

3.3.2. Institutional Policy: ~~Each institutional bBoard of tTrustees should adopt its own written policy relating to details of banking procedures within the parameters of this policy.~~ shall establish criteria for the selection and/or retention of commercial depositories providing banking services to their institution, and to prescribe requirements relating to the acquisition of new banking services and creation of new accounts. Policies should be structured to provide latitude and authority for those responsible to conduct daily operations that comply with the State Money Management Act, the Rules of the State Money Management Council, and this Board of Regents policy.

3.2.3. Requests for Proposal (RFP's): Institutions shall conduct at least every ~~six~~ five years an internal evaluation of the banking services provided by ~~its their current~~ primary bank depository and any other depositories pursuant to Utah Code §63G-6a-(1204) (Multiyear contracts) to determine that ~~if~~ the service capabilities and costs of service remain competitive and sufficient. ~~If the an~~ institution determines that the service capabilities and/or the cost of service provided by its ~~current primary bank~~ service providers may not be competitive or for any other reason as determined by the institution, ~~it may seek~~ requests for proposal (RFP's) ~~should be solicited only~~ from banking ~~institutions service providers that meeting~~ (a) the requirements of the State Money Management Act and the rules of the State Money Management Council, (b) the specific criteria established by the institution and (c) the requirements set forth in this policy.

5.1.3.4. Fee for Service: ~~The bank~~ Banks shall be compensated on a fee basis for services basis.

5.3.3.5. Investment Services Bidding: ~~Services Bids~~ for the investment of institutional operating funds, ~~excluding short term investment services, shall not be a part of the process of selecting a banking service~~

¹ Adopted May 20, 1980, amended September 12, 1996.

shall meet the requirements of the State Money Management Act and the Rules of the State Money Management Council.

R543-4. ~~Qualifications~~ Criteria for Selection and Retention ~~to Provide of~~ Banking Services Providers

5.2.4.1. Primary Criteria: The primary criteria for bank depository selection and retention shall be its ability to provide the required banking services and/or short term investment services at a reasonable cost and/or competitive rates to the institution.

4.1.2. Minimum Requirements: In order to be eligible to be selected or retained to provide an institution's primary banking services, a bank depository should satisfy the following minimum qualifications:

~~4.1.2.1.~~ 4.1.2.1. It must ~~be a qualified depository~~ qualify to receive public funds under the laws of the State ~~of Utah~~ Money Management Act and the Rules of the State Money Management Council.

~~4.1.3.2.2.~~ 4.1.3.2.2. The bank depository selected must maintain an banking office readily accessible to the institution with the capability of providing all normal commercial banking services, ~~as well as investment assistance and advice for the institution~~

4.2.3. Funds deposited should be held in a FDIC or NCUA insured account or:

4.2.4. For daily balances greater than the FDIC or NCUA insurance limits, the depository is registered with the Department of Financial Institutions as being qualified to receive public funds that would be uninsured.

~~4.1.2.5.~~ 4.1.2.5. In compliance with R543.3, when considering retention, the cost of services provided by the depository shall be competitive with costs charged by other service providers for similar services. Costs Anticipated costs of conversion associated with changing banks from one depository to another depository shall be a factor in determining cost competitiveness.

4.2. Service Capabilities: It is recognized that the institutions within ~~the System~~ USHE will have varying needs for banking services as offered by depository institutions. Service capability requirements should be set forth in their policies and approved by their respective Boards of Trustees. capabilities of banks. Listed below are some capabilities which an institution may require of a candidate bank.

~~4.2.1.— Provide the number of checking accounts requested by the institution, and to process all deposit items received and checks issued.~~

~~4.2.2.— Provide for the currency and change requirements of the various auxiliaries and other departments.~~

~~4.2.3.— Provide compatible data processing service for prompt reconciliation of all bank accounts, and other data processing requirements related to maintenance of institution accounts.~~

~~4.2.4.— Provide investment services for the institution in the management of its short-term funds, including provision for:~~

~~4.2.4.1.— transfer of funds on a DVP (delivery versus payment) basis for the purchase of securities.~~

~~4.2.4.2. safekeeping of securities by a custodial bank or trust company.~~

~~4.2.4.3. repurchase agreements on a daily basis with securities as pledged collateral.~~

~~4.2.4.4. assistance with the purchase and transfer of commercial paper, time certificates of deposit, bankers acceptances, and other money market investments.~~

~~4.2.4.5. transfer of funds from one bank to another by wire transfer or other electronic transfers through the banking system.~~

~~4.2.5. Provide daily reports of account activity by electronic interface or other means.~~

~~4.2.6. Issue savings bonds in connection with payroll withholdings.~~

~~4.2.7. Act as depository for federal withholding and payroll taxes.~~

~~4.2.8. Provide periodic financial consultation.~~

R543-5. Criteria for Selection and Retention of a Banking Service

~~5.1. Fee for Service: The bank shall be compensated on a fee for service basis.~~

~~5.2. Primary Criteria: The primary criteria for bank selection and retention shall be its ability to provide the required banking and short term investment services at a reasonable cost and/or competitive rates to the institution.~~

~~5.3. Investment Bidding: Bids for the investment of institutional funds, excluding short term investment services, shall not be a part of the process of selecting a banking service.~~

R543, Commercial Banking Services¹

R543-1. Purpose: To establish policies and criteria for the selection and retention of commercial banking services at for all USHE institutions.

R543-2. References

- 2.1. Utah Code §53B-7-101(9) (Each Institution Handles Financial Affairs Under General Supervision of the Board)
- 2.2. Utah Code §63G-6a-(1204) (Multiyear contracts)

R543-3. General Policies

- 3.1. **Deposits:** USHE institutions shall deposit funds into depositories as outlined by the requirements of the State Money Management Act (Utah Code 51-7) and the Rules of the State Money Management Council (Utah Administrative Code R628). Institutions may use separate accounts as appropriate to facilitate their daily operations per their banking policies as approved by their Boards of Trustees.
- 3.2. **Institutional Policy:** Each institutional Board of Trustees shall establish criteria for the selection and/or retention of commercial depositories providing banking services to their institution, and to prescribe requirements relating to the acquisition of new banking services and creation of new accounts. Policies should be structured to provide latitude and authority for those responsible to conduct daily operations that comply with the State Money Management Act, the Rules of the State Money Management Council, and this Board of Regents policy.
- 3.3. **Requests for Proposal (RFP's):** Institutions shall conduct at least every five years an internal evaluation of the banking services provided by their primary depository and any other depositories pursuant to Utah Code §63G-6a-(1204) (Multiyear contracts) to determine if the service capabilities and costs of service remain competitive and sufficient. If an institution determines that the service capabilities and/or the cost of service provided by its service providers may not be competitive or for any other reason as determined by the institution, it may seek requests for proposal (RFP's) only from banking service providers that meet (a) the requirements of the State Money Management Act and the rules of the State Money Management Council, (b) the specific criteria established by the institution and (c) the requirements set forth in this policy.
- 3.4. **Fee for Service:** Banks shall be compensated on a fee basis for services.
- 3.5. **Investment Services:** Services for the investment of institutional operating funds, shall meet the requirements of the State Money Management Act and the Rules of the State Money Management Council.

R543-4. Criteria for Selection and Retention of Banking Services Providers

- 4.1. **Primary Criteria:** The primary criteria for depository selection and retention shall be its ability to provide the required banking services and/or short term investment services at a reasonable cost and/or competitive rates to the institution.

¹ Adopted May 20, 1980, amended September 12, 1996.

4.2. Minimum Requirements: In order to be eligible to be selected or retained to provide an institution's primary banking services, a depository should satisfy the following minimum qualifications:

4.2.1. It must qualify to receive public funds under the laws of the State Money Management Act and the Rules of the State Money Management Council.

4.2.2. The depository selected must maintain an office readily accessible to the institution with the capability of providing all normal commercial banking services.

4.2.3. Funds deposited should be held in a FDIC or NCUA insured account or:

4.2.4. For daily balances greater than the FDIC or NCUA insurance limits, the depository is registered with the Department of Financial Institutions as being qualified to receive public funds that would be uninsured.

4.2.5. In compliance with R543.3, when considering retention, the cost of services provided by the depository shall be competitive with costs charged by other service providers for similar services. Anticipated costs of conversion associated with changing from one depository to another depository shall be a factor in determining cost competitiveness.

4.2. Service Capabilities: It is recognized that the institutions within USHE will have varying needs for banking services as offered by depository institutions. Service capability requirements should be set forth in their policies and approved by their respective Boards of Trustees.

May 7, 2014

MEMORANDUM

TO: State Board of Regents
FROM: David L. Buhler
SUBJECT: UHEAA – Authorizing Resolution, SBR Student Loan Revenue Bonds

Issue

Board of Regents adoption of an authorizing resolution for the issuance of student loan revenue backed notes is necessary for the purpose of refinancing bonds issued under expiring Letters of Credit with the Royal Bank of Canada.

Background

Since October 2010, the Board of Regents has issued approximately \$1.3 billion of student loan notes and bonds to restructure its then outstanding debt. This proposed financing, Student Loan Backed Notes, Series 2014-1, is the final piece of this restructuring process and will be used to retire bonds supported by existing Letters of Credit with the Royal Bank of Canada. Upon completion of this issuance, all debt secured by the Board of Regents legacy FFELP portfolio will have been replaced by permanent financing.

The Student Finance Subcommittee has reviewed this proposed financing with UHEAA staff and the financing team and voted unanimously to recommend approval by the Board of Regents of the attached Authorizing Resolution.

Proposed Structure

It is proposed that the student loan bonds be issued as taxable Libor-Indexed notes under a new 2014 Trust Indenture as follows:

	<u>Expected Rating</u>	<u>Proposed Amount</u>	<u>Interest Rate</u>	<u>Maturity</u>
Series 2014-1	AAA	\$ 325,000,000	1M Libor+1/25%	35 Years

Proposed Not To Exceed Parameters

	<u>Not To Exceed Parameters</u>	<u>Resolution Reference</u>
• Total Principal Amount	\$325,000,000	Section 5
• Interest Rate In any event, not to exceed:	1M Libor + 1.25% 25%	Exhibit A
• Discount from Par	3.0%	Exhibit A
• Maximum Maturity	35 Years	Exhibit A
• Underwriters Discount	.70%	Section 7

Basic Documents Requiring Approval

The Authorizing Resolution provided with this report is in final draft form. Its approval by the Board will authorize the purchase of the student loan portfolio described above, the issuance of student loan revenue bonds, and the execution of the necessary documents and agreements pursuant to an Indenture of Trust between the Board of Regents and The Bank of New York Mellon Trust Company, N.A., as trustee, in an aggregate principal amount not to exceed \$325,000,000.

The Authorizing Resolution delegates authority to the Board's Chair, Vice Chair, and/or Chair of the Finance, Facilities, and Accountability Committee to approve final versions of the bond documents, consistent with parameters contained in the Authorizing Resolution, and along with designated Officers of the Board, to execute other necessary implementing agreements (see Resolution Sections 5 through 13).

UHEAA staff, representatives of the Attorney General's Office, and Bond Counsel will be at the Board of Regents meeting on May 16 to review the proposed transaction and answer questions.

Commissioner's Recommendation

The Commissioner recommends that the Regents approve the attached Authorizing Resolution approving issuance of the Student Loan Backed Notes, Series 2014-1.



David L. Buhler
Commissioner of Higher Education

Ogden, Utah

May 16, 2014

The State Board of Regents of the State of Utah (the "Board") met in regular session (including by electronic means) at Weber State University in Ogden, Utah on May 16, 2014, commencing at 9:00 a.m. The following members were present:

Bonnie Jean Beesley	Chair
Daniel W. Campbell	Vice Chair
Jesslie B. Anderson	Member
Nina Barnes	Member
Keith Buswell*	Member
Leslie Castle*	Member
Wilford Clyde	Member
France A. Davis	Member
James T. Evans*	Member
Marlin Jensen	Member
Robert S. Marquardt	Member
Erik Mikkelsen	Member
Jed H. Pitcher	Member
Robert W. Prince	Member
Harris H. Simmons	Member
Mark Stoddard	Member
Teresa L. Theurer	Member
Joyce P. Valdez	Member
John H. Zenger	Member

Absent:

Also Present:

David L. Buhler	Commissioner of Higher Education
Kirsten Schroeder	Secretary

* Non-voting member

After the meeting had been duly convened and called to order by the Chair, the roll had been called with the above result and after other matters not pertinent to this Resolution had been discussed, the Chair announced that one of the purposes of the meeting was the consideration of various matters with respect to the issuance and sale of the State Board of Regents of the State of Utah, Student Loan Backed Notes, Series 2014-1.

The following resolution was introduced in written form and after full discussion, pursuant to motion made by _____ and seconded by _____, was adopted by the following vote:

AYE:

NAY:

The resolution (the "Resolution") is as follows:

RESOLUTION

A RESOLUTION OF THE STATE BOARD OF REGENTS OF THE STATE OF UTAH AUTHORIZING THE ISSUANCE AND SALE OF ITS STUDENT LOAN BACKED NOTES, SERIES 2014-1 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$325,000,000 TO BE ISSUED IN ONE OR MORE SERIES; AUTHORIZING THE EXECUTION OF AN INDENTURE OF TRUST AND NOTE PURCHASE AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE PREPARATION, USE, AND EXECUTION OF A PRELIMINARY OFFERING MEMORANDUM AND AN OFFERING MEMORANDUM; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the State Board of Regents of the State of Utah (the "Board") is established and exists under and pursuant to Section 53B-1-103, Utah Code Annotated 1953, as amended; and

WHEREAS, pursuant to Chapter 13, Title 53B, Utah Code Annotated 1953, as amended (the "Act"), the Board is empowered to make or purchase student loan notes and other debt obligations reflecting loans to students under its Student Loan Program; and

WHEREAS, in order to provide funds for such purposes, the Board is duly authorized to issue and sell bonds and notes pursuant to the provisions of the Act; and

WHEREAS, the Board has previously financed certain eligible loans through the issuance and sale of its (i) Student Loan Revenue Bonds, Senior Series 2011A and (ii) Student Loan Revenue Bonds, Senior Series 2014A (Taxable) (collectively, the "Refunded Bonds") pursuant to a Trust Indenture dated as of September 1, 2011 (as amended and supplemented, the "2011 Indenture"); and

WHEREAS, the Board owns certain loans which are currently held in the Board's Short Term Note Fund (the "Short Term Note Fund"); and

WHEREAS, the Board desires to refinance certain loans held under the 2011 Indenture and in the Short Term Note Fund in order to restructure the Board's student loan debt portfolio in an effort to reduce interest rate risk; and

WHEREAS, in furtherance thereof, the Board considers it desirable and necessary for the benefit of the residents of the State of Utah to authorize and approve the issuance and sale of the State Board of Regents of the State of Utah, Student Loan Backed Notes, Series 2014-1 (to be issued in one or more series, which may include both senior and subordinate notes, and with such other series designations that may be determined) (the "Series 2014-1 Notes") in an aggregate principal amount of not to exceed \$325,000,000

pursuant to an Indenture of Trust (the "Indenture") between the Board and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"); and

WHEREAS, the Board desires to use the proceeds of the Series 2014-1 Notes to (i) refinance certain loans held under the 2011 Indenture and in the Short Term Note Fund, (ii) fund capitalized interest and any required deposit to debt service reserves and (iii) pay costs of issuance of the Series 2014-1 Notes; and

WHEREAS, the Series 2014-1 Notes and the Board's obligations thereunder shall be payable solely from revenues and other moneys pledged therefor in the Indenture and shall not constitute nor give rise to a general obligation or liability of the Board or the State of Utah or constitute a charge against their general credit; and

WHEREAS, RBC Capital Markets, LLC (the "Underwriter") has offered to purchase the Series 2014-1 Notes and there has been presented to the Board at this meeting a form of the Note Purchase Agreement to be entered into between the Board and the Underwriter (the "Note Purchase Agreement"), a form of the Indenture, and a form of the Preliminary Offering Memorandum (the "Preliminary Offering Memorandum") for use in the marketing of the Series 2014-1 Notes; and

WHEREAS, pursuant to Section 53B-13-104(9) of the Act, the Board desires to grant to the Chair, Vice Chair and/or the Chair of the Finance, Facilities and Accountability Committee of the Board the authority to approve the final principal amounts, terms, maturities, interest rates, redemption provisions and purchase prices at which the Series 2014-1 Notes shall be sold and any changes with respect thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BOARD OF REGENTS OF THE STATE OF UTAH, AS FOLLOWS:

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Board and the officers of the Board directed toward the issuance of the Series 2014-1 Notes are hereby ratified, approved and confirmed.

Section 3. The Board hereby authorizes, approves and directs the use and distribution of the Preliminary Offering Memorandum in substantially the form before the Board at this meeting in connection with the offering and sale of the Series 2014-1 Notes. The Chair, Vice Chair and/or Chair of the Finance, Facilities and Accountability Committee and the Secretary of the Board are hereby authorized to execute and deliver on behalf of the Board a final Offering Memorandum (the "Offering Memorandum") in substantially the same form and with substantially the same content as the form of the Preliminary Offering Memorandum before the Board at this meeting with any such alterations, changes or additions as may be necessary to finalize the Offering Memorandum. The preparation, use and distribution of the Offering Memorandum are also hereby authorized.

Section 4. The Indenture in substantially the form presented to this meeting is in all respects authorized, approved and confirmed. The Chair, Vice Chair and/or Chair of the Finance, Facilities and Accountability Committee and the Secretary of the Board are hereby authorized to execute and deliver the Indenture in substantially the same form and with substantially the same content as the form of such document presented to this meeting for and on behalf of the Board with such alterations, changes or additions as may be authorized by Section 9 hereof.

Section 5. For the purpose of providing funds to (i) refinance certain loans held under the 2011 Indenture and in the Short Term Note Fund, (ii) fund capitalized interest and any required deposits to debt service reserves and (iii) pay costs of issuance of the Series 2014-1 Notes, the Board hereby authorizes the issuance of the Series 2014-1 Notes in the aggregate principal amount of not to exceed \$325,000,000. The Series 2014-1 Notes may be issued in one or more series, including both senior and subordinate notes, and with such other series designations that may be determined. The Series 2014-1 Notes shall mature on such date or dates, be subject to redemption and bear interest at the rates, as shall be approved by the Chair, Vice Chair and/or Chair of the Finance, Facilities and Accountability Committee of the Board, all within the parameters set forth on Exhibit A attached hereto and incorporated herein by reference. The issuance of the Series 2014-1 Notes shall be subject to the final advice of Note Counsel and to the approval of the office of the Attorney General of the State of Utah.

Section 6. The form, terms and provisions of the Series 2014-1 Notes and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Indenture. The Chair, Vice Chair and/or Chair of the Finance, Facilities and Accountability Committee and the Secretary of the Board are hereby authorized to execute and seal by manual or facsimile signature the Series 2014-1 Notes and to deliver the Series 2014-1 Notes to the Trustee for authentication. All terms and provisions of the Indenture and the Series 2014-1 Notes are hereby incorporated in this Resolution. The appropriate officials of the Board are hereby authorized to execute and deliver to the Trustee the written order of the Board for authentication and delivery of the Series 2014-1 Notes in accordance with the provisions of the Indenture.

Section 7. The Series 2014-1 Notes shall be sold to the Underwriter with an Underwriter's discount of not to exceed seven-tenths of one percent (0.7%) (as a discount or fee) of the face amount of the Series 2014-1 Notes. The Chair, Vice Chair and/or Chair of the Finance, Facilities and Accountability Committee of the Board are hereby authorized to execute and deliver the Note Purchase Agreement, in substantially the form and with substantially the same content as presented at this meeting for and on behalf of the Board with final terms as may be established for the Series 2014-1 Notes and such alterations, changes or additions as may be authorized by Section 9 hereof. Pursuant to Section 53B-13-104(9) of the Act, the Chair, Vice-Chair and/or Chair of the Finance, Facilities and Accountability Committee of the Board, are each hereby authorized to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, rate determination methods and purchase price (including Notes sold at a premium or discount) with respect to the Series 2014-1 Notes for and on behalf of the Board by the execution of the Note Purchase Agreement and the Indenture and any changes with

respect thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms are within the parameters set by this Resolution.

Section 8. The appropriate officers of the Board, including without limitation the Chair, Vice Chair, Chair of the Finance, Facilities and Accountability Committee, Commissioner of Higher Education, Associate Commissioner for Student Financial Aid, Executive Director of UHEAA, Deputy Executive Director of UHEAA and Secretary are hereby authorized to (i) take all action necessary or reasonably required by the Note Purchase Agreement and the Indenture to carry out, give effect to and consummate the transactions as contemplated thereby and are authorized to take all action necessary in conformity with the Act, and (ii) execute and deliver for and on behalf of the Board any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 9. The appropriate officials of the Board, including without limitation the Chair, Vice Chair and/or Chair of the Finance, Facilities and Accountability Committee are authorized to make any alterations, changes or additions to the Indenture, the Series 2014-1 Notes, the Note Purchase Agreement, the Preliminary Offering Memorandum, the Offering Memorandum, or any other document herein authorized and approved which may be necessary to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States, all within the parameters established herein.

Section 10. Upon their issuance, the Series 2014-1 Notes and the obligations of the Board under the Indenture will constitute special limited obligations of the Board payable solely from and to the extent of the sources set forth in the Indenture and such Series 2014-1 Notes. No provision of this Resolution, the Series 2014-1 Notes, the Indenture, the Note Purchase Agreement, or any other instrument authorized hereby, shall be construed as creating a general obligation of the Board, or of creating a general obligation of the State of Utah or any political subdivision thereof, nor as incurring or creating a charge upon the general credit of the Board, the State of Utah or any political subdivision thereof.

Section 11. After any of the Series 2014-1 Notes are delivered by the Trustee to or for the account of the Underwriter and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2014-1 Notes are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

Section 12. If any provisions of this Resolution should be held invalid, the invalidity of such provisions shall not affect the validity of any of the other provisions of this Resolution.

Section 13. All resolutions of the Board or parts thereof inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 14. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY THE STATE BOARD OF REGENTS OF THE
STATE OF UTAH THIS 16TH DAY OF MAY, 2014.

STATE BOARD OF REGENTS OF THE
STATE OF UTAH

(SEAL)

Chair

ATTEST:

Secretary

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

(SEAL)

Chair

ATTEST:

Secretary

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, Kirsten Schroeder, do hereby certify that I am the duly qualified and acting Secretary of the State Board of Regents of the State of Utah.

I further certify that the above and foregoing constitutes a true and correct copy of an excerpt of the minutes of a meeting of said Board held on May 16, 2014 and of a resolution adopted at said meeting, as said minutes and resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Board this 16th day of May, 2014.

Secretary

(SEAL)

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, Kirsten Schroeder, the undersigned, the duly qualified and acting Secretary of the State Board of Regents of the State of Utah, do hereby certify, according to the records of said State Board of Regents in my official possession, and upon my own knowledge and belief, that:

(a) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice was given of the agenda, date, time and place of the May 16, 2014 public meeting held by the Members of the State Board of Regents by causing a Notice of Public Meeting, in the form attached hereto as Schedule 1, to be: (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah, on May ____, 2014, said Notice of Public Meeting having continuously remained so posted and available for public inspection during the regular office hours of the State Board of Regents until the convening of the meeting; (ii) published on the Utah Public Notice Website (<http://pmn.utah.gov>), at least 24 hours prior to the convening of such meeting; and (iii) provided at least 24 hours prior to the convening of such meeting, to the Deseret News and The Salt Lake Tribune, newspapers of general circulation within the geographic jurisdiction of the State Board of Regents, and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the State Board of Regents;

(b) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice of the 2013-2014 Annual Meeting Schedule of the State Board of Regents was given, specifying the date, time and place of the regular meetings of the State Board of Regents scheduled to be held during the year, by causing a Notice of Annual Meeting Schedule for the State Board of Regents, in the form attached hereto as Schedule 2, to be (i) posted at the principal office of the State Board of Regents at 60 South 400 West, Salt Lake City, Utah in June 2013, (ii) provided in June 2013 to a newspaper of general circulation within the geographic jurisdiction of the State Board of Regents and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year; and

(c) the State Board of Regents has adopted written procedures governing the holding of electronic meetings in accordance with Section 52-4-207 Utah Code Annotated 1953, as amended (a copy of which is attached hereto as Schedule 3). In accordance with said Section and the aforementioned procedures, notice was given to each member of the State Board of Regents and to members of the public at least 24 hours before the meeting to allow members of the State Board of Regents and the public to participate in the meeting, including a description of how they could be connected to the meeting. The State Board of Regents held the meeting (the anchor location) in the building where it normally meets and provided space and facilities at the anchor location so that interested persons and the public could attend and participate.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the State Board of Regents of the State of Utah, this 16th day of May, 2014.

(SEAL)

Secretary

SCHEDULE 1

NOTICE OF PUBLIC MEETING

[See Transcript Document No. ____]

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

[See Transcript Document No. ____]

SCHEDULE 3

ELECTRONIC MEETING POLICY

EXHIBIT A

PARAMETERS OF THE SERIES 2014-1 NOTES

Principal amount not to exceed	\$325,000,000
Interest rates not to exceed	1-Month LIBOR + 1.25%, and in any event, not more than 25.0%
Discount from par not to exceed	3.0%
Final Maturity not to exceed	35 years from date of issuance
Notes may be non-callable or subject to redemption as deemed advantageous at the time of sale	

May 7, 2014

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: University of Utah Request for Exception to R555 - Competition with Private Sector

Issue

At the January Regents meeting, updated policy language to R555, *Providing Facilities, Goods and Services in Competition with Private Enterprise* was considered and approved by the Board. These changes were in response to recommendations made in the 2013 Legislative Audit of Higher Education's Competition with the Private Sector. The University of Utah is requesting an exception to the policy as allowed by section 4.5. for its satellite "Utah Red Zone" retail outlets as it makes plans to discontinue its operations of its satellite retail stores, the off campus Red Zones.

Background

The Board of Regents role in enforcing R555 (attached) includes monitoring compliance through institutional policy creation and grievance procedure requirements (section 4.6.), along with a method by which institutions can request an "exception" to R555 (section 4.5.), which is what the university is doing in the present instance.

Pertinent policy states, "An institution may submit a proposal to the State Board of Regents requesting an exception to policy R555. Exceptions to this policy may be authorized if the Board determines, upon consideration and weighing of the various interests and public policies pertinent to providing the facilities, goods or services in competition with private enterprise, that the public interest favoring an exception outweighs the interest favoring denial of an exception."

The University has provided a cover letter (attached) outlining the justification for the exception, including a consideration of the public interest favoring an exception as required by policy for the smooth transition as it works to "wind down" the operations of the off campus Utah Red Zones effective end of the year 2017. The University also requests an exception for limited marketing and advertising efforts targeted to supporters of the University of Utah and University athletics.

The University's request emphasizes the importance of maintaining the financial viability of the satellite stores for the next several years as the leases expire and while it considers options to sell or franchise the

retail operations. The adoption of an institutional policy and grievance procedures are in process with anticipated adoption by the Board of Trustees in the next month or so.

Commissioner's Recommendation

The Commissioner recommends that the Regents consider the University of Utah's request for an exception to policy R555, *Providing Facilities, Goods and Services in Competition with Private Enterprise*, allowing them to continue operating satellite retail outlets of the "Utah Red Zones" through December 31, 2017, as well as allowing for limited marketing and advertising efforts, and if satisfied with the public interest rationale approve the request effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/DAM/CRW
Attachment



Office of the Vice President
for Administrative Services

May 1, 2014

David L. Buhler
Commissioner of Higher Education
Utah System of Higher Education
Board of Regents Building, Two Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Dear Dave:

As you are aware, the University of Utah has committed to discontinue its operations of its satellite retail stores, the off campus Utah Red Zones. The operation of these retail stores, however, involves a significant commitment of capital as well as other financial obligations. It is important, therefore, that the University proceed very prudently to determine the appropriate course of action to minimize any negative financial impacts to the Red Zone operations or the University. Furthermore, if the University determines that it is in the University's best interest to sell or franchise the retail operations, it is important that their value be maintained.

Accordingly, we are requesting, per R555.4.5, the following exceptions to allow the University to make a smooth transition as we wind down operations: 1) we are requesting authorization to continue operating the satellite retail outlets (the off campus Utah Red Zones) through December 31, 2017, and 2) allow for limited marketing and advertising efforts targeted to supporters of the University of Utah and University athletics. Such advertising would include use of specific media outlets with clear ties to the University, such as ESPN 700 (the radio station of University of Utah athletics) and the PAC 12 Network. It should also be noted that the entire advertising budget for the satellite Utah Red Zone stores for the fiscal year beginning on July 1, 2014 is only \$25,980, and is less than 2% of projected net sales and consistent with prior years. Therefore, advertising will be limited.

Our decision to request these exceptions has been made to allow for a smooth transition in the ownership of these off campus retail outlets and has also been made with the public's interest at the forefront. The University of Utah is confident public demand of merchandise bearing the state's flagship institution's trademarks and names, along with our obligation required by R550 of self-supporting auxiliary enterprises weighs in our favor for exception. We are proud of the unique services our auxiliary enterprises provide the campus community, which includes students, faculty, staff, and also, alumni, sponsors, neighbors, and other interested citizens of our state.

Public Demand

Initiating the operation of the satellite Utah Red Zone stores came after years of complaints from the growing fan base and alumni along the Wasatch Front who demanded a greater variety and selection of Utah insignia merchandise, yet were not able to visit the University Campus Store. Our intent was not to increase market share, but rather to preserve a share of an expanding market by offering more convenient locations for alumni, community fans, students and prospective students.

University of Utah
201 South Presidents Circle, Room 209
Salt Lake City, Utah 84112-9012
Office Phone (801) 581-6404
Fax (801) 581-4972

Three years after the Sandy location was established, our market share remains approximately what it was then. Fans and alumni have the choice to support the University of Utah without having to make a trip to campus. The Utah Red Zones carry a wider selection of sizes, styles, and gift items year-round (5,000 SKU's of insignia merchandise per the Spring 2013 *Licensing Retail Impact Summary*). By comparison the next highest retailer is Scheels, which offers only 2,000 SKU's.

Red Zone Stores Bear the Same Costs and Do Not Undercut Private Retailer Pricing

The Utah Red Zones in Sandy, South Jordan, and Layton bear the costs that any other retail operation would; including, rent, CAM charges, costs of goods sold, and personnel. Goods are not offered at a discounted rate when compared to other retailers providing a more limited selection of insignia apparel. All property taxes are included in the rent charges and sales tax generated is returned to the State as is with any private retailer.

The U of U Trademarks and Licensing Program Supports and Promotes Private Enterprise

The University of Utah's Trademarks & Licensing department actively works with local vendors and retailers to encourage private sector production and sale of Utah insignia merchandise. We regularly partner with the private sector on marketing campaigns and promotions, and continually work to channel as much product as possible through private sector outlets. Despite our best efforts to support marketing, promotions, and acting as a liaison between licensed vendors and retailers, many private retail outlets choose to carry on a limited selection peaking during football season.

Red Zone Stores Provide Student Training, Employment, and Discounted Textbooks

More than three-quarters of the approximately 180 employees of the University Campus and Utah Red Zone stores are students. The Stores conduct a thriving student management training program, in which student employees fulfill educational training requirements in retail operation, management, accounting and human resources. The student employee can directly apply what he or she is learning in real-world retail management scenarios as they work in the Campus or off campus Red Zone stores. In addition, an Employee Textbook Incentive Plan enables student employees to borrow rather than buy their textbooks, saving each student approximately \$500 per semester. Both programs have been very successful.

Auxiliary Enterprises Are Required To Be Self-Supporting

The "Bookstore" now referred to as the University Campus Store is recognized in R550 as an auxiliary enterprise and is required to be self-supporting. The net revenues from each store are returned to the institution to support the auxiliary enterprise system as outlined in Utah Board of Regents policy R550. Utah Red Zones are not operated with any subsidy from state funds, student tuition or fees. The ability for the Campus Store to remain self-supporting has relied heavily on the sale of insignia merchandise to supplement the declining revenues in textbooks and general books as technology has replaced some of the hard copy textbook market. This trend is noticeable across the country in higher education. It has and continues to seem reasonable that the institution be able to profit from, promote, and protect its own trademarks and names to help fund auxiliary programs where operating costs like utilities and personnel benefits have increased dramatically. (The Campus Store still plays a viable role on the university campus and thus needs to survive financially.)

Marketing

The Utah Red Zone has a unique branding message targeting our campus community, alumni, supporters and fans of the University of Utah. Products that are branded and related to the institution, (bearing our marks and names), are

David L. Buhler
May 1, 2014
Page Three

the only merchandise offered to that targeted audience, and any net revenue generated by sales of these products is returned to the university.

The University of Utah's marketing and advertising costs, as they relate to the University Campus Store, are paid for by the campus store, an auxiliary enterprise, without any special discount awarded or institutional subsidy. We will focus our marketing and advertising efforts using outlets targeted to the University of Utah community including, but not limited to, ESPN 700, the PAC 12 television network, and other electronic and/or printed media outlets with a targeted audience of supporters of the University of Utah and university athletics.

University-Operated Insignia Stores Are Common in the PAC-12, Neighboring States, and States as Cited in a Recent Audit

Membership in the PAC-12 has elevated the University of Utah trademarks and names to more of a household brand, rather than being associated solely with athletic programs. To support this change in demand the University has opened three off-campus stores. Five other PAC-12 institutions operate stores similar to the Utah Red Zones:

<u>Institution</u>	<u>Number of Locations</u>
Arizona	5
Oregon	5
UCLA	1
USC	2
Washington	5

Institutions in Nevada and Idaho also own or operate insignia merchandise outlets. There are institutionally owned or operated outlet stores in three states (Arizona, Washington, and Iowa) cited by a recent audit.

The University Complies Fully With IRS Regulations

The University of Utah has taken a conservative approach to reporting unrelated business income to the IRS and complies with all applicable federal and state statutes, regulations, and judicial authority.

Sincerely,



Arnold B. Combe
Vice President

cc: President David W. Pershing
Dr. Gregory L. Stauffer
Ralph Hardy
John E. Nixon
Gordon Wilson

R555, Providing Facilities, Goods and Services in Competition with Private Enterprise¹

R555-1. Purpose: To establish policy and guidelines for institutions providing facilities, goods and services in competition with the private sector. The following policy shall apply to all non-academic, self-support services.

R555-2. References

- 2.1. Utah Code §53B-7-101(10) (Each Institution Handles Its Own Financial Affairs Under the General Supervision of the Board)
- 2.2. Policy and Procedures R550, Auxiliary Enterprises Operation and Accountability

R555-3. Definitions

- 3.1. **"Institutions"**: colleges and universities which are part of the Utah System of Higher Education.
- 3.2. **"Campus Community"**: an institution's prospective students, students, faculty, staff, alumni and campus guests.
- 3.3. **"Institutional Services"**: an institution's facilities, goods, and services.
- 3.4. **"Non-academic Self-support Services"**: services that are complementary to an institution's teaching, research, and public service functions and are funded through the service's own activities or by charging a fee directly related to the costs of providing the goods or services.

R555-4. Policy: Institutions shall not sell or provide services to their campus community or to the general public except as set forth below.

- 4.1. **Services Necessary for the Education of Students or Basic Research:** Institutions are expected to provide their campus communities appropriate services which are necessary for the education of students, or the performance of basic research in accordance with the institution's mission as established by the Utah State Board of Regents. This responsibility includes, but is not limited to, instructional, research, and public service programs; libraries; computing programs; and other academic support services.
- 4.2. **Educationally Related Activities:** Institutions may provide other services to their campus communities even though such services are practically available elsewhere providing that the services satisfy reasonable educationally related needs of the campus community, e.g. campus newspapers, campus store(s), campus dining facilities, student housing, etc.
 - 4.2.1 Institutions may advertise institutional services to the campus community.
 - 4.2.2 Institutions may advertise or share information with the general public via an institution's webpage, the internet, social media, and e-mail.

¹ Adopted November 14, 1986, amended January 24, 1997 and January 24, 2014.

4.2.3. Except as is necessary to meet the purposes of services listed in section 4.3, institutional services may not otherwise be advertised to the general public.

4.3. **Services to Persons Other Than Members of the Campus Community:** An institution shall not provide services to persons other than members of the campus community unless:

4.3.1. The service offers a substantial and valuable educational or research experience for registered students and faculty;

4.3.2. The service fulfills the institution's public service mission;

4.3.3. The service is incidental to the ordinary and authorized function of a campus entity, i.e., occasional sales by bookstores, food service, etc., to campus visitors;

4.3.4. The service consists of recreational, cultural, and athletic events; health services and medical treatment; public service radio and TV broadcasting; events of functions which have as their principal purposes the improvement of relations between the institutions and the general public; and sales of contributed services, if related to fund raising activities;

4.3.5. The equivalent service is not available in the local area; or

4.3.6. The service to persons not members of the campus community has been specifically authorized by the State Board of Regents.

4.4. **Private Enterprise on Campus:** Private enterprise entities which operate service or auxiliary units on a campus under contract with an institution are subject to this policy.

4.5. **Exceptions Authorized by State Board of Regents:** An institution may submit a proposal to the State Board of Regents requesting an exception to policy R555. Exceptions to this policy may be authorized if the Board determines, upon consideration and weighing of the various interests and public policies pertinent to providing the facilities, goods or services in competition with private enterprise, that the public interest favoring an exception outweighs the interest favoring denial of an exception.

4.6. **Monitoring Institutional Services Which May Compete with Private Enterprise:** Where an institution claims to provide services to persons other than members of the campus community in accordance with Sections 4.3. of this policy, the Board of Regents requires that the institution comply with the following requirements:

4.6.1. Each institution must establish a written policy regarding competition with private enterprise. This policy shall include the following provisions: (1) a requirement that the institution's provision of facilities, goods and services to persons other than members of the campus community complies with Policy R555; and (2) a description of the institution's grievance process, which must meet the requirements described in Section 4.7. The policy must designate an individual within the institution to whom complaints should be addressed. The policy must be accessible via the institution's website.

4.7. **Grievance Review Procedures:** In the event that the provision of a good or service by a higher education institution is perceived to be in competition with a privately owned business, that business shall be provided the opportunity for a hearing of such a complaint according to the following guidelines:

4.7.1. Each institution must establish a grievance hearing process as well as a first point of contact for that hearing process.

4.7.2. If resolution is not reached as a result of the institutional grievance hearing process, appeal may be made to the Board of Trustees of the institution.