

March 22, 2017

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Revision of Regent Policy R315, Service Area Designations and Coordination of Off-Campus Courses and Programs

Issue

During the January 2017 meeting of the State Board of Regents, Policy R315 was reviewed during discussion of the Regents on service area designations for programs and facilities. The Board of Regents asked for changes in Policy R315 as the result of their discussion.

Background

Regents requested the following changes be made to Policy R315:

1. Provide a process for the State Board of Regents to receive notice of any Memoranda of Understanding (MOUs) between Utah System of Higher Education (USHE) institutions for out-of-service-area delivery of courses and programs (as allowed for in the current version of R315) and approve such notice on the General Consent Calendar. In addition to notification to the Board of Regents, the Regents directed that policy language indicate that all MOUs under this policy contain information on the cycle for review and renewal of the MOU. No MOU was to indicate the agreement to be in perpetuity. Further, the Regents directed that MOUs for out-of-area service delivery are to be executed for any agreement not on the list of out-of-service area approved offerings affirmed by the Board of Regents March 28, 2014 (https://higheredutah.org/wp-content/uploads/2014/06/SBR2014-03-28_R315Verification-List.pdf), as called for in the policy.
2. Deletion of section 4.9.3 (Statewide Program Roles), which provides unnecessary confusion with a clear policy in place that allows for out-of-service delivery by agreement.

Policy Issues

Both of these changes are addressed in the policy revision being presented for approval. The proposed changes have been reviewed by the Chief Academic Officers. There are no additional policy issues.

Commissioner's Recommendation

The Commissioner recommends the Board of Regents approve the revisions to Regent Policy R315,
Service Area Designations and Coordination of Off-Campus Courses and Programs

David L. Buhler
Commissioner of Higher Education

DLB/EJH
Attachments

R315, Service Area Designations and Coordination of Off-Campus Courses and Programs¹

R315-1. Purpose

- 1.1. **Provide Principles:** To provide principles for offering levels and types of instruction at off-campus locations. These principles include: responsiveness to state-wide needs for higher education, efficient and effective use of state resources, accessibility to higher education throughout the state, and high quality educational experiences.
- 1.2. **Designate Service Areas:** To designate institutional service areas by county, level and type of instruction for USHE colleges and universities.
- 1.3. **Establish Guidelines:** To establish guidelines under which the Commissioner may review service area assignments, and recommend for review and approval of the Board service area education coordination plans outlining institutional responsibilities within the area to coordinate and offer instructional programs.

R315-2. References

- 2.1. Utah Code [§53B-16-101](#) (Establishment of Institutional Roles and General Courses of Study)
- 2.2. Policy and Procedure, [R312](#), Configuration of the Utah System of Higher Education and Institutional Missions and Roles
- 2.3. Policy and Procedure [R353](#), Telecommunications for Off-campus Learning
- 2.4. Policy and Procedure [R354](#), State Wide Open Broadcast Courses and Programs
- 2.5. Policy and Procedure [R355](#), Planning, Funding and Delivery of Courses and Programs via Statewide Telecommunications Networks
- 2.6. Policy and Procedure [R401](#), Approval of New Programs, Program Changes, Discontinued Programs, and Program Reports
- 2.7. Policy and Procedure [R428](#), Coordination, Support and Monitoring of Career and Technical Education

R315-3. Definitions

- 3.1 **Designated Service Area.** The Utah counties for which a Utah System of Higher Education (USHE) institution has responsibility to provide courses or programs of study that fit within its mission
- 3.2 **Designated Service Area Provider** – The USHE institution with responsibility to: (1) provide courses or programs of study consistent with its mission within a designated service area, (2) assist in identifying other USHE institutions to provide courses or programs not within its mission, and (3) respond to

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requests from other institutions wishing to provide courses or programs of study within the provider's designated service area. Designated service areas are identified in R-315.7.

3.3. Concurrent Enrollment - enrollment by public school students in one or more USHE institution course(s) under a contractual agreement between the USHE institution and a school district/public school. 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. (R165)

R315-4. Service Area Principles

4.1. Graduate Education: Graduate education is conducted primarily on the main campuses of the teaching and research universities. Some selected professional master's degree programs are offered at the Master's Universities. Selected off-campus graduate programs are offered by universities at centers and branch campuses, through university centers and distance learning technologies.

4.2. Upper Division Education: Upper division education is delivered by the universities (UofU, USU, WSU, SUU and UVU) on their main campuses, centers, branch campuses, university centers, and through distance learning opportunities; and by Dixie State University, and Snow College, but only as approved by the Regents.

4.3. Lower Division Education: Access to lower division education, including concurrent enrollment, should be as broadly available throughout the state as resources allow. In general, growth in lower division enrollments will be met by the comprehensive community colleges (SLCC and SNOW), baccalaureate college (DSU), and the Master's universities (WSU, SUU, and UVU) and through distance learning opportunities.

4.4. Remedial and Developmental Education: Remedial and developmental education is a part of the community college mission and receives regular state support at those institutions with that express mission. At institutions that do not have an express community college mission (aside from the Career and Technical Education roles that all USHE institutions except for the University of Utah) any below 1000 level (remedial or developmental) courses can be provided on a self-support basis.

4.5. Postsecondary Career and Technical Education (CTE): The Utah State Board of Regents, recognizing the diverse goals of its students, is committed to offering postsecondary career and technical education, both credit and noncredit. Postsecondary CTE is a vital statewide role of the Utah System of Higher Education. This responsibility is met in assigned service areas by all USHE institutions except for the University of Utah, which does not have a CTE mission.

4.6. Community Outreach: All USHE institutions engage their larger community by enhancing cultural and economic development within communities. An institution's mission and role influences the specific community outreach activities it promotes.

4.7. Collaboration, Cooperation, and Sharing of Service Area Facilities: The institutions are part of a single system of higher education. Institutions shall collaborate, cooperate, and share facilities in geographic areas where more than one institution delivers educational services.

4.8. Right of First Refusal and Primary Responsibility: Within designated service areas, the local institution(s) has/have the right of first refusal and the first responsibility to provide programs consistent with mission and role assignments and to coordinate other offerings. After consultation and with the concurrence of the institution(s) designated to serve a particular area, other state institutions may provide

needed lower division and other courses, that do not fall within the designated service provider(s)' mission and role assignments, interests, and/or capacities. Institutions shall designate a person responsible for responding to constituent requests for course and program delivery. Requests from constituents in another state institution's designated service area shall be forwarded to the contact person of the appropriate designated service area provider. When the designated service area provider is unable to respond to a constituent request, the designated person within the institution should attempt to identify a possible alternative provider from within the USHE.

4.9. Regents-Approved Exceptions to Geographic Service Areas: Special circumstances involving such matters as methods of instruction, funding sources or mission and role assignments may result in exceptions to the geographic service area role assignments.

4.9.1. Technology-Delivered Instruction: Technologically-delivered courses and programs afford an efficient and effective means for Utah colleges and universities to provide broader and more economical access to high quality instruction. Courses or programs delivered via technology in asynchronous faculty-student interaction (fully "on-line" programs) are exceptions to the geographic service area designations.

4.9.2. Special Contract Courses: Self-supporting special contract courses, conferences, or programs with industry, government, or school districts not open to the general public will be exceptions under Regent guidelines.

~~4.9.3. Exclusive Statewide Program Roles: Certain exclusive statewide or regional program roles have been assigned to particular institutions. These institutions may provide programs outside their respective service areas under Regent guidelines. The institutional service areas are specified in R315-7.~~

4.10. Adjustments Approved by the Board: At a given time, in a given location, the Board may determine that a certain level or type of educational or training program is better delivered by an institution other than the one designated by this policy.

R315-5. Geographic Designations of Service Area Assignments for Off-Campus Programs and Courses by Program Level

5.1. Service Area Assignments: Service area assignments, as currently approved by the Board, are summarized in R315-7. Assignments are made through an evolving process that reflects an ongoing evaluation by the Commissioner and institutional Presidents. After recommendation by the Commissioner and institutional Presidents, assignments are reviewed and approved by the Board.

5.2. Designation by Type of Program: The geographic designations are intended to define service areas for off-campus programs offered by USHE institutions, including concurrent enrollment programs with high schools. Service areas for the delivery of career and technical education programs will be in accordance with R428, Coordination, Support, and Monitoring of Career and Technical Education.

R315-6. Provision for Delivery Outside of Designated Service Area

6.1 Provision by Written Agreement. An institution may deliver instruction outside of its designated service region ~~only if a written agreement between the Presidents of the delivering institution~~ the institution's president enters into a written agreement with ~~and the president of the~~ institution with ~~responsibility for the~~ responsible for the designated service area ~~has been executed~~ (with the exceptions noted in R315.4.8). Agreements ~~should~~ shall address: ~~(1) identify~~ the course or program offerings to be

delivered, (2) address facility-sharing or other conditions of offering to be provided by each institution, and (3) may only be effective for a period of five years~~conditions under which the institutions may revise or discontinue the agreement. The presidents shall provide a~~ copy of any the executed written agreement under this provision, when executed, shall be provided to the Academic and Student Affairs division of the Commissioner's office as a Notification Item for approval on the Regents' General Consent Calendar as described in Regents' Policy R401 (Approval of New Programs, Program Changes, Discontinued Programs, and Program Reports).

6.2 Verification of Existing Delivery Outside of a Designated Service Area. The Commissioner's Office has responsibility for compiling a list of instruction being delivered outside designated service areas by each USHE institution no later than one month after Regent approval of this policy revision. The existing delivery outside of a designated service area that appears on this compiled list will be considered already approved. Institutions shall provide the name and contact information for the contact person for constituent requests for program delivery to the Office of the Commissioner.

6.3 Notification and Review of Program Delivery During Program Development and Approval Processes

6.3.1 As specified in R401 (6.1.4), institutions must report annually what programs they have under development or consideration [including currently approved programs being developed for fully on-line (asynchronous) delivery outside the institution's service region].

6.3.2 Each year, the CAOs will update the matrix describing programs under development or consideration (per R401), and the submissions will be reviewed by the Council of CAOs, with objections or concerns being raised during that review. This does not preclude an institution from objecting to a program during the R401 program review process, but it is preferable for objections to program delivery outside of a service area be raised BEFORE an institution spends considerable time and energy developing a program, if possible.

6.4 Conflict Resolution. When conflicts arise regarding delivery of programs, the CAOs of the involved institutions shall attempt to resolve the conflict. Conflicts that cannot be resolved at this level shall be addressed by the presidents of the involved institutions. Unresolved conflicts at the level of the involved presidents shall be forwarded to the Commissioner (in consultation with the Board of Regents) for resolution.

R315-7. Designated Service Areas

Institution	Service Area/by County
University of Utah	Salt Lake, Summit (Park City only)
Utah State University	Cache, Rich, Box Elder, Duchesne, Uintah, Daggett, Tooele, <u>Carbon, Emery, Grand, San Juan</u>
—USU—Eastern	Carbon, Emery, Grand, San Juan
Weber State University	Weber, Morgan, Davis
Southern Utah University	Iron, Garfield, Beaver
Utah Valley University	Utah, Wasatch, Summit (concurrent enrollment only within Park City)
Dixie State University	Washington, Kane
Snow College	Sanpete, Sevier, Wayne, Piute, Millard, Juab
Salt Lake Community College	Salt Lake for certificate, applied associate and associate degrees

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Weber State University	Weber, Morgan, Davis
Southern Utah University	Iron, Garfield, Beaver
Utah Valley University	Utah, Wasatch, Summit (concurrent enrollment only within Park City)
Dixie State University	Washington, Kane
Snow College	Sanpete, Sevier, Wayne, Piute, Millard, Juab
Salt Lake Community College	Salt Lake for certificate, applied associate and associate degrees