



July 25, 2019

## General Consent Calendar

The Commissioner recommends approval of the following items on the Regents' General Consent Calendar:

A. Minutes

1. Minutes of the Board Meeting May 17, 2019, Snow College, Ephraim, Utah (Attachment).

B. Grant Proposals

1. University of Utah – DHHS Substance Abuse & Mntl hlth Svc Adm; “Disparities in Depression”; \$3,880,424. Zac E Imel, Principal Investigator.
2. University of Utah – Columbia University; “Traumas”; \$4,611,349. Florian Solzbacher, Principal Investigator.
3. University of Utah – NIH National Eye Institute; “SE Accommodation Models”; \$2,680,062. Carlos Mastrangelo, Principal Investigator.
4. University of Utah – National Science Foundation; “Deep Integration of Thin Flex”; \$1,199,998. Carol Mastrangelo, Principal Investigator.
5. University of Utah – DID Strategic Envrnmntl Rsrch & Dev Prgm; “Serdp Ifre Plumes”; \$2,477,818. Adam Krzysztof Kochanski, Principal Investigator.
6. University of Utah – DOE Office of Science; “Tungsten”; \$1,467,835. Zhigang Zak Fang, Principal Investigator.
7. University of Utah – University of Vermont; “Mooney R01 Sub April 2019”; \$3,228,894. B Kathleen Mooney, Principal Investigator.
8. University of Utah – NIH National Inst of General Medical Sci; “Engineering C. Elegans Genome”; \$1,906,250. Erik Jorgensen, Principal Investigator.
9. University of Utah – DHHS National Institutes of Health; “R01 AML UofU/HCI”; \$2,232,022. Shannon J Odelberg, Principal Investigator.
10. University of Utah – NIH Natl Ctr for Advncing Translt Scnces; “Engaging All of Us”; \$8,347,518. Louisa A Stark, Principal Investigator.
11. University of Utah – NIH National Institute on Drug Abuse; “Greater Intermountain Node”; \$3,812,500. Adam Joseph Gordon, Principal Investigator.
12. University of Utah – DHHS National Institutes of Health; “FUS Neuromodulation”; \$3,721,513. Viola Rieke, Principal Investigator.
13. University of Utah – Patient Centered Outcomes Resh Inst; “PCORI Comparative Effective”; \$3,649,349. Elissa Ozanne, Principal Investigator.

14. University of Utah – DHHS Centers for Disease Control & Prev; “Botto CDC U01 April 2019”; \$2,466,383. Lorenzo David E Botto, Principal Investigator.
15. University of Utah – University of California Los Angeles; “Cook UCLA March 2019”; \$2,419,088. Lawrence J Cook, Principal Investigator.
16. University of Utah – Blackrock Microsystems; “Neuroseeg, Epilepsy”; \$2,405,364. John David Rolston, Principal Investigator.
17. University of Utah – NIH National Cancer Institute; “Bruggers U01 March 2019”; \$2,082,313. Carol S Bruggers, Principal Investigator.
18. University of Utah – DOE National Nuclear Security Admin; “Extreme-Scale Algorithms”; \$3,108,161. James Clayton Sutherland, Principal Investigator.
19. University of Utah – NIH Office of the Director; “Rabbitt-R01 Biomec Utricle”; \$1,906,250. Richard D Rabbitt, Principal Investigator.
20. University of Utah – National Science Foundation; “Crocodillian Visual Circuits”; \$1,797,073. Edward W Hsu, Principal Investigator.
21. University of Utah –DOD Defense Advanced Research Prjcts Agcy; “Sing-System”; \$1,268,440. Edward Cazalas, Principal Investigator.
22. University of Utah – CDC Natl Inst Occupational Safety & Hlth; “UAV Monitoring System”; \$1,200,300. William Pratt Rogers
23. University of Utah – NIH National Cancer Institute; “P53-Bad Gene Therapy”; \$1,906,250. Carol Lim, Principal Investigator.
24. University of Utah – Cedars Sinai Medical Center; “Immunopolymers”; \$1,525,000. Jindrich Kopecek, Principal Investigator.
25. University of Utah – DHHS National Institutes of Health; “NINDS T32 (KEEFE)”; \$1,103,042. Kristen A Keefe, Principal Investigator.
26. University of Utah – Astrazeneca; “AZ Osimertinib Site Analysis”; \$1,038,042. Diana I Brixner, Principal Investigator.
27. University of Utah – NIH National Inst of General Medical Sci; “RM1”; \$11,129,250. Baldomero Olivera, Principal Investigator.
28. University of Utah – NIH National Inst of General Medical Sci; “Coupling Gene Regulation”; \$3,636,974. Kelly T Hughes, Principal Investigator.
29. University of Utah – DHHS National Institutes of Health; “Selfish Genes”; \$3,448,205. Nitin Phadnis, Principal Investigator.
30. University of Utah – DHHS National Institutes of Health; “Chromosome Breakage”; \$3,025,795. Kent G Golic, Principal Investigator.
31. University of Utah – DHHS National Institutes of Health; “Organic Reaction Development”; \$2,914,465. Matthew S Sigman, Principal Investigator.
32. University of Utah – NIH National Inst of General Medical Sci; “Intracellular Signaling”; \$2,259,032. John Stansfield Parkinson Jr., Principal Investigator.
33. University of Utah – National Science Foundation; “Functional Analyses Frogs”; \$1,810,377. Ayako Yamaguchi, Principal Investigator.

34. University of Utah – DHHS National Institutes of Health; “RFA-A-19-006 Sleep”; \$1,906,250. Adrian Rothenfluh, Principal Investigator.
35. University of Utah – DHHS National Institutes of Health; “Nicotine and Methamphetamine”; \$1,906,250. Annette E Fleckenstein, Principal Investigator.
36. University of Utah – Thomas Jefferson University; “Sub TJU R01-Mega/Plate Aging”; \$1,215,558. Matthew Thomas Rondina, Principal Investigator.
37. University of Utah – US Department of Energy; “Machine Learning Techniques”; \$8,000,000. Milind Deo, Principal Investigator.
38. University of Utah – US Department of energy; “Powder Wash Field Alkane EOR”; \$7,978,552. Brian James McPherson, Principal Investigator.
39. University of Utah – NIH National Cancer Institute; “Redirect Fate of Pyruvate”; \$2,745,275. Ryan M O’Connell, Principal Investigator.
40. University of Utah – Rhode Island Hospital; “Vanburen RIH Sub June 2019”; \$3,269,831. John Matthew VanBuren, Principal Investigator.
41. University of Utah – NIH Natl Int Neurology Disorders Stroke; “Neonatal Seizures PA-19-056”; \$3,044,839. Francis Edward Dudek, Principal Investigator.
42. University of Utah – NHHS National Institutes of Health; “Nuerons & Impulsive Choice”; \$2,555,304. Elliot H Smith, Principal Investigator.
43. University of Utah – DHHS national Institutes of Health; “Spine-Specific MR/Ultrasound”; \$2,367,481. Viola Rieke, Principal Investigator.
44. University of Utah – NIH National Institute of Mental Health; “Treatment for RDR”; \$1,911,002. Scott Aaron Langenecker, Principal Investigator.
45. University of Utah – NIH National Cancer Institute; “Underhill R01 Feb 2019”; \$1,906,250. Hunter Underhill, Principal Investigator.
46. University of Utah – DHHS Agncy for Healthcare Resh & Quality; “Utah Team Workforce Model”; \$1,599,835. Michael K Magill, Principal Investigator.
47. University of Utah – University of Texas at Houston; “Keenan UTH R01 Sub Jun 2019”; \$1,513,829. Heather Todd Keenan, Principal Investigator.
48. University of Utah – DHHS National Institutes of Health; “Nueroimmunology T32 (Lane)”; \$1,264,089. Thomas E Lane, Principal Investigator.
49. University of Utah – NIH National Institute on Drug Abuse; “Rise”; \$1,104,789. Melissa Cheng, Principal Investigator.
50. University of Utah – National Science Foundation; “Frameworks: Large – Scale”; \$2,090,058. Bei Wang Phillips, Principal Investigator.
51. University of Utah – DHHS National Institutes of Health; “Shapeworksstudio”; \$1,889,730. Shireen Youssef Elhabian, Principal Investigator.
52. Utah State University – US National Aeronautics & space Administration; “An Integrated Modeling and Machine Learning Approach to Advancing Hydrologic Forecasting and Water Resources Management”; \$1,435,288. David G Tarboton, Principal Investigator; Alfonso Faustino Torres, Tianfang Xu, Ruijie Zeng, Co-Investigators.

53. Utah State University – US National Science; “Understanding the effects of above-and-below ground linkages on carbon cycling in a high latitude, coastal wetland”; \$1,297,113. Trisha Brooke Atwood, Principal Investigator; Karen H Beard, Bonnie Grace Waring, Co-Investigators.
54. Utah State University – National Institute of Food and Agriculture; “From Compost Carryover to Copost Legacy: Intercropping and compost effects on yield, quality, and soil health in organic dryland wheat”; \$1,999,849. Jennifer Rose Reeve, Principal Investigator; Joseph Earl Creech, Kynda Curtis, Astrid Rosa Jacobson, Man-Keun Kim, Ryan A Larson, Matt A Yost, Co-Investigators.
55. Utah State University – US Department of Energy; “Microbial responses to variation in rainfall and nutrient availability in seasonal tropical forests: leveraging proteogenomic data to improve biogeochemical models”; \$2,445,645. Bonnie Grace Waring, Principal Investigator.
56. Utah State University – US National Science Foundation; “ECR PEER: MechOverflow: Transforming Engineering Education in Mechatronics for the Aerospace and Transportation Industries”; \$1,609,946. Gordon Haley Richards, Principal Investigator; Jacob Hans Gunther, Andreas Malmendier, Angela L Minichiello, Kevin Leonard Reeve, Co-Investigators.
57. Utah State University – Transportation Research Board; “Data Integration, Sharing and Management for Transportation Planning and Traffic Operations”; \$1,350,000. Michelle M Mekker, Principal Investigator; Paul J Barr, Douglas Edward Galarus, Patrick A Singleton, Ziqi Song, Co-Investigators.
58. Utah State University – Kansas State Board of Education; “Kansas Technical Assistance Systems Network”; \$1,250,000. John D Copenhaver, Principal Investigator.
59. Utah State University – National Institutes of Health; “Drug-Associated Conditioned Reinforcement and Temporal Information”; \$1,628,727. Timothy Shahan, Principal Investigator.
60. Utah State University – US Department of Energy; “Illuminating Microbial Controls Over Bioenergetic Carbon Sources and Their Fate Through Quantum Dot Biosensing”; \$2,039,111. Cheng Wei Tom Chang, Principal Investigator; Robert Nelson Schaeffer, Jon Y Takemoto, Bonnie Grace Waring, Co-Investigators.
61. Utah State University – UT Department of Health; “Up to 3 Baby Watch Early Intervention Program”; \$1,294,934. Susan E Thain Olsen, Principal Investigator.
62. Utah State University – NASA Jet Propulsion Laboratory; “NanoSatellites for Space Weathering, Surface Water, Solar Wind, And Remanent Magnetism”; \$40,578,880. Robert Burt, Principal Investigator.
63. Utah State University – Honeywell International Inc; “IRIS Radios for Honeywell”; \$2,487,739. Tim Neilsen, Principal Investigator.
64. Utah State University – Harris Corporation, Government Communications Div; “Harris Earth Venture Continuity”; \$4,851,593. Joel Cardon, Principal Investigator.
65. Utah State University – National Institutes of Health; “Methods for Testing Complex Mediation Models with Multisource Data”; \$2,188,758. Christian Geiser, Principal Investigator.
66. Utah State University – Utah State Board of Education; “Utah 4-H After-school Alliance”; \$2,053,099. Vernon C Parent, Principal Investigator.

67. Utah State University – Air Force; “Extensible Web enabled Operations Center Mission Operations”; \$3,208,113. Jack Felici, Principal Investigator.
68. Utah State University – Air Force Research Laboratory; “Dynamic Sensor Support TO 004 – RVS”; \$1,288,800. Mike Wojcik, Principal Investigator.
69. Utah State University – Air Force Research Laboratory; “DSS TO0010 – Odyssey – Odyssey Subtask 01”; \$2,400,000. Adam Shelley, Principal Investigator.
70. Utah State University – Missile Defense Agency; “UARC TO29 Resilient Algorithm Processing for Tactical Overhead Persistent InfraRed Research”; \$1,400,000. Clint Edwards, Principal Investigator.
71. Utah State University – Missile Defense Agency; “Ogden Data Device-Ethernet Crypto KC-46”; \$1,714,839. Shawn Nielson, Principal Investigator.
72. Utah State University – Missile Defense Agency; “Task Order 34 Space Command”; \$2,500,000. Lance Fife, Principal Investigator.
73. Utah State University – UT Department of Health; “Up to 3 Baby Watch Early Intervention Program”; \$1,294,934. Susan E Thain Olsen, Principal Investigator.

C. Awards

1. University of Utah – Marinus Pharamaceutic ALS; “1042-PCDH19-3002”; \$2,088,130. Matthew Thomas Sweney, Principal Investigator.
2. University of Utah – Protalix LTD; “PB-102-F60”; \$1,280,179. Nicola Longo, Principal Investigator.
3. University of Utah – New Mexico Institute of Mining & Tech; “SWP Carbon Sequestration; Phase III”; \$3,000,008. Brian James McPherson, Principal Investigator.
4. University of Utah – NIH National Cancer Institute; “Symptomcare at Home”; \$1,202,502. B Kathleen Mooney, Principal Investigator.
5. University of Utah – National Science Foundation; “Algebra, Geometry, & Topology”; \$1,695,705. Karl E Schwede, Principal Investigator.
6. University of Utah – Air-Force Office of Scientific Research; “metal-HC Fuel Interactions”; \$1,000,000. Scott L Anderson, Principal Investigator.
7. University of Utah – NIH National Cancer Institute; “CCSG”; \$2,235,000. Cornelia Ulrich, Principal Investigator.
8. University of Utah – ABBVIE Inc; “M17-327”; \$1,467,691. Wallace Akerley, Principal Investigator.
9. University of Utah – DOE National Nuclear Security Admn; “PSAAPII”; \$1,888,998. Phillip J Smith, Principal Investigator.

D. Academic and Student Affairs Items

**Action Items:**

**Designation of Eligible Programs for Non-credit CTE Scholarships**

During the past legislative session, Senate Bill 136, Scholarships for Career and Technical Education, provided scholarship funding for students enrolled in select non-credit CTE programs at Utah State University’s Eastern, Moab, and Blanding campuses, Snow College, and Salt Lake Community College’s School of Applied Technology. The legislation requires the Board of Regents to designate eligible programs for these scholarships. Policy R622, Career and Technical Education Scholarship Program, specifies that institutions will consult every other year with their regional Department of Workforce Services representatives and identify non-credit career and

technical education programs that prepare individuals to work in jobs that have high employer demand and high median wages, or significant industry importance, and to submit the selected programs to the Board of Regents for consideration and final approval.

The institutions have recommend the following programs to be designated as eligible for the non-credit CTE scholarships

Utah State University  
CTE Programs and CIP Codes for Non-credit CTE Scholarship Program  
FY20 and FY21

USU Eastern (Price)  
USU Blanding  
USU Moab

Program	CIP
Automotive Technology	47.0604
Diesel Technician	47.0605
CNC Machinist	48.0501
Welding Technology	48.0508
Automated Manufacturing	15.0403
Apprentice Electrician	46.0302
Heavy Equipment Operator	49.0202
Commercial Driver's License (CDL)	49.0205
Engineering Drafting and Design	15.1301
Construction Technology and Management	46.0415
Instruments and Controls	14.4101
MSHA/Mining Safety	15.0999
Occupational Safety/Health (OSHA training)	15.0701
Industrial Maintenance	47.0303
Surgical Technology	51.0909
Medical Lab Technician	51.1004
Medical Assistant	51.0801
Pharmacy Technician	51.0805
Certified Nursing Assistant	51.3902
Phlebotomy	51.1009
Emergency Medical Technician / First Responders	51.0904
Web Business	52.0208
Digital Design	09.0702
IT Support and Web Development	11.0103
Accounting Practices	52.0302
Small Business Operations / Entrepreneurism	52.0703
Software Development	15.1204
Cosmetology	12.0401
Police Officers Standards Training - SFO / BCO / LEO	43.0107

Snow College  
 CTE Programs and CIP Codes for Non-credit CTE Scholarship Program  
 FY20 and FY21

Program	CIP
Basic Accounting	52.0301
Agribusiness	01.0102
Equine Management	01.0307
Agricultural Technology/Mechanics	01.0205
Certified Nurse Assistant	51.3902
Business	52.0299
Business and Music Technology	52.0101
Entrepreneurship	52.0701
Marketing	52.1401
Advanced Networking Technology	11.1002
Networking Technology	11.0901
Cabinetry and Architectural Woodwork	46.0000
Construction Management	46.0000
Advanced Composites	14.1801
Composites	14.1801
Chassis and Electrical Systems	47.0605
Drivetrain and Climate Control	47.0605
Engine Performance	47.0605
Engines and Hydraulics	47.0605
Farm/Ranch Management	01.0104
Industrial Mechanics	47.0303
Industrial Manufacturing	15.0613
CNC Machining	48.0501
Manual Machining	48.0501
Practical Nursing	51.3901
Pipe Welding	48.0508
Welding Fabrication	48.0508

Salt Lake Community College  
CTE Programs and CIP Codes for Non-credit CTE Scholarship Program  
FY20 and FY21

School of Applied Technology

Program	CIP
Automation and Instrumentation Technician	15.0406
Certified Electronics Technician	15.0303
Coding Core for Healthcare Professional	51.0707 51.0713
Electronics Communications	15.0303
Electronics Engineering Technician	15.0303
Manual Machinist	48.0501
Medical Coding and Billing	51.0707 51.0713
Computer Programing	11.0201
Windows Network Administration	11.1001
Windows Server Administration	11.1001
Desktop Support Technician	11.1006

**7 Year Review**

- Utah State University – Anthropology Program
- Utah State University – Department of Applied Economics
- Utah State University – Department of Biology
- Utah State University – Department of Chemistry & Biochemistry
- Utah State University – Department of English
- Utah State University – Department of Geology
- Utah State University – Department of History including Classics and Religious Studies
- Utah State University – Department of Journalism and Communication
- Utah State University – Department of Languages, Philosophy, and Communication Studies
- Utah State University – Department of Mathematics and Statistics
- Utah State University – Department of Physics
- Utah State University – Department of Plants, Soils and Climate
- Utah State University – Sociology Program

**Review for Programs with Specialized Accreditation**

- Utah State University - Bachelor of Landscape Architecture
- Utah State University – Bachelor of Science in Rangeland Ecology and Management
- Utah State University – Huntsman School of Business with the following programs:
  - Bachelor of Science and Bachelor of Arts in Business
  - Bachelor of Accounting (BS/BA)
  - Master of Accounting
  - Master of Human Resources
  - Master of Management Information Systems
  - Master of Business Administration
  - Master of Science in Financial Economics
- Utah State University - Master of Landscape Architecture
- Utah State University – PhD in Clinical/Counseling/School Psychology
- Utah State University – School of Accountancy

**Information Items:**



- University of Utah – Bachelor of Fine Arts in Film & Media Studies with an Emphasis in Animation Production
- University of Utah – Bachelor of Fine Arts in Graphic Design
- University of Utah – Master of Science in Medical Science
- University of Utah – Master of Science in Recreational Therapy
- Utah State University – Associate of Science in Veterinary Technology (ADVS)
- Utah State University – Bachelor of Arts in Chinese
- Utah State University – Master of Arts/Science in Ancient Languages and Cultures
- Weber State University – Associate of Arts in Localization
- Weber State University – Associate of Arts in Technical Theatre
- Weber State University – Bachelor of Arts in Film Studies
- Weber State University – Bachelor of Science in Interior Design

**New Program**

- Utah State University – Emphasis in Quantitative Finance within the BA/BS in Finance
- Utah State University – Minor in Anticipatory Intelligence
- Utah State University – Minor in Hunger and Food Security Studies
- Utah State University – Minor in Mechanical and Aerospace Engineering
- Utah State University – Registered Nurse to Bachelor of Science in Nursing Completion Program (add degree completion program to existing prelicensure BSN program)
- Weber State University – Minor in Literary Editing

**Name Change**

- Utah State University – Emphasis in Professional and Technical Writing to Emphasis in Technical Communication and Rhetoric within BA/BS in English
- Utah State University – BS in Parks and Recreation to BS Recreation Administration

**New Center**

- University of Utah – National Center for Veterans Studies
- Utah State University – Center for Anticipatory Intelligence

**New Administrative Unit**

- Utah State University – Career and Technical Education Division

**Discontinuation**

- Utah State University – BS in Nutrition, Dietetics and Food Sciences
- Weber State University – Emphasis in Interior Design within the BS in Professional Sales

E. Repeal of the following policies:

- R608, *Utah Engineering and Computer Science Scholarship Program*
- R613, *Public Safety Officer Career Advancement Reimbursement*
- R616, *Minority Scholarships*

During the 2019 Legislative Session, the Legislature enacted the Access Utah Promise Scholarship. This legislation also repealed the Utah Engineering and computer Science Scholarship Program, the Public Safety Officer Career Advancement Reimbursement, and the Minority Scholarships Program. Accordingly, the corresponding Regent policies must also be repealed. The Board repeals R608, R613, and R616 effective immediately.

F. Board Secretary Appointment

As part of the broad restructuring of the Commissioner's office, the Board of Regents Chair and Vice-chair have requested the current general counsel – Geoffrey Landward – to also serve as Secretary to the Board of Regents. In accordance with Utah Code 53B-1-104(7), the Board appoints Geoffrey Landwards to serve as Secretary, effective immediately.

G. Incorporation of Institution Policies into Administrative Rule (attachment)

During the 2018 Legislative Session, the Legislature passed the Student Civil Liberties Protection Act –Utah Code 53B-27-300. This statute directs USHE institutions to file any internal policies that directly impact a student's civil liberties as administrative rules. The institutions have requested the Board of Regents to file administrative rules on behalf of the institutions, which incorporate by reference the institutions' policies. The three administrative rules address free speech on campus, student due process, and firearms on campus. The Board enacts the following administrative rules as follows:

- R765-800 – *Freedom of Expression*
- R765-801 – *Student Due Process*
- R765-802 – *Firearms on Campus*

H. Appointment of Institution Audit Committee Members

The state’s Internal Audit Act designates the Board of Regents as the “appointing authority” for institution audit committees (see 63I-5-102(4)(c)) that appoints audit committee members (see 63I-5-102(5)(a)) at institutions of higher education (see (63I-5-201(3)).

Regent policy R565-4.3.2 requires each institution to have an audit committee of three to five members, including at least three members of the board of trustees. At least one audit committee member at each institution “should have financial expertise either through professional certification or experience... when practicable.” Up to two members of each audit committee could be community members who do not serve on the institution’s board of trustees.

The Commissioner recommends the Regents approve new audit committee members for each of the following USHE institutions. Recommendations for new audit committee members include:

**University of Utah**

Katie Eccles (chair, replacing Phil Clinger)  
Randy Shumway (replacing J. Steven Price)

**Utah State University**

Wayne Niederhauser (replacing Scott Nixon)  
Gina Gagon (replacing Mark Holland)

**Weber State University**

Mary Carpenter (replacing Scott Parson)  
David Skidmore (community member replacing Julie Park)

**Southern Utah University**

(Will be presented in the September meeting)

**Snow College**

(Will be presented in the September meeting)

**Dixie State University**

No changes

**Utah Valley University**

(Will be presented in the September meeting)

**Salt Lake Community College**

Kim Wilson (replacing Clint Ensign)

**Attachments**

STATE BOARD OF REGENTS  
SNOW COLLEGE, EPHRIAM, UTAH  
MAY 17, 2019

Contents of Minutes

Attendance .....	1
Discussion – Campus Safety .....	1
President’s Report .....	1
Consent Calendar .....	2
USHE – 2019-2020 Commissioner’s Office Work Plan.....	2
USHE – Cybersecurity Funding .....	2
USHE – Revision of Policy R262, <i>Student Safety</i> .....	2
Appointment of Interim Commissioner .....	2
Academic and Student Affairs .....	2
USHE – Adoption of Policy R620, <i>Utah Access Promise Scholarship</i>	
USHE – Adoption of Policy R261, <i>Terrel H. Bell Education Scholarship Program</i>	
USHE – Adoption of Policy R622, <i>Career and Technical Education Scholarship Program</i>	
USHE – Revision of R165, <i>Concurrent Enrollment</i>	
USHE – Revision of Policy R312, <i>Utah System of Higher Education and Institutional Missions and Roles</i>	
USHE – Revision of Policy R604, <i>New Century Scholarship</i> , Revision to Policy R609B, <i>Regents’ Scholarship</i> and Adoption of Regent Policy R609C, <i>Regents’ Scholarship</i>	
USHE – Revision of Policy R609A, <i>Regents’ Scholarship</i>	
USHE – Revision of Policy R805, <i>Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce</i>	
USHE – Technology Initiative Advisory Board – Funding Allocations from the 2019 Legislative Session	
USHE – Update on Utah Women’s Leadership Exchange Program	
Finance and Facilities .....	3
Snow College – Campus Master Plan	
Dixie State University – Campus Master Plan	
Salt Lake Community College – Acquisition of Property	
University of Utah – Series 2019 General Revenue Bonds	
Utah State University – Series 2019 Research Revenue Bonds	
Utah State University – Revision to Legislative Bond Authorization	
Utah State University – Series 2019 Student Fee and Housing Revenue Bonds	
Utah Valley University – Non-traditional Arrangement and Property Purchase	
Utah Valley University – Property Acquisition	
USHE – Enrollment Forecasts	
USHE – 2019-20 performance Funding Model and Allocations	
USHE – Capital Development Prioritization Cycle 2020-21 – Adoption of Priority Guidelines	
USHE – Revision of Policy R701, <i>Capital Facilities</i>	
USHE – Revision of Policy R741, <i>Capital Development Prioritization – CDP</i>	
USHE – Capital Improvement Update for 2019-20	
USHE – Institutions’ Health Plan Changes 2019-20	
Adjournment .....	5

STATE BOARD OF REGENTS  
SNOW COLLEGE, EPHRAIM, UTAH  
FRIDAY, MAY 17, 2019

COMMITTEE OF THE WHOLE  
MINUTES

Regents Present

Harris Simmons, Chair  
Nina R. Barnes, Vice Chair  
Jessellie B. Anderson  
Daniel W. Campbell  
Wilford W. Clyde  
Sanchiata Datta  
Marlin K. Jensen  
Patricia Jones  
JaKell Larson  
Steve Lund  
Robert S. Marquardt  
Robert W. Prince  
Mark Stoddard  
Teresa L. Theurer

Regents Absent

Cristina Ortega  
Ron Jibson  
Thomas E. Wright

Office of the Commissioner

David L. Buhler, Commissioner of Higher Education  
Kimberly L. Henrie, Associate Commissioner for Planning, Finance and Facilities  
Elizabeth Hitch, Associate Commissioner of Academic Affairs

Institutional Presidents Present

Noelle Cockett, Utah State University  
Scott L. Wyatt, Southern Utah University  
Astrid S. Tuminez, Utah Valley University  
Richard B. Williams, Dixie State University  
Denece G. Huftalin, Salt Lake Community College  
Brad Mortensen, Weber State University  
Gary Carlston, Snow College

Chair Simmons called the meeting to order at 10:06 a.m.

Discussion – Campus Safety

A discussion about student safety and well-being on campus. Campus safety includes physical safety, mental health issues, and sexual misconduct. Geoff Landward provided an overview of sources used to regulate student safety on campuses, which included federal law, the Cleary Act, Title IX, state laws, Board of Regents policies, and institutional policies.

President's Report

President Carlston provided the history of Snow College. Snow's legacy is its service, sacrifice, and endurance; students are always the priority. Snow's strategic themes and goals include Quality, General Education, 2-year/4-year degrees, Economic Development, and Cost and Affordability. He noted 87% of students are taking 30+ credits per year, graduation is at 45%, and transfer is at 39%. Mental health sessions continue to rise and said the two most common reasons students come in is anxiety and depression. They currently have a team of 12 trained student Wellness Advocates. Snow has convened an advisory committee to collaborate on ways to improve access to mental health services. This year Snow established the Snow College Promise Scholarship, which partially funded approximately 100 students.

Consent Calendar (TAB AA)

**On a motion by Regent Lund and seconded by Regent Campbell the following items were approved on the Regents' General Consent Calendar**

- A. Minutes – Minutes of the Board meeting March 28 and 29, 2019, Salt Lake Community College, Salt Lake City, Utah; Conference Call, April 19, 2019, Salt Lake City, Utah; Conference Call, April 29, 2019, Salt Lake City, Utah.
- B. Grant Proposals
- C. Awards
- D. Academic and Student Affairs Items
- E. Resolutions for Commissioner David L. Buhler, Regent Daniel W. Campbell, Regent Robert S. Marquardt, Regent Teresa Theurer, Regent JaKell Larson, Associate Commissioner Kimberly L. Henrie, President Gary L. Carlston.

USHE – 2019-2020 Commissioner's Office Work Plan (TAB BB)

Associate Commissioner Spencer Jenkins noted this is a draft document for information only. There are five areas, with nineteen projects in the work plan. Each project will have a staff lead and a primary deliverable. Also identified is potential policy changes as well as potential audits. **This is an information item only; no action was taken.**

USHE – Cybersecurity Funding (TAB CC)

Commissioner Buhler noted as outlined in the memo, 7.15 million was requested for cybersecurity in our budget request this year, most of which was not funded. In keeping with legislative intent, approximately 1 million of unallocated performance funding is to go towards cybersecurity needs. Additionally, presidents were asked to review their budgets to identify funds to be used towards cybersecurity needs. This item is to approve the use of unallocated performance funding for cybersecurity needs for the system and to require the institutions to submit a plan to the Commissioner's office by July 1, 2019 describing how they will address unfunded, ongoing cybersecurity needs. **Regent Campbell made a motion to approve as outlined in TAB CC; Regent Prince seconded the motion and the motion carried.**

USHE – Revision of Policy R262, Student Safety (TAB DD)

**Regent Marquardt made a motion to approve as outlined in TAB DD; Regent Clyde seconded the motion and the motion carried.**

Appointment of Interim Commissioner of Higher Education

**Regent Simmons made a motion to appoint David R. Woolstenhulme as Interim Commissioner of Higher Education; Regent Barnes seconded the motion and the motion carried.**

Academic and Student Affairs

USHE – Adoption of Policy R620, Utah Access Promise Scholarship (TAB A)

**Regent Theurer made a motion to approve as outlined in TAB A; Regent Larson seconded the motion and the motion carried.**

USHE – Adoption of Policy R621, Terrel H. Bell Education Scholarship Program (TAB B)

**Regent Theurer made a motion to approve as outlined in TAB B; Regent Jensen seconded the motion and the motion carried.**

USHE – Adoption of Policy R622, Career and Technical Education Scholarship Program (TAB C)

**Regent Theurer made a motion to approve as outlined in TAB C; Regent Datta seconded the motion and the motion carried.**

USHE – Revision of R165, *Concurrent Enrollment* (TAB D)

**Regent Theurer made a motion to approve as outlined in TAB D; Regent Barnes seconded the motion and the motion carried.**

USHE – Revision of Policy R312, *Utah System of Higher Education and Institutional Missions and Roles* (TAB E)

**Regent Theurer made a motion to approve as outlined in TAB E; Regent Barnes seconded the motion and the motion carried.**

USHE – Revision of Policy R604, *New Century Scholarship*, Revision to Policy R609B, *Regents' Scholarship and Adoption of Regent Policy R609C, Regents' Scholarship* (TAB F)

**Regent Theurer made a motion to approve as outlined in TAB F; Regent Marquardt seconded the motion and the motion carried.**

USHE – Revision of Policy R609A, *Regents' Scholarship* (TAB G)

**Regent Theurer made a motion to approve as outlined in TAB G; Regent Marquardt seconded the motion and the motion carried.**

USHE – Revision of Policy R805, *Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce* (TAB H)

**Regent Theurer made a motion to approve as outlined in TAB H; Regent Barnes seconded the motion and the motion carried.**

Technology Initiative Advisory Board – Funding Allocations from the 2019 Legislative Session (TAB I)

**Regent Theurer made a motion to approve as outlined in TAB I; Regent Jones seconded the motion and the motion carried.**

Update on Utah Women's Leadership Exchange Program (TAB J)

**This is an information item only; no action was taken.**

Finance and Facilities

Snow College – Campus Master Plan (TAB K)

Snow College requests two changes to the Ephraim master plan: the acquisition of property for a future health and wellness building and the new athletic center. **Regent Stoddard made a motion to approve as outlined in TAB K; Regent Prince seconded the motion and the motion carried.**

Dixie State University – Campus Master Plan (TAB L)

Dixie State University has several changes to the plan including adjustments to the placement of the Science building, student housing, and athletic facilities. **Regent Stoddard made a motion to approve as outlined in TAB L; Regent Clyde seconded the motion and the motion carried.**

Salt Lake Community College – Acquisition of Property (TAB M)

SLCC requests approval to purchase a currently leased property on the Westpointe campus in North Salt Lake for 7 million using institutional funds. The property is 2.5 acres with a paved parking lot and a 36,000 square foot office building that currently provides both academic and student services. **Regent Stoddard made a motion to approve as outlined in TAB M; Regent Campbell seconded the motion and the motion carried.**

University of Utah – Series 2019 General Revenue Bonds (TAB N)

The U is requesting approval to issue up to 125 million in revenue bonds for the cancer care center and football stadium upgrade. Parameters for the bond are reasonable and include an option for the U to issue a portion of the bonds as variable rate or commercial paper. **Regent Stoddard made a motion to approve as outlined in TAB N; the motion was seconded and the motion carried.**

Utah State University – Series 2019 Research Revenue Bonds (TAB O)

USU requests approval to issue up to 60 million in revenue bonds for two Space Dynamics Lab projects previously approved. Parameters for the bonds are reasonable and include principal amounts that include possible capitalized interest and a debt service reserve fund. **Regent Stoddard made a motion to approve as outlined in TAB O; Regent Jones seconded the motion and the motion carried.**

Utah State University – Revision to Legislative Bond Authorization (TAB P)

USU requests authorization to seek legislative approval to modify a previous bond authorization for the East Parking Terrace to include the ability to use a portion of the authorization for another smaller parking structure. The East Parking Terrace project would decrease from \$11,700,000 to \$8,500,000 with the balance funding the additional parking structure. **Regent Stoddard made a motion to approve as outlined in TAB P; Regent Anderson seconded the motion and the motion carried.**

Utah State University – Series 2019 Student Fee and Housing Revenue Bonds (TAB Q)

USU requests approval to issue up to \$63,000,000 in revenue bonds for student housing and the East Parking Terrace. The authorizing resolution includes language authorizing use of the funds towards a parking structure if approved by the state legislature. Parameters for the bonds are reasonable and include principal amounts that include possible capitalized interest and a debt service reserve fund. **Regent Stoddard made a motion to approve as outlined in TAB Q; Regent Jones seconded the motion and the motion carried.**

Utah Valley University – Non-traditional Arrangement and Property Purchase (TAB R)

UVU requests approval to purchase a 93,538 square foot office building at Thanksgiving Point in Lehi, Utah for \$22,108,420 using a combination of cash and the assumption of an existing loan. UVU currently leases 13,700 square feet in the building and would receive rental revenue of approximately 1.7 million annually for the other space. **Regent Stoddard made a motion to approve as outlined in TAB R; Regent Campbell seconded the motion and the motion carried.**

Utah Valley University – Property Acquisition (TAB S)

UVU requests approval to purchase a residential property contiguous to the Orem campus with 1.24 acres for the appraised value of \$900,000 using institutional funds. **Regent Stoddard made a motion to approve as outlined in TAB S; Regent Clyde seconded the motion and the motion carried.**

USHE – Enrollment Forecasts (TAB T)

On an annual basis, each of the USHE institutions develops 10-year enrollment projections for the Board's approval. The most recent projections predict system-wide growth in 2019 of 2.8% in Fall Head Count and 2.6% in Fall FTE Count. Over the next 10 years, the USHE is predicted to add 232,000 students. **Regent Stoddard made a motion to approve as outlined in TAB T; Regent Marquardt seconded the motion and the motion carried.**

USHE – 2019-20 Performance Funding Model and Allocations (TAB U)

The 2019 Legislature has appropriated \$31,500,000 in ongoing funds for USHE performance funding initiatives. The funds can be used to support intuitional priorities; 2019-20 allocations are outlined in the cover memo. **Regent Stoddard made a motion to approve as outlined in TAB U; Regent Anderson seconded the motion and the motion carried.**

USHE – Capital Development Prioritization Cycle 2020-21 – Adoption of Priority Guidelines (TAB V)

For the 2020-21 request cycle, the Capital Facilities subcommittee recommends adjusting the criteria for Affordability to align with language from Senate Bill 102 and the possible points for Capacity and Affordability to 3 points each. They also recommend moving consideration of alternative funding sources from a point category in the quantitative portion of the prioritization to a factor for consideration in the Discretionary Points. **Regent Stoddard made a motion to approve as outlined in TAB V; Regent Clyde seconded the motion and the motion carried.**

USHE – Revision of Policy R701, *Capital Facilities* (TAB W)

The proposed revisions are to align the policy with legislative changes made by SB 201. **Regent Stoddard made a motion to approve as outlined in TAB W; Regent Marquardt seconded the motion and the motion carried.**

USHE – Revision of Policy R741, *Capital Development Prioritization - CDP* (TAB X)

The proposed revisions are to align the policy with legislative changes made by SB 102. **Regent Stoddard made a motion to approve TAB X; Regent Theurer seconded the motion and the motion carried.**

USHE – Capital Improvement Update for 2019-20 (TAB Y)

The State Building Board allocated \$71 million to USHE institutions out of the \$138 million appropriated by the State legislature for capital improvement projects in FY 2020 – the largest amount of capital improvement funding to date. **This is an information item only; no action was taken.**

USHE – Institutions' Health Plan Changes 2019-20 (TAB Z)

**This is an information item only; no action was taken.**

**Regent Larson made a motion to move to executive session for the sole purpose of discussing the character, professional competence, or physical or mental health of individuals; Regent Theurer seconded the motion and the motion carried.**

**Regent Larson made a motion to close executive session; Regent Theurer seconded the motion and the motion carried.**

The meeting adjourned at 4:54 p.m.

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Loreen Olney, Secretary

Date Approved: August 2, 2019



**R765. Regents (Board of), Administration.**

**R765-801. Student Due Process.**

**R765-801-1. Purpose.**

(1) In accordance with Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act, this rule establishes general elements of due process that institutions must provide to a student prior to being expelled or suspended for 10 days or more for non-academic code of conduct violations.

**R765-801-2. References.**

- (1) United States Constitution, Amendment 14, Due Process
- (2) Utah Constitution, Article 1, Section 7, Due Process of Law
- (3) Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act
- (4) [Institution Policy]

**R765-801-3. General Rights of Due Process**

(1) In matters of non-academic conduct that may result in either expulsion or a minimum 10-day suspension, institutions will provide students the following minimum due process:

(a) **Notice:** Prior to being interviewed about allegations of misconduct, the institution shall provide students with notice of the allegations against them and of their right to have an advisor throughout the process who may, but need not be, an attorney.

(i) During an inquiry, investigation, or other informal process, an advisor may only advise the student and may not actively participate in the investigation or informal process.

(b) **Explanation of the evidence:** Prior to a formal hearing, unless prohibited by reasonable circumstances, each party shall provide to the hearing committee chair (or hearing officer) copies of the documents they intend to submit as evidence and a list of witnesses they intend to call during the formal hearing. This information will be shared with both parties. In all circumstances, including informal processes, institutions will provide students an explanation of the evidence against them.

(c) **Opportunity to respond:** Institutions will provide students an opportunity for a full hearing at which they can respond to the allegations and evidence against them. With the agreement of all parties, institutions may also provide an informal hearing or opportunity to respond or an agreed upon informal resolution.

(i) At formal adjudicatory hearings, students may have an advisor advocate for them. The student's advisor may be an attorney. The student's advisor may actively participate in the hearing in accordance with the institution's policies regarding active participation.

**R765-801-4. Standard of Proof:** Students are presumed not to have engaged in a Code of Conduct violation until an institution has established a violation by a preponderance of the evidence.

**R765-801-5. Incorporations of Institutions' Policies:** Institutions have adopted the following policies that are incorporated by reference within this rule:

- (1)



**R765. Regents (Board of), Administration.**

**765-800. Free Expression on Campus.**

**R765-800-1. Purpose.**

(1) In accordance with Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act, the rule establishes general rights to expression on campus as established by law and recognizes narrow limits on speech, including time, place, and manner restrictions.

**R780-800-2. References.**

- (1) United States Constitution, Amendment 1, Freedom of Expression and Religion
- (2) Utah Constitution, Article 1, Section 15, Freedom of Speech and of the Press
- (3) Title 53B, Chapter 27, Part 2, Campus Free Expression Act
- (4) Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act

**R780-800-3. Definitions**

(1) Free Expression means all forms of verbal, written, or symbolic communication, including peaceful assembly, protests, speaking verbally, holding signs, circulating petitions, and distributing written materials.

(a) Free expression does not include speech or conduct that is not recognized as protected by the First Amendment to the U.S. Constitution and Article 1, Section 15 of the Utah Constitution, including speech or conduct that is a true threat, fraudulent, harassment, obscene, defamatory, or otherwise unlawful.

**R780-800-4. General Rights of Free Expression on Campus**

(1) Institutions uphold and promote free expression on campus. Except as limited by regulations consistent with the law and this rule, (a) all faculty, students, and staff have the right to express views and ideas, and are free to criticize, contest, and condemn views expressed on campus and (b) neither the faculty, staff, nor students may obstruct, disrupt, suppress or otherwise interfere with the freedom of others to express views and ideas.

(3) Institutions' outdoor areas are a public forums.

(4) Subject to R765-800-5, institutions may not prohibit:

(a) a member of the institution's community or the public from spontaneously and contemporaneously assembling in an outdoor area of the institution's campus; or

(b) a person from freely engaging in noncommercial expressive activity in an outdoor area of the institution's campus if the person's conduct is lawful.

**R765-800-5. Time, Place and Manner Restrictions**

(1) Institutions may reasonably regulate the time, place, and manner of free expression to ensure that it does not disrupt the institution's ordinary activities. This restriction includes established procedures for engaging in organized speech activities, such as protest marches or invited speakers.

(2) These exceptions to the principle of freedom of expression must be viewpoint neutral, generally content neutral, narrowly tailored, and leave ample opportunity for alternative means for expression. Institutions will not use these exceptions in a manner that is inconsistent with the institutions' commitment to free and open discussion of ideas.

**R780-800-6. Incorporations of Institution Policies:** Institutions have adopted the following policies that are incorporated by reference within this rule:

(1)

**R765. Regents (Board of), Administration.**

**R765-802. Weapons on Campus.**

**R765-802-1. Purpose.**

(1) In accordance with Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act, this rule establishes general rights and restrictions on possessing weapons on campus.

**R765-802-2. References.**

- (1) Title 76, Chapter 10, Part 500 Uniform Law (Right to bear arms in Utah)
- (2) ) Title 76, Chapter 10, Part 501 Definitions.
- (3) ) Title 76, Chapter 10, Part 505.5 Possession of a dangerous weapon, firearm, or sawed off shotgun on or about school premises - Penalties.
- (4) ) Title 76, Chapter 3, Part 203.2 Definitions - Use of dangerous weapon in offenses committed on or about school premises - Enhanced penalties. Exceptions.
- (5) Title 53, Chapter 5, Section 704 Bureau duties -- Permit to carry concealed firearm -- Certification for concealed firearms instructor -- Requirements for issuance -- Violation -- Denial, suspension, or revocation -- Appeal Procedure.
- (6) Title 53, Chapter 5, Section Temporary permit to carry concealed firearm - Denial, suspension, or revocation - Appeal.
- (7) Title 76, Chapter 10, Possession of firearm at residence or on real property authorized.
- (8) Title 76, Chapter 10, Persons exempt from weapons laws.
- (9) Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act

**R765-802-3. Possession of Weapons on Campus**

(1) Institutions comply with and enforce the state laws referenced in section 2 governing firearms on campus.

**R765-802-4. Incorporations of Institution Policies:** Institutions have adopted the following policies that are incorporated by reference within this rule:

- (1)