



September 4, 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 August 2, 2019, Southern Utah University, Cedar City, Utah (Attachment).

B. Grant Proposals

1. University of Utah – NIH National Heart Lung & Blood Inst; “Upstream Platelet Priming”; \$1,525,000. Vladimir Hlady, Principal Investigator.
2. University of Utah – Duke University; “Dissemination of Electrodes”; \$1,364,602. Florian Solzbacher, Principal Investigator.
3. University of Utah – DHHS National Institutes of Health; “R01 Ceramide FGF13”; \$1,525,000. Bhagirath Chaurasia PhD, Principal Investigator.
4. University of Utah – NIH Natl Inst Allergy & Infectious Dis; “ADCS for MDR Bacteria”; \$1,906,250. Shawn C Owen, Principal Investigator.
5. University of Utah – NIH National Cancer Institute; “Tagging Tumor Cells” \$1,906,250. Mingnam Chen, Principal Investigator.
6. University of Utah – NIH Natl Ctr for Complmt & Integtv Hlth”; \$1,897,553. Cameron Spencer Metcalf, Principal Investigator.
7. University of Utah – DHHS National Institutes of Health; “Oxidized Purine Lesions”; \$1,715,625. Cynthia Burrows, Principal Investigator.
8. University of Utah – National Science Foundation; “Inga Speciation”; \$1,319,797. Phyllis D Coley, Principal Investigator.
9. University of Utah – National Science Foundation; “Metagenomic Surveillance”; \$1,178,666. William Brazelton, Principal Investigator.
10. University of Utah – DHHS National Institutes of Health; “Improving Self-Regulation”; \$3,682,720. Cynthia Berg, Principal Investigator.
11. University of Utah – NIH National Institute on Drug Abuse; “Opioid Choice Task”; \$3,349,027. Adam Wesley Hanley, Principal Investigator.
12. University of Utah – NIH National Cancer Institute; “CCSG P30 Renewal Ulrich”; \$25,097,915. Cornelia Ulrich, Principal Investigator.
13. University of Utah – DHHS National Institutes of Health; “R01-Stroke”; \$2,240,971. Matthew Thomas Rondina, Principal Investigator.

14. University of Utah –NIH Natl Inst Dental Craniofacial Rsrch; “Signaling Pathways in Palate”; \$1,906,250. Rena D’Souza, Principal Investigator.
15. University of Utah –DHHS National Institutes of Health; “R01-ARDS”; \$1,819,178. Elizabeth A Leibold, Principal Investigator.
16. University of Utah – DHHS National Inst Diabetes Digest Kidney Dis; “Bacteriophage Pathobiology”; \$3,679,524. Weiquan Zhu, Principal Investigator.
17. University of Utah – DHHS National Institutes of Health; “Mycobiota Grant”; \$2,639,788. June Louise Round, Principal Investigator.
18. University of Utah – NIH Natl Inst neurology Disorders Stroke; “Welsh R01 7.5.19”; \$3,812,500. Robert Cary Welsh, Principal Investigator.
19. University of Utah – US Department of Health & Human Services; “Women’s Chronic Pain-Qeadan”; \$3,754,712. James Albert Vanderslice, Principal Investigator.
20. University of Utah – NIH National Institute Environl Hlth Sci; “Head Start Exposures”; \$3,624,590. Trenton James Honda, Principal Investigator.
21. University of Utah – DHHS National Institutes of Health; “PAPA R01”; \$3,343,175. James Morris Hotaling, Principal Investigator.
22. University of Utah – NIH National Inst child Hlth & Human Dev; “BIRCH”; \$3,240,000. Michael W Varner, Principal Investigator.
23. University of Utah – DHHS National Institutes of Health; “Ro1 P-18-738 June Round”; \$3,056,535. June Louise Round, Principal Investigator.
24. University of Utah – DHHS National Institutes of Health; “Impactrial R01”; \$3,017,186. Jayant Agarwal, Principal Investigator.
25. University of Utah – DHHS National Institutes of Health; “R01 Pa-18-738 Metabolic”; \$2,992,812. June Louise Round, Principal Investigator.
26. University of Utah – NIH National Inst Child Hlth & Human Dev; “Meaning of Screening R01”; \$2,921,938. Erin Witter Rothwell, Principal Investigator.
27. University of Utah – DHHS National Institutes of Health; “R01 RFA-CA-18-019 Cancer”; \$2,818,732. June Louise Round, Principal Investigator.
28. University of Utah – DHHS National Institutes of Health; “Conduit R01 June2019”; \$2,405,101. Jayant Agarwal, Principal Investigator.
29. University of Utah – Indiana University; “Johnson/Casper Beeper Jun2019”; \$2,107,726. Michael David Johnson, Principal Investigator.
30. University of Utah – DHHS National Institutes of Health; “RERAS”; \$2,098,290. Rodney Gene Handy, Principal Investigator.
31. University of Utah – NIH Natl Inst Diabetes Digest Kidney Dis; “MMP with Miami/MSKCC”; \$1,924,035. Yan-Ting Shiu, Principal Investigator.
32. University of Utah – DHHS National Institutes of Health; “R01 PA-19-056 NIGMS”; \$1,924,035. Minna Roh, Principal Investigator.
33. University of Utah – Columbia University; “Johnson CU Resub June 2019”; \$1,906,250. Michael David Johnson, Principal Investigator.

34. University of Utah – DHHS National Institutes of Health; “R01 PA-19-056 NCI”; \$1,906,250. Minna Roh, Principal Investigator.
35. University of Utah – DHHS National Institutes of Health; “MARICQ R01 6.5.19”; \$1,906,250. Andres Villu Maricq, Principal Investigator.
36. University of Utah – NIH National Eye Institute; “Membrain Protein Transport”; \$1,906,250. Wolfgang Baehr, Principal Investigator.
37. University of Utah – DHHS National Institutes of Health; “Chow R01 06 2019”; \$1,906,250. Clement Chow, Principal Investigator.
38. University of Utah – DHHS National Institutes of Health; “Modeling Transition”; \$1,521,755. Deborah Ann Yurgelun-Todd, Principal Investigator.
39. University of Utah – University of Illinois at Chicago; “Hematology Hypoxic Response C”; \$1,515,668. Josef Thomas Prchal, Principal Investigator.
40. University of Utah – University of Georgia; “Metabolomics of Ala Synthesis”; \$1,298,657. John Dearborn Phillips, Principal Investigator.
41. University of Utah – PATH; “PATH Trial”; \$1,298,657. Daniel Ted Johnson, Principal Investigator.
42. University of Utah – Military & Health Research Foundation; “MHRF Johnsen 2019 19-05”; \$1,051,450. Michael Austin Johnson, Principal Investigator.
43. Utah State University – US Department of Education; “Personnel Preparation for Audiologists and Speech-language Pathologists Serving Children who are Deaf or Hard-of-Hearing”; \$1,037,391. Karen F Munoz, Principal Investigator.
44. Utah State University – South Dakota Department of Education; “South Dakota Technical Assistance”; \$1,774,294. John D Copenhaver, Principal Investigator.
45. Utah State University – Utah State Board of Education; “Utah Event Planning”; \$4,880,039. John D Copenhaver, Principal Investigator.
46. Utah State University – National Institutes of Health; “The therapeutic potential of the BigLEN-GPR171 system as a treatment for pain”; \$1,768,151. Erin Nicole Bobeck, Principal Investigator.
47. Utah State University – US National Foundation; “NSF Engineering Research Center for Advancing Sustainability through Powered Infrastructure for Roadway Electrification”; \$26,000,000. Regan Zane, Principal Investigator.
48. Utah State University – US National Science; “CAREER: Understanding the Role of Developmental Plasticity in Behavioral Innovation Through a Comparative Analysis of Social Evolution in Bees”; \$1,323,044. Karen Marie Kapheim, Principal Investigator.
49. Utah State University – UT Department of Workforce Services; “Create Better Health Utah, SNAP-Ed”; \$1,556,718. Heidi Reese LeBlanc, Principal Investigator.
50. Utah State University – UT Department of Workforce Services; “CCPDE FY18”; \$2,258,532. Ann Marie Berghout Austin, Principal Investigator.

C. Awards

1. University of Utah – Novartis; “CACZ88V2301”; \$1,383,400. Wallace Akerley, Principal Investigator.

2. University of Utah – NIH National Cancer Institute; “SEER 2018”; \$2,132,715. Carol Sweeney, Principal Investigator.
3. University of Utah – NIH National Inst of General Medical Sci; “CIBC”; \$1,112,292. Christopher Johnson, Principal Investigator.
4. Utah State University – US Dept of Hlth and Hum Svcs – Office of Family Assistance; “Steps to Healthy Fatherhood”; \$1,574,870. Brian J Higginbotham, Principal Investigator.
5. Utah State University – The American University in Cairo; “WF-2351 Provide Pedagogical and Technical assistance to help improve the state of water-related research and training”; \$2,869,460. Mac McKee, Principal Investigator.
6. Utah State University – US National Science Foundation; “Collaborative Research: RoL: Using reaction norms to link genomic and phenotypic variation with regional-scale population responses to environmental change”; \$1,046,107. Peter B Alder, Principal Investigator.

D. Academic and Student Affairs Items

Action Items:

3 Year Review

- Weber State University – BS in International Business Economics
- Weber State University – BS and MS in Computer Engineering
- Utah Valley University – BA in Art History
- Utah Valley University – BS in Information Management

7 Year Review

- Utah State University – MS and EdS in School Psychology
- Utah State University – School of Veterinary Medicine

INFORMATION:

- University of Utah – Bachelor of Arts/Science in Philosophy of Science
- University of Utah - Master of Athletic Training

New Program

- Utah Valley University – Minor in Risk Management

Name Change

- Utah State University – Department of Geology to Department of Geosciences
- Utah State University – Specialization in Literature and Writing to Specialization in Creative writing within the MA/MS in English

Discontinuation

- Utah State University – K-6 degree programs leading to teacher licensure

Program Restructure

- Utah State University – Specialization in Climate Adaptation Science added to Department of Geosciences

Designation of Eligible Programs for CTE Scholarships Revised List for Salt Lake Community College FY20 and FY21

During the past legislative session, Senate Bill 136, Scholarships for Career and Technical Education, was passed. This legislation provides scholarship funding for students enrolled in select non-credit CTE programs at Snow College, the School of Applied Technology at Salt Lake Community College, and the Eastern, Moab, and Blanding campuses of Utah State University. The legislation requires eligible institutions to consult every other year with regional Department of Workforce Services personnel and identify non-credit career and technical education programs that prepare individuals to work in jobs that in Utah 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.

A list of programs for Salt Lake Community College was included in State Board of Regent materials for the August 2, 2019 Board meeting. This list was incomplete. A revised list is included below.

**Salt Lake Community College
School of Applied Technology
CTE Programs and CIP Codes for Non-credit CTE Scholarship Program
FY20 and FY21 (Revised August 14, 2019)**

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
Network Administrator	11.1001
Network Support Technician	15.1204
Web Programmer	11.0801
Website Designer	11.0801
Air Conditioning/ Heating/ Refrigeration	47.0201
Clinical Lab Assistant	51.0802
Diesel Service Technician	47.0605
Diesel Service Technician and Driver	47.0605 49.0205
Professional Truck Driving	49.0205
Welding	48.0508

E. Policy Revisions

1. 53B-27-303 requires the Board to adopt a process procedure whereby a student enrolled in a public institution of higher education may petition the Board of Regents to review a policy that directly affects the student's enumerated civil liberties, which the student believes the institution adopted without first establishing an administrative rule governing the enumerated civil liberty. Regents Policy R263 (attached) establishes the procedure as required. The Board adopts R263—Institutional Policy Review, effective immediately. (attachment)
2. Regents Policy R301—Master Plan Executive Summary addresses the system master plan adopted in 1986. Over the ensuing decades, the plan has changed substantially and was eventually replaced with the Regents Strategic Plan. This policy is should therefore be repealed. The Board of Regents repeals R301, effective immediately.
3. Section 9 of the Regents Policies establish internal personnel practices for the Office of the Commissioner (OCHE). The Commissioner has the statutory authority to manage and administer

the office without needing Board approval for internal operating procedures. The Board, therefore, removes Section 9 of the Regents Policies and designates them as internal operating procedures. The Board of Regents also delegates future approval for changes to internal operating procedures to the UHEAA Board.

F. Finance and Facilities Items

University of Utah – Sale of Donated or Gifted Property

Regent Policy R704, Disposal of Real Property delegates authority to institutional Board of Trustees to dispose of institutional property valued at less than \$500,000 and notify the Board of Regents in the next regularly scheduled meeting. On August 13, 2019, the University of Utah Board of Trustees approved the disposal of 55.4 acres of land including a wood frame house located on Highway 35 in Wasatch County and received \$173,000 from the sale at above market value due to deed restrictions. (attachment)

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

Approved in August 2019

Utah State University

Approved in August 2019

Weber State University

Louenda Downs (replacing Marty Carpenter)

Southern Utah University

Richard J. Christiansen (replacing Marshall Erb)

Vance Smith (replacing Eric Leavitt)

Shemree Naegele (community member replacing Bruce Hughes)

Snow College

(Will be presented in the November meeting)

Dixie State University

No changes

Utah Valley University

James Clark (replacing Duff Thompson)

Jill Taylor (replacing Jack Sunderlege)

Salt Lake Community College

Approved in August 2019

Attachments

STATE BOARD OF REGENTS
SOUTHERN UTAH UNIVERSITY, CEDAR CITY, UTAH
AUGUST 2, 2019

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BOARD OF REGENTS
SOUTHERN UTAH UNIVERSITY, CEDAR CITY, UTAH
FRIDAY, AUGUST 2, 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
Steve Lund
Robert S. Marquardt
Sheva Mozafari
Robert W. Prince
Mark Stoddard
Teresa L. Theurer

Regents Absent

Cristina Ortega
Thomas E. Wright

Office of the Commissioner

Dave R. Woolstenhulme, Interim Commissioner of Higher Education
Rich Amon, 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
Wayne Vaught for Astrid S. Tuminez, Utah Valley University
Richard B. Williams, Dixie State University
Deneece G. Huftalin, Salt Lake Community College
Brett Perozzi for Brad L. Mortensen, Weber State University
Brad J. Cook, Snow College

Chair Simmons called the meeting to order at 8:16 a.m.

Regent Stoddard 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 Jones seconded the motion and the motion carried.

Committee of the Whole

Oath of Office

Having been appointed to the Board of Regents, Lisa-Michele Church, Alan E. Hall, and Sheva Mozafari took the Oath of Office, administered by Chair Simmons.

Review: Roles and Responsibilities of Regents/Trustees

Geoff Landward, Assistant Commissioner provided the Regents with an overview of the roles and responsibilities of the Utah State Board of Regents and institutional Board of Trustees.

Board Schedule and Committee Changes

Commissioner Woolstenhulme reviewed changes to Board of Regents meetings, which include the addition of committee only meetings. These committee only meetings will take place during months the

whole Board is not meeting. He also introduced the addition of the new Workforce, Access, and Advocacy Committee.

Commissioner's Office Overview and Priorities

Commissioner Woolstenhulme noted the executive team is meeting with each institution to identify ways the Office of the Commissioner can better serve the institutions and the students of Utah. He reviewed changes within the office that will better align strategically to work on the Regents' priorities. He stated USHE has a new brand and turned the time to Melanie Heath. Melanie introduced the new logo and explained the graphic of the logo represents the missions of our institutions. She also noted we are now referring to the Utah State Board of Regents as the Utah System of Higher Education (USHE) Board of Regents. In addition to the new branding and logo, we have also rolled out a new website www.USHE.edu. Commissioner Woolstenhulme asked each committee (Academic Affairs, Finance & Facilities, Workforce, Access, and Advocacy) to provide a brief description of work they do and what they will be focusing on.

Discussion: Budget Prioritization Guidelines

Rich Amon, Associate Commissioner provided an overview of what the Finance and Facilities Committee will be discussing in detail regarding the Budget Prioritization Guidelines (details in TAB G). The Finance and Facilities will then bring the item back to the Committee of Whole for action.

Discussion: Utah's Growing Opportunity Gap and State Scholarship Programs

Carrie Mayne, Associate Commissioner provided an overview of the Issue Brief: Utah's Growing Opportunity Gap and State Scholarship Programs (details in TAB K), which will be discussed in detail in committee.

Discussion: Institution Mission and Roles

Liz Hitch, Associate Commissioner provided an overview of the responsibilities the Academic Affairs committee has regarding Institution Mission and Roles and reviewed associated policies. She also provided the definition of each type of institution mission.

Open Meetings Training

The Open Meetings training was provided by showing a 12-minute video prepared by the state auditors.

Consent Calendar (TAB N)

On a motion by Regent Jibson and seconded by Regent Datta the following items were approved on the Regents' General Consent Calendar

- Minutes – Minutes of the Board meeting May 17, 2019, Snow College, Ephraim, Utah.
- Grant Proposals
- Awards
- Academic and Student Affairs Items
- Repeal of the following policies:
 - R608, *Utah Engineering and Computer Science Scholarship Program*
 - R613, *Public Safety Officer Career Advancement Reimbursement*
 - R616, *Minority Scholarships*
- Board Secretary Appointment
- Incorporation of Institution Policies into Administrative Rule
- Appointment of Institution Audit Committee members

Academic and Student Affairs

Academic and Student Affairs Committee Overview (TAB A)

Regent Jones noted they reviewed a very detailed guide of the committee's charge. This is an information item only; no action was taken.

Appointment of Two Regent Representatives of the Academic and Student Affairs Committee to the Statewide Scholarship Task Force

Regent Jones noted Regents Barnes and Mozafari have been assigned to the Statewide Scholarship Task Force.

Title IX Climate Survey (Introduction) (TAB B)

Regent Jones noted the committee removed the common question requirement. She stated there is a problem when comparing data with campus safety and Title IX. They will allow institutions to come up with their own questions. The institutions will report to the ASA committee. **Regent Barnes made a motion to accept the report; the motion was seconded by Regent Prince and the motion carried.**

Finance and Facilities

USHE – Finance and Facilities Committee Overview and Accomplishments (TAB C)

Regent Clyde noted this was a review of the work the Finance and Facilities completed over the last year, and an opportunity to talk about topics they would like to discuss over the course of the next year. This is an information item only; no action was taken.

USHE – Performance Funding Changes (TAB D)

Regent Clyde noted there was discussion on the current performance model and they are continuing to work on this issue to see if it will continue to be a good formula to use. This is an information item only; no action was taken.

USHE – Growth Funding Model

Regent Clyde noted the committee put together a Growth Funding Model Task Force. Members include Regents Clyde, Lund, Stoddard, and Hall. This is an information item only; no action was taken.

Appointment of Two Regent Representatives of the Finance and Facilities Committee to the Statewide Scholarship Task Force

Regent Clyde noted Regents Jibson and Maggelet have been assigned to the Statewide Scholarship Task Force.

Dixie State University – Campus Master Plan Amendment (TAB E)

Regent Clyde noted this is a revision to DSU's Campus Master Plan and includes the purchase of 131 acres for a future landbank acquisition. **Regent Clyde recused himself from making a motion and voting on this issue. Regent Jibson made a motion to approve as outlined in TAB E; the motion was seconded by Regent Stoddard and the motion carried.**

Salt Lake Community College – Property Acquisitions and Disposal (TAB F)

Regent Clyde noted this is to allow SLCC to exchange five acres of vacant property on the Herriman campus for a 9,049 square-foot facility on one acre owned by the Church of Jesus Christ of Latter Day Saints contiguous to the SLCC South City campus in Salt Lake City. **Regent Clyde made a motion to approve as outlined in TAB F; the motion was seconded by Regent Lund and the motion carried.**

USHE – FY21 Budget Development Process (BDP) Guidelines (TAB G)

Regent Clyde noted this is to adopt the BDP guidelines. **Regent Clyde made a motion to approve the Budget Guidelines as outlined in TAB G; the motion was seconded by Regent Lund and the motion carried.**

USHE – Adoption of Policy R742, Capital Allocation Formula (TAB H)

Regent Clyde noted Senate Bill 102 creates a new process for funding USHE capital facilities projects and requires the Board of Regents to create a policy to measure each. Regent Policy R742, *Dedicated Capital*

Project Allocation Formula fulfills this requirement. **Regent Clyde made a motion to approve as outlined in TAB H; the motion was seconded by Regent Datta and the motion carried.**

USHE – Revision of Policy R741, *Non-dedicated Capital Project Prioritization Process* and elimination of R741, *Appendix A: Analysis of Mission and Role Projects* (TAB I)

Regent Clyde noted this policy makes changes to the current process of facility prioritization by replacing the calculation of facility need with a calculation of need based on assignable square feet per FTE.

Regent Clyde made a motion to approve as outlined in TAB I; the motion was seconded by Regent Jibson and the motion carried.

Southern Utah University – Tuition Reduction (TAB J)

Regent Clyde noted SUU has proposed a tuition reduction for their online courses. He also noted there is an error in the schedule that is included with TAB J; the schedule shows 12 credits for \$3900, it should read 12 credits for \$3600. **With this adjustment, Regent Clyde made a motion to approve TAB J; the motion was seconded by Regent Mozafari and the motion carried.**

Workforce, Access, and Advocacy Committee

Issue Brief Review: Utah's Growing Opportunity Gap (TAB K)

Regent Anderson noted this item is being return to the Commissioner's staff with the charge to take a deep dive and then return it to the committee with suggestions to work toward specific outcomes.

Regent Anderson made a motion to send this item back to the Commissioner's staff for additional work; the motion was seconded by Regent Datta and the motion carried.

Workforce, Access, and Advocacy Committee Overview (TAB L)

Regent Anderson noted they had a review of the committee objectives. This is an information item only; no action was taken.

Update on College Access Advising Program (TAB M)

Regent Anderson noted 34 advisors have been hired and will be working in high schools across the state. This is an information item only; no action was taken.

Workforce and the System

This is a discussion item only; no action was taken.

Appointment of Two Regent Representatives of the Workforce, Access, and Advocacy Committee to the Statewide Scholarship Task Force

Regent Anderson noted Regents Hall and Church have been assigned to the Statewide Scholarship Task Force.

On a motion from Regent Jibson, the meeting was closed.

The meeting adjourned at 2:39 p.m.

Geoffrey Landward, Secretary

Date Approved: September 13, 2019

R263, Institutional Policy Review¹

R263-1 Purpose: This rule establishes a procedure whereby a student enrolled in a public institution of higher education may petition the Board of Regents to review a policy that directly affects the student's enumerated civil liberties, which the student believes the institution adopted without first establishing an administrative rule governing the enumerated civil liberty.

R263-2 References (Policy Subhead Style)

2.1 Utah Code Title 53B, Chapter 27, Part 3

R263-3 Review Process

3.1 Students enrolled at a public institution of higher education who believe the institution has adopted a policy that directly impacts one of their enumerated civil liberties but which is not governed by an existing administrative rule may petition the Board of Regents for a review.

3.2 To file a petition for review, a student will send a written request that identifies the policy for which a review is requested to review@ushe.edu. Within 30 days of receiving the complaint, the Commissioner of Higher Education's office, on behalf of the Board of Regents, will:

3.2.1 Review the petition to determine if it is made in good faith;

3.2.1.1 Bad faith petitions shall be dismissed.

3.2.2 Determine if the institution has established an administrative rule that adopts or governs the policy; and

3.2.3 If the institution lacks a governing administrative rule, direct the institution to initiate rulemaking within 60 days of the decision

¹ Adopted 9/13/19

August 30, 2019

Mr. Dave Woolstenhulme
Commissioner
Board of Regents Building, The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284

Dear Commissioner Woolstenhulme:

The University of Utah hereby notifies the Board of Regents of the following sale of donated or gifted property for inclusion on the consent calendar portion of the next meeting's agenda:

1. 55.42 acres including a 3-level wood-frame house located on State Highway 35 in Woodland in Wasatch County, Utah:
 - a. Gifted to the University in the 1970s by Edward W. Clyde and his wife Betha (Betty) J. Clyde, through their family company, Diamond Bar X Ranch ("Donor"), with deed restrictions that prohibited the University from selling the land or using it for other than University purposes for 75 years [through 2053] (the "Deed Restrictions").
2. Appraised for \$1,925,000.
 - a. Based on the Deed Restrictions, University value in the property was established as \$173,000.
 - i. Executive summary pages of the two (2) University appraisals dated September 7, 2018 and May 8, 2019, establishing these values are attached for reference.
3. Listed broadly to the market through the utilization of BHHS Utah Properties as a listing broker.
4. Sold to a private party for \$2,225,000 on August 14, 2019.
 - a. Immediately prior to that sale, (i) Donor released the Deed Restrictions, and (ii) in exchange for \$15,000 paid by University to Donor, Donor provided a perpetual access easement across Donor's adjacent property.
 - b. At the closing, the net sale proceeds were distributed as follows: \$173,000 to the University (the University value in the property per the appraisal), and the remainder to Donor (as compensation for release of the Deed Restrictions).

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Commissioner Woolstenhulme

- c. Donor will retain \$300,000 of the proceeds Donor received at the closing and in the next few months will gift the remaining balance (\$1,618,500) to the University.

Thank you, as always, for your consideration and support.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Ross', written over the printed name and title.

Patricia A. Ross
Chief Business Strategy Officer

c: Ruth V. Watkins
Kimberly Henrie
Jonathon Bates



1794 Olympic Parkway, Suite 130
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cushmanwakefield.com

September 11, 2018

Mr. Jonathon Bates
Executive Director
University of Utah - Dept. of Real Estate Administration
505 Wakara Way Suite 210
Salt Lake City, UT 84108

Re: Appraisal Report

University of Utah Faculty Club Property
State Highway 35
Woodland, Wasatch County, UT 84036

Cushman & Wakefield File ID: 18-51003-900135-001

Dear Mr. Bates:

In fulfillment of our agreement as outlined in the Letter of Engagement, we are pleased to transmit our appraisal of the above referenced property in the following Appraisal Report.

The subject property consists of 62.07 acres of land. Approximately 54.68 acres of land is considered usable. The subject property is located on the south side of State Highway 35 in rural Wasatch County. Site improvements include a 3-level, wood frame house, yard fencing, perimeter fencing, ranch gate and gravel road. The existing home is considered to have interim value adequate to offset the demolition cost in the future.

This Appraisal Report has been prepared in accordance with our interpretation of your institution's guidelines, Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), and the Uniform Standards of Professional Appraisal Practice (USPAP).

Based on the agreed-to Scope of Work, and as outlined in the report, we developed the following opinion:

Value Conclusion			
Appraisal Premise	Real Property Interest	Date of Value	Value Conclusion
Market Value As-Is	Fee Simple	September 7, 2018	\$1,925,000

Compiled by Cushman & Wakefield of Colorado, Inc.

Extraordinary Assumptions

For a definition of Extraordinary Assumptions please see the Glossary of Terms & Definitions. The use of extraordinary assumptions, if any, might have affected the assignment results.

This appraisal assumes the subject property (parcels 00-0008-4165 and 00-0008-4173) constitute a lot record.

This appraisal assumes there are adequate water rights under the subject ownership to provide culinary and irrigation water typical of similar property uses in the market.

Hypothetical Conditions

For a definition of Hypothetical Conditions please see the Glossary of Terms & Definitions. The use of hypothetical conditions, if any, might have affected the assignment results.

This appraisal does not employ any hypothetical conditions.

This letter is invalid as an opinion of value if detached from the report, which contains the text, exhibits, and Addenda.

Respectfully submitted,

CUSHMAN & WAKEFIELD OF COLORADO, INC.



D. Tyler Dustman, MAI
Senior Director
UT Certified General Appraiser
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cushmanwakefield.com

May 16, 2019

Mr. Steven E. Clyde
Executive Director
Diamond Bar X Ranch, Inc.
201 S. Main Street, Suite 1300
Salt Lake City, UT 84111

Re: Appraisal Report

University of Utah Faculty Club Property
State Highway 35
Woodland, Wasatch County, UT 84036

Cushman & Wakefield File ID: 19-51003-900033-001

Dear Mr. Clyde:

In fulfillment of our agreement as outlined in the Letter of Engagement, we are pleased to transmit our appraisal of the above referenced property in the following Appraisal Report.

The subject property consists of 62.07 acres of land. Approximately 54.68 acres of land is considered usable. The subject property is located on the south side of State Highway 35 in rural Wasatch County. Site improvements include a 3-level, wood frame house, yard fencing, perimeter fencing, ranch gate and gravel road. The existing home is considered to have interim value adequate to offset the demolition cost in the future.

The largest parcel of the subject property is encumbered with a deed restriction that limits the use to "University Use" and restricts the sale of the property through October 20, 2053. The value conclusion reported represents the "as is" value with consideration of this encumbrance through 2053.

This appraisal report has been prepared in accordance with the *Uniform Standards of Professional Appraisal Practice* (USPAP) and is intended to comply with Treasury Regulation 1.170A-14(h)(3).

The following definition is from Treasury Regulations and is the basis for the value reported herein.

"The fair market value is the price at which the property would change hands between a willing buyer and willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of relevant fact. If the contribution is made in property of a type which the taxpayer sells in the course of his business, the fair market value is the price which the taxpayer would have received if he had sold the contributed property in the usual market in which he customary sells, at the time and place of the contribution and, in the case of a contribution of goods in quantity, in the quantity contributed." (Treas. Reg. §1.170-A-1(c) (2).

Based on the agreed-to Scope of Work, and as outlined in the report, we developed the following opinion:

Value Conclusion			
Appraisal Premise	Real Property Interest	Date of Value	Value Conclusion
Market Value As-Is (Deed Restricted)	Fee Simple	May 8, 2019	\$173,000

Compiled by Cushman & Wakefield of Colorado, Inc.

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This appraisal assumes the subject property (parcels 00-0008-4165 and 00-0008-4173) constitute a lot record.

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Hypothetical Conditions

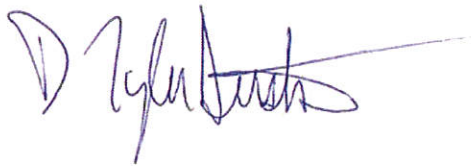
For a definition of Hypothetical Conditions please see the Glossary of Terms & Definitions. The use of hypothetical conditions, if any, might have affected the assignment results.

This appraisal does not employ any Hypothetical Conditions.

This letter is invalid as an opinion of value if detached from the report, which contains the text, exhibits, and Addenda.

Respectfully submitted,

CUSHMAN & WAKEFIELD OF COLORADO, INC.



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