



**Utah Board of Higher Education  
Utah System of Higher Education  
Friday, May 20, 2022**

**COMMITTEE OF THE WHOLE  
MINUTES**

**Board Members Present**

Harris H. Simmons, Chair  
Nina R. Barnes, Vice Chair  
Jessellie B. Anderson  
Mike Angus  
Jera L. Bailey  
Lisa Michele Church  
Sanchaita Datta  
Alan Hall  
Patricia Jones  
Crystal Maggelet  
Tanner Marcum  
Arthur E. Newell  
Shawn Newell  
Valirie Serawop  
Scott Theurer

**Board Members Absent**

Stacey K. Bettridge  
Wilford Clyde  
Aaron Osmond, Vice Chair

**Office of the Commissioner**

Dave R. Woolstenhulme, Commissioner of Higher Education  
Geoffrey Landward, Deputy Commissioner and General Counsel  
Taylor Adams, Associate Commissioner for Strategic Initiatives  
Alison Adams-Perlac, Associate General Counsel  
Trisha Dugovic, Director of Communication  
Brynn Fronk, Executive Assistant to the Utah Board of Higher Education  
Russ Galt, Senior Assistant Commissioner for Technical Education Finance  
Jared Haines, Senior Advisor for Technical Education  
Julie Hartley, Associate Commissioner of Academic Education  
Melanie Heath, Assistant Commissioner of Strategic Initiatives  
Lais Martinez, Assistant Commissioner for Equity, Diversity, and Inclusion  
Carrie Mayne, Chief Economist  
Loreen Olney, Administrative Assistant  
Dave Pulsipher, Audit Director  
Steven Radford, Assistant Commissioner of Workforce Initiatives  
Madalin Rooker, Intern  
Juliette Tennert, Chief Financial Officer  
Malin Francis, Director of Facilities & Planning  
Melissa Van Hien, Executive Assistant to the Commissioner  
Scott Wyatt, Senior Executive Director of Online Education  
Kim Ziebarth, Associate Commissioner of Technical Education

### **Institutional Presidents Present**

Mindy Benson, Southern Utah University (interim)  
Darin Brush, Davis Technical College  
Chad Campbell, Bridgerland Technical College  
Noelle Cockett, Utah State University  
Clay Christensen, Mountainland Technical College

Paul Hacking, Tooele Technical College  
Jordan Rushton, Dixie Technical College (interim)  
Jim Taggart – Ogden-Weber Technical College  
Aaron Weight – Uintah Basin Technical College  
Brennan Wood, Southwest Technical College

### **Other Guests**

Lynn Adams, Utah Valley University  
DaSheek Akwenye, Chief Officer – Inclusion and Diversity, Utah Valley University  
Rick Allen, BAE Systems  
Cathy Anderson, Chief Financial Officer, University of Utah  
Brian Baker  
Maria Caballero, Disability and Diversity Coordinator/Academic Advisor, Davis Technical College  
Dave Cowley, Vice President for Finance and Administrative Services, Utah State University  
John Creer, Chief Real Estate Officer, University of Utah  
Bret Ellis, Vice President for Information Technology, Weber State University  
Richard Ellis, Executive Director, my529  
Amy Fulton, Director of the New Leadership Academy, University of Utah  
Vic Hockett, Director of Talent Ready Utah  
Kate Hoffman, Earn to Learn  
Emma E. Houston, Special Assistant to the VP of Equity, Diversity & Inclusion, University of Utah  
Carson Howell, Vice President of Finance and Administrative Services  
Ilana Israel, Program Manager, University of Utah  
Leslie Keisel, Chair, Snow College Board of Trustees  
McKenna Marchant, PAB Program Manager, Workforce Services  
Chris A. Martin, Vice President for Finance and Administration/CFO, Salt Lake Community College  
Japheth McGee, Vice President, Zions Public Finance Incorporated  
Mica McKinney, General Counsel, Utah State University  
Fernando Montano, Multicultural Center Coordinator, Snow College  
Paul Morris, Vice President of Administrative Affairs, Utah Tech University  
Jenalee Moynier, Diversity Officer/Sr. College Recruiter, Uintah Basin Technical College  
Jeff Nelson, Nelson Labs  
Scotty Nowlin, BAE Systems  
Jennifer Napier-Pearce, Governor's Office  
Noe Ortega, New Leadership Academy Facilitator  
Rick Robinson, Vice Chair, Snow College Board of Trustees  
Daneka Souberbielle, Associate Provost & Chief Diversity Officer, Southern Utah University  
Tamara Stevenson, Vice President of Diversity, Equity & Inclusion and C.D.O., Westminster College  
Chuck Taylor, SyberJet  
Martell Teasley, Interim Senior Vice President for Academic Affairs, University of Utah  
Bretty Tingey, Cytiva  
Mary Ann Villarreal, Vice President for Equity, Diversity & Inclusion, University of Utah  
Matt Wardle, JD Machine

Chair Simmons called the meeting to order at 8:00 a.m.

**Board member Church moved to go into closed session for the purposes of discussing the character, professional competence, or physical or mental health of an individual, and to discuss the purchase, exchange, or lease of real property. Another Board member seconded the motion, but because of audio difficulties, we were unable to verify the Board members' identity and the motion passed.**

### ***Closed Session***

**Board member Church made a motion to end closed session. Board member Datta seconded the motion and the motion passed.**

### ***Committee of the Whole***

#### *Governor Spencer Cox*

Board member Shawn Newell introduced Governor Cox and thanked him for the initiatives he's put forth and for his emphasis on the importance of education. Governor Cox expressed his pleasure with the changes made to the system and his appreciation to the Board members for their 5-year strategic plan. He discussed higher education in the state of Utah as well as equity, diversity, and inclusion issues. Lais Martinez then asked the Governor questions submitted by students across the state. This was an information item only; no action was taken.

#### *NLA Session*

Chair Simmons introduced Noe Ortega who discussed equity, diversity and inclusion with Board members and OCHE staff. Board member Church expressed appreciation and gratitude for the tools it has provided. This was an information item only; no action was taken.

### ***Resolutions of Appreciation***

Chair Simmons highlighted the Resolutions of Appreciation for Vice Chair Barnes, Vice Chair Osmond, Board member Angus, and Board member Maggelet. The Resolution of Appreciation for Board member Marcum was then summarized by Board member Church. Vice Chair Barnes summarized the Resolution of Appreciation for Board member Serawop. Board member Shawn Newell reviewed the Resolution of Appreciation for Chair Simmons. **Board member Arthur Newell moved to accept the resolutions. Board member Church seconded the motion and the motion passed.**

### ***Workforce/Talent Solutions Manufacturing Sector Discussion***

Commissioner introduced Vic Hockett, director of Talent Ready Utah, who introduced the panel guests: Rick Allen, Scotty Nowlin, Jeff Nelson, Bretty Tingey, Matt Wardle, and Chuck Taylor. They expressed gratitude for the efforts to help develop talent for the life sciences industries. However, they have a real supply challenge and need more employees and talent. They encouraged developing more non-traditional students and suggested partnering with industry and companies to consider giving credit for work experience. Chuck Taylor suggested internal training programs within their company to meet regulations so that their employees are trained the way the institutions train their mechanics. Board member Jones asked what skills they need today that they are not finding and what they are doing now to engage more women in the manufacturing workforce. The panel answered they are looking for soft skills – writing, communicating, and speaking. Rick Allen mentioned they participate in the Elevate Her Challenge where women are connected with a mentor to help them continue developing their careers and give them the network they need to grow. They also have the Women in Stem Education Committee. The panel asked the Board to help promote jobs in manufacturing, to promote to women as well as underserved populations. Board member Church asked the panel to share how they work with schools. Bretty shared they go to stem fairs and have a relationship with Bridgerland Technical College. Rick mentioned they work closely with Weber State University, University of Utah, and Utah State University. Board member Arthur Newell asked the ratio between tech ed employees and degree granting jobs. Matt guessed the ratio is 10 skilled worker to every degreed individual. Chuck noted they have 40% degreed and 60% non-degreed. Rick mentioned a vast majority of their employees are skewed towards degrees. Chair Simmons thanks them for joining the meeting. This was an action information item only; no action was taken.

### *Committee Reports*

Board member Arthur Newell provided a report of the Academic Education Committee Meeting on April 15. They had a presentation from the National Association of System Heads (NASH) and received an update from the State Online Education Taskforce. They're now waiting for the presidents and Commissioner's office to respond to their draft with some feedback. They also discussed the strategic plan, prior learning, and the healthcare panel from the March Board meeting.

Board member Shawn Newell reported on the Technical Education Committee Meeting on April 15. The big topic of discussion was program alignment. They also discussed credit transition and had a presentation from Trina Lambert from Tech Moms.

Board member Church presented the report from the Student Affairs Committee Meeting on April 15. They followed up on the LGBTQ+ resolution and discussed the great FAFSA completion news – Odgen Weber Tech has a 24% increase in FAFSA completion. They also discussed Title IX. Alison Adams-Perlac and Lais Martinez presented on the ongoing policy equity review on all USHE policies. They've made significant progress on the strategic plan.

Board member Angus reported on Finance and Facilities later in the meeting during the action items.

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

### *Higher Education Advocacy and Awareness Campaign Update*

Trisha Dugovic provided an update on the Higher Education Advocacy Awareness Campaign. She reviewed the collegeisutah.com website with the Board. Board member Church asked who responds when more information is needed. Trisha answered that it goes to the USHE newsletter pipeline, so we know what needs to be provided. Board member Theurer mentioned that individual institutions do recruitment outside their service areas which can create transaction competition between our institutions. He wondered if we could ask our institutions what marketing resources they're using outside their service areas as part of the campaign. There may be duplication in this area and could be savings in shared services. Trisha responded that she was unsure of the dollar amount they spend outside their service regions, but they discussed their target audiences. They feel like this is supplemental and not overlapping. Board member Datta asked if we're able to create funnels of areas of interest. Trisha responded that the college navigator would be helpful in this campaign. There's no tradeoff of that information, but they still get where they need to go. Chair Simmons understands where the schools are coming from when they market outside their services areas. It helps the students understand the variety of our institutions and the options available. Board member Bailey asked that we work together in yielding a product that benefits our students when marketing the product. This was an information item only; no action was taken.

### *Attainment Goal Dashboard*

Carrie Mayne reviewed the Attainment Goal Dashboard, and Kenadie Stanger walked through the dashboard's features. Commissioner Woolstenhulme explained that the tool would be used yearly for performance funding. Chair Simmons noted it would be helpful to turn them into percentages, and Board member Datta asked for the definition of high yield graduation. This was an information item only; no action was taken.

### *UofU – Lease Agreement for Ivory University House*

Chair Simmons reviewed the Ivory University House student housing agreement. This was an information item only; no action was taken.

### *Strategic Plan Update*

Taylor Adams provided an update on the strategic plan. The Commissioner and Deputy Commissioner will meet with the institutions in June to review and update the strategic plan. This was an information item only; no action was taken.

### *R821, Employee Benefits*

Alison Adams-Perlac reviewed revisions to Board policy R821, Employee Benefits, with Board members. **Board member Arthur Newell moved to adopt the revisions to Policy R821, Employee Benefits, effective immediately. Board member Shawn Newell seconded the motion and the motion passed.**

### *UofU Non-State Funded Project*

**Board member Angus moved to authorize the University of Utah to obtain approval for the renovation of the Row Houses and Carriage House in Washington, DC to DFCM for final approval. Board member Church seconded the motion and the motion passed.**

### *UofU Lease Agreement of 102 Tower*

Board member Angus reviewed the University of Utah Lease Agreement of 102 Tower with the Board. Board member Theurer wondered if there were other tenants in the building. Cathy Anderson answered the primary tenant is UIT and the hospital IT group. Several tenants moved out during the pandemic, which is why they have the space. She stated that the University owns the building. **Board member Angus moved to authorize the University of Utah to enter into a lease agreement with Utah School Institutional Trust Lands Administration in the 102 Tower for ten years and six months. Vice Chair Barnes seconded the motion and the motion passed.**

### *UofU Lease Renewal for American Plaza*

**Board member Angus moved to authorize the University of Utah to renew the American Plaza lease for an additional five years and seven months. Board member Arthur Newell seconded the motion and the motion passed.**

### *SUU Disposition of Property*

**Board member Angus moved to authorized Southern Utah University to dispose of the 72.27-acre parcel of land located at approximately 4751 W Highway 56 for the negotiated price of \$2,312,640. Vice Chair Barnes seconded the motion and the motion passed.**

### *UB Tech Architectural Programming*

Commissioner Woolstenhulme explained that under SB102, \$120 million is appropriated each year for facilities, \$100 million of that to degree-granting institutions. The tech colleges' \$20 million goes through the Commissioner's office and the Board rank the projects. One concern is that when a program is created, a significant amount of money is spent without knowing where you're in the queue. This summer, we'll look at policies so we don't have institutions spending significant amounts of money on programming when the funding for the facility isn't available for several years. Board member Church clarified that this does not give UB Tech priority in the queue. **Board member Church moved to authorize Uintah Basin Technical College to proceed with programming of the Health Professions Building. Board member Shawn Newell seconded the motion and the motion passed.**

*USU Disposal of Real Property*

**Board member Church moved that we postpone the Utah State Disposal of Real Property agenda item until the next Board meeting so that would give us time to find out more information and make better use of taxpayer dollars. Board member Theurer seconded the motion and the motion passed.**

*Private Activity Bond Volume Cap Relinquishment*

Juliette Tennert is newly appointed to the Private Activity Bond Board. She reviewed the federal tax code with the Board, allowing state and local governments to use tax-exempt bonds to finance certain qualified private activities. They are subject to an annual volume cap which state statute sets parameters for the sub-allocation of Utah's volume cap. In the statute, 33% of Utah's allocation is set aside for student loans. At least in the last decade, the student loan allotment has never been used. That allotment for student loans would roll over for other uses in October of each year. Upon written notification, that allotment can be released earlier than October. Juliette explained that the Board needs to relinquish \$121M of the student loan allotment that will roll over for other uses. **Board member Angus moved to relinquish the \$121,168,493 private activity bond student loan allotment for other purposes, as authorized in Utah code. Vice Chair Barnes seconded the motion and the motion passed.**

*Tooele Tech Differential Tuition Rate*

Juliette Tennert explained that we missed a motion to approve a differential tuition rate for Tooele Tech at the March 2022 Board meeting. **Board member Shawn Newell moved to authorize the requested differential tuition for Tooele Technical College. Board member Jones seconded the motion and the motion passed.**

*Bond Authorizing Resolutions*

**Board member Jones moved to approve the proposed Authorizing Resolution to issue General Revenue bonds for Dixie State University. Board member Datta seconded the motion and the motion passed.**

**Board member Arthur Newell moved to approve the proposed Authorizing Resolution to issue Auxiliary System and Student Building Fee Revenue bonds for Southern Utah University. Board member Jones seconded the motion and the motion passed.**

**Vice Chair Barnes moved to approve the proposed Authorizing Resolution to issue Student Building Fee Revenue bonds for Utah State University. Board member Angus seconded the motion and the motion passed.**

**Board member Serawop moved to approve the proposed Authorizing Resolution to issue General Revenue bonds for the University of Utah. Board member Shawn Newell seconded the motion and the motion passed.**

*UofU Property Transaction*

Juliette Tennert explained this item was reviewed and discussed during Closed Session and needed a vote in open session. **Board member Arthur Newell moved to approve the proposed Authorizing Resolution to issue General Revenue bonds for the University of Utah. Board member Jones seconded the motion and the motion passed.**

### State Aid Program Policy Revisions

Spencer Jenkins reviewed the policies that were made, which were mostly an administrative clean-up. **Board member Church moved to adopt the proposed policy revisions in Tab AA, in accordance with HB 355, Higher Education Financial Aid Amendments, passed in the 2022 Utah Legislative Session. Board member Jones seconded the motion and the motion passed.**

### *Earn to Learn*

Commissioner Woolstenhulme reviewed the Earn to Learn program with Board members. He explained the money is currently not there within the program. Earn to Learn has asked for a letter of intent while we're working on getting the funds. The Commissioner recommended giving a non-binding letter of intent and we will come back to the Board with final approval with additional funding if needed. Board member Church noted this fits within our strategic plan. **Board member Church moved to direct the Commissioner to sign a letter of intent to participate in an Earn to Learn pilot program in Utah upon confirmation of philanthropic match, state funds availability, and final Board approval of program design. Vice Chair Barnes seconded the motion and the motion passed.**

### *Terrel H. Bell Incentive Loan Program*

Spencer Jenkins explained the Terrel H. Bell Incentive Loan Program loan forgiveness with the Board members. This proposal is to convert the loans into a scholarship program. Board member Theurer asked the earliest date of origin for the loans and if any are in default or in forbearance. Spencer answered that none are in default or sent to collections, and he does not have the date of origination for the loans. **Board member Jones moved to forgive the outstanding Terrel H. Bell Incentive Loan Program loans effective May 31, 2022. Board member Serawop seconded the motion and the motion passed.**

### Student Success Endowment Investment Policy

Richard Ellis reviewed the bill passed to liquidize the UHEEAA loan portfolio. He recommended the Board adopt a policy statement for how funds should be invested. Board member Church requested an update in the Consent Calendar for every Board meeting. She asked if the Board can get an expenditure update at some point. Richard stated that it's a discussion the Board will have. The role the Board and trustees have is how the funds will be used. Commissioner Woolstenhulme stated that it has been recommended that funds will start being used two to three years down the road with approval from the Board. **Board member Jones moved to adopt the May 2022 Higher Education Student Success Endowment Investment Policy Statement. Board member Shawn Newell seconded the motion and the motion pass.**

### *Consent Calendar*

**Vice Chair Barnes moved to approve the Consent Calendar. Another Board member seconded the motion, but because of audio difficulties, we were unable to verify the Board members' identity and the motion passed.**

### *Board leadership appointments*

Chair Simmons reviewed the process of selecting Board leadership. Commissioner Woolstenhulme expressed to the Board that it is important to know if there are substitute motions, they can also come forward. Someone else could make a substitute motion. Board member Jones thanked those leaving leadership roles and appreciated those willing to step up and put their name on the ballot. **Vice Chair Barnes made a motion to present Lisa-Michele Church, Board member, as the Chair of**

**the Board of Higher Ed, and as Vice Chair, Board member Jesselie Anderson to serve two-year terms. Board member Mike Angus seconded the motion and the motion passed.** Board member Church thanked everyone for their support and leadership, leaving it in good shape. She wants to meet with everyone individually to see how to get their ideas to move forward.

*Additional reports*

Chair Simmons pointed out the additional reports to the Board members at the bottom of the agenda. This was an information item only; no action was taken.

*Motion to Adjourn*

**Board member Barnes made a motion to adjourn; Board member Datta seconded the motion and the motion passed.**

The meeting adjourned at 3:30 p.m.



Geoffrey Landward, Secretary

Date Approved: July 14, 2022