

**MINUTES OF MEETING
UTAH STATE BOARD OF REGENTS
SALT LAKE COMMUNITY COLLEGE
SALT LAKE CITY, UTAH
JANUARY 24, 1997**

Board Members Present

Kenneth G. Anderton Chair
Pamela J. Atkinson
Aileen H. Clyde, Vice Chair
Ian M. Cumming
W. Brett Graham
David J. Grant
L. Brent Hoggan
Karen H. Huntsman
Evelyn B. Lee
Clifford S. LeFevre
Paul S. Rogers
Jay B. Taggart
Dale O Zabriskie

Board Members Excused

Douglas S. Foxley
John B. Goddard
Larzette G. Hale

Office of the Commissioner

Cecelia H. Foxley, Commissioner
Don A. Carpenter, Associate Commissioner for Planning and Facilities
Dale C. Hatch, Associate Commissioner for Budget and Finance
Chalmers Gail Norris, Associate Commissioner for Student Financial Aid
Michael A. Petersen, Associate Commissioner for Academic Affairs
Philip V. Bernal, Assistant Commissioner for Student and Minority Affairs
Joyce Cottrell CPS, Executive Secretary
Patricia S. Crane, Assistant Commissioner for Government/Media Relations
Richard O. Davis, Assistant Commissioner for Student Loan Finance
Harden R. Eyring, Executive Assistant
Gregory S. Fisher, Director of Internal Audit
Lou Jean Flint, Academic Affairs Officer
Jerry H. Fullmer, Director of Information Technology
Jeffrey Hoyt, Research Analyst
Max S. Lowe, Assistant Commissioner for Applied Technology Education
Beth Ann Petrakis, Applied Technology Education Specialist
Whitney J. Pugh, Budget Analyst
Phyllis C. Safman, Assistant Commissioner for Academic Affairs
Norman C. Tarbox, Assistant Commissioner for Student Financial Aid

INSTITUTIONAL REPRESENTATIVES

University of Utah

Jerilyn S. McIntyre, Acting President
Thomas G. Nycum, Vice President for Administrative Services
David W. Pershing, Acting Vice President for Academic Affairs
John M. McCullough, Associate Vice President for Academic Affairs
Margaret A. Sutton, Assistant Vice President for Student Affairs
V. Randall Turpin, Assistant Vice President for Administrative Services
Raymond A. Haeckel, Director of Government and Community Relations

Utah State University

George H. Emert, President
G. Jay Gogue, Provost

Peter F. Gerity, Vice President for Research
Fred R. Hunsaker, Vice President for Administrative Affairs
Richard W. Jacobs, Budget Director
Lynn E. Janes, Associate Vice President and Controller
Lynn J. Poulsen, Acting Vice President for Student Services
Lee H. Burke, Assistant to the President
Andrew Croshaw, Student Body President
Matt Stowell, Student

Weber State University

Paul H. Thompson, President
David Eisler, Provost
Allen F. Simkins, Vice President for Administrative Services
Craig S. Hall, Associate Vice President for Facilities Services
Carol V. Gaskill, Director, Budget and Institutional Research
Toni W. Weight, Dean of Student Development
Carol J. Berrey, Assistant to the President
D. Weeks Jones, *WSU Signpost*

Southern Utah University

Gerald R. Sherratt, President
Sterling R. Church, Vice President for Student Services
Michael Richards, Vice President for University Affairs

Snow College

Gerald J. Day, President
Richard L. White, Vice President for Instruction

Dixie College

Robert C. Huddleston, President
Stanley J. Plewe, Vice President for Information and Information Technology
A. Scott Talbot, Executive Director, Business Affairs

College of Eastern Utah

Grace S. Jones, President
Brent Haddock, Academic Vice President
Raelene Allred, Vice President for Finance
Karen K. Bliss, Dean of Institutional Advancement
Gail Glover, Dean of Administrative Services, San Juan Center

Utah Valley State College

Kerry D. Romesburg, President
Gilbert E. Cook, Vice President for College Relations
J. Karl Worthington, Associate Vice President for Academic Affairs
Douglas E. Warner, Executive Director, Budgets and Management Studies
Linda Makin, Budgets Associate Director
Jim Callison, Department Chair, Environmental Technology
Ernest Carey, CSIS Associate Professor
Phil Clegg, Student Body President
D. Dee Martin, Student

Salt Lake Community College

Frank W. Budd, President
Marjorie Carson, Vice President of Academic Services
Richard Rhodes, Vice President of Business Services
Kent Ferrel, Business Manager/Controller

Paul Gundersen, Director of Facilities
Dana Van Dyke, Budget Director
J. Gordon Storrs, Master Planning Coordinator
Shari Sowards, Instructor, Social Sciences
Chesley Barnes, Student Body President
Garrett Broadbent, Student
Kerry Hazelgren, Student Senator
Greg Vance, Student

Others Present

Bradley A. Winn, Governor's Office of Planning and Budget
Thomas C. Anderson, Office of the Attorney General
Kelly Murdock, First Security Public Finance
Jerry Nowlin, First Security Public Finance
Robert Moore, Utah Association of Academic Professionals
Steven Hansen, Utah Public Employees Association
Dan Egan, *Salt Lake Tribune*

Chair Kenneth G. Anderton called the meeting to order at 10:55 a.m. and welcomed everyone to the meeting.

Ratification of Regents' Appointment of Dr. Jerilyn McIntyre
as University of Utah Acting/Interim President

A special Board meeting was held via conference call to appoint Dr. Jerilyn McIntyre Acting President of the University of Utah during President Smith's administrative leave (January 16 through March 31, 1997) and Interim President from April 1, 1997, until a new president can be appointed. Regent Cumming moved that the Board ratify this action. Following a second by Regent Zabriskie, the motion carried unanimously. Chair Anderton and Commissioner Foxley expressed their appreciation to Dr. McIntyre on behalf of the Board.

Report of the Commissioner

Commissioner Foxley said the proposal by Legislative Leadership to cut \$50 million from state agencies to fund highways was unconscionable. She encouraged the collective higher education community to make contact with their Legislators to help them realize how this will seriously impede Utah's preparation for the future. Rather, we need our human resources to be educated, trained, and competitive in the future. She asked everyone to let their Legislators know how important education is and that it must be funded, and to encourage their colleagues, friends, and neighbors to speak to their Legislators, also.

Chair Anderton said it is important that we keep a perspective of the national climate. We all know the value and importance of education, and are willing to do what we can to make sure it is funded. He joined the Commissioner in encouraging everyone to make contact with Legislators.

Reports of Board Committees

Program and Planning Committee

Utah State University — Faculty Policy Section 400 re Faculty Tenure and Financial Exigency.

Chair LeFevre said this policy (Tab A) had been reviewed by the committee and found to be in compliance with Regents policies R481 and R482. He moved approval of the policy. Regent Hoggan seconded the motion, which was subsequently passed unanimously.

1995-1996 Annual Program Reviews, Part I — Weber State University and Utah Valley State College. Chair LeFevre said these programs reviews were very well done. He moved approval of the Commissioner's recommendation (see Tab B), with the addition *that the State Board of Regents communicate directly to the Legislature through the year that we conduct program reviews on a regular basis and report the strengths and weaknesses of the programs, such as those reported in these reviews.* Regent Taggart seconded the motion. Regent Zabriskie said the committee had suggested that one issue be discussed succinctly at a time with the Legislators. Regent Lee said program reviews reveal very important aspects of what is going on at the institutions. They are done with both internal and external reviewers. In many instances, they point out our lack of resources, such as classroom space, faculty, problems with (adequately) fulfilling the roles and missions of the institution. She said those need to be pointed out to the Legislature as well. The committee suggested that communications come directly from the Regents with the Chair's signature. The motion was passed unanimously.

Policy R429, Applied Technology Center Service Regions. Chair LeFevre said this policy (Tab C) represented considerable work for more than a year on governance, policy, and procedures for the ATC service regions with colleges and universities. This policy facilitates the cooperation between the State Board of Education and the State Board of Regents. Chair LeFevre moved approval of the policy. Regent Lee seconded, and the motion passed unanimously.

Policy R603, Utah Career Teaching Scholarship Program. Chair LeFevre asked Lou Jean Flint to explain this item, found in Tab D of the agenda. Ms. Flint said this policy has not been updated for a number of years. The proposed changes are much more fair to the students who receive this scholarship. Extending its name to the Terrel H. Bell Teaching Incentive Loan Program makes it clear that this is a loan forgiveness program, not a scholarship, which honors a great educator who helped to develop the program originally. Regent LeFevre moved approval of the proposed changes. Regent Taggart seconded the motion with a request that the motion show that this information is to be conveyed to Mrs. Bell. The motion passed unanimously.

1996 Report on Support and Monitoring of Applied Technology Maintenance of Effort. Chair LeFevre said the committee wanted everyone to be cognizant of how much is done by the colleges and universities in the field of Applied Technology Education. Regent Taggart recommended that all non-credit work being done be reported, followed by a report on credits received. He said it is important that non-credit training be recognized. He moved approval of this report, found in Agenda Tab E. The motion was seconded by Regent Lee and approved unanimously.

Southern Utah University — Bachelor of Science Degree Program in Hospitality/Tourism and Utah Valley State College — Bachelor of Science Degree in Hospitality Management. (Tab F) Chair LeFevre said the committee felt that there had not been sufficient collaboration between the institutions and that this should be discussed further. The committee recommended that a summit be held between all interested parties and the State Department of Tourism to come up with recommendations. It was moved in committee that these two programs continue to be non-action items for the March meeting, and Chair LeFevre so moved. Following a second by Regent Lee, the motion was passed unanimously.

Utah Valley State College — Associate of Applied Science Degree in Environmental Technology Management. Chair LeFevre said the committee had delayed discussion of this item (Tab G) to the March meeting.

Utah Higher Education Needs Assessment. Chair LeFevre asked Associate Commissioner Petersen to address this item. Dr. Petersen said there had been a presentation in committee by Richard Hezel, CEO of Hezel Associates, who has been conducting a needs assessment in the Utah System of Higher Education since last summer. An executive summary was included in Agenda Tab H; full copies of the needs assessment will be provided. Dr. Petersen said Hezel Associates had done an excellent job in surveying employers and students about the job prospects. Material gained from this assessment will help the Chief Academic Officers (CAOs) at the institutions as they work toward designing new programs in the future.

Regent Cumming asked what would be the outcome of the Hezel report. Dr. Petersen said it would be used heavily by the CAOs in their look at systemwide needs. Regent Grant asked if the amount of money spent for the report was worth the cost. Dr. Petersen said it definitely was. This was the first time a system programmatic needs assessment has been done. It is a very extensive report, which contains much significant information. The CAOs were deeply involved in putting this together and developing the RFP. Since they have such a stake in the report, they will be putting it to good

use. Regent Cumming said one of the ways the Regents can help with funding is to convince the public and the Legislature that we are fiscally responsible and that we have programs to save money. He moved that the recommendations of the Hezel report be implemented and reviewed at regular intervals. Regent Lee seconded the motion and said the report had been very well done and contained excellent recommendations. The committee wanted more time to focus on each of the recommendations. She agreed with Regent Cumming that we not lose sight of these recommendations and that reports be reviewed periodically on progress.

Regent Zabriskie asked to expand the motion, that Richard Hezel be invited to an upcoming meeting to report to the Committee of the Whole, and that an adequate amount of time be allocated for a signification discussion. The motion passed unanimously.

Dixie College — Progress Reports on the Associate Degree Nursing Program and the Associate of Applied Science Degree in Paramedic Training (Item I) and Technology Initiative: Update on Curriculum Development Proposals (Tab J). Chair LeFevre said these two items were for information and required no action. He encouraged the Regents to study the information in the agenda materials.

Consent Calendar, Program and Planning Committee. Upon motion by Regent LeFevre and second by Regent Cumming, the Board voted approval of the following items:

- a. Utah State University — Minor in International Business to Degrees in the College of Business
- b. Southern Utah University — Rename the Department of Home Economics, and corresponding degrees within the Department, to the Department of Family and Consumer Sciences
- c. Revisions to Regents Policy R171, Postsecondary Proprietary School Act and Rules

Chair Anderton thanked Chair LeFevre for his report and for the good work of the Program and Planning Committee.

Finance and Facilities Committee

University of Utah — Rice Stadium Financing Plan. The proposal in Agenda Tab L is to accelerate the rate of expansion for Rice Stadium. Committee Vice Chair Hoggan explained that the Regents had previously approved phased construction of this facility. The contractors have since come with proposals to accelerate the speed at which the facility is completed. Implementing this proposal will result in a significant cost savings. The expansion would take the seating capacity to 46,500, with temporary bleachers in front of the stands to raise the seating capacity to over 50,000, which was the commitment made to the Olympic Committee. If this action is approved, the Legislature will be requested to approve a bond not to exceed \$56 million. All but \$10 million will be paid back before the stadium is completed. Regent Hoggan moved that the Legislature be asked to adopt this financing plan. The motion was seconded by Regent Cumming and approved unanimously. Regent Hoggan commended the University of Utah for their presentation in committee.

Salt Lake Community College — Campus Master Plan. Regent Hoggan said there were no changes in the college's master plans for the Redwood Road campus, the South City campus, and the new Jordan campus (Tab M). He moved their approval, with the endorsement of the naming of the 90th South site as the Jordan Campus of Salt Lake Community College. Regent Cumming seconded the motion, which was approved unanimously.

Annual Reports — Institutional Discretionary Funds and Auxiliary Enterprises Operations. Regent Hoggan said these reports, found in Agenda Tab N, were for information only. He encouraged the Regents to review the materials in the agenda. All are audited statements and require no action by the Board.

Student Financial Aid — Student Finance Subcommittee Report and UHEAA Board of Directors Report. Regent Hoggan said the responsibility for student financial aid is delegated to the Student Finance Subcommittee (Tab O) and the UHEAA Board (Tab P). He encouraged everyone to read these reports and be conversant with their contents.

Student Financial Aid — Fiscal Year 1995-1996 Student Loan Program Summary Reports. Regent Hoggan said

UHEAA is one of the smallest financial aid operations in the country, but has significantly lower loan default rates and is very efficiently operated. He encouraged everyone to read the report distributed at the meeting as "Replacement Tab Q."

Consent Calendar, Finance and Facilities Committee. Upon motion by Regent Hoggan and second by Regent Cumming, the Board voted to approve the following items:

- a. OCHE Investment Report
- b. UofU and USU Capital Facilities Delegation Report
- c. Money Management Report

Chair Anderton thanked Regent Hoggan for chairing the committee in Regent Goddard's absence and for his report.

Additions to Policy R481 — Post-Tenure Review

At Chair Anderton's request, Associate Commissioner Petersen explained that this item (Tab S) is recommending additions to policy R481 requiring regular evaluations of tenured faculty. It is important that the Regents have more detailed information about tenure than has previously been provided. A five-year study was conducted of tenure procedures for faculty who were hired between 1985 and 1990, who have had the opportunity to have been hired and gone through the full probationary period prior to being granted or denied tenure. Institutions were also asked for results of evaluations of faculty and actions taken with tenured faculty regarding their positions during the past five years. Those results were summarized in Attachment A to Tab S. Policy R481 has been in place since 1989. (Policy R483 also requires that reports be provided on an annual basis to the Boards of Trustees regarding the number of faculty annually who were eligible for tenure and the number who were awarded tenure.) It provides that tenure is to be granted to faculty after a probationary period of six to seven years. Once a faculty member is granted tenure, thereafter that person may not be dismissed without adequate cause.

Dr. Petersen reviewed the primary reasons for tenure and said about half of all full-time faculty in the system are tenured, which is lower than the national average of 60%. About one-fourth of USHE faculty are on tenure track, in the probationary period previously discussed. Approximately one-fourth are non-tenure track, with some in clinical research positions, and often paid with soft (grant) funds. Dr. Petersen encouraged the Regents to study the material in Attachment A which demonstrated that the process of determining whether or not tenure is granted is a rigorous one. A substantial number of faculty are determined to not have the qualifications to be granted tenure. Systemwide, over the period between 1985 and 1990, of those who were eligible, 60% were tenured. The remaining 40% were counseled out, encouraged to look for other positions, denied tenure, or moved into non-tenure track positions. Dr. Petersen said that this demonstrates the level of scrutiny which tenure-track faculty receive at system institutions. It shows the process is working.

Table 3 summarized the results of the most recent post-tenure review in the system. Approximately half of the tenured faculty were evaluated last year.

Regent Grant asked if non-tenured faculty have academic freedom, or if they are dismissed without cause. Dr. Petersen said institutions are not required to provide cause when dismissing a non-tenured individual. Regent Grant then asked if a non-tenured faculty would be fired without due process. Dr. Petersen responded that all employees are provided due process, and if a non-tenured faculty challenges the institution to provide cause, it is the individual's responsibility to demonstrate that the institution did not have adequate cause. The level of burden shifts with tenure.

President Emert pointed out that research faculty who are not in tenure-track positions are released frequently when soft money is expended. Chair Anderton added that there are policies which deal with people being dismissed for financial exigency. President Sherratt said one of the great strengths of the tenure process is the seven-year testing period. After seven years, most non-qualified faculty have left.

Regent Grant said the public does not understand tenure. He pointed out the need to change the public perceptions so that they realize the advantages of tenure to the institution and the faculty. Chair Anderton said our institutions would

be greatly disadvantaged if our state did not retain tenure, especially our research institutions. He said we will be sharing this report with the public.

President McIntyre said (nationally) no issue has been debated more than the changing roles of faculty. She pointed out that the data in this report are not anecdotal, but are actual statistics. She also mentioned the rigor of the hiring process. Sometimes as many as 400 applicants apply for a single job. The recruitment and interview process work well. President Thompson said if we are going to continue to hire qualified faculty from a national market, tenure is a vital part of that advantage. Regent Zabriskie said we need to communicate to the Legislature our post-tenure review process.

Regent Lee asked what role student evaluations play in the tenure process. She asked if a student evaluation could prevent a qualified faculty member from receiving tenure. Conversely, if students give very good reviews to faculty who are not performing satisfactorily in other areas, can they distort the results of the tenure process? President McIntyre said student input, department input, and the institutional tenure committee are all important to the concept. She said at the University of Utah, teaching and research are equally important. President Sherratt said faculty evaluations are made a part of the tenure documents at SUU. If a faculty member gets low student evaluations, those evaluations will be monitored in all that person's classes for a year or two. At teaching institutions, the student evaluations weigh heavily on the tenure decision.

President Romesburg said it might be helpful at some future point to show a portfolio which is compiled by a faculty member seeking tenure. A very rigorous portfolio must be prepared, consisting of student and peer evaluations, and examples of scholarly activity. Portfolios are evaluated by teams who are experts in their fields. Tenure does not happen easily. Much "counseling out" is done by mentors and supervisors. Teachers then know if they are not fitting in with the institution or the department, or if they are not doing well in the classroom.

Regent Graham said students often find an obstacle in the lack of a consistent form for evaluation of instructors. He recommended that the evaluation instruments be improved so that all the institutions would follow a more uniform evaluation form. Commissioner Foxley said she supported the sharing of information but urged caution about adopting a single instrument because of the vast differences between disciplines and institutions. She urged that documents be shared so they can be improved.

Regent Clyde moved approval of the proposed additions to R481 and that the institutions and Commissioner's Office be directed to provide annual summaries to the Regents of the outcomes of post-tenure reviews. Regent Huntsman seconded the motion, which was then passed unanimously.

Policy R465 — General Education

Commissioner Foxley reminded the Regents how this policy is tied into the semester conversion in helping students transfer from one institution to another without losing credit. She commended Associate Commissioner Petersen and his work with the CAOs, deans, department heads and faculty, and members of the Commissioner's staff. She also complimented Dan Egan for his recent article in the Salt Lake Tribune on this subject. She said, "This is an example of how our system is working well." The Commissioner then asked Dr. Petersen to explain this policy.

Dr. Petersen said this policy symbolizes the value of the semester conversion process. It is the result of the work by academic deans from all institutions, faculty, and the General Education Task Force, and demonstrates in a powerful way the ability of people to work together across the system to make the system work for students. The policy implements a system that will protect students, particularly transfer students. Approximately 70% of the students in the Utah System of Higher Education take credits from more than one institution. This is an extremely important step for those students.

Essentially, Dr. Petersen explained, the policy establishes a level of consistency in the structure of general education and establishes a set of core requirements which will be common at all USHE institutions. It reaffirms that students who have completed an associate degree will have their general education requirements waived when transferring to another institution. It also requires that institutions will consider their general education requirements satisfied when they have been completed at another institution. The policy establishes a range of credits which will be required at all USHE institutions. It establishes a common core by identifying explicitly the names and credits of courses required in

the areas of Composition, Quantitative Literacy, and American Institutions and makes recommendations for increased commonality and consistency in other general education areas. This policy requires the receiving institution to recognize the full value of general education classes taken at other institutions and assures students that they will be required to complete only the additional credits required at the receiving institution, with no loss of time in completing those requirements.

The policy establishes an ongoing process to continue to make improvements in general education and directs the General Education Competency Task Force to continue its work and directs institutions to continue to identify common course names and numbers in the general education programs. This demonstrates the necessity and value of the semester conversion.

Chair Anderton thanked Commissioner Foxley, Associate Commissioner Petersen and others who worked on this policy. Regent Cumming said this was a good beginning, and asked why there was no budget note on it. Dr. Petersen responded that this will save money for the students. Regent Cumming suggested that the policy include that fact, and Regent Lee endorsed that idea. She asked if tuition levels should be common for these general education requirements at all the institutions. Chair Anderton pointed out that cost factors are different at the various institutions. Commissioner Foxley reminded the group of Regent Graham's request that we would look at lowering general education costs. Regent Lee requested that the Board address this issue in a future meeting. Regent Hoggan moved approval of the policy. The motion was seconded by Regent Zabriskie and approved unanimously. Chair Anderton said the Board was very pleased to have this new policy.

Discussion of Presidential Search Process

Chair Anderton called the Board's attention to two letters in their folders — one from Jeffrey J. Hunt (representing the Utah Chapter of the Society of Professional Journalists) to the Commissioner and Chair Anderton, and Assistant Attorney General Thomas C. Anderson's response to Mr. Hunt's letter.

Regent Cumming read a portion of Mr. Anderson's letter and said he interpreted it as saying the Board had two choices — to release the records, or to not release the records. He said he sent a letter on November 8 to the Commissioner and Chairman saying that the Governor appoints the Regents to manage higher education in the best interests of the state of Utah. This, he said, is the foremost consideration in this issue — is the public better served if the names are released, and is higher education better served? Regent Cumming said his personal opinion is that nothing is served by publishing names of candidates (losers or appointees).

The second consideration is some people want to use this for their own purposes, that they've been finalists or semifinalists for certain positions. If people want to do that, Regent Cumming said they can do that themselves; we don't need to facilitate their employment security. Releasing everything is not necessarily in the best interests of the state and the candidates. The heritage of most Utahns comes from people who took very brave stands and who subjected themselves to great discomfort and danger in order to do what they thought was right. He said, "We need to decide what is the right thing to do for higher ed, and then we've got to act on it. It is not our business to be writing the statutes for the state of Utah. We are supposed to decide what is best for higher education." The Attorney General has stated that the Board is well within the guidelines to go either way. Regent Cumming said if we decide that it is in the best interest of higher education not to release candidates' names, we should take a stand and ignore the entreaties of the press.

Regent Clyde said the first concern of the Regents is that we be in compliance with the law. Our second concern is the applicant pool we attract to make the best match of the person and the institution. Does not releasing names contribute to the richness of that applicant pool? Candidates can divulge whatever information they like. She said, "I want to argue strongly that we continue with our present policy."

Regent Hoggan asked to hear from some people who have been through this process. He said he'd like the counsel of the presidents who have been through this process — both for their own positions and in seeking qualified people in key positions at their institutions.

President Sherratt responded that he had been through the process twice and said, "I can assure you that I would never have applied the second time if I'd thought that my name was going to be in the newspaper, because the chances are

that you will destroy the base on the campus where you are."

President Jones said she had experienced this personally and had been involved in searches in several states throughout her career. Even when the names of the finalists are released, the curiosity of people within the institution causes them to call the institution to inquire more about the applicants. It disrupts the candidates at their present employment, along with creating a popular vote among the constituents at the campus where a new president is being sought.

President McIntyre said she did agree that she would have had second thoughts. However, it is helpful for a finalist to get to know the campus and to meet with various campus groups in deciding whether or not to take the position.

Regent Zabriskie said he had been a journalist and understood their zeal. Having been involved in governance issues for ten years, as a Trustee and as a Regent, he has seen many presidential searches conducted in that time. He said, "The process works well, as evidenced by the caliber of the presidents currently serving at our institutions. I would be reluctant to change it. If we do not change the policy, we must protect it."

Regent Atkinson said there have been 11 constituent group meetings at the University of Utah; she has managed to attend nine of those meetings. It has been challenging, but it has been a great learning experience. Many of the faculty and students have been very outspoken in regard to what they are looking for in their next president. Not until after the last one ended the previous day did she begin to get a feel for what the faculty, staff and students were saying that they need. She said she had heard about several instances of candidates for positions around the country who have been accused of being disloyal to their own institutions when word of their candidacy leaked out, and in two instances they had become "lame ducks." She expressed her concern that if the Board changes its stand at this point, it would not attract some of those candidates who might be best qualified. She agreed with Regent Cumming that what we need to do now is look for what is in the best interests of higher education. She said, "If it's in the best interest of higher education that we want the best and the most qualified candidate and the candidate would not apply if it were an open process, then I think we need to stay where we are at this point."

Regent Cumming commended Regent Zabriskie for taking a stand which might be unpopular with his profession. He said he had had extensive discussions with the editors of both the daily papers about whether or not it is incumbent upon the press to keep the public interest in mind in deciding what to print.

Regent Hoggan moved that the present policy be maintained. The motion was seconded by Regent LeFevre. Regent Cumming asked to amend the motion to include that after a lengthy discussion, the Board determined that it was not in the best interests of higher education in choosing the best possible people to lead our institutions to change the present policy.

Regent Clyde moved that a resolution be drafted supporting present policy and formalizing this discussion and this opinion.

Regent Zabriskie suggested that the broad-based constituency included in the search committees should be pointed out in the resolution. Those committees represent a broad spectrum of people on campus, Regents, Trustees, and members of the community. Regent Clyde said this is an issue of timeliness and asked to include in the motion that the resolution be drafted, approved and signed by the Chairman of the Board before the March meeting. Regent Cumming seconded the motion.

Vote was taken on Regent Hoggan's motion and it was approved unanimously. Vote was then taken on Regent Clyde's motion. It was also approved unanimously.

General Consent Calendar

Upon motion by Regent Hoggan and a second by Regent Clyde, the Board approved the following items:

- a. Minutes. Approval of the Minutes of the Meeting of the Utah State Board of Regents held December 13, 1996, at the Board Offices in Salt Lake City, Utah.

- b. Minutes. Approval of the Minutes of the Special Meeting of the Utah State Board of Regents held January 10, 1997, via telephone conference call.
- c. Revisions to R134, *Informal Adjudicative Proceedings Under the Utah Administrative Procedures Act*
- d. Repeal of R181, *State Postsecondary Review Entity (SPRE)*
- e. Revisions to R555, *Providing Facilities, Goods and Services in Competition with the Private Sector*
- f. Revisions to Policies R831, *Minimum Requirements for Non-Faculty Staff Employment Grievances Policy*, and R841, *Minimum Requirements for Disciplinary Sanctions for Staff Personnel*
- g. Revisions to R993, *Records Management*
- h. Executive Session(s). Approval to hold an executive session or sessions in connection with the meeting of the State Board of Regents to be held March 20-21, 1997, to consider property transactions, personnel performance evaluations, litigation, and such other matters permitted by the Utah Open and Public Meetings Act.

Hospitality

Chair Anderton thanked President Budd for his hospitality. President Budd directed the various groups to their respective luncheon meeting rooms.

The meeting was adjourned at 12:38 p.m.

Joyce Cottrell CPS
Secretary to the Board of Regents