

---

MINUTES OF MEETING  
UTAH STATE BOARD OF REGENTS  
June 26, 1998

---

Conference Call

---

Board Members Present

Kenneth G. Anderton  
Pamela J. Atkinson  
Aileen H. Clyde  
Andrew Croshaw  
Ian M. Cumming  
Larzette G Hale  
L. Brent Hoggan  
Charles E. Johnson  
David J. Jordan  
Evelyn B. Lee  
Victor L. Lund  
Paul S. Rogers  
Jay B. Taggart  
Dale O Zabriskie

Board Members Excused

David J. Grant  
Karen H. Huntsman

---

COMMISSIONER'S OFFICE

Cecelia H. Foxley, Commissioner  
Fred R. Hunsaker, Associate Commissioner for Finance and Facilities  
Michael A. Petersen, Associate Commissioner for Academic Affairs  
Chalmers Gail Norris, Associate Commissioner for Student Financial Aid  
Joyce Cottrell, Executive Secretary  
Harden R. Eyring, Executive Assistant  
Norm Tarbox, Assistant Commissioner for Finance and Facilities  
Bradley A. Winn, Assistant Commissioner for Academic Affairs

INSTITUTIONAL REPRESENTATIVES

Steven D. Bennion, Southern Utah University President  
Frank W. Budd, Salt Lake Community College President  
Gerald J. Day, Snow College President  
George H. Emert, Utah State University President  
W. Ralph Hardy, University of Utah Budget Director  
Robert C. Huddleston, Dixie College President  
Grace S. Jones, College of Eastern Utah President  
J. Bernard Machen, University of Utah President  
Kerry D. Romesburg, Utah Valley State College President  
Paul H. Thompson, Weber State University President

OTHERS

Thomas C. Anderson, Attorney General's Office  
Jennifer Toomer Cook, *Deseret News*  
Dan Egan, *Salt Lake Tribune*

After roll was taken, Chair Johnson declared the presence of a quorum and called the

meeting to order at 8:40 a.m. He reviewed the agenda, noting that the recommendations on performance indicators and report on UVSC's land bank study had July 1, 1998 deadlines. He called attention to the proposed agenda for the July 9-10 Board meeting at SUU and asked if anyone had questions regarding the agenda. There will be no Wednesday evening meeting. During the two days, the Board will have six hours of meetings with the Legislative Education Interim Committee at their request.

Chair Johnson asked that discussion on performance indicators follow the other two agenda items.

### Follow-up Report on the UVSC Land Bank Study

Chair Johnson explained that this is Developmental Center property in American Fork. The Board had previously determined that it was still early to tell if this is the correct site, but there will be a need for a second UVSC campus at some point in the future. The financial criteria for this property were set that the purchase price should be the fair market value of the property. Since this is a land bank purchase, the cost of operations, the lease agreement or purchase agreement, and O&M expenses shall be handled by the DFCM until it is converted to the institution. The Board is reconfirming their support of a land bank concept which will be included in our budget recommendation in a separate category. There has been no precedent for a separate prioritization.

Commissioner Foxley said we are looking at other institutional land bank needs to see where this fits within the master planning context. Regent Lee asked if DFCM had any other interested parties. President Romesburg said some private developers were interested in this property.

Regent Hoggan moved approval of the Commissioner's recommendation. Vice Chair Clyde seconded the motion, which carried unanimously.

Regent Rogers moved that the DFCM communicate to the Division of Services for People with Disabilities the Regents' continued interest in the site during the evaluation process. Regent Zabriskie seconded the motion, which carried unanimously.

### Proposed Tuition and Fee Schedule for Utah Electronic Community College Offerings

Commissioner Foxley said the proposed tuition and fee schedule was at the level discussed at the last Board meeting, which is \$48 per credit hour for tuition and \$12 per credit hour for fees, and that it would be the same for in-state and out-of-state students, at least for the first year. She recommended that this rate be analyzed every year to determine whether or not it is competitive for out-of-state students who want to take courses through various methods of technology.

Associate Commissioner Petersen pointed out the two key elements in this proposal:  
1) This is a linear tuition rate so students taking courses from multiple institutions will not be penalized by paying a higher rate of tuition. An average tuition rate was calculated for the five community colleges. The students will be charged the same tuition rate per credit hour as a full-time student would be paying, eliminating the

front-end penalty. 2) Out-of-state students will pay the same tuition as in-state students. This is a significant departure from our traditional tuition schedule.

Regent Atkinson asked if financial aid would be available for students who could not afford the tuition. Associate Commissioner Petersen said it would. Participating students will declare a home institution, which will be responsible for providing financial aid. The challenges come from federal law to reduce the amount of financial aid for students taking only distance learning courses. WGU is working to get this modified.

Regent Atkinson asked why the same tuition was being recommended for Utah students and out-of-state students. Dr. Petersen said the UECC was targeting in-state students; a large number of out-of-state students is not anticipated. UECC's primary market will be Utah students who cannot take these courses as part of their regular program. It is expected that these courses will carry with in-state students so that only marginal costs will be incurred for out-of-state students.

Regent Clyde proposed a slightly higher threshold for non-resident students for consistency in policy. Her reasoning was that it would be more difficult to change later if/when it is determined that there is a large number of out-of-state students who are interested. Regent Jordan said there is a market for students to take electronic courses wherever they are available. He asked if anyone knew the market rate. Dr. Petersen responded that WGU appears to have a consistent expectation that the differential between in-state and out-of-state students will not hold up in a distance learning environment.

Regent Anderton asked about high school students taking concurrent enrollment courses. Associate Commissioner Petersen said those courses are provided through distance delivery at no cost to the students. Concurrent enrollment, funded through public education, pays the full cost of tuition for its courses.

Regent Zabriskie asked to hear from the community college presidents.

President Day said he was supportive of the proposal on a trial basis. Snow College has a high proportion of non-resident students who pay non-resident tuition. If those students opted to take electronic courses rather than the traditional classes on campus at a much higher tuition rate, Snow's revenues would drop substantially. Commissioner Foxley verified that this was the reasoning behind the recommended one-year period stipulated in the proposal.

President Romesburg argued for the flat tuition rate. A nominal rate could be added for non-resident students, but it would hardly be worth the effort in terms of revenue collected and it would not address the scenario raised by President Day. The true test will be what we will do about seeking support from the state in a few months. If we raise the tuition rate, we will likely price ourselves out of the market. WGU is talking about a flat rate, as are the other institutions in this market. If we hope to be competitive, we will have to be substantially below the 3½ times the resident student rate which USHE institutions currently use for non-resident students. Should we have a substantial number of out-of-state students, it would not be difficult to limit them, if desired, by raising their tuition.

Commissioner Foxley said Colorado Electronic Community College charges double for out-of-state students, even on their own campuses. Students take courses because of availability and convenience. They are not getting much non-resident participation. They, too, are watching WGU carefully to see what their tuition rates will be. They will probably decrease their non-resident tuition, which may be difficult

because their institutions have been used to that additional revenue.

President Budd said he was comfortable with the proposal on a one-year basis. President Jones said she agreed with the flat rate. President Huddleston said many community colleges throughout the nation are governed by a local board, who set their tuition for in-state and out-of-state rates. They set lower rates because their tuition is low, especially in the western region of the United States. It will be difficult for the UECC to be competitive at the rate we are recommending. Many people choose to come to Dixie because of the weather. This could have an impact if the students choose to take one class as a resident student and the others electronically.

Regent Rogers moved approval of the proposal. The motion was seconded by Regents Jordan and Taggart.

Regent Atkinson proposed a substitute motion of \$75 tuition for out-of-state students. Vice Chair Clyde seconded the substitute motion. President Romesburg said if the objective was to make this comparable in terms of what is now being done, we would have to charge \$210 for non-resident students (3½ times the resident rate). Regent Atkinson said she did not want to make it comparable, merely to send a message to our students that this project will not discriminate. Vote was taken on the substitute motion, and it was defeated.

Vote was taken on the main motion, which was a flat tuition and fee rate of \$60 per credit hour. That motion passed.

#### Recommendations from USHE Master Planning Task Force on Accountability Regarding Performance Indicators

Regent Lee asked to be excused. She said she had reviewed the recommended performance indicators and thought it covered the task force's recommendations very well and that it was a very good first step.

Regent Jordan, who chairs the task force, said the document was intended to be a first step to inform the Legislators of the direction in which we are heading, and was not to be interpreted as comprehensive or sufficiently detailed enough to be implemented into a funding formula. He reviewed the conditions and recommended indicators.

Much of the discussion focused on the fourth item, which was a proposed standardized and norm-referenced general education achievement test. The task force proposed establishing a requirement that every student, after finishing their general education component, would take a general education review course which would include a standardized capstone examination offered by one of several national testing organizations. The students would not have to pass this exam to complete their general education requirements, but they would have to take the test. The teachers may or may not factor the students' performance on this test into their overall grades. The purpose of the course is to have an effective assessment tool to measure the value-added from the general education provided to those students. This could be measured against the students' ACT or SAT performance results. A nationally-normed exam would also compare our students to other areas nationally. The cost of administering such an exam would be approximately \$20 to \$30 per student, and the cost would be borne by a student fee, similar to a lab course.

Regent Cumming thanked Regent Jordan for the good work of the task force. He said he favored these recommendations, but warned of possible unintended consequences.

We may end up dividing citizens into those who accomplish something and those who do not. This may discourage some students from going forward if they do not reach a certain target. We should not lose sight of the fact that these things have costs as well as benefits.

Regent Atkinson questioned Regent Jordan's statement that professors would make the decision about factoring this exam grade into the students' final grades and asked if this should not be consistent throughout the system. Regent Jordan said the purpose of this course and exam is not to measure students' efforts, but to measure the institutions.

Regent Atkinson expressed her concern at the cost being borne by students and commended Regent Jordan and the task force for their excellent work.

Regent Rogers said his only concern with the general education exam was if/when the demand exceeds the money available, the Legislators and Regents may want to try to ration students into different categories to which they will be allowed access. We do not want this to happen. When students feel the return on their investment is meaningless, they "vote with their feet" and go elsewhere. He commended Regent Jordan and the task force for their well thought-out recommendations.

Regent Zabriskie said he was concerned about requiring all students to take this additional course, especially with our conversion to the semester system. He asked how this would affect a student's outcome in terms of length of time to graduate, etc. Are we adding an extra burden onto these students who may not have budgeted for this extra fee? He asked if the course could include other general education requirements so that it would not be an add-on. Regent Jordan said the task force did not deal with this level of detail, but that was a good option. The task force is looking for specific feedback from the Chief Academic Officers (CAOs) on how this course could be built into the curriculum. That is not the role of the task force.

Commissioner Foxley said capstone courses are primarily used in major areas. A general education exam would cover two years of education, which would be redundant and would tend to encourage teachers to teach to the test. She expressed her concern about adding on a new course to meet general education objectives which are already in place. She suggested starting with a sampling of students initially and analyzing the results, rather than requiring all students to add this to their curriculum. This would not be a student choice, and students would not be charged but may need to be paid to take the course in order to encourage participation.

Regent Croshaw spoke first of graduation efficiencies. The Regents instituted a policy last year that after students exceed a certain number of credits, they are responsible for paying higher tuition for their classes. He feared that the graduation efficiency measure would institute a punitive policy rather than a corrective policy, such as mandating the use of resources already existing to help people decide on career paths and majors and mandating counseling or advising to meet this graduation efficiency. We do not want to harm the people we wish to help.

Regent Croshaw said his concern with the general education measurement was how students are enticed or led to give us the results we want. He had no problem with the method. However, an incentive set up with each school to meet this efficiency guideline should not disadvantage the students. He suggested an alternative to an additional student fee for the proposed general education course and exam might be to take some of the funding for performance indicators to pay for the tests. Taking a test can be a positive experience. It is a time of evaluation for students to reflect on the course, what they have learned, its context, and the way their education integrates into

their lives. Regent Croshaw said he favored the exam but not having it be a special class.

President Thompson said the institutions had already asked faculty to cut back their curriculum significantly. If another course is imposed on them, it will be difficult to find faculty to teach it. He suggested removing the last sentence on page 3 of the recommendation. Regent Jordan suggested an amendment to that paragraph, with which President Thompson concurred. The paragraph would read:

**Instructional Quality and Student Learning — Average student score on a standardized and norm-referenced general education achievement test.** For students who take norm-referenced exams, their test score is perhaps the most readily available measure of the quality of their educational experience. Presently, standardized testing is not widespread in the USHE. However, the Regents are considering the requirement of a "capstone" general education course ~~the completion of a standardized general education achievement test~~ for all USHE students prior to graduation. ~~Among the requirements of the course could be the completion of a standardized general education achievement test.~~ Comparing the test scores of a cohort of students against their pre-admission ACT or SAT test scores would enable a quantifiable assessment of the value added of the USHE's general education programs.

Associate Commissioner Petersen said he had no problem with moving the fourth indicator regarding achievement tests to the second group of indicators which were not budget-related. However, he was concerned about going to the Legislature with recommendations with no indicators that focus on student learning. Our key message to the Legislature should be that this is a critical focus for us. He suggested identifying another indicator on the second list which deals with student learning as a substitute, such as (2) of section C on page 6, "Proportion of students who pass norm-referenced licensure and other examinations with higher scores than the average score currently earned by USHE students."

President Budd pointed out the need to consider the unintended consequences mentioned by Regent Cumming. Salt Lake Community College, along with the other community colleges, is an open-admission institution. Community colleges do not require a particular high school GPA, nor an ACT or SAT test, although these or similar tests are used for placement purposes. Requiring a general education exam could affect the mission of the community colleges so they are no longer open-door institutions. Another concern President Budd had was the emphasis on general education. SLCC has a strong emphasis on Applied Technology Education. With this requirement, more students would turn to the ATCs for their education, rather than coming to SLCC. Business and industry are already fearful that SLCC will move toward becoming a more transfer-oriented institution.

President Day agreed that this would tell the world the USHE favored general education-centered education and does not give the emphasis to ATE that it should have. He suggested adding "certificates of completion" to the phrase about degrees. Also, since this will be in the public domain, he encouraged Regents and Presidents to make sure that "DRAFT" is clearly indicated on each page of the document. He further suggested that the fourth item — Instructional Quality and Student Learning — become the first performance indicator. Our first priority should be quality learning, rather than efficiency and workload. This would also help in the ATE area.

Regent Taggart said public education has been doing standardized achievement testing by law for several years. They are required to give a report to the Legislature every year for every school in the state. However, none of it is tied to funding; it is merely a report on what is happening in public education.

Regent Hoggan said he was in agreement with the concept; however, he shared

Regent Cumming's concerns. We do not want to alienate the ATE segment of our student population. Commissioner Foxley responded that the ATE measurement as an outcome measure would be employment at a certain salary and skill level.

Regent Jordan moved that the report be modified as follows for presentation to the Legislature: The fourth item on page 3 would be moved from the list of budget-related indicators to the Regents Master Plan and Performance Indicators on page 6 of the present document. The text on page 3 would be changed as discussed earlier. Additionally, the items on pages 3 and 4-6 would be reordered so that Instructional Quality and Student Learning would move to the top of the list. Finally, sentence (2) on page 6 of the present document would be substituted into the fourth item on page 3. The motion was seconded by Regent Zabriskie. Chair Johnson asked that the motion include ATE and other issues in reference to certificates. Vice Chair Clyde suggested that page 2 be changed so that the words "students and the public" be added to the end of the paragraph which begins "Measures should collectively reflect multiple values. . ." Regent Jordan agreed to those amendments to the motion, and Regent Zabriskie offered a second. Regent Jordan recommended that this document be referred to the CAOs to work with the Commissioner's staff as a pilot project to determine which test should be used; how well this would be folded into the overall general education requirement; whether or not this would be piloted among a select number of students, how many and who would be given the test; and who should pay for the pilot and subsequent exams. After this information is assessed, we would be able to respond to the Legislature about how we are considering this requirement.

Vote was taken on Regent Jordan's motion, which carried unanimously.

Chair Johnson asked that suggested amendments to this document be faxed to the Commissioner's Office as quickly as possible today. Commissioner Foxley said it would be helpful if Chair Johnson and Regent Jordan could attend the Legislative Executive Appropriations Committee on July 14 if this is included on the agenda for that meeting.

Chair Johnson thanked everyone for their participation in the meeting. The meeting was adjourned at 10:30 a.m.

---

Joyce Cottrell CPS  
Executive Secretary to the Board of Regents