
**MINUTES OF MEETING
UTAH STATE BOARD OF REGENTS
REGENTS BOARD ROOM, 3 TRIAD
CENTER
SALT LAKE CITY, UTAH**

February 19, 1999

Board Members Present

Charles E. Johnson, Chair
Aileen H. Clyde, Vice Chair
Kenneth G. Anderton
Pamela J. Atkinson
David J. Grant
Larzette G. Hale
L. Brent Hoggan
Karen H. Huntsman
David J. Jordan
Evelyn B. Lee
E. George Mantes
Robert K. Reynard
Paul S. Rogers
Jay B. Taggart
Dale O Zabriskie

Board Members Excused

Office of the Commissioner

Cecelia H. Foxley, Commissioner
Fred R. Hunsaker, Associate Commissioner for Finance and Facilities
Chalmers Gail Norris, Associate Commissioner for Student Financial Aid
Michael A. Petersen, Associate Commissioner for Academic Affairs
Joyce Cottrell, Executive Secretary
Philip V. Bernal, Director of Student Services and Minority Affairs
Harden R. Eyring, Executive Assistant to the Commissioner
Linda Fife, Academic Affairs Program Officer
Jerry H. Fullmer, Director of Information Systems
Max S. Lowe, Assistant Commissioner for Applied Technology Education
Whitney J. Pugh, Budget Analyst and Personnel Officer
Norman C. Tarbox, Assistant Commissioner for Finance and Facilities
Bradley A. Winn, Assistant Commissioner for Academic Affairs

INSTITUTIONAL REPRESENTATIVES PRESENT

University of Utah

J. Bernard Machen, President
Paul T. Brinkman, Associate Vice President for Budget and Planning
Raymond A. Haeckel, Executive Director, Government & Community Relations

Utah State University

George H. Emert, President

Richard W. Jacobs, Budget Director

Weber State University

Paul H. Thompson, President

Carol J. Berrey, Executive Director of Government Relations/Assistant to the President

Carol V. Gaskill, Director of Budget & Institutional Research

Southern Utah University

Steven D. Bennion, President

Michael D. Richards, Vice President for Planning and Technology

Gregory L. Stauffer, Vice President for Administrative and Financial Affairs

Snow College

Gerald J. Day, President

Dixie College

Robert C. Huddleston, President

Max H. Rose, Academic Vice President

Stanley J. Plewe, Vice President, Administration & Information Technology

William D. Fowler, Vice President, Student Services

College of Eastern Utah

Grace S. Jones, President

Utah Valley State College

Kerry D. Romesburg, President

Lucille Stoddard, Vice President for Academic Affairs

Gilbert E. Cook, Vice President for College Relations & Campus Support

Douglas E. Warner, Executive Director, Budgets/Management Studies

Salt Lake Community College

Frank W. Budd, President

Marjorie Carson, Vice President of Academic Services

Judd D. Morgan, Vice President of Student Services

Richard M. Rhodes, Vice President of Business Services

Rand A. Johnson, Assistant to the President

Representatives of the Press

Dan Egan, *Salt Lake Tribune*

Jeff Haney, *Deseret News*

Brady Snyder, *Daily Utah Chronicle*

Others Present

Brad Mortensen, Governor's Office of Planning and Budget

Robbie Schow, Utah Council of Student Body Presidents

Chair Charles E. Johnson called the meeting to order at 9:00 a.m. The roll was called and a quorum was declared.

Legislative Update

HB32. Chair Johnson said the Regents had worked with Senate President Lane Beattie on a Substitute House Bill 32, copies of which were distributed to the Regents and Presidents. The Senate will debate this substitute bill on Wednesday, February 24, at 2:30 p.m. He said it was important that every Senator be contacted before that time about the Regents' position on this bill. Chair Johnson said the Regents' master planning process is to look at the state and the expansion of education throughout the state, and not about turf protection. Another issue is "brand names" and whether or not this is the best solution for Dixie College. There are many options for delivery of four-year programs in the St George area, all of which should be explored before any action is taken. He urged the Regents to keep in mind the great value of a community college. Funding is yet another issue. The Legislative Fiscal Analyst has indicated that, based on the UVSC model, funding would be less expensive at Dixie for delivery of four-year programs than at the traditional four-year institutions. However, there is a large differential in both population and the number of available adjunct faculty in Washington and Utah Counties. He also asked the Regents to remember that the Dixie College Foundation had pledged to provide one-time funding, and that support would not be ongoing.

Chair Johnson reviewed the four possible outcomes of pending legislation: (1) With the two competing bills before the Senate, they could pass something different from the House, with neither being enacted into law. (2) Substitute HB32 could pass. (3) The original HB32 could pass and be unacceptable to the Governor. (4) The original HB32 could pass and the Governor could sign it into law. Regardless of the outcome of this bill, the Regents will still proceed with the master planning process as originally planned. All questions will be asked and answered, regardless of the outcome of HB32.

Chair Johnson asked the Regents and Presidents for their help in contacting Senators with whom they have a personal relationship. Regent Mantes said face-to-face contact was always most effective. Several votes in the Senate hinged on representation on the Board of Regents. He suggested that the Board make a strong recommendation to the Governor that he consider representatives from Washington and Carbon Counties when he appoints new Regents. Chair Johnson said he was uncomfortable with the Board *per se* making that recommendation. Individuals may give input as they think appropriate.

Regent Huntsman said the Regents look at the system and the state as a whole. Regent Lee pointed out that Washington and Iron Counties are currently represented on the Board; only the southeastern part of the state is lacking representation. President Jones said the southeast region believes they should have representation on the Board. Regent Zabriskie said there was still residual resentment from Utah County residents who felt the Regents did not act quickly enough in allowing UVSC to offer four-year programs. Those people are sympathetic to the desires of Washington County residents and feel Dixie should be supported in their efforts to gain the same status.

HB32, 2nd Substitute. Copies of Senate President Lane Beattie's substitute bill were distributed. Section (2) places that obligation on the part of the Board of Regents, which is the role to which they have been assigned by statute and which they have already agreed to undertake. Section (4) addresses the transfer of funding and adopts the position

taken by the Regents in December. Commissioner Foxley said President Beattie's substitute bill would not slow down the pace of delivering baccalaureate programs in St. George. A position paper was distributed and reviewed by the Commissioner. The paper presented positive rationale for why President Beattie's position was sound. Chair Johnson said the substitute bill provided that the Regents would look at Dixie College in relation to the system as a whole.

Associate Commissioner Hunsaker pointed out that most of the Senators would not see the second substitute until just prior to its introduction on the Senate floor at 2:30 Wednesday afternoon. They have seen the first substitute. There is very little difference in the first and second substitutes. Commissioner Foxley pointed out the minor changes between the two bills.

Chair Johnson asked President Huddleston to comment. President Huddleston said if the bill is passed and the outcomes specified in lines 30-32 take place, using the funding mentioned in lines 54-55 for programs offered by other institutions would not be appropriate. The Dixie College Foundation had made qualifications for the money they raised. To date more than \$500,000 has been pledged. Washington County residents will not donate this money if the specified conditions are not met, i.e., conversion to a state college. President Emert suggested the deletion of lines 54-55, stating delivery of educational programs should not be based on private donations, but on quality. President Day agreed that this makes it look like a \$500,000 tax on the Dixie College Foundation, but pointed out that this was not a Dixie College Foundation bill.

The Regents and Presidents agreed to make personal contacts with their own Senators and/or Senators with whom they had personal relationships. They will let Commissioner Foxley know the results of those conversations, and assessments will be made for additional contacts. Regents and Presidents were given extra copies of the second substitute bill to share with the Senators.

Regent Rogers cautioned about alienating Washington County residents by taking a confrontational approach. He suggested that Chair Johnson sit down with the proponents of this bill, try to negotiate a win-win position, and take advantage of the fact that the community has pledged so much money to foster baccalaureate programs. He recommended that the Regents allow the name change to Dixie State College, remind Senators of the Regents' statutory role as found in Section 53B-1-102(2) of the Utah Code, transfer funds as stated, accept the donation from the Foundation, and delete any references to guarantee of degrees or time frames as being in the purview of the Regents.

Legislative Funding Progress Report. Chair Johnson summarized higher education's funding by the Legislature thus far. As this point in time, only \$2.3 million has been allocated to the Higher Education Appropriations Subcommittee. We are hopeful that additional funds will be forthcoming. He indicated that a positive factor is that both the Subcommittee and Leadership are supportive of the Regents' request for greater flexibility in the use of state monies that are allocated to higher education, particularly tuition and base adjustments for existing students.

Capital Facilities Recommendations. The Capital Facilities Committee reported to the Executive Appropriations Committee February 18, 1999. The recommendations include a total of \$110 million in building projects. Higher Education will share in \$33.5 million in capital improvements allocations. The SUU Physical Education building was approved for \$19.9 million. The UVSC Information Sciences building was approved at \$29 million and the UU Cowles building was approved for \$7.3 million. SLCC Applied Education Center (Detroit Diesel Building Purchase) was approved for \$4.2 million. All four higher education projects have partial or full funding from the \$55 million general obligation bond. In response to a question from Chair Johnson, Fred R. Hunsaker

indicated that the legislature has expressed support for a \$50 million bond and it has some support for a \$55 million bond. With a \$55 million bond, all the higher education projects identified would be funded. If this materializes, higher education would receive 83% of the total funding for buildings this year.

Legislation of Interest to Higher Education. Commissioner Foxley said the institutional legislative representatives and OCHE staff were continuing to monitor bills which have an impact on higher education. Regent Mantes said it was very important that the Regents try to strengthen their relationships with legislators. He requested a strategic planning meeting of the Board to which leadership of both the House and Senate are invited to discuss major issues like enrollment growth and its funding, delinking compensation and tuition, etc. Regent Atkinson suggested that such a meeting begin with a discussion of the Legislators' perceptions of the Regents. Chair Johnson agreed that the Regents need to be introspective in their master planning, and they need the involvement of high-level elected officials.

General Consent Calendar

On motion from Regent Atkinson and second from Regent Huntsman, the following items were approved on the General Consent Calendar:

Minutes -- Approval of the Minutes of the Special Meeting of the Utah State Board of Regents held February 10, 1999, at 3 Triad Center in Salt Lake City, Utah.

Executive Session -- Approval to hold an executive session or sessions in connection with the meeting of the State Board of regents to be held on March 11-12, 1999 at Dixie College in St George, Utah, to consider property transactions, personnel performance evaluations, litigation, and such other matters permitted by the Utah Open and Public Meetings Act.

The meeting was adjourned at 10:38 a.m.

Joyce Cottrell CPS
Secretary to the Board of Regents