

**MINUTES OF MEETING
UTAH STATE BOARD OF REGENTS
UTAH STATE UNIVERSITY
June 1, 2001**

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MINUTES OF MEETING
UTAH STATE BOARD OF REGENTS
UTAH STATE UNIVERSITY
June 1, 2001

Regents Present

Charles E. Johnson, Chair
Aileen H. Clyde, Vice Chair
Jerry C. Atkin
Pamela J. Atkinson
David J. Grant
L. Brent Hoggan
James S. Jardine
David J. Jordan
E. George Mantes
Robert W. Peterson
Paul S. Rogers
Maria Sweeten

Regents Excused

Karen H. Huntsman
Michael R. Jensen

Commissioner's Office

Cecelia H. Foxley, Commissioner
David Buhler, Associate Commissioner for Public Relations
Norm Tarbox, Associate Commissioner for Finance and Facilities
Chalmers Gail Norris, Associate Commissioner for Student Financial Aid
Joyce Cottrell, Executive Secretary
Harden R. Eyring, Executive Assistant
Linda Fife, Director of Academic Programs
Jerry H. Fullmer, Director of Information Systems
Brad Mortensen, Director of Business and Finance
Phyllis C. Safman, Assistant Commissioner for Academic Affairs
Gary S. Wixom, Assistant Commissioner for Applied Technology Education and Special Projects
Christie Hollingshead, Intern

INSTITUTIONAL REPRESENTATIVES

University of Utah

David W. Pershing, Senior Vice President for Academic Affairs
Michael T. Benson, Special Assistant to the President
Paul T. Brinkman, Associate Vice President, Budget and Planning
Arnold B. Combe, Vice President for Administrative Services
Fred C. Esplin, Vice President for University Relations

John G. Francis, Associate Vice President, Undergraduate Studies
Grafton H. Hull, Professor, Graduate School of Social Work
Ron Tremea, Assistant Vice President, Financial and Accounting Services
V. Randall Turpin, Associate Vice President, Facilities
Mike Nelson, Associated Students

Utah State University

Kermit L. Hall, President
Stan L. Albrecht, Executive Vice President and Provost
Darrell E. Hart, Assistant Vice President for Facilities
Dale C. Huffaker, Director, Real Property
Fred R. Hunsaker, Vice President for Administrative Affairs
Richard W. Jacobs, Budget Director
Lynn E. Janes, Associate Vice President for Administrative Affairs
Steven Palmer, 2001-2002 Student Body President

Weber State University

Paul H. Thompson, President
Anand K. Dyal-Chand, Vice President for Student Services
Steven E. Nabor, Director of Accounting Services
Dave Duncan

Southern Utah University

Steven D. Bennion, President
Sterling R. Church, Vice President for Student Activities
D. Ray Reutzler, Provost

Snow College

Rick Wheeler, Interim President
Richard White, Vice President for Academic Affairs

Dixie State College

Max H. Rose, Executive Vice President of Academics
William D. Fowler, Vice President, Student Services
Stanley J. Plewe, Vice President, Administration & Information Technology

College of Eastern Utah

Grace S. Jones, President
Raelene Allred, Vice President of Finance and Administrative Services
Gail Glover, Dean of Administrative Services, San Juan Campus
Brad King, Dean of Students
Dan Black, Professor, Science Department

Utah Valley State College

Kerry D. Romesburg, President

Brad Cook, Vice President for College Relations
Sam Rushforth, Dean, School of Science and Health
Elaine Englehardt, Assistant Vice President for Academic Affairs
Alene Harrison, Associate Dean, School of Science & Health
Phil Matheson, Professor, School of Physical Science
Dee Oyler, Professor, School of Physical Science
Lucille Stoddard, Vice President for Academic Affairs
Paul Taylor, Professor, School of Physical Science
Ryan L. Thomas, Vice President for Administration & Campus Computing
Douglas E. Warner, Executive Director, Budgets and Human Resources
Ian Wilson, Dean, School of Business
Bradley A. Winn, Vice President for Student Services and Campus Planning
J. Karl Worthington, Associate Vice President for Academic Affairs
Khay Donangdara, 2001-2002 Student Body President

Salt Lake Community College

H. Lynn Cundiff, President
Marjorie Carson, Vice President of Academic Services
Daniel Bingham, Executive Dean, Larry H. Miller Campus
Judd D. Morgan, Vice President of Student Services

Representatives of the Media

Irene Hsiao, *Salt Lake Tribune*
Kirsten Stewart, *Salt Lake Tribune*
Twila Van Leer, *Deseret News*
Melisa Wilson, *Standard Examiner*

Others Present

Jim Burr, Chapman and Cutler
Race Davies, Governor's Office of Planning and Budget
Carl Empey, Zions Bank Public Finance
David C. Jones, Office of the Attorney General
John Massey, Legislative Fiscal Analyst
Kelly Murdock, Wells Fargo Public Finance
Vernon C. Rowley, Governor's Deputy for Education
Blake Wade, Ballard Spahr Andrews & Ingersoll, LLP

Friday morning, June 1, began with an executive session meeting of the Board of Regents, followed by meetings of the Board committees. Chair Johnson called the Committee of the Whole to order at 11:00 a.m. He noted that Regent Huntsman had been present for the executive session meeting, but had to leave prior to committee meetings. He also excused Regent Jensen, who had become ill en route to Logan the previous evening.

Utah Valley State College – Three New Baccalaureate Programs
in Chemistry, Mathematics, and Physics

Chair Johnson called attention to Tab C and asked Academic and ATE Committee Chair Atkinson to lead the discussion. Chair Atkinson said this item had been discussed in committee but a vote had not been taken because it had been decided in the April 20 Board meeting that this would be brought back before the Committee of the Whole. Since that meeting, two evaluators were brought in to review the proposed programs. They recommended that UVSC be allowed to proceed with all three degrees.

Although undergraduate lab equipment was sufficient, the evaluators recommended that more resources be provided for additional lab equipment. Steps are being taken to respond to the evaluators' recommendations on libraries. One suggestion was to seek retiring faculty who would be willing to donate their books to the school. The College has increased its subscriptions to journals as well. Chair Atkinson said the University of Utah supports the proposed programs, and USU is supportive of the process.

The committee discussed the Commissioner's recommendation of requiring UVSC to report back and whether or not they were being held to a higher standard than the other institutions. It was explained that the reports were very helpful to the Regents and also provided a good opportunity for the College to report its successes. There was a positive discussion in committee about the programs. Dean Rushforth was present to respond to specific questions.

Regent Grant said he was reluctant to approve new programs when the economy is softening. Vice Chair Jardine said there was no longer an issue about UVSC being a four-year institution. These are core degrees which are required for a four-year institution. The other issue discussed in committee was readiness (library holdings, faculty, etc.). The evaluators determined that the System's availability of library resources were included and the institution was prepared. President Romesburg had indicated to the committee that he would cut back in other areas if necessary in order to have funding available for these programs. Regent Hoggan pointed out that it would probably be five years before the proposed degrees were completely developed. While the timing might not be the best economically, now would be the appropriate time to start developing the programs.

Regent Grant read from the evaluators' report: "These programs will therefore likely have minimal impact on similar programs at other state schools (or even BYU, given the enrollment caps there). In fact, the primary effect of these UVSC programs that might be felt at the U. of Utah, Utah State, and BYU could be to supply a few additional graduate students to the institution." Regent Grant asked the other Presidents if they agreed that these programs would have minimal impact on their programs. Chair Atkinson said University of Utah and Utah State University officials responded in committee that they were very supportive of these programs. In addition, BYU officials also wrote a letter of support for the programs. University of Utah Vice President John Francis pointed out that these programs would also provide services and attract faculty for other departments. USU Provost Albrecht said he did not know whether or not this would significantly impact USU's programs.

Regent Jordan expressed his concern about resources, especially the laboratories and library holdings. He had previously voiced the same concerns with respect to the approval of four-year programs at Dixie. He requested assurance that if the programs are approved and students get into them that the resources would be there at the appropriate time. Vice President Stoddard said the programs in the three degrees are creditable. This had been a concern of the Regents. Dean Rushforth said there was sufficient funding for the lower division programs. College officials have been working with private donors to provide additional support, if necessary. Campus officials inadvertently did not show the evaluators one of the labs because it was on the opposite side of a building. Also, the evaluators were not aware that UVSC had hired six new faculty members.

Vice Chair Clyde noted that members of the Academic and ATE Committee put the institutions through unusual scrutiny. They have been able to respond to each of the concerns raised. In the event of an economic downturn, we will have more students in the System, not fewer.

Regent Sweeten moved approval of the programs. The motion was seconded by Regent Rogers.

Regent Jordan asked about UVSC's mission statement. Commissioner Foxley read it aloud. Regent Jordan said the Regents should discuss restrictions on the kind of four-year degrees which can be offered at UVSC. Chair Atkinson said of the 20+ four-year programs approved for UVSC, all fit the College's mission. They have proven the need and have reported, as required, that every degree has been successful in attracting students and in being utilized by students taking classes in other areas. UVSC is trying to meet the needs and demands of their area with so many place-bound students. The evaluators were pleasantly surprised at the quality of faculty UVSC had been hiring.

Regent Mantes questioned how much education the state of Utah could really afford to provide. The state has limited revenues, yet we keep expanding rapidly. Chair Johnson said that problem would be a constant for the Board of Regents. Decisions will be made on an institution-by-institution and program-by-program basis.

Regent Jordan said he was satisfied that these programs meet the requirements necessary to get started. He did not believe restrictions should be different for UVSC than for the other institutions. He said approving new programs was a difficult job for the Regents, who are very dependent on the Presidents and Chief Academic Officers (CAOs) to help them understand the impact of a program on the programs at other institutions. Chair Atkinson pointed out that UVSC had recently closed down two programs which were costly but not effective in order to free up resources to support these and similar programs. Vice Chair Jardine said the points made by the other Regents had been discussed repeatedly in committee. In addition, the Board asked last month for a matrix of programs which are being advanced through the institutions to come to them for approval. Vice Chair Jardine expressed his appreciation to the CAOs, Presidents, and Commissioner's staff for their assistance in researching committee concerns.

Vote was taken on the motion to approve the programs. The motion carried unanimously.

Appreciation to Outgoing Regents

Chair Johnson said the Regents and Presidents had met the previous evening to thank and recognize the outgoing Regents and President Grace S. Jones. He thanked publicly Regents Aileen Clyde, Karen Huntsman, Rob Petersen, Paul Rogers and Winn Richards for their service to the Utah System of Higher Education. Although their terms of office expire on June 30, they will continue to serve until their successors have been named by the Governor and confirmed by the Senate. Chair Johnson noted that this was President Jones' last Board of Regents meeting. He thanked her for her five years of service to the College of Eastern Utah and the Utah System of Higher Education.

Commissioner Foxley noted that cumulatively the outgoing Regents had offered 40 years of service, which included 351 Board meetings and 13 presidential selections. She offered her gratitude and appreciation to these fine public servants for their service to our System and our state.

The meeting was recessed at 11:40 a.m. so the Regents could meet with the Utah State University Board of Trustees.

Following luncheon meetings, the Board reconvened at 1:25 p.m. Chair Johnson began the afternoon meeting with an update on sports news. He noted that the Dixie State College baseball team was playing that evening for the championship of the National Junior College World Series. President Huddleston had accompanied the team. Chair Johnson also noted that Charles Clinger, a high jumper from Weber State University, had defeated Dave Hoffman, a competitor from Utah State University, in the NCAA Track and Field Championship. He offered the Board's congratulations to all the athletes.

Visit with Senator Hillyard. Chair Johnson welcomed Senator Lyle Hillyard and Representatives Brad King and Brad Winn. He asked Senator Hillyard to speak about the Legislative Higher Education Appropriations Subcommittee's summer agenda. Senator Hillyard responded that the subcommittee would be taking a tour of USHE facilities at USU, the University of Utah, and UVSC on August 22-24. Next year the subcommittee will go to southern Utah. Their primary agenda topic will be formula funding, which is the most important issue for higher education at this time. Other important issues are the increase in health insurance, fuel and power costs, and salary equity. Senator Hillyard said the large signing bonuses offered to our engineering graduates by other states was very discouraging. He asked for direction from the Board on the distribution of funds to the most urgently needed areas. Chair Johnson informed Senator Hillyard that SB61 called for the formation of a job enhancement committee, on which Regents Grant and Jordan will serve.

Chair Johnson referred to the Governor's request for a 4% budgetary hold-back on all state budgets and asked Senator Hillyard how he viewed the request from a legislative perspective. Senator Hillyard said 18 of the 29 Senators have served in the Legislature for two years or less, and they have not been through mid-year budget cuts. It is especially hard for higher education, whose budget year ends three months after the mid-year point.

Chair Johnson asked about a special session to deal with ATE governance. Senator Hillyard said he was not in favor of changing the system. Many people do not understand that ATC classes

cannot automatically be transferred to the USHE institutions for credit. Some Legislators do not understand and may be disappointed with the reality when the change is made. Higher education needs to educate the Legislators and the general public that experience in the general education areas such as writing makes a big difference. Senator Hillyard reflected that education is not only learning facts, but learning thought processes, and higher education needs to correct that misperception. There are still some pretty strong expectations regarding ATE among the Legislators.

Chair Johnson said the Regents and Presidents had been very pleased with the amount of funding which had been allocated to our institutions in the last legislative session. He expressed the Board's appreciation for the Legislative Higher Education Appropriations Subcommittee's actions on the System's behalf. Senator Hillyard said he thought the groups who needed to work closely together were the Board of Regents, who bring the vision; the college Presidents, who know how the budget will fit with their institutions; the Legislative Higher Education Appropriations Subcommittee, who is very supportive of higher education; and the Executive Appropriations Committee. Members of the Executive Appropriations Committee do not understand the large picture of the entire System. Senator Hillyard urged the Regents to do a better job of helping Legislative Leadership capture the vision of higher education, and to push them as far as possible on behalf of higher education.

Chair Johnson thanked Senator Hillyard for his attendance and his remarks.

Reports of Board Committees

Finance and Facilities Committee

University of Utah – University Hospital Expansion Revenue Bond Issue (Regent Bonds) (Tab F). Chair Brent Hoggan reviewed the parameters of the bond and said the University had previously brought this item to the Board's attention. The bond, not to exceed \$31 million, was being issued for 20 years (not to exceed 21 years) at a true interest cost, not to exceed 5.9%. **Chair Hoggan moved approval of the "parameters resolution," with the understanding that final pricing, structuring, and execution of the bonds will be performed by the Chair or Vice Chair of the Board, of the Chair of the Board's Finance and Facilities Committee. The motion was seconded by Regent Grant and was adopted by the following vote:**

AYE:

Charles E. Johnson, Chair
Aileen H. Clyde, Vice Chair
Jerry C. Atkin
Pamela J. Atkinson
David J. Grant
L. Brent Hoggan
James S. Jardine
David J. Jordan
E. George Mantes
Robert W. Peterson
Paul S. Rogers
Maria Sweeten

NAY: (None)

University of Utah – University Hospital Parking Addition Revenue Bond Issue (Industrial Development Bonds) (Tab G). Chair Hoggan said this was a companion to the previous bond action. This bond, not to exceed \$3 million, was scheduled to mature in not more than 21 years at a true interest cost not to exceed 5.9%. **Chair Hoggan moved approval of the University of Utah Hospital Parking Expansion Revenue Bond, Series 2001, with the understanding that final pricing, structuring, and execution of the bonds will be performed by the Chair or Vice Chair of the Board, of the Chair of the Board’s Finance and Facilities Committee. The motion was seconded by Regent Grant and was adopted by the following vote:**

AYE: Charles E. Johnson, Chair
Aileen H. Clyde, Vice Chair
Jerry C. Atkin
Pamela J. Atkinson
David J. Grant
L. Brent Hoggan
James S. Jardine
David J. Jordan
E. George Mantes
Robert W. Peterson
Paul S. Rogers
Maria Sweeten

NAY: (None)

Utah State University – Campus Master Plan (Tab H). **With the statement that there had been no significant differences since the Master Plan was last presented to the Board, Chair Hoggan moved its approval. The motion was seconded by Regent Grant and carried unanimously.**

Weber State University – Student Housing Revenue Bond Issue (Tab I). Chair Hoggan said he had had to leave the committee meeting during discussion of this item. He asked Vice Chair Rogers to present it to the Board. Vice Chair Rogers said a discussion had ensued at the Board meeting in Price when it was pointed out that there was not an interested private sector developer to provide housing in a suitable manner. The proposal includes housing for 1600 students over a period of time. The target goal was \$300 monthly rent per student. The committee discussed the financial parameters and moved approval of the \$13 million bond. **Vice Chair Rogers moved approval of the authorizing resolution for the Weber State University Student Facilities System Revenue Bond, Series 2001, A, with the understanding that final pricing, structuring, and execution of the bonds will be performed by the Chair or Vice chair of the Board, of the Chair of the Board’s Finance and Facilities Committee. The motion was seconded by Regent Atkin and was adopted by the following vote:**

AYE:

Charles E. Johnson, Chair
Aileen H. Clyde, Vice Chair
Jerry C. Atkin
Pamela J. Atkinson
David J. Grant
L. Brent Hoggan
James S. Jardine
David J. Jordan
E. George Mantes
Robert W. Peterson
Paul S. Rogers
Maria Sweeten

NAY:

(None)

Snow College – Revenue Bond Financing for South Campus Multi-events Center (Tab J). Chair Hoggan said this item had been pulled from the agenda.

Utah Valley State College – Property Purchase (Tab K). Chair Hoggan said UVSC officials proposed to acquire a .37-acre parcel of land and an associated residential home adjacent to the Orem Campus for \$140,000, to be paid from the proceeds of an earlier property sale to the LDS Church. No state-funded O&M will be required. **Chair Hoggan moved approval of the transaction. The motion was seconded by Regent Atkin and carried unanimously.**

Utah Valley State College – American Fork Building Lease (Tab L). Chair Hoggan said the building in question had previously been used for a hardware store. It is a project for Mountainlands Applied Technology Center, to be administered through UVSC. The Legislature approved \$836,400 in ongoing funds and \$167,400 in one-time funds for this project, including the programmatic aspects. The lease had been reviewed and approved by the Attorney General’s office and a suggestion made to clarify the way the real estate commission is pro-rated in the event of lease termination. Those changes will be incorporated. The committee believed it is necessary for this lease to go forward, to be used principally by the public education system beginning in August. The property will also be used by UVSC after 3:30 p.m. at no cost. **Chair Hoggan moved approval of the lease. The motion was seconded and carried unanimously.**

USHE – 2001-2002 Capital Improvement Funding (Tab M). Chair Hoggan said this item was provided for information only and required no action. He noted that of the \$44.7 million allocated by the Legislature for capital improvements, higher education was given \$25.7 million. A prioritization of capital projects receiving this funding was attached to the Commissioner’s cover letter. The committee had been pleased to receive the report and recommended that Chair Johnson and Commissioner Foxley write to the appropriate decision-making bodies to thank them for the generosity of the allocation. Commissioner Foxley said DFCM and the Building Board have worked very effectively with the institutions on these projects. Higher Education received a very fair share of the capital funds in order to keep our facilities maintained and in good repair.

Consent Calendar, Finance and Facilities Committee (Tab N). **On motion by Chair Hoggan and second by Regent Atkin, the following items were approved on the committee's consent calendar:**

1. OCHE Monthly Investment Report
2. UofU and USU Capital Facilities Delegation Reports
3. USU – Acceptance of Donated Properties
4. UofU – Property to be Liquidated
5. 2001-2002 Final Work Programs Revisions

Chair Johnson thanked Chair Hoggan for his report.

Academic and Applied Technology Education Committee

University of Utah – Bachelor of Social Work Degree Program (Tab A). Chair Atkinson said the committee had heard a presentation which showed how much this program is needed. In the State Division of Children and Family Service (DCFS) there has been a large turnover of case workers who work with foster children and abused children. Many of these case workers have not been properly prepared. This program would address many of those concerns. The program will admit 40 students per year. Some of the graduates will go to DCFS, with others going to nursing homes, non-profit agencies, etc. The program is supported by DCFS, the University of Utah, Utah State University, and Brigham Young University. **Chair Hoggan moved approval of the BSW Program for the University of Utah. The motion was seconded by Regent Hoggan and carried unanimously.**

University of Utah – Bachelor of Science and Bachelor of Arts Degrees in Information Systems (IS) (Tab B). Chair Atkinson noted that the University would change the school name from the School of Accounting to the School of Accounting and Information Systems. There is a high demand for graduates of these programs. The School of Accounting packaged five courses to help meet the IS degree requirements. No concerns were expressed by the other institutions. Vice President Pershing said the University had hired a new faculty member in the College of Education to teach “high tech” techniques in training teachers. **Chair Atkinson moved approval of the new degrees. The motion was seconded by Regent Atkin and carried unanimously.**

Information Calendar, Academic and Applied Technology Education Committee (Tab D). The following items were presented for the Board's information:

1. University of Utah
 - A. Name Change of the Department of Electrical Engineering (EE) to the Department of Electrical and Computer Engineering
 - B. Creation of a Minor in Ceramics
 - C. Creation of a Minor in Earth Science
2. Utah State University – Name Change of Prelaw Major to Law and Constitutional Studies

Consent Calendar, Academic and Applied Technology Education Committee (Tab E). Chair Atkinson said the committee took special note that the University of Utah was looking for approval to establish a Center for Rock Blasting Research. Mining companies will be contributing to the program. The proposed programs in Gerontology are also badly needed. Chair Atkinson also noted UVSC's proposed School of Computer Science and Engineering and said the College had aligned several departments and programs accordingly. **On motion by Chair Atkinson and a second, the following items were approved on the committee's consent calendar:**

1. University of Utah
 - A. Utah Center for Rock Blasting Research
 - B. Center for Mine Lands Redevelopment
 - C. Online Undergraduate and Graduate Certificate Programs in Gerontology
 - D. Bachelor of Arts (BA) Degree in addition to the existing Bachelor of Science (BS) Degree in Environmental Studies
2. Utah Valley State College
 - A. New School of Computer Science and Engineering with a corresponding realignment of degrees and courses in the Schools of Business, Science and Math, and Technology, Trades and Industry.
 - B. Restructure the Departments in the School of Business

Chair Johnson thanked Chair Hoggan for his report.

General Consent Calendar

On motion by Chair Hoggan and second by Regent Atkin, the following items were approved on the Board's General Consent Calendar (Tab O):

A. Minutes

1. Approval of the Minutes of the Regular Meeting of the Utah State Board of Regents held April 20, 2001, at the College of Eastern Utah in Price, Utah.
2. Approval of the Minutes of the Special Meeting of the Utah State Board of Regents held April 30, 2001, via telephone conference call.

B. Grant Proposals - Approval to submit the following proposals:

1. University of Utah – Visualization ISIC (Integrated Software Infrastructure Center), \$2,700,004; Charles D. Hansen, Principal Investigator.
2. University of Utah – Pain and the Defense Response, \$3,526,291; Richard C. Chapman, Principal Investigator.
3. University of Utah – Targeting of Genes in the Mammalian Genome, \$2,358,291; Mario R. Capecchi, Principal Investigator.

4. University of Utah – Blood & Marrow Transplant, Clinical Research Network, \$2,025,000; Patrick G. Beatty, Principal Investigator.
 5. University of Utah – Mouse Models of Diabetic Cardiovascular Complications, \$3,726,900; Donald A. McClain, Principal Investigator.
 6. University of Utah – Feedback Among Biological, Physical and Chemical Factors Controlling Bacterial Transport in Granular Aquifers, \$2,949,540; William P. Johnson, Principal Investigator.
 7. University of Utah – Large Mammal Movements through Human-Impacted Landscapes in East Africa, \$2,499,711; William D. Newmark, Principal Investigator.
 8. Utah State University – Geospatially Evaluating Complex Grazing Patterns and Vegetation Utilization for More Sustainable Rangeland Management, \$1,019,203; Neil E. West, Principal Investigator.
 9. Utah State University – NIST (ROM), \$1,081,232; Alan Thrugood, Principal Investigator.
 10. Utah State University – Sequencing the Genomes of Lactic Acid Bacteria, \$2,080,773; Bart Weimer, Principal Investigator.
 11. Utah State University – Consortium for the Application of Behavioral Principles to Management, \$4,709,226; Fred Provenza, Principal Investigator.
 12. Utah State University – Profitable Pasture-Livestock Management Systems for Small Farms in the Intermountain West, \$1,615,000; J.W. MacAdam, Principal Investigator.
 13. Utah State University – Third Year Funding for the Lightweight Robotic and Semiautomatic Ground Vehicle Mobility and Survivability Enhancements, \$2,162,427; A. Bruce Bishop, Principal Investigator.
 14. Utah State University – A Science and Technology Center for the Analysis and Prediction of River Basin Environmental Systems, \$1,983,741; David G. Tarboton, Principal Investigator.
- C. Executive Session(s) — Approval to hold an executive session or sessions prior to or in connection with the meetings of the State Board of Regents to be held August 3, 2001, at Snow College, to consider property transactions, personnel issues, litigation, and such other matters permitted by the Utah Open and Public Meetings Act.

Report of the Commissioner

Commissioner Foxley referred to a letter in the Regents' folders from Utah Education Network/KULC which requested the Regents' completion of a survey which is required by the FCC. She asked the Regents to complete and return the surveys to UEN. Vice President Esplin said the requirement was made of all broadcasters, and the Board of Regents is the official governing board of channel 9.

Proposed Board Policy R815, *Special Policy for the 2002 Olympic Winter Games*

Commissioner Foxley said state departments had been asked to develop a policy wherein individuals could save vacation/leave time this year and carry it forward to be used during the 2002 Winter Olympics. Policy R815 is consistent with the policies of other state agencies and would enable our employees to be volunteers or employees for the Olympics, where approved by institutional policy and administration. This is a one-time only policy and will become null and void upon completion of the Olympics. She advised the Presidents to look at it and develop what is appropriate for their respective institutions. **Regent Grant moved approval of the policy. The motion was seconded by Regent Atkinson and carried unanimously.**

Revised Policy R401, *Program Approval and Program Additions or Changes*

Commissioner Foxley said the proposed changes to policy R401 (Q-1) had been made as the result of a request by the Board at the April meeting. A new section, "Programs Under Development/Consideration" would be added, which would provide a long-term view of the programs being developed by the institutions. The second part of the item (Q-2) was a matrix of those programs which had been submitted for review and approval at this meeting.

Regent Jardine said the matrix served the purpose of determining whether or not there are duplicate programs, etc. He called it a great tool for planning purposes. Regent Sweeten requested that a list of programs being eliminated also be presented to the Board. Commissioner Foxley said this had formerly been done on a more regular basis. Regent Jardine pointed out that some proposed programs would be eliminated before they could be presented to the Regents for approval. The Academic and ATE Committee requested this advanced time line, realizing that not every program will be presented to the Board for approval. In addition, the institutions are being asked to identify the programs being eliminated and to ascertain how much money is being saved.

In response to Regent Grant's concern regarding starting new programs as the economy is slowing down, Commissioner Foxley said programs to be brought forward would be identified in a timely fashion. She noted that this information had been requested by the Regents before we were asked by the Governor's Office of Planning and Budget to identify areas where money could be held back in our budgets.

Regent Atkinson moved approval of the proposed revisions to Policy R401 and of the list of programs being proposed or under consideration. The motion was seconded by Regents Atkin and Grant and carried unanimously.

Applied Technology Governance

Chair Johnson said in the last legislative interim meeting, the proposed bill (see Tab P) was changed to move ATE under higher education and to put more governance responsibilities under higher education. Speaker Stephens and Governor Leavitt have attempted to garner support for this proposal. Chair Johnson asked Representative Winn about the results of the discussion between Speaker Stephens and the Utah County legislative delegation.

Representative Winn said he had some personal concerns about the change in legislation. Those concerns were shared by other legislators. The Republican caucus was asked if they were comfortable enough to go into a special session. A straw vote revealed there were not enough votes to pass the bill. Several of those deciding votes were from Utah County. Speaker Stephens met with the Utah County delegation for a candid discussion about all concerns. In the end, the delegation felt the bill would push the state in a direction which was better than the status quo and assumed a special session would be called on June 20.

Representative Winn said he didn't think there was a need for a separate technical college, community/ state college and university in Utah County. He was concerned about ATE students being taken from UVSC with open-entry, open-exit, low-cost or no-cost education. In Utah County higher education has worked cooperatively with public education. The proposed UCAT would have more of an independent board structure. Currently the nine USHE Presidents report both to an institutional Board of Trustees and to the State Board of Regents. The bill changes the governance structure. Representative Winn said he hoped the proposed legislation would not establish ten new community colleges in the state.

Commissioner Foxley reported on the Governor's Bus Tour #4. He and his cabinet travel in a bus which is identified with a large sign which reads, "Bringing the Capital to the People." The entire community is invited to the meetings. This fourth tour highlighted the ATE challenge and dilemma. On Wednesday, the Governor visited the Davis and Ogden-Weber ATCs. On Thursday morning he visited the Bridgerland ATC. Commissioner Foxley said the legislators who appeared to not support the new proposal early in the discussion of ATE had changed their minds and now felt the proposed legislation was moving education in the right direction. Students saw the benefits of attending a college rather than a center. They want increased opportunities to transfer from one type of institution to another. There was strong support at each of the locations. Very pointed questions were asked at each session.

It was noted that northern Utah enjoys double funding for ATE. High school students go to ATCs for which the public schools receive full funding through the WPU formula. The ATCs are also funded for their students. There is concern in northern Utah about reducing their funding to be shared with the rest of the state. There is also concern about the impact on the existing institutions of the new Utah College of Applied Technology (UCAT). Commissioner Foxley said she thought the tour had been very productive.

Chair Johnson pointed out that if the bill is passed in special session, it will become effective on September 1 of this year.

Adjournment

Chair Johnson thanked President Hall for the University's warm hospitality, and also for the Aggie Ice Cream, which ended the meeting perfectly. President Hall thanked the cows for the ice cream, and expressed his special appreciation to Lee Burke and other staff members for making the meeting run so smoothly.

The meeting was adjourned at 2:25 p.m.

Joyce Cottrell CPS
Executive Secretary

Date Approved