

AGENDA
MEETING OF THE
UTAH STATE BOARD OF REGENTS

July 12, 2002

**Utah State Board of Regents
Office of the Commissioner
of Higher Education
Board of Regents Building, The Gateway
60 South 400 West
Salt Lake City, Utah 84101-1284**

AGENDA
STATE BOARD OF REGENTS MEETING
SOUTHERN UTAH UNIVERSITY, CEDAR CITY, UTAH
SHARWAN SMITH STUDENT CENTER
July 12, 2002

7:30 a.m. - BREAKFAST MEETING – STATE BOARD OF REGENTS,
9:00 a.m. SOUTHERN UTAH UNIVERSITY BOARD OF TRUSTEES
PRESIDENT BENNION, COMMISSIONER FOXLEY
Escalante Room

9:00 a.m. - COMMITTEE OF THE WHOLE
10:30 a.m. West Ballroom

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|--|-------|
| 1. Results of June 26, July 8-9, 2002 Legislative Special Sessions | Tab A |
| 2. Southern Utah University – Campus Master Plan | Tab B |
| 3. Proposed Amendments to Policy R851, <i>Guidelines for Retirement Programs</i> | Tab C |
| 4. Proposed Amendments to Policy R512, <i>Determination of Resident Status</i> | Tab D |
| 5. USHE – Progress Report of the Health Benefits Task Force | Tab E |
| 6. Overview of 2002 Master Planning Task Forces | Tab F |

10:30 a.m. - MEETINGS OF 2002 MASTER PLANNING TASK FORCES
12:00 noon

- | | |
|---|-------|
| 1. Task Force on Funding – West Ballroom | Tab G |
| 2. Task Force on Missions and Roles – Cedar Breaks Room | Tab H |
| 3. Task Force on Student Success – Great Basin Room | Tab I |

12:00 noon - LUNCH BREAK
12:45 p.m. East Ballroom

12:45 p.m. - MEETINGS OF 2002 MASTER PLANNING TASK FORCES (continued)
2:45 p.m.

2:45 p.m. - COMMITTEE OF THE WHOLE AND
3:00 p.m. REGULAR BUSINESS MEETING OF THE BOARD
West Ballroom

- | | |
|---|-------|
| 1. Report of the Chair | |
| 2. Report of the Commissioner | |
| 3. Brief Progress Reports of 2002 Master Planning Task Forces | |
| 4. General Consent Calendar | Tab J |
| 5. Other | |

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Projected times for the various meetings are estimates only. The Board Chair retains the right to take action on any agenda item at any time. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify ADA Coordinator, at 60 South 400 West, Salt Lake City, UT 84101-1284, or at 801-321-7124, at least three working days prior to the meeting. TDD # 801-321-7130.

MEMORANDUM

July 1, 2002

TO: State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: Results of June 26, July 8-9, 2002 Legislative Special Session

Issue

It is expected that the Special Session of the Legislature that began on June 26 and is scheduled to meet on July 8 & 9 will be concluded prior to the Board of Regents Meeting. A report of the Session including legislative actions affecting Higher Education will be hand-carried to the meeting.

Cecelia H. Foxley, Commissioner

MEMORANDUM

July 2, 2002

TO: State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: Southern Utah University - Campus Master Plan

Issue

Attached is a letter from Southern Utah University Vice President Gregory L. Stauffer, requesting Board of Regents' review and approval of the University's master plan. There have been no changes made to the master plan.

Members of the University's administration will be in attendance at the Regents' meeting to present the master plan and answer questions that may arise.

Recommendation

It is the Commissioner's recommendation that the Board of Regents review the Southern Utah University campus master plan, ask questions of Southern Utah University representatives, and if satisfied, approve the University's master plan.

Cecelia H. Foxley, Commissioner

Attachments

CHF/MHS/BH

June 17, 2002

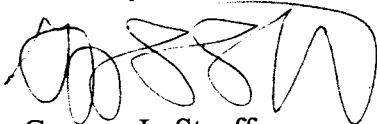
Cecelia H. Foxley, Commissioner
Utah System of Higher Education
Board of Regents Building, The Gateway
60 South 400 West
Salt Lake City, UT 84101-1284

Dear Commissioner Foxley:

Re: Southern Utah University Campus Master Plan

In accordance with Regents Policy R714, Southern Utah University is requesting a review of the campus master plan at the July 12, 2002 Board of Regents meeting in Cedar City. We would request that you place this review on the July meeting agenda. There are no changes to the plan, which is attached. Representatives from SUU will be in attendance at the Regents meeting in order to review the plan and respond to any questions.

Sincerely,



Gregory L. Stauffer
Vice President for Administrative & Financial Services

cc: Mark H. Spencer, Associate Commissioner
Steven D. Bennion, SUU President

MEMORANDUM

July 1, 2002

TO: State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: Amendments to Policy R851, Guidelines for Retirement Programs

Issue

To amend the current policy to allow an employee participant in a TIAA-CREF retirement plan to withdraw the entire amount of their retirement account upon termination of employment.

Background

The Board's guidelines for retirement programs currently requires that "individuals opting for cashability must be at least 55 years of age. Several employees at a number of System institutions have requested cash withdrawals of retirement accounts upon retirement prior to age 55. The attached letter from President Thompson of Weber State University includes advice of legal counsel that there are no federal or IRS requirements compelling the Board to retain this 55 years old limitation. There does not seem to be any reason to retain this guideline. Amending language is attached.

Recommendation

It is the recommendation of the Commissioner that the Board approve the proposed amendments to policy R851, Guidelines for Retirement Programs.

Cecelia H. Foxley, Commissioner

CHF/HRE
Attachments

R851, Guidelines for Retirement Programs

R851-1. Purpose

To define the retirement plans available in the System and to provide guidelines for enrollment in the plans.

...

3.3. Teachers Insurance and Annuity Association/College Retirement Equities Fund - The Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA/CREF) retirement system is a defined contribution plan. The contribution rate for TIAA/CREF is set by Utah Code [§49-3-207](#). The institutions are authorized to offer any or all of the investment options available from TIAA/CREF.

3.3.2. Institutions are authorized to offer cashability of TIAA and CREF funds in compliance with TIAA/CREF regulations within the following guidelines:

3.3.2.1. Within each institution, all employees and former employees shall have equal access to the cashability option.

3.3.2.2. Individuals terminating their employment with the sponsoring institution may opt for cashability, regardless of their age.

3.3.2.[2]3. Individuals opting for cashability who have not terminated their employment with the sponsoring institution must be at least [55] 59 1/2 years of age.

3.3.2.[3]4. Employees opting for cashability [~~upon termination of employment from a USHE institution~~] must sign a waiver substantially in the form attached.

...

(Approved June 27, 1978; amended May 25, 1990, May 24, 1991, June 15, 1994 and May 29, 1998. Proposed amendments July 12, 2002.)

(INSTITUTION NAME)

Waiver of Liability for TIAA-CREF Cash Withdrawal

I have read and understand the requirements of TIAA-CREF for a cash withdrawal.

In addition to any and all requirements of TIAA-CREF, including but not limited to the "Request for a Cash Withdrawal" and the "Waiver of Survivor Annuity Benefits," I further agree to hold the (Name of Institution), the Utah State Board of Regents, and their employees harmless from any claims, losses, expenses and liabilities that arise out of or result from exercising the option to make this withdrawal.

Employee

MEMORANDUM

July 1, 2002

TO: State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: Amendments to Policy R512, *Determination of Resident Status*

Issue

H.B. 331 amended 53B-8-102, Definition of Resident Student, effective May 6, 2002. The bill changes the way a person can establish Utah residency for tuition purposes. Regents policy R512, *Determination of Resident Status*, must be amended to reflect the changes in the law.

Background

For many years a person could establish Utah residency for tuition purposes by meeting certain requirements and residing in Utah for twelve months prior to the academic term for which he or she sought resident status. H.B. 331 now requires that a student must maintain Utah residency “while completing 60 semester credit hours at a regionally accredited Utah higher education institution or an equivalent number of applicable contact hours at the Utah College of Applied Technology.”

There are a number of adjustments needed to R512, *Determination of Resident Status*, in order to effectively administer this new approach:

1. Because a person becomes an adult at age 18, and residency is a function of credit hours taken, the distinction between “adult” and “minor” has been eliminated.
2. The time in which there is a presumption of non-resident status because of a purpose to attend a Utah institution has been extended from 12 months to 24 months to coincide with the average time to complete 60 semester credit hours.
3. Because of the greater emphasis placed on completing the 60 semester credit hours, the policy now puts less emphasis on requiring the student to remain physically in Utah without any break during the process of completing the 60 credit hours, provided the student is physically in Utah during the terms when he or she is completing the 60 hours.

R512, Determination of Resident Status

July 1, 2002

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4. Because 15 undergraduate credit hours produces one FTE undergraduate student and 10 graduate credit hours produces one FTE graduate student, the policy provides that graduate credit hours count 1.5 times toward the 60 hours needed to establish residency, or a total of 40 credit hours of graduate level course work.

5. The act and rules now call for certain indications of residency such as Utah voter registration, Utah drivers license, Utah vehicle registration, employment in Utah, payment of Utah resident income taxes, Utah banking connections, and lease or purchase of Utah living quarters.

6. Certain students with long-term ties to Utah are assumed to have Utah residency for tuition purposes. This is because their primary reason for returning to Utah is to come “home” rather than to attend a Utah institution.

7. Military personnel, spouses and children and Olympic training facilities athletes can use credit hours earned during their special status to meet the 60 semester hours needed for residency after their special status is ended.

Recommendation

It is the recommendation of the Commissioner that the Board approve the proposed amendments to policy R512, *Determination of Resident Status*.

Cecelia H. Foxley, Commissioner

CHF/HRE
Attachments

Draft Revisions

R512, Determination of Resident Status

R512-1. Purpose

To define "resident" student for purposes of tuition in the Utah System of Higher Education.

R512-2. References

2.1. Utah Code [§53B-8-102](#) (Definition of Resident Student)

2.2. Policy and Procedure [R510](#), Tuition and Fee Policy

R512-3. Definitions

~~3.1. [Adult]—a married student of any age or a single student eighteen years of age or older.~~

~~3.2.] Domicile~~ - to be physically present within the state of Utah and concurrently have the intent to establish permanent residence in Utah.

~~[3.3. Minor]—a single student under eighteen years of age.~~

~~3.4.] 3.2. Resident~~ - as determined by reference to the general law on the subject of domicile, except as otherwise set forth in this policy.

R512-4. Policy

4.1. ~~[Adults]~~ **Utah Residency for Tuition Purposes** - In order to qualify for residency status for tuition purposes a person must demonstrate that Utah is the place where the person intends to remain and to which the person expects to return when leaving Utah without intending to establish a new domicile elsewhere.

4.1.1. **Presumption of Non-Resident Status** - ~~[An adult]~~ A person who enrolls as a postsecondary student at a Utah institution ~~[within twelve months of arriving in Utah]~~ prior to living in Utah for more than 24 continuous months as a non student is presumed to have moved to Utah for the purpose of attending an institution of higher education and is a non-resident for tuition purposes. It is presumed that a non-resident student continues to reside in Utah primarily for the purpose of pursuing higher education and continues to be a non-resident student so long as he or she is enrolled as a student at a Utah institution of higher education. The burden of rebutting these presumptions by application of one or more of

paragraphs 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6 and establishing that he or she is in Utah for other than educational purposes is upon the person.

4.1.2. Possible Rebuttal of Non-Resident Presumption After ~~[One Year Continuous]~~ Presence in Utah While Completing Sixty Semester Credit Hours or Equivalent - ~~[An adult]~~ A person who has come to Utah and established residence here for the purpose of attending an institution of higher education as a postsecondary student must [reside in Utah one continuous year (12 months) immediately prior to his or her application for resident status and prior to the beginning of the academic period for which registration as a resident student is sought] maintain Utah residency status while completing sixty (60) semester credit hours at a regionally accredited Utah higher education institution or an equivalent number of applicable contact hours at the Utah College of Applied Technology prior to registration as a resident student. Credit hours for graduate level courses numbered 5000 and above shall be multiplied by 1.5 in calculating the 60 semester credit hours. Credit hours earned while the student has tuition waived or reduced pursuant to 53B-8-101 and 53B-8-104 are included in the 60 semester credit hours. Also, he or she must demonstrate by additional objective evidence (a) the establishment of a Utah domicile, and (b) that he or she does not maintain a residence elsewhere. Factors considered include:

4.1.2.1. ~~[Year's Continuous]~~ Utah Residency - ~~[Short absences from the state, i.e., less than 30 days, will not break the running of the 12 months residence required by 4.1.2. Frequent or extended absences, i.e., longer than 30 days, especially if during such an absence the student works out of state or returns to the prior home of record for an extended duration, will be regarded as evidence that the continuity of the required years residence has not been satisfied.]~~ The student shall be physically present in the Utah while completing the 60 semester credit hours required by 4.1.2.

4.1.2.2. Objective Evidence of Domiciliary Intent -The person shall provide objective evidence of his or her intent to establish a Utah domicile through a preponderance of legal ties to Utah such as: ~~[a motor vehicle licensed in Utah; a Utah drivers license; Utah voter registration; the lease or purchase of Utah living quarters; Utah banking relationships; payment of Utah taxes, and the abandonment of his or her prior non-Utah residence or that of his or her parent or guardian]~~ Utah voter registration, Utah drivers license, Utah vehicle registration, employment in Utah, payment of Utah resident income taxes, Utah banking connections, and lease or purchase of Utah living quarters.

4.1.3. Rebuttal of Non-Resident Presumption for Spouse's or Parent's Full Time Work - A spouse or dependent child of an individual who establishes his or her domicile in Utah to work on a full-time permanent basis, is immediately eligible to register as a resident student. The spouse or dependent child must demonstrate objective evidence of domiciliary intent as provided in paragraph 4.1.2.2.

4.1.4. Ties to Utah - ~~[A student does not lose Utah resident status solely by attendance at an educational institution outside the state. A student who was a former resident of Utah may continue to be considered a resident provided absence]~~ (a) A Utah resident absent from the state [was] for a period of [less than 12] 48 months or less, continues to be a Utah resident for tuition purposes, provided domicile is reestablished, and he or she has not taken action to establish domicile elsewhere during his or her absence from Utah. [If the absence from the state is for a period exceeding 12 months, a student may be considered a resident if evidence can be presented showing that the student has long term ties to Utah, reestablishes a Utah domicile, and has not taken action to establish domicile elsewhere during his or her absence from the state of Utah] (b) A Utah resident absent from Utah for a period of 60 months or less is a Utah resident for tuition purposes if he or she has long term ties to Utah, including graduation from a Utah high school, he or she reestablishes a Utah domicile as provided in 4.1.2.2, and he or she did not establish residency out of Utah in order to attend an education institution as a resident of that state. (c) An unmarried person 23 years of age or younger who moves to Utah, [is a dependent of] has a Utah resident parent, and demonstrates objective evidence of domiciliary intent as provided in 4.1.2.2, is immediately eligible to register as a resident student.

4.1.5. Social or Rehabilitation Services Agency Client - A person who has been determined by a Utah governmental social or rehabilitation services agency to be a Utah resident for purposes of receiving state aid to attend a System institution and demonstrates objective evidence of domiciliary intent as provided in 4.1.2.2 is immediately eligible to register as a resident student. Upon the termination of such government agency support, the person is governed by the standards applicable to other persons.

4.1.6. Marriage to a Utah Resident - A person who marries a Utah resident eligible to be a resident student under this policy and establishes his or her domicile in Utah as demonstrated by objective evidence as provided in 4.1.2.2 is immediately eligible to register as a resident student.

4.1.7. Documentation of Status - The institution, through its registrar, or designated person, is authorized to require written documents, affidavits, verifications, or other evidence deemed necessary to determine why a student is in Utah. The burden of establishing that a student is in Utah for other than educational purposes is upon the student. A student may be required to file any or all of the following:

4.1.7.1. A statement from the student describing employment and expected sources of support;

4.1.7.2. A statement from the student's employer;

~~4.1.7.3. [A statement from the student's parents or guardian verifying nonsupport and the fact that the student was not listed as a dependent on tax returns for the past year and will not be so listed in future years;~~

~~4.1.7.4.] Supporting statements from persons who might be familiar with the family situation;~~

~~4.1.7.5]4. Utah state income tax return.~~

4.1.8. Penalties for Giving Incorrect or Misleading Information - A student who gives incorrect or misleading information to evade payment of non-resident fees shall be subject to serious disciplinary action and must also pay the applicable non-resident fees for each term previously attended.

~~4.2. Minors—Except as provided in subsection 4.2.6, the domicile of a minor is that of the parent(s) or guardian.~~

~~4.2.1. Normal Domicile—The domicile of a minor is normally that of the minor's father, or if the father is dead that of the minor's mother. If both parents are dead, it is normally the domicile of the more recently deceased parent, or if there is a duly appointed guardian, then the minor's domicile is that of the guardian.~~

~~4.2.2. Move to Utah—However, a minor whose parents move to Utah to establish a domicile shall be immediately eligible to register as a resident student unless the primary purpose of the move was to have the minor attend an institution of higher education.~~

~~4.2.3. Parents Move from Utah—Furthermore, a minor enrolled as a resident student will not lose that classification because his or her parents or guardian remove their legal residence from the state during the continuous period of the minor's higher education, unless the parents or guardian came to the state as a means of gaining residency for the minor.~~

~~4.2.4. Custody—If the custody of a minor has been granted to any person by court order, the domicile of the person to whom custody was awarded shall constitute the domicile of the minor.~~

~~4.2.5. Divorce or Separation—If the minor's parents have divorced or separated, but custody has not been awarded, the minor's domicile is that of the parent with whom he/she has lived predominately, and other relevant factors.~~

~~4.2.6. Abandoned Minor—The domicile of a person in loco parentis to an abandoned minor shall constitute the domicile of the abandoned minor, if the abandonment was not for the purpose of enabling the minor to qualify for resident status.~~

~~**4.2.7. False Abandonment**—If the abandonment of a minor was for the purpose of enabling the minor to qualify for resident status, the domicile of the minor shall be determined from all of the relevant circumstances without regard for the abandonment.~~

~~**4.2.8. Emancipation**—An emancipated minor may qualify for residence under the rules applicable to adults. In order to establish emancipation, a minor shall prove full freedom from parental support and control for at least one year. Such proof may include, but is not limited to:~~

~~**4.2.8.1.** A verified copy of a portion of the parents' most recent federal income tax return indicating that the student was not claimed as a dependent during the taxable year and covered by the return;~~

~~**4.2.8.2.** A verified statement by the parents, or guardian, to the effect that they no longer assert any claim to the services of, and acknowledge no parental responsibilities with regard to, the minor; and~~

~~**4.2.8.3.** Evidence that the minor has been entirely self-supporting during the preceding year.]~~

4.[3]2. Military Personnel, Spouses & Children - Personnel of the United States Armed Forces assigned to active duty in Utah, and the immediate members of their families residing with them in this state shall be entitled to resident status for tuition purposes. Upon the termination of active duty status, such military personnel and their family members are governed by the standards applicable to non-military persons. The credit hours earned by the student at a Utah institution during the active duty in Utah count towards the 60 hours required for Utah residency for tuition purposes upon termination of active duty status in Utah.

4.[4]3. Olympic Training Athletes - An athlete who is in residence in Utah to participate in a United States Olympic athlete training program, at a facility in Utah, approved by the governing body for the athlete's Olympic sport, shall be entitled to resident status for tuition purposes. Upon the termination of the athlete's participation in such training program, the athlete shall be subject to the same residency standards applicable to other persons under this policy. The credit hours earned by the student at a Utah institution during the Olympic athlete training program in Utah count towards the 60 hours required for Utah residency for tuition purposes upon termination of the athlete's participation in an Olympic athlete training program in Utah.

4.[5]4. Foreign Students

4.[5]4.1. Aliens who are present in the United States on visitor, student, or other visas which authorize only temporary presence in this country, do not have the

capacity to intend to reside in Utah for an indefinite period and therefore must be classified as nonresident.

4.[5]4.2. Aliens who have been granted immigrant or permanent resident status in the United States shall be classified for purposes of resident status according to the same criteria applicable to citizens.

4.[6]5. American Indians - An American Indian, not otherwise qualified as a resident, shall be entitled to resident status if:

4.[6]5.1. He/she is enrolled on the tribal rolls of a tribe whose reservation or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with the border of Utah, or,

4.[6]5.2. He/she is a member of a federally recognized or known Utah tribe and has graduated from a high school in Utah.

4.[7]6. General Provisions

4.[7]6.1. Reclassification by the Institution - If a student is classified as a resident, or granted residency by a USHE institution, the USHE institution may initiate a reclassification inquiry and in fact reclassify the student, based on any facts, error, or changes in facts or status which would justify such an inquiry, even if the error was on the part of the USHE institution.

4.[7]6.2. Acceptance of Another Institution's Determination - A determination to grant residency to a student at a Utah System of Higher Education (USHE) institution shall be honored at other USHE institutions, unless the student obtained residency under false pretenses, or the facts existing at the time of the granting of residency have significantly changed.

4.6.3. No Residency Determination for Short Term Non-Credit Training - An institution need not make a residency determination and classification for a student in a short term non-credit training class when the student is not pursuing a certificate or degree program.

R512-5. Procedures for Determining Resident Status

5.1. Initial Classification - Each institution shall classify all applicants as either resident or nonresident. If there is doubt concerning resident status, the applicant shall be classified as a nonresident.

5.2. Application for Reclassification - Every student classified as a nonresident shall retain that status until he/she is officially reclassified to resident status.

5.3. Informal Discussion with Responsible Officer - If a written application for a change from nonresident to resident classification is denied, the applicant shall

have the right to meet with the responsible officer for the purpose of submitting additional information and discussing the merits of his/her application.

5.4. Appeals - An applicant for resident status may appeal an adverse ruling in accordance with procedures approved by the institutional [~~Council~~] Board of Trustees. The appeal tribunal shall make an independent determination of the issues presented upon the basis of such oral and written proofs as may be presented, and shall finally determine the status of the applicant consistent with the law and these policies.

5.5. Due Process - In order to provide due process to students who may want to appeal decisions made concerning nonresident status, each institution shall be responsible for providing a means for appeals to be made. Each institution shall adopt procedures that fit the local campus situation, but the following guidelines shall be followed:

5.5.1. Procedures for appeal shall be set out in writing by the institution, subject to approval by the Office of the Commissioner.

5.5.2. The institution shall provide a hearing officer or hearing committee with appropriate clerical and other services as necessary to the effective function of the hearing process.

5.5.3. The student appealing the decision shall have the responsibility of providing evidence that proves that he/she has met the residency requirements. Students shall be given copies of the Regents' policies pertaining to determination of residency. The student shall also be given an explanation of the rationale of the decision-maker who previously ruled that the student was classified as a nonresident.

5.5.4. Both the student and the administration's representative are entitled to representation by counsel.

5.5.5. Oral and written evidence may be presented. It is not required that a formal, written, verbatim record of the proceedings be kept, but a written summary of the significant assertions and findings of the hearing shall be prepared.

5.5.6. It is not required that formal rules of evidence be followed; administrative hearing rules may be used.

5.5.7. Decisions of the appeals tribunal must be in writing and must give reasons for the decision.

5.6. Refund - A ruling favorable to the applicant shall be retroactive to the beginning of the academic period for which application for resident status was made, and shall require a refund of the nonresident portion of any tuition charges paid for that and subsequent academic periods.

(Adopted July 22, 1975; amended April 11, 1987, April 17, 1992, May 5, 1995, January 12, 2001 and October 19, 2001. Proposed amendments to implement H.B. 331, July 14, 2002.)

MEMORANDUM

July 2, 2002

TO: State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: Preliminary Report from Regents' Workgroup on Health Benefits

Regent Chair Charlie Johnson appointed five Regents to serve on a Workgroup to look at Health Benefits in the USHE. The group is chaired by Regent Pitcher, and includes Regents Atkinson, Karras, Sinclair, and Snow. The group had an initial meeting on January 30, 2002, and has met several times since January.

The Workgroup received the following charge from Chair Johnson:

- (1) Evaluate the structure of health benefits coverage in the USHE to determine if alternative structures may enable the more efficient procurement of such benefits.
- (2) Generally review institutional health benefit plan designs to determine if such designs maximize value for the institution and its employees.
- (3) Make a report to the Board of Regents.

The Workgroup met most recently on June 28, 2002, and is now finalizing an update and preliminary report to the Board of Regents for the July 12, 2002, meeting. The Workgroup report will be hand-carried to the meeting.

Cecelia H. Foxley, Commissioner

CHF/MHS

July 1, 2002

TO: Utah State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: Overview of 2002 Master Planning Effort

Issue

While it has been less than two years since the Utah System of Higher Education was involved in a major master planning effort, there is a need to launch into another phase of planning due to several factors, including unprecedented growth, recent revenue shortfalls and an uncertain economic future, and the addition of the Utah College of Applied Technology to the System.

Background

"Master Plan 2000" was the result of an almost two-year planning effort of the Utah System of Higher Education. To learn the priorities of various constituent groups in the state, the Board conducted a survey of over 300 education, government, business and community leaders, and held community discussions in several locations throughout the state. Four major task forces were formed to focus on the following general areas: (1) Accountability, (2) Funding Mechanisms, (3) Institutional Missions/Roles and System Configuration, and (4) Technology. The work of these task forces resulted in the Regents making nine major commitments to the people of Utah in order to more effectively serve students through the first decade of the 21st Century. The nine commitments, with accompanying action plans, are as follows: (1) Expand opportunities for access to quality programs. (2) Increase accountability for performance. (3) Use resources efficiently. (4) Fund quality improvements. (5) Expand opportunities for Applied Technology Education (ATE). (6) Collaborate with Public K-12 Education. (7) Promote economic development through university research, technology transfer, training, and cooperative extension programs. (8) Refine institutional missions to respond to citizens' needs. (9) Make long-term educational improvements.

In the summary document "Highlights of the Utah System of Higher Education Master Plan 2000," the above nine commitments are prefaced with this statement: "It is understood that in order to fulfill these commitments, adequate state resources for programs and facilities must be made available." With state revenue shortfalls and budget cuts for FY 2001-2002 and FY 2002-2003, and an uncertain economic outlook for at least the near future, adequate state resources are not available, and yet with increased demand we must find ways of "doing more with less" in order to address the education and training needs of the citizens of Utah. In order for the USHE institutions to be as responsive as possible in the current environment, a new phase of master planning is needed.

2002 USHE Master Planning Task Forces

Three new planning task forces have been formed to make recommendations to the Board which will assist the 10 System colleges and universities in fulfilling their respective roles during this challenging time: (1) Funding, (2) Missions and Roles, and (3) Student Success. Tabs G, H and I contain the charge and membership for each task force.

Since four Presidents (Presidents Benson, Cundiff, Hall and Romesburg) have been asked to serve on two task forces, and the task forces will be meeting simultaneously during the July 12 Board meeting, we are requesting the following participation:

President Benson – attend the morning session with the Missions and Roles Task Force and the afternoon session with the Student Success Task Force.

President Cundiff – attend the morning session with the Funding Task Force and the afternoon session with the Missions and Roles Task Force.

President Hall – stay with the Student Success Task Force the entire time.

President Romesburg – stay with the Missions and Roles Task Force the entire time.

While all other Presidents are assigned to just one task force, most of the task force meetings will be held during times other than regular Board meetings. All Regents and Presidents are welcome to attend all task force meetings, regardless of their assignment.

Cecelia H. Foxley, Commissioner

2002 USHE Master Planning Task Force on Funding

Membership: Chair – Nolan Karras
Regents – Jerry Atkin, Brent Hoggan, George Mantes, Jed Pitcher, Sara Sinclair
Presidents – Lynn Cundiff, Bob Huddleston, Bernie Machen, Kerry Romesburg
Special Expertise – Paul Brinkman, Norm Tarbox
Commissioner’s Staff – Mark Spencer, Brad Mortensen
Other invited participants as appropriate

Charge: Develop a long-term financial plan, including demographics and projected state resources. Refine the funding formula and find a means for its implementation.

BACKGROUND

The 2000 USHE Master Planning Task Force on Formula Funding, chaired by Regent Charles Johnson, proposed a formula that was designed to fund increases in Instruction for new and existing students. Instruction funding increases included additional dollars to maintain quality for both compensation and non-compensation budgets. The formula also provided compensation increases for state-appropriated compensation budgets in Public Service and Research. The formula contained a financing mechanism, which generated a single dollar amount of state tax funds to address minimum state-supported needs. An allocation mechanism then allocated the funding to institutions in four categories: (1) Enrollment changes, (2) Base Support – Instruction, (3) Base Support – Non-instruction, and (4) Core Support, including salary equity, funding equity, libraries, technology, and student financial aid. The final report of this task force is included as Attachment A.

PRELIMINARY 2002 TASK FORCE ISSUES

1. Enrollment, Population, and Cost Projections
 - Each summer the SBR office prepares 20-year enrollment projections, which are derived using the population projections from GOPB.
 - How can these projections be used effectively to create a basis for revenue and expenditure projections for USHE institutions?
2. Enrollment Management
 - What levels of instruction should occur at which institutions and how much?
 - Should funded targets be used to manage the level of growth that is funded at each institution?
3. Efficiency Elements
 - How can the system provide incentives for gaining efficiency through restructuring, conservation, outsourcing, and centralization?

2002 USHE Master Planning Task Force on Funding
Page 2

4. Funding Formula
 - Should the Regents continue to pursue a comprehensive formula, or focus on a system that provides formula funding for growth and categorical funding for other issues?
 - Should more funding flow through the Regents?
 - How can the Regents balance funding for new and existing students across the system (inflation for non-personal services budgets)?
 - What methods can be used to provide funding for operations and maintenance, fuel and power, and other standard or mandated costs?
 - What components can be included in a formula that enhance quality, flexibility, and predictability for institutions?
 - How should performance and accountability measures be included in a formula?
5. Funded Targets
 - Review and evaluate the funded targets for each institution, at each level of instruction, and for each type of residency status, and address the following questions:
 - Should adjustments be made to funded targets for budget reductions?
 - Should adjustments be made for changes in residency requirements?
 - At what point do these adjustments cause future enrollment growth requests to be so large that they can never be funded?
6. Facilities Construction and Associated Ongoing Costs
 - What considerations should be made for covering the future ongoing operation and maintenance costs of facilities as they are considered for construction?
7. Applied Technology Education Maintenance of Effort
 - What should be done with the Applied Technology Education Maintenance of Effort requirements given budget cuts and the role of UCAT?
8. Differential Tuition
 - Review the differential tuitions that are already in place and consider additional differential tuition increases if appropriate
9. Other
10. Schedule Future Meetings

2002 Master Planning Task Force on Missions and Roles

July 12, 2002

Membership: Chair: George Mantes
Regents: Pamela Atkinson, Kim Burningham, Jim Jardine, David Jordan, Marlon Snow, Maria Sweeten
Presidents: Mike Benson, Lynn Cundiff, Greg Fitch, Kermit Hall, Kerry Romesburg, Paul Thompson
Commissioner's Staff: Linda Fife, Deanna Winn, Gary Wixom

Charge: Update institutional missions and roles as appropriate to meet education and training needs of the state, taking into consideration current fiscal constraints, the addition of UCAT to the System, etc.

BACKGROUND

Master Plan 2000: Institutional Missions/Roles and System Configuration Task Force

During a two-year period from 1998 through 2000, the Board of Regents undertook a major master planning effort for the Utah System of Higher Education. The following provides a brief overview of the work of the Institutional Mission/Roles and System Configuration Task Force, including the questions that were addressed by task force sub-groups; outlines some major changes that have occurred since *Master Plan 2000* was approved, and poses additional questions related to these changes that the Regents may wish to explore.

Charge: To provide recommendations to the Board of Regents on the following issues and actions steps:

- If we have the right number and types of institutions, in the best locations, for immediate and long-term education and training program needs.
- Long-range planning for capital facilities, including such issues as whether any new campuses are needed.
- Reconsideration of institutional geographic service areas, particularly with regard to technologically delivered instruction.
- Strengthening cooperation of Higher Education with Public Education, particularly in improving the effectiveness of the Joints Liaison Committee.

Task Force Sub-groups:

- **Associate Education** – Focused on two questions: (1) Is the USHE currently configured such that the needs of the State for associate level education can be adequately met for the foreseeable future? (2) Are there unserved or under served geographic areas in the State where associate level courses and programs should be offered? Which institutions should deliver them? What would be the most appropriate mode of delivery?

- **Bachelor's Education Quality** – Focused on two questions: (1) What are the critical components of high quality bachelor's level education? (2) What criteria should be established to guide future institutional and system-wide development of bachelor's-level education?
- **Bachelor's Education Cost** – Focused on: (1) identification of the major factors which affect bachelor's education costs, and (2) determination of the effects of cost factors on alternative four-year delivery models.
- **Master's Education** – Focused on the current configuration of the USHE for master's degree instruction in the context of anticipated growth and professional need for the next decade; included issues of access, cost, delivery methodology and suggested characteristics for quality programs at the graduate level.
- **Doctoral Education** – Focused on the status of doctoral-level education in Utah.
- **Applied Technology Education** – Focused on: (1) assessing the current status of, and long-term future needs for adult applied technology education (ATE) in the State of Utah, and (2) strengthening the cooperation between higher and public education through the Joint Liaison Committee in providing ATE.
- **Cost** – Focused on reviewing the cost implications of providing courses and programs via various technologies including Internet, satellite, microwave and other technologies with which the Utah System of Higher Education has experience.

CHANGES SINCE MASTER PLAN 2000 AND IMPLICATIONS FOR MASTER PLAN 2002

1. Creation of the Utah College of Applied Technology (UCAT)
 - A ninth associate degree-granting institution has now been added to the USHE. The role of UCAT in each service area as outlined in Regents' Policy R-315, and its relationship to other institutions of higher education in each region of the state, needs to be defined. For example, the relationship between Snow College South and the Central Applied Technology College in Richfield is an area that needs immediate attention and resolution. All other regions have major issues to resolve as well.
 - A formal system for ATE regional planning is critical with the addition of UCAT, in order to minimize duplication or effort in each region. The development of a regional planning process is currently underway. It is important that this effort be completed and subsequently supported by both public and higher education.

2. The Changing Roles of Community Colleges in Utah
 - In addition to Utah's three community colleges, several institutions (WSU, UVSC, Dixie, and even USU in the Uintah Basin) have a community college role incorporated into their missions as defined in Regents' Policies R-311 and R-313. However, these institutions are not primarily focused on a comprehensive community college mission. Given the diverse demands on institutional resources, what steps can be taken to strengthen and preserve the community college role in these institutions?

3. Approval of Dixie State College as a Four-year Institution
 - What will be the future role of Dixie State College in delivering baccalaureate-level education in Southwestern Utah?
4. Significant Increase in Baccalaureate Offerings at UVSC
 - The Regents' commitment in *Master Plan 2000* regarding UVSC was to "support its primary focus on associate level programs and the addition of four-year degrees that are needed in the community." Twenty-three four-year degrees have been approved at UVSC to date; many of these degrees are more consistent with offerings at a comprehensive four-year institution. Are additional changes in mission and institution designation appropriate for UVSC at this time?
5. A Need for Closer Partnerships/Collaboration Between Institutions
 - The USHE is facing increasing financial challenges. Are there options that might be explored to facilitate closer, more cost-effective partnerships and collaborative efforts between USHE institutions for the benefit of students?
6. Access vs. Limited Resources
 - There has been a focus in Utah on providing broad access to a wide range of higher education opportunities for all citizens. In times of increasing fiscal constraints, how many programs can we offer and still maintain high quality? is it appropriate to designate specific institutions as the deliverers of certain high cost programs in areas such as engineering, science and technology?
7. Development of a K-16 Initiative in Utah
 - The Joint Liaison Committee, which served as a coordinating committee between public and higher education, no longer exists. However, the need for strong coordination between the two education systems continues to grow. Many states have engaged in significant efforts to develop initiatives between public and higher education to better prepare students for their educational experience. These efforts include identifying potential barriers to student success, clearly articulating expectations for college admission and ensuring coherence between public education and higher education curricula. The organization for State Higher Education Executive Officers (SHEEO), the Western Interstate Commission for Higher Education (WICHE), and the Education Commission of the States (ECS) continue to sponsor round tables which bring policy makers and educators together to work on K-16 issues. Should Utah engage in a serious, concentrated effort to implement a K-16 initiative and take advantage of the resources offered through the above organizations?
8. Technologically-delivered Instruction
 - How uniform is access to technologically-delivered instruction across the State? Is the Utah Electronic College (UEC) being fully utilized to provide maximum flexibility and access for students?

- Is technologically-delivered instruction helping to reduce bottleneck in high-demand courses in the USHE?
 - What are the responsibilities of USHE institutions to expand access and flexibility for students through the utilization of technology for instructional delivery? To what extent are institutions currently providing these services?
9. Other
10. Next Meeting to be Scheduled Prior to the September 12-13 Regents Meeting

Attached for the Regents' review are:

- Policy R-311 – Institutional Missions and Roles
- Policy R-313 – Institutional Categories and Accompanying Criteria
- Proposed revision of UVSC's mission statement.
- Reports of the Master Plan 2000 sub-groups
- Report on technologically-delivered instruction

July 12, 2002

2002 USHE Master Planning Task Force on Student Success

Membership: Chair – Charlie Johnson
Regents -- Linnea Barney, Daryl Barrett, Khay Douangdara, David Grant, Mike Jensen
Presidents – Steve Bennion, Mike Benson, Kermit Hall, Ryan Thomas
Commissioner’s Staff – Dave Buhler, Gail Norris, Teddi Safman

Charge: Recommend ways in which student success and decision-making can be enhanced in admission, retention, graduation/completion and related processes. Guide the development of AdviseUtah and Utah Mentor to ensure their success.

BACKGROUND

The Regents’ Master Plan 2000 set a blueprint for the mission, goals, and commitments to be met by the Utah System of Higher Education (USHE). The Master Plan clearly sets forth the Regents’ main priority, the education and training of students. Woven within the Master Plan 2000 are goals to foster student success. These are: to increase access to and improve the quality of programs for both academic and applied technology education, to expand educational opportunities, and to enhance the effectiveness of student learning while assisting students to complete their studies efficiently. The goal of supporting student success serves both the diverse needs of students and the State; Utah is provided with a well-qualified workforce, and those who study at its ten institutions can expect to improve the quality of their lives.

Goal of Regents: Student Success

How is “Student Success” defined by--

- Students
- Regents
- Institutions
- Employers
- State Policy makers

What is a working definition of student success?

What are institutional strategies that would support student success?

Admission (Enrollment)

Factors Affecting Success

Cost/affordability

Financial aid

What can be done to improve access to federal/state aid?

Admission policies and standards

Do standards reflect the role and mission of the institution?

Are the standards clear and well understood?

Are staff trained to advise prospective students?

Is there widespread access to directions/forms?

High School Preparation

How can higher education work more effectively with K-12 education to assure that high school graduates are better prepared? (How might higher education address the 12th year?)

Location/times of programs

Are there technology-delivered (distance) education (Utah Electronic College)?

Retention/Persistence

Factors Affecting Success

Financial aid

Preparation for higher education

Adequate academic advising

Availability of well-trained academic advisors

Helping students understand the difference between student expectations and what is offered in an institution of higher education

How are academic advisors retooled to improve their practice to support success?

Access to Faculty and availability of Faculty

Faculty attuned to teaching/learning dynamics

Institutional challenges (bottle-neck courses, not enough faculty, limited availability of courses/programs)

Coherence and applicability of general education curriculum

Academic support

Coherence of general education curriculum

Ease of transfer

Articulation to majors

Maturity of traditional students, or lack of focus

Tools: AdviseUtah/Utah Mentor

Graduation/Completion

What is the USHE's record on retention and persistence of students to graduation/completion?

Factors Affecting Success

- Support services to assist in academic planning
- Fit between academic program and student goals
- Adequacy of support services
- Availability of courses/programs
 - Are institutions making courses/programs accessible?
- Fit between program and possible employment
- Economy that supports graduate employment
- Student plan for paying back student loans
- Fit between academic program and student goals
- Adequacy of support services
- Institutional strategies to assist students to completion
- Tools: AdviseUtah/Utah Mentor

Development of AdviseUtah and Utah Mentor

Both AdviseUtah and Utah Mentor are on-line tools designed to assist students in achieving success. The target audiences for Utah Mentor are primarily Utah intermediate and high school students, their parents and their school counselors. The target audiences for AdviseUtah are primarily high school and postsecondary students. The focus of UtahMentor is assisting students to ensure a readiness for college (both academic and financial), select and/or explore college and career choices and make application to college. AdviseUtah's focus is to assist students to succeed in obtaining a college degree.

- Report on development of both AdviseUtah and Utah Mentor
- Is there adequate coordination between the two systems?
- What is the utilization of each?
 - How are they being marketed?
- How were systems developed initially, and what resources are available for their annual maintenance and future development?
- Quest for funding to continually improve the AdviseUtah website

Information needed

- Students' definitions of success
- Students' educational goals
- Existing strategies for assisting students to reach educational goals
- Retention and persistence data
- Graduation/completion data (we have graduation data)
- Identification of decision points critical for student success
- Access Issues
- Financial aid Issues
- Adequacy of academic advising
- Institutional goal and strategies for retaining students
- Institutional strategies for supporting graduation/completion

Schedule Next Task Force Meeting(s) in August

July 2, 2002

TO: State Board of Regents
FROM: Cecelia H. Foxley
SUBJECT: General Consent Calendar

It is the recommendation of the Commissioner that the Regents approve the following items on the General Consent Calendar:

1. Minutes – (to be mailed under separate cover)
 - A. Minutes of the Regular Meeting of the Utah State Board of Regents held May 31, 2002, at Weber State University in Ogden, Utah
 - B. Minutes of the Special Meeting of the Utah State Board of Regents held July 2, 2002, at The Gateway, Salt Lake City, Utah
2. Grant Proposals - Approval to submit the following proposals:
 - A. University of Utah – National Institutes of Health; “Comparative Functional Genomic of Homeostatic Control;” \$2,621,779. Jean-Marc Lalouel, Principal Investigator.
 - B. Utah State University – National Institute of Neurological Disorder and Stroke; “Slow Inactivation of Sodium Channels;” \$1,884,241. Peter C. Ruben, Principal Investigator.
 - C. Utah State University – National Aeronautics and Space Administration; “ORZS - Optimization of Root Zone Substrates for Reduced Gravity Experiment, Phase II;” \$1,226,647. Gail Bingham, Principal Investigator.
 - D. Utah State University – National Science Foundation; “Engineering, Math and Science Partnerships with Native Americans;” \$2,212,700. Sue Haupt, Principal Investigator.
 - E. Utah State University – Space Exploration Technologies, Inc.; “Space Exploration Technologies, Inc. - Elan Musk;” \$35,545,779. Pat Patterson, Principal Investigator.
3. Elimination of Policy R171, Postsecondary Proprietary School Act and Rules. In conformance with legislation passed in the 2002 Legislative Session transferring responsibility for postsecondary proprietary schools to the Department of Commerce, Division of Consumer Protection, there is no longer a need for this policy.
4. USHE – 2001-2002 Final Work Program Revisions (Attachment 1)
5. USHE – 2002-2003 Work Program Revisions (Attachment 2)

6. USHE – 2002-2003 Budget Implementation Reports (Attachment 3)
7. USHE – 2002-2003 Appropriated Operating Budgets (Attachment 4)
8. USHE – 2001-2002 Spring Semester and End-of-Year Enrollment Report (to be hand carried to the meeting)
9. 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 September 12-13, 2002, at Utah State University, to consider property transactions, personnel issues, litigation, and such other matters permitted by the Utah Open and Public Meetings Act

Cecelia H. Foxley, Commissioner

CHF:jc
Attachments