

MINUTES OF MEETING  
UTAH STATE BOARD OF REGENTS  
BOARD OFFICES, THE GATEWAY, SALT LAKE CITY  
September 18, 2003

Regents Present

Nolan E. Karras, Chair  
E. George Mantes, Vice Chair  
Jerry C. Atkin  
Daryl C. Barrett  
Bonnie Jean Beesley  
Kim R. Burningham  
William Edwards  
James S. Jardine  
Michael R. Jensen  
Charles E. Johnson  
David J. Jordan  
David L. Maher  
Jed H. Pitcher  
Marlon O. Snow  
Maria Sweeten

Regents Excused

Linnea S. Barney  
David J. Grant  
Sara V. Sinclair

Office of the Commissioner

Cecelia H. Foxley, Commissioner  
David Buhler, Associate Commissioner for Public Affairs  
Don Carpenter, Executive Assistant  
Joyce Cottrell, Executive Secretary  
Dale Hatch, Deputy Executive Director for College Savings  
Phyllis C. Safman, Assistant Commissioner for Academic Affairs  
Mark H. Spencer, Associate Commissioner for Finance and Facilities  
Gary Wixom, Assistant Commissioner for ATE and Special Projects  
(and other members of the Commissioner's staff)

INSTITUTIONAL REPRESENTATIVES

J. Bernard Machen, President, University of Utah  
Gregory G. Fitch, President, Utah College of Applied Technology  
Linda Fife, Vice President for Academic and Student Services, Utah College of Applied Technology

SPECIAL GUESTS:

Richard E. Kendell  
Joan Kendell

Chair Karras called the meeting to order at 3:00 p.m. He stated that the purpose of the meeting was to select a new Commissioner of Higher Education.

Appointment of New Commissioner

**Vice Chair George Mantes moved that the Board appoint Dr. Richard E. Kendell to be the sixth Commissioner of Higher Education for the State of Utah. The motion was seconded by Regent Jed Pitcher and carried unanimously.**

Commissioner Foxley and Associate Commissioner Buhler escorted Dr. and Mrs. Kendell into the room to the applause of everyone present. Regent Karras read the names of the former Commissioners (G. Homer Durham, Theodore H. Bell, Arvo Van Alostyne, Wm. Rolfe Kerr, and Cecelia H. Foxley) and told Dr. Kendell he was in distinguished company. He expressed the Board's confidence in Dr. Kendell and in his ability to succeed. The new Commissioner brings with him high qualities and capabilities. The Regents are delighted to have him and agree he is just what the System needs at this time.

Chair Karras said the Board had undergone a rigorous search process and had interviewed wonderful candidates who were willing to let their names be made public. Warren Fox and Diane Vines had distinguished themselves in their interviews and are very credible people. Chair Karras said the Board was honored that they would come and be interviewed for the position and that the Regents thought very highly of both of them. Some of the candidates were not willing to become finalists because of the public process.

Chair Karras said the System had been served very well by Commissioner Foxley during her ten years as Commissioner and preceding eight years as Associate and Deputy Commissioner. She is the longest serving Commissioner in Utah history and is as capable a person as there is in this state. Chair Karras reflected that a Board Chair has to rely on a Commissioner's judgment on many matters. Commissioner Foxley's judgment is excellent. Regent Johnson said Dr. Foxley had been "absolutely superb" during his term as Chair and led the group in a standing ovation. Chair Karras expressed his appreciation for Commissioner Foxley's service. He noted that public service does not award financially commensurate to the service rendered. He conveyed the gratitude of many for her advocacy of education in this state.

Regent Karras asked Dr. Kendell to introduce himself and his wife, Joan. Dr. Kendell said he was overwhelmed and that he had expected the process to take longer. He said he had started his career in the Office of the Commissioner as a new doctoral candidate 30 years ago when G. Homer Durham was Commissioner. He remarked that Commissioner Durham "had the bearing of the Prime Minister of Great Britain." Dr. Kendell said he was very honored to be coming back as the Commissioner of Higher Education.

Dr. Kendell said he had been a public school teacher and a university professor. He has worked for the State Board of Education and the State Board of Regents. He has been a school superintendent and has worked for the Governor. Dr. Kendell said his leadership style is to "lead with your heart." He expressed his appreciation for the support of the Board and said he sees the USHE Presidents as great collaborators. He pledged to advocate the interests of the greatest investment in Utah, which is its people. He introduced his wife, Joan, and thanked her for her support.

Chair Karras said the transition from Commissioner Foxley to Commissioner Kendell will take a little time. He recognized that Dr. Kendell will need to work closely with the Governor (Leavitt or Walker) in the interim, but he and Commissioner Foxley would be working together to prepare for the Legislative Session in January.

President Machen said the Presidents had been allowed significant input into the search process. Speaking for all of the USHE Presidents, President Machen said they were absolutely delighted with the Board's selection of Dr. Kendell as the new Commissioner and that they looked forward to working with him.

Commissioner Foxley said it would be a pure delight to work with Dr. Kendell to make this transition smooth. She commended the Regents for their choice.

**Vice Chair Mantes moved that the meeting be adjourned. The motion was seconded by Regent Sweeten and carried unanimously.** The meeting was adjourned at 3:15 p.m.

---

Joyce Cottrell CPS  
Executive Secretary

---

Date Approved