

MINUTES OF MEETING
UTAH STATE BOARD OF REGENTS
SNOW COLLEGE, EPHRAIM, UTAH
JUNE 3, 2004

Regents Present

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

Regents Excused

Nolan E. Karras, Chair
David J. Grant

Office of the Commissioner

Richard E. Kendell, Commissioner
David L. Buhler, Associate Commissioner for Public Affairs
Don A. Carpenter, Executive Assistant
Joyce Cottrell, Executive Secretary
Richard Davis, UHEAA Deputy Executive Director for Finance and Administration
Brad Mortensen, Assistant Commissioner for Finance and Facilities
Phyllis C. Safman, Assistant Commissioner for Academic Affairs
Mark H. Spencer, Associate Commissioner for Finance and Facilities
Deanna D. Winn, Associate Commissioner for Academic Affairs
Gary S. Wixom, Assistant Commissioner for Applied Technology Education and Special Projects
Andrea Worthen, Academic Affairs Intern

INSTITUTIONAL REPRESENTATIVES

University of Utah

A. Lorris Betz, Interim President
David W. Pershing, Senior Vice President for Academic Affairs
Paul T. Brinkman, Associate Vice President for Budget and Planning
Arnold B. Combe, Vice President for Administrative Services
John G. Francis, Associate Vice President for Academic Affairs
Michelle Hicks, Assistant Professor, Communication Sciences and Disorders
Lisa Hunter, Associate Professor, Communication Sciences and Disorders
Laura Snow, Special Assistant to the President

Bruce Allred

Utah State University

Stan Albrecht, Provost and Executive Vice President
Jeffrey Smitten, Professor and Department Chair, English
Mark Zachry, Assistant Professor of English

Weber State University

F. Ann Millner, President
Kathleen Lukken, Interim Provost
Norman C. Tarbox, Jr., Vice President of Administrative Services

Southern Utah University

Steven D. Bennion, President
Abe Harraf, Provost
Gregory L. Stauffer, Vice President for Administrative and Financial Services
Aaron Miller, Student Body President

Snow College

Michael T. Benson, President
Larry Christensen, Vice President for Administrative Services
Michael Jorgensen, Purchasing
Marci Larsen, Executive Assistant for Institutional Affairs
Shawn Lindow, Chief Information Officer
Rick Pike, Director of Development and Public Relations
Rick White, Executive Vice President
Casey Dyreng, Student Body Vice President
Jessica Gordon, Student

Dixie State College

Joe Peterson, Acting Vice President for Academic Affairs
Phil Alletto, Vice President for Student Services

College of Eastern Utah

Ryan L. Thomas, President
Michael King, Vice President for Academic Affairs
Daniel Wood, Student Body President

Utah Valley State College

William A. Sederburg, President
William Cobb, Dean of Humanities, Arts and Social Sciences
Brad Cook, Vice President for Academic Affairs
Linda Makin, Director of Budgets
Cameron Martin, Assistant to the President
Val Peterson, Vice President for Administration and External Affairs
Sam Rushforth, Dean of Science and Health

Douglas Warner, Associate Vice President for Finances and Human Relations
J. Karl Worthington, Associate Academic Vice President
Jim Bassi, Student Body President
Happi Peterson, Student

Salt Lake Community College

Judd D. Morgan, Interim President
Helen Cox, Associate Vice President, Academics
Don Porter, Vice President of Business Services

Utah College of Applied Technology

Gregory G. Fitch, President
Linda Fife, Vice President for Academic and Student Services and Campus President, Salt Lake-Tooele ATC

Representatives of the Press

Suzanne Dean, *Sanpete Messenger*
Shinika A. Sykes, *Salt Lake Tribune*
Stephen Speckman, *Deseret Morning News*

Others

Brian Baker, Zions Bank Public Finance
Kent Beers, Lead Project Manager, Capital Improvements, DFCM
Carl Empey, Zions Bank Public Finance
Boyd Garriott, Office of the Legislative Fiscal Analyst
Randy Larsen, Ballard Spahr
Ken Nye, Deputy Director, DFCM

Vice Chair George Mantes called the meeting of the Committee of the Whole to order at 1:40 p.m. He excused Chair Karras and Regent Grant. He thanked President Benson for his hospitality and expressed admiration for the beautiful George S. and Dolores Doré Eccles Center for the Performing Arts, in which the Board was meeting.

Report of the Chair

Vice Chair Mantes said Chair Karras had remarked on the Resource and Review process last year. Regent Mantes reviewed the policy, shared his feelings with Commissioner Kendell, and contacted Regents and Presidents about the process. It was the consensus of opinion that the process needs to be standardized and strengthened. He asked Commissioner Kendell to share his thoughts on the subject.

Commissioner Kendell said he had given the Regents a discussion sheet with some of the concerns he had discussed with Vice Chair Mantes. The Resource and Review teams are a great idea, but they need to focus more on the ideas of communication and problem-solving. He suggested that the Resource and Review

teams take less of a role in the formal evaluations and that the Presidents be evaluated by outside consultants who would be joined by an internal team (alumni, Regents, Trustees, etc.). An outside consultant could be a peer and a mentor to help our Presidents improve at their jobs.

Commissioner Kendell suggested that the appropriate Regents' policies be amended to revise the duties of the Vice Chair. One of those duties would be to coordinate and evaluate these evaluations. He said he would revise policies R208 and R209 and bring them to the Regents for their approval this fall. He invited comments from the Regents and Presidents.

When asked for clarification of the proposed changes, Commissioner Kendell explained that when a Regent meets with a President over lunch, the Regent's role is to help solve problems and to listen. An evaluation is to show which things are going well and which things need attention. These two roles would be clearer if they were separated. The Regents would set the policy and see that the evaluations are conducted. The Commissioner would put the process in place. An outside consultant would chair the evaluation team. A written report would be given to the Commissioner and the President. The report would be shared with the Board of Regents. Commissioner Kendell suggested an informal review at the end of a President's first year, with another evaluation at the end of another specified period of time.

Regent Sweeten said there was a difference between an advocate and a Resource and Review team. The R&R team does not play the role of an advocate team for the institution but is a good liaison between the Regents and the institution. Regent Sinclair pointed out that since the Board hires the Presidents, they cannot abdicate their responsibility for the performance evaluations. The trustees should also be involved, as they know the President and institution well. Vice Chair Mantes said the changes would not replace the Regents' Resource and Review team. The Regents would still be responsible for evaluations but would conduct them under the processes recommended by the Commissioner. The Resource and Review Teams would continue as the liaison between the President and the Board.

Regent Jardine said these changes would be very helpful. One of the benefits of the Resource and Review team is that it forces a discrete group of Regents to get a clearer view of what is happening on campus than they would otherwise have. The formal process has never revealed any problems which the Regents did not already know, and sometimes problems are better solved informally than formally. Regent Jardine said the Regents' goal is to help the Presidents be successful and asked the Presidents what would be most helpful to them.

Commissioner Kendell said it is sometimes hard for a President to get objective, hard information back about what s/he is doing right or wrong. He assured the group that he would not propose these changes without the support and involvement of the Presidents. President Bennion said the Regents who are on a President's Resource and Review team should also give wise counsel. Commissioner Kendell stressed that this information must come back to the Regents. Provost Albright said this was consistent with what is being done on the individual campuses.

Vice Chair Mantes said there were no specific duties assigned to the Vice Chair by policy. The Vice Chair of the Board should be responsible for scheduling and compiling the results of presidential evaluations

and presenting those results to the Regents. He said he and Commissioner Kendell would revise the policies and present them to the Board for approval.

Institutional Presentation

President Benson welcomed everyone to the Eccles Concert Center. He called the facility "a dream come true." He invited meeting attendees to take a tour of the facility and the campus following the Board meeting. Last year the Eccles Concert Center won the AIA (American Institute of Architects) Award and was pictured on the front cover of *College Planning and Management*. Snow College's jazz ensemble won first place in the nation for two-year colleges. President Benson presented a video which showed the changes which had been made to the campus in recent years. That video will be shown on the college's web site on June 7.

Vice Chair Mantes expressed the gratitude of the Regents for what has been done at Snow College since Dr. Benson became President. He announced the arrangements for dinner in the Noyes Building. The Regents adjourned to their committee meetings at 2:15 p.m.

COLLEGE OF EASTERN UTAH, PRICE, UTAH
JUNE 4, 2004

Regents Present

E. George Mantes, Vice Chair
Jerry C. Atkin
Linnea S. Barney
Daryl C. Barrett
Bonnie Jean Beesley
Kim R. Burningham
William Edwards
David J. Grant
James S. Jardine
Michael R. Jensen
David L. Maher
Jed H. Pitcher
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Kathleen Lukken, Interim Provost
Norman C. Tarbox, Jr., Vice President of Administrative Services

Southern Utah University

Steven D. Bennion, President
Abe Harraf, Provost

Snow College

Michael T. Benson, President
Bradley A. Winn, Provost

Dixie State College

Robert C. Huddleston, President

College of Eastern Utah

Ryan L. Thomas, President
LaNell Denison, Trustee
Grady A. McEvoy,
Rosemary Motte, Classified Staff President
Hank Savage, UHESSA
Thomas E. Sawyer, Trustee
Daniel Wood, Student Body President

Utah Valley State College

Brad Cook, Vice President for Academic Affairs

Val Peterson, Vice President for Administration and External Affairs
Douglas Warner, Associate Vice President for Finance and Human Relations

Salt Lake Community College

Judd D. Morgan, Interim President
Helen Cox, Associate Vice President, Academics
Don Porter, Vice President of Business Services

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Linda Fife, Vice President for Academic and Student Services and Campus President, Salt Lake-Tooele ATC

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Shinika A. Sykes, *Salt Lake Tribune*
Stephen Speckman, *Deseret Morning News*

Others

Boyd Garriott, Office of the Legislative Fiscal Analyst
Debbie Headden, Office of the Legislative Fiscal Analyst
Ken Nye, Deputy Director, DFCM

The meeting of the Committee of the Whole reconvened on Friday, June 4, at the College of Eastern Utah. Vice Chair Mantes called the meeting to order at 9:30 a.m. He thanked President Thomas for his hospitality and expressed the Board's pleasure at being on CEU's beautiful campus.

Report of the Chair

Joint Meeting of the Higher Education Appropriations Subcommittee. For the first time in at least 14 years, the recent committee meeting was a philosophical discussion of where we are and where we want to be in higher education in this state.

Introduction of President Michael Young to Legislators. Vice Chair Mantes said he, Commissioner Kendell and Associate Commissioner Buhler had taken President Young to the Capitol recently and introduced him to some of the legislators. At the end of the day, there were no doubts that the Regents had hired the right person for the University of Utah presidency. Vice Chair Mantes said President Young had "charmed the legislators out of their socks." He will take office on August 1.

Appreciation to Lorris Betz and Dave Pershing. Regent Mantes expressed the Board's appreciation to Interim President Lorris Betz and Senior Vice President Dave Pershing for their outstanding work during the search for a new President. The University would not be as great as it is without the dedicated service of Drs.

Betz and Pershing. Vice Chair Mantes expressed the System's appreciation for their service and dedication and asked that their efforts be recognized with a round of applause.

Salt Lake Community College Presidential Search. Vice Chair Mantes said efforts to put the search committee together were nearly complete. Regent Beesley will chair the committee. Regent Beesley thanked the Commissioner for organizing town meetings at each of the SLCC campuses to solicit suggestions for committee members. She also thanked President Morgan for his help in scheduling these meetings. Constituency meetings are being set up on the various SLCC campuses to solicit input on the qualities needed in the new president and the critical issues facing the college. Applications and nominations will be received throughout the summer, and the committee will begin the process of narrowing the candidate pool in the fall.

Recognition of Regent Edwards. Vice Chair Mantes said Regent Edwards had been a good representative of the students this past year. He is now moving on to bigger and better things; Billy will be going to New York to work at Rockefeller Center for NBC. He wished Regent Edwards luck and success and presented him with a gift of appreciation from the Board.

Resignation of Regent Johnson. Vice Chair Mantes announced that Regent Johnson had received a recess appointment from President Bush as Chief Financial Officer of the Environmental Protection Agency. He has assumed that role and has been sworn in. He has submitted his resignation as a Regent, effective May 28.

Recognition of Associate Commissioner Chalmers Gail Norris. Vice Chair Mantes paid tribute to this outstanding man and said his position will be hard to fill. He was a great and dedicated worker. The Regents' folders contained a resolution for his family. **Regent Atkin moved, and Regent Jardine seconded, that the resolution be adopted and sent to Mr. Norris' wife and family. The motion carried.**

Report of the Commissioner

Notable Accomplishments of USHE Institutions. Commissioner Kendell pointed out the yellow handout in the Regents' folders and noted some of the outstanding accomplishments. USU received a grant from the US Department of Commerce for their Innovative Campus. Dean Jerry Stringfellow recently received the University of Utah's Rosenblatt Award. The U's Radiology Program was rated #1 in the country. Former Regent Reba Keele received the Willard Gardner Prize at UVSC. Dixie's baseball team is now in the national championship competition. Snow College had their largest graduating class in the history of the school. UCAT is building programs. USU received a grant from the National Science Foundation (NSF) to do work for undergraduate students in the Great Salt Lake Ecosystem. SUU presented a number of prestigious awards to its students.

Associate Commissioner Mark Spencer to Serve as Acting Executive Director of UHEAA. Commissioner Kendell announced that Dr. Spencer had agreed to serve as UHEAA's Acting Executive Director in addition to his present duties in Finance and Facilities.

Associate Commissioner Deanna Winn's Retirement. Commissioner Kendell said this was Dr. Winn's last Board meeting. She will be retiring on June 30. He expressed his appreciation for her work as Associate Commissioner of Academic Affairs and said he had enjoyed working with her.

Superintendent of Public Instruction. Commissioner Kendell noted that the State Board of Education had recently appointed Patti Harrington as their new Superintendent. Dr. Harrington is very knowledgeable, and one of the Board of Regents' key strategies will be to work more closely with the Superintendent and the State Board of Education.

General Consent Calendar

On motion by Regent Grant and second by Regent Atkin, the following items were unanimously approved on the Board's General Consent Calendar:

1. Minutes –
 - A. Minutes of the Regular Board of Regents Meeting held April 16, 2004 at Board of Regents' offices in Salt Lake City, Utah (Attachment 1)
 - B. Minutes of a Special Board of Regents meeting held April 29, 2004 at the University of Utah in Salt Lake City, Utah (Attachment 2)
2. Grant Proposals - Approval to submit the following proposals:
 - A. University of Utah – National Institutes of Health; “Micromolecular Phenotyping;” \$3,661,743 (\$1,276,189 first year). Professor Robert E. Marc, Principal Investigator
 - B. University of Utah – Public Health Service/National Institute of Biomedical Imaging/ Engineering; “Biomechanics of the Semicircular Canals;” \$2,453,107. Richard D. Rabbitt, Principal Investigator.
 - C. University of Utah – University of Kentucky (Prime NSF); “Institute for Combustion Aerosol Research;” \$2,246,181. Ronald J. Pugmire, Principal Investigator.
 - D. University of Utah – Public Health Service/National Institute for Diabetes, Digest K; “Effect of High-Flux Dialysis on Biomarkers;” \$2,741,300. Alfred K. Cheung, Principal Investigator.
 - E. Utah State University – Department of Health and Human Services; “Champions for Progress Institute: Leadership Development for Implementation of Systems of Care for Children and Youth with Special Health Care Needs;” \$1,280,511. Richard N. Roberts, Principal Investigator.

- F. Utah State University – National Science Foundation; “NIRT: Atom-Scale Silicon Integrated Circuits for Quantum Computation;” \$2,000,000. TC Shen, Principal Investigator.
- G. Utah State University – US Department of Education, Financial Aid Office; “04-05 Pell;” \$10,000,000. Judy Lecheminant-Shelby, Principal Investigator.
- H. Utah State University – Institute of Education Sciences, Center for School of the Future; “Development of a Comprehensive System to Assist Administrators to Successfully Implement and Sustain Effective Educational Practices;” \$1,495,029. Richard P. West, Principal Investigator.
- I. Utah State University – National Aeronautics and Space Administration; “FIBR: Computation as an Interpretative Framework in Integrative Biology;” \$3,785,475. Keith Alan Mott, Principal Investigator.
- J. Utah State University – National Science Foundation; “National Center for Engineering and Technology Education;” \$11,241,806 (\$9,999,560 from NSF, \$272,800 from USU, and \$969,446 from other funds). Christine E. Hailey, Principal Investigator.
- K. Utah State University – National Science Foundation; “APOLO (Assessing Pedagogy and Optimizing Learning Outcomes) Project/Iowa State;” \$1,182,246. Gayle Bowen, Principal Investigator.
- L. Utah State University – Spectrum Astro; “Space Fire;” \$2,250,234. Blake Crowther, Principal Investigator.
- M. Utah State University – Duke University; “Epidemiology of Alzheimer’s Dementia in Cache County, Utah;” \$1,148,808. Maria C. Norton, Principal Investigator.
- N. Utah State University – National Science Foundation; “Environmental Transmission Competency for Mosquito-Vectored Viruses;” \$2,334,246. Robert Gillies, Principal Investigator.
- O. Utah State University – Department of Health and Human Services; “Microbial Metabolism of Aliphatic Alkenes, Epoxides, and Ketones;” \$1,725,600. Scott A. Ensign, Principal Investigator.
- P. Utah State University – USDA Agricultural Research - Basic & Applied Research; “Functional Genomics in Nature;” \$1,253,653. Bart C. Weimer, Principal Investigator.

- Q. Utah State University – USDA Cooperative State Research Service; “Implementation of Western Region Sustainable Agriculture Research and Education (SARE) Proposal;” \$2,721,126. V. Philip Rasmussen, Principal Investigator.
 - R. Utah State University – Northrop Grumman; “Space Based Space Surveillance (SBSS);” \$6,764,578. Robert E. Anderson, Principal Investigator.
 - S. Utah State University – BAE Systems; “Geostationary Operational Environmental Satellite (GOES) Hyperspectral Environmental Suite (HES) Formulation Phase Program - Interferometer Concept Design;” \$1,328,714. Ronald J. Huppi, Principal Investigator.
 - T. Utah State University – University of Colorado/LASP; “AIM/SOPHIE Solar Occultation for Ice Experiment;” \$2,108,170. Brandon Paulsen, Principal Investigator.
 - U. Utah State University – National Science Foundation; “IGERT: Integrated Water Science Research: Building Critical Thinking for a Scarce Resource;” \$3,246,114. David G. Tarboton, Principal Investigator.
 - V. Utah State University – DARPA; “BioAgent Luminescent LigandS (BALLS);” \$1,130,305. Linda Powers, Principal Investigator.
3. Grants Awarded
Utah State University – Colorado University Laboratory of Atmospheric and Space Physics; “Aeronomy of Ice in the Mesosphere (AIM) Phase B for the Solar Occultation for Ice Experiment (SOFIE) Instrument and Science;” \$1,538,443. John Kemp, Principal Investigator.
4. 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 13, 2004, at the State Board of Regents’ offices in Salt Lake City, Utah, to consider property transactions, personnel issues, litigation, and such other matters permitted by the Utah Open and Public Meetings Act.

Reports of Board Committees

Academic, Applied Technology Education and Student Success Committee

Chair Jardine reminded the Board that the moratorium on new programs had been in place for nearly two years. Exceptions were developed to make the policy “conservative but wise.” Those exceptions have evolved. The Chief Academic Officers (CAOs) have had items to propose which were wise but which perhaps did not technically fit into the criteria for exceptions. They felt that the Program Review Committee (PRC) was restraining the growth of new programs. The PRC reviewed the moratorium and the spirit of the exceptions. (For example, Is this really an institutional priority?) Sometimes programs coming forward really are consistent with the spirit of the moratorium and make very good sense with what the institutions are trying to do with very scarce resources.

University of Utah – Master’s and Doctoral Degrees in Computing (Tab A). Senior Vice President Dave Pershing explained that the School of Computing is one of the University’s most widely recognized programs. It has become apparent that a new set of degrees (Master’s and Doctoral) is necessary, since computer science is now more broad-based and widespread. The proposed programs build on the various specialties in the areas of Biomedicine, Bioengineering, etc. Chair Jardine said the PRC agreed that this would fit the criteria for an exception to the moratorium because it is based on high institutional priority and significant student expectation and forwarded it to the Board for approval. The proposal was approved in yesterday’s committee meeting. **Chair Jardine moved approval of the University’s Master’s and Doctoral Degrees in Computing. The motion was seconded by Regent Sweeten.**

Regent Grant asked why some programs go through the PRC approval process quickly and others take months. He asked, Is the moratorium used to selectively pick only the programs the Regents like? Why is the moratorium still in place? Chair Jardine explained that the moratorium was a priority of former Chair Johnson and former Commissioner Foxley. It was used to send a message and it allowed the Board to change the presumption that the Regents approved every program which was presented to them. The moratorium meant that a burden of proof was necessary if the institutions wanted a new program. On several occasions the PRC debated the moratorium and whether to continue it or to lift it. The vote has been to keep the moratorium, and Chair Jardine said he favored the current process. The programs need to be scrutinized carefully. The reasons for initiating the moratorium were the tightness of money and an attempt to control growth. Also, more detail is needed than just “internal reallocation” or “new tuition money.” Regent Grant thanked Chair Jardine for trying to get the institutions to look ahead at the programs they were considering in the future but said he was in favor of lifting the moratorium.

Vice Chair Mantes spoke in defense of the Program Review Committee. The PRC has been very conscious in the past two years in making sure new programs did not have a large monetary impact. He assured Regent Grant that the Regents like all of the institutions and do not favor one over another. Some of the past issues have been with the process.

Regent Maher commended the PRC for their excellent job with the guidelines for exceptions. However, this may have inhibited revenue-producing programs from coming forward. The Regents need to be looking at revenue-producing opportunities and at programs within the USHE that are not productive and can be eliminated. He suggested that perhaps the guidelines could be retained and the word "moratorium" be dropped. Regent Jensen said the discussion was more about implementation of policy R401.

Commissioner Kendell proposed a summer workshop where the Regents and Presidents could look at the budget and see where programs might fit within the next few years. How much are we prepared to raise tuition to pay for new programs? These are all part of the same issue. We need to be consistent in telling the Legislature that we need money for growth and quality. It is hard to say that all of these new changes can be made without new money if we are to retain the quality we desire.

Regent Grant moved that the moratorium be lifted, effective January 31, 2005, but that the guidelines for exemptions be retained. The motion was seconded by Regent Snow.

Regent Jensen asked if the entire Board receives the report from the Program Review Committee on which programs have been placed under the moratorium. Chair Jardine explained that the CAOs make a judgment, under R401, about whether or not their proposed program will meet the criteria for exceptions and then move forward those programs which qualify. The PRC does not see programs which the institutions decide not to move forward.

Regent Barrett said the outcome of the moratorium has been good policy. This puts the scrutiny on the institutions to provide the burden of proof to meet the exceptions. Regent Sinclair cautioned the Regents to make very sure that the process is efficient and not bureaucratic. It should be effective but not over-burdensome on either side.

Chair suggested that policy R401 be sent back to the Commissioner and the CAOs for their recommendations with respect to how the policy would be changed if the moratorium were eliminated. He also recommended that the study include a question of whether or not to eliminate the Program Review Committee. Those recommendations would then come back to the Academic Committee and would be brought forward to the entire Board. Associate Commissioner Winn said a few meetings ago the Regents had discussed the need to write all of these exceptions into policy R401. This has been done. The document already includes all of the issues mentioned in this meeting.

Vice Chair Mantes said this subject would be discussed at great length in the summer workshop. **Regent Grant agreed to withdraw his motion to lift the moratorium, as long as this is on the agenda for discussion at the August or September Board meeting.** Vice Chair Mantes suggested that the PRC send a report to the full Board on any actions taken.

Vote was taken on the motion to approve the University's new program degrees in Computing, and it carried unanimously.

University of Utah – Doctorate of Audiology (AuD) Degree (Tab B). Chair Jardine explained that this program was approved as an exception to the moratorium due to accreditation issues. In 2007 a Doctorate Degree is going to be required of individuals who want to practice in this area. Therefore, this program needs to begin this fall. **Chair Jardine moved approval of the University's AuD Degree. The motion was seconded by Regent Jensen and carried unanimously.**

Utah State University – Doctorate of Theory and Practice of Professional Communication (Tab C). Chair Jardine said there are increasingly more requirements for professional communication in the workplace. USU's program has been under way for a number of years and was in the queue for approval when the moratorium was adopted. The University has spent several years refining the program. It fits in the spirit of the moratorium, and there is no appreciable cost for its implementation. The PRC approved the proposal, as did the committee. **Chair Jardine moved approval of the program. The motion was seconded by Regent Sweeten and carried unanimously.**

Southern Utah University – Organizational Changes (Tab D). Chair Jardine asked President Bennion to give the background of how this change came about. President Bennion said the change incorporated no new programs; it is strictly an organizational restructuring. The proposal would change the name of the College of Applied Science and Technology to the College of Computing, Integrated Engineering, and Technology. The University is realigning the Criminal Justice program and positioning it with the Political Science Department. Integrated Engineering and Technology programs would be consolidated. The plan is cost-neutral. It puts programs together in better organizational alignment to serve students. The SUU Board of Trustees has reviewed it in depth and unanimously endorsed the recommended changes.

Chair Jardine said when this came to the Program Review Committee, it had been reviewed by the Chief Academic Officers. Without approving or opposing it, the PRC asked the Commissioner to communicate their concerns to the SUU administration. After they received feedback on the nomenclature, the decision was made to put it on the agenda. A question was raised about whether or not this proposal should have gone through the PRC or been shown on the committee's Consent Calendar. The committee asked the CAOs, in conjunction with the OCHE staff, to clarify whether or not this kind of proposal should come through the R401 process. The Commissioner noted that this request received added consideration because the language of the original proposal used the term "College of Engineering." After consulting with the PRC and the Chief Academic Officers, all parties agreed that the terms "integrated engineering," "engineering technology," and "computing" were more consistent with SUU's programs.

Chair Jardine moved approval of SUU's proposed organizational restructuring. Regent Jensen seconded the motion, which carried unanimously.

Utah Valley State College – Art and Visual Communications Bachelor of Arts, Bachelor of Science, and Bachelor of Fine Arts Degrees (Tab E). Chair Jardine said this proposal fit within the criteria for exceptions, based on cost savings and compelling need. The PRC agreed that this was a high institutional priority, and the committee was satisfied that there was substantial interest in this program and that it could be implemented with existing faculty. This may mean that more of UVSC's full-time faculty will teach upper-division classes and adjunct faculty will be used for lower-division classes. The committee approved this program for recommendation to the full Board. Associate Commissioner Winn noted that a report was requested in two years. **Chair Jardine moved approval of the proposed degree programs. The motion was seconded by Regent Jensen and carried unanimously.**

Salt Lake Community College/Utah College of Applied Technology Strategic Alliance (Tab F). Chair Jardine reported that a working committee had met several times to address the issue of providing ATE training to the residents of the Salt Lake-Tooele region. Commissioner Kendell said the creation of UCAT has required new thinking, particularly in an area where there is an existing institution of higher education. This has not been an easy process, especially in the Salt Lake County/Tooele region. As a comprehensive community college, SLCC has an historic role in credit and non-credit programs and open-entry/open-exit programs. Much coordination with UCAT has been necessary to make this work.

Commissioner Kendell pointed out that the Strategic Alliance was still a work in progress. It does not mean that SLCC will no longer offer non-credit programs. UCAT will focus on non-credit, non-degree programs which are competency-based rather than programs measured by credit hours. Both institutions will have open-entry/open-exit courses. The institutions have agreed to work together in this region so that they are not competing on every program. The intent is that UCAT will focus more on shorter training, non-credit, non-degree programs, and SLCC will focus on degrees while still having non-credit programs.

The steering committee consisted of President Judd Morgan, SLCC Trustee Chair Dave Thomas, President Greg Fitch, UCAT Trustee Chair Norm Bangerter, Regent Chair Nolan Karras, Regent Vice Chair George Mantes, and Commissioner Rich Kendell. The Commissioner recommended that the steering committee remain in place so that the institutions can come back to this group to resolve any problems which may arise. The participants will give a good faith effort. Dr. Kendell said UCAT will thrive as long as they can find a distinctive, unique role. UCAT needs to focus on students who are looking for training for actual jobs. A full plan will be presented to the Board in August for statewide delivery of UCAT programs. It may include collaborative partnerships with USHE institutions or it may end up with merged institutions. All options are open. Commissioner Kendell said he was not prepared to merge at this point and asked the two Presidents to work together in this partnership.

Regent Barrett moved that the Strategic Alliance be approved, with the caveat that there be a minimum of two years before a final decision is made. Commissioner Kendell acknowledged that it would take some time to see if this is going to work. Regent Mantes said he did not want to see the process restrained with a time limit. **Regent Barrett's motion died for lack of a second.**

Regent Beesley commended Commissioner Kendell and others on the steering committee, especially Judd Morgan as Interim President, for tackling this difficult problem. She pointed out that SLCC's role and mission as a comprehensive community college included ATE programs, open-entry/open-exit programs, liberal arts/transfer credit programs. She thought the Strategic Alliance was a perfect approach to dealing with the legislative creation of UCAT. President Fitch also applauded SLCC for what they are doing and commended President Morgan for stepping up to bring about the SLCC-UCAT Strategic Alliance. This will be a great partnership to provide services to students who have not been served.

Regent Barney said one of the reasons the State Board of Education fought the creation of the Utah College of Applied Technology so strongly was because the ATC Presidents were strongly opposed to it. They felt that they would eventually be constrained by all of the credit requirements and faculty credential requirements to which higher education must respond, which would limit their flexibility in responding to the job market.

Regent Beesley moved the Commissioner's recommendation:

... that the Board of Regents approve the collaborative plan as recommended by the small working committee and direct the presidents and other officers of the respective institutions to accomplish the tasks as outlined.

... Accomplishments should be reported at the end of the first year and an evaluation made. Two years may be required to give the collaboration a chance to prove results. Ultimately, future legislative appropriations of this arrangement may be the determining factor for continuation.

The motion was seconded by Regent Grant and carried.

Consent Calendar, Academic, Applied Technology, and Student Success Committee (Tab G).
On motion by Chair Jardine and second by Regent Beesley, the following items were approved on the committee's consent calendar:

1. Snow College – Culinary Arts – Fast Track
2. Utah Valley State College – Environmental Management Emphasis

3. Utah College of Applied Technology – Expansion of the Cosmetology Training offered on the Davis Applied Technology Campus (DATC)

Information Calendar, Academic, Applied Technology, and Student Success Committee (Tab H). Chair Jardine offered to respond to questions. No questions or concerns were expressed.

Utah Valley State College – Two-year Follow-up Report on Baccalaureate Degree Programs in Chemistry, Mathematics, and Physics (Tab I). Chair Jardine recalled that prior to the adoption of the moratorium on new programs, a requirement was made for follow-up reports so the Regents could see if benchmark projections had been met. The initial concern was that Ph.D.-qualified faculty would be hired. This report is evidence that the follow-up requirement is good policy because it ensures that progress is being made.

Update on HB 320, Transferability of Credit Among Higher Education Institutions and Transition Plan (Tab J). Chair Jardine said this report is required by the Legislature. It has required a great deal of work to get the institutions to agree on common numbering and to implement it throughout the System. For example, one change in one school required a 300-hour commitment. Representative Brad Johnson, Co-chair of the Higher Education Appropriations Subcommittee, said he was pleased with the progress which had been made. The committee asked Representative Johnson for a fiscal note to help implement this transition.

Commissioner Kendell gave a brief background on relationships with the Legislature. Our institutions think this process is nearly done, particularly in the area of general education. However, the Legislature views it as “not even close.” We agreed to focus on the remaining issues in general education and the first two undergraduate years to the extent we could, because there was commonality of programs and the ability to actually do this. We have made some real progress as shown in this report. The task of arriving at common numbering and numbering processes is a monumental task. We have asked that this be limited to the first two years.

As Chair of the Academic Committee, Chair Jardine expressed his appreciation to Associate Commissioner Winn for her contributions to higher education. She has been a very thoughtful person, devoted to our mission and a wonderful person with whom to work.

Vice Chair Mantes thanked Chair Jardine for his report.

Finance, Facilities and Accountability Committee

2004-2005 Final Capital Improvement Allocations (Tab K). Chair Pitcher said this report, which detailed actions of the State Building Board by reporting the amounts earmarked for the USHE institutions with facility improvement needs, was provided for information only. He offered to respond to questions.

Amendments to Policy R511, Tuition Disclosures and Consultation (Tab L). Chair Pitcher pointed out that SB 48 required that the institutions disclose to students at the time of registration which portions of their college education are borne by the student and which are borne by the state. The implementation of SB 48 required minor changes to Policy R511. The proposed policy amendments also provided technical corrections to the existing policy on truth-in-tuition hearings and consultation, such as separating tax funds from other state funds for clarity. Additionally, the committee proposed that the following section be added to the policy:

Full-time undergraduate resident students at [Institution Name] paying a [semester/weekly] tuition and fee amount of [tuition dollar amount] (before any financial aid, scholarships, or waivers) contribute an estimated [percentage] percent to the full cost of instruction per full-time student of [full cost dollar amount]. The remaining support for the full cost of instruction is provided by [tax funds dollar amount] of state tax funds and [other funds dollar amount] of other institutional revenue sources.

Chair Pitcher moved approval of the amendments to Policy R511, including the committee's recommendation. The motion was seconded and carried unanimously.

University of Utah – Approving Resolution (Medical Research Facility Renovation Project), Research Facilities Revenue Bonds, Series 2004A (Tab M). Chair Pitcher said the revenue bonds would be used to renovate an existing building in Research Park. They will be paid from revenues from Health Sciences and are secured by reimbursed overhead. The committee requested staff to obtain current debt and debt capacity tables for each institution to ensure that we were well below our limits. **Upon motion by Chair Pitcher and second by Regent Atkin, the resolution was adopted by the following vote:**

AYE: E. George Mantes, Vice Chair
Jerry C. Atkin
Daryl C. Barrett
Bonnie Jean Beesley
William Edwards
David J. Grant
James S. Jardine
Michael R. Jensen
David L. Maher
Jed H. Pitcher
Sara V. Sinclair
Marlon O. Snow
Maria Sweeten

NAY: (None)

Snow College – Campus Master Plan (Tab N). Chair Pitcher said President Benson had described to the committee a vision of the Richfield Campus and Ephraim Campuses and the college's hopes for the new library. He detailed the landscaping and other changes to the Ephraim Campus and offered to respond to questions. **Chair Pitcher moved approval of Snow College's Campus Master Plan. The motion was seconded and carried.**

College of Eastern Utah – Campus Master Plan (Tab O). Chair Pitcher said the college's master plan had been detailed by President Thomas in committee. The college is working with an architect and DFCM to develop a new five-year master plan, which should be ready prior to the end of the year. **Chair Pitcher moved approval of CEU's Campus Master Plan. The motion was seconded by Regent Sweeten and carried.**

Utah Valley State College/Division of Facilities and Construction Management – Energy Performance Contract and Capital Equipment Lease-Purchase with Chevron Energy Solutions (ESCO) (Tab P). Chair Pitcher said the committee had learned a great deal about this project. An energy-efficiency firm will guarantee annual savings. The Energy Performance Contract is patterned after successful projects at the University of Utah and the Department of Corrections. The committee asked Vice President Combe if this had been successful at the University of Utah. Vice President Combe assured them that it had been very successful. Chevron will guarantee the savings for five years, after which the contract is renewable on an annual basis. The committee not only approved the contract and lease-purchase agreement but expressed its hope that the other USHE institutions could become involved in this type of project. **Chair Pitcher moved approval of the Energy Performance Contract and Capital Equipment Lease-Purchase. The motion was seconded by Regent Atkin and carried.**

Utah Valley State College – Authorizing Resolution for Revenue Refunding Bonds, Series 2004 (Tab Q). Chair Pitcher said this bond was being refinanced to restructure and consolidate two existing bonds: Student Center Building Fee and Unified System Revenue Cross-Over Refunding Bonds, Series 1995A and Student Center Building Fee and Unified System Revenue Bonds, Series 2000. Carl Empey, Zions First National Bank, explained this in detail to the committee. This item was also discussed in the April 16 Board meeting. Hearing no questions, **Chair Pitcher moved adoption of the authorizing 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 or the Chair of the Board's Finance, Facilities, and Accountability Committee. The motion was seconded by Regent Atkin and adopted by the following vote:**

AYE:	E. George Mantes, Vice Chair
	Jerry C. Atkin
	Daryl C. Barrett
	Bonnie Jean Beesley
	William Edwards
	David J. Grant

James S. Jardine
Michael R. Jensen
David L. Maher
Jed H. Pitcher
Sara V. Sinclair
Marlon O. Snow
Maria Sweeten

NAY: (None)

Utah Valley State College – Bond Authorizing Resolution, Purchase Contract, and Sublease with Utah County for Funding of the Baseball Stadium, Series 2004 (Tab R). Chair Pitcher said UVSC was requesting approval of a sublease with Utah County and approval of a county municipal bond. The Utah County bond will be repaid by private donations over several years, but student fees will be used as collateral. This transaction had been approved by the UVSC Board of Trustees and students. Letters from the Utah County Council and the Mayor were included in the agenda material. Commissioner Kendell said he was now comfortable with the transaction. He explained that this issue had become confusing because when Utah County first became involved, the terms were not what actually transpired. As soon as the county decided to use their municipal bonding authority, it became clear that this would work. Bond counsel needed a guaranteed revenue stream (student fees) and the risk is very slight. UVSC wants to own and operate this facility, and this arrangement allows them to do that. The proposal is now financially sound.

Regent Grant asked if the project had begun. Vice President Peterson affirmed that construction had begun and that DFCM had signed the agreement for the contract. Regent Grant asked where the college was getting the money to pay for the stadium. Vice President Peterson said if the bond and sublease are not approved, the county would ultimately have ownership of the facility until the County money is repaid. Regent Grant stated that he would oppose the motion because the school was spending money prior to the Regents' approval of the project. Chair Pitcher pointed out \$3 million had been raised in pledges, with agreements under discussion for the remaining amount. Regent Atkin noted that this item had been reviewed in great detail in the April Board meeting.

Chair Pitcher moved adoption of the sublease and authorizing resolution, with the understanding that the final pricing, structuring, and execution of the bonds would be performed by the Chair of Vice Chair of the Board, or the Chair of the Board's Finance, Facilities and Accountability Committee. Regent Atkin seconded the motion, which was adopted with the following vote:

AYE: Jerry C. Atkin
Daryl C. Barrett
Bonnie Jean Beesley

William Edwards
James S. Jardine
Michael R. Jensen
David L. Maher
Jed H. Pitcher
Sara V. Sinclair
Marlon O. Snow
Maria Sweeten

NAY: E. George Mantes, Vice Chair
David J. Grant

Utah College of Applied Technology – 2004-2005 Tuition Rate (Tab S). Chair Pitcher said a new model had been presented to the committee. Tuition will be increased from one dollar to \$1.15 per membership hour for full-time students. A two-step process will be used for less-than-full-time students. The committee enjoyed a lengthy discussion about the two-step process as opposed to a linear process.

President Fitch said the new model of step tuition comes from an historical background. He pointed out that the sister USHE institutions do not charge the same tuition, either – even within the institutions. In making UCAT the 10th college, the Legislature had allowed the campuses to set their own tuition levels. Figure 1 reflected what UCAT institutions have done in the past. Figure 2 showed the linear model. The Legislature directed that UCAT tuition be “low-cost,” but under HB 232, “low cost” was changed to “market to bear.” An analysis showed that the campuses were charging varying tuition rates; however, full-time students with 30 hours a week were being charged the same cost. The primary concern at that time was service to high school students.

With the help of Assistant Commissioner Brad Mortensen, UCAT ran a study to see why tuition at all of the UCAT campuses could not be the same. With uniform tuition, some institutions would lose substantial revenues and others would lose enrollments. Five UCAT institutions do not have access to student financial aid. The individual institutions try to respond to individual and regional need, and the campus presidents are trying to identify a way to maintain solvency of the institutions and still serve students when financial aid is not available. Additionally, UCAT students are denied opportunities for scholarships under the legislation. In a few years, at the rate projected by the committee, some of the students will not be able to pay their tuition unless the economy improves dramatically and student financial aid is made available.

President Fitch said the UCAT campuses had held Truth in Tuition hearings in accordance with the law. He explained the 15 percent (15¢) jump in tuition for full-time students. For several years tuition was not raised when the ATCs were under the State Board of Education and ATE was primarily delivered to high school students. However, as a college, under the present economy, 15 percent is still a challenge. UCAT will eventually come to a linear model, but will still need to address the regional needs.

Chair Pitcher said the committee had approved the Commissioner's recommendation, subject to definite direction that the Regents will seek commonality across all UCAT campuses in two years. President Fitch responded that with the type of things UCAT does under its mission to respond to business and industry, imposing a two-year deadline would be unfair.

Chair Pitcher moved approval of the two-step tuition plan, as specified in the Commissioner's recommendation, without the two-year requirement for commonality. The motion was seconded by Regent Jensen and carried.

Consent Calendar, Finance, Facilities, and Accountability Committee (Tab T). Chair Pitcher said this was the first time in three years that the Board had been asked to approve salary increases for the Presidents and the Commissioner. Regent Atkin, Chair of the Compensation Committee, said his committee had requested data regarding salaries of peer institutions, as well as the summary data included in Attachment C to this agenda item. The Finance Committee also recommended these salary increases. He pointed out that the previous salary shown for the University of Utah President was that of President Bernie Machen. The salary for President Young was decided when he was being recruited for the position. The Compensation Committee made judgments on where the Presidents' salaries should be in relation to peer data.

On motion by Chair Pitcher and a second, the following items were approved on the Committee's Consent Calendar:

- A. USHE – 2003-2004 Final Work Program Revisions
- B. USHE – 2004-2005 Initial Work Program
- C. USHE – 2004-2005 Presidents' Salaries
- D. University of Utah – Sale of Donated Property
- E. UofU and USU – Capital Facilities Delegation Reports
- F. OCHE – Third Quarter Budget/Investment Report

Progress Report: Administrative Efficiencies – Collaborative Opportunities Among Institutions (Tab U) and Draft Report, Recommended Refinements to Q&P Process (Tab V). Chair Pitcher noted that these items were for information only and required no action.

Five-Year Budget Forecast Scenarios (Tab W). Chair Pitcher commended Assistant Commissioner Mortensen on the excellent report on the five-year budget forecast. Mr. Mortensen explained his assumptions in making the budget projections (shown as notations on the Supplement to Tab W). Chair Pitcher reported that at the next meeting Assistant Commissioner Mortensen will provide new enrollment projections and a ten-year plan on capital needs. He said the information in this report will be used and discussed at the Regents' summer retreat.

Chair Pitcher noted that the committee had also asked Associate Commissioner Spencer to audit fleet vehicles and gas cards within the USHE. A response is requested by October. Regent

Sinclair said funding for O&M is crucial. At this time we have a \$450 million need for repairs to higher education facilities, according to DFCM. This will become \$1 billion in the next ten years. Regent Atkin recommended that this O&M need be included in the next forecast report.

Report of the Commissioner

Legislative. Commissioner Kendell gave a brief update on legislative issues. Three or four important issues were identified earlier in the year. On Research and Development (R&D), the lead is being taken by Presidents Lorris Betz and Kermit Hall and will be taken by President Young when he becomes President of the University of Utah. A study on the economic impact of R&D showed that clear ties have been forged with the business community. Site visits are being scheduled to institutions which are doing well at this. Governor Walker is hoping to sponsor a major meeting this fall to put some final touches on an R&D Initiative in this state. Utah's R&D capacity continues to grow and will probably exceed the two research universities by \$450 - \$470 million. Our universities are doing very well at leveraging this need. Commissioner Kendell noted that the University of Maryland is investing \$100 million in biomedical research and that Arizona has put \$4-\$5 million into research in the biomedical field. We need to be competitive.

Performance Report. Commissioner Kendell said a committee is currently working on a Performance Report for the USHE for presentation to the Legislature. The legislators like this level of engagement and would like a small subcommittee of the Higher Education Appropriations Subcommittee to work with the existing committee on this issue. Both of the co-chairs and several other members of the subcommittee have agreed to be part of this process.

NCHEMS Report. Commissioner Kendell reported that an interesting study had been conducted by Dennis Jones of NCHEMS which analyzed and suggested performance measures for a system. Vice Chair Mantes noted that this report is available on the Internet at www.wiche.edu. Commissioner Kendell said the report concluded that the Utah System of Higher Education is the #1 performance system in the United States. We need to stress to legislators that this system is not broken, and we are trying to prepare for the future. He said he was expecting a State of the State announcement to be made in the fall about how we will measure progress and the type of performance measures for which we want to be held accountable.

Commissioner Kendell urged the Regents and Presidents to be thinking of how the higher education budget will look next year and how it could be presented in an effective way. He noted that an handout of efficiency measures was in the Regents' folders. At the March workshop, Dr. Tony Morgan did a good job of focusing on key issues of accommodating growth. This data will be reviewed at the summer retreat. There are critical philosophical issues about how far we can practically go with tuition in this state. The legislators with whom the Commissioner spoke said they do not want to limit access. They feel that the Regents and institutions need the freedom to structure especially their second-tier tuition. Tuition rates should be focused around growth, quality, program

development, and so on. The legislators do not want second-tier tuition to pay for fuel and power, utilities, and other overhead expenses.

Vice Chair Mantes thanked Commissioner Kendell for his commendable work as Commissioner. He thanked President Thomas and his staff for their hospitality. President Thomas distributed a CD to the Regents and Presidents which showed how integrated CEU is in the region. He gave luncheon directions and explained that the college was closed on Fridays during the summer to save energy costs.

Adjournment

The meeting adjourned at 11:47 a.m., after which the Regents met for lunch with President Thomas and the CEU Board of Trustees.

Joyce Cottrell CPS, Executive Secretary

Date Approved