

AGENDA

MEETING OF THE  
UTAH STATE BOARD OF REGENTS

September 15-16, 2005

**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**

STATE BOARD OF REGENTS MEETING  
UTAH STATE UNIVERSITY, LOGAN, UTAH  
TAGGART STUDENT CENTER  
SEPTEMBER 2005  
AGENDA

Thursday, September 15

11:30 a.m. -  
1:00 p.m.

LUNCHEON MEETING – STATE BOARD OF REGENTS, USU BOARD OF TRUSTEES,  
COMMISSIONER KENDELL, PRESIDENT ALBRECHT  
Center Colony Room

**Lunch – Others**

Buffet in Walnut Room

Business Officers – East Colony Room

Legislative Representatives – Room 225

1:00 p.m. -  
2:30 p.m.

**MEETINGS OF BOARD COMMITTEES**

Programs Committee

Regent James S. Jardine, Chair

Student Senate Chambers (Room 336)

---

**ACTION:**

1. New Program Review Policy Tab A

**INFORMATION:**

2. Institutional Program Reviews Tab B  
A. University of Utah  
B. Weber State University  
C. Salt Lake Community College
3. Utah State University – Doctoral Program in Audiology, 3<sup>rd</sup> Year Report Tab C
4. Southern Utah University – Athletic Training, 3<sup>rd</sup> Year Report Tab D
5. Utah Valley State College/Weber State University – Bachelor of Applied Technology Report Tab E
6. Utah College of Applied Technology – Associate of Applied Technology (AAT) Degrees Tab F

**Finance, Facilities and Accountability Committee**

**Regent Jerry C. Atkin, Chair**

**Ballroom**

---

**ACTION:**

- |   |       |
|---|-------|
| 1. University of Utah – 2005-2006 Budget for University Hospitals and Clinics   | Tab G |
| 2. Utah State University – Campus Master Plan   | Tab H |
| 3. Southern Utah University – Authorizing Resolution, Pavilion/Stadium Facilities Expansion<br>Student Building Fee Refunding Note, Series 2005 | Tab I |
| 4. Salt Lake Community College – Property Purchase Adjacent to South City Campus  | Tab J |
| 5. UHEAA – Approving Resolution, Student Loan Revenue Bonds, Series 2005AA  | Tab K |

**CONSENT:**

- |   |       |
|---|-------|
| 6. Consent Calendar, Finance Committee                  | Tab L |
| A. UofU and USU – Capital Facilities Delegation Reports |       |
| B. Dixie State College – Property Purchase              |       |

**INFORMATION/DISCUSSION:**

- |  |       |
|--|-------|
| 7. Review of Institutional Five-Year Plans | Tab M |
|--|-------|

2:30 p.m. -  
5:00 p.m.

**COMMITTEE OF THE WHOLE**  
**Ballroom**

- |   |       |
|---|-------|
| 1. Capital Development Projects for 2006-2007               | Tab N |
| 2. "Other Funds" Capital Development Projects for 2006-2007 | Tab O |

6:00 p.m.

**DINNER FOR REGENTS AND PRESIDENTS**  
(By Invitation)  
Institutional Residence

Friday, September 16

7:30 a.m. -  
8:00 a.m.

**Continental Breakfast**  
Ballroom

8:00 a.m. -  
10:30 a.m.

**REGULAR BUSINESS MEETING OF THE STATE BOARD OF REGENTS**  
Ballroom

1. Approval of 2006 Meeting Schedule Tab P
2. Reports of Board Committees Tab P
  - Programs Committee: Tabs A - F
  - Finance Committee: Tabs G - M
3. Resolution for the State Board of Education/Resolution for the State Board of Regents Tab Q
4. USHE 2006-2007 Budget Presentation Tab R
5. USTAR Presentation Tab S
6. General Consent Calendar Tab T
7. Report of the Commissioner
8. Report of the Chair

10:45 a.m.-  
12:30 p.m.

**LUNCHEON MEETING – STATE BOARD OF REGENTS AND STATE BUILDING BOARD**  
Ballroom

Tab U

~~~~~

Projected times for the various meetings are estimates only. The Board Chair retains the right to take action on either day. 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, 60 South 400 West, Salt Lake City, UT 84180 (801-321-7124), at least three working days prior to the meeting. TDD # 801-321-7130.

MEMORANDUM

September 7, 2005

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Toward a New Program Review Policy – Action Item

Background

In July, 1980 the Regents adopted a program review policy, R411, Review of Existing Programs. This policy directed the institutions to review all programs on a cycle of every five years for the community colleges and every seven years for the universities. Later, a five year cycle of reviews was added for state colleges. Reports of the institutional reviews were then sent to the Regents for review and approval. In May, 1998, the Regents gave the review responsibility to the institutional Boards of Trustees. Currently, a brief summary of each institutional review is forwarded to the Regents' Information Calendar. The revised R411 that was adopted by the Regents in 1998 appears to lack the specificity of the original policy, leaving the institutions little direction on how the reviews might be conducted. In addition, the summaries of these reviews need to be more comprehensive for Board review.

The Commissioner and the Chair of the Regents' Program Review Committee (PRC) will discuss the management of the program reviews and the need for a new template for gathering important institutional information for these reviews. The Commissioner is asking that the institutions send to his office the program review processes and policies used by institutional faculty and staffs. This information will assist in the discussion of the management of reviews and the development of the revised policy.

Attached are two editions of the R411, one from 1980 and the other from 1998.

Commissioner's Recommendation

The Commissioner recommends the Regents discuss the management and structure of the program reviews, consider revising R411, and request the ten institution furnish the Commissioner's Office with the processes and standards they use to conduct program reviews.

Richard E. Kendell, Commissioner

LS/PCS/REK  
Attachments

## R411, Review of Existing Programs

---

### R411-1. Purpose

To provide policy and procedures for the review of existing programs in the Utah System of Higher Education.

### R411-2. References

2.1. Utah Code [§53B-16-102](#) (Changes in Curriculum)

2.2. Policy and Procedures [R220](#), Delegation of Responsibilities to the President and Board of Trustees

2.3. Policy and Procedures [R401](#), Program Approval

### R411-3. Policy

**3.1. Improve Quality** - The primary reason for conducting institutional program review is to improve quality education.

**3.2. Responsibility Institution Based** - The responsibility for improving quality must be institution based. It is through the combined efforts of presidents, vice presidents, provosts, deans, department chairs, and individual faculty that meaningful change will occur. Consequently, the primary responsibility for reviewing existing programs is assigned to faculty and administrators at the institution, and to institutional Boards of Trustees.

**3.3. Cyclical Process** - It is recommended that institutions follow a "cyclical" process which would require that all programs within departments at all nine institutions be reviewed on a rotational basis every five to seven years (e.g., each year about one-fifth of all programs within departments in the Comprehensive Community Colleges/Associate's Colleges, Baccalaureate Colleges/Associate's Colleges, and Master's Colleges and Universities and about one-seventh of all programs within departments at the Doctoral/Research Universities should be examined). Such a procedure will assure that all programs are carefully and thoughtfully examined periodically.

**3.4. Institutional Review Procedures** - Program reviews will be conducted in accordance with procedures developed by each institution consistent with its respective faculty governance system. The use of review committees and external consultants, whether as members of the Review Committee or as independent reviewers, is encouraged as an important part of the review process. In the case of applied technology education programs, Program Advisory Committee members or others from industry, business, or labor should be included in the review process. Departments whose programs are under review should prepare detailed written materials for review committees based on institutional criteria and

procedures. Institutional processes will develop recommendations which will be submitted to institutional Boards of Trustees.

**3.5. Suggested Evaluation Factors** - Institutional evaluation factors, both qualitative and quantitative, to be addressed by internal and external reviewers should include: program objectives, curricula, students, faculty, staff, equipment, facilities and other resources. In addition, reviews should include an evaluation of the need for and cost-effectiveness of the program. Results of recent accreditation reports should be included.

**3.6. Ongoing Monitoring of Institutional Program Reviews by USHE Institutions and the Office of the Commissioner** - The Council of Chief Academic Officers, the Office of Academic Affairs and Commissioner of Higher Education, and the Board of Regents shall carefully monitor institutional program review procedures and the results of ongoing institutional program reviews.

**3.6.1.** Institutional CAOs shall provide summaries of the annual results of program reviews to the Office of Academic Affairs. The summaries should include: enrollments and numbers of majors and graduates, the number of faculty assigned to the program, program costs, major findings, recommendations, and quality rankings and other pertinent information.

**3.6.2.** Program review summaries should be reviewed by appropriate faculty and academic administrators at other USHE institutions, and by the Office of Academic Affairs. If it is determined to be appropriate, issues raised in institutional program reviews may be brought to the attention of the CAOs and placed on the agenda of the Board of Regents for discussion and possible subsequent action.

**3.6.3.** In addition to program review summaries, institutional Chief Academic Officers shall provide to the Office of Academic Affairs copies of regional and specialized accreditation reports, including institutional self studies, reports of findings and recommendations of accrediting teams, and focused and interim reports.

---

(Approved July 15, 1980; amended September 13, 1983, March 20, 1984, April 11, 1986, November 17, 1989, July 27, 1990 and May 29, 1998.)

September 7, 2005

**MEMORANDUM**

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: Information Calendar: Programs Committee: Institutional Reviews Summary  
Issue

The University of Utah, Weber State University and Salt Lake Community College conducted institutional program reviews as specified in Regents Policy R411, Review of Existing programs. The policy requires the institution to conduct periodic program reviews (universities are on a seven year cycle and community and state colleges are on a five year cycle) and provide a summary of the findings to the Commissioner's Office. All reviews are conducted by institutional personnel and external evaluators.

The University of Utah provided the Commissioner's Office with the following program reviews: the College of Architecture and Planning, Department of Modern Dance, and the Department of Psychology. Weber State University conducted nine program reviews: Communication, English Language & Literature, Foreign Languages & Literatures, Performing Arts, Athletic Training, Construction Management Technology, Health Information Technology, Health Services Administration/Long Term Care. These were included in the June 2005 agenda and are in the format provided in the June agenda.

Salt Lake Community College provided program reviews on the Schools of: Business, Career and Technical Education; Continuing and Community Education, Arts and Communication; Health Sciences; Science, Mathematics and Engineering; the Skills Center and the General and International Education.

Each review gave the requisite information including student credit hours, FTE, degrees obtained, demographic profile, faculty status, and student/faculty ratios. Program strengths, challenges, and recommendations were included along with an institutional response to the program review teams. A total of 36 programs were reviewed from 2003-2005. The program reviews are on file in the Commissioner's Office.



## Institutional Review Summaries

### 1. University of Utah

**College of Architecture and Planning:** A collaborative and well-published faculty serves a small student body (178). Commendations included small class sizes, an integrated curriculum, student satisfaction, and strong technical visualization and computer graphics programs. The recommendations included the need for more visibility, student diversity, and updating of space. Actions are underway to address these recommendations.

**Department of Modern Dance:** The Department with its internationally-recognized faculty serves between 80-100 undergraduates and 20 graduate students yearly although admission is restricted through auditions. Commendations included ranking first in the country in its graduate program and 3<sup>rd</sup> in the undergraduate program, a cutting-edge curriculum, and strong community outreach. Recommendations included seeking national accreditation and securing funding to strengthen the guest artist program, increasing opportunities for graduate assistantships, raising faculty salaries, and making needed repairs in the dance studios. Actions are underway to address these issues.

**Department of Psychology:** The Department of Psychology is considered the strongest in the College of Social and Behavioral Science with an active research and teaching faculty and national visibility. It serves 1200 undergraduates and 60 graduate students. Commendations included accolades for the Department chair, faculty quality, the interdisciplinary curriculum, and graduate student training. Recommendations included addressing the tension among the cognitive and neural science faculty, the number of faculty on partial appointments, seeking additional resources for faculty compensation in order to stay competitive, and consolidating the animal research space. The Department has taken steps to resolve these issues.

### 2. Weber State University

WSU conducted nine program reviews as specified in Regents' Policy R411, Review of Existing Programs. The policy requires the institution to conduct periodic program reviews and provide a summary of the findings to the Commissioner's Office. The program reviews are on file in the Commissioner's Office.

WSU has provided the Commissioner's Office with the following program reviews: Communication, English Language & Literature, Foreign Languages & Literatures, Performing Arts, Athletic Training, Construction Management Technology, Health Information Technology, Health Services Administration/Long Term Care.

Each review gave the requisite information including a table demonstrating five years of student credit hours, FTE, degrees obtained, demographic profile, faculty status, and student/faculty ratios. Program strengths, challenges, and recommendations were included along with an institutional responses.

The program strengths included well-prepared faculty and adjuncts, strong curricula, competent advising, and attainable, yet demanding goals. Programs challenges included the need for more faculty and better facilities, better mentoring for adjunct faculty, large classes, and below-market

salaries. Institutional responses recognized progress that had been made on the recommendations, faculty responsibility in the face of growing enrollments, assessment plans, and the search for more faculty as allowed. Overall, the program reviews demonstrated institutional support for improvement in how students are served.

### 3. Salt Lake Community College

**Accounting** (School of Business): The Program which serves 303 annualized FTE has strong institutional support, dedicated faculty, mentoring of adjunct faculty, and offers a Volunteer Income Tax Assistance program. Areas for improvement include better use of assessment tools for student learning and coursework, student employment counseling, and current training on industry-expected software. The Department has addressed these issues by using state-of-the-art industry software and expanding its use of appropriate assessment tools.

**Architectural Technology** (School of Science, Mathematics, and Engineering): The Program serves between 100 and 144 annualized FTE students. Its strengths include a faculty that introduces student to the field, student competitiveness once they enter their junior year at the University of Utah, and preparation for transfer. Recommendations included working with advisors from the University of Utah to address why more students are not accepted, promoting more internships for students, strengthening courses to assist students to orally articulate their designs, working to redesign and update the Architecture website, and adding another level of design instruction and a management/professional practice segment into existing classes. The Program is addressing these issues.

**Aviation Technology/Professional Pilot** (School of Career and Technical Education): The Program serves 131 students. Its strengths include its laudatory insurance audits, FAA Certification Audits with minimal or no problems, well-prepared students, articulation with the Westminster Testing Center, and regional interest in hiring SLCC graduates. Recommendations included building a facility adjacent to the Aviation Maintenance Technology program and the Professional Pilot Program, hiring additional mechanics, adding commercial administrative software for record keeping, and evaluating the possibility of offering an FAA Certified Air Traffic Controller Training Center that would lead to an AAS degree. The College is addressing these issues.

**Barbering/Cosmetology** (School of Career and Technical Education): The Program serves over 312 annualized FTE students. Its strengths include low cost of the program, students performance on state examinations and competitions, and flexible scheduling. Recommendations included the need for more space for storage and bathroom facilities, need for more financial assistance to high school students who are enrolled, and additional contract faculty positions are needed. The Program is addressing these issues.

**Building Construction/Construction Management** (School of Career and Technical Education): The Program serves 127 annualized FTE students. Its strengths include the program's adaptation to student and industry needs, the alignment of the campus and prison programs, tuition reimbursements that are tied to rigid requirements and profits from building projects, and student employment following program completion. Recommendations included better tracking of graduates, more industrial experience for faculty teaching management, and more involvement of student services. The Program is addressing these issues.

**Business and Business Management** (School of Business): The Program serves 432 annualized FTE students. Its strengths include its accreditation, student growth, improved student/faculty ratios, and articulation agreements with other USHE institutions. Recommendations included revising the Business Management Program by combining Logistics and Production Management with an emphasis on Supply Chain Management and to revamp the business statistics course to fit the course at the University of Utah. SLCC is revising the Logistics and Production Management Programs and changing the statistics course to fit with the course at the University of Utah.

**Computer Information Systems** (School of Business): The Program serves 665 annualized student FTEs. Its strengths include its responsiveness to industry recommendations, accreditation, dedicated faculty, and its strengthened computer proficiency course. Recommendations included more consistent use of assessment tools, offering Geographic Information Systems, and increase membership on the CIS Advisory Committee. The Program is addressing the recommendations.

**Criminal Justice** (School of Continuing and Community Education, Arts and Communication ): The Program serves 549 students. Its strengths include diverse backgrounds of faculty, on-line availability of courses through the Utah Electronic College, and a strong benefactor. Recommendations included the need for an additional faculty member and making consistent a single forensic science lab. The Program is addressing these issues.

**Dental Hygiene** (School of Health Sciences): The Program serves 46 annualized FTE students. Its strengths include its national accreditation, 100 percent pass rate of graduates on the national examination, participation of students in community service projects, and institutional support of the program. Recommendations included replacing old equipment and supporting the funding of more hourly teaching. The Program is addressing these issues.

**Diesel Systems Technology** (formerly Heavy Duty Mechanics) (School of Career and Technical Education): The Program serves over 34 FTE students. Its strengths include its blending with the non-credit Skill Center, its proximity to the TRAX line, adequate facilities, its accommodation of student with disabilities, its scheduling flexibility by accommodating students every five weeks or on the semester system, and its consortial arrangement which provides a dynamometer to monitor air quality along the Wasatch Front. Recommendations included updating curriculum periodically to meet industry needs and creating space for more storage capability. The Program is addressing these issues.

**Electrical and Instrumentation Technology** (formerly Electricity) (School of Career and Technical Education): The Program serves 51 annualized FTE students. Its strengths include the implementation of a Distributive Control System, an up-to-date computer lab, CD interactive instruction, and a wide variety of motor control equipment. Recommendations included the need for additional funding for new supplies and the implementation of short courses such as one or two-day seminars on distributed controls. The Program is addressing these issues.

**Electronic and Computer Technology** (School of Career and Technical Education): The Program serves 77 annualized FTE students. Its strengths include a solid core of electronic courses, strong math requirements, solid lab requirements, and core concepts covered in curriculum. Recommendations included more networking with high schools to build concurrent enrollment

courses, industry visits to campus to introduce students to industry options, and adding a requirement for more physics and chemistry, technical writing, and oral communication courses. The Program is addressing these issues.

**Family and Human Studies and Pre-Teacher Education** (School of Humanities and Social Sciences): While the two programs are separate, they share the same three faculty and function as one department. The Child Development program, which serves 172 annualized FTE students, has several options (credential, certificate and associates degree) to meet student needs. Pre-Teacher Education, which serves over 48 annualized FTE students, is designed to prepare students to transfer into four-year teacher education programs. The strengths of both programs include a 51 percent growth in the Family and Human Studies while the Pre-Teacher Education program has grown 104 percent over the last five years, the available credential options, credentialed faculty, successful community outreach, extensive concurrent enrollment program, and a cooperative agreement with the Utah State Office of Education. Recommendations include improving the ratio of full-time to part-time faculty and the number and quality of adjunct faculty, adding training and support for adjunct faculty and dealing with professional behavior and collegiality. The Programs are addressing these issues.

**Fashion Institute** (School of Continuing and Community Education, Arts and Communication): The Program's strengths include its status as the only fashion institute in the USHE, its increased visibility, and its ties to the professional community. Recommendations included increasing connections with fashion programs in the high schools, demonstrating students' work, and increasing interactions with prospective clients and employers. The Program is addressing these issues. The number of students in the Program was not given.

**Finance and Credit** (School of Business): The Program serves 211 annualized FTE students. Its strengths include its faculty dedication to students, better enrollment and retention of students, and its focus on applied outcomes. Recommendations included more effective use of assessment tools, strengthened communication with industry, more credit decision-making experience, and the need for a course on Principles of Effective Selling. The Program is addressing these issues.

**Heating Ventilation, and Air Conditioning (HVAC)**(School of Career and Technical Education): The Program's strengths include new facilities, transition from non-credit to the AAS degree to increase employability while keeping the Skill Center option, the close proximity to the TRAX line, and adequate facilities. Recommendations included the need to continually update the curriculum to meet industry needs and to provide sufficient instruction to satisfy industrial need, and add another faculty member. The Program is addressing these issues. No student FTE data were provided.

**Interior Design** (School of Continuing and Community Education, Arts and Communication): The Program's strengths include employability of graduates, dedication of faculty and coordinator, faculty credentials and ties to industry, and the internship and special project's class. Recommendations include adding a customer service and sales class and converting the program to an AAS degree. The Program is addressing these issues. The number of students was not given.

**International Studies** (General and International Education): This Program, which is overseen by the associate vice president of academic services, is interdisciplinary and does not have its own faculty. The Program has graduated 100 students. Its strengths include its interdisciplinary breadth and flexibility and the College's efforts to identify needs prior to its review process.

Recommendations included strengthening articulation between SLCC and the University of Utah, increasing visibility of the Program, strengthening program advising by requiring interested students to seek the advice of an academic advisor, increasing international opportunities, and increasing the participation of full-time faculty from the College. The College is addressing these issues.

**Marketing Management** (School of Business): The Program serves 114 annualized FTE students. Its strengths include an intensive marketing program, opportunities for hands-on experience, dedicated faculty, and the development of assessment tools. Recommendations included more faculty use of assessment tools, the need for additional funding for faculty in-service and conference travel, and a follow-up system for marketing graduates. The Program is addressing these issues.

**Medical Laboratory Technician** (School of Health Sciences): The Program serves 18 annualized FTE students. Its strengths include its national accreditation, its partnership with the University of Utah in sharing of laboratory space, rising enrollments, nationally certified faculty, documented outcome measures, and high employment rates for graduates. No recommendations for improvement were made.

**Network Administrator** (Skills Center): The Program, in which one student enrolled, prepares students who complete and pass the four industry exams which will earn for the students the CompTIA A+, Network+, Microsoft MCP, and MCSA titles. There has been one student who has completed this program which is taught by two full-time faculty. The Program's strengths include its open entry/open exit, competency-based format, adequate equipment, the integration of computer-based software, a cooperative internship component, highly qualified instructors, the Program's low cost, and its availability to persons with disabilities. Recommendations include making the program more available on the internet, purchasing and increasing the variety of new hardware, moving the curriculum to WebCT, and working with the Telecommunications Department to strengthen articulation so that students can move from the certificate to an associate degree. The Program is addressing these issues.

**Network Engineer** (Skills Center): This Program, which has enrolled between 10 and 44 students, has been revised to meet industry needs and accommodate new Microsoft XP and Server 2003 operating systems. The Strengths of the Program include an 87 percent pass rate on industry exams, its open entry/open exit, competency-based format, adequate equipment, incorporation of computer-based training (CBT), network security courses, its integration with other computer-related courses, and its internships for student practice. Recommendations include adding hardware to allow students to build server clusters, increasing the variety of hardware and 3<sup>rd</sup> party software, and strengthening articulation with the Telecommunications Department so that Skill Center students can move toward an associate degree. The Program is addressing these issues.

**Occupational Therapy Assistant** (School of Health Sciences): The Program serves 21 annualized FTE students. Its strengths include its accreditation, with the exception of future action

on two standards, its new space, statewide activity of faculty, and 100 percent pass rate on the national examination. There was only one recommendation that suggested new students be recruited. The Program is addressing this through the work of a faculty member.

**Physical Therapist Assistant** (School of Health Sciences): The Program 49 annualized FTE students. Its strengths include its accreditation, its faculty who are fully credentialed and recipients of the "Excellence in Teaching" Award, and its grant awards from federal Perkins funding. Recommendations included the need for support funds for equipment for student practice and increased marketing so that class size can expand to accommodate the needs of the community. The Program is addressing these issues.

**Physics** (School of Science, Mathematics, and Engineering): The Program serves over 300 annualized FTE students. Its strengths include an increase in student enrollment of 37 percent over the last five years, its academic rigor, the quality of the labs, improved lecture space, its ongoing assessments, and a faculty member's association with NASA. Recommendations included adding full-time faculty, monitoring and enforcing course pre-requisites, implementing taped demonstrations into online courses, updating and maintaining demonstration equipment, and monitoring articulation agreements. The Program is addressing these issues.

**Professional Truck Driving** (Skills Center): The Program serves 250 students. Its strengths include its options to meet the needs of its students, its strong relationships with trucking companies, and its fork-lift and life skills competencies which are in the curriculum. Recommendations included adding another truck and maintaining older trucks, re-signing and painting trucks for a better image, adding an out-building to protect faculty and students from inclement weather, and adding an ESL course for non-English speaking students. The Program is addressing these issues.

**Psychology** (School of Humanities and Social Sciences): The Program serves 539 annualized FTE students. Its strengths include its student growth of 30 percent over the last five years, faculty diversity, articulation agreements with USHE institution for most courses, and the coherence of its program. Recommendations included improving the ratio of full- to part-time faculty, improving the quality of adjuncts, providing training and mentoring for the adjuncts, and improving professional development and collegiality among faculty. The Program is addressing these issues.

**Radiologic Technology** (School of Health Sciences): The Program serves 62 annualized FTE students. Its strengths include its national accreditation, strong relationship with clinical sites, new faculty hires, institutional support, and high graduate employment rates. Recommendations included the need for funding to upgrade equipment, increase number and variety of clinical sites, and provide proper staff support to comply with accreditation standards. The Program is addressing these issues.

**Sociology** (School of Humanities and Social Sciences): The Program serves 283 annualized FTE students. Its strengths include the increase in students by 33 percent over the last five years, the coherence of the program, its distance learning courses, and course development for the College's diversity requirement. Recommendations included improving the quality, support, and training of adjunct faculty, improving the ratio for full- to part-time faculty, finding resources for faculty travel

and professional development, and addressing the problem of a lack of professional behavior and collegiality among faculty. The Program is addressing these issues.

**Welding** (School of Career and Technical Education): The Program serves 41 annualized FTE students. Its strengths include graduates' marketable skills, modern facilities and equipment, faculty dedication, and student participation in SkillsUSA. Recommendations included the purchase and replacement of outdated equipment, unification of the curricula (Skills Center, Apprenticeship, and the AAS Degree), and hire full-time faculty. The Program is addressing these issues.

**Welding** (Skills Center): The Program serves 62 students. Its strengths include its efforts to articulate competencies between this certificate and the AAS degree, the addition of multimedia presentations to the curriculum, credentials of the full-time instructor, marketable skills of completers, and student participation in SkillsUSA. Recommendations included coordination of programs into one department with one coordinator so that the curricula of the credit and non-credit programs are seamless, open entry/open exit, and purchases of new equipment to meet changing standards of industry can be made. The Program is addressing these issues.

**Welding – Apprenticeship** (School of Career and Technical Education): The Program serves 41 annual FTE students. Its strengths include replacement, maintenance and upkeep of equipment and the attitude of faculty and staff. Recommendations included completion of remodeling, purchasing of replacement machinery, and a change of administration from three administrators to either two or one. The Program is addressing these issues.

#### Commissioner's Recommendation

The Commissioner recommends that the Regents review the Program Reviews submitted by the University of Utah, Weber State University, and Salt Lake Community College as part of their regular institutional program cycle. Questions and concerns may be raised. No action is required.

Richard E. Kendell, Commissioner

REK/PCS

September 8, 2005

MEMORANDUM

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: Information Calendar: Programs Committee: Institutional Third Year Program Report: Utah State University

Issue

The Board of Regents approved a Doctorate of Audiology for Utah State University to begin in the Fall of 2002. The program was subsequently accredited by the Council of Academic Accreditation for Audiology and Speech-Language Pathology in July, 2004 with accreditation extended through June, 2008.

Review Summary

The Department has met expectations by attracting more students than it can accommodate each year and has hired a full-time Ph.D. faculty member. The accreditation organization commended the program for its positive relationship between faculty and students, its relationship with the community, dedication of faculty to students, and its entrepreneurial nature.

Recommendations included the need to seek resources for Ph.D. faculty in Audiology and Speech-Language Pathology, provide additional coursework outside of the major, strengthen faculty ability to meet tenure requirements, and seek and obtain permanent funds for equipment.

The Department of Audiology has struggled financially because the University was not able to provide funds to hire a new clinical supervisor, nor a secretary/office assistant, nor was it able to purchase new equipment. Thus, the Department must seek funding for the faculty, staff, and equipment it needs to develop a high quality program.

Commissioner's Recommendation

The Commissioner recommends that the Regents accept Utah State University's third year report on its Doctorate of Audiology program. No action is required.

---

Richard E. Kendell, Commissioner

REK/PCS  
Attachment



## Institutional Program Review Report

Doctoral Program in Audiology  
 Program approved to begin Fall 2002

### Background Information

A new Doctorate of Audiology (AuD) was approved by the Board of Regents to begin at Utah State University in the fall of 2002. The Council on Academic Accreditation for Audiology and Speech-Language Pathology evaluated the program in July of 2004. The program in Audiology was accredited through June 30, 2008.

### Student and Faculty Statistical Summary

The table below summarizes the enrollment of the new AuD. It was estimated that the enrollment in the AuD program would be 6 students per year for a total of 24 students over the four years of the degree program. There were three AuD candidates graduating in May of 2005.

#### Summary of Operations

|                       | 2002 | 2003 | 2004 | 2005 |
|-----------------------|------|------|------|------|
| Applications Received | 12   | 15   | 14   | 22   |
| Applications Accepted | 9    | 6    | 6    | 6    |
| Ave GPA               | 3.6  | 3.45 | 3.5  | 3.55 |
| Ave GRE Scores        | 45%  | 48%  | 52%  | 49%  |
| Total Enrolled        | 8    | 13   | 19   | 22   |
| New                   | 8    | 5    | 6    | 6    |
| Continuing            | 0    | 8    | 13   | 16   |
| Doctoral Courses      | 8    | 15   | 21   | 26   |

In the original proposal the department requested money for a new PhD Instructor (\$60,000 + \$24,600 fringe), a new clinical supervisor (projected \$48,000 + \$19,680.00 fringe), as well as secretarial/office assistance (\$20,000 + \$8,200 fringe) and money for new equipment (\$50,000) every year. The University provided new money for a PhD in Audiology and this person was hired to start in Fall of 2004. It was not possible for the University to meet the other anticipated expenses as described above, and as a consequence the Audiology program has struggled to fully meet the needs of the students.

### Program Strengths

The last site visit to the program was March 2 and 3, 2000. The accreditation of the Audiology program, as indicated in the attached letter, was through a paper review of the program and not a site visit. Comments listed here are those of the accreditation team in 2000. The strengths of the Department of Communicative Disorders and Deaf Education were listed as follows:

1. Collegiality. Observations of the site visit team indicated that there were excellent relationships among members of the faculty.
2. Entrepreneurial nature of the program. The program has a long history of seeking external support for its activities to the benefit of students and faculty.
3. Integration of practicum and community service. There is a strong working relationship between the community and the practicum sites. Both the University and the community benefit from the relationship that has been developed. Children and community agencies receive excellent service from the University and the University is able to train its students well because of the placements that are provided.
4. Dedication of faculty to students and students to faculty. It is clear that the faculty know their students, are accessible to them, and open to their input. The students are also committed to the faculty and would do anything for them. The professional demeanor and work ethic of the students is representative of the role models provided by the faculty.
5. The Department is decentralized which allows for flexibility in each of the programs within the Department.

#### **Areas suggested for improvement**

1. There is a need for additional PhD level positions in the Department. Speech-Language Pathology needs another PhD level person, Audiology needs another clinical supervisor, and Deaf Education needs another PhD level person.
2. As can be seen from the accreditation letter there is a need for courses outside the Department to broaden the understanding of students in Audiology.
3. A concern was raised that the expectations of the faculty are high and that this be carefully considered to make the process of tenure feasible.
4. A concern was raised that there is a lack of significant on-going line item for equipment, maintenance, and technology.

#### **Recommendations**

1. It was recommended that the Department seek funding for positions in Audiology and Speech-Language Pathology as soon as possible.
2. It was recommended that the curriculum be examined to see if there is a way to provide additional coursework in the doctoral program for courses outside the major.

3. It was recommended that the Department do everything in its power to make it possible for new faculty to meet the requirements for tenure.
4. It was recommended that the Department work to obtain additional permanent funds in its equipment budget in order to allow Audiology to have sufficient funds to purchase new equipment as needed.

### **Commendations**

1. The program was commended for the organization and clarity of the report. It was clearly identified in the report how each of the requirements for accreditation were met.
2. The positive relationship between the faculty and the students was commended. The accreditation team indicated that this kind of relationship is rare and adds much to the quality of the program.
3. The program was commended for the relationship that has been built with the community. The practitioners in the area appeared very pleased with the preparation of the students and were happy to take them for internships at their sites.

### **Institutional Response to the Review Team Report.**

1. The Department, as part of its compact plan, is asking for an additional supervisory position in Audiology. For the last two-years this request has been one of the top requests in College of Education and Human Services. Unfortunately, there has not been sufficient money in the University to fund this position. The Department will try again this coming year to obtain hard money support for this supervisory position. In the area of Speech-Language Pathology the Department will be requesting additional funds this year for a new PhD position. Depending on the search for a new dean, if our current interim dean was to be selected as dean, then the department would have half of the money needed for an additional full-time position. Through the compact planning process, the additional half of the money for a position would be requested.
2. The Audiology committee is in process of identifying courses that would benefit the students in other programs in the University. Plans are being developed to determine if there is need for these courses.
3. Each new faculty member on the tenure track has been provided with some released time to work on research, publications, and presentations. Faculty are mentored by good tenure committees, and satisfactory progress is being made by each of the candidates.
4. The Department has tried to increase its funding base for equipment by advertising the clinic in the media. Advertising has been stopped by the Provost because it has angered some of our constituency in the community. The Department is trying to discover different models to use to increase visibility in the community for services in order to increase the number of clients students can treat, and to increase the amount of finances that are

available to use. The Department is also asking for increases in operating and equipment budget. The last few years there has been no significant increase to the budget to allow for purchase of critically needed equipment for Audiology. Permission to allow for advertising in the local media is very important to help in the recruitment of patients to our clinic for student clinical experience and to generate critically needed income to support the purchase of equipment.

It is paramount that we advertise our clinical services through various local media to (1) develop an adequate and diverse patient flow into the clinic, (2) provide our doctoral students with a broad clinical experience, and (3) generate critically needed revenues for equipment purchase and maintenance.

September 8, 2005

**MEMORANDUM**

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: Information Calendar: Programs Committee: Institutional Third Year Program Report: Southern Utah University

Issue

In the Fall of 2000 the Board of Regents approved a Bachelor of Science Degree program in Athletic Training to be offered by Southern Utah University beginning in the Fall of 2001. Since that time, the Physical Education Department has submitted a self-study report of the Athletic Training major and undergone site visits by the Joint Review Committee on Education Programs in Athletic Training (JRC-AT) from the Commission on Accreditation of Allied Health Education Programs (CAAHEP). JRC-AT subsequently recommended this program for accreditation by CAAHEP.

Review Summary

In its initial findings JRC-AT required the Athletic Training program to expand its courses to adequately cover the competencies and proficiencies students would need to adequately address multiple athletic injuries. Also, as part of the self-study process faculty determined that the program should be changed from three years to two years of upper-division course work. This change is allowing the Department to accept 12 students instead of the eight per year that had been accepted since 2002. This progress report includes the placement of recent graduates and other program-specific information including the program assessment process.

Commissioner's Recommendation

The Commissioner recommends that the Regents accept Southern Utah University's third year report on the Athletic Training program. No action is required.

---

Richard E. Kendell, Commissioner

REK/PCS  
Attachment

SOUTHERN UTAH UNIVERSITY  
Athletic Training Bachelor's Degree Program  
Third Year Report  
Prepared for the Board of Regents  
April 5, 2005

**HISTORY:**

In Fall 2000, the Physical Education Department at Southern Utah University received permission from the Board of Regents to offer a new undergraduate Bachelor of Science Degree program in Athletic Training. In Fall 2001 courses in support of the new program were first offered with the stipulation from the Commission on Accreditation of Allied Health Education Programs (CAAHEP) that accreditation and first awards of degree completion would not occur until 2004

Prior to approval from the Board of Regents to offer the new Athletic Training Major, the Physical Education Department did offer an Athletic Training emphasis within the Physical Education Bachelor of Science Degree. This has allowed interested students to take Athletic Training courses required by the National Athletic Trainers' Association Board of Certification. The Physical Education Department and the Athletic Department have jointly provided clinical supervision of qualifying Physical Education majors taking the Athletic Training emphasis through SUU's athletic programs.

**PROGRAM STATUS:**

- Application for Candidacy through CAAHEP was submitted September 1, 2001. New course offerings in Athletic Training were added to the curriculum in Fall 2001. Required equipment in support of the program was also purchased. A Self-Study Committee was formed with Dr. Craig Morrison, Department Chair, Ben Davidson, Program Director, Ricky Mendini, Head Athletic Trainer, Kyle Wilson, Assistant Athletic Trainer, Melece Winward, Regan Fails, and Phil Heywood, Athletic Training Students as members. Committee membership changed in subsequent years.

- During the Self-Study process of the 2002-2003 school year, it was determined that the number of competencies and proficiencies required in PE 4400, Evaluation of Athletic Injuries were too numerous to adequately cover in one class. Permission was sought and received by the various university curriculum committees to create two new classes, PE 4400, Evaluation of Lower Extremity/Trunk Injuries and PE 4430, Evaluation of Upper Extremity/Trunk Injuries. These two classes are offered on alternating years with PE 4400, Evaluation of Lower Extremity/Trunk Injuries offered beginning Fall 2003 and PE 4430, Evaluation of Upper Extremity/Trunk Injuries beginning Fall 2004. Accreditation requirements stipulated that all course work needed to have been taught or was being taught at the time of the site visit. This required that a year extension for submitting the Self-Study be sought because PE 4430 would not be taught until Fall 2004. The original timetable had the Self-Study being submitted June 2003 and the site visit scheduled for the 2003-2004 school year. An extension was sought and received by the Joint Review Committee on Education Programs in Athletic Training (JRC-AT).
- Self-Study Reports submitted to JRC-AT on June 1, 2004
- Site Visit by JRC-AT review team completed November 2-3, 2004.
- Site Visit Report from JRC-AT received at SUU on December 6, 2004.
- Site Visit Report Response submitted from SUU to the JRC-AT on January 20, 2005.
- A letter received from the JRC-AT March 3, 2005 stating a recommendation of accreditation will be given to CAAHEP in its April 2005 meeting.

**PROGRAM SUCCESS:**

- Seven of ten Athletic Training students graduating beginning Spring 2002 have successfully passed the National Athletic Training Association Board of Certification Examination (NATABOC) to become a Certified Athletic Trainer. Students graduating prior to 2004 did so with a Bachelor's Degree in Physical Education (Athletic Training emphasis). Those who graduated in 2004 received a Bachelor's Degree in Athletic Training.
- 2002 Graduates:
  - ❖ One accepted a graduate assistant position in Athletic Training and completed his Masters Degree at the University of Tennessee-Chattanooga in Athletic Training and has accepted full-time employment in the rehabilitation unit at The Orthopedic Specialty Hospital in Salt Lake City.
  - ❖ One accepted full-time employment as the head athletic trainer at Westminster College in Salt Lake City while continuing his Masters Degree at Utah State University in Exercise Science. He held a graduate assistant athletic training position while at Utah State University.

- ❖ One accepted part-time employment at Grace High School in Grace, Idaho after completing her M.Ed. at SUU. She held a graduate assistant athletic training position while completing her degree.
- ❖ One chose to enter a different line of work.
- 2003 Graduates
  - ❖ One accepted a graduate assistant athletic training position and is completing his Masters Degree at the University of Tennessee-Chattanooga in Athletic Training Spring 2005.
  - ❖ One accepted a graduate assistant athletic training position and is completing her Masters Degree at Boise State University in Exercise Science Spring 2005.
  - ❖ One is completing his Masters Degree at East Carolina University in Physical Therapy Spring 2005.
  - ❖ One chose to enter another line of work.
- 2004 Graduates
  - ❖ One accepted a graduate assistant athletic training position and is completing his Masters Degree in Exercise Science at Utah State University.
  - ❖ One chose to enter another line of work.
- Thirteen Athletic Training major students are on schedule to graduate at the end of the current Spring 2005 semester with a Bachelor's Degree in Athletic Training.
  - ❖ One has accepted a graduate assistant athletic training position to complete her Masters Degree in Athletic Training at Western Michigan University and will be assigned to Comstock High School.
  - ❖ One has been accepted at the University of Utah to complete his Masters Degree in Physical Therapy.

**PROGRAM ADMISSIONS:**

- 2002 – 13 applicants, 8 admitted.
- 2003 – 23 applicants, 8 admitted.
- 2004 – 13 applicants, 8 admitted.
- 2005 – Applications due February 15, 12 to be admitted. Because of recommendations of the Site Visit Report, the program was changed from three years to a two-year program at the upper-division level. This allows 12 applicants to be admitted each year instead of the previous 8.



## **PROGRAM ADMISSION CRITERIA:**

Application for admission into the Athletic Training Major requires the applicant to be in her/his sophomore year. The major requires a minimum of two years to complete. A maximum of twelve (12) students will be selected to enter the program each year. Each year, there are more students applying than can be accepted, so the process is competitive.

Candidates are admitted to the Athletic Training Major Fall semester after the completion of a formal admission process the previous Spring semester. Admission is based on measures of student performance in academic settings, personal recommendation, and personal interview. Notification of admittance occurs during the first week of May.

### **Admission Requirements - current SUU students**

- Overall GPA equal to or greater than 2.8 on a 4.0 Scale.
- Completion of the following prerequisite classes with a grade of C or better or current enrollment.
  - Advanced First Aid/CPR (Physical Education 2750) or current cards
  - Human Physiology with lab (Biology 2010 and 2020)
  - Human Anatomy with lab (Biology 2210 and 2220)
  - Athletic Training/Sports Medicine (Physical Education 3080)

### **Admission Requirements - students transferring from another institution**

- Admission to Southern Utah University
- Overall GPA equal to or greater than 2.8 on a 4.0 Scale.
- Successful completion of courses (with a grade of C or better or current enrollment) comparable to the following which are provided at SUU.
  - Advanced First Aid/CPR (Physical Education 2750) or current cards
  - Human Physiology with lab (Biology 2010 and 2020)
  - Human Anatomy with lab (Biology 2210 and 2220)
  - Athletic Training/Sports Medicine (Physical Education 3080)

Credit transfer of the above listed courses is accepted only with permission of the Athletic Training Major Program Director.

### **Application Procedure**

- Submission of Athletic Training Major application form, copy (front and back) of current First Aid and CPR card, and unofficial transcript by February 15. The transcript is necessary to analyze overall GPA and to verify the completion of or current enrollment in prerequisite courses. Continuing SUU students are not expected to turn in a transcript (that information is obtained from the Banner program).
- Submit three letters of recommendation.

## Admission Basis

### Objective Section

- Application and unofficial transcript. Award 5 points if the application is complete and the required contents are attached.
- Proof of CPR/Standard First Aid (10 points) from a Health Safety Education Agency (American Red Cross, American Heart Association, National Safety Council). Points given for copy of current CPR and First Aid Card (5 points each).
- Academic Prerequisite Courses (20 points)
- Overall Grade Point Average (10 points). Using unofficial transcript (Banner), award the applicant points according to overall grade point average.

### Subjective Section

- Response to questions on application form (10 points).
- Personal recommendation (10 points).
- Personal interview of qualified candidates (10 points).

Qualified candidates are determined by their score on the objective section, response to questions on application form, and personal recommendation.

The Athletic Training Major faculty/staff will make the final decisions regarding acceptance into the program based upon the candidate's total ranking on the admission criteria. All applying candidates will receive written notification from the program director indicating their acceptance or denial into the Athletic Training Major. A waiting list of three will be kept in the event one of the candidates accepted is unable to accept the position. A candidate may re-apply to the Athletic Training Major the following year but will need to repeat the application process. Upon acceptance into the Southern Utah University Athletic Training Major, the following will be required:

- Completion of a physical exam by a health care provider.
- Completion of Hepatitis B vaccination and documentation (at candidate's expense) or Hepatitis B declination form.
- Documentation of personal vaccination record.

### PROGRAM DEMOGRAPHIC DATA 2004-2005:

- 16 - Females
- 7 - Males
- 18 - Utah residents
- 4 - Out of state residents
- 1 - foreign resident

**PROGRAM ASSESSMENT PROCESS:**

Frequent evaluations are conducted in the didactic courses by written exams, practical exams, oral reports and presentations, informal and formal writing assignments and special projects as determined by each instructor. Evaluation in the clinical classes is conducted through the use of the required competency checklists for that clinical class in both formal and informal settings. All faculty are evaluated each semester using the campus student evaluation of faculty form. Athletic Training Major Student Evaluation forms are completed by Approved Clinical Instructors (ACI) and reviewed with each student in the program at midterm and at the end of each semester. Each student in the program completes a Student Evaluation of Clinical Education form on their clinical experience at the end of each semester. All ACIs and the Program Director review the Student Evaluation of Clinical Education form and develop actions to adjust the clinical experiences to meet the needs of the individual students. A Student Exit Evaluation of the Athletic Training Major Education Program will be completed at the end of Spring semester 2005 with the first graduates of the Athletic Training Major. The Program Director and all ACIs will review this information and develop actions to adjust the educational program to strengthen and correct the areas of concern.

## Memorandum

September 8, 2005

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: Two-year follow up report on the Bachelor of Applied Technology (BAT) Degree offered by Weber State University and Utah Valley State College—Information Item

### Issue

On March 14, 2003 the Board of Regents approved a request from Utah Valley State College and Weber State University to offer a Bachelor of Applied Technology Degree (BAT). A follow-up report was requested for May, 2005.

### Background

The BAT Degree was designed for students who have received an Associate of Applied Technology (AAT) Degree from the Utah College of Applied Technology (UCAT). Students completing the AAT Degree were to be admitted as third-year students and would be able to complete the BAT Degree with two additional years of full-time study. The BAT was to provide students with advanced study in courses related to their technical discipline as well as supervisory, teamwork, and communication skills. Building upon the AAT, the BAT was designed to give an opportunity for career enhancement, professional opportunities, and supervisory-level skill development. This degree was limited to those technical or applied technology programs whose content matches or can be articulated into programs in the sponsoring colleges/schools.

### **BAT Program Requirements**

Students applying for admission to a BAT Program must meet the following requirements:

- have completed an AAT Degree from UCAT in a sponsoring college or school.
- complete a minimum of 120 credit hours, 40 of which must be upper division and 30 of which must be resident hours;
- complete 15-22 upper division credits in discipline-related courses;
- complete 15-24 upper division credits from the BAT core, and BAT support courses and electives;
- complete bachelor degree general education requirements;

- earn at least a 2.0 cumulative GPA;
- meet with an advisor in the AAT-emphasis discipline-related program and develop an academic contract specifying discipline-related courses, BAT core, BAT support courses, and BAT electives;
- complete all courses on the academic contract with a minimum grade of "C" (no Credit/No Credit grades will be accepted for the courses specified on the BAT academic contract); and
- meet with an academic advisor in their technical discipline at least annually.

Information concerning the BAT Degree has been included in the WSU and UVSC catalog for the past two years. At this time there has not been any students enroll in the program at WSU or UVSC. The reports from the institutions are attached.

#### Commissioner's Recommendation

This agenda item is an information item required by prior Regent action. No action is required; however, this information is part of the ongoing evaluation of UCAT programs and degrees as they connect with other USHE institutions.

Richard E. Kendell, Commissioner

REK/GW  
Attachment

**August 8, 2005**  
**Bachelor of Applied Technology (BAT) Degree**  
**Two-Year Follow-up Report**  
**Weber State University**

The Board of Regents, on March 14, 2003, gave permission for Utah Valley State College and Weber State University to offer the Bachelor of Applied Technology (BAT) degree. The following is a two-year follow-up report, as requested by the Regents.

**Program Structure and Admission Requirements**

Three technical emphases are offered: Computer Drafting & Design; Information Technology; Health Administrative Services. The first two are offered through the College of Applied Science and Technology, and the third is through the Dumke College of Health Professions

BAT students must:

- have completed an AAT degree from Utah College of Applied Technology in a sponsoring college or school;
- complete a minimum of 120 credit hours, 40 of which must be upper division and 30 of which must be resident hours;
- complete 16-22 upper division credits in one of the technical emphases listed;
- complete 18-24 upper division credits from the BAT core and BAT support courses and electives;
- complete bachelor degree general education requirements;
- earn at least a 2.0 cumulative GPA;
- meet with a college advisor and develop an academic contract specifying technical emphasis courses, BAT core, BAT support courses, and BAT electives;
- complete all courses on the academic contract with a minimum grade of "C";
- meet with an academic advisor in their technical discipline at least annually.

Advisors for the program are Nisha Perry (College of Applied Science and Technology) and Marie Kotter (Dumke College of Health Professions).

**Enrollment Data**

Although program information has been included in the 2004-05 and 2005-06 editions of the Weber State University Catalog, no students have availed themselves of the opportunity to enroll in the program. Accordingly, no graduates of the program have been produced.

While Weber State University admits a significant number of students from the Davis and Ogden/Weber ATCs, for the most part these students do not arrive with the AAT and therefore enter traditional bachelor programs.

**Demographic Data on Enrolled Students**

Not applicable.

**Employment Information**

Not applicable.

**Assessment Process**

The assessment process is to be consistent with the already-established process in the two Colleges affected. Since no students have enrolled in the program, there has been no impact on the assessment process.

**August 8, 2005**  
**Bachelor of Applied Technology (BAT) Degree**  
**Two-Year Follow-up Report From**  
**Utah Valley State College**

On March 14, 2003 the Board of Regents gave permission for Utah Valley State College and Weber State University to offer a Bachelor of Applied Technology Degree. A follow-up report was requested for May, 2005. This is the report from Utah Valley State College.

**Program Admission Criteria**

Admission criteria established for students to enter a Bachelor of Applied Technology Degree program are as follows: "Prospective BAT students must have completed an AAT degree from UCAT in a technical area existing in a sponsoring College at WSU or in a discipline whose content matches and can be articulated into a current upper-division program at UVSC. Further, UCAT AAT graduates will be required to meet with an advisor in the specific advanced discipline-related program in order to complete a BAT contract and be admitted to the BAT."

Two programs were developed and made available for AAT graduates to pursue at UVSC. One program was in Community Health for AAT Medical Assistant graduates and one was in Information Technology for AAT, IT graduates.

These admissions criteria have yet to be presented by any UCAT AAT degree holders applying for admission to UVSC.

**Enrollment Data**

The BAT degree program has been included in the 2003-04 and 2004-05 UVSC catalogs. A specific advisor is assigned and informed concerning the degree requirements to provide direction to all applicants. After these two academic years, no students have approached this advisor for discussion about the degree.

In the proposal for the degree, under "Student Demand," WSU noted that in WSU's two colleges of Applied Science and Technology and Health Professions are over one-fourth of all WSU majors. They "...anticipated there will be similar student interest and demand, although modest for the first five years, for this proposed BAT degree."

In the proposal for the BAT degree UVSC noted sustained interest in our two-year programs and growing interest in the four-year programs. "With the Mountainland Applied Technology College relationship, UVSC looks forward to their AAT graduates and any from other campuses coming to continue their higher education." UVSC over estimated the demand for the BAT degree.



### **Demographic Data on the Enrolled Students**

Not applicable.

### **Employment Information**

Not applicable.

### **Assessment Process**

BAT students were to be enrolled in a variety of discipline-specific programs (Information Technology and Community Health to begin with) with established outcomes assessment procedures. Both student assessment and program assessment in those programs have not been affected by BAT students since no students have been enrolled.

### **Summary**

It is fair to say that the Bachelor of Applied Technology degree program offering has not produced the benefits expected for students and the program. Because the advisor assigned to assist students in this program is the advisor to the existing Bachelor of Science in Technology Management degree program, no funding resources have been wasted in making the program available.

September 8, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Utah College of Applied Technology – Associate of Applied Technology (AAT) Degrees

The Program Review Committee has requested additional information on the Associate of Applied Technology (AAT) Degrees and has deferred action at this point in time.

Richard E. Kendell, Commissioner

REK:jc

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: University of Utah – 2005-2006 Budget for University Hospitals and Clinics

Issue

In past years Legislative intent language instructed the Board of Regents to approve the operating budget of the University Hospital and Clinics as a condition for the retention of patient fee revenues outside the state's appropriated budget. Even though this language lapsed during the past year it seems appropriate to continue to obtain Regent approval for this budget.

University Officials provided the attached summary materials and will be available at the August Board of Regents meeting to respond to questions. The complete budget documents are available for review upon request.

Recommendation

The Commissioner recommends approval of the 2005-2006 operating budget for the University of Utah Hospital and Clinics.

Richard E. Kendell, Commissioner

REK/MHS  
Attachments

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Utah State University – Campus Master Plan

Background

Regent policy requires the traditional nine USHE institutions to seek bi-annual approval of campus master plans.

Issue

Utah State University will provide an update of its master plan. College officials will distribute campus maps at the meeting and be prepared to answer any questions.

Recommendation

The Commissioner recommends approval of Utah State University's campus master plan.

REK/MHS/KGW

Richard E. Kendell, Commissioner

September 7, 2005

MEMORANDUM

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: Southern Utah University - Authorizing Resolution, Pavilion/Stadium Facilities Expansion Student Building Fee Refunding Note, Series 2005

Background

Southern Utah University seeks to refund \$1,045,000 in outstanding debt through a private placement.

Issue

In June the Regents received a report on potential refunding opportunities within the System. At the time Southern Utah University's Series 1995A and 1996A Bonds were identified as potential candidates for refunding but were assumed to be too small to create any interest in the marketplace. Since that time the University received confirmation from Wells Fargo Brokerage Services that there was interest in refunding the outstanding bonds and selling them as a private placement to a single investor or small group of investors. The par amount of the bonds will be \$975,000.

Beyond the advantage of lowered interest rates and a lifetime savings in excess of \$340,000, private placement eliminates the need for preparation or use of either a Preliminary or final Official Statement, rating or insurance fees, or reserve fund requirements. Legal fees are reduced and the University benefits from dealing with a small group of known investors. Cost savings associated with this refunding as a private placement have been estimated at \$20,000.

In order to expedite this bond refunding and use favorable interest rates, the SUU Board of Trustees have asked that the Regents review this matter prior to the Board of Trustees approving at their next meeting on September 23, 2005.

Recommendation

The Commissioner recommends approval of the refunding resolution, subject to a positive vote by the SUU Board of Trustees.

REK/MHS/KGW  
Attachments

Richard E. Kendell, Commissioner



## Public Finance

**\$975,000**  
**State Board of Regents of the State of Utah**  
**Southern Utah University**  
**Pavilion/Stadium Facilities Expansion Student Building Fee**  
**Revenue Refunding Bonds**  
**Series 2005**  
**(Refunding of Series 1995A and Series 1996A Bonds)**

**FINANCING SUMMARY**

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose:        | To refund all of the University's remaining Series 1995A Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Bonds (the "Series 1995A Bonds") and the University's Series 1996A Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Bonds (the "Series 1996A Bonds") for purposes of achieving debt service savings and to pay costs incident to the issuance of the Series 2005 Bonds. |
| Par Amount:     | \$975,000                                                                                                                                                                                                                                                                                                                                                                                                             |
| Security:       | The Series 2005 Bonds are payable from and secured by a pledge and assignment of the University's "Stadium Facilities Student Building Fee" revenues received or to be received by the University.                                                                                                                                                                                                                    |
| Ratings:        | The Series 2005 Bonds are unrated.                                                                                                                                                                                                                                                                                                                                                                                    |
| Method of Sale: | Private Placement with Wells Fargo Brokerage Services, LLC as purchaser of the Bonds.                                                                                                                                                                                                                                                                                                                                 |
| Sale Date:      | September 16, 2005                                                                                                                                                                                                                                                                                                                                                                                                    |
| Closing Date:   | September 28, 2005                                                                                                                                                                                                                                                                                                                                                                                                    |
| Interest Rate:  | 3.90%.                                                                                                                                                                                                                                                                                                                                                                                                                |

Present-Value Savings: 8.735% (Gross Savings of \$340,818.12)

Interest Payment Dates: December 1<sup>st</sup> and June 1<sup>st</sup>, commencing December 1, 2005.

Interest Basis: 30/360

Principal Payment Dates: June 1, 2006 through June 1, 2014

Maturity: 9 years from date of issuance.

Redemption: Callable at 100% at any time

Estimated DS Coverage: 1.48X (currently)

SUU Contact: Dorian Page (435) 586-7726

Purchaser Contact: Kelly Murdock, Wells Fargo Brokerage Services, LLC,  
(801) 246-1732

Trustee, Paying Agent/Reg.: Wells Fargo Bank, National Association

Bond Counsel: Ballard Spahr Andrews & Ingersoll, LLP

Discussion

While the University’s Series 1995A and 1996A Bonds were issued at relatively high interest rates when compared to those available in today’s market, the ability to refund them for savings has been difficult due to the small par amounts outstanding (currently \$1,045,000 between the two) and the costs associated with such a refunding. The University has had in-depth discussions with Wells Fargo Brokerage Services about the possibility of refunding the outstanding bonds and selling them as a private placement to one or a select few (cannot exceed 35) so-called “sophisticated investors.” The benefits of a private placement include not requiring the preparation or use of either a Preliminary or final Official Statement, no rating or insurance fees, reduced legal fees, no reserve fund requirement, a par call at any time and a small group of known investors. Cost savings associated with this refunding as a private placement have been estimated at \$25,000. Another benefit of a private placement is being able to lock in today’s lower interest rates.

APPROVING RESOLUTION  
SOUTHERN UTAH UNIVERSITY  
PAVILION/STADIUM FACILITIES EXPANSION STUDENT BUILDING FEE REVENUE  
REFUNDING BONDS, SERIES 2005

Logan, Utah  
September 16, 2005

The State Board of Regents of the State of Utah met in regular session (including by electronic means) at Utah State University in Logan, Utah on September 16, 2005, commencing at [9:00] a.m. The following members were present:

|                       |            |
|-----------------------|------------|
| Nolan E. Karras       | Chair      |
| Jed H. Pitcher        | Vice Chair |
| Jerry C. Atkin        | Member     |
| Daryl C. Barrett      | Member     |
| Bonnie Jean Beesley   | Member     |
| Janet A. Cannon *     | Member     |
| Rosanita Cespedes     | Member     |
| Katharine B. Garff    | Member     |
| David J. Grant        | Member     |
| Meghan Holbrook       | Member     |
| James S. Jardine      | Member     |
| Michael R. Jensen     | Member     |
| David J. Jordan       | Member     |
| Gaby Bradford Kingery | Member     |
| John C. Pingree*      | Member     |
| Josh M. Reid          | Member     |
| Sara V. Sinclair      | Member     |
| Marlon O. Snow        | Member     |

Absent:

Also Present:

|                        |                                  |
|------------------------|----------------------------------|
| Richard E. Kendell     | Commissioner of Higher Education |
| Joyce Cottrell, C.P.S. | Secretary                        |

---

\* Non-voting member from State Board of Education



After the meeting had been duly convened and called to order by the Chair, the roll had been called with the above result, and after other matters not pertinent to this Resolution had been discussed, the Chair announced that one of the purposes of the meeting was the consideration of various matters with respect to the issuance and sale of the State Board of Regents of the State of Utah, Southern Utah University Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Refunding Bonds, Series 2005.

The following resolution was introduced in written form and after full discussion, pursuant to motion made by Regent \_\_\_\_\_ and seconded by Regent \_\_\_\_\_, was adopted by the following vote:

YEA:

NAY:

The resolution is as follows:

RESOLUTION

A RESOLUTION OF THE STATE BOARD OF REGENTS OF THE STATE OF UTAH AUTHORIZING THE ISSUANCE AND SALE OF ITS SOUTHERN UTAH UNIVERSITY PAVILION/STADIUM FACILITIES EXPANSION STUDENT BUILDING FEE REVENUE REFUNDING BONDS, SERIES 2005 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$975,000; AUTHORIZING THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; AUTHORIZING THE EXECUTION OF A THIRD SUPPLEMENTAL INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the State Board of Regents of the State of Utah (the "Board") is established and exists under and pursuant to Section 53B-1-103, Utah Code Annotated 1953, as amended; and

WHEREAS, pursuant to the provisions of Title 53B, Chapter 1, Utah Code Annotated 1953, as amended, the Board is authorized to act as the governing authority of the Southern Utah University (the "University") for the purpose of exercising the powers contained in the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (the "Act"); and

WHEREAS, pursuant to a General Indenture of Trust, dated as of June 1, 1995 between the Board and Wells Fargo Bank, N.A., as trustee (the "Trustee"), as heretofore amended and supplemented (the "General Indenture"), the Board previously issued, for and on behalf of the University, its (i) Southern Utah University Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Bonds, Series 1995A, and (ii) Southern Utah University Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Bonds, Series 1996A, (collectively the "Refunded Bonds"); and

WHEREAS, in order to benefit the Board and the University by achieving a debt service savings due to present lower interest rates, the Board desires to refund the Refunded Bonds; and

WHEREAS, pursuant to the Act, the Board, for and on behalf of the University, is authorized to issue bonds payable from certain revenues of the University, as may be deposited into a special fund, for the purpose of (i) refunding the Refunded Bonds, and (ii) paying costs of issuance related thereto; and

WHEREAS, in order to accomplish the purposes set forth in the preceding recital, the Board desires to authorize and approve the issuance and sale of the State Board of Regents of the

State of Utah, Southern Utah University Pavilion/Stadium Facilities Student Building Fee Revenue Refunding Bonds, Series 2005 (or such other or further designation as the officers of the Board may determine) (the "Series 2005 Bonds") in an aggregate principal amount equal to \$975,000 pursuant to the General Indenture and a Third Supplemental Indenture of Trust between the Board and the Trustee (the "Third Supplemental Indenture" and together with the General Indenture, the "Indenture"); and

WHEREAS, the Series 2005 Bonds shall be payable solely from the University's revenues and other moneys pledged therefor in the Indenture and shall not constitute nor give rise to a general obligation or liability of the Board, the University or the State of Utah or constitute a charge against their general credit; and

WHEREAS, in connection with the funding of an escrow to provide for the advance refunding of the Refunded Bonds, the Board will enter into an Escrow Deposit Agreement with the Trustee, as escrow agent (the "Escrow Agreement"); and

WHEREAS, there has been presented to the Board at this meeting a form of a Bond Purchase Agreement (the "Bond Purchase Agreement") to be entered into among the Board, the University and Wells Fargo Brokerage Services, LLC the purchaser for the Series 2005 Bonds (the "Purchaser"), a form of Escrow Agreement, and a form of the Third Supplemental Indenture.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BOARD OF REGENTS OF THE STATE OF UTAH, AS FOLLOWS:

**All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.**

**All action heretofore taken (not inconsistent with the provisions of this resolution) by the Board and the University and the officers of the Board or the University directed toward the issuance of the Series 2005 Bonds are hereby ratified, approved and confirmed.**

**The Third Supplemental Indenture and the Escrow Agreement in substantially the forms presented to this meeting are in all respects authorized, approved and confirmed. The Chair or Vice Chair and the Secretary of the Board and the President or Associate Vice President for Financial Services/Treasurer of the University are hereby authorized to execute and deliver the Third Supplemental**

Indenture and the Escrow Agreement in substantially the same forms and with substantially the same content as the forms of such documents presented to this meeting for and on behalf of the Board and the University with such alterations, changes or additions as may be authorized by Section 7 hereof.

For the purpose of providing funds to be used for (i) refunding the Refunded Bonds, and (ii) paying costs of issuance of the Series 2005 Bonds, the Board hereby authorizes the issuance of the Series 2005 Bonds in the aggregate principal amount of \$975,000. The Series 2005 Bonds shall mature on such date or dates, be subject to redemption, and bear interest at the rates, as set forth in the Third Supplemental Indenture and summarized in Exhibit A attached hereto and incorporated herein by reference. The issuance of the Series 2005 Bonds shall be subject to the final advice of Bond Counsel and to the approval of the office of the Attorney General of the State of Utah.

The form, terms and provisions of the Series 2005 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, interest rates, redemption and number shall be as set forth in the Indenture. The Chair or Vice Chair and the Secretary of the Board and the President or Associate Vice President for Financial Services/Treasurer of the University are hereby authorized to execute and seal by manual or facsimile signature the Series 2005 Bonds and to deliver the Series 2005 Bonds to the Trustee for authentication. All terms and provisions of the Indenture and the Series 2005 Bonds are hereby incorporated in this resolution. The appropriate officials of the Board and the University are hereby authorized to execute and deliver to the Trustee the written order of the Board for authentication and delivery of the Series 2005 Bonds in accordance with the provisions of the Indenture.

The Series 2005 Bonds shall be sold to the Purchaser with a Purchaser's fee of not to exceed \$15,000. The Bond Purchase Agreement in substantially the form presented to this meeting is hereby authorized, approved and confirmed. The Chair or Vice Chair of the Board or the Chair of the Finance, Facilities and Accountability Committee, and the President and Associate Vice President for Financial Services/Treasurer of the University are hereby authorized to execute and deliver the Bond Purchase Agreement in substantially the same form and with substantially the same content as the form of the Bond Purchase Agreement presented at this meeting for and on behalf of the Board with final terms as may be established for the Series 2005 Bonds within the parameters set forth herein and with such alterations, changes or additions as may be necessary or as may be authorized by Section 7 hereof..

The appropriate officials of the Board and the University, including without limitation the Chair or Vice Chair of the Board and/or the Chair of the Finance, Facilities and Accountability Committee of the Board, and President and Associate Vice President for Financial Services/Treasurer of the University are authorized to make any alterations, changes or additions to the Third Supplemental Indenture, the Series 2005 Bonds, the Bond Purchase Agreement, the Escrow Agreement or any other document herein authorized and approved which may be necessary to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the provisions of this resolution or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States.

The appropriate officials of the Board and the University, including without limitation the Chair, Vice Chair, the Chair of the

**Finance, Facilities and Accountability Committee, Commissioner of Higher Education and Secretary of the Board, and the President and Associate Vice President for Financial Services/Treasurer of the University, are hereby authorized and directed to execute and deliver for and on behalf of the Board and the University any or all additional certificates, documents and other papers (including any reserve instrument guaranty agreements not in conflict with the Indenture) and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.**

**The appropriate officers of the Board and the University, including without limitation the Chair, Vice Chair, the Chair of the Finance, Facilities and Accountability Committee, Commissioner of Higher Education and Secretary of the Board and the President and Associate Vice President for Financial Services/Treasurer of the University are hereby authorized to take all action necessary or reasonably required by the Indenture, the Escrow Agreement, or the Bond Purchase Agreement to carry out, give effect to and consummate the transactions as contemplated thereby and are authorized to take all action necessary in conformity with the Act.**

**Upon their issuance, the Series 2005 Bonds will constitute special limited obligations of the Board payable solely from and to the extent of the sources set forth in the Indenture. No provision of this Resolution, the Series 2005 Bonds, the Bond Purchase Agreement, the Escrow Agreement, the Indenture or any other instrument, shall be construed as creating a general obligation of the Board or the University, or of creating a general obligation of the State of Utah or any political subdivision thereof, nor as incurring or creating a charge upon the general credit of the Board, the University, the State of Utah or any political subdivision thereof.**

In accordance with the provisions of the Act, the Board shall cause the following “Notice of Bonds to be Issued” to be published one (1) time in The Salt Lake Tribune, a newspaper of general circulation in the State and shall cause a copy of this Resolution and the Indenture to be kept on file in the Board’s office in Salt Lake City, Utah, for public examination during the regular business hours of the Board until at least thirty (30) days from and after the date of publication thereof. The “Notice of Bonds to be Issued” shall be in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended, that on September 16, 2005, the State Board of Regents of the State of Utah (the "Board") adopted a resolution (the "Resolution") in which it authorized the issuance of the Board's Southern Utah University Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Refunding Bonds, Series 2005 (the "Series 2005 Bonds") in the aggregate principal amount of \$975,000, to bear interest at a rate of 3.9% per annum, to mature in not more than 9 years from their date or dates, and to be sold at a price 100% of the total principal amount thereof, for the purpose of refunding all or a portion of certain of the Board's outstanding Southern Utah University Pavilion/Stadium Facilities Expansion Student Building Fee Revenue Bonds. No deposit is contemplated in connection with the issuance of the Series 2005 Bonds.

The Series 2005 Bonds are to be issued and sold by the Board pursuant to the Resolution, including as part of said Resolution a form of a General Indenture of Trust, as previously amended and supplemented, and a Third Supplemental Indenture of Trust (collectively, the "Indenture").

A copy of the Resolution and the Indenture are on file in the office of the Board at 60 South 400 West, 5th Floor, Salt Lake City, Utah, where they may be examined during regular business hours of the Board from 8:00 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Indenture (as it relates only to the Series 2005 Bonds), or the Series 2005 Bonds, or any provision made for the security and payment of the Series 2005 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

DATED this 16th day of September, 2005.

/s/ Joyce Cottrell

Secretary



After any of the Series 2005 Bonds are delivered by the Trustee or for the account of to the Purchaser and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2005 Bonds are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

If any provisions of this Resolution should be held invalid, the invalidity of such provisions shall not affect the validity of any of the other provisions of this Resolution.

All resolutions of the Board or parts thereof inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED BY THE STATE BOARD OF REGENTS OF THE STATE OF UTAH THIS 16th DAY OF SEPTEMBER, 2005.

STATE BOARD OF REGENTS OF THE STATE OF UTAH

---

Chair

(SEAL)

ATTEST:

---

Secretary

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

---

Chair

(SEAL)

ATTEST:

---

Secretary

STATE OF UTAH                                    )  
                                                      : ss.  
COUNTY OF SALT LAKE                    )

I, Joyce Cottrell, do hereby certify that I am the duly qualified and acting Secretary of the State Board of Regents of the State of Utah.

I further certify that the above and foregoing constitutes a true and correct copy of an excerpt of the minutes of a meeting of said Board held on September 16, 2005 and of a resolution adopted at said meeting, as said minutes and resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Board this 16th day of September, 2005.

---

Secretary

(SEAL)

STATE OF UTAH                    )  
                                          : ss.  
COUNTY OF SALT LAKE        )

I, Joyce Cottrell, the undersigned, the duly qualified and acting Secretary of the State Board of Regents of the State of Utah, do hereby certify, according to the records of said State Board of Regents in my official possession, and upon my own knowledge and belief, that:

in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended I gave public notice of the agenda, date, time and place of the September 16, 2005 public meeting held by the Members of the State Board of Regents by causing a Notice of Public Meeting to be posted at the principal office of the State Board of Regents at 60 South 400 West, in Salt Lake City, Utah, on September \_\_\_\_, 2005, at least 24 hours prior to the convening of such meeting, in the form attached hereto as Schedule 1; said Notice of Public Meeting having continuously remained so posted and available for public inspection during the regular office hours of the State Board of Regents until the convening of the meeting; and causing a copy of said Notice of Public Meeting in the form attached hereto as Schedule 1 to be provided on September \_\_\_\_, 2005, at least 24 hours prior to the convening of such meeting, to the Deseret News and The Salt Lake Tribune, newspapers of general circulation within the geographic jurisdiction of the State Board of Regents, and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the State Board of Regents; and

that in accordance with the requirements of Section 52-4-6(1), Utah Code Annotated 1953, as amended, public notice of the 2005 Annual Meeting Schedule of the State Board of Regents was given specifying the date, time and place of the regular meetings of the State Board of Regents scheduled to be held during the year, by causing a Notice of Annual Meeting Schedule for the State Board of Regents (in the form attached as Schedule 2) to be posted on September 8, 2004 at the principal office of the State Board of Regents in Salt Lake City, Utah and causing a copy of such Notice of Annual Meeting Schedule to be provided on September 8, 2004 to a newspaper of general circulation within the geographic jurisdiction of Salt Lake City, Utah.

the Board has adopted written procedures governing the holding of electronic meetings in accordance with Section 52-4-7.8 Utah Code Annotated 1953, as amended (a copy of which is attached hereto as Schedule 3). In accordance with said Section and the aforementioned procedures, notice was given to each member of the Board and to members of the public at least 24 hours before the meeting to allow members of the Board and the public to participate in the meeting, including a description of how they could be connected to the meeting. The Board held the meeting (the anchor location) in the building where it normally meets and provided space and facilities at the anchor location so that interested persons and the public could attend and participate.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the State Board of Regents of the State of Utah, this 16th day of September, 2005.

(SEAL)

---

Secretary

SCHEDULE 1

NOTICE OF PUBLIC MEETING

(See Transcript Document No. \_\_\_\_)

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

(See Transcript Document No. \_\_\_\_)



SCHEDULE 3

ELECTRONIC MEETING POLICY  
EXHIBIT A

TERMS OF THE SERIES 2005 BONDS

|                                   |                                  |
|-----------------------------------|----------------------------------|
| Principal amount                  | \$975,000                        |
| Interest rates not to exceed      | 3.9%                             |
| Final Maturity not to exceed      | 9 years from date of<br>issuance |
| Optional Call at par at any time: |                                  |

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Salt Lake Community College – Property Purchase Adjacent to South City Campus

Issue

Salt Lake Community College seeks permission to purchase property adjacent to its South City Campus.

Background

Salt Lake Community College's Master Plan includes expansion on the South City Campus to include properties abutting the north end of campus. The property located at 1520 South Edison Street is now available and the college seeks approval to purchase for the appraised value of \$233,000.

Please find attached to this memo a letter from SLCC Vice-President for Business Don Porter. The letter details the transaction and provides a map for reference. Funds for the purchase come from one-time reserves in the physical plant fund specifically set aside for property acquisition.

Recommendation

The Commissioner recommends approval of the property purchase.

Richard E. Kendell, Commissioner

MHS/KW  
Attachments



September 1, 2005

Commissioner Richard E. Kendell  
Utah System of Higher Education  
Board of Regents Building, The Gateway  
60 South 400 West  
Salt Lake City, Utah 84101-1284

Dear Commissioner Kendell:

RE: Proposed Purchase of Property  
1520 South Edison Street, Salt Lake City, Utah

In December, 2004, SLCC purchased a property located on Kensington Street, adjacent to the north side of the College's South City Campus. Another property adjacent to the north edge of the South City Campus has now become available for purchase. The South City Campus Master Plan identifies this property for acquisition for future program development expansion and site development. It will be difficult for the SLCC-SCC campus to grow and to develop needed campus parking and green-space enhancements for a true campus atmosphere if these properties are not acquired when they become available. This purchase is consistent with the College's practice of purchasing adjacent properties identified in the College's master plans.

Salt Lake Community College is requesting Board of Regents' approval for the purchase of this property, being offered by Robert Howard, located adjacent to and north of the South City Campus. An appraisal for this property was recently completed by Bodell-Van Drimmelen & Associates, placing the value of the property at \$233,000. The agreed-upon purchase price is \$233,000 plus closing costs. A copy of the signed Offer to Purchase and a site plan identifying the property are attached.

Institutional funds set aside within the College's Plant Fund to permit potential property acquisitions will be used to support this purchase.

We request that this issue be placed on the agenda for the September 15-16, 2005 meeting of the Board of Regents for review and approval. The Board of Trustees will consider this purchase at its September 14, 2005 meeting. Please contact me if you have any questions.

Sincerely,

Donald L. Porter  
Vice President of Business Services

Attachments



TO: Board of Trustees Members  
FROM: Dr. Cynthia Bioteau, President  
Don Porter, Vice President for Business Services  
DATE: September 1, 2005  
RE: Purchase of Howard Property

In December, 2004, SLCC purchased a property located on Kensington Street, adjacent to the north side of the South City Campus. At that time, we indicated that we would continue to pursue purchase options of the remaining parcels as they became available. Another property adjacent to the north edge of the South City Campus has now become available for purchase. The South City Campus Master Plan identifies this property for acquisition and development. It will be difficult for the SLCC-SCC campus to grow and to develop needed campus parking and green-space enhancements for a true campus atmosphere if these properties are not acquired when they become available.

The currently available property is offered by Gary B. Howard and is located at 1520 South Edison Street. The property consists of a duplex and .15 acres of land. An appraisal was obtained from Bodell-Van Drimmelen & Associates which places the value of the property at \$233,000.

A signed offer to purchase the property for the amount of \$233,000 plus closing costs is attached to this memo. Institutional funds set aside within the Plant Fund for possible property acquisition will be used to support this purchase.

This purchase is fully consistent with the College's practice of purchasing adjacent properties identified in the master plans when they become available and the purchases can be made within appropriate appraisal ranges. The property is important to the future of the South City Campus and will enable the future development of the north side of the campus site.

It is the administration's recommendation that the Board of Trustees approve this acquisition and forward this request for approval to the USHE Board of Regents for their consideration.

# OFFER TO PURCHASE

Salt Lake Community College, a body politic of the State of Utah, offers to purchase the following described property from Gary B. Howard

Duplex and land located at 1520 South Edison Street described as:

LOT #14, & N 15 FT LOT 15, BLK 4, CAPITOL AVENUE ADDITION- ½ VACATED ALLEY

This offer is subject to the following terms and conditions:

1. Purchase price is **\$233,000.00** to be paid in full on the date of closing.
2. Purchase is subject to the approval of the Salt Lake Community College Board of Trustees and the Utah State Board of Regents.
3. Closing date of the transaction shall be within 30 days after the purchase is approved by the Utah State Board of Regents. It is understood by both parties that obtaining approval for the purchase could take 30 to 60 days, depending on regularly scheduled monthly meetings.
4. Buyer is to notify Seller of the name of the title company to be used and the name of its contact-person prior to the closing.
5. Buyer will take possession of the property on the date of closing.
6. Seller will provide at its expense Title Insurance demonstrating clear and marketable title to the property. Taxes will be prorated based on the closing date.
7. Buyer will pay all other related closing costs.
8. It is understood that it is the responsibility of Seller to ensure that any and all tenants have vacated the premises prior to the possession date.
8. Seller will leave the property in broom clean condition.
9. This offer is subject to the satisfactory results of a Level I Environmental Assessment.
10. This agreement shall be binding upon the parties and their heirs, executors, administrators, successors, or assigns.
12. This is the entire agreement between the parties and may be modified only by a writing signed by both Parties

Dated this 2<sup>nd</sup> day of August, 2005

Buyer: Salt Lake Community College

By   
Vice President of Business Services

Acceptance:

The seller accepts the terms and conditions of the above offer and agrees to execute such documents as are necessary to consummate the sale at such time as the required approvals are obtained from the Salt Lake Community College Board of Trustees and Utah State Board of Regents.

Dated this 3<sup>rd</sup> day of August, 2005

Seller:   
Gary B. Howard



# ADDENDUM NO. 1 TO REAL ESTATE PURCHASE CONTRACT



THIS IS AN  ADDENDUM  COUNTEROFFER to that REAL ESTATE PURCHASE CONTRACT (the "REPC") with an Offer Reference Date of August 2, 2005 including all prior addenda and counteroffers, between Salt Lake Community College as Buyer, and Gary B. Howard as Seller, regarding the Property located at 1520 Edison Street, SLC, UT 84115. The following terms are hereby incorporated as part of the REPC:

1. Closing date to be September 19, 2005
2. Seller to be allowed to remove items including, but not limited to, all kitchen appliances, fixtures, dining room china cabinet, front porch metal railing, and gumwood interior trim.

BUYER AND SELLER AGREE THAT THE CONTRACT DEADLINES REFERENCED IN SECTION 24 OF THE REPC (CHECK APPLICABLE BOX):  REMAIN UNCHANGED  ARE CHANGED AS FOLLOWS: \_\_\_\_\_

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the REPC, including all prior addenda and counteroffers, these terms shall control. All other terms of the REPC, including all prior addenda and counteroffers, not modified by this ADDENDUM shall remain the same.  Seller  Buyer shall have until \_\_\_\_\_  AM  PM Mountain Time on \_\_\_\_\_ (Date), to accept the terms of this ADDENDUM in accordance with the provisions of Section 23 of the REPC. Unless so accepted, the offer as set forth in this ADDENDUM shall lapse.

Gary B. Howard 8/3/05 10:00 am  
 Buyer  Seller Signature (Date) (Time)  Buyer  Seller Signature (Date) (Time)

### ACCEPTANCE/COUNTEROFFER/REJECTION

CHECK ONE:

ACCEPTANCE:  Seller  Buyer hereby accepts the terms of this ADDENDUM.









COUNTEROFFER:  Seller  Buyer presents as a counteroffer the terms of attached ADDENDUM NO. \_\_\_\_\_

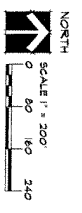
[Signature] 8-9-05 11:55AM  
 (Signature) (Date) (Time) (Signature) (Date) (Time)

REJECTION:  Seller  Buyer rejects the foregoing ADDENDUM.

\_\_\_\_\_  
 (Signature) (Date) (Time) (Signature) (Date) (Time)

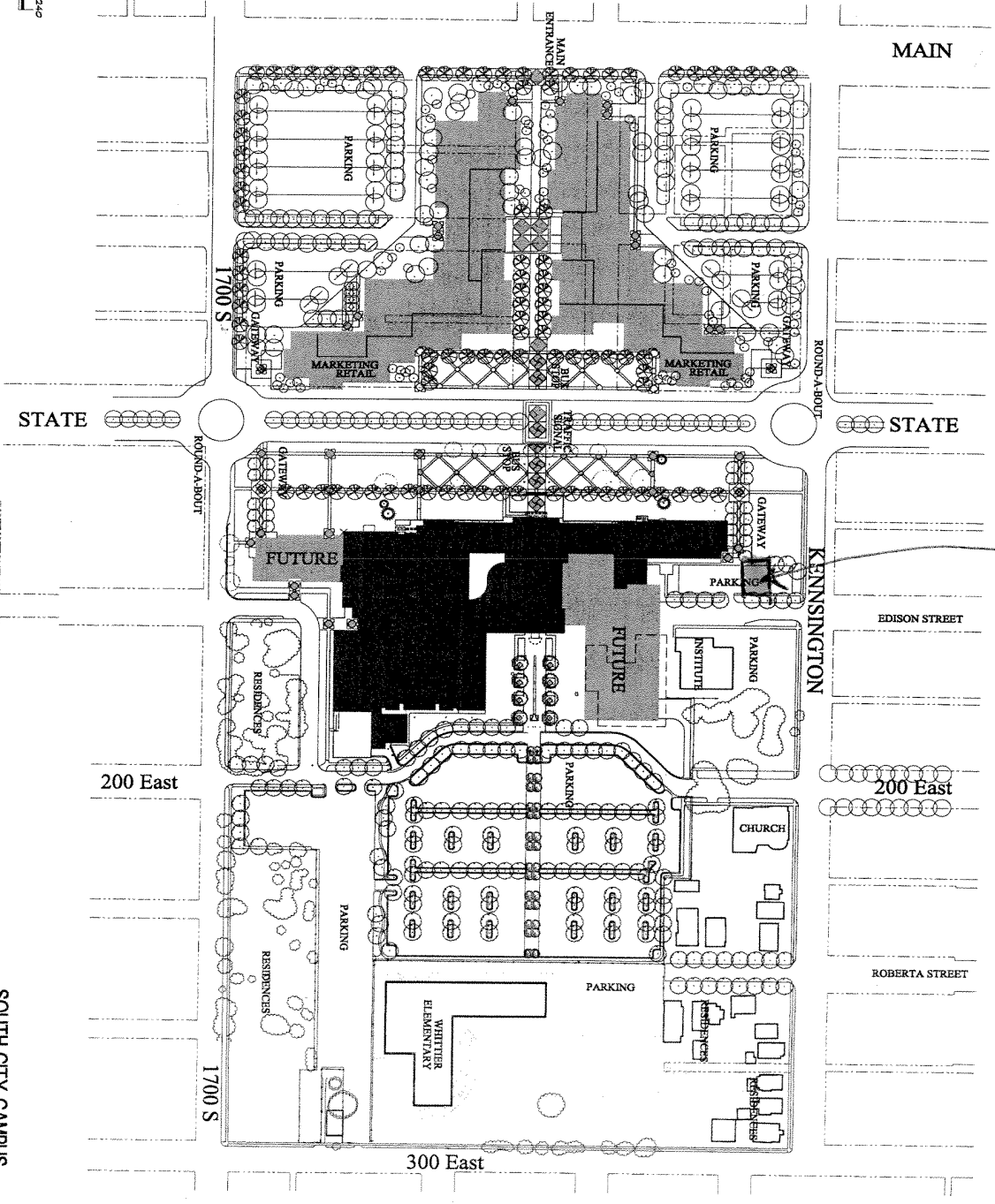
THIS FORM APPROVED BY THE UTAH REAL ESTATE COMMISSION AND THE OFFICE OF THE UTAH ATTORNEY GENERAL, EFFECTIVE AUGUST 5, 2003. IT REPLACES AND SUPERSEDES ALL PREVIOUSLY APPROVED VERSIONS OF THIS FORM.

-  FUTURE BUILDING
-  EXISTING MAIN CAMPUS BUILDING
-  NEW PARKING AREA
-  NEW TRAFFIC SIGNAL
-  TREES
-  GATEWAY
-  EXISTING SINGLE FAMILY RESIDENCES
-  PROPERTY LINES



Prepared by: BRENT MORRIS ASSOCIATES

SOUTH CITY CAMPUS  
**MASTER PLAN 2003**



Howard Duplex

MEMORANDUM

September 7, 2005

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: ACTION: UHEAA--Approving Resolution, SBR Student Loan Revenue Bonds, Series 2005AA

Issue

Board of Regents adoption of an approving resolution for the issuance of student loan revenue bonds is necessary to provide funding for the purchase and origination of student loans by UHEAA.

Background

At its meeting on August 25, 2005, the Student Finance Subcommittee voted unanimously to recommend Board of Regents adoption of the attached Approving Resolution for the Board's Student Loan Revenue Bonds, Series 2005AA. Board of Regents adoption of the Resolution is necessary to provide authority for issuance and sale of the bonds.

Proposed Structure

Based upon the financing team's review and analysis of the Program's needs, alternative structures, pricing, and current circumstances, it is concluded that the Board would best be served by issuing taxable Auction Rate Certificates (ARC's) under the 1993 Master Indenture.

Proposed terms are as follows:

Proposed Pricing Date: October 3, 2005

Proposed Closing Date: October 4, 2005

|                 | <u>Expected<br/>Rating</u> | <u>Proposed<br/>Amount</u> | <u>Var./Fixed<br/>Rate</u> | <u>Maturity</u> | <u>Tax<br/>Status</u> |
|-----------------|----------------------------|----------------------------|----------------------------|-----------------|-----------------------|
| Series 2005AA-1 | AAA                        | \$ 80,000,000              | Variable                   | 5/01/45         | Taxable               |
| Series 2005AA-2 | AAA                        | \$ 80,000,000              | Variable                   | 5/01/45         | Taxable               |
| Series 2005AA-3 | A                          | <u>\$ 25,000,000</u>       | Variable                   | 5/01/45         | Taxable               |
| Total           |                            | <u>\$185,000,000</u>       |                            |                 |                       |



**Proposed Not To Exceed Parameters**

|                                                                      | <u>Not To Exceed<br/>Parameter</u> | <u>Resolution<br/>Reference</u> |
|----------------------------------------------------------------------|------------------------------------|---------------------------------|
| ● Total Principal Amount                                             | \$190,000,000                      | Section 5                       |
| ● Principal Amount of Bonds That<br>May Bear Variable Interest Rates | \$190,000,000                      | Section 5                       |
| ● Maximum Interest Rate of Taxable<br>Auction Rate Certificates      | 18.0%                              | Section 5                       |
| ● Maturity Dates                                                     | 5/1/2045                           | Section 5                       |
| ● Underwriter's Discount                                             | .60%                               | Section 7                       |

**Basic Documents Requiring Approval**

The Approving Resolution, provided as Attachment I, is in final draft form. Its approval by the Board will authorize the execution of a Thirteenth Supplemental Indenture to the 1993 General Indenture, a Bond Purchase Agreement, and an Official Statement.

The Thirteenth Supplemental Indenture is a contract between the Board and Wells Fargo Bank, N.A., as trustee, for the Bank to serve as custodian of funds and as authorized representative of bondholders in order to ensure compliance by the Board with provisions of the Indenture.

The Official Statement is a disclosure document which describes in detail the security and financial information regarding the bond issue. The Official Statement is used by the Underwriters to market the bonds to potential investors.

The Bond Purchase Agreement is a contract between the Underwriters, (UBS Financial Services Inc., Citigroup Global Markets Inc., Wells Fargo Brokerage Services, LLC, and Zions First National Bank) and the Board that sets forth the terms under which the Underwriters will purchase the bonds. This agreement will contain the selling price of the bonds, any premium or discount, the interest rates the bonds will bear, the conditions which must be met in order to close the sale of the bonds, and a description of any restrictions with respect to the responsibilities of the Board and/or the Underwriters ("Co-Managers").

The Approving Resolution delegates authority to the Board's Chair, Vice Chair and/or Chair of the Finance, Facilities, and Accountability Committee to approve final versions of the documents described above, consistent with parameters contained in the Approving Resolution, and along with designated Officers of the Board, to execute other necessary implementing agreements. (See Resolution sections 8 through 12.)

Copies of the draft bond documents described above were mailed under separate cover to members

of the Finance, Facilities and Accountability Committee. Copies are available upon request for other members of the Board from Richard Davis at (801) 321-7285. Assistant Commissioner Richard Davis, UHEAA's Chief Financial Officer, representatives of the Attorney General's Office and Bond Counsel will be at the Board of Regents meeting on September 15 to answer questions.

### Policy Implications

Timely sale of the Board's Student Loan Revenue Bonds, Series 2005AA, is projected to ensure uninterrupted access of Utah's students and families to acquire affordable student loans through March 2006. Any decisions by participating lenders to sell their student loans to UHEAA, earlier than the custom, may result in a recommendation for accelerating the issuance of additional student loan revenue bonds.

### Options Considered

The Student Finance Subcommittee, Program Officers, Underwriters and Bond Counsel periodically review and consider a wide range of financing facilities and structures. The possible merits of locking in current low interest rates by issuing the refunding bonds as fixed rate bonds are considered each time. However, the current variable rate bonds, as recommended for the entire issue, will more closely track the federal government's annual resetting of borrower interest rates and quarterly resetting of special allowance payments.

### Recommendation

**It is the recommendation of the Commissioner that the Board of Regents approve the attached Approving Resolution for the Board's Student Loan Revenue Bonds, Series 2005AA.**

Richard E. Kendell, Commissioner

Attachment

REK/MHS/ROD

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Action: Consent Calendar, Finance, Facilities, and Accountability Committee

It is the recommendation of the Commissioner that the Regents approve the following items on the Finance Facilities, and Accountability Committee Consent Calendar:

- 1) **USHE – UofU and USU – Capital Facilities Delegation Reports (Attachment 1).** In accordance with the capital facilities delegation policy adopted by the Regents and by the State Building Board, the attached reports are submitted to the Board for review. Officials from the institutions will be available to answer any questions that the Regents may have.
- 2) **Dixie State College - Property Purchase.** Dixie State College has an opportunity to purchase property adjacent to the campus. This is consistent with the master plan as approved by the Regents. Detailed information will be hand carried to the meeting by Dixie State College officials.

Richard E. Kendell, Commissioner

REK/MHS/MV  
Attachments

September 7, 2005

MEMORANDUM

TO: State Board of Regents

FROM: Richard E. Kendell

SUBJECT: Review of Institutional Five-Year Plans

Background

Each institution maintains a five year capital development plan for submission to the Building Board.

Issue

In response to requests both from the Legislature and the Utah State Building Board, institutions are submitting a more comprehensive five year plan for capital development. These plans will be hand carried to the September meeting. Staff will provide a summary of the plans so that Regents will be able to track projects from year to year. Plans are also approved at the Trustee level.

Recommendation

Information only.

REK/MHS/KGW

---

Richard E. Kendell, Commissioner

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Capital Development Projects for 2006-2007

Background

Regent policy R 740-749 outlines the process for ranking projects according to the Qualification and Prioritization process.

Issue

In a departure from recent practice, the Regents requested that institutions submit multiple projects for consideration in the Q&P process. Discussions among the Council of Presidents concluded that the only schools with the resources to submit accurate estimates were the two research Universities.

Complications from adding these additional projects and in finalizing cost estimates with DFCM prevent a final ranking to be available in time for mailing. The final ranking will be available for consideration at the September meeting of the Regents.

During that meeting Regents will evaluate individual projects and compare needs among the schools in light of the priority ranking set by the Q&P.

Recommendation

The Commissioner's recommendation will accompany the final rankings.

REK/MHS/KGW

---

Richard E. Kendell, Commissioner

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: "Other Funds" Capital Development Projects for 2006-2007

Background

Regent policy 710 requires that institutions obtain Regent approval prior to taking non-state funded projects to the Legislature.

Issue

State funded projects are those projects that the Legislature funds through a combination of general obligation bonds, general fund and uniform school fund. Projects funded through other sources such as donations, federal funds, revenue bonds, student fees, or auxiliary revenue must receive Legislative approval prior to institutions moving forward. During its August meeting, the Board granted approval to the University of Utah to move forward with the Student Recreation Center. The attached list shows remaining projects requiring approval for the 2006 Legislative General Session.

Recommendation

The Commissioner recommends approval of all requested non-state funded projects.

Richard E. Kendell, Commissioner

REK/MHS/KGW  
Attachments

**USHE Non-State Funded Capital Development Priorities**

September 15, 2005

**FY 2006-2007**

| <b>Institution</b>        | <b>Project Name</b>                                   | <b>Type</b>          | <b>GSF</b> | <b>Estimated Cost</b> | <b>Funding Source</b>   | <b>State Funded O&amp;M</b> |
|---------------------------|-------------------------------------------------------|----------------------|------------|-----------------------|-------------------------|-----------------------------|
| University of Utah        | Red Butte Garden Amphitheater/ Rose Garden Facilities | New Construction     | 7,000      | \$2,400,000           | Donations               | \$0                         |
|                           | Eccles School of Business                             | New Const/Renovation | 131,333    | \$30,500,000          | Donations               | \$194,300                   |
|                           | College of Pharmacy Expansion                         | New Construction     | 150,000    | \$66,800,000          | Donations/Federal Funds | \$506,200                   |
| Utah Valley State College | Performing Arts Center                                | New Construction     | 180,000    | \$38,000,000          | Donations               | \$1,305,000                 |
| College of Eastern Utah   | Willow Creek Mine Facility Purchase                   | Purchase             |            | \$1,100,000           | CIB or Donation         | \$0                         |

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Approval of 2006 Meeting Schedule

Attached is the proposed 2006 Board of Regents' Meeting Schedule. The Commissioner recommends its approval.

Richard E. Kendell, Commissioner

REK:jc  
Attachment



STATE BOARD OF REGENTS  
PROPOSED MEETING SCHEDULE  
2006

Friday, January 20  
Salt Lake Community College

Friday, March 10  
Gateway  
2006 Legislative Session Review

Friday, April 21  
College of Eastern Utah

Friday, June 9  
Snow College

Thursday-Friday, July 27-28  
Southern Utah University  
Planning Retreat/Regular Board Meeting

Thursday-Friday, September 14-15  
Gateway  
Joint meeting with State Building Board  
Adopt Capital Facilities Priority List  
Present 2007-2008 Budget

Friday, October 27  
Weber State University  
Adopt 2007-2008 Budget

Friday, December 8  
Gateway

September 8, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Resolution for the State Board of Education/Resolution for the State Board of Regents

Background

The Chairs and Co-chairs of the Utah State Board of Education and the Utah State Board of Regents have discussed the value of greater collaboration to address some of the persistent educational issues facing our State. The attached resolution is intended to formalize the alliance. A similar resolution will be considered by the State Board of Education at their next meeting.

An example of the issues to be addressed is found as an attachment to my memo to Superintendent Patti Harrington dated August 24, 2005.

Recommendation

The Commissioner recommends that the State Board of Regents adopt the resolution for creating an alliance with the State Board of Education.

Richard E. Kendell, Commissioner

REK:jc  
Attachments

August 24, 2005

Dr. Patti Harrington  
Superintendent of Public Instruction  
Utah State Office of Education  
250 East 500 South  
P O Box 144200  
Salt Lake City, UT 84114-4200

Dear Superintendent Harrington:

As you know, representatives of our two boards have met on previous occasions to discuss the desirability of creating a greater degree of collaboration between public and higher education. By means of this letter I would like to formalize a proposal to establish an alliance between the Utah State Board of Education and the Utah State Board of Regents for the purpose of improving the quality, effectiveness and coherence of education in Utah – preschool through graduate education.

The evidence is overwhelming that our two systems must work together if we are to resolve some of the most critical educational issues facing students, families, and our State. Following is a brief summary of how the alliance might be structured and a list of some of the issues that might be addressed:

1. The Alliance would consist of the following members:
  - Chair and Vice Chair – State Board of Education
  - Chair and Vice Chair – State Board of Regents
  - Regents appointed to the State Board of Education
  - State Board of Education members appointed to the State Board of Regents
  - The State Superintendent of Public Instruction
  - The Commissioner of Higher Education
  - The Governor's Deputy for Education
  - A member of the Utah House of Representatives, with the concurrence of the Speaker
  - A member of the Utah State Senate, with the concurrence of the Senate President
2. The Alliance would be co-chaired by the respective chairs of each Board.
3. The Alliance would be established by formal resolution of both Boards.

4. Professional staff would be assigned by the State Superintendent and the Commissioner to advance the work of the Alliance.
5. The Alliance would meet at least quarterly to identify the priorities and to advance the objectives of the shared agenda.
6. The agenda of issues would be framed by the Alliance and might include, but not be limited to, the list attached to this letter.

Assuming there is continuing support for the Alliance, I am suggesting that we prepare a joint resolution and present it to each Board for formal adoption.

I would anticipate the first formal meeting of the Alliance to occur in late September, or earlier, if possible.

Sincerely,

Richard E. Kendell  
Commissioner of Higher Education

REK:jc  
Attachment

- c: Kim Burningham, Chair, State Board of Education  
Janet Cannon, Vice Chair, State Board of Education  
Nolan Karras, Chair, State Board of Regents  
Jed Pitcher, Vice Chair, State Board of Regents  
Lucille Stoddard, Associate Commissioner for Academic Affairs

**PROPOSED JOINT PLAN  
UTAH STATE BOARD OF REGENTS/UTAH STATE BOARD OF EDUCATION**

1. Developing a joint public education/higher education plan addressing future needs regarding:
  - a. Financing
  - b. School facilities
  - c. Professional staff
  - d. Teacher shortages
  - e. Minority and diversity issues

Process issues: Structure of task force

- a. Representation
  - b. Appointment mechanism
  - c. Leadership
  - d. Staffing
  - e. Timing increments for planning (1-year, 2-year, etc.)
2. Providing means for encouraging students to plan and prepare better
  - a. Expectations for college success made visible – higher education report
  - b. Coordination between boards of common testing services and instruments that may help students prepare for college more effectively
3. Improving early access through:
  - a. Concurrent enrollment
  - b. Advanced placement
  - c. Dual enrollment/early college
4. Diminishing redundancy with remedial education and coordinating efforts to do the following:
  - a. Identify alternatives for entities that prepare students for college-level work
  - b. Establish some common measurements acceptable to USHE institutions
5. Improving information to students and parents through improved web sites, coordinated SEOP processes, training of counselors, etc.
6. Addressing concurrent enrollment issues
  - a. Funding
  - b. Control
7. Improving UCAT's role in serving high school students

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: USHE Budget Priorities for 2006-2007

Issue

The accompanying attachment lists six funding categories which comprise a suggested USHE budget outline for the 2006 legislative session. These categories have been developed after extensive discussions among Commissioner's staff and the Council of Presidents.

Discussion

The Regents will discuss in detail and formally adopt a budget proposal during the October 27 Board meeting. The discussion during the September meeting is intended as a preview of the suggested categories.

*Compensation:* Staff recommends that Regents request a is for a minimum 4% salary increase, plus a benefits cost increase of 12%. In 2005 the Legislature provided "salary retention funds". This appropriation proved to be an important tool for each campus. The funding provided only a fraction of the total need, so staff recommends continuing this request for 2006-2007.

*Efficiency and Productivity:* The category comprises documented increases in operating costs which need to be addressed in order to maintain efficiency and productivity.

*Student Success:* These funds will address areas of the highest need on each campus. Depending on the school, funds will directed toward access, student advising, disadvantaged populations, graduation rates, and retention.

*Mission-Based Funding:* This category is intended to allow institutions to select areas of emphasis for improving quality, growing high demand programs, implementing funding corrections, establishing partnerships with other institutions or with private industry, or otherwise better performing an institutional mission.

*Workforce Development:* The 2006-2007 budget year concludes the Engineering and Nursing Initiatives as stand-alone themes. In the future, similar programs will be included within the general umbrella of "workforce development" to allow institutions to build Utah's workforce in any identified area of need.

*Economic Development:* The USTAR program will go forward under the auspices of the Economic Development Appropriations Subcommittee and additional funds will be requested to promote regional economic development and the establishment of innovation networks throughout the state.

During the October discussion, Regents will also have an opportunity to review budget requests for the Utah College of Applied Technology (UCAT) and the Utah Educational Network (UEN).

Recommendation

This preview of the budget request is presented as information in anticipation of action at the next Board meeting.

REK/MHS  
Attachment

---

Richard E. Kendell, Commissioner

**Estimated Operating Budget Request Summary (Tax Funds Only)**

*Revised September 8, 2005*

FY 2006-07 and FY 2005-06 Supplemental

ESTIMATED FY 2006-07 STATE TAX FUNDS ADJUSTED BASE BUDGET \$ 622,481,000

**PRELIMINARY USHE BUDGET PRIORITIES**

- 1. **Compensation**
  - A. Common State Employee Compensation Package
  - B. Salary Retention Funds
- 2. **Efficiency and Productivity**
  - A. Utility Rate Increases
  - B. IT Security and Licensing Costs
  - C. Instructional Technology and Administrative Efficiencies / UEN
  - D. Academic Library Consortium
  - E. O&M Requests for State and Non State Funded Projects
- 3. **Student Success**
  - A. Financial Aid
    - 1) *UCOPE*
    - 2) *New Century*
    - 3) *T.H. Bell*
    - 4) *Federal Match*
  - B. Access, Advising, Diversity, Graduation Rates, Retention
  - C. Concurrent Enrollment
- 4. **Mission Based Funding: Institutional Priorities; Funding Correction; Program Enhancement;**
- 5. **Workforce Development**
  - A. Engineering Year 5 of 5
  - B. Nursing Year 3 of 3
  - C. Jobs Now Year 2
- 6. **Economic Development**
  - A. Innovation Network/Centers
  - B. Technology Transfer

**ONE-TIME INCREASES**

- 1. **Core Support Enhancements**
  - A. Academic Equipment
  - B. Infrastructure Equipment
  - C. Engineering Initiative
  - D. Nursing Initiative

**SUPPLEMENTAL INCREASES**

- 1. **Core Support Enhancements**
  - A. New Century Scholarship
  - B. T.H. Bell -- Teacher Incentive Loan Program

*UENUCAT/USTAR Budgets are considered separately from the USHE budget.*

- 1. Compensation package assumes a 4% Salary Increase, 12% Health and Dental Increase at a 75/25 split.
- 2. Salary Retention Funds are an estimated portion of the total need. The Fall 2005 USHE Salary Equity Study has not yet been completed.
- 3. Fuel and Power increases are an estimate based on the CPI index and estimated increases institutions incurred during 2004-05.
- 4. There have been no funding increases for USHE IT needs since 1999.
- 5. Higher Ed. Supports the UEN request for \$1.5 million for statewide implementation of an online course management software
- 6. USHE has 3 or 4 State funded buildings that still need O&M funding as well as a few Non State funded projects. This is expected to be a housekeeping item for the Legislature.
- 7. UCOPE Increases equal 10% of the total tuition increase associated with a 4% Compensation Package
- 8. Higher Ed supports the idea of expanding concurrent enrollment services through the budgets of public education
- 9. USTAR Initiative will present a separate request for the Innovation Network/Centers and Technology Transfer budget items.



September 8, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: USTAR Presentation

The purpose of the Utah Science, Technology and Research Initiative (USTAR) is to build Utah's economy by developing new ideas and innovations and turning them into competitive advantages for both new and existing Utah companies. This initiative received funding from the Legislature, including a \$350,000 grant to the University of Utah to develop a more detailed plan. One of the key aspects of this plan is the creation of regional innovation centers that would draw statewide resources closer to the research institutions.

Dr. Jack Brittain, Dean of the David Eccles School of Business at the University of Utah and head of the planning committee, will provide an overview of the USTAR project. Commissioner Rich Kendell will provide a brief overview of the regional innovation centers.

This report is provided for information only.

Richard E. Kendell, Commissioner

REK:jc

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: General Consent Calendar

The Commissioner recommends approval of the following items on the General Consent Calendar:

- A. Minutes – Minutes of the Regular Meeting of the State Board of Regents on August 18-19, 2005, in Salt Lake City, Utah
- B. Grant Proposals
  - 1. University of Utah – National Institutes of Health; “Bone Adhesives Modeled After the Sandcastle Glue of P Californica;” \$3,356,878. Russell J. Stewart, Principal Investigator.
  - 2. University of Utah – National Science Foundation; “Cyber Infrastructure for Multi-Scale Simulations of Nanoparticles in Aqueous Environments;” \$1,210,000. Grant D. Smith, Principal Investigator.
  - 3. University of Utah – National Institutes of Health; “Strengthening Families Program Multi-Site Implementation in New Jersey;” \$2,127,368. Karol L. Kumpfer, Principal Investigator.
  - 4. University of Utah – National Institutes of Health; “Strengthening Families for the Transition to Adulthood;” \$1,868,750. Karol L. Kumpfer, Principal Investigator.
  - 5. University of Utah – National Institutes of Health; “Diet, Activity, and Lifestyle as a Risk Factor for Colo-rectal Cancer;” \$9,215,188. Martha L. Slattery, Principal Investigator.

6. University of Utah – National Institutes of Health; “Positional Identity in the Zebrafish Embryo;” \$5,782,432. David J. Grunwald, Principal Investigator.
7. University of Utah – National Institutes of Health; “Epigenetic Fingerprints in Breast Tumors of Hispanics and Whites;” \$4,567,506. Carol Sweeney, Principal Investigator.
8. University of Utah – National Institutes of Health; “Enhancing Self-Management in Opioid Refractory Chronic Back Patients;” \$3,324,472. Akio Okifuji, Principal Investigator.
9. University of Utah – National Institutes of Health; “Genes Involved in Energy Homeostasis and Cancer Risk;” \$2,865,776. Roger Wolff, Principal Investigator.
10. University of Utah – National Institutes of Health; [title not available]; \$2,508,393. Stephen T. Tiffany, Principal Investigator.
11. University of Utah – National Institutes of Health; “Genetics of Angiogenesis and Proliferative Diabetic Retinopathy;” \$2,086,000. Kang Zhang, Principal Investigator.
12. University of Utah – National Institutes of Health; “Pro-Inflammatory Roles of Glucocorticoid on Host Defense and Disease;” \$1,868,750. Raymond A. Daynes, Principal Investigator.
13. University of Utah – National Institutes of Health; “Consequences of AF: Sympathetic Activity and Ventricular Depolarization;” \$1,868,750. Mohamed H. Hamdan, Principal Investigator.
14. University of Utah – National Institutes of Health; “WNT/Beta-Catenin Signaling in Exocrine Pancreas Development and Regeneration;” \$1,868,750. Lewis C. Murtaugh, Principal Investigator.
15. University of Utah – National Institutes of Health; “A Genetic Screen for Modifiers of Motorneuronal Toxicity in SMA;” \$1,868,750. Aloisa T. Schmidt, Principal Investigator.
16. University of Utah – National Institutes of Health; “Cholinergic Modulation of Peripheral Olfactory Function;” \$1,815,345. William C. Michel, Principal Investigator.
17. University of Utah – National Institutes of Health; “Renal Function of PPARgamma;” \$1,844,000. Tianjin Yang, Principal Investigator.
18. University of Utah – National Institutes of Health; “Virus Reactivation During Adhesion Molecule Immunotherapy for Multiple Sclerosis;” \$1,842,763. Robert S. Fujinami, Principal Investigator.

19. University of Utah – Children’s Hospital/Pittsburgh; “Pediatric Traumatic Brain Injury Consortium: Hypothermia;” \$1,736,703. Douglas L. Brockmeyer, Principal Investigator.
20. University of Utah – National Institutes of Health; “Selenoprotein Synthesis: Redefinition of Selenocysteine-Encoding UGA Codons;” \$1,713,805. Michael T. Howard, Principal Investigator.
21. University of Utah – National Institutes of Health; “Resinoid Signaling and Axon Growth in the Limb;” \$1,681,875. Cheryl A. Scott, Principal Investigator.
22. University of Utah – National Institutes of Health; “Ceramide and Apoptosis;” \$1,681,875. Scott Summers, Principal Investigator.
23. University of Utah – National Institutes of Health; “Genetic Models of Cardiovascular Renal and Pulmonary;” \$1,609,491. Mario R. Capecchi, Principal Investigator.
24. University of Utah – National Institutes of Health; “Progression of Temporal Lobe Epilepsy;” \$1,529,309. F. Edward Dudek, Principal Investigator.
25. University of Utah – National Institutes of Health; “Gene SNPs to Genome SNPs;” \$1,225,549. Robert B. Weiss, Principal Investigator.
26. University of Utah – US Army/Medical Res Materiel; “Development of Trans-cutaneous Infection Prevention Protocol;” \$1,201,100. Roy D. Bloebaum, Principal Investigator.
27. University of Utah – SAMHSA/Substance Abuse Mental Health; “Expansion of Family Centered Suicide Prevention Services for Juvenile Offenders in Utah;” \$1,200,000. Michelle A. Moskos, Principal Investigator.
28. University of Utah – National Institutes of Health; “Local Interactions Between Hippocampal Neurons;” \$1,149,375. F. Edward Dudek, Principal Investigator.
29. University of Utah -- National Institutes of Health; “Spinning-Slit Collimation for Small Animal SPECT;” \$1,051,452. Geng-Sheng L. Zeng, Principal Investigator.
30. University of Utah – National Institutes of Health; “High Resolution Tensor Imaging of MS Spinal Cord;” \$1,009,125. Eun-Kee Jeong, Principal Investigator.
31. University of Utah – National Institutes of Health; “Primary Afferent Receptors Mediating Fatigue and Myalgia;” \$1,009,125. Alan R. Light, Principal Investigator.

32. University of Utah – Coca-Cola Foundation; "Science Training and Education Program for Middle and High School Students in the Western States and China;" \$1,214,952. Ray H. Beckett, Principal Investigator.
33. University of Utah – National Institutes of Health; "Telephone Linked Care: An IT Enabled Integrated System for Cancer Symptom Relief;" \$5,149,013. B. Kathleen Mooney, Principal Investigator.
34. University of Utah – National Science Foundation; "Cyber Enabled Chemical Data Sharing Infrastructure;" \$3,077,201. Thanh N. Truing, Principal Investigator.
35. University of Utah – National Science Foundation; "Connecting with Biology Through Multi-Scale Computer Simulation;" \$2,025,539. Gregory A. Voth, Principal Investigator.
36. University of Utah – Huntsman Cancer Foundation; "FY 06 Huntsman Cancer Foundation Grant to HCI;" \$10,000,000. Randall W. Burt, Principal Investigator.
37. University of Utah – University of Washington/National Institutes of Health; "Resinoid Signaling and Axon Growth in the Limb;" \$3,787,878. Philip S. Bernard, Principal Investigator.
38. University of Utah – National Institutes of Health; "Developmental Biology Training Program;" \$2,513,273. Susan E. Mango, Principal Investigator.
39. University of Utah – National Institutes of Health; "Mechanism of Stillbene-Induced Cell Death;" \$1,505,000. Ruey-Min Lee, Principal Investigator.
40. University of Utah – National Institutes of Health; "Polyene Resistance in Candida Albicans Biofilms;" \$1,841,125. Bonnie J. Tyler, Principal Investigator.
41. University of Utah – National Science Foundation; "The Center for Engineering, Energy, The Environment and Learning (CREEL);" \$1,768,019. Geoffrey D. Wilcox, Principal Investigator.
42. University of Utah – National Institutes of Health; "Optimization and Interactive Control of HIFU Therapy;" \$1,458,520. Robert B. Roemer, Principal Investigator.
43. University of Utah – National Science Foundation; "Hardware Support for Real Time Ray Tracing;" \$1,355,931. Erik L. Brunvand, Principal Investigator.

44. University of Utah – National Institutes of Health; “Biosensing Based Upon Molecular Confinement in an Array of Metallic Nanocavities;” \$1,261,100. Steven M. Blair, Principal Investigator.
45. University of Utah – National Institutes of Health; “Real-Time Modeling, Simulation, and Tracking of Plumes Using Mobile Sensor Networks;” \$1,069,159. Meredith M. Metzger, Principal Investigator.
46. University of Utah – National Institutes of Health; “Novel Angiogenic Therapy in LVAD Patients;” \$18,462,326. Dean Y. Li, Principal Investigator.
47. University of Utah – National Institutes of Health; “Diet, Activity and Lifestyle as a Risk Factor for Colo-rectal Cancer;” \$4,935,831. Martha L. Slattery, Principal Investigator.
48. University of Utah – National Institutes of Health; “Universal Screening of Congenital Cytomegalovirus Infection and Hearing Loss;” \$3,684,685. James F. Bale, Jr., Principal Investigator.
49. University of Utah – National Institutes of Health; “Mapping and Cloning Prostate Cancer Predisposition Loci;” \$3,411,949. Lisa Cannon-Albright, Principal Investigator.
50. University of Utah – National Institutes of Health; “Early Zinc Deficiency Affects Epigenetic Determinants;” \$3,156,073. Robert H. Lane, Principal Investigator.
51. University of Utah – National Institutes of Health; “FDG PET in Cancer-Associated Venothromboembolic Disease;” \$2,569,045. Kathryn A. Morton, Principal Investigator.
52. University of Utah – National Institutes of Health; “Prevention of Photoreceptor Degeneration;” \$2,225,903. Raymond D. Lund, Principal Investigator.
53. University of Utah – National Institutes of Health; “Promoter Specificity of Transcription Factors;” \$1,868,750. David J. Stillman, Principal Investigator.
54. University of Utah – National Institutes of Health; “The role of H<sub>2</sub>O in Immunity and Autoimmunity;” \$1,721,250. Xinjian Chen, Principal Investigator.
55. University of Utah – Famil of Spinal Muscular Atrophy; “Multicenter Phase II Trial of Valproic Acid and Carnitine in Patients with Spinal Muscular Atrophy;” \$1,700,000. Kathryn J. Swoboda, Principal Investigator.
56. University of Utah – National Institutes of Health; “The Role of Sphingolipids in the Insulin Signal Transduction;” \$1,681,875. Scott Summers, Principal Investigator.

57. University of Utah – National Institutes of Health; “Role of Pactolus in the Innate Immune Response;” \$1,681,875. John H. Weis, Principal Investigator.
58. University of Utah – National Institutes of Health; “Cholinergic Modulation of Peripheral Olfactory Function;” \$1,681,875. Andrew S. Weyrich, Principal Investigator.
59. University of Utah – National Institutes of Health; “Recoding: Dynamic Reprogramming of Genetic Readout;” \$1,654,567. John F. Atkins, Principal Investigator.
60. University of Utah – National Institutes of Health; “Development of Improved DTPA for Radionuclide Chelation;” \$1,535,105. Scott C. Miller, Principal Investigator.
61. University of Utah – Children’s Hospital/Pittsburgh; “Genetic Analysis of Iron Homeostasis in *Caenorhabditis Elegans*;” \$1,520,000. Elizabeth A. Leibold, Principal Investigator.
62. University of Utah – National Institutes of Health; “Selenoprotein Synthesis: Redefinition of Selenocysteine-Encoding UGA Codons;” \$1,495,000. Edward V. R. Di Bella, Principal Investigator.
63. University of Utah – National Institutes of Health; “Alcohol Metabolism and Corticosteroid Response;” \$1,484,984. Lynn K. Pershing, Principal Investigator.
64. University of Utah – National Institutes of Health; “AIDS and Opiates: A Monkey Model;” \$1,337,596. Robert M. Donohoe, Principal Investigator.
65. University of Utah – National Institutes of Health; “Roles of Fzd-4 and Norrie in Retinal Angiogenesis;” \$1,308,125. Kimberly A. Howes, Principal Investigator.
66. University of Utah – National Institutes of Health; “Nicotine Receptors and COX2 in the Aging Brain;” \$1,308,125. Scott W. Rogers, Principal Investigator.
67. University of Utah – National Institutes of Health; “Transnational Regulation of Gene Expression in Neonatal PMNs;” \$1,297,400. Christian C. Yost, Principal Investigator.
68. University of Utah – National Institutes of Health; “Quantitative Proteomic Analysis of Lymphoma Transformation;” \$1,235,221. Kojo Elenitoba-Johnson, Principal Investigator.
69. University of Utah – Brigham & Women’s Hospital (Prime NIH/NIDDK); “Vascular Dysfunction in IDDM: Genes, Inflammation, RAAS;” \$1,145,617. Donald A. McCain, Principal Investigator.

70. University of Utah – National Institutes of Health; “Long-Term Hyperalgesia Mediated by Spinal Dorsal Horn;” \$1,009,125. Alan R. Light, Principal Investigator.
71. University of Utah – National Science Foundation; “Science Training and Education Program for Middle and High School Students in the Western States and China;” \$1,190,332. Fulvio Tonon, Principal Investigator.
72. University of Utah – National Institutes of Health; “Developmental Study of Heart Period Variability in Critically Ill VLBW Infants;” \$1,420,250. Sandra L. Smith, Principal Investigator.
73. University of Utah – National Institutes of Health; “3-Methylindole-Induced Lung Injury;” \$2,396,587. Garold S. Yost, Principal Investigator.
74. University of Utah – National Institutes of Health; “Heparonomics: Structure-Function Relationships;” \$2,028,705. Kuber Balagurunathan, Principal Investigator.
75. University of Utah – National Institutes of Health; “Antineoplastic Agents from Marine Organisms;” \$1,868,750. Chris M. Ireland, Principal Investigator.
76. University of Utah – National Institutes of Health; “A Polymeric Drug Delivery System for Cancer Therapy;” \$1,868,750. Jindrich R. Kopeck, Principal Investigator.
77. University of Utah – National Institutes of Health; “Non-Invasive Imaging of Drug Delivery in Cancer Treatment;” \$1,196,000. Zheng-Rong Lu, Principal Investigator.
78. University of Utah – National Institutes of Health; “Prevention of Photoreceptor Degeneration;” \$1,176,807. Christopher A. Reilly, Principal Investigator.
79. University of Utah – National Institutes of Health; “Chiral Approaches to Natural Product Synthesis;” \$2,368,211. Gary E. Keck, Principal Investigator.
80. University of Utah – National Science Foundation; “Formation and Function of Physiological Gels;” \$2,071,870. Aaron L. Fogelson, Principal Investigator.
81. University of Utah – National Institutes of Health; “Vps4 and the MVB Sorting Pathway;” \$1,868,750. Markus Babst, Principal Investigator.
82. University of Utah – National Institutes of Health; “Studies of a Key Structural Element of the Spliceosome;” \$1,495,000. Peter F. Flynn, Principal Investigator.
83. University of Utah – National Institutes of Health; “Predoctoral Training Program in Biological Chemistry;” \$1,336,870. C. Dale Poulter, Principal Investigator.



84. University of Utah – National Institutes of Health; “Recognition and Repair of Mismatched DNA by MutY;” \$1,171,250. Sheila S. David, Principal Investigator.
85. University of Utah – State of Utah/Legislature; “2004-2005 State of Utah Legislature, USTAR General Fund Appropriation (Brain Institute Equipment Funding); \$3,000,000. A. Lorris Betz, Principal Investigator.
86. University of Utah – National Institutes of Health; “Modulators of Mad Family Function: Mlx and mSin3A;” \$1,868,750. Donald E. Ayer, Principal Investigator.
87. Utah State University – USDOD Missile Defense Agency; “Near-Field Infrared Experiment Efforts;” \$1,051,016. Vern Thurgood, Principal Investigator.
88. Utah State University – National Science Foundation; “Creation of a Bacterial Proteomics and Metabolic Database;” \$1,054,452. Bart Weimer, Principal Investigator.
89. Utah State University – US Department of Education; “Regional Comprehensive Center to Support Southwest Region (SWRCC);” \$12,276,726. John Copenhaver, Principal Investigator.
90. Utah State University – Colorado Trust Foundation; “Evaluation of the Colorado Trust’s Equality in Health Initiative: Addressing Racial and Ethnic Health Disparities;” \$1,299,996. Vonda Jump, Principal Investigator.
91. Utah State University – Institute of Education Sciences; “Foundation for Reading Comprehension (FORC) for Latino Preschoolers and Kindergartners;” \$1,442,350. Mark Innocenti, Principal Investigator.
92. Utah State University – Rutgers University; “Book-based Observation of Oral Comprehension Skills (BOOCS);” \$1,600,000. Lisa Boyce, Principal Investigator.
93. Utah State University – US Department of Education; “Project Start: Striving to Achieve Kindergarten Readiness for Three- to Five-Year-Olds;” \$1,810,484. Barbara Glover, Principal Investigator.
94. Utah State University – US Department of Education; “Native American Teacher Education Program for San Juan School District;” \$1,228,415. Boyd Silversmith, Principal Investigator.
95. Utah State University – Institute of Education Sciences; “Administrative Intervention;” \$2,105,523. Richard West, Principal Investigator.

C. Grant Awards

1. University of Utah – National Park Service; “Assistance for the University of Utah Museum of Natural History;” \$4,930,000. Sarah B. George, Principal Investigator.
2. University of Utah – National Center for Res Resources; “Extramural Research Facilities Construction;” \$3,783,855. Ronald J. Pugmire, Principal Investigator.
3. University of Utah – State of Utah/Legislature; “2004-2005 State of Utah Legislature, USTAR General Fund Appropriation (Brain Institute Equipment Funding); \$3,000,000. A. Lorris Betz, Principal Investigator.
4. Utah State University – USDA Cooperative State Research Service; “Implementation of Western Region Sustainable Agriculture Research and Education (SARE) Proposal;” \$2,682,719. V. Rasmussen, Principal Investigator.

- D. Proposed Policy Revisions – Proposed revisions to Policies R831, *Minimum Requirements for Non-Faculty Staff Grievances Policy*, R841, *Minimum Requirements for Disciplinary Sanctions of Staff Personnel Policy*, and R845, *Guidelines for Payment in Lieu of Notice Policy* as explained on the attached memo.

Richard E. Kendell, Commissioner

REK:jc  
Attachment

INDEX  
MINUTES OF MEETINGS  
AUGUST 2005

MEETING OF REGENTS, TRUSTEES AND USHE PRESIDENTS  
August 18, 2005

|                                                                      |   |
|----------------------------------------------------------------------|---|
| Roll .....                                                           | 1 |
| Governor's Remarks .....                                             | 2 |
| Presentations and Discussion Sessions                                |   |
| Audit Committees: Roles and Functions .....                          | 4 |
| Presidential Selection and Evaluation: Role of Regents and Trustees  |   |
| Search Process .....                                                 | 5 |
| Resource and Review Teams/Evaluation of Presidents .....             | 6 |
| Program Quality and Reviews: Role of Institutions and Trustees ..... | 7 |
| Institutional Roles and Missions .....                               | 8 |

MEETING OF THE STATE BOARD OF REGENTS  
August 19, 2005

|                                                                                              |    |
|----------------------------------------------------------------------------------------------|----|
| Roll .....                                                                                   | 9  |
| COMMITTEE OF THE WHOLE                                                                       |    |
| Swearing In of New and Reappointed Regents .....                                             | 12 |
| Election of Vice Chair .....                                                                 | 12 |
| Update on Lisa Speckman .....                                                                | 13 |
| Acknowledgment of Endowment to the University of Utah .....                                  | 13 |
| Strategic Directions for Utah Higher Education .....                                         | 13 |
| Reports of Board Committees                                                                  |    |
| Academic Affairs, CTE, and Student Success (Programs) Committee                              |    |
| Weber State University – Associate of Science in Health Sciences Degree .....                | 13 |
| Southern Utah University – Mission Statement .....                                           | 14 |
| Snow College – Associate of Applied Science Degree in Traditional Building Skills .....      | 14 |
| Regent Policy R470, <i>General Education, Course Numbering, Lower-Division Pre-Major</i> ... | 14 |
| <i>Requirements, Transfer of Credits, and Credit by Examination</i>                          |    |
| Consent Calendar .....                                                                       | 14 |
| Information Calendar .....                                                                   | 15 |
| Institutional Reviews Summary .....                                                          | 15 |

|                                                                                                                                                                                                                                           |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Finance, Facilities and Accountability Committee                                                                                                                                                                                          |    |
| Proposed Revisions to Policy R205, <i>Presidential Appointment, Term of Office, and Compensation and Benefits</i> , and Policy R207, <i>Institutional Residences for Colleges and Universities in the Utah System of Higher Education</i> | 16 |
| Long-term Enrollment Projections                                                                                                                                                                                                          | 16 |
| University of Utah – Non-State Funded Capital Development Project: Student Recreation Center                                                                                                                                              | 17 |
| University of Utah – Purchase of Research Building in Delta, Utah                                                                                                                                                                         | 18 |
| Utah State University – Property Purchase for Uintah Basin Campus                                                                                                                                                                         | 18 |
| Weber State University – Authorizing Resolution for Revenue Bonds for the Shepherd Union Building Renovation Project, Series 2005                                                                                                         | 18 |
| Consent Calendar                                                                                                                                                                                                                          | 19 |
| USHE – Preview List, 2006-2007 Capital Development Projects                                                                                                                                                                               | 19 |
| USHE – Follow-up Report, Opportunities to Combine Bond Issues                                                                                                                                                                             | 19 |
| USHE – Institutional Annual Report on Research Grants and Contracts Activity                                                                                                                                                              | 20 |
| General Consent Calendar                                                                                                                                                                                                                  | 20 |
| Utah Educational Savings Plan Settlement Agreement                                                                                                                                                                                        | 21 |
| Report of the Chair                                                                                                                                                                                                                       | 21 |
| Resolutions for Judd Morgan and Bob Huddleston                                                                                                                                                                                            |    |
| Changes to Committee Assignments                                                                                                                                                                                                          |    |
| Governor’s Education Summit                                                                                                                                                                                                               |    |
| Commendation to College of Eastern Utah                                                                                                                                                                                                   |    |
| Report of the Commissioner                                                                                                                                                                                                                | 22 |
| Adjournment                                                                                                                                                                                                                               | 22 |

MINUTES OF MEETINGS

MEETING OF REGENTS, TRUSTEES AND USHE PRESIDENTS  
GOVERNOR'S MANSION  
August 18, 2005

Regents Present    Regents Excused

Nolan E. Karras, Chair    Janet A. Cannon

Jed H. Pitcher, Vice Chair

John C. Pingree

Jerry C. Atkin

Daryl C. Barrett

Bonnie Jean Beesley

Rosanita Cespedes

Katharine B. Garff

David J. Grant

Meghan Holbrook

James S. Jardine

Michael R. Jensen

David J. Jordan

Gaby Bradford Kingery

Josh M. Reid

Sara V. Sinclair

Marlon O. Snow

Office of the Commissioner

Richard E. Kendell, Commissioner

David L. Buhler, Associate Commissioner for Public Affairs

Joyce Cottrell, Executive Secretary

Amanda Covington, Director of Communications

David S. Doty, Assistant Commissioner and Director of Policy Studies

Mark H. Spencer, Associate Commissioner for Finance and Facilities and Executive Director, UHEAA

Lucille T. Stoddard, Associate Commissioner for Academic Affairs

Lynne Ward, Assistant Commissioner and Executive Director, UESP

Institutional Presidents

University of Utah – Michael K. Young

Utah State University – Stan L. Albrecht

Weber State University – F. Ann

Southern Utah University – Steven D. Bennion

Snow College – Michael T. Benson

Dixie State College – Lee G. Caldwell

College of Eastern Utah – Ryan L. Thomas

Utah Valley State College – William A. Sederburg

Salt Lake Community College – Cynthia A. Bioteau

Utah College of Applied Technology – Darrell K. White

Institutional Trustees

University of Utah – Jim Macfarlane and Randy Dryer  
Utah State University – Richard Shipley and L.J. Godfrey  
Weber State University – Tom Davidson and Barney Chapman  
Southern Utah University – Dwayne Nielson  
Snow College – John Willmore and Carl Albrecht  
Dixie State College – Stephen Wade and Jeannine Holt  
College of Eastern Utah – Dominic Welch and Tom Sawyer  
Utah Valley State College – Jeanette Hales-Beckham and Dan Campbell  
Salt Lake Community College – Dave Thomas and Peter Genereaux  
Utah College of Applied Technology – Doug Holmes

Representatives of the Media

Jeff Allred, *Deseret Morning News*  
Al Hartmann, *Salt Lake Tribune*  
Steve Speckman, *Deseret Morning News*  
Shinika Sykes, *Salt Lake Tribune*  
Caitlin York, *Daily Utah Chronicle*

Others

Jon M. Huntsman, Jr., Governor  
Jason Chaffetz, Chief of Staff  
Michael Mower, Director of Legislative and Constituent Affairs  
Dan James, Regents' Audit Committee

The Regents, Presidents, and Chairs and Vice Chairs of the institutional Boards of Trustees met on Thursday, August 18, in the Governor's Mansion. Chair Karras welcomed everyone and thanked them for taking time from their busy schedules to meet together. He introduced the new Regents – Rosanita Cespedes, Gaby Bradford Kingery and Josh Reid – and welcomed them to the Board of Regents. He then introduced SLCC President Cynthia Bioteau and Dixie President Lee Caldwell, both of whom have assumed their respective presidencies since the last Board meeting. Chair Karras commented on the importance of education, then invited everyone to enjoy their lunch.

Governor's Remarks

Following lunch, Chair Karras introduced Governor Jon M. Huntsman, Jr., and thanked him for hosting the meeting. He noted that he and Commissioner Kendell meet regularly with the Governor to discuss higher education issues. Governor Huntsman is a strong advocate for education who recognizes the important role of the Regents, Presidents and Trustees.

Governor Huntsman welcomed everyone to the Governor's Mansion. He noted that higher education issues had been well represented the previous day in a budget meeting with his staff. He thanked Commissioner Kendell for his excellent work and commended Chair Karras for his efforts as Chair of the State

Board of Regents. He acknowledged Hope Eccles, the Governor's Deputy for Higher Education, and thanked her for her valuable advice and counsel. Governor Huntsman also paid tribute to the USHE Presidents and Trustees and congratulated Presidents Bioteau and Caldwell on their appointments.

Governor Huntsman said education, economic development, quality of life and governance are his most important responsibilities as Governor. In preparing for the Legislative Session, a major issue will be the K-12 system. He advocated a more integrated K-16 system. The Governor will urge government officials to take a look at where we are and where we should be. The level of preparation is also important. The Governor said he would be looking at the earliest period of cognitive development (K-3), where milestones of literacy must be met, or students will not be able to catch up later in their education. Some ideas Governor Huntsman was considering included all-day kindergarten and teaching math, science and foreign languages to younger children. The Governor said he would be making some bold recommendations to the Legislature about literacy during the K-3 period.

Governor Huntsman urged the higher education community to maintain a spirit of collaboration. This meeting is an extraordinary opportunity to discuss these issues. In the future there will be an increasing focus on areas of excellence at our institutions. Every school can have centers of excellence in specific areas and can collaborate with peer institutions. This State cannot afford for every institution to offer the same programs or to have a medical or law school.

The Governor stressed the importance of economic development to higher education and to the State. He pledged the support of his administration and told the higher education officials, "You have our ear." Governor Huntsman noted that today's students will probably hold down several jobs in their lifetime. They must be taught not only the subject matter and skills, but how to learn. Great faculty can stimulate students and turn on their minds, motivating them to go on to become lifelong learners.

Chair Karras thanked Governor Huntsman for his remarks and said it was an honor to work with him and to be able to meet in his home. On behalf of the Utah System of Higher Education, he pledged to work with the Governor to bring about the best for the State and its citizens.

Commissioner Kendell thanked the Governor for appointing and reappointing the Regents and Trustees. He explained that the table seating had been organized to give the Presidents and their Trustee Chairs and Vice Chairs an opportunity to meet with the Regents on their Resource and Review Teams. He said he hoped to meet together on an annual basis.

Dr. Kendell said sometimes system issues override institutional issues. One such example is the decline of students entering college. In 1994, 41 percent of Utah's 19-year-olds were enrolled in college. Ten years later, in 2004, that number had decreased to only 31 percent. Utah has dropped from 12<sup>th</sup> to 32<sup>nd</sup> in our nation in the number of residents holding a bachelor's degree. These statistics indicate the big issues facing this State.



Chair Karras asked Regent Grant, recently appointed Chair of the Audit Committee, to lead the discussion on this subject. Regent Grant introduced Dan James, who will work with the Regents' Audit Committee. Mr. James is a CPA and former Weber State University Trustee. He said he hoped the chairs of the institutional audit committees could meet together in a workshop to discuss common issues and concerns. He thanked the Regents for the opportunity to work with the Audit Committee. Chair Karras introduced the other members of the Audit Committee: Regents Jerry Atkin, Mike Jensen and Jed Pitcher. He said he appreciated the sound financial expertise Mr. James will bring to the process.

Regent Grant referred to the summary of the Sarbanes-Oxley Act prepared by the Commissioner's staff and asked, "Do we comply?" Trustee Chairs should appoint a financial expert to the committee. Regent Grant suggested that the institutional audit committees may wish to consider adding a non-Trustee with financial expertise. That person need not be a CPA but should have a high degree of knowledge and experience. For example, it could be the Chief Financial Officer of an organization. Those appointments do not need the Regents' approval. A question was raised about whether or not the chair of the institutional audit committee could be the non-Trustee financial expert. The Regents recommend that the chair be a Trustee.

Questions were raised about a charter for the committee. Regent Grant said audit committees could adopt Regents' Policy R565 as their charter, or they may write one of their own. He clarified that the staff summary referred to both Regent and Trustee Audit Committees. He pointed out that audit committees do not take action and are not subject to the Open Meetings Act unless the number of Trustees serving on the committee is more than half of their Board of Trustees. Audit committee members may be reimbursed for their expenses.

Regent Grant noted that the Regents' Audit Committee had met with every institutional audit committee except one, and that is being scheduled.

The primary responsibilities of Trustee audit committees were shown on the handout. For each responsibility, a best practice was given. Hope Eccles asked that the language be clarified regarding audits and expertise. President Sederburg suggested delineating the link between the institutional auditor, Regent Auditor, internal auditor and external auditor. He suggested adding a responsibility to allow for anonymous "whistle blower" complaints or concerns. Regent Grant said that provision was included in policy R565.

Trustee Holmes asked about coordination of audits. He pointed out that the Ogden-Weber ATC had undergone five or six audits in the last few months. Mr. James said this was on his list of issues to be discussed.

Regent Grant distributed a document entitled "USHE Financial Ratios" and explained that it was still a work in progress. Once this information has been finalized, it will be used to monitor the institutions. He commended President Thomas for the improvement in CEU's primary reserve ratio. He explained that the term "viability ratio" referred to the number of times the reserve will cover the debt. The "return on net assets" ratio determines whether an institution is better off (financially) than on previous years by measuring the change on net assets (or economic return) from year to year. This ratio is affected by the practice of transferring ownership of new facilities from DFCM to an institution following completion of construction. The Audit Committee monitors

the overall financial health of the system and the institutions. Regent Grant said he was pleased that all of the institutions are moving forward in a fiscally sound manner. The Trustee audit committees are very important because this work should be done at the local level. President Sederburg asked if the State had a policy on building reserves. Does the State allow the institutions to have a financial reserve? Assistant Commissioner Foisy clarified State policy and said carryover ratios from the previous year were included.

Associate Commissioner Spencer said he had reviewed the audit committee reports recently. He will work with the CFOs and internal audit staff to determine what kind of reports would be most helpful to the Regents. Mr. James asked if the Regents' Audit Committee would work directly with the institutional audit committees. Dr. Spencer requested an updated list of institutional audit committee chairs.

Regent Jordan said he was concerned that the language in the Financial Ratios document could create a wrong impression. He recommended that the document be reformatted so that it does not lead the legislators to believe there is a large source of money available to the institutions. Regent Grant agreed and asked Associate Commissioner Spencer's staff to make that change.

Trustee Macfarlane said it would be helpful to have a member of the Regents' Audit Committee attend a meeting of an institutional audit committee every year. Regent Grant welcomed the suggestion. President Young said the audit process should be structured so that the full Board of Trustees was not circumvented. He pointed out that only the full board has decision-making authority.

#### Presidential Selection and Evaluation: Role of Regents and Trustees

Search Process. Commissioner Kendell commented on the importance of the presidential search committees forwarding five finalists' names to the Regents. He also stressed the importance of confidentiality in the selection process. There is merit in confidentiality up until the selection of the finalists. Publicizing the names of the entire candidate pool could easily jeopardize a candidate's present position. All candidates, especially those seriously considered, are told that the names of the finalists will be made public. When the finalists' names are released, there is much public exposure. Sometimes a candidate will receive another offer or decide that the fit is not right personally.

Regent Jardine recalled that in a recent presidential search, one candidate was "exposed" and therefore terminated by his board. Regent Jordan said the Regents had learned during one of the searches that some of the institutions with a transparent search process had reported that no one discussed their real thoughts in public meetings; the real discussions took place in the proverbial "smoke-filled rooms." The Regents have struck a balance between making the entire process transparent and making the whole process confidential. The present balance works. Commissioner Kendell said his staff is now doing thorough background checks on all finalists for presidential appointments.

President Young agreed that there is a good balance in the current process. Speaking personally, he said many of his friends who have been through these searches have told him they feel that their own jobs would be jeopardized if their names were published during the entire process. There is real utility in the public

part of the process. By the time the final decision is made, any problematic information would have come to light. Dr. David Ward, President of the American Council on Education, has said he thought Utah's presidential search process was outstanding.

Regent Jardine commended Commissioner Kendell for opening up the process to include more campus and Trustee involvement. He asked the Trustees if they felt good about the present search process. Trustee Thomas said on the latest SLCC presidential search, the Trustees felt very much included. He commended Commissioner Kendell, Chair Karras, Regent Beesley and everyone involved in the search for going out of their way to ensure that the Trustees were involved. Trustees do not want a president who does not think there is a real reporting line between the two boards. The Trustees' voice is important in selection and ongoing dialogue. Regent Jardine reflected that in the last four presidential searches, the Trustees and Regents seemed to agree on what was needed for the position. In the past, the Regents have sometimes felt the institution needed a change agent, and the Trustees did not. In such cases, the Regents and Trustees had to talk through the issues. Trustee Wade thanked Commissioner Kendell for involving the Trustees from the beginning of the Dixie State College search process.

R208, Resource and Review Teams and R209, Evaluation of Presidents. Commissioner Kendell noted that the formal evaluation of Presidents has shifted away from the Resource and Review Teams to an external team. He used President Young as an example, as he is beginning his second year as President of the University of Utah. Commissioner Kendell will contact President Young for suggestions on an external consultant. When they have come to agreement, the Commissioner will convey that suggestion to the Regents. Formal evaluations will be conducted on the Presidents' 2<sup>nd</sup>, 6<sup>th</sup>, and 10<sup>th</sup> year of service. Resource and Review Teams, including Trustee chairs, will be consulted and will help with the planning. At the end of the interview process, a report will be written and sent to the President for response. Both the report (with recommendations) and the President's response will be sent to the Regents' Chair and Vice Chair and the Chair of the Board of Trustees. This process will provide valuable feedback that cannot be obtained otherwise.

Assistant Commissioner Doty reviewed the process for Resource and Review Teams as outlined in Policy R208. He explained that it would be a more informal process, unlike the formal evaluation as outlined in Policy R209. He clarified that the presidential evaluations will not take the place of the annual review. Neither is it the intent to minimize the role of either the Regents or Trustees in the annual review.

President Sederburg asked if it was intended that the annual reviews be informal discussions but formal reviews. He pointed out that it was important to note that Presidents serve at the pleasure of the Regents and do not have annual contracts. It was recommended that the word "informal" be eliminated from Policy R208.

Trustee Macfarlane asked if a process was in place in case an institution had a problem with its president. Dr. Doty said the Commissioner had tried to incorporate best practices in the policy to deal with that possibility.

Regent Grant asked if the Regents' meeting on campus with the respective Trustees would continue to contain an evaluation of the President. Commissioner Kendell stated that it would not. Trustee Macfarlane

asked if the Trustees could continue to meet every year in private to evaluate their president, after which the chair would provide feedback to the Regents. Commissioner Kendell said that would be appropriate. If a Board of Trustees would like to invite a Regent on its institution's Resource and Review Team to attend that meeting, that would also be appropriate.

#### Program Quality and Reviews: Role of Institutions and Trustees

Associate Commissioner Stoddard led the discussion for this topic. She distributed a handout explaining Institutional Program Reviews and a schedule of Program Reviews which had been developed by her staff. She explained that the criteria are not as detailed nor explicit in the present policy as they should be. She advised the Presidents and Trustees to follow the process outlined in Policy R411, *Review of Existing Programs*. Every program should be reviewed on campus every 5-7 years. Some of the Trustees asked how they could be certain that every program was reviewed on schedule and what they should do if they find areas to be addressed. Dr. Stoddard said this is a great opportunity for the institutions to recognize the positive things that are happening on their campuses. A suggestion was made that under the authority of the Trustees, a matrix could be developed to show when every program was due for review and to ensure that the schedule is kept current. Associate Commissioner Stoddard assured that Trustees that the Commissioner's staff is always ready to help the institutions with this process.

President Albrecht explained the program review process on the USU campus. He explained in detail how USU reviewed its academic programs in compliance with Policy R411. Areas discussed were the purpose for the review, responsibility for conducting the review, process, procedures, and evaluation factors. He noted that in addition to institutional reviews, programs are subject to other types of review, such as accreditation reviews. He concluded by relating a recent discussion with an alumnus of Utah State University, who assured President Albrecht that USU's Engineering program was every bit as good, if not better, than engineering programs that are ranked top in the country. He pointed out that the only thing USU lacked was a big price tag.

Associate Commissioner Stoddard and President Albrecht offered to respond to questions. Trustee Holmes asked why no UCAT programs were included on the schedule for program reviews. Dr. Stoddard agreed that UCAT is unique and said her staff was in the process of developing a process for evaluating UCAT programs. In such a process, reviewers would be looking at competencies, rather than credit hours. Commissioner Kendell pointed out that not every institution would follow the USU pattern, which works very well for that institution. Program evaluations are intended to improve quality and strengthen programs. He asked the Trustees how they would evaluate their respective programs. What would work best at their own institution? He noted that program review was the responsibility of the Trustees and should be done according to what best fits the institution.

President Sederburg asked how institutional self-studies, which are part of the accreditation process, fit into the program review process. President Albrecht urged the institutions to avoid duplication whenever possible. Recent self-studies would fit directly into the R411 review.

President Young requested collaboration with each of the institutions on the schedule. All programs are subject to external review. Much paperwork is necessary, even if internal, national and regional reviews and the R411 reviews are done in a short period of time. He suggested coordination so that the same department not be reviewed every year or two by a different group or process. President Albrecht recommended combining the reviews so that the accreditation review would also serve as the R411 review.

#### Institutional Roles and Missions

Chair Karras said the Regents must determine what institutions do best and then help them to do even better. For instance, the University of Utah would like to have AAU (American Association of Universities) status. That does not demean the other institutions; rather, it would be beneficial to the entire State. He stressed that the Regents tried to be as fair as possible in assessing the needs of the State. He reflected that sometimes the Program Review Committee is viewed as putting barriers between the Regents and the institutions when it comes to approving or disapproving programs. He assured the Presidents and Trustees that this is not the case.

The Regents are making an effort to delegate many important functions to the Trustees. Program review, for example, is a critical responsibility of the institutions. He encouraged the Trustees to ask uncomfortable questions, if necessary. As Chair of the Board of Regents, he announced his plan to give increasing responsibility to the Trustees for technology and strategic issues which directly affect the institutions' mission and role.

At a recent meeting attended by Chair Karras, Dr. Gary Cornia commented on the growing gap in Utah's ability to fund State government. All of the State agencies then fight over what little funding is left. Chair Karras acknowledged that there is a great need for funding our highway system. However, there is also a tremendous need to fund education. Every USHE institution is greatly underfunded. We have learned to get along with less, and we will likely have to continue to do so.

Chair Karras said the State Board of Education and State Board of Regents were in the process of developing a way to get more students into the education system. Utah is rapidly falling behind. He referred to a book he had recently read, *The World is Flat* by Thomas Friedman, and encouraged everyone to read it. All of Utah's citizens need to aware of how critical education is for the future of our State.

Commissioner Kendell said part of the SBE-SBR effort was being directed toward shifting the focus from college entrance requirements to high school completion requirements. The new recommendations for high school graduation will include four years of math, starting in the 9<sup>th</sup> grade, four years of English, three years of science, and three years of history as a core program for all high school students. Data recently released by the ACT demonstrated that more and more Utah students are failing in math. Commissioner Kendell stressed that in our economy and in our State, we cannot afford for this to continue. The joint plan will advocate a much more vigorous program of study in order to prepare students for college and the future. Chair Karras pointed out that high school graduation did not necessarily mean students were sufficiently prepared for college.

Commissioner Kendell referred to an article in the July issue of *Atlantic* entitled "Countdown to Meltdown." The article was written in the form of a memo from the Chief of Staff to the United States President in 2020. He recommended that everyone read the article, which was speculative but thought-provoking.

Chair Karras thanked Commissioner Kendell and his staff for their work in organizing this meeting. He asked the Trustees for their input on how this dialogue and process could be improved.

The meeting concluded at 4:00 p.m.

MEETING OF THE STATE BOARD OF REGENTS  
REGENTS' OFFICES, SALT LAKE CITY, UTAH  
August 19, 2005

Regents Present    Regents Excused

Nolan E. Karras, Chair (None)

Jed H. Pitcher, Vice Chair

Jerry C. Atkin

Daryl C. Barrett

Bonnie Jean Beesley

Janet A. Cannon

Rosanita Cespedes

Katharine B. Garff

David J. Grant

Meghan Holbrook

James S. Jardine

Michael R. Jensen

David J. Jordan

Gaby Bradford Kingery

John C. Pingree

Josh M. Reid

Sara V. Sinclair

Marlon O. Snow

Office of the Commissioner

Richard E. Kendell, Commissioner

David L. Buhler, Associate Commissioner for Public Affairs

Joyce Cottrell, Executive Secretary

Amanda Covington, Director of Communications

David S. Doty, Assistant Commissioner and Director of Policy Studies

Brian Foisy, Assistant Commissioner for Budget and Finance

Kimberly Henrie, Budget Officer

Phyllis C. Safman, Assistant Commissioner for Academic Affairs

Mark H. Spencer, Associate Commissioner for Finance and Facilities and Executive Director, UHEAA  
Lucille T. Stoddard, Associate Commissioner for Academic Affairs  
Kevin Walthers, Assistant Commissioner for Finance and Facilities  
Lynne Ward, Assistant Commissioner and Executive Director, UESP  
Gary S. Wixom, Assistant Commissioner for CTE and Special Projects

#### INSTITUTIONAL REPRESENTATIVES

##### University of Utah

Michael K. Young, President  
Paul T. Brinkman, Associate Vice President for Budget and Planning  
Arnold B. Combe, Vice President for Administrative Services  
Charles Evans, Director, Administrative Services  
John G. Francis, Associate Vice President and Deputy Chief Academic Officer  
Raymond F. Gesteland, Vice President for Research  
Michael G. Perez, Associate Vice President for Facilities  
Ronald J. Pugmire, Associate Vice President for Investment Management  
Barbara H. Snyder, Vice President for Student Affairs  
Ali Hasnain, Student Body President  
John Poelman, Student Body Vice President

##### Utah State University

Stan L. Albrecht, President  
W. Glenn Ford, Vice President for Business and Finance  
Darrell E. Hart, Assistant Vice President for Facilities

##### Weber State University

F. Ann Millner, President  
Marie Kotter, Chair, Health Sciences Department  
Ken Johnson, Chair, Health Administrative Services Department  
Brad Mortensen, Assistant Vice President for Support & Auxiliary Services  
Norm Tarbox, Vice President of Administrative Services  
Michael B. Vaughan, Provost

##### Southern Utah University

Steven D. Bennion, President  
Abe Harraf, Provost  
Gregory L. Stauffer, Vice President of Administrative and Financial Services

##### Snow College

Michael T. Benson, President

##### Dixie State College

Lee G. Caldwell, President

College of Eastern Utah

Ryan L. Thomas, President

Michael King, Provost and Vice President for Academic Affairs

Utah Valley State College

William A. Sederburg, President

Val Peterson, Vice President for Administration & External Affairs

J. Karl Worthington, Associate Vice President of Academic Affairs

Salt Lake Community College

Cynthia A. Bioteau, President

Julie Ann Curtis, Assistant to the Academic Vice President

Don Porter, Vice President for Business Services

David Richardson, Vice President for Academic Services

Utah College of Applied Technology

Darrell K. White, President

Representatives of the Media

Tiffany Erickson, *Deseret Morning News*

Shinika A. Sykes, *Salt Lake Tribune*

Caitlin York, *Daily Utah Chronicle*

Others Present

Brian Baker, Zions First National Bank

Linda Dunn, Utah Campus Compact

Carl Empey, Zions First National Bank

Carrie Flamm, Executive Director, Utah Student Association

Kim Hood, Governor's Office of Planning and Budget

Evan Hunter, Chapman and Cutler

Ken Nye, DFCM

Chair Karras called the Committee of the Whole to order at 8:30 a.m. He noted that the Regents and Presidents had enjoyed a dinner the previous evening to recognize the service of George Mantes, Maria Sweeten, Trent Kemp, Judd Morgan and Bob Huddleston. The Regents appreciate their many contributions to higher education, and they were pleased to pay tribute to these remarkable individuals. Chair Karras told the Regents that new committee assignments were in their folders. Regent Atkin will chair the Finance and Facilities Committee, with Regent Sinclair as Vice Chair. Regent Jensen will chair the UHEAA Board of Directors.



### Swearing in of New and Reappointed Regents

Chair Karras administered the Oath of Office to Regents Jerry Atkin, Rosanita Cespedes, Jim Jardine, Mike Jensen, Gaby Kingery, and Josh Reid. Regents Cespedes, Kingery and Reid introduced themselves and told a little about their backgrounds.

### Election of Vice Chair

Regent Jensen nominated Regent Jed Pitcher as Vice Chair of the State Board of Regents. The nomination was seconded by Regent Snow. Chair Karras asked if there were other nominations. Hearing none, the Regents unanimously elected Regent Pitcher as Vice Chair. Chair Karras congratulated Regent Pitcher and said he looked forward to working more closely with him. Vice Chair Pitcher thanked Associate Commissioner Spencer and his staff for their work with the Finance Committee. He recognized Kimberly Henrie, Kevin Walthers and Brian Foisy for their efforts. He expressed his support for Regent Jensen as Chair of the UHEAA Board of Directors and Regent Atkin as Chair of the Finance Committee.

Chair Karras announced that a group photo of the Regents would be taken in the Board Room following the Board meeting, with individual photos being taken in the Library. He urged all of the Regents to stay for the photo shoot.

The Regents were dismissed to their committees at 8:45 a.m.

### Committee of the Whole

The Committee of the Whole reconvened at 11:00 a.m.

Update on Lisa Speckman. Chair Karras circulated a photo postcard of Lisa Speckman with her young daughter. He recalled that the Regents and Presidents had contributed to a special fund when Lisa was first hospitalized several months ago. Lisa's recuperation is going well. She is currently in Chicago, where she is learning to adjust to prosthetics. Steve and Lisa have bought a home in Bountiful and will be moving there when Lisa returns home.

Acknowledgment of Endowment to the University of Utah. Chair Karras congratulated President Young for the substantial endowment received by the University of Utah for medical research. President Young said the endowment would provide for the designation of 12 endowed chairs. Those professors will present a symposium on the benefits of research they have done with these funds. Chair Karras noted that the donor, Art Benning, had been a good friend. This was an extraordinary gift which will improve many lives.

### Strategic Directions for Utah Higher Education

Commissioner Kendell referred to Tab U and said this document, which is a work in progress, had been discussed at length at the last Council of Presidents meeting. The Presidents still need to discuss how to implement these issues. In addition to the System issues, there will also be institutional initiatives. The document will be updated for each Board of Regents meeting. An action plan will be implemented for the successful completion of each of the major themes.

Commissioner Kendell circulated two recent articles – an article from ACT entitled “Crisis at the Core,” and an ASCU perspective entitled “Improving Alignment and Advancing Students.” He urged the Regents and Presidents to read both articles because they are relevant to this issue.

### Reports of Board Committees

#### Academic, CTE and Student Success (Programs) Committee

Weber State University – Associate of Science in Health Sciences Degree (Tab A). Chair Jardine noted the very strong number of applications in health sciences and related programs. This proposal would add a degree program which students can enter and then specialize. The ASHS Degree would prepare students for employment in various areas of health care as well as satisfy course prerequisites for several health profession programs offered by WSU. **Chair Jardine moved approval of Weber’s ASHS Degree. The motion was seconded by Regent Beesley and carried.**

Southern Utah University – Mission Statement (Tab B). Chair Jardine said the committee had reviewed SUU’s Mission and Role Statement, which will be incorporated into Policy R312, *Configuration of the Utah System of Higher Education and Institutional Missions and Roles*. The Mission Statement was previously approved by the school’s Board of Trustees. **Chair Jardine moved approval of SUU’s Mission Statement. The motion was seconded by Regent Barrett and carried.**

Snow College – Associate of Applied Science Degree in Traditional Building Skills (Tab C). Chair Jardine reported that Snow College had developed this program after a 1993 fire in the Governor’s Mansion revealed the lack of Utah contractors with sufficient restoration expertise. Students in this program will learn to work with adobe as well as masonry. Committee members found this to be a fascinating program. They also learned that only a few cities in the United States were listed on the Historical Register as cities. One of these is Williamsburg, Virginia; another is Spring City, Utah. **Chair Jardine moved approval of Snow College’s AAS Degree in Traditional Building Skills. The motion was seconded by Regent Holbrook and carried.**

Regent Policy R470, General Education, Course Numbering, Lower-Division Pre-Major Requirements, Transfer of Credits, and Credit by Examination (Tab D). Chair Jardine explained that Policy R470 combined several previous transfer policies and enhances the transfer and articulation process within the System. Utah is far ahead of many other states in its articulation efforts. The Commissioner’s staff was directed to rewrite § 8.4.1 on page 12 of the proposed policy for clarification. The policy should take into account the need of students generally. The existing policy should be implemented in practice to recognize individual student needs. That slight revision will not require approval of the full Board, but only by the Chair of the Programs Committee. **Chair Jardine moved approval of Policy R470. The motion was seconded by Regent Beesley. Included**

**in the motion was implied approval to delete Policies R472, R463, R471, R465, and R467. Vote was taken on the motion, which carried.** Chair Karras asked Associate Commissioner Buhler to discuss this policy with Utah legislators.

Consent Calendar, Programs Committee (Tab E). The Consent Calendar included only one item: UVSC's proposal to establish a Center for Digital Design and Development. Chair Jardine said the discussion in committee revealed no clear criteria to distinguish a center. UVSC's proposed center would respond to private industry and business needs and would involve students in programs with business and industry. The committee discussed ways to ensure that all local issues (student rights, intellectual property, risk issues) are being supervised. They were satisfied that a very sophisticated board had been put in place for the proposed center and asked all institutions to identify and satisfy themselves on all such legal issues. A suggestion was made that perhaps an audit check list could be developed to make sure clear direction was given and that resources were made available without creating risk.

In the past, the University of Utah and Utah State University have created centers. By engaging in technology transfer enterprises, all of the other institutions are moving more and more in this direction. Chair Jardine noted that the research universities have access to experienced legal counsel with regard to risk, but the other institutions may have to use the services of someone in the Attorney General's office who may not have expertise in this particular area. The Regents need to give more help to the non-research institutions as they venture into this area.

Commissioner Kendell said the System was involved in the creation of a Utah Innovation Network which would take every USHE institution into a network of resources to which they would not otherwise have access. There has been great success in this endeavor in other areas. While research universities have intellectual property and other areas of potential development, there is a need for a connection with the business community. At the same time, other institutions are developing many promising ideas and practices which also need to be connected. A web site will eventually be established with a training site for statewide access.

**Chair Jardine moved approval of UVSC's Center for Digital Design and Development. The motion was seconded by Regent Barrett and carried.**

Information Calendar, Programs Committee (Tab F). The following items were brought forward for the Regents' information:

1. University of Utah – Human Factors Certificate in the Department of Psychology
2. Utah State University
  - A. Emphasis in Creative Writing with the English Major
  - B. School of the Arts within the College of Humanities, Arts & Social Sciences (HASS)
  - C. Computational Engineering Emphasis within the Bachelor of Science in Mechanical Engineering
3. Utah Valley State College
  - A. Minor in Religious Studies

- B. Fire Science Program's existing B.S. Degree in Public Emergency Services Management (PESM) to be offered through online delivery
- C. Restructure of the School of Computer Sciences and Engineering Technology and The School of Technology, Trades and Industry

Chair Jardine referred to the last item and said a cohort of students who were traditionally served by the College's community college function would likely go to Mountainland ATC. The committee was satisfied with what UVSC is doing but questioned how the line had been drawn between Weber State University and Ogden-Weber ATC. Chair Jardine noted that there is no grand plan in place and by approving this item, the Regents are only approving what has been agreed in this particular service area. He acknowledged that this is a very complicated area. President Sederburg reassured the Regents that this restructuring was only a money-saving issue to combine colleges. It was not intended to deal with the evolution of career and technical education, although it is a natural progression.

Institutional Reviews Summary (Tabs G, H, I and J). Chair Jardine said the committee was not able to discuss the programs reviews because of time constraints. They will be carried over to the next Board agenda.

Chair Karras thanked Chair Jardine for his report.

#### Finance, Facilities and Accountability Committee

Proposed Revisions to Policy R205, Presidential Appointment, Term of Office, and Compensation and Benefits, and Policy R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education (Tab K). Chair Atkin said the proposed revisions clarified the language to allow Presidents to take a car allowance and/or housing allowance in place of using a state-owned vehicle and living in on-campus housing, respectively. The committee suggested the following amendments to the proposed revisions:

Policy R205, Section 3.4.4.4. ~~Although sometimes provided at other institutions,~~ The Presidents of Utah public higher education institutions do not receive the following: personal financial planning counsel, loans of any type, automobile for spouse, and family travel.

Policy R207, Section 3.8. Exceptions to policy ~~not applicable to the Commissioner of Higher Education~~ - The provisions of this policy . . . to accommodate the residential housing requirements of the Commissioner or institutional Presidents. The Board of Regents anticipates providing housing allowances for institutional presidents only in exceptional circumstances.

**Chair Atkin moved approval of the revisions to Policies R205 and R207, as amended above. The motion was seconded by Vice Chair Sinclair and carried.**

Long-Term Enrollment Projections (Tab L). Chair Atkin pointed out that the enrollment projections were provided primarily for planning purposes. They were based on many assumptions, some of which will change. It is notable that the model suggests low to no growth for the next decade, then growth is expected to resume. This may create challenges worth considering. **Chair Atkin moved the Commissioner's recommendation, as amended to read: The Commissioner recommends that the Regents consider and adopt the attached**

USHE long-term enrollment projections, to be used for planning purposes and input to the facilities prioritization process. In addition, the Commissioner recommends that the Regents consider the feasibility of budgeting, using both the high and low enrollment estimates, and consider the management issues which are generated by these estimates. The motion was seconded by Regent Grant and adopted.

Chair Karras urged the Regents and Presidents to consider the funding implications that might result from no enrollment growth. A recent article in *Utah Business* presented a picture of the changing face of education delivery in Utah and in our society. He noted that our growth estimates have been high for the past three years. Chair Karras said the LDS Church had recently surveyed 11- to 19-year-olds in anticipation of future missionary service. The numbers showed that the population growth appears to be slowing because there are fewer 11-year-olds than 19-year-olds. However, in a few years we will be facing another spike in the number of students wanting to get into college.

Chair Atkin pointed out that it is easier to manage a business if there is growth. When growth ceases, it becomes increasingly difficult to manage the cost effectiveness. Higher education may be dealing with this issue in the future. Regent Jordan asked how our projections compared with national trends. Chair Karras said at least one state had to import students into their school in order to survive. Commissioner Kendell noted that participation rates had declined over the past decade. We need to take another look at our model and determine whether or not it is adequate for what we want to do. We are assuming a dip in high school enrollments. We have not really considered the one-year gap of LDS students going on missions. Retention will be a major issue for all of higher education in the future.

Regent Grant noted that minority participation rates may be different. Economic conditions will also affect enrollment. Many variables need to be considered. Regent Jordan noted that it was not that long ago that the Regents dealt with the Legislature's decision to change out-of-state enrollment. We will be facing increasing competition for these students, and the Legislature must be aligned with the realities of increasing competition for out-of-state students. This may have a disparate impact on some institutions, such as USU.

University of Utah – Non-State Funded Capital Development Project: Student Recreation Center (Tab M). Chair Atkin said the student recreation center would be funded by bonds. The committee heard that there are well-established connections between on-campus recreation centers and improved academic quality. There is very strong student support to increase fees to amortize this bond. **Chair Atkin moved approval of the project, seconded by Regent Jardine.** President Young clarified that part of the facility would be paid with outside donations, so the net fee increase per semester per student will be \$47, not \$60. He noted that the University of Utah is ranked 7<sup>th</sup> in the nation in the lowest debt level per student. A survey demonstrated substantial student support and fairly significant intention to use this center. The University is entering into an agreement to provide electronic casebooks for students to reduce costs of textbooks. This will save the students a considerable amount of money each semester.

Chair Karras invited Ali Hasnain, Student Body President, and John Poelman, Student Body Vice President, to speak. The students summarized the development of the initiative and said there was

overwhelming support for this project, in spite of the increase in fees to fund it. Several students took a field trip to another university to see their recreation center and how it enhanced the student experience.

Regent Jensen said this would mean a 15% increase in student fees and a 2.5% increase in combined tuition and fees. While this is still below other Research I universities, it is still a significant increase. President Young said the tuition and fees paid by University of Utah students was about 75% of the average Research I institution. Regent Jensen referred to the section in the students' handout which read, "The center and our nearby residence halls will complement one another, with the center helping fill the student housing which, in turn, will lead to greater use of the center." He asked, "Are we building a recreation center to fill the residence halls? Are we shifting the University from a commuter campus to a residential campus?"

Regent Jardine said he had spoken with previous University administrators about this issue. The fact that this project has consistently had support from the past four or five student administrations is very important. Regent Jardine noted that four of his children had attended or were attending the University of Utah. In addition, he spent 11 years working in the student LDS stakes surrounding the University. There is a very high concentration of students in married student housing in close proximity to campus. Regent Jardine said he believed there would be a core group of students who will support this facility. University officials have tried a variety of ways to get students back on campus; many go to class and then go directly to work.

Regent Kingery said she initially had great concerns about this project, but she trusted the research done by the current student administration. She cautioned about ideology of student fees. They are not to be a first resource for such projects, and this should be an exception to the rule. She expressed her concern that this would set a precedent for other institutions. If the Regents approve this facility, they need to hold the administration accountable to see that promised donations materialize. The complete burden for this facility cannot be placed on the students. She further urged the Regents to consider the message this would be sending to all students and to the legislators.

President Sederburg said UVSC would be very supportive of this project. It is a standard for universities throughout the country and will have a phenomenal impact on the students. Regent Jordan asked President Young the total cost and how much would be funded by students and how much by outside donations. President Young said projections are based on at least a \$10 million gift. No donations had been received yet, but the project will not begin until donations exceed that figure.

Chair Karras pointed out that this would also require Legislative approval for the 25-year bond, in addition to Regent approval. **Vote was taken on the motion to approve the recreation center. It was adopted unanimously.**

University of Utah – Purchase of Research Building in Delta, Utah (Tab N). Chair Atkin noted that interesting research was being done with three large telescopes in the desert near Delta. The Japanese government is contributing \$13 million toward this project. **Chair Atkin moved approval of the purchase. The motion was seconded and carried.**

Utah State University – Property Purchase for Uintah Basin Campus (Tab O). Chair Atkin said two parcels of property immediately adjacent to the existing campus would be purchased at the appraised value of \$175,000. The University has the money to fund the project from a surplus in the Uintah Basin Education Center Construction Account. In addition, there is much community participation and in-kind contributions. **Chair Atkin moved approval of the property purchase. The motion was seconded and carried.**

Weber State University – Authorizing Resolution for Revenue Bonds for the Shepherd Union Building Renovation Project, Series 2005 (Tab P). Chair Atkin said this was the third and final approval stage for this project, which has been approved previously by the Regents and the Utah Legislature. The Regents had questions about the competitive bond sale process. Carl Empty, bond counsel, noted that this process is being used increasingly by the State of Utah and other bonding authorities because it ensures the most favorable pricing and eliminates underwriter fees. **Chair Atkin moved approval of the Authorizing Resolution. The motion was seconded by Regent Holbrook and adopted by the following vote:**

AYE:

Jerry C. Atkin  
Daryl C. Barrett  
Bonnie Jean Beesley  
Rosanita Cespedes  
Katharine B. Garff  
David J. Grant  
Meghan Holbrook  
James S. Jardine  
Michael R. Jensen  
David J. Jordan  
Nolan E. Karras  
Gaby Bradford Kingery  
Jed H. Pitcher  
Josh M. Reid  
Sara V. Sinclair  
Marlon O. Snow

NAY:

(None)

The Regents requested a report in the September meeting about how well this process had worked.

Consent Calendar, Finance Committee (Tab Q). **On motion by Chair Atkin and second by Regent Pitcher, the following items were approved on the Finance Committee’s Consent Calendar:**

- A. 2005-2006 Budget Implementation Reports
- B. 2005-2005 Appropriated Operating Budgets
- C. Spring Semester and End-of-Year Enrollment Reports
- D. UofU and USU – Capital Facilities Delegation Reports
- E. Southern Utah University – Property Sale of Residential Lots

F. Institutional Trustee Audit Reports

USHE – Preview List, 2006-2007 Capital Development Projects (Tab R). Chair Atkin noted that this was a preliminary list, which would be on the agenda for approval at the September Board meeting. Institutions were requested to list their two or three top projects, if practical, and to submit a five-year plan of their capital development projects. Chair Karras invited the Regents to tour the institutions to check on capital projects. Those interested should coordinate with Associate Commissioner Spencer.

USHE – Follow-Up Report, Opportunities to Combine Bond Issues (Tab S). Chair Atkin said this report had been provided as the result of a request in a previous Board meeting. The report concluded that combining bond issues was not practical nor feasible for a number of reasons outlined in the report.

USHE – Institutional Annual Report on Research Grants and Contracts Activity (Tab T). Chair Atkin noted the volume of research being done at USHE colleges and universities. The Regents commended the institutions for their research activity. They requested that subsequent reports show research activity at all institutions, as well as donations to the schools.

Chair Karras thanked Chair Atkin for his report.

General Consent Calendar

Chair Karras noted that a quorum of voting members of the Board had not been present at the June 10 meeting and that approval of the minutes of that meeting would ratify the actions taken in the absence of a quorum. **On motion by Regent Atkin and second by Regent Snow, the following items were approved on the Regents' General Consent Calendar** (Tab V):

A. Minutes

1. Minutes of the Special Board of Regents Meeting held May 23, 2005 at Salt Lake Community College in Salt Lake City, Utah
2. Minutes of the Regular Board of Regents Meeting held June 10, 2005 at the Ogden-Weber Applied Technology College in Ogden, Utah
3. Minutes of the Special Board of Regents Meeting held July 12, 2005 at Dixie State College in St. George, Utah

B. Grant Proposals (Complete list on file in Commissioner's Office)

C. Grant Awards

1. University of Utah – National Park Service; "Assistance for the University of Utah Museum of Natural History;" \$4,930,000. Sarah B. George, Principal Investigator.



2. Utah State University – NASA Langley Research Center; “Geostationary Imaging Fourier Transform Spectrometer (GIFTS);” \$1,560,203. Gail Bingham, Principal Investigator.
3. Utah State University – US Department of Education; “To Operate Regional Resource Center, Region No. 5, Utah State University;” \$1,300,000. John Copenhaver, Principal Investigator.
4. Utah State University – USDA Cooperative State Research Service; “Functional Genomics in Nature;” \$1,374,166. Bart Weimer, Principal Investigator.
5. Utah State University – Duke University; “Epidemiology of Alzheimer’s Dementia in Cache County, Utah;” \$1,457,927. Maria Norton, Principal Investigator.

#### Utah Educational Savings Plan Settlement Agreement

Executive Director Lynne Ward referred to Tab W and reported that the UESP had filed a settlement agreement with the Security and Exchange Commission. They agreed to settle because UESP was already working on improving the areas cited by the SEC, and those issues have been resolved. The UHEAA Board of Directors has been kept up to date on all improvements. The SEC filed several judgments against the former director and issued an investor guide for 429 savings plans. UESP sent each account holder a letter to let them know of recent developments. There have been few responses, several of which were complimentary. Director Ward reported that the UESP accounts currently total one billion dollars.

Chair Karras said the Regents will expect diligent reviews by the UHEAA Board. Regent Jardine reported that one of the interesting disclosures was that John Roberts, Supreme Court nominee, is investing his funds in this program. Commissioner Kendell acknowledged Dr. Spencer and Ms. Ward, along with Anna West and Amanda Covington, for their work on the settlement agreement.

#### Report of the Chair

Resolutions. Vice Chair Pitcher referred to the Resolutions in the Regents’ folder acknowledging the work of Presidents Judd Morgan and Bob Huddleston. Both men and their wives were honored at a dinner the previous evening. Vice Chair Pitcher moved adoption of the resolutions for President Morgan and President Huddleston. The motion was seconded by Regent Snow and adopted.

Changes to Committee Assignments. Chair Pitcher noted that as Vice Chair, Regent Pitcher would serve on the Programs Committee. Regent Reid has agreed to serve on the Finance Committee as well as the UHEAA Board of Directors.

Governor’s Education Summit. Chair Karras said an Education Summit was being planned by Governor Huntsman on August 30. It appears to have a public education focus, although some Regents have been invited to attend.

Commendation to CEU. Regent Gaff said she had gone to Range Creek in response to the invitation issued by CEU President Ryan Thomas. She thanked President Thomas and said it had been a wonderful experience in which she learned the connection between CEU, SLCC and the University of Utah, as well as the research that goes on continually at that site.

Report of the Commissioner

Commissioner Kendell called attention to the Highlights of Notable Accomplishments at the USHE institutions. He commented on the research grants coming into this State. He told President Benson that he had enjoyed reading about the jazz specialists who recently visited Snow College from the Julliard School of Music and asked how the musicians had viewed the experience. President Benson said it had been a very positive experience for the students as well as the musicians, who want to return to Ephraim next year.

Adjournment

The meeting adjourned at 12:30 p.m.

---

Joyce Cottrell CPS  
Executive Secretary

---

Date Approved

# ***DRAFT AMENDMENTS***

## ***R831, Minimum Requirements for Non-Faculty Staff Employment Grievances Policy***

---

### **R831-1. Purpose**

To provide minimum requirements to the institutions for the development of effective policy and procedures to ensure fair treatment for certain non-faculty staff members who seek to resolve work-related grievances. Each institution shall adopt or amend policy and procedures as necessary to comply with these minimum requirements.

### **R831-2. References**

- 2.1. Utah Code [§53B-2-106](#) (Duties and Responsibilities of the President - Approval of the Board of Trustees)
- 2.2. Policy and Procedure [R841](#), Minimum Requirements for Disciplinary Sanctions of Staff Personnel Policy.
- 2.3. Policy and Procedure [R843](#), Guidelines for Reduction in Force Policy.
- 2.4. Policy and Procedure [R845](#), Guidelines for Payment in Lieu of Notice Policy.

### **R831-3. Definitions**

**3.1. Employment Grievance** - a grievance concerning interpretation or application of personnel policies or practices; working conditions; employee-supervisor relationships; disciplinary sanctions, or termination or non-retention. Certain employment issues need not be covered by institutional policies adopted pursuant to these minimum requirements, including position descriptions, classification of positions, and establishment of salaries commensurate with classification.

**3.2. Final and Binding Decision** - a final administrative decision. The complainant cannot take the matter any further administratively.

**3.3. Final and Binding Decision-Maker** - the president, the cognizant vice president, or other institutional administrator, as determined by institutional policy, empowered to render the final decision of the institution.

**3.4 Immediate or First-Level Supervisor or Supervision** - the lowest level of salaried supervision of the employee as defined in the Fair Labor Standards Act and Department of Labor regulations.

**3.5. Grievance Hearing** - in grievances of dismissal from employment, a hearing before a panel of the Personnel Relations Committee; in grievances of lesser disciplinary sanctions and other matters, a hearing before either a panel of the Personnel Relations Committee or a designated administrator or officer, as provided by institutional policy.

**3.6. Human Resource Office** - that office or individual in the institution charged with the administration and record maintenance of personnel matters, or such other person as may be specially designated by the institution president to act as a neutral party to assist with the resolution of grievances at the institution. The human resource office should not be represented by membership on the Personnel Relations Committee.

**3.7. Personnel Relations Committee** - a committee established by institutional policy with membership from a cross section of the college or university community. Such members are to be selected for their objectivity and fairness in personnel matters. The committee should be selected in such a way as to encourage a diverse membership. Grievances brought by employees of healthcare provider units operated by an institution may be assigned to hearing panels consisting exclusively of committee members drawn from the institution's health care provider units. Similarly, grievances brought by main campus employees of an institution may be assigned to hearing panels consisting exclusively of committee members drawn from the institution's main campus units.

**3.8. Staff Member** - an exempt or non-exempt employee not covered by a similar faculty procedure who receives compensation for work or services from funds controlled by the institution, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. There are two categories of Staff Member subject to this policy:

**3.8.1. Regular Staff Member** - a staff member whose employment is defined by the institution as being of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by similar faculty procedures, but may exclude certain executive and at will personnel as defined by the institution. Normally, a regular staff member is one assigned to work 75% or more (or such other percent as set by institutional policy) in a position expected to last more than 6 months (or such other period as set by institutional policy.)

**3.8.2. Part-Time, Temporary, or Probationary Staff Member** - a staff member assigned to work less than full-time, or in a position considered temporary or expected to be of short duration, as defined by the institution; or a newly hired employee in a regular position but still in the probationary status. Normally, a part-time staff member is one assigned to work less than 75% (or such other percent as set by institutional policy;) a temporary position is one not expected to be available after 6 months (or such other period as set by institutional policy.)

#### **R831-4. Minimum Requirements**

**4.1. Discrimination or Harassment Complaints** - Problems or complaints involving a claim of discrimination or harassment on the basis of race, color, national origin, religion, sex, age, disability, or veteran's status are processed as provided by institutional policy and procedure on equal opportunity and nondiscrimination in employment.

**4.2. Part-Time, At Will, Temporary or Probationary Staff Members** - Institutional policy shall determine whether or not to extend any grievance procedures to part-time, at will, temporary or probationary staff members. If so extended, such procedures may be limited to informal processes as determined by the institution and need not involve a hearing before the personnel relations committee. Regular staff members shall be provided grievance procedures in conformance with these minimum requirements.

**4.3. Informal Discussions with Supervisor** - Regular staff members and those part-time, temporary or probationary staff members who have access to grievance procedures under institutional policy shall first attempt to resolve employment grievances through informal discussions with their immediate supervisors. The human resource office shall be available to assist both parties in the informal resolution of grievances. A staff member may not be subjected to intimidation or reprisal for assertion of an employment grievance.

**4.4. Grievance Review Process** - An employment grievance review process, including appropriate time lines, shall be available to all regular staff members who are not satisfied with the results of informal discussions. A staff member has the right to be accompanied by a person of his or her choice during a formal grievance proceeding.

**4.5. Alternative Process Adjustments** - If any steps provided for in an institution's policy are impractical for any reason, institutional policy may empower the human resource office, normally after consultation with the staff member, to prescribe an alternative process which, to the maximum practicable degree, assures to the aggrieved staff member the fair and adequate consideration of the problem or complaint; provided, however, that a regular staff member's right to a hearing [~~before the personnel relations committee~~] can not be denied nor abridged.

**4.6. Time Off With Pay** - Reasonable time off with pay during scheduled working hours shall be provided to the staff member, the staff member's representative, or any witnesses called to testify, for time spent participating in proceedings leading to resolution of the complaint. Time spent by the employee or representative in such activities outside scheduled working hours is noncompensable. Neither time-off with pay nor compensation is provided for time or money spent in preparation for such proceedings. The personnel relations

committee may use resources available to it to obtain the appearance of necessary witnesses.

**4.7. Extensions** - Reasonable time limits may be established by institutional policy for the conduct of the grievance procedure. Such limits may be extended by the human resource office or by another institutional office as provided by institutional policy.

**4.8. Personnel Relations Committee Hearing** - A regular staff member not satisfied with solutions proposed, as a result of attempted informal resolution or any pre-hearing procedures established by institutional policy, shall be entitled to a hearing ~~[before the personnel relations committee]~~. Each party to the complaint shall be notified, has the right to be accompanied at the hearings by a person of his or her choice, has the right to hear the presentations of the other parties, and has the right to be heard ~~[by the committee]~~.

**4.9. Committee Member Recused** - A personnel relations committee member shall be excused from participation in any grievance deliberation where he or she may be influenced by personal relationships with the parties, by bias concerning the circumstances giving rise to the complaint, or by any other material influence which would appear to inhibit the member's ability to render an unbiased judgment.

**4.10. Final and Binding Decision** - When a hearing is held, the final and binding decision-maker shall review the written report, findings and recommendations of the ~~[personnel relations committee]~~ hearing panel or officer. Based upon such review and without conducting further hearings, he or she, shall take one of the following actions:

**4.10.1.** Ratify the ~~[committee's]~~ findings and adopt ~~[it's]~~ the recommendations.

**4.10.2.** Return the report to the ~~[committee]~~ hearing panel or officer for reconsideration or clarification.

**4.10.3.** Reject all or parts of the ~~[committee's]~~ findings and recommendations on one of the following grounds, among other possible reasons:

**4.10.3.1.** The ~~[committee's]~~ recommendations are not supported by the record, or,

**4.10.3.2.** The ~~[committee's]~~ recommendations are based on a misinterpretation of applicable law or policy.

**4.11. Notification of Final Decision** - Written notification of the final and binding decision shall be communicated by the final and binding decision-maker to all parties concerned.

**4.12. Grievance Limitations** - An employee may not institute more than one grievance procedure based on the same facts, circumstances, or events.

---

(Adopted January 9, 1987; amended January 24, 1997. Proposed amendments September 16, 2005.)

# ***DRAFT AMENDMENTS***

## ***R841, Minimum Requirements for Disciplinary Sanctions of Staff Personnel Policy***

---

### **R841-1. Purpose**

To provide minimum requirements to the institutions for the development of policy on the imposition of disciplinary sanctions, including termination, of staff members in the System of Higher Education institutions, and the procedures by which such sanctions are initiated and processed. Each institution shall adopt or amend its policy and procedures as necessary to comply with these minimum requirements.

### **R841-2. References**

**2.1.** Policy and Procedure [R831](#), Minimum Requirements for Non-Faculty Staff Employment Grievances Policy.

**2.2.** Policy and Procedure [R845](#), Guidelines for Payment in Lieu of Notice Policy.

### **R841-3. Definitions**

**3.1. Discipline** - employment related action (including imposition of sanctions) undertaken to correct or modify unacceptable job performance or behavior to acceptable standards.

**3.2. Notice** - actual personal delivery to the individual of a written statement, except that if the individual cannot be personally located at the usual place of institutional employment during assigned working hours, notice may be given by mailing the statement to the employee at his or her last known address. If notice is mailed, it is deemed effective for all purposes when deposited in an appropriate mailbox or mail slot.

**3.3. Human Resource Office** - that office or individual in the institution charged with the administration and record maintenance of personnel matters or such other person as may be specially designated by the institution president to act in regard to the policy.

**3.4. Sanctions** - disciplinary measures authorized to be imposed upon staff members including ~~[an oral or written reprimand, warning letter, temporary reduction in pay, probation, suspension with or without pay]~~ a written warning, reduction in pay, probation, suspension without pay, demotion, or dismissal from employment.



**3.5. Staff Member** - a classified or professional employee in a non-faculty position who receives compensation for work or services from funds controlled by the institution, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. There are two categories of Staff Member subject to this policy:

**3.5.1. Regular Staff Member** - a staff member whose employment is defined by the institution as being of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by a similar faculty procedure, but may exclude certain executive or at will personnel as defined by the institution. Normally, a regular staff member is one assigned to work 75% or more (or such other percent as set by institutional policy) in a position expected to last more than 6 months (or such other period as set by institutional policy.)

**3.5.2. Part-time, Temporary, or Probationary Staff Member** - a staff member assigned to work less than full-time, or in a position considered temporary or expected to be of short duration, as defined by the institution; or a newly hired employee in a regular position but still in the probationary status. Normally, a part-time staff member is one assigned to work less than 75% (or such other percent as set by institutional policy;) a temporary position is one not expected to be available after 6 months (or such other period as set by institutional policy.)

**3.6. Termination** - includes dismissal, reduction in force, and end of temporary employment.

#### **R841-4. Minimum Requirements**

**4.1. General Requirements** - Under institution policy, disciplinary actions and sanctions shall be handled in a manner to achieve the least adverse effect upon the staff member and the institution.

#### **4.2. Minimum Requirements for Part-time, At-Will, Temporary or Probationary Staff Member**

**4.2.1.** Staff members in regular positions are considered as being on probationary status during an initial period determined by institutional policy. It is expected that such staff members will make every effort to become competent and qualified in their jobs during the probationary period.

**4.2.2.** By the nature of the type of employment, suspension, termination or release from employment may be effected prior to the end of the probationary period or for other part-time, at-will, temporary or probationary staff members, at any time, without prior notice, with or without "cause."

**4.3. Minimum Requirements for Regular Staff Member** - The imposition of sanctions, including the dismissal of a regular staff member for cause, may result

for any of the following job-related reasons under circumstances that demonstrate the inability or unwillingness of the employee to meet his or her responsibilities to the institution:

**4.3.1.** Negligence

**4.3.2.** Incompetence

**4.3.3.** Excessive absence or unauthorized absence without leave

**4.3.4.** Misuse of institutional property and funds

**4.3.5.** Disorderly conduct

**4.3.6.** Fraud or falsification on employment application

**4.3.7.** Unsuitability to job requirements

**4.3.8.** Use of alcohol or drugs, or being under the influence thereof while working

**4.3.9.** Insubordination

**4.3.10.** Unjustified interference with the work of others

**4.3.11.** Violation of applicable statutory requirements or institutional regulations relating to employment practices, including but not limited to regulations prohibiting discrimination or harassment because of race, color, ethnic origin, religion, sex, age, disability, or other legally impermissible behavior.

**4.3.12.** Conviction of a crime by a court of competent jurisdiction.

**4.3.13.** Violation of other generally accepted standards of conduct, where such violation creates substantial inefficiency and/or an unacceptable work atmosphere at the institution.

#### **4.4. Minimum Requirements for Disciplinary Sanctions Generally**

**4.4.1.** Whenever feasible, regular staff members should be given an opportunity to improve their performance before sanctions are imposed.

**4.4.2.** Institutions shall define sanctions and may provide that certain serious sanctions require the review of the human resource office and/or higher level supervisor before they are imposed.

**4.4.3.** After remedial actions as provided in 4.4.1 above, and before a sanction of suspension or termination is imposed on a regular staff member, an institutional

officer shall meet with the staff member, explain the perceived deficiencies and charges, explain the proposed sanctions, and provide opportunity for the staff member to respond to the charges. After deliberation and consideration of the staff member's response and explanations, the institutional officer may make the decision to impose the sanction. The institutional officer shall inform the staff member of the decision in writing, including an explanation of how the staff member can exercise his or her rights to appeal the decision. The sanction can be imposed immediately. If the sanction is termination or suspension without pay, it is understood that a successful appeal by the staff member may result in reinstatement of employment and payment of back wages.

**4.4.4.** Regular staff members being formally disciplined by imposition of sanctions must be advised of their right to use the available avenues of review and redress, including institutional grievance and equal opportunity procedures.

#### **4.5. Minimum Requirements for Involuntary Terminations**

**4.5.1.** Regular staff members terminated for cause, and part-time, at will, temporary or probationary staff members being terminated for any lawful reason are not entitled to advance notice of termination.

**4.5.2.** Regular staff members terminated due to a reduction in work force are entitled to notice or payment in lieu of notice pursuant to institutional policy under the guidelines of Policy and Procedure [R845](#).

**4.5.3.** Involuntarily terminated regular staff members shall receive from their supervisors a written statement summarizing the problems encountered, any attempts to correct them, and the cause assigned for their termination.

**4.6. Limitations on Disciplinary Procedures** - While progressive discipline is allowed, an institution may not institute disciplinary proceedings against an employee more than once based on the same [~~acts or violations~~] facts, circumstances, or events.

---

(Approved January 9, 1987; amended January 24, 1997. Proposed amendments September 16, 2005.)

## ***DRAFT AMENDMENTS***

### ***R845, Guidelines for Payment in Lieu of Notice Policy***

---

#### **R845-1. Purpose**

To provide guidelines to the institutions for the development of policy on the terms and conditions of payment in lieu of notice when it is necessary for an institution to effect a reduction in work force, or to terminate a regular staff member for reasons other than cause, and the procedures by which such payment in lieu of notice is initiated and processed. Each institution shall adopt or amend policy and procedures as necessary to comply with these guidelines.

#### **R845-2. References**

**2.1.** Policy and Procedure [R831](#), Minimum Requirements for Non-Faculty Staff Employment Grievances Policy.

**2.2.** Policy and Procedure [R841](#), Guidelines for Disciplinary Sanctions of Staff Personnel Policy.

**2.3.** Policy and Procedure [R843](#), Guidelines for Reduction in Force Policy.

#### **R845-3. Definitions**

**3.1. Staff Member** - a classified or professional employee in a non-faculty position who receives compensation for work or services from funds controlled by the institution, regardless of the source of the funds, the duties of the position, the amount of compensation paid, or the percent of time worked. There are two categories of Staff Member subject to this policy:

**3.1.1. Regular Staff Member** - a staff member whose employment is defined by the institution as being of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes classified, professional and administrative personnel, but may exclude certain executive personnel as defined by the institution. Normally, a regular staff member is one assigned to work 75% or more (or such lesser percent as set by institutional policy) in a position expected to last more than 12 months (or such lesser period as set by institutional policy.)

**3.1.2. Part-Time, Temporary or Probationary Staff Member** - a staff member assigned to work less than full-time, or in a position considered temporary or expected to be of short duration, as defined by the institution; or a newly hired employee in a regular position but still in the probationary status. Normally, a part-time staff member is one assigned to work less than 75% (or such lesser

percent as set by institutional policy;) a temporary position is one not expected to be available after 12 months (or such lesser period as set by institutional policy.)

**3.2. Payment in Lieu of Notice** - a payment made to regular staff members who are placed on layoff status for reasons other than cause and without being given the required advance notice of termination. Payment in lieu of notice [~~does not constitute compensation, and where applicable~~] will be paid in addition to accrued salary, wages, and unused vacation time.

#### **R845-4. Guidelines**

**4.1. Notice of Termination** - When it is necessary for the institution to effect a reduction in work force, or to terminate a regular staff member for reasons other than cause, each nonexempt regular staff member who is to be laid off will ordinarily be given written notice of termination at least two calendar weeks before the effective date of such termination. For exempt regular staff members, the notice will be given at least four calendar weeks before the effective date of termination.

**4.2. Payment in Lieu of Notice** - If the required advance notice is not given, or is given for a shorter period than provided under subsection 4.1, payment in lieu of notice will be given.

#### **4.3. Eligibility:**

**4.3.1.** An employee is not eligible for payment in lieu of notice if (a) he or she is a part-time, temporary or probationary staff member, or (b) the termination is for cause.

**4.3.2.** Payment in lieu of notice is not available to employees whose termination is voluntary.

**4.4. Effect of Payments** - Payment in lieu of notice is not considered part of the regular rate used to compute overtime payments due upon termination, and cannot be used to reduce any other payments due to the employee, such as accrued overtime, and accrued but unused vacation time. Payment in lieu of notice will be considered for the purpose of FICA and income tax withholding, [~~but will not~~] and may, subject to institutional policy and practice, but is not required to be considered for the purpose of institutional benefits and [~~does not~~ may, subject to institutional policy and practice, but is not required to extend the employment period [~~beyond the effective date of termination~~] to the end of the applicable notice period.

September 7, 2005

MEMORANDUM

TO: State Board of Regents  
FROM: Richard E. Kendell  
SUBJECT: Joint Meeting of the Utah State Board of Regents and the Utah State Building Board

Background

This joint meeting allows the Regents an opportunity to visit with the Utah State Building Board to discuss issues regarding the System's capital development needs.

Issue

Scheduled discussion topics include a summary of current USHE long -term enrollment projections, USHE's 20-year space projection, a review of the Building Board prioritization process and Regent priorities for capital development.

The Building Board and DFCM will review changes to the scoring system adopted by the Building Board for ranking statewide development needs. Further topics of discussion include USHE success in efforts made toward extending the life of buildings through "operation and maintenance" funding and the capital improvement program.

Supplemental information will be provided at the meeting. Key individuals expected to attend the meeting are listed below.

Utah State Building Board Members

Larry Jardine, Chair  
Kerry Casaday, Vice Chair  
Cyndi W. Gilbert  
Manuel T. Torres

Steve Bankhead  
Darren Mansell  
Katherina Holzhauser  
Richard Ellis, Ex-officio

Key Staff

*Department of Administrative Services*  
D'Arcy Dixon-Pignanelli, Executive Director  
*Office of the Legislative Fiscal Analyst*  
Steven Allred, Fiscal Analyst  
*Governor's Office of Planning and Budget*  
Randa Bezzant, Policy Analyst

*Division of Facilities Construction and Management*  
Keith Stepan, Director  
Kenneth Nye, Deputy Director  
Kent Beers, Program Director  
Blake Court, Program Director  
Shannon Lofgreen, Secretary to the Board

Recommendation

Information only - no action necessary.

Richard E. Kendell, Commissioner

REK/MHS/KGW

**AGENDA OF THE  
UTAH STATE BUILDING BOARD and  
UTAH STATE BOARD OF REGENTS JOINT MEETING**

---

**Friday, September 16, 2005  
Utah State University  
Taggart Student Center Ballroom  
10:45AM**

- 1. Welcome and Introductions**
- 2. Presentation of Regent Priorities**
- 3. Discussion of Prioritization Protocol**
  - a. Q&P Update**
  - b. Building Board Process**
- 4. Enrollment Projections**
- 5. Institutional Five Year Plans**



**Notice of Special Accommodation During Public Meetings** - In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Shannon Lofgreen 538-3261 (TDD 538-3260) at least three days prior to the meeting.

*This information and all other Utah State Building Board information is available on DFCM web site at <http://buildingboard.utah.gov>*