

STATE BOARD OF REGENTS MEETING
REGENTS' OFFICES, SALT LAKE CITY, UTAH
DECEMBER 8, 2006

Minutes

Regents Present

Jed H. Pitcher, Chair
Bonnie Jean Beesley, Vice Chair
Jerry C. Atkin
Daryl C. Barrett
Rosanita Cespedes
Katharine B. Garff
David J. Grant
Ali Hasnain
Greg W. Haws
Meghan Holbrook
James S. Jardine
Michael R. Jensen
David J. Jordan
Nolan E. Karras
Josh M. Reid
Marlon O. Snow

Regents Excused

Janet A. Cannon
Sara V. Sinclair

Office of the Commissioner

Richard E. Kendell, Commissioner of Higher Education
David L. Buhler, Associate Commissioner for Public Affairs
Jorie Colbert, Research Analyst
Joyce Cottrell, Executive Secretary
Amanda Covington, Director of Communications
Carrie Flamm, Executive Director, Utah Student Association
Brian Foisy, Assistant Commissioner for Budget and Finance
Kimberly Henrie, Budget Director
Mark H. Spencer, Associate Commissioner for Finance and Facilities
Lauren Stimpson, Utah Scholars (State Scholars Initiative) Project Manager
Lucille T. Stoddard, Associate Commissioner for Academic Affairs
Lynne N. Ward, Director, Utah Educational Savings Plan
Gary S. Wixom, Assistant Commissioner for Academic Affairs
Andrea Worthen, Educational Policy and Accountability Director

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

Stephen H. Hess, Associate Vice President for Information Technology
Laura Snow, Special Assistant to the President/Secretary of the University
Chuck Wight, Associate Vice President, Instructional Technology and Outreach

Utah State University

Stan L. Albrecht, President
Lee H. Burke, Assistant to the President/Secretary of the University
Guy Denton, Executive Director, Uintah Basin-Roosevelt Region
Glenn Ford, Vice President for Business and Finance
Sydney Peterson, Chief of Staff
Whitney J. Pugh, Director, Budget Office

Weber State University

F. Ann Millner, President
Brad Mortensen, Assistant Vice President for Support and Auxiliary Services
Michael B. Vaughan, Provost
Jan Winniford, Student Affairs

Southern Utah University

Gregory L. Stauffer, Interim President
Abe Harraf, Provost
Dorian Page, Associate Vice President and Treasurer
Steve Kiisel, Student Body President

Snow College

Michael T. Benson, President
Gary Arnoldson, Controller
Rick Wheeler, Vice President for College Relations
Bradley A. Winn, Provost

Dixie State College

Lee G. Caldwell, President
David Colegrove,
Donna Dillingham-Evans, Academic Vice President
Joe Peterson, Dean, Arts, Letters and Sciences
Stanley J. Plewe, Vice President for College Services

College of Eastern Utah

Ryan L. Thomas, President
Michael King, Academic Vice President

Utah Valley State College

William A. Sederburg, President

Janette Hales Beckham, Vice Chair, UVSC Board of Trustees
Dan Campbell, Chair, UVSC Board of Trustees
Steven Clark, Director, Physical Plant
Cory Duckworth, Vice President for Student Affairs and Strategic Planning
Briant Farnsworth, Dean, School of Education
Val Hale, Vice President for Institutional Advancement and Marketing
Stanley E. Jenne, Dean, School of Business
Megan Laurie, Administrative Assistant/PR Coordinator, Humanities, Arts & Social Sciences
Linda Makin, Director of Budgets
Loretta Palmer, Associate Vice President of Academic Affairs
Andrew Stone, Student Body President
Karl J. Worthington, Associate Vice President of Academic Affairs

Salt Lake Community College

Cynthia A. Bioteau, President
Katherine Boswell, Vice President for Institutional Advancement
Julie Ann Curtis, Assistant to the Vice President of Academic Services
Dennis Klaus, Vice President of Business Services
David Richardson, Vice President of Academic Services

Utah College of Applied Technology

Robert O. Brems, President
Paul Hacking, Regional President, Uintah Basin Campus
Kirt Michaelis, Vice President of Administrative Services

Representatives of the Media

Sheena McFarland, *Salt Lake Tribune*
Kate McNeil, *Provo Daily Herald*
Amy K. Stewart, *Ogden Standard-Examiner*
Erin Stewart, *Salt Lake Tribune*
Associated Press
Fox News

Others Present

Spencer Pratt, Office of the Legislative Fiscal Analyst
Keith Stepan, Executive Director, Department of Facilities Management and Services

Following meetings of the Board committees, Chair Jed Pitcher called to order the Committee of the Whole at 10:50 a.m. He welcomed those present and excused Regents Cannon and Sinclair.

Congratulations. Chair Pitcher congratulated Regent Barrett for receiving a Legacy of Excellence Award from the Junior League. He congratulated President Benson on his appointment to the presidency of

Southern Utah University, effective January 1, 2007. Chair Pitcher thanked President Stauffer for his excellent efforts as Interim President of SUU.

Resolution in Memory of Elva Barnes

Commissioner Kendell said Mrs. Barnes had served on the State Board of Regents for six years and for 18 years on the UHEAA Board of Directors, including four years as UHEAA Board Chair. She was a staunch advocate for the students and always had their needs in mind when student financial aid was discussed. She will be missed. **Regent Grant moved approval of the Resolution in memory of Elva Barnes. Regent Atkin seconded the motion, which carried unanimously.** A copy of the resolution is on file in the Commissioner's Office.

General Consent Calendar

On motion by Regent Grant and second by Regent Jensen, the following items were approved on the Regents' General Consent Calendar (Tab U):

A. Minutes

1. Minutes of the Regular Meeting of the State Board of Regents held October 26, 2006, in the Regents' offices in Salt Lake City, Utah
2. Minutes of the Special Meeting of the State Board of Regents held November 10, 2006, at Southern Utah University in Cedar City, Utah

B. Grant Proposals – on file in the Commissioner's Office

C. Grant Awards

1. University of Utah – Molycorp Inc; "Effect of Weathering on the Stability of Questa Mine-ROC;" \$1,087,589. Terrence Doyle Chatwin, Principal Investigator.
2. University of Utah – National Institutes of Health/National Institute of Neurology; "Medical Countermeasures;" \$4,000,000. H. Steve White, Principal Investigator.
3. University of Utah – Utah Department of Human Resource Management; "Title IV-E;" \$1,706,109. Norma J. Harris, Principal Investigator.
4. Utah State University – State of Utah, Department of Health; "Up to 3 Early Intervention;" \$1,068,483. Susan Olsen, Principal Investigator.
5. Utah State University – NASA Jet Propulsion Laboratory; "Wide-field Infra-red Survey Explorer (WISE);" \$1,800,000. Scott Schick, Principal Investigator.

6. Utah Valley State College – US Department of Education, Title III; “Student Retention Programs, Services, and Computer Infrastructure Enhancements;” \$2,000,000.

D. Proposed Policy R211, Succession Plan for the Commissioner of Higher Education

Reports of Board Committees

Academic, CTE and Student Success (Programs) Committee – Regent Michael R. Jensen, Chair

Dixie State College – Institute for Business Integrity (Tab A). Regent Jensen said this was the only item on the committee’s Consent Calendar. Dr. Robert Huddleston, former President of Dixie State College and now a member of the Business faculty, made a presentation to the committee and responded to questions. The American Association of Collegiate Schools of Business (AACSB) requires ethics to be integrated into the business curriculum as an accreditation requirement. In addition, college officials plan to integrate a Business and Professional Ethics course into each undergraduate program. **Chair Jensen moved approval of Dixie’s Institute for Business Integrity. Regent Atkin seconded the motion, which was adopted.**

Information Calendar, Programs Committee (Tab B). Chair Jensen briefly reviewed each item on the committee’s Information Calendar and offered to respond to questions.

Southern Utah University – Program Review, College of Science (Tab D). Regent Jensen commended SUU’s College of Science for its excellent review. He reminded the Regents that universities are required to conduct program reviews on a seven-year cycle. Community and state colleges are on a five-year cycle.

Remediation Report (Tab E). Associate Commissioner Stoddard said remediation had been a big issue in this state for many years. The report indicated that students who passed remedial courses were more likely to return for their second year of college, and also more likely to graduate on time. Dr. Stoddard commended the faculty in the remedial and developmental areas. Standards for remediation vary among institutions. Sometimes a school’s pass grade is pass/fail; sometimes standards are much higher. (A “C-” is not a passing grade in some institutions.) The report yielded a strong database on which to develop issues. Higher education is working closely with public education, through the K-16 Alliance, to increase rigor in the high school curriculum and to identify problem areas and address them while students are still in K-12. A task force is working to align curriculum to prevent a disconnect between high school and college and to standardize high school and college standards and to align content. President Bioteau asked that the system use the term “developmental education” rather than “remedial education.” In most cases, people who are successful in developmental education are building skills. Regent Cespedes commended those who prepared the work and the valuable database it gives the Regents.

Utah Valley State College – Request for Mission and Name Change (Tab C). President Sederburg recognized the UVSC faculty and staff present for this discussion. He briefly reviewed a PowerPoint presentation explaining the rationale for UVSC’s request for university status. The change will require a \$10 million appropriation from the Legislature. The 2007-2008 USHE Budget Request includes \$3 million as a first installment. Regent Grant pointed out \$3 million, or even \$10 million, is not enough money to fund a university.

He suggested that college officials approach the Legislature and request what is actually needed, and also include sufficient funding for Dixie's mission change at the same time.

Regent Jardine thanked President Sederburg for his informative report. He noted the Regents have been adding programs and making progress for some time. He asked if Carnegie classifications were available for comparison purposes. In response to Regent Grant, President Sederburg said he was collaborating with the Commissioner and the Regents to make this an informed educational process rather than a political process. UVSC is not seeking a name change before the funding has been received.

Commissioner Kendell said discussions with legislative leadership have been clear. The Legislature wants to make this a good process, the result of an educational process. They do not want to make only a name change because that would lack credibility. The institution has done what the Regents have asked – address the eight to ten points critical to the success of the institution. The request for funding can now be taken to the Legislature with the Regents' endorsement, with the understanding that the Legislature's investment is vital. Higher education is particularly underfunded in this state, and at every institution. The Regents and the Legislature must take into consideration the needs of the other schools as well as UVSC and Dixie. The Regents also have an obligation to structure the System budget request based on the most reasonable expectations of the state's ability to pay. The USHE budget request is \$68 million, including \$3 million for UVSC and \$1.5 million for Dixie. The Legislature will recognize that \$10 million is only a down payment. The process of institution-building takes years. When graduate programs are presented to the Regents for approval, they will have to be approved on their own merit.

Regent Karras remarked that he was Speaker of the House when Weber and SUU went through this process. He admitted he had been concerned initially about how fast this was moving in terms of the total system and applauded the efforts of collaboration. The Regents must now be willing to lobby the Legislature for the money to make this work. Regent Atkin asked about the possibility of getting the additional \$7 million from the Legislature. Supporting the \$3 million request shows the Regents' support for the college's efforts to follow the Regents' recommendations.

Regent Jardine said 90 percent of the time UVSC has requested a new program, it made sense to the development of the institution and the needs of the community. He was not opposed to changing the name, but the Regents must not lose track of the school's role to serve undergraduate students as well. The goal is to have high quality, comprehensive, four-year programs. Regent Barrett asked what would happen to UVSC's comprehensive community college role if it advances to a university. President Sederburg said Weber does a great job at meeting the role of the community college and having a limited number of master's degree programs. UVSC officials have the same expectations for their school. They intend to follow Weber's model.

Commissioner Kendell said UVSC's mission would change, but not at the expense of the core functions of the system of higher education. The core budget is based around compensation, mandated costs, student financial aid, and institutional priorities. He complimented the Presidents for developing the most important priorities at their respective institutions. The Presidents have agreed to support the institutional priorities. Although the funding increases for UVSC and DSC are much greater than for the other institutions, the Presidents have agreed to support that plan. Commissioner Kendell suggested that institution-building be

viewed similarly to business-building. Institution-building, particularly in this state, takes time. The \$3 million request to the Legislature will be for a "down payment" (\$10 million total) on UVSC's mission and name change, with the expectation that funding will be required for several years.

Regent Atkin asked what would happen if we were not successful in obtaining the balance of the required funding. Commissioner Kendell said the Regents' endorsement of support for a mission change will be contingent on receipt of funding from the Legislature. Regent Jardine said it was his understanding that the mission and name change for UVSC would not occur until the entire \$10 million was received. President Sederburg concurred.

Finance, Facilities and Accountability Committee – Regent Jerry C. Atkin, Chair

Utah State University – Proposed Ground Lease of Property in Vernal to the Uintah Basin Applied Technology College (Tab F). Chair Atkin said 137 acres had been donated to Utah State University, of which 20 acres would be leased to the UBATC for a new facility. USU will continue to have some use of the building, and it is anticipated that future USU buildings will be constructed on the site. The proposed lease is in compliance with Regents' policy R712. Regent Grant asked about strengthening the clause regarding dispute resolution. After brief discussion, Regent Grant was satisfied with the existing wording. **Chair Atkin moved approval of the proposed lease. Regent Karras seconded the motion. The motion carried.**

Weber State University – Sale of Donated Property (Tab G). Chair Atkin explained that Weber State University had been gifted some property with the proceeds to be used to develop the university. University officials would like to sell the property and put the money in a land development fund. The selling price is consistent with a recent appraisal of the property, and would net the University \$1,076,400. **Chair Atkin moved approval of the transaction. Regent Grant seconded the motion, which carried.**

Snow College – Property Transfer to Richfield City (Tab H). Chair Atkin said the property in question was a road on the edge of the Richfield Campus. The city of Richfield would like to maintain the road, which would reduce the college's liability and allow the city to extend Technology Drive to link with other city roads. Chair Atkin noted the Commissioner's cover memo indicated the approval of both the Commissioner and the Attorney General's Office. **Chair Atkin moved approval of the property transfer, seconded by Regent Grant. The motion carried.**

Consent Calendar, Finance Committee (Tab I). **Regent Atkin moved approval of the UofU and USU Capital Facilities Delegation Reports on the committee's Consent Calendar. The motion was seconded by Regent Grant and carried.**

Progress Report on Actuarial Review of Post-Retirement Obligations (GASB 45 & 45) (Tab J). This progress report was presented for information only. The attachment listed the Legislative Auditor's recommendations and the Regents' reported actions to each recommendation. No questions were raised.

Executive Summary Report of Enrollment Audits for Southern Utah University and Dixie State College (Tab K). Chair Atkin noted Replacement Tab K in the Regents' folders, which gave the significant findings of

the enrollment audits at SUU and DSC, as well as a letter from President Stauffer that addressed SUU's findings.

Request for Information (RFI) for Administrative Systems Disaster Recovery and Banner Support (Tab L). This information item was to comply with the recently approved USHE Information Technology Strategic Plan, and to prepare for a request for legislative support.

Executive Summary Report of USHE System Information Security Readiness (Tab M). The report attached to Tab M was the result of a survey of USHE institutions to determine their Information Technology security readiness. Also included in the report was a request for each institution to have a disaster recovery and business continuity plan.

UHEAA – Information Update (including Cohort Default Rates) (Tab N). The attached report provided student loan default rates for fiscal year 2004. It was noted that the default rate for USHE institutions was 2.8 percent, compared with the national average of 4.5 percent.

Dixie State College – Future Plans for an Institutional Residence (Tab O). This agenda item addressed the need of Dixie State College to maintain an official president's residence. When President Caldwell was inaugurated, he announced that the previous institutional residence had been converted to an alumni center. Commissioner Kendell's recommendation noted that this matter had not been approved by the Regents and that a resolution is required. DSC and President Caldwell will prepare a formal plan. Associate Commissioner Spencer will investigate presidential residence policies in other states.

Strategic Planning and Communications Committee – Regent James S. Jardine, Chair

Prioritized Recommendations of USHE Task Force on Minority and Disadvantaged Students (Tab P). Chair Jardine said the committee had asked the task force to prioritize and add fiscal notes to their previous recommendations. The work of the group has been very thoughtful. Chair Jardine recognized SLCC Vice President David Richardson and Assistant Commissioner David Doty for their efforts in leading the task force. Chair Jardine noted the task force had ranked academic support first. The group reported that many of the institutions are already taking these actions, but they are not coordinated and could be improved. The second priority was P-12 preparation. Governor Huntsman has made this a strong part of his budget request. The committee accepted the report and recognized the budgetary implications of the recommendations. On behalf of the committee, **Chair Jardine moved that the board accept all 22 of the recommendations of the Minority Participation Task Force. He also moved that:**

1. **Institutional funds be used to have a senior level administrator to coordinate efforts to increase minority participation, retention, and graduation rates. Also, the committee invites institutional presidents to report (one or two at each meeting), beginning in January 2007, on their efforts to enhance minority participation and their efforts to address campus academic support with existing resources.**

2. After learning what can be accomplished within existing resources, the Board consider other task force recommendations that will require additional funding as part of future budget deliberations.
3. The Board reaffirm its commitment to seek \$3,359,400 in new legislative funding in the 2007 General Session for student financial aid, and \$500,000 for the Utah State Scholar Initiative, as recommended by the task force.
4. The Board support the State Board of Education in seeking \$7.5 million in legislative funding for optional extended day kindergarten targeted at high-poverty schools.

Vice President Richardson said the task force's work will take several years. It is very important for the senior-level administrators to be chosen right away to help coordinate efforts throughout the system. Regent Cespedes applauded the work of the task force for providing data to allow the Regents to monitor the effectiveness of programs and their progress over time. She strongly urged the institutions to make this a priority. **Regent Cespedes seconded the motion, which carried.**

Reformatting of "Measuring Utah Higher Education" Annual Report (Tab Q). Chair Jardine commended Assistant Doty for the policy brief attached to Tab Q. The reformatting will link the messaging strategy with the priorities of preparation, participation, and completion. Commissioner Kendell remarked that the information on degree completion has been a powerful way to build the Regents' agenda but has also been an eye-opener for the citizens of Utah. The process needs to be open and allow for adjustment as necessary. **Regent Atkin moved approval of the proposed reformatting of the Measuring Utah Higher Education annual report. The motion was seconded by Regent Barrett and adopted.**

Expanded Communications/Outreach Plan (Tab R). Chair Jardine referred to the Supplement to Tab R and commended Amanda Covington for her work in developing a communications plan. The supplement asked the Regents to do three things this month: (1) call legislators in their respective areas, (2) let Amanda know what groups they would like to address, such as a Rotary club or local Chamber, and (3) review Commissioner Kendell's goals and their alignment with the Regents' direction. Amanda is happy to help set up the meetings and suggest appropriate people to be present. **Chair Jardine moved approval of the communications schedule and plan, seconded by Regent Beesley. The motion carried.** Regent Karras noted that some of the bullet points in the NCSL Blue Ribbon Commission's report (see Tab S) were very powerful and could be used in the discussions with legislators.

Report of National Conference of State Legislatures (NCSL) Blue Ribbon Commission – "Transforming Higher Education: National Imperative - State Responsibility (Tab S). Chair Jardine reported that Senator Lyle Hillyard was a member of this committee. The 15 recommendations are all on target with the Board's strategic directions. Commissioner Kendell said these points should be used in presentations to the various Chambers, Rotary clubs, etc., as well as with legislators. Senator Hillyard has agreed to put this on the agenda of the Legislative Executive Appropriations Committee for their meeting in January. Regent Karras suggested that a presentation be made to the Utah Legislature on this report. The report was especially powerful because it came from legislators. Vice Chair Beesley suggested a joint presentation – have the legislators make the report

on the recommendations, and have Regents respond with where Utah is in each area. Regent Garff said it would be helpful for the Regents to know when they are needed for the various meetings. She asked Associate Commissioner Buhler to let the Regents know when their presence would be most helpful during the session. Regent Cespedes recommended that data be included, if possible. Chair Jardine said a good starting point for discussions with legislators is to let them to know the Regents have received this report.

Report of the Commissioner

Commissioner Kendell briefly reviewed the notable accomplishments of each institution, UHEAA, and UESP. The USTAR Initiative is starting to move out to the outreach centers. He thanked the Presidents for hosting meetings with legislators in their respective areas. Those meetings have been very productive.

Report of the Chair

Chair Pitcher said he also appreciated the meetings with legislators. The Regents have also been supportive of those meetings and have attended, when possible. He noted the Higher Education Day on the Hill luncheon on February 9 in the State Office Building and urged Regents and Presidents to attend, if possible.

Regent Reid moved that the Board move into executive session to discuss personnel issues, specifically to receive reports of the Resource and Review teams. Regent Atkin seconded the motion, which carried.

Chair Pitcher announced that the Regents would be reconvening in open session following their executive session luncheon. The Regents moved into executive session at 12:30 p.m. and reconvened in Committee of the Whole at 2:20 p.m.

Appointment of Interim President at Snow College. Commissioner Kendell said with the appointment of President Benson as Southern Utah University President, a vacancy will exist at Snow College on January 1. He recommended the appointment of Rick Wheeler as Interim President of Snow College. Dr. Rick White will be spending more time in Ephraim throughout the session to govern administrative functions as President Wheeler fulfills his responsibility as a state legislator. Dr. Brad Winn will cover the external functions. Snow College has an excellent administrative team. Vice President Larry Christensen will retire on December 31, but has agreed to stay on in a consultant capacity during this interim period.

Chair Pitcher congratulated Mr. Wheeler on his appointment. A presidential search committee will be named in the next few weeks. Regent Josh Reid will chair the committee, with Regents Holbrook and Sinclair serving as the other Regent members.

Adjournment

Regent Jensen moved the meeting be adjourned. The motion was seconded by Regent Reid and adopted. The meeting was adjourned at 2:25 p.m.

Joyce Cottrell CPS
Executive Secretary

Date Approved

